

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: Committee of Conference Listing, Public Hearings, Work Sessions, Notices and Reports for June 16.

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

The House will meet on Wednesday, June 16 at 1:00 p.m. Future sessions are tentatively scheduled for Tuesday, June 22 and Wednesday, June 30.

Depending on the progress of the Finance committee, we are planning the budget briefing required by the rules on Thursday, June 17. This will be your opportunity to have your questions answered prior to voting on the budget. I hope members would also reserve June 29 and July 1 in case we find it necessary to meet on these days as well. It is our intention to do everything we can to complete our work in a timely manner.

Chairmen and Vice Chairmen will meet on Tuesday, June 15 at 9:00 a.m. in Room 201.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Wednesday, June 16 at 11:00 a.m. in Rooms 201-203, LOB

Rep. Gene G. Chandler, Majority Leader

NOTICE

There will be a Democratic Caucus on June 16 at 11:00 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

WEDNESDAY, JUNE 16

CONSENT CALENDAR

EDUCATION

SB 170-FN-A, establishing a parents as teachers pilot program in Sullivan county and making an appropriation therefor. RE-REFER TO COMMITTEE

Rep. Iris Estabrook for Education: Given the positive potential of the Parents as Teachers program for the long-term benefit of the children of New Hampshire, the committee would like to continue work on unresolved issues of program and budgetary coordination. Vote 16-0.

SB 208-FN, establishing a "parents as scholars" program. RE-REFER TO COMMITTEE

Rep. Iris Estabrook for Education: Since this bill involves policy in the area of Health & Human Services, the Education committee would like to re-refer to enable further study, for the purpose of determining the value of this program. Vote 16-0.

ELECTION LAW

SB 94, relative to absentee voter affidavits. RE-REFER TO COMMITTEE

Rep. James R. Splaine for Election Law: This bill would have absentee voters sign an affidavit when they request a ballot rather than on the envelope in which the ballot is enclosed. There is some value in the idea proposed by this bill, but logistics need to be worked out and considered. This is a paradigm shift in the way we validate absentee voter ballots so further study by the committee is requested. Vote 13-0.

SB 116, eliminating straight ticket voting. RE-REFER TO COMMITTEE

Rep. Michael S. Rollo for Election Law: This bill would eliminate the straight ticket voting procedure during the general election. The committee was of the opinion that with all of the confusion surrounding straight ticket voting, and the time constraints, the committee would prefer to study this important issue and report back to the House fully and appropriately. Vote 13-0.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 74, relative to the rulemaking authority of the real estate commission concerning practices relating to certain dwellings. OUGHT TO PASS

Rep. Dave G. Poulin for Executive Departments and Administration: The majority believes that this bill will enable the New Hampshire Real Estate Commission to differentiate between the procedures and rules of disclosure for the sale of significantly different types of properties. Some examples of types of properties that may require different disclosures are land, residential dwellings (up to four families), apartment complexes (five or more families), and commercial properties. The committee has been assured by the New Hampshire Real Estate Commission and the New Hampshire Association of Realtors that this bill will not lead to prohibiting the sale of any of these types of properties by any duly licensed sales associate or broker in the State of New Hampshire. Although some real estate salespersons may choose to specialize in specific types of property, they will not be required to do so. Vote 13-1.

SB 164, relative to persons exempted from the registration of ophthalmic dispensers. OUGHT TO PASS WITH AMENDMENT

Rep. Carolyn A. Virtue for Executive Departments and Administration: SB 164, as amended, clarifies the existing statute

relative to individuals exempt from registration while employed by an ophthalmic dispenser, licensed physician or optometrist. Vote 15-0.

SB 173-FN, relative to optional allowances for beneficiaries of New Hampshire retirement system members. OUGHT TO PASS

Rep. Ray F. Langer for Executive Departments and Administration: This bill revises the wording of RSA 100-A:13 I and II to read "spouse and/or children," removes the statement "to be divided equally among children" and allows the converted payment of the retiree's allowance after remarriage of the spouse to be paid without having the retiree having to give notice of the termination of an elected option upon issuance of a divorce decree to subsequent remarriage "within 90 days of the remarriage of the former spouse." Vote 16-0.

SB 182-FN, relative to eligibility for ordinary death benefits under the New Hampshire retirement system. OUGHT TO PASS

Rep. Ray F. Langer for Executive Departments and Administration: This bill changes the eligibility for an ordinary death benefit from "service retirement" to "10 years of creditable service". The ordinary death benefit payable to the spouse is 50 percent of the member's benefit accrued at death. If the member did not have 10 years of creditable service and was not eligible for service retirement, the spouse or other person nominated would receive \$3,600 or the deceased member's earnable compensation. If the member had at least 10 years service, but is not survived by a spouse, these amounts shall be paid to a designated beneficiary or to the estate. Vote 16-0.

