

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 for June 9.

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

The House will meet in session on Wednesday, June 9 at 1:00 p.m. Future sessions are tentatively scheduled for Wednesday, June 16, and Tuesday, June 22.

I would like to thank all those members who took time to participate in the budget forum held this week to share your ideas on how you would like to see the budget crafted.

The Chairmen and Vice Chairmen will meet on Tuesday, June 8 at 9:00 a.m. in Room 201, LOB.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Wednesday, June 9 at 11:00 a.m. in Rooms 201-203, LOB.

Rep. Gene G. Chandler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, June 9 at 11:00 a.m. in Rooms 305-307, LOB.

Rep. Peter H. Burling, Democratic Leader

WEDNESDAY, JUNE 9

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 200-FN-L, relative to restructuring the juvenile justice system in New Hampshire. RE-REFER TO COMMITTEE

Rep. Laura G. Pantelakos for Children and Family Law: The committee feels this bill has a lot of merit, but it needs a lot of work. If we are able to refer this back to committee we would be able to work on it this summer and bring it back next session. Vote 13-0.

SB 137-FN, relative to use of social security numbers in child support enforcement and in the issuance of driver's licenses. RE-REFER TO COMMITTEE

Rep. Edward P. Moran for Children and Family Law: The majority of the committee had serious reservations about privacy issues presented by the bill. As 1 October 2000 is the federal deadline for state implementation of the use of social security numbers on all driver's license applications, the committee felt there was time to explore limiting the scope of this bill as well as ascertain the success of federal efforts to modify this requirement in the interim. Vote 11-2.

SB 150, making certain reference changes to the department of youth development services. OUGHT TO PASS

Rep. Thomas I. Arnold, Jr. for Children and Family Law: This bill makes a number of technical changes to be consistent with current law and enhances the ability to correct certain shortcomings revealed in the November '98 Performance Audit of the Juvenile Justice Organization. Vote 13-0.

COMMERCE

HB 252, establishing a procedure for separation of condominium units at the Commons at Merrimack. OUGHT TO PASS WITH AMENDMENT

Rep. Tara G. Reardon for Commerce: This bill creates a statutory study committee to study all aspects of the condominium statute, including contraction and/or division of a condominium. The constituent problem that gave rise to this legislation can be addressed at that time. Vote 17-0.

HB 331, relative to auto leasing. OUGHT TO PASS WITH AMENDMENT

Rep. Keith R. Herman for Commerce: The bill requires further disclosure to consumers of leased vehicles. We are adding to the list of fees to be disclosed when signing an auto lease any settlement costs expected. The amendment adds to this requirement a new disclosure to any lessee or buyer of a vehicle that installation of equipment or parts after it leaves the factory may void the factory warranty. Failure to provide this disclosure will result in the auto dealer being held responsible for the remainder of the warranty and any loss in residual value of a leased vehicle. Vote 17-0.

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 29-L, relative to the proper sheltering of dogs. OUGHT TO PASS

Rep. Frank M. Schanda for Criminal Justice and Public Safety: This bill creates a new statute that describes minimum standards for the sheltering of dogs. The standards are in common sense language and should put no burden on anyone who keeps dogs. The standard for sanitary conditions, for example, are to periodically clean the area where the animal is kept of excrement and any other waste materials that could adversely affect the animals' health. The penalty for not responding to a warning that a violation exists is a violation. The response has to take place within 48 hours of a written notice that a violation exists. The bill is an attempt to provide those who keep or shelter dogs in unsanitary conditions an opportunity to be put on

notice that such conditions are not lawful and should be corrected. Vote 14-0.

SB 59-L, relative to bonding of animal owners convicted of animal cruelty. OUGHT TO PASS

Rep. Everett A. Weare for Criminal Justice and Public Safety: This bill adds a paragraph to RSA 644:8IV which says the following: "If a person convicted of cruelty to animals appeals the conviction and any confiscated animal remains in the custody of the arresting officer or the officer's designee pending disposition of the appeal, in order for the appellant to maintain a future interest in the animal, the trial court may require the appellant to post a bond or other security in an amount not exceeding \$2,000 for each animal in custody for costs expected to be incurred for the board and care of the animal during appeal. If the conviction is affirmed on appeal, the costs incurred for the board and care of the animal shall be paid to the custodian from the posted security and the balance, if any, returned to the person who posted it". As you can see from this new paragraph, we are talking about 3 issues. One, if the person appeals a conviction, two, if the person wants to maintain an interest in the animal and third they pay for the custodial costs during the appeal. The committee felt this was appropriate relief because the person who appeals has already been convicted and some offenders are using the present law as a tool to rack up expenses so a prosecutor will strike a deal to save the department money it really does not have. There was no testimony against the bill. Vote 13-1.

SB 163, establishing a commission to study methods for reducing violent incidents involving children and guns. OUGHT TO PASS WITH AMENDMENT

Rep. Frank D. Callaghan for Criminal Justice and Public Safety: This bill was heard on May 12, 1999. The bill establishes a commission to study the issues of violent incidents involving children and firearms. There are many members included on this commission to study an issue that has become front-page news during the last few months. The committee amendment adds a representative of a firearms manufacturer, a federally licensed firearms dealer, five members of the general public, three of whom shall be mental health practitioners specializing in child and adolescent mental health, and four additional members of an organized sportsman's club to represent each executive councilor district. (5) An extreme effort has been made to have members of all stakeholders in the issue represented as well as regional areas within the State of New Hampshire. The duty of the commission is to identify the problems associated with violent incidents involving our children, suggest programs that would help to reduce or minimize the causes of the extreme violence manifesting itself in our youthful society. The committee believes that to focus merely on the objects used by violent children does not begin to solve the underlying behavioral patterns that have been the central point of shocking news accounts of incidents in our state's schools. The committee further believes that there are programs in place elsewhere that can be identified as successful and might be replicated in our state. The commission will report its findings after extensive study of violent incidents and suggest methods to reduce such violent behavior that may or may not necessitate legislation. The commission is constituted of professionals and lay persons from a cross section of our society and can invite others to participate. There is no quorum requirement, which means that those members of the commission that make an effort to attend and participate will not be hindered when some appointees fail to attend. This commission is focused on producing results that can be translated into action to identify sources of problems and sources of solutions. In the past the general court has had legislation before it that would have made parents criminally responsible for the actions of their children. This has usually been unsuccessful. Children need to be accountable for their actions and realize that there are consequences to bad behavior. Parents need to know that their responsibility is to prepare children to be responsible citizens and that they are responsible for some of the poor choices that their children make. It is hoped that this commission will succeed in bringing all parties together to work toward a common solution Vote 14-0.

ENVIRONMENT AND AGRICULTURE

SB 92-FN, relative to education grants funded by the companion animal neutering fund. INEXPEDIENT TO LEGISLATE

Rep. Suzan L.R. Franks for Environment and Agriculture: This act would dedicate funds presently used to spay and neuter cats and dogs towards heightening public awareness of the need for animal neutering.

Currently, the state veterinarian provides brochures covering the program, and testified that he believes that these dollars would be best maintained for spaying and neutering cats and dogs. Therefore, the Committee believes this bill should be found inexpedient to legislate at the present time. Vote 15-0.

JUDICIARY

SB 57, permitting challenges to judges. INEXPEDIENT TO LEGISLATE

Rep. Robert H. Rowe for Judiciary: This bill would permit each party in a court case one challenge to the justice assigned to the case for any reason whatsoever. Presently, statutes allow for a request of recusal for cause. Judges may recuse themselves whenever a conflict arises. The committee feels that were this bill to pass it would be disruptive to the justice system particularly in less populated areas of the state where the number of judges is limited. It would also cause delays in trials thus inconveniencing litigants and greater expense to the public and the judicial system. The committee feels that a more narrowly structured bill may be the appropriate route to pursue on this subject matter. Vote 14-1.

SB 67, limiting liability resulting from the use of automatic external defibrillation. OUGHT TO PASS WITH AMENDMENT

Rep. James W. Craig for Judiciary: It is the intent of this legislation to encourage the use and availability of automatic external defibrillators (AED's). AED's are medical devices which are capable of determining if defibrillation should be performed and then automatically delivering an electric impulse which hopefully restarts the heart. The bill provides immunity for any person using an AED in an emergency situation absent gross negligence. It also requires those expecting to use AED's to receive training in CPR (cardiopulmonary resuscitation) and AED operation. The committee basically rewrote the senate version to include an "intent" section, a concise definition of "automatic external defibrillation", and a section requiring training in CPR and AED operation Vote 12-1.

SB 146, granting district courts exclusive jurisdiction over actions involving certain real estate purchase deposits held in escrow accounts. INEXPEDIENT TO LEGISLATE

Rep. Sandra B. Keans for Judiciary: The Real Estate Commission worked with the courts to come to a solution that does not require new legislation. The anecdotal evidence suggests that some escrow cases involving real estate were automatically being moved up to superior court even though only those needing a jury trial or with title disputes have to be. Other cases can and should be handled in district court. The administrative judge of the district courts has agreed to issue instructional materials to all court personnel explaining the circumstances when cases need to be sent to superior court. Vote 14-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 744, ratifying the Plainfield Village Water District annual meeting held on March 27, 1999. OUGHT TO PASS

Rep. Paul A. McGuirk for Municipal and County Government: The Plainfield Village Water District voted to authorize a bond to install a new water system to replace their old dug-well water supply. The District made a few procedural errors – improper positing and failing to place the bond article first on the agenda. The committee voted unanimously to ratify the meeting to allow the Plainfield Valley Water District to move forward with their project. Vote 13-0.

SCIENCE, TECHNOLOGY AND ENERGY

SB 159, relative to early reduction of greenhouse gases. OUGHT TO PASS WITH AMENDMENT

Rep. Jeb E. Bradley for Science, Technology and Energy: This bill authorizes the New Hampshire Department of Environmental Services (DES) to establish a registry for sources of greenhouse emissions that voluntarily wish to reduce such emissions. Use of a registry would allow emissions sources to receive credit for voluntary emissions reductions in the event there are national greenhouse gas standards in the future. Use of a registry would establish an emissions baseline, which would quantify and document achieved reductions. In the event of national controls on greenhouse gases, a source would be able to receive credit for reductions already made voluntarily. In the public hearing there was no opposition to the bill due to its strictly voluntary nature and the fact that a registry offers protection for quantified emission reductions. It was indeed supported by both the environmental and business communities. DES testified that creation of this registry could be accomplished within existing departmental resources. Vote 13-0.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 301, relative to burials and funerals at the New Hampshire state veterans cemetery. OUGHT TO PASS WITH AMENDMENT

Rep. Dennis H. Fields for State-Federal Relations and Veterans Affairs: This is a policy stating a veteran shall be entitled to burial within a reasonable time after notification to appropriate cemetery personnel by a funeral director or a family member of the veteran, provided weather conditions permit the burial. This bill gives the family of the deceased veteran the option of a

chapel service or graveside service. The state shall not be responsible for any costs associated with a funeral service not offered by any federal cemetery. The amendment solely changes the effective date from 60 days after passage to immediately upon passage. Vote 18-0.

HB 665, relative to the New Hampshire emergency management compact with other jurisdictions. OUGHT TO PASS

Rep. Margaret E. Lynott for State-Federal Relations and Veterans Affairs: This bill makes laws governing the state's emergency management compact consistent with laws of cooperating jurisdictions for the purpose of providing mutual assistance between jurisdictions when a disaster or emergency occurs. This emergency management assistance compact would, when entered into by and between the participating party jurisdictions, include 13 articles of compliance. Vote 18-1.

HCR 7, urging the federal government not to adopt certain proposed rules requiring financial institutions to monitor their customers' banking habits. OUGHT TO PASS WITH AMENDMENT

Rep. Margaret E. Lynott for State-Federal Relations and Veterans Affairs: This resolution sends a message to the federal government that the citizens of New Hampshire do not want rules implemented that would require the financial institutions to monitor customer's banking habits based on their deposit and withdrawal patterns in its attempt to identify illegal sources of funds. Such a role is unnecessary and interferes with private contractual relationships. It is an invasion of privacy. It amounts to an illegal search and seizure and is a violation of the fourth amendment of the United States Constitution. The amendment changes the language in the resolution from present to the future as this proposal was withdrawn at the federal level. Vote 18-1.

HCR 10, requesting Congress to give priority to preserving Social Security and ensuring that it continues as universal and mandatory for all workers. RE-REFER TO COMMITTEE

Rep. George R. Rubin for State-Federal Relations and Veterans Affairs: Testimony presented to the committee created more questions than answers. HCR 10 needs more time to properly look at the Social Security questions. The Committee will meet as required during the interval between sessions. Vote 13-3.

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. OUGHT TO PASS

Rep. Dennis H. Fields for State-Federal Relations and Veterans Affairs: This resolution urges the Internal Revenue Service to change its regulations with regard to use of a qualified trust for purposes of funding nuclear plant decommissioning. Currently there would be a tax penalty if a state chose to accelerate funding for nuclear decommissioning to a period shorter than the expected life of the plant. This possible tax penalty would discourage state efforts to accelerate decommissioning if a state chooses to do so. Many of the nation's nuclear plants have closed prematurely while several are seeking permit extensions. The committee believes states should be able to control the decommissioning process without facing tax penalties. The committee is also aware that utilities throughout the nation are urging the adoption of this common sense policy by the Internal Revenue Service. Vote 15-0.

HJR 4, urging the federal government to support telephone number conservation. INEXPEDIENT TO LEGISLATE

Rep. Dean Ouellette for State-Federal Relations and Veterans Affairs: A similar bill has already passed the House and is before the Senate. The committee felt this bill would be a duplicate and is not needed. Vote 15-2.

SJR 1, supporting the reduction of the sulfur content of gasoline. OUGHT TO PASS

Rep. Griffin Dalianis for State-Federal Relations and Veterans Affairs: This resolution seeks to persuade the US Congress to support reducing sulfur content in gasoline. Sulfur is harmful because it renders a car's catalytic converter inactive. Sulfur also is a major contributor to haze and acid rain, which causes impacts to our tourism and natural resource industry. DES testimony stated that sulfur reduction would cost one to two cents. Vote 16-0.

WEDNESDAY, JUNE 9

REGULAR CALENDAR

ELECTION LAW

HB 399, allowing the secretary of state to have flexibility in moving the date of New Hampshire's presidential primary. OUGHT

TO PASS WITH AMENDMENT

Rep. James R. Splaine for Election Law: After several hours of discussion and public hearings, the committee unanimously recommends this important bill for passage. The bill, as amended, will do four (4) things that will contribute toward preserving the integrity and credibility of the NH First-In-The-Nation Presidential Primary for Year 2000 and beyond: 1.) It gives additional flexibility to the Secretary of State to move the NH presidential primary to a date that is "7 days or more immediately preceding the date on which any other state shall hold a similar election." This provision gives a clear message to presidential candidates, their organizations and the other states that New Hampshire is ready and willing to move its primary ahead as necessary to protect our "first" status. 2.) It gives greater flexibility to the Secretary of State by allowing the NH presidential primary to be held in "the year previous" to the year in which the president is chosen. The current law restricts the primary to the year in which the president is chosen. This provision makes it clear to other states that should they try to set a primary or similar election prior to our scheduled date, that we would be ready and willing to move our primary, as needed, to protect our "first" status. 3.) It moves the filing period for candidates running for president up a month and expands the filing period by a week, to the first Monday in November for a three-week filing period. Current law begins the filing period at the first Monday in December for a two-week filing period. 4.) Perhaps most important, the bill creates a "Findings and Purpose" opening clause, which encourages all presidential candidates to honor the tradition of the NH First-In-The-Nation Presidential Primary by asking that they not participate in any primary which is held by another state within seven days after New Hampshire. The Findings and Purpose clause states: "The general court finds that it is imperative to support the tradition of the New Hampshire first-in-the-nation presidential primary and to encourage candidates to honor the law which requires that New Hampshire's primary precede any similar election by 7 days. New Hampshire has held its presidential primary 7 or more days before the primary of any other state since at least 1920, and has statutorily required such precedence since 1976. However, recent efforts by other states to usurp New Hampshire's first-in-the-nation primary status necessitates legislative action to preserve the history, integrity and tradition of the New Hampshire primary. In lieu of substantial changes to the law of this state, however, the general court prefers to rely on the cooperation of candidates willing to declare their support for the first-in-the-nation primary tradition by pledging not to file or campaign in any state that holds its primary within 7 days of New Hampshire. It is, therefore, the intent of the general court to encourage candidates to honor the New Hampshire primary tradition, while establishing greater flexibility for the secretary of state in determining the presidential primary state." By providing for this unique "Findings and Purpose" clause, this bill will encourage candidates not to take part in the primary of another state that may choose to come within 7 days of our primary. It was the consensus of the committee that the New Hampshire First-In-The-Nation Presidential Primary could become meaningless and irrelevant unless we are able to get the cooperation of other states and candidates in the way detailed by this bill. If we encourage presidential candidates not to participate in other primaries that come with 7 days of New Hampshire's primary, we will protect the integrity, credibility and tradition of our "first" status. Vote 19-0.

HB 493-FN, relative to alteration of sample ballots. RE-REFER TO COMMITTEE

Rep. Janet S. Arndt for Election Law: This bill prohibits the alteration of "official" sample ballots. The committee would like this bill re-referred in order to find a solution that will be enforceable and constitutional. Vote 9-3.

ENVIRONMENT AND AGRICULTURE

SB 195-FN-A, appropriating funds for sludge testing. OUGHT TO PASS

Rep. Betty B. Hall for Environment and Agriculture: Testing the quality of sludge is an important part of the new sludge rules and this bill will help the municipalities with costs. It does not require new money. Vote 16-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 176-FN-A, relative to technology support for individuals and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Peter Batula for Health, Human Services and Elderly Affairs: This bill, as amended, establishes a fund of \$500,000 to provide technology support, assistive devices, information and training programs to individuals with disabilities. This bill would positively impact in excess of 20,000 people with disabilities in the state of New Hampshire and would in the long run, save millions of dollars by the cost savings related to remaining in the home, instead of a nursing home. The benefits derived from this piece of legislation are numerous. Having said that, the committee majority agreed to an amendment that would fund the program from the states' general fund instead of funding by a 911 reserved fund and that's what the amendment does. Vote 14-

0.

SB 192, relative to vital records. OUGHT TO PASS WITH AMENDMENT

Rep. Francine Wendelboe for Health, Human Services and Elderly Affairs: This bill addresses the improvement of the registration, certification, preservation and management of the state's vital records concerning birth, death, marriage and divorce. An increase in copy fees (not increased since 1991) will provide funds to be allocated for software applications and development, preservation efforts, hardware, communications and technical support needed. There were also additional members added to the Vital Records Advisory Committee: two additional town clerks, a Health Information Specialist appointed by the NH Hospital Association, the Director of the Division of Information Technology Management or designee and the state archivists or designee. Vote 13-2.

JUDICIARY

SB 141, relative to information not subject to the right-to-know law. OUGHT TO PASS

Rep. Peter F. Bergin for Judiciary: This bill makes information or records provided by a telephone utility in support of a filing with the Public Utilities Commission or placed in the record during a telephone utility proceeding confidential and not subject to the right-to-know law if they meet certain requirements. The requirements are that the telephone utility shall represent to the PUC that the information or records are not general public knowledge or published elsewhere, due to trade secrets, research, development, financial, or commercial information, including customer's geographic markets, vendor or product – specific data, such as pricing, usage, costing, forecasting, revenue, earnings, or technology information not reflected in tariffs of general application. However, if the PUC subsequently determines on its own motion or on request of another party, after notice and an opportunity for a hearing, that the telephone utility's representation is incorrect or records do not satisfy the requirements, it shall be subject to disclosure under RSA-91A (Right-to-Know Law). Before permitting public disclosure, the PUC shall afford the telephone utility 30 days from issuance of its written decision, to request reconsideration. Vote 11-4.