SB 193-FN, relative to holiday pay for certain state employees. OUGHT TO PASS

Rep. Maurice E. Goulet for Executive Departments and Administration: The bill clarifies a minor point in holiday pay for approximately 23 persons at New Hampshire Hospital and the Department of Corrections. Each of the above persons must work a minimum of 24 hours per week. It only affects one holiday per year, Washington's Birthday, and has less than \$10,000 impact per year for the next three years. Vote 14-0.

SB 216-FN, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces. RE-REFER TO COMMITTEE

Rep. Ray F. Langer for Executive Departments and Administration: This bill allows veterans of military services or the New Hampshire National Guard or reserves to purchase up to four years additional creditable service toward the retirement system or if National Guard, one year of purchased time for each five years of National Guard duty or reserve service time. The payment was to have been made in either a lump sum or by installments, however, there was no time limit applied to the length of time required to pay the full amount of the actuarial cost for the time purchased. It was felt that further study was required to solve this problem. Vote 15-0.

SB 217-FN, relative to real estate brokers of other jurisdictions doing business in this state. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration: This bill establishes a new section to RSA 331-A, Real Estate Practice Act, concerning practice by brokers of other jurisdictions. A broker licensed in another jurisdiction shall enter into a cooperative brokerage agreement with a broker licensed under this chapter. The amendment proposed by the committee specifies that the commission shall adopt rules under RSA 541-A concerning the cooperative brokerage agreement. Vote 16-0.

FINANCE

HB 501-FN-A, relative to the repair of a certain covered railroad bridge in Contoocook village in the town of Hopkinton. OUGHT TO PASS WITH AMENDMENT

Rep. Norman L. Major for Finance: The appropriation has been removed from the original bill and now allows the community to provide funding for the study of repairs required to restore the covered railroad bridge in Contoocook village in the town of Hopkinton. This bill now allows the Department of Cultural Resources to use state, federal and private grants and funds for the purpose of this study. Vote 23-0.

SB 45-FN, allowing a waiver of interest for the time period of an extension of the date of payment of the legacies and successions tax. OUGHT TO PASS

Rep. Charles L Vaughn for Finance: This bill allows heirs, legatees, or interested persons granted an extension of time for

payment of legacies and successions tax by the probate court to apply to the Commissioner of the Department of Revenue Administration for a waiver of interest that accrued during the period of the extension. Waivers may be granted for good cause. DRA declares that decreases of state revenues are indeterminable. Vote 23-0.

SB 129-L, requiring school districts to disclose any reimbursements received to offset special education expenditures. **OUGHT TO PASS**

Rep. Jean R. Wallin for Finance: By requiring that school districts report both actual special education expenditures and off-setting revenues in their annual reports, citizens will be better able to judge the true cost of special education. With enactment of this bill the school districts' annual report will contain the prior two years' activity. Vote 22-1.

SCIENCE, TECHNOLOGY AND ENERGY

SB 71, prohibiting the use of MTBE as an additive in gasoline. **RE-REFER TO COMMITTEE**

Rep. Jacqueline A. Pitts for Science, Technology and Energy: This bill would ban the additive methyl tertiary butyl ether (MTBE) in gasoline completely. The committee has passed SB 70 and HB 694-FN and feels that we need this bill only to retain a vehicle for further action, if necessary. Vote 16-1.

WEDNESDAY, JUNE 16

REGULAR CALENDAR

ELECTION LAW

HB 743, requiring that the question relative to the necessity for a convention to revise the New Hampshire constitution be presented to the voters in the November 2000 election. **OUGHT TO PASS**

Rep. Francis W. Davis for Election Law: After spirited debate, the committee approved this bill at a vote of 8-5. The majority of the committee felt that the question on the necessity of a convention to revise the NH Constitution should be presented to the voters in the November 2000 election. The last constitutional convention was held in 1984. The voters did not approve a constitutional convention in 1994. Vote 8-5.

SPECIAL ORDER

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.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 47-FN, relative to compensation for time lost by fish and game conservation officers for injuries received in the line of duty, and restoring certain leave time for a conservation officer injured while on duty on August 19, 1997. **OUGHT TO PASS WITH AMENDMENT**

Rep. Ray F. Langer for Executive Departments and Administration: This bill restores sick leave and annual leave time that Conservation Officer Wayne T. Saunders lost as a result of his being shot in the Carl Drega case. Vote 16-0.