SB 172, relative to representation by a citizen in a court proceeding. OUGHT TO PASS WITH AMENDMENT

Rep. Martha S. Solow for Judiciary: This bill, as amended, accomplishes two purposes. First, it clarifies the statute entitling persons in causes or proceedings to represent themselves (pro se), or to be represented by a citizen of good character (not necessarily an attorney). Second, because the existing statute is silent on the matter, it presumes that the person representing another is of good character unless demonstrated otherwise, thereby putting the burden of proof on the challenger. Vote 9-5.

SCIENCE, TECHNOLOGY AND ENERGY

HB 314, relative to universal service. OUGHT TO PASS WITH AMENDMENT

Rep. Gary R. Gilmore for Science, Technology and Energy: As part of the 1989 rate agreement with Northeast Utilities, Public Service Company of New Hampshire (PSNH) was to return to traditional ratemaking in 1997. The rate case to determine PSNH's appropriate electric rates has been repeatedly postponed, most recently when PSNH went to Federal Court in Rhode Island and implied that this rate case was part of electric restructuring. This legislation allows the Governor, under certain circumstances, to establish an escrow account withholding up to 15% of the utility's electric bill. Upon such action by the Governor, other ratepayers of that utility may also escrow the same percentage of moneys due to that utility. It is hoped by the committee that this legislation will be unnecessary, that either PSNH will enter into a settlement with the state or that the rate case will occur and be adhered to. However, the committee feels that it is prudent and necessary that this legislation be enacted to prevent past delays from occurring once again. Vote 16-0.

LAID ON TABLE

CACR 12, relating to a 4-year term for the office of governor. Providing that beginning in the year 2002, the governor shall be elected every 4 years. (Pending question is on ought to pass.)

CACR 21, relating to gender neutral language in the constitution. Providing that all references to persons in the constitution shall be gender neutral. (Pending question is on inexpedient to legislate.)

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 536, authorizing municipalities to exempt from the local property tax personal property employed in the generation and production of electric power. (Pending question is the adoption of the committee report.)

HB 549-L, relative to the minimum vote required for bond issues by municipalities. (Pending question is on inexpedient to legislate.)

HB 550-LOCAL, relative to the date town reports must be made available in towns which have adopted the official ballot referenda form of meeting. (Pending question is on inexpedient to legislate.)

HB 612-FN, relative to compensation paid to jurors. (Pending question is on the adoption of the committee report.)

HB 695-FN-A, providing an exemption under the interest and dividends tax for taxpayers on a limited income. (Pending question is on inexpedient to legislate.)

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

NOTICE OF RECONSIDERATION

This day, Tuesday, the 25th of May, 1999, at 5:30 p.m., Representative Dennis F. Abbott, having voted with the prevailing side, did serve notice that today or some other day as limited by House Rules he would ask the House to reconsider its action whereby it found **HB 337**, requiring that the order of candidate names on the ballot be determined by a random drawing, inexpedient to legislate.

Karen O. Wadsworth, Clerk of the House

NOTICE OF RECONSIDERATION

This day, Tuesday, the 25th of May, 1999, at 5:30 p.m., Representative Steve Vaillancourt, having voted with the prevailing side, did serve notice that today or some other day as limited by House Rules he would ask the House to reconsider its action whereby it found **HB 497-FN-A**, relative to family literacy planning grants and making an appropriation therefor, inexpedient to legislate.

Karen O. Wadsworth, Clerk of the House

HOUSE BILLS AMENDED BY THE SENATE

HB 67, relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses. (House Nonconcurrent; C-of-C 5/13/99)

HB 109-FN-A-L, establishing a flat rate education income tax and a statewide education property tax to fund public education and making an appropriation therefor. (House Nonconcurrent 3/30/99)

HB 112-FN-A, relative to state taxes and other sources of revenue for funding an adequate education; authorizing electronic games of chance at racetracks, grand hotels, and resort hotels; relative to establishing the cost of an adequate education, and relative to creating a commission to study the methodology used in establishing the cost of an adequate education, and making an appropriation therefor. (House Nonconcurrent 4/1/99)

HB 117-FN-A-L, establishing a uniform education property tax and a utility property tax, increasing the business profit and real estate transfer taxes, and including other sources of revenue to provide funding for an adequate public education and making an appropriation therefor. (House Nonconcurrent; C-of-C 4/22/99)

HB 204-FN, relative to driving after license revocation or suspension. (SJ 21)

HB 206, relative to restrooms in restaurants. (House Concurred 5/20/99)

HB 207-FN-A, directing the office of state planning to conduct a study of the effects of sprawl in the state and making an

appropriation therefor. (House Concurred 4/22/99)

HB 210, reinstating the corporate charter of C. A. B. Real Estate Inc. (House Concurred 4/29/99)

HB 215, placing restrictions on name changes for certain felons. (SJ 18)

HB 240, prohibiting the reintroduction of wolf populations to the state of New Hampshire. (House Concurred 5/13/99)

HB 249, relative to the membership of the rivers management advisory committee. (House Concurred 4/14/99)

HB 313-FN, relative to the regulation of the practice of optometry. (SJ 21)

HB 325, prohibiting "cramming" in telecommunications billing. (SJ 18)

HB 345-FN, relative to harassment via the computer. (SJ 21)

HB 358, relative to the term of office for members of the state board of education. (House Concurred 4/29/99)

HB 428, relative to school administrative units. (SJ 21)

HB 431, establishing a committee to study methods and processes necessary to retain the traditional uses of White Mountain National Forest land, the impact of any change in designation, and relative to promoting the continual multiple use management of such land. (SJ 18)

HB 442, relative to charitable gift annuities. (House Concurred 5/13/99)

HB 444, relative to establishing a study committee to review reestablishing passenger rail service on the Eastern Line between Newburyport, Massachusetts and Kittery, Maine. (SJ 21)

HB 456, establishing a committee to study issues relating to the deaf community in NewHampshire. (SJ 19)

HB 491, relative to qualifying examinations for individuals seeking driver's licenses, and driver education course requirements. (SJ 21)

HB 492-FN-A-L, reducing the state bond guarantee limit for wastewater projects. (SJ 21)

HB 513, relative to approved permissible fireworks. (House Concurred 5/13/99)

HB 541, establishing a committee to study the upgrade of Routes 11 and 140. (SJ 21)

HB 566, relative to the supervision of the driver education program. (SJ 21)

HB 604, relative to filling a vacancy in the office of county commissioner. (SJ 21)

HB 664, establishing a study committee on rights of ownership to cemetery plots. (SJ 17)

HB 689-FN, establishing a committee to study campaign contributions and expenditures. (SJ 21)

HB 714-FN, changing the potential penalties for certain acts of solicitation and conspiracy to commit murder and attempted murder to life in prison. (SJ 21)

1999 HOUSE COMMITTEE OF CONFERENCE PROCEDURES

- The Chairmen of the policy committees will receive bills amended by the Senate and should check with their committees to determine whether the committee will concur, non-concur, or request a Committee of Conference.
- When a committee requests that the bill be sent to a Committee of Conference, the Speaker generally will appoint members from those committees which have heard the bill. Chairmen will recommend members for appointment. If the bill has gone to more than one committee, the members may come from the different committees. Chairmen should recommend only those members from their policy committees. In the case of a bill which has gone to a policy committee and Finance, one slot is generally reserved on the four member Committee of Conference for a member from the Finance Committee.

For House bills in Committee of Conference, the House Committee of Conference Chairman shall set the time and place of the first meeting and shall chair each meeting of the Committee of Conference. Each meeting shall be posted in the Clerk's Office and outside the committee room at least 24 hours in advance.(House Rule 43(c))

- The House and Senate Committees of Conference on a bill shall meet jointly but vote separately while in conference.
- The Committee of Conference may not change the title of the bill. The Committee also may not add amendments to the bill which are not germane to the subject matter of the bill or contain subject matter that has been indefinitely postponed. A non-germane amendment is one in which the subject matter is not contained in either the House or Senate version of the bill.(House Rule 49 (b))
- The sponsor of a bill which is in Committee of Conference shall, upon request, be provided an opportunity to be heard.
- A unanimous vote of both the House and Senate Committees of Conference voting separately is necessary for an agreed upon report to be sent to the House and Senate.
- Reports of all Committees of Conference must be filed with the Office of Legislative Services by the deadline adopted by the House in Rule 64. All Committee of Conference members must sign all Committee of Conference reports in the Office of Legislative Services.
- The first-named House member on all bills in Committee of Conference must prepare an analysis of the report for printing in the House Calendar. This statement should contain a complete explanation of all changes made to the bill since it was passed by the House. This will be submitted to the House Clerk's Office for printing in the calendar.
- All Committee of Conference reports shall be distributed in seat pockets to be acted on some subsequent day. (House Rule 49 (a)).
- A Committee of Conference report on either a House or Senate bill may be placed on the Consent Calendar only upon a unanimous vote of all House conferees.(House Rule 49 (d)).

COMMITTEES OF CONFERENCE

HB 67, relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses. (Reps. Lyman, I. Pratt, Bickford and Moran; Sens. Pignatelli, Fernald and Squires)

SB 30, relative to the cruelty to animals law. (Sens. Wheeler, Trombly and Disnard)

SB 101, relative to landlord-tenant obligations. (Sens. Trombly, Disnard and Russman)

SB 124, establishing a committee to study the integration of technology at the state and municipal level. (Sens. D'Allesandro, McCarley and Klemm)

SB 204, establishing the New Hampshire excellence in higher endowment trust fund. (Sens. Larsen, Gordon and Cohen)

COMMITTEE MEETINGS

MONDAY, JUNE 7

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

9:00 a.m. Special meeting.

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

9:30 a.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

9:00 a.m. **HB 25-FN-A**, making appropriations for capital improvements. (A)

10:00 a.m. **HB 699-FN-A**, establishing the granite state scholars program and making an appropriation therefor. (A)

10:30 a.m. **HB 625-FN-A**, relative to a mercury emissions reduction and control program and a study of mercury in ash landfills. (A)

11:15 a.m. **HB 649-FN**, relative to nitrogen oxide emissions from electricity generation. (A)

1:00 p.m. Public hearing on a non-germane amendment to **HB 684**, allowing the department of health and human services to accept and expend federal reimbursement funds. (The amendment makes adjustments to Fiscal Year 1999 budget for the Department of Health and Human Services and relates to employees of the department. Copies of the proposed amendment will be available from the Sergeant-at-Arms Office.)

1:45 p.m. **HB 669-FN**, relative to the determination of current comparable compensation for persons with gainful earnings who receive disability retirement benefits.

2:15 p.m. **HB 735-FN-A**, establishing a contributory judicial retirement plan. (A)

3:15 p.m. **HB 694-FN**, relative to prevention and prohibition of MTBE contamination of drinking water, wells, and surface and groundwater resources. (A)

Executive session may be held throughout the day on any pending legislation.

NEW HAMPSHIRE CONSERVATION NUMBER PLATE ADVISORY COMMITTEE, (RSA 261:97-d), Room 203, LOB

9:00 a.m. Regular meeting.

TUESDAY, JUNE 8

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Subcommittee work session on **HB 703-FN-A-LOCAL**, establishing a regional youth center pilot program in the city of Nashua and making an appropriation therefor.

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **SB 11-FN-A**, relative to the filing fee for securities in a combined prospectus offered for sale in New Hampshire by a mutual fund.

9:30 a.m. Subcommittee work session on **SB 93**, relative to self-storage facility liens.

10:00 a.m. **SB 183-FN-A**, establishing a New Hampshire health access corporation and continually appropriating a special fund and making an appropriation therefor, requiring the department of health and human services to make a biennial report on the health status of New Hampshire residents, relative to certain transfers to the health care fund, and relative to rates for pharmaceutical services.

1:15 p.m. **SB 52**, requiring insurance coverage for infertility treatments.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **SB 201-FN**, reclassifying non-support as a felony under certain circumstances.

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

11:00 a.m. Executive session on pending legislation.

ELECTION LAW, Room 308, LOB

10:00 a.m. **SB 94**, relative to absentee voter affidavits.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. Subcommittee work session on **SB 186-FN**, relative to additional cost of living adjustments and increased minimum allowances for certain retired group II members, and relative to requiring spousal acknowledgement of a member's election of an optional retirement allowance and **SB 187-FN-L**, relative to payment of group health insurance premiums for eligible retired teachers in the New Hampshire retirement system.

1:00 p.m. Subcommittee work session on **SB 53-FN**, relative to licensure of physicians providing teleradiology services in this state, **SB 224**, relative to stenographic records and availability of transcripts of adjudicative hearings before licensing boards, **SB 28**, relative to food production and distribution and food service licensure, **SB 164**, relative to persons exempted from the registration of ophthalmic dispensers, **SB 198-FN**, relative to certification of persons installing and servicing propane gas and heating oil equipment and **SB 83**, relative to the regulation of the practice of veterinary medicine.

FINANCE, Rooms 210-211, LOB

9:00 a.m. **HB 297-FN**, permitting a jury trial in the superior court for alleged violations of the state law against discrimination for a certain time period or with the written assent of the commission for human rights after an action has been filed with the commission. (A)

9:30 a.m. **HB 707-FN**, relative to the family division of the courts. (A)

10:15 a.m. **HB 224-FN-A**, establishing a joint committee on code enforcement and appropriating funds for hiring fire investigators in the division of fire safety. (A)

10:45 a.m. **SB 40**, relative to the health care fund.

11:15 a.m. **SB 36-FN-A**, relative to salary increases for care providers for persons with developmental and acquired disabilities and making an appropriation therefor.

1:15 p.m. **SB 134-FN**, relative to medicaid reimbursement rates and dental care.

2:00 p.m. **SB 205-FN**, expanding medical coverage to pay dental assistance for adults on medicaid.

2:45 p.m. **SB 129-L**, requiring school districts to disclose any reimbursements received to offset special education expenditures.

3:15 p.m. **CACR 26**, relating to the state's duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state. Providing that the state shall have the duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state; the nature and means of the fulfillment of such duty shall be determined by the legislature and judicial review shall be limited to whether or not there is any rational basis therefor; the legislature shall have exclusive authority to determine and fund the costs or to delegate the authority to impose assessments, rates, and taxes for education to political subdivisions, which if so delegated shall be deemed local and shall be proportional and reasonable within the political subdivision in which they are imposed.

Executive sessions may be held throughout the day on any pending legislation.

FINANCE - (DIVISION I), Room 212, LOB

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

FINANCE - (DIVISION II), ROOM 209, LOB

9:00 a.m. Work and executive sessions on the budget and other pending legislation may be held

throughout the day.

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

9:00 a.m. Work and executive session on the budget and other pending legislation. The session may extend into the evening.

JUDICIARY, Room 208, LOB

10:00 a.m. ***SB 85-FN***, including the judiciary as a public employer under the public employee labor relations act.

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 ***SB 189-FN***, relative to the establishment of a civil rights act.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

10:00 a.m. Subcommittee work session on ***SB 82***, relative to the termination of employees.

**NUCLEAR DECOMMISSIONING ELECTRIC GENERATING FACILITIES COMMITTEE, (RSA 162-F:15),
Selectmen's Meeting Room, Town Office Building, Route 1, Seabrook**

7:00 p.m. Public hearing.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. Rescheduled subcommittee work session on ***SB 135-FN***, relative to water supply land protection grants.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

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

11:00 a.m. Executive session on pending legislation.

WEDNESDAY, JUNE 9

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on ***SB 58***, allowing clinical mental health counselors to obtain third party payment for services rendered which would otherwise qualify for such payments.

9:15 a.m. Subcommittee work session on ***SB 177***, allowing marriage and family therapists to obtain third party payment for services rendered which would otherwise qualify for such payments.

9:30 a.m. Subcommittee work session on ***SB 175-FN***, requiring insurance coverage for prescription contraceptive drugs and devices and for contraceptive services.

10:30 a.m. ***SB 174***, relative to the regulation of telemarketers.

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

9:00 a.m. ***SB 37-FN***, relative to fees for testing of domestic animals for disease.

9:30 a.m. ***SB 145-FN-A***, relative to state financial aid for state fairs, and making an appropriation

therefor.

10:00 a.m. ***SB 45-FN-A***, allowing a waiver of interest for the time period of an extension of the date of payment of the legacies and successions tax.

10:30 a.m. ***SB 102*** , relative to payment of the premium tax.

Executive sessions may be held throughout the day on pending legislation.

FINANCE - (DIVISION I), Room 212, LOB

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

FINANCE - (DIVISION II), ROOM 209, LOB

9:00 a.m. Work and executive sessions on the budget and other pending legislation may be held throughout the day.

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

9:00 a.m. Work and executive session on the budget and other pending legislation. The session may extend into the evening.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 745-LOCAL***, authorizing the town of Ashland to call a special meeting for the purpose of raising money to address a general fund deficit.

10:30 a.m. Public hearing on proposed floor amendment to ***HB 744***, ratifying the Plainfield Village Water District annual meeting held on March27,1999. (The proposed floor amendment concerns the legalization of the town meeting in Alton and is contained in this calendar.)

****PLEASE NOTE: The public hearing on SB 76 will be immediately recessed at the request of the sponsor. The date and time of the rescheduled public hearing will be published in a future Calendar.****

10:45 a.m. ***SB 76-L***, allowing certain municipalities to offer tax exemptions to foster commercial and industrial construction.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Subcommittee work session on ***HB 457***, extending the committee to study electric rate reduction financing, ***SB 70***, changing the safe drinking water standard for MTBE and ***SB 71***, prohibiting the use of MTBE as an additive in gasoline.

11:00 a.m. Executive session on pending legislation.

WILDLIFE AND MARINE RESOURCES, Sunset Mountain Sports Club, 117 West Road, Canterbury

9:00 a.m. Full committee work session on the ad hoc crossbow study.

THURSDAY, JUNE 10

COMMERCE, Room 302, LOB

10:00 a.m. Subcommittee work session on ***SB 183-FN-A***, establishing a New Hampshire health access corporation and continually appropriating a special fund and making an appropriation therefor, requiring the department of health and human services to make a biennial report on the health status of New Hampshire residents, relative to certain transfers to the health care fund, and relative to rates for pharmaceutical services.

11:00 a.m. Subcommittee work session on ***SB 69-L***, relative to health care charitable trusts and community benefits.

1:15 p.m. ***SB 191***, relative to the New Hampshire higher educational and health facilities authority.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

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

FINANCE, Rooms 210-211, LOB

9:00 a.m. Executive session on the budget and other pending legislation.

FINANCE - (DIVISION I), Room 212, LOB

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

FINANCE - (DIVISION II), ROOM 209, LOB

9:00 a.m. Work and executive sessions on the budget and other pending legislation may be held throughout the day.

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

9:00 a.m. ***HB 615-FN-A***, establishing a brain and spinal cord injury trust fund and continually appropriating a special fund and establishing a registry for brain and spinal cord injuries. (A)

Work and executive session on the budget and other pending legislation to follow. The session may extend into the evening.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

10:00 a.m. Subcommittee work session on ***SB 32***, relative to an employer exemption under the unemployment compensation laws.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

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

11:00 a.m. Executive session on pending legislation.

FRIDAY, JUNE 11

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

8:30 a.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

9:00 a.m. Executive session on the budget and other pending legislation.

FINANCE - (DIVISION I), Room 212, LOB

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

FINANCE - (DIVISION II), ROOM 209, LOB

9:00 a.m. Work and executive sessions on the budget and other pending legislation may be held throughout the day.

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

9:00 a.m. Work and executive session on the budget and other pending legislation.

MONDAY, JUNE 14

FINANCE - (DIVISION I), Room 212, LOB

9:30 a.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 sessions on the budget and other pending legislation may be held throughout the day.

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

9:00 a.m. Work and executive session on the budget and other pending legislation.

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.

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

9:00 a.m. Regular meeting.