SB 113, establishing a division of travel and tourism development within the department of resources and economic development. **OUGHT TO PASS WITH AMENDMENT**

Rep. Howard, C. Dickinson, Jr. for Executive Departments and Administration: This bill, as amended, elevates the Office of

Vacation Travel to the Division of Travel and Tourism Development within the Department of Resources and Economic Development. In addition to establishing an unclassified director of the division, the bill reclassifies and upgrades three current positions and adds three new positions to the staff increasing the division budget for FY 2000 by \$138,607 and for FY 2001 by \$131,523. The committee unanimously agreed that it is important to make this change in light of the many faceted, growing tourism industry in New Hampshire. It has been said that for every dollar we spend on tourism, \$8 in revenue is returned to the state. Vote 14-0.

SB 187-FN-L, relative to payment of group health insurance premiums for eligible retired teachers in the New Hampshire retirement system. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration: This bill establishes a post retirement medical plan for certain members of the teachers' component of the New Hampshire Retirement System. Initially those teachers retired as of June 30, 1999 will be covered and the bill provides for additional coverage for those not yet retired but are retired by June 30, 2000, 2001, 2002, 2003 and 2004. The funds for the initial group will be drawn from the teachers' special account and the balance of the funds encumbered and drawn each year as required. These funds will be drawn from the special account which as of June 30, 1998 has \$182.6 million for additional benefits (1) to provide supplemental allowances or COLA's, and (2) to the extent that funds may be available in the special account, to provide additional benefits to retired members and beneficiaries of the retirement system. To date, approximately \$19 million has been withdrawn for a 4 percent COLA payable July 1, 1999 leaving a balance of \$163 million. The cost in year 2000 is \$70.43 million and the ultimate cost by June 30, 2004 will be \$89.1 million. After payment of these costs without future additions to the special account and no accrued interest, will still leave \$73.9 million for additional COLAs. This trust fund will be terminally funded and is finite. Additional funds or additional coverage requires that it be terminally funded from the special account and only with legislative approval. There is no obligation on the Legislature or the state to fund this program beyond the funds available. The bill as amended will provide an amount of \$202 for a non-Medicare plan or \$128 for a Medicare eligible plan (equal the amount available the police and fire under their post-retirement medical plan) and may increase by an amount not to exceed 8 percent compounded per year. This type of plan has been available to the Group II members since 1988. The funds for this coverage shall be paid only to their political subdivision or their medical coverage carrier. The last portion of the bill includes an amendment to include permanent police officers retired between July 1, 1993 and before July 1, 1995. This will be terminally funded by the police special account. The total is \$15 million leaving a balance at this time of \$56.9 million less the COLA due July 1, 1999 of \$9.4 million.

Vote 16-0.

FINANCE

HB 346-FN-A, relative to permissible fireworks. OUGHT TO PASS WITH AMENDMENT

Rep. Steve Vaillancourt for Finance: The new amendment increases the license fee for locations which sell fireworks from \$1500 to \$2000. Finance found this necessary to assure the bill's policy intent, that of establishing a seasonal part-time fireworks inspector was maintained, while at the same time, the general fund will not be increased. The original amendment which increased the fee from \$1000 to \$1500 was deemed insufficient to meet the \$17,300 per year cost of the new position. The Department of Safety estimates that 15 locations will be licensed to sell fireworks. Vote 21-0.

HB 363-FN, increasing the bonding limit of the school building authority. OUGHT TO PASS

Rep. Norman L. Major for Finance: This bill increases from \$75,000,000 to \$95,000,000 the limit on the issuance of bonds and notes by the school building authority. The debt limit is currently within a million dollars of the authorized level. The \$20,000,000 increase requested by the state treasurer is required to meet ongoing school district debt that can be guaranteed by the state. Vote 22-0.

HB 412-FN, relative to the powers of the state treasurer and increasing the limit on state indebtedness, and relative to the use of bond proceeds awarded under a state guarantee. OUGHT TO PASS WITH AMENDMENT

Rep. Jean R. Wallin for Finance: This bill was originally requested by the State Treasurer to increase the limit of state indebtedness to 20% of general fund expenditures; require that all payments to the state be made in US currency; clarify the duties of deputy treasurers; and require that excess premiums after the sale of bonds be deposited into the general fund. Subsequent amendments require that the Business Finance Authority award state guarantees to facilities in economically depressed areas and repeal the requirement that bonds be issued only by FDIC insured banks. These lending institutions are not willing to lend money in economically depressed areas so this repeal will enable the BFA to cover the residual risk required

by the IRS in lease projects currently designed to preserve as many as 800 jobs in the Franklin/Laconia area. These economic development efforts by the BFA are not paid out of the general fund. Vote 20-0.