TUESDAY, JUNE 15

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

10:00 a.m. **SB 223-FN-A**, establishing a wellness and primary prevention council and making an appropriation therefor.

1:30 p.m. **SB 214-FN**, relative to ambulatory surgical facilities and establishing a committee to study the health services planning and review board.

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

10:00 a.m. Subcommittee work session on **SB 32**, relative to an employer exemption under the unemployment compensation laws.

11:00 a.m. Subcommittee work session on **SB 82**, relative to the termination of employees.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

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

FRIDAY, JUNE 18

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

9:00 a.m. Regular meeting.

MONDAY, JUNE 21

PUBLIC HIGHER EDUCATION STUDY COMMITTEE (RSA 187-A:25-a), Room 207, LOB

Noon Regular meeting. Committee will be taking input from legislators as to their concerns with public higher education in New Hampshire.

WEDNESDAY, JUNE 23

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:00 a.m. Subcommittee work session on ***HB 280-FN***, establishing a point system for the annual moose permit lottery.

MONDAY, JUNE 28

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

10:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

TUESDAY, JUNE 29

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 201, LOB

1:00 p.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The Hillsborough County Executive Committee will hold a public hearing on Tuesday, June 22 at 7:00 p.m. at the Hillsborough County Superior Courthouse, Manchester. The Executive Committee will also meet on Wednesday, June 23 at 9:00 a.m. at the County Nursing Home, Goffstown and on Friday, July 16 at 9:30 a.m. at the Hillsborough County Complex, Goffstown

Rep. Robert S. Mercer, Chairman

Hillsborough County Executive Committee

COUNTY DELEGATION NOTICE

The Hillsborough County Delegation will meet on Thursday, June 24 at 7:00 p.m. at the Hillsborough County Superior Courthouse, Manchester.

Rep. Robert S. Mercer, Chairman

Hillsborough County Executive Committee

The Sergeant-at-Arms Office can reuse the large manila 10"x13" clasp envelopes that the House Calendars are mailed out in. Any that are brought in will be put to good use.

Rob Johnson, Sergeant-at-Arms

A reminder to Representatives to please keep personal belongings, briefcases, carrying bags etc. under their seats during House sessions. This is in order to keep the floor unobstructed for your row mates moving to and from their seats. Thank you.

Rob Johnson, Sergeant-at-Arms

Softbound volumes of the 1998 Session Laws are now available for those who signed up for them in the Office of Legislative Services, Room 109, State House. There are a number of extra volumes available to House and Senate members on a first come, first serve basis.

Richard E. Amidon, Director

Office of Legislative Services

REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 66, 67, 69, 108, 109, 116, 118, 119, 120, 124, 224, 237, 245, 272, 274, 311, 325, 395, 424, 417, 453, 477, 486, 494, 495, 501, 522, 537, 546, 549, 565, 574, 576, 579, 601, 602, 605, 608, 612, 616, 620, 624, 625, 639, 641, 645, 650, 652, 655, 658, 672, 676, 685, 689, 692, 693, 694, 695, 696, 698, 699, 715, 719, 722, 727, 728, 733, 734, 735 and 738.

Leo J. Callahan, Assistant Clerk

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

Philip J. McColgan, Jr., 162 Old Gage Road, Pelham, New Hampshire 03076-2635

Robert H. Milligan, 42 Patten Road, Merrimack, New Hampshire 03054-3064

Norma A. Sabella, 4 Birchwood Drive, Derry, New Hampshire 03038-3937

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.

Members who would like more information on media and violence can check out the web site produced by the National Institute on Media and the Family, www.mediafamily.org. The Institute put on an all day conference for school administrators in NH this winter and they have a free brochure called "12 Tips for Taming the Tube and Safety Tips for Surfing the Net." Their toll free phone number is 888-672-5437.

Rep. Susan B. Durham

The Ranking Democrats will be meeting each Wednesday in Room 101 of the LOB at 9:00 a.m.

Rep. Marion L. Copenhaver

Legislators for Limited Spending will meet at noon at the Upham Walker House on Tuesday, June 8th and Tuesday, June 22nd. Bring your lunch. Coffee will be served.

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: June 9 and June 23. Refreshments will be served.

Rep. Paul M. Mirski

All legislators, staff and friends are invited to the NH Order of Women Legislators (OWLS) Installation Banquet on Wednesday, June 9 at the Holiday Inn, Concord. Social hour begins after session or 5:00 p.m. Dinner begins at 6:00 p.m. Proceeds from this event will benefit our scholarship program. Look for invitations in the mail. For tickets and information please contact Reps. Janet G. Wall, Betsy McKinney or Sen. Pat Krueger.

Rep. Janet G. Wall

The New Hampshire Commission on the Smithsonian Folklife Festival and the Board of Directors of Celebrate New Hampshire Culture invite you to a rally honoring New Hampshire's participation in the 1999 Smithsonian Folklife Festival: "Celebrating New Hampshire Stories" on Thursday, June 10 at 5:00 p.m. on the State House Lawn, North Main Street, Concord.

Reps. David J. Alukonis and Martha Fuller Clark

On Sunday June 13 the United States Classic Racing Association (USCRA), the oldest, amateur vintage motorcycle racing organization in the United States, based in New Hampshire, will be holding its second annual "Belknap Vintage Classic" at Gunstock Ski Area, Route 11A, Gilford and its annual "US Vintage Grand Prix" at New Hampshire International Speedway, Loudon on Monday June 14. These events signal the start of race week, which is the oldest, continuous racing event in the United States. Any interested member is cordially invited as the guest of the USCRA. For a gate pass, please contact Rep. Phinizy either in Concord or at home.

Rep. James Phinizy

The New Hampshire Republican Women's Club Annual Lilac Luncheon will be held Monday, June 14th at the Center of New Hampshire. Texas Governor George W. Bush will be the featured speaker. For tickets (\$25) see Reps. Sandy Reeves, Vivian Desmarais or Betsy McKinney.

Rep. Betsy McKinney

"The Friends of Donna Sytek" invite legislators and others to a reception honoring the Speaker of the House, Donna Sytek. The reception will begin at the end of the legislative day on June 16 at the Manchester Country Club. Refreshments will be served. Tickets for the event are available for \$30 by contacting Representatives Gene Chandler and Michael Whalley.

Rep. Gene G. Chandler

The Committee to Elect House Democrats is pleased to announce that Congressman Barney Frank will be the special guest at a fundraiser on Friday, June 18th at the Cat 'n Fiddle Restaurant in Concord. Cost, including dinner is \$30 per person, \$100 for single sponsorship, \$150 per couple, or \$500 for patrons. For tickets or further information, please see Reps. Peter Burling, Ray Buckley, Chris Konys, Martha Fuller Clark or Linda Foster.

Rep. Christine M. Konys

Strafford County Republicans will meet on Saturday, June 19 at 10:00 a.m. at the Gateway II Restaurant, Somersworth. Presidential candidate Kasich will be there. All are welcome.

Rep. Robert E. McKinley

NH Pride has again invited legislators to march in the annual parade. It will again be held in Manchester on Saturday, June 19 at 11:00 a.m. beginning at Victory Park with a rally and festivities at Singer Park. Admission is \$15 at the Park: arts, crafts, entertainment, music and more. For information contact: Reps. Raymond Buckley, Marlene DeChane, McKim Mitchell and James R. Splaine.

Reps. Marlene DeChane and Raymond Buckley

The opening ceremony of the Armed Forces Reserve Center in Londonderry will take place on June 19 with a start time of 9:00 a.m. The opening performance will begin with the 2nd Division Marine Corps Band. For further information on the events scheduled and directions, call Public Affairs Officer, Major John Fisher, USMCR at 883-8346 (ext. 283) or Rep. Joseph D. Kenney at 522-6305. All VIPS are requested to call first in order to be officially recognized at the event.

Rep. Joseph D. Kenney

NOTICE

The **26th Annual Bill White Memorial Legislative Golf Tournament** is scheduled for Monday, June 21 at the White Mountain Country Club in Ashland. The entry fee for this annual tourney is \$60 per person and includes greens fee, cart, dinner and prizes. A *shot-gun* start is scheduled for 9:00 a.m. The format is "Captain and Crew." Sign-up as a foursome or sign-up by yourself and be placed in a foursome. A maximum of 120 players will be allowed. Please return your entry and payment no later than June 8th to Sandy Wheeler at the LOB Lobby Desk. Please make checks payable to Legislative Golf Tournament, care of David S. Saltmarsh.

Reps. Gene G. Chandler and Peter H. Burling

26th Annual Bill White Memorial Legislative Golf Tournament

Names (1)_(2)

(3)_(4)

Telephone No: _____ Amount Enclosed: _____

Perinatal Alcohol, Tobacco and other Drug Use Task Force invites all legislators to attend a special informational forum on the treatment of substance use during pregnancy. Presentations will include an overview of the scope and effects of alcohol, tobacco and other drug (ATOD) problems during pregnancy and approaches necessary to assist women to avoid, reduce and recover from substance dependence. Members of the Task Force will lead a discussion with policy makers around New Hampshire's current perinatal substance use problem. The forum will take place on Monday, June 21 at the Odyssey Family Center in Canterbury (a residential substance abuse treatment program for pregnant and parenting women and their children) from 10:00 a.m. to noon. Refreshments will be served, followed by tours of the Odyssey Family Center. Come learn about this important issue. For further information, reservations and directions, please call 1-800-852-3345, ext. 6108 or 783-9104. Reservations requested by Wednesday, June 16.

Reps William E. Leber and Barbara Hull Richardson

The Legislative Caucus for Young Children will meet on Tuesday, June 22 at noon in Room 208, LOB.

Rep. Sandra B. Keans

The Belknap County Republican Committee will hold its Annual Chicken Barbecue on Saturday, June 26th at the Belknap County Fairgrounds (Belmont). Tickets are \$15 and may be purchased from Reps. Rosen or Rice.

Rep. Ralph J. Rosen

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 June, 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>
6/ 7	10:00, 11:00 & 12:00	Epping Elementary School	4/90
6/ 7	2:00	Florence Rideout Elementary – Wilton	4/50
6/ 8	9:30 & 10:45	Hillsboro-Deering Elementary	4/45
6/ 8	12:30	New Life Christian Academy	
		West Lebanon	2,3,& 4/13
6/ 9	10:00	Jonathan Daniels School – Keene	4/40
6/9	10:00	Sherburne School – Pelham	4/28
6/10	9:30 & 10:45	Hillsboro-Deering Elementary	4/45
6/10	1:30	NH Municipal Secretaries Assc	30-40/Adults
6/11	9:30 & 11:00	Gossler Park School - Manchester	4/75
6/14	10:00/11:00/12:00	Milford Elementary School	4/110
6/15	10:00	Kensington Elementary School	4/25

6/15	11:30	Bartlett Elementary School – Berlin	3/46
6/16	10:00 & 12:00	Milford Elementary School	4/64
6/17	10:00	Mastway Elementary School – Lee	4/25
6/17	11:15	Milford Elementary School	4/42
6/18	12:30	Mastway Elementary School – Lee	4/25
6/22	10:30 & 11:45	Maple Avenue School – Claremont	4/75
6/23	12:00	Sandwich Central School	4/14

The Department of Transportation will hold the following meetings:

June 8 – James R. Morrill Municipal Building (Gym), NH Route 10, Haverhill, 7:30 p.m. Combined public officials/public informational meeting, Haverhill, improvements to NH Route 116.

June 8 – NHDOT, 1 Hazen Drive, Room 3, Concord, 10:00 a.m. Commission meeting, Salem-Manchester, wetland mitigation in Salem and Londonderry.

June 9 – Exeter Town Hall, Nowak Room, Exeter, 7:00 p.m. Combined public officials/public informational meeting, Exeter, rail platform/parking.

June 9 – Nottingham West Elementary School Cafeteria, Hudson, 7:30 p.m. Public hearing (commission), Hudson, NH Route 3A.

June 12 – Tamworth Elementary , Tamworth, 9:00 a.m. Charette, Tamworth, pilot study.

June 14 – Pollard School (Old Gym), 120 Main Street, Plaistow, 7:00 p.m. Public hearing (Commission), Plaistow, NH Route 121A and NH Route 125.

June 17 – Stratford Town Hall, Route 3, Stratford, 7:00 p.m. Public hearing (commission), Stratford, US Route 3.

June 23 – Meredith Police Department, Conference Room, 347 Daniel Webster Highway, Meredith, 7:00 p.m. Public officials, Meredith, US3/Parade Road.

June 24 – Whitney Hall, Main Street, Enfield, 7:00 p.m. Public hearing (Commission), Enfield, Main Street.

June 29 – Plymouth Regional Senior Center, 8 Depot Street, Plymouth, 7:00 p.m. Public hearing (Commission), Holderness-Plymouth, bridge replacement NH 175A over Pemigewasett River.

July 26 – Exeter Office Building, Nowak Room, 10 Front Street, Exeter, 7:00 p.m. Public hearing (Selectmen), Exeter, Lincoln Street railroad platform and parking area.

Rep. Edwin O. Smith, Chairman

Public Works and Highways

WEDNESDAY, JUNE 9

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

1999-1364h

Amendment to HB 252

Proposed by the Committee on Commerce - C

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

AN ACT establishing a committee to study all aspects of the condominium act established under RSA 356-B.

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

1 Committee Established. There is established a committee to study all aspects of the condominium act established under RSA 356-B.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, at least one of whom shall be a member of the house commerce committee, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study all aspects of the condominium act established under RSA356-B, soliciting input from organizations including but not limited to the attorney general's office and the Community Associations Institute-New Hampshire (C.A.I). Measures to be considered will include, but not be limited to, enabling legislation to allow condominium associations to adopt provisions in their bylaws to provide for contraction or division by an 80 percent affirmative vote by condominium owners.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the attorney general, the speaker of the house of representatives, the house clerk, the senate president, the senate clerk, the governor, and the state library on or before November 1, 1999.

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

AMENDED ANALYSIS

This bill creates a committee to study all aspects of the condominium act established under RSA356-B.

1999-1428h

Amendment to HB 301

Proposed by the Committee on State-Federal Relations and Veterans Affairs - C

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

1 New Paragraph; State Veterans Cemetery; Burials and Funeral Services. Amend RSA110-B:77 by inserting after paragraph II the following new paragraph:

III. A veteran shall be entitled to burial within a reasonable time after notification to appropriate cemetery personnel by a funeral director or a family member of the veteran, provided that weather conditions permit the burial. The family of the deceased veteran shall have the option of a chapel service or graveside service. The service may contain any or all customs and practices usual at a military funeral, including but not limited to, gun salutes, honor guards, and the playing of taps. The state

shall not be responsible for any costs associated with a funeral service that is not offered by any federal cemetery.

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

1999-1388h

Amendment to HB 314

Proposed by the Committee on Science, Technology and Energy - R

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

AN ACT relative to the escrowing of certain utility payments.

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

1 Findings. The general court finds that:

I. New Hampshire has the highest average electric rates in the nation and such rates are unreasonably high. The general court also finds that electric rates for most citizens may further increase during the remaining years of the Public Service Company of New Hampshire rate agreement and that there is a wide rate disparity in electric rates both within New Hampshire and as compared to the region. The general court finds that this combination of facts has a particularly adverse impact on a majority of New Hampshire citizens.

II. New Hampshire's extraordinarily high electric rates disadvantage all classes of customers: industries, small businesses, and captive residential and institutional ratepayers and do not reflect an efficient industry structure. The general court further finds that these high rates are causing businesses to consider relocating or expanding out of state and are a significant impediment to economic growth and new job creation in this state.

III. In 1997, Public Service Company of New Hampshire was scheduled to return to traditional ratemaking and was directed by the public utilities commission to participate in a rate case proceeding pursuant to the agreement between the state of New Hampshire and Northeast Utilities.

IV. Although a rate case proceeding was commenced, such rate case proceeding has not been concluded and is presently enjoined by a Federal Court at the request of Public Service Company of New Hampshire, thereby preventing the state from exercising its appropriate police powers to protect the citizens of New Hampshire from the abuse of monopoly practices.

V. Authority to escrow certain moneys due to Public Service Company of New Hampshire is an appropriate exercise of the power granted to the general court by Part II, Article 83 of the New Hampshire constitution to "enact laws to prevent the operations within the state of all persons and associations, and all trusts and corporations, foreign or domestic, and the officers thereof, who endeavor to raise the price of any article of commerce or to destroy free and fair competition in the trades and industries through combination, conspiracy, monopoly, or any other unfair means; to control and regulate the acts of all such persons, associations, corporations, trusts, and officials doing business within the state; to prevent fictitious capitalization; and to authorize civil and criminal proceedings in respect to all the wrongs herein declared against."

2 New Subdivision; Escrow of Utility Payments. Amend RSA 9 by inserting after section 28 the following new subdivision:

Escrow of Utility Payments

9:29 Withholding of Utility Payments.

I. The governor shall direct the treasurer to withhold up to 15 percent of moneys due to a utility for electric power supply to the state if:

(a) The utility's rates are the subject of a proceeding before the public utilities commission that was commenced more than 12 months previously;

(b) Such proceeding has not concluded due to events outside the control of the public utilities commission and the state;

(c) The public utilities commission has ordered temporary rate reductions pursuant to RSA 378:27;

(d) The governor, based upon information submitted to the public utilities commission relating to the rate case proceeding, finds

that the utility has requested only a minor increase in rates or no increase in rates whereas intervenors have represented that the public good requires a substantial additional decrease in rates; and

(e) The amount withheld does not, in the opinion of the governor based upon the considerations in subparagraph (d), put at risk normal operations of the utility in serving its customers.

II. Withholding moneys pursuant to paragraph I shall be presumed to be a matter of sound business practice and in the interest of protecting New Hampshire taxpayers.

III. Upon the withholding of moneys pursuant to paragraph I and the establishment of an escrow account pursuant to RSA 9:30, I, municipalities, businesses, and individual ratepayers may withhold the same percentage of moneys due for electric power supply to the utility designated by the governor pursuant to paragraph I.

9:30 Escrow of Withholdings.

I. The treasurer shall deposit moneys withheld under RSA 9:29, I in a segregated escrow account.

II. Money to be withheld by a ratepayer pursuant to RSA 9:29, III shall be escrowed on a monthly basis either by:

(a) The ratepayer depositing the money in an interest bearing, segregated escrow account established by the ratepayer and notifying the utility of the establishment of the account; or

(b) Upon agreement of the utility and the ratepayer, the utility depositing the money into one segregated escrow account established by the treasurer for the collective withholdings of ratepayers. The utility shall derive such moneys from bill payments made by the participating ratepayers.

III. No utility shall take any action, such as disrupting or threatening to disrupt electric power supply, against a ratepayer because the ratepayer escrows money pursuant to this subdivision.

9:31 Payments From Escrow. Upon conclusion of the rate case proceeding before the public utilities commission or pursuant to a settlement between the utility and the state, payments shall be made, consistent with the rate case or settlement, in the following manner from the specified escrow accounts:

I. RSA 9:30, I, the governor is authorized to draw a warrant for any money in the account to pay any moneys due and owing to the utility; any moneys remaining after payment to the utility shall be deposited into the general fund;

II. RSA 9:30, II(a), the ratepayer shall pay from the account any moneys due and owing to the utility and shall retain the remainder; and

III. RSA 9:30, II(b), the governor is authorized to draw a warrant up to the total amount in the account to be paid over to the utility. The utility shall retain any moneys due and owing to the utility and shall credit the electric bills of participating ratepayers that amount which is due and owing to them.

3 Severability. If any provision of this act or the application thereof to any person or circumstance is held to be invalid, the invalidity shall not affect any other provision or the application of such provision to other persons or circumstances, and to this end the provisions of this act are severable.

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

AMENDED ANALYSIS

This bill requires the governor, under certain circumstances, to direct the treasurer to place up to 15 percent of moneys due to a utility for electric power supply to the state in an escrow account. Upon such action by the governor, other ratepayers may also escrow a percentage of moneys due to the utility.

1999-1394h

Amendment to HB 331

Proposed by the Committee on Commerce - C

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

AN ACT relative to voiding warranties on leased or purchased motor vehicles where any additional equipment is installed after leaving the factory, and creating penalties for failure to disclose this information to consumers.

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

1 New Section; Restriction on Certain Fees to be Collected at Culmination of Lease. Amend RSA 361-D by inserting after section 28 the following new section:

361-D:29 Restriction on Certain Fees to be Collected at Culmination of Lease. No final settlement costs shall be assessed to the lessee at the culmination of the lease other than those attributable to excessive wear or damage, or depreciation costs in early lease terminations or any other final settlement costs as disclosed to the lessee at the inception of the lease, in accordance with RSA 361-D:17, III. All such final settlement costs shall be itemized and disclosed in plain 12-point type on a separate disclosure statement included in the lease contract and signed by the lessee at the inception of the lease.

2 Lease Agreement; Form and Contents; Requirement for Disclosure Concerning Void of Warranties Where Any Equipment is Added to Leased Vehicle. Amend RSA 361-D:3, III(l) to read as follows:

(l) A statement identifying all express warranties and guarantees made by the manufacturer or lessor with respect to the leased motor vehicle, except when the standard manufacturer's warranty applies, then the warranty may be identified by a reference to the standard manufacturer's warranty, and identifying the party responsible for maintaining or servicing the leased property together with a description of the responsibility. ***The lease agreement shall also include a disclosure statement which notifies the lessee that warranties on the motor vehicle may be void in the event of installation of any equipment after the vehicle leaves the factory. Failure to notify the lessee shall result in the lessor being made responsible for the loss of any residual value assessed at the outset of the lease.***

3 New Paragraph; Enforcement of Warranties; Requirement for Disclosure Concerning Void of Warranties Where Any Equipment is Added to Purchased Vehicle. Amend RSA 357-D:3 by inserting after paragraph II the following new paragraph:

II-a. Sellers or lessors of motor vehicles shall disclose to the consumer that warranties on purchased or leased motor vehicles may be void in the event of installation of any equipment installed after the vehicle leaves the factory. Failure to notify purchasers or lessees shall subject the dealer to the following penalties:

(a) The motor vehicle dealer shall be responsible for honoring the remainder of the warranty.

(b) Lessors shall be responsible for the loss of any residual value, as defined in RSA361-D:1, XII, assessed for the vehicle.

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

AMENDED ANALYSIS

This bill provides for voiding warranties on leased or purchased motor vehicles where any additional equipment is installed after leaving the factory and provides penalties for failure to disclose this information to consumers.

1999-1304h

Amendment to HB 399

Proposed by the Committee on Election Law - R

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

AN ACT allowing the secretary of state to have flexibility in moving the date of NewHampshire's presidential primary and changing the filing period for declarations of candidacy for candidates for president and vice-president at the presidential primary.

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

1 Findings and Purpose. The general court finds that it is imperative to support the tradition of the New Hampshire first-in-the-nation presidential primary and to encourage candidates to honor the law which requires that New Hampshire's primary precede any similar election by 7 days. New Hampshire has held its presidential primary 7 or more days before the primary of any other state since at least 1920, and has statutorily required such precedence since 1976. However, recent efforts by other

states to usurp New Hampshire's first-in-the-nation primary status necessitate legislative action to preserve the history, integrity, and tradition of the New Hampshire primary. In lieu of substantial changes to the law of this state, however, the general court prefers to rely on the cooperation of candidates willing to declare their support for the first-in-the-nation primary tradition by pledging not to file or campaign in any state that holds its primary within 7 days of New Hampshire. It is therefore the intent of the general court to encourage candidates to honor the New Hampshire primary tradition, while establishing greater flexibility for the secretary of state in determining the presidential primary date.

2 Elections; Election of Officers and Delegates; Election Dates; Presidential Primary Election; Selection by Secretary of State. Amend RSA 653:9 to read as follows:

653:9 Presidential Primary Election. The presidential primary election shall be held on the second Tuesday in March or on ~~[the]~~ **a Tuesday *selected by the secretary of state which is* [at least] 7 days *or more*** immediately preceding the date on which any other state shall hold a similar election, whichever is earlier, of each year when a president of the United States is to be elected ***or the year previous***. Said primary shall be held in connection with the regular March town meeting or election or, if held on any other day, at a special election called by the secretary of state for that purpose.

3 Elections; Nominations; Presidential Nominations; Declaration of Candidacy; Filing Period. Amend RSA 655:47, II to read as follows:

II. Declarations of candidacy shall be filed between the first Monday in ~~[December and the Friday of the following week]~~ ***November and the third Friday in November***.

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

AMENDED ANALYSIS

This bill permits the secretary of state to select a date for the presidential primary which is on a Tuesday 7 days or more prior to a similar election in any other state and provides that the presidential primary may be held in the year prior to a presidential election year. This bill also changes the filing period for declarations of candidacy for candidates for president and vice-president at the presidential primary election from December to November.

1999-1473h

Floor Amendment to HB 744

Proposed by Reps. Boyce and Czech

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

AN ACT ratifying the Plainfield Village Water District annual meeting held on March27,1999, and the Alton annual town meeting held on March 10, 1999.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Ratification of the March 10, 1999 Alton Annual Town Meeting. To cure the defect in the actions taken on Article 20 at the Alton annual town meeting held on March 10, 1999, specifically appropriation and authorization to purchase a six-wheel dump truck for the Alton highway department, all acts, votes, notices, and proceedings of the Alton annual town meeting held on March10, 1999 are hereby legalized, ratified, and confirmed.

AMENDED ANALYSIS

This bill ratifies all acts, votes, notices, and proceedings of the Plainfield Village Water District annual meeting held on March 27, 1999.

This bill also ratifies all acts, votes, notices, and proceedings of the Alton annual town meeting held on March 10, 1999.

1999-0867h

Amendment to HCR 7

Proposed by the Committee on State-Federal Relations and Veterans Affairs - C

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

A RESOLUTION urging the federal government not to adopt rules requiring financial institutions to monitor their customers' banking habits.

Amend the resolution by replacing all after the title with the following:

Whereas, the federal government was proposing to adopt rules requiring financial institutions first to monitor their customers' banking habits by determining their deposit and withdrawal patterns and second to attempt to identify the source of funds of some customers' deposits; and

Whereas, financial institutions might have been required not to do business with customers who out of concern for the privacy of their financial transactions refuse to provide information about their account activity; and

Whereas, the purpose of these proposed rules was to uncover illegal money laundering activities; and

Whereas, these proposed rules would have compelled private financial institutions to become investigative arms of the federal government; and

Whereas, these proposed rules could have been readily circumvented by those engaged in illegal money laundering, leaving honest customers to bear unnecessarily their continuing burden; and

Whereas, the federal government would have then been in possession of information to which it had no right and which it might find itself tempted to use for other purposes without the account holders' knowledge or permission; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That such proposed involvement in the future by the federal government in the financial lives of the residents of our state:

- (a) Is an unnecessary interference in private contractual relationships;
- (b) Is an inappropriate and unacceptable invasion of privacy of the residents of this state that far outweighs any law enforcement objectives;
- (c) Is an illegal search and seizure in violation of the Fourth Amendment of the UnitedStates Constitution; and

That such or any similar involvement in the future by the federal government in the lives of the residents of our state must never be allowed to occur; and

That copies of this resolution be forwarded by the house clerk to the President of the UnitedStates, the Vice President of the United States, the members of the New Hampshire congressional delegation, and the Federal Deposit Insurance Corporation.

AMENDED ANALYSIS

This house concurrent resolution urges the federal government not to adopt rules requiring financial institutions to monitor their customers' banking habits.

1999-1431h

Amendment to SB 67

Proposed by the Committee on Judiciary - C

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

1 New Subdivision; Automatic External Defibrillation. Amend RSA 151-B by inserting after section 24 the following new subdivision:

Automatic External Defibrillation

151-B:25 Intent.

I. The use of automatic external defibrillators addresses an important public health problem in New Hampshire. It is the intent

of the legislature to encourage the use and availability of automatic external defibrillators, along with training in the use of automatic external defibrillators, for the purpose of saving the lives of people in cardiac arrest.

II. Further, the legislature strongly encourages dissemination of educational information regarding automatic external defibrillators and encourages that access to these lifesaving devices be made widely available to businesses, schools, fire and police departments, and other public and private organizations throughout the state.

151-B:26 Definitions. For purposes of this subdivision, "automatic external defibrillator" means a medical device which combines a heart monitor and defibrillator and:

I. Has been approved by the United States Food and Drug Administration;

II. Is capable of recognizing the presence or absence of ventricular fibrillation;

III. Is capable of determining whether defibrillation should be performed; and

IV. Automatically charges and requests delivery of an electrical impulse to an individual's heart, upon determination that defibrillation should be performed.

151-B:27 Every person, association, corporation or other organization that acquires an automatic external defibrillator shall require every individual expected to use the automatic external defibrillator to receive training in cardiopulmonary resuscitation and automatic external defibrillator use.

151-B:28 Liability Limited. Any person who, in good faith and without compensation, renders emergency care by the use of an automatic external defibrillator shall not be liable for civil damages for any acts or omissions unless the acts or omissions were grossly negligent or willful and wanton. Any person, association, corporation or other organization that acquires and maintains an automatic external defibrillator for emergency care shall not be liable for civil damages other than for gross negligence or willful and wanton acts or omission. This section does not limit civil liability protection provided by any other law.

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

1999-1467h

Amendment to SB 159

Proposed by the Committee on Science, Technology and Energy - C

Amend paragraph I of section 1 of the bill by replacing it with the following:

I. The general court assumes that, based on numerous ongoing scientific studies being conducted worldwide, there exists a possible human influence on global climatic change. The general court finds that it is in the best interest of the state of New Hampshire, the United States of America, and the earth as a whole, to encourage the voluntary undertaking of economically beneficial reductions of greenhouse gas emissions from NewHampshire sources.

Amend paragraph III of section 1 of the bill by replacing it with the following:

III. The general court further finds that, although New Hampshire sources contribute only a minute proportion of the total greenhouse gases emitted annually in the United States and the world, the state's past initiative in undertaking early and responsible action to reduce its similarly minor contribution to other air pollution problems, including but not limited to acid rain, toxic air pollution, and ozone smog, has demonstrated political, economic, and technological leadership, which has served the state well in subsequent negotiations with other, more culpable jurisdictions and with the Environmental Protection Agency. The general court finds that the state's tradition of environmental leadership should be continued through the establishment of a registry to provide state recognition of early greenhouse gas emissions reductions voluntarily achieved by New Hampshire sources.

Amend RSA 125-L:1, IV as inserted by section 2 of the bill by replacing it with the following:

IV. "Greenhouse gas" means but is not limited to such gases as carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride.

Amend RSA 125-L:2 as inserted by section 2 of the bill by replacing it with the following:

125-L:2 Registry. In order to help protect the interests of New Hampshire sources and the state's economy under a future federal regulatory scheme relating to greenhouse gas emissions, and to help encourage the voluntary reduction of greenhouse gas emissions by New Hampshire sources, the department shall establish and administer a registry whereby sources of greenhouse gas emissions may record and register early, voluntary greenhouse gas emissions reductions made after 1990. The purpose of this registry shall be to help sources establish a baseline against which any future federal greenhouse gas emissions reduction requirements may apply.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Particulate Matter Registry Study. The commissioner of environmental services shall conduct a study to determine whether creating a particulate matter registry similar to the greenhouse gas registry established by RSA 125-L:2 as inserted by section 2 of this act would provide an overall benefit to the state. The commissioner shall report the results of this study, along with any recommendations for legislation, to the state library, the house science, technology and energy committee, and the senate environment committee on or before November 1, 1999.

AMENDED ANALYSIS

This bill establishes a registry for voluntary greenhouse gas emission reductions in order to create an incentive for and reward those greenhouse gas sources which voluntarily reduce such emissions before being required to do so.

This bill also requires the commissioner of environmental services to conduct a study to determine whether creating a particulate matter registry similar to the greenhouse gas emissions registry would provide an overall benefit to the state.

1999-1461h

Amendment to SB 163

Proposed by the Committee on Criminal Justice and Public Safety – C

Amend paragraph I of section 2 by replacing it with the following:

I. The members of the commission shall be as follows:

- (a) Two members of the senate, who shall be selected from the judiciary committee, appointed by the president of the senate.
- (b) Two members of the house of representatives, who shall be selected from the criminal justice and public safety committee, appointed by the speaker of the house.
- (c) The commissioner of the department of safety, or designee.
- (d) The commissioner of the department of education, or designee.
- (e) The attorney general, or designee.
- (f) The president of the County Attorneys Association, or designee.
- (g) A representative of a sportsman's club from each executive councilor district, appointed by the governor.
- (h) The president of Gun Owners of New Hampshire, or designee.
- (i) A representative of the Injury Prevention Center at Lahey-Hitchcock Medical Center.
- (j) A representative of the New Hampshire School Boards Association.
- (k) A representative from the New Hampshire School Administrators Association.
- (l) A representative from the New Hampshire Association of School Principals.
- (m) A representative from the New Hampshire Congress of Parents and Teachers, Inc.
- (n) A pediatrician from the New Hampshire Medical Society.
- (o) A representative from the New Hampshire Firearms Safety Coalition.

- (p) A representative from New Hampshire Cease Fire.
- (q) A high school student from each of the 5 regions of the New Hampshire School Administrators Association, selected by the chairperson of that region.
- (r) A representative from New Hampshire Educators for Social Responsibility.
- (s) A representative of a firearms manufacturer, appointed by the governor.
- (t) A federally licensed firearm dealer, appointed by the governor.
- (u) Five members of the general public, 3 of whom shall be mental health practitioners specializing in child and adolescent mental health, and one of whom shall be a representative of the New Hampshire Council of Churches, all to be appointed by the governor.

1999-1433h

Amendment to SB 172

Proposed by the Committee on Judiciary - R

Amend RSA 311:1 as inserted by section 1 of the bill by replacing it with the following:

311:1 Right to Appear, etc. A party in any cause or proceeding may appear, plead, prosecute or defend in his or her proper person, that is, pro se, or *may be represented* by any citizen of good character. *For the purposes of this section, a citizen shall be presumed to be of good character unless demonstrated otherwise.*

1999-1455h

Amendment to SB 176-FN-A

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

Amend the bill by replacing section 2 with the following:

2 Appropriation. The sum of \$500,000 is hereby appropriated, for the fiscal year ending June 30, 2000, to the department of health and human services, for the purposes of this act. The governor is authorized to draw a warrant for said sum from any moneys in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill makes an appropriation of \$500,000, from funds in the enhanced 911 system fund established in RSA 106-H:9, to the department of health and human services to provide technology support, assistive devices, information, and training programs to individuals with disabilities.

1999-1454h

Amendment to SB 192

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

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

1 Fees Increased. Amend RSA 126:15 to read as follows:

126:15 Fees for Copies and Verifications.

I. A town clerk or the registrar of vital records and health statistics shall be paid in advance, by any person requesting any copy or verification as provided in RSA126:14, the sum of ~~[\$10]~~ **\$12** for making search, which sum shall include payment for the issuance of such copy or verification, and ~~[\$6]~~ **\$8** for each subsequent copy, provided that the fee to town clerks for examination of documents and issuance of a delayed birth certificate shall be \$25.

II. The town clerk shall forward ~~[\$6]~~ **\$8** of each search fee collected under this section to the department of health and human services for deposit in the vital records improvement fund established under RSA 126:31 and shall retain the remaining \$4 as ~~[his]~~ **the clerk's** for issuing such a copy. For subsequent copies issued at the same time, the town clerk shall forward ~~[\$3]~~ **\$5** of the fee collected for each subsequent copy under this section to the department of health and human services for deposit in the vital records improvement fund established under RSA 126:31, and the town clerk shall retain the remaining \$3 as ~~[his]~~ **the clerk's** fee for issuing such a copy. The town clerk shall retain the \$25 fee for a delayed birth certificate as ~~[his]~~ **the clerk's** fee for examining documents and issuing the delayed birth certificate.

2 Purpose of Fund; Approval Required. Amend RSA 126:31 to read as follows:

126:31 Vital Records Improvement Fund. There is hereby established a special fund for the improvement and automation of vital records at the state and local levels. The sole purpose of the fund shall be to provide revenues for **the improvement of the registration, certification, preservation and management of the state's** vital records ~~[improvement]~~, and said money shall not be used for any other purpose. **Moneys in the fund shall be allocated for software applications and development, preservation efforts, hardware, communications and technical support associated with these purposes. Said moneys shall not be used for rent or electricity expenses or for general clerical or administrative personnel of the bureau of vital records.** Moneys in the fund shall be allocated by the commissioner of the department of health and human services with the assistance of the advisory committee established under RSA 126:32. The fund **shall accrue interest and** shall be nonlapsing and ~~[shall be]~~ continually appropriated to the commissioner of the department of health and human services.

3 Membership of Committee. Amend RSA 126:32 to read as follows:

126:32 Advisory Committee.

I. There is established an advisory committee to assist the commissioner of the department of health and human services in administering the fund established under RSA 126:31. The advisory committee shall also determine the need for improvement and automation of the processing of vital records **upon recommendations from representatives of the financial data management unit, the office of community and public health, the New Hampshire City and Town Clerks' Association, and the division of information technology management.** The members of the committee shall be appointed ~~[by the commissioner of the department of health and human services]~~ as follows:

- (a) ~~[A]~~ **Two** town ~~[clerk]~~ **clerks, appointed by the New Hampshire City and Town Clerks' Association.**
- (b) ~~[A]~~ **Two** city ~~[clerk]~~ **clerks, appointed by the New Hampshire City and Town Clerks' Association.**
- (c) A funeral director, **appointed by the New Hampshire Funeral Directors' Association.**
- (d) A physician licensed under RSA 329 **from the office of chief medical examiner, or designee.**
- ~~[(e) A nurse licensed under RSA 326-B.]~~
- ~~[(f)]~~ **(e)** A public member, who shall have a direct interest in the registration of vital records, **appointed by the commissioner of health and human services.**
- ~~[(g)]~~ **(f)** The registrar of vital records, or designee.
- (g) A health information specialist, appointed by the New Hampshire Hospital Association.**
- (h) The director of the division of information technology management, department of administrative services, or designee.
- (i) The state archivist, or designee.**

II. The members of the committee shall choose a chairperson by majority vote. Members of the advisory committee shall serve 2-year terms and no member shall serve more than 2 consecutive terms. **The city and town clerk members shall serve staggered terms and initially one town clerk and one city clerk shall serve for 2 years and one town clerk and one city clerk shall serve for 3 years.**

4 New Sections; Reports. Amend RSA 126 by inserting after section 32 the following new sections:

126:33 Quarterly Reports. The department of health and human services shall file a financial report for the vital records

improvement fund for the preceding quarter showing the summary of receipts and expenditures, according to the uniform classifications.

126:34 Annual Report. The department of health and human services shall prepare and file a report on the uses of the vital records improvement fund and shall submit the report to the vital records improvement advisory committee no later than December 31 of each year. The report shall contain the following:

- I. The gross revenue received by the fund.
- II. A summary of receipts and expenditures, according to uniform classifications.
- III. Accomplishments achieved pursuant to RSA 126 during the preceding fiscal year.
- IV. An outline of the projects and programs to be conducted in the ensuing fiscal year with proceeds from the funds.
- V. Any recommendations for additional legislation, and other relevant matters.

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

AMENDED ANALYSIS

This bill clarifies the purpose of the vital records improvement fund. The bill also changes the membership of the advisory committee established to assist in the administration of the fund.

The bill also increases fees for copies and verification of vital records.