HB 542-FN-A, relative to the rate of and exemptions from the legacies and succession tax. OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth L. Weyler for Finance: There has been a long-term interest in decreasing the rate of the legacy and succession tax. The tax was increased to 18% in 1991. Sponsors of the bill objected to the fact that it was imposed on non-lineal or unrelated heirs, but not on lineal heirs. They proposed a 7% rate, adding lineal descendants and exempting the first \$100,000, attempting to make the change revenue neutral. The committee objected to adding a new tax to a large group that had been by tradition and common law the natural heirs and therefore exempt under NH law. The committee amendment attempts to accomplish the sponsors' intent by reducing the rate of the tax by 1% per year from June 30, 2001 until June 30, 2008. The permanent rate will then be 8%. The plan is to keep the resulting revenue at a flat rate. Natural growth from other sources will lead this tax to be a less significant revenue source and will allow its repeal long-term to be a less controversial event. There will be no effect on general fund revenue this year or in the FY 00-01 biennium. Vote 18-6.

HB 602-FN, establishing the position of health insurance consumer assistant. OUGHT TO PASS

Rep. Susan W. Almy for Finance: This bill as passed by the policy committee adds one health insurance consumer assistant to deal with insurance options and complaints. The person now handling health insurance queries gets 14,000 calls a year, which are increasingly complex. He also handles life and accident insurance. The new commissioner has slashed her consultants' budget in order to pay for this new position, so there is no new fiscal impact. The Insurance Department costs are paid by fees charged to the insurance companies, not by the general fund. Vote 21-0.

HB 645-FN, (New Title) relative to telecommunications equipment assistance and the enhanced 911 system. OUGHT TO PASS WITH AMENDMENT

Rep. Jeffrey C. McGillivray for Finance: The bill created a one cent per month per telephone line charge to pay for continuing a program which provides telecommunications equipment to lower-income persons, limited this program only to persons with hearing or speech disabilities, and expanded those eligible for the program to include partial assistance for persons whose income exceeds 200 per cent of federal poverty level guidelines. The bill also limited such expenditures to not more than \$96,000 per year, and made small changes to enhanced 911 statutes.

The committee amendment eliminates the increase in eligible persons, so that as under existing law, only those with income up to 200 per cent of poverty level qualify. The committee amendment also changes the funding source, continuing the current practice of using part of the funds raised for the telecommunications relay service trust fund by an 8 cent per month per telephone line charge. Vote 23-0.

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

Rep. Marjorie K. Smith for Finance: For Medicaid recipients in nursing facilities, the resident's income, after certain deductions, goes to meet the cost of their care. Currently, one deduction allows the resident to retain \$40 per month to meet personal needs. If the resident does not have \$40 a month of their own income the balance is paid 50% by Medicaid (federal funds) and 25% each by general and county funds. Based on the Attorney General's opinions and the record of the Constitutional Convention, this is not a 28-a issue. This amount has not increased since 1988.

This bill, as amended, increases the allowance to \$50 per month. The increased cost to the general fund and the counties would be \$160,000 each. Vote 22-1.

JUDICIARY

SB 168, adopting a model statute included in the tobacco litigation master settlement agreement. OUGHT TO PASS WITH AMENDMENT

Rep. Sandra B. Keans for Judiciary: In the summer of 1998, the Attorneys General of the various states came to an agreement with the major tobacco companies. It is a settlement that comes under the purview of "states rights" and, therefore, must be approved by the individual states. SB 168 is model legislation with slight changes tailored to the State of New Hampshire. A major component of SB 168 is how those small companies who were not a party to the agreement but who choose to sell tobacco

products provide for their share of the settlement based upon their volume of sales for the next 25 years. There must be an 80 percent approval of the model settlement by the states before the monies will flow to the individual states. In addition, New Hampshire's portion of the settlement is contingent upon the passage of SB 168. The amendment merely corrected a grammatical error requested by the Office of the Attorney General. Vote 9-4.

RESOURCES, RECREATION AND DEVELOPMENT

SB 62-FN-A-L, relative to the acquisition of Umbagog Lake Campground in Cambridge, New Hampshire, and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. H. Charles Royce for Resources, Recreation and Development: The Lake Umbagog Campground is the only campground on the lake, which is located in Cambridge, New Hampshire, 7 miles east of Errol, New Hampshire. The owners are retiring after twenty-four (24) years of operation. They wanted the campground to continue and felt the State Division of Parks and Recreation was the best organization for ownership. The purchase price for the campground (9.6 acres and 1030 feet of frontage) and all buildings and equipment is 600,000 dollars. This price was determined by a New Hampshire appraisal company. The bill as amended by the Resources, Recreation, and Development Committee will require the Division of Parks and Recreation to pay the principle and interest on bonds issued by the state treasurer out of the state park fund. There will be no appropriation from the state general fund for this purchase. The campground has been very profitable for the owners and the Parks Division will be able to pay the bonds with profits from the operation of the campground. It is estimated by the Parks Division the payment will be 40,000 dollars a year, which is well within the profit margin of the campground. This campground will be one of the jewels in the state park system, it will set the tone for this wild and scenic lake, which has 4532 acres in New Hampshire and 3318 acres in Maine. The majority of the campers using this campground are residents of New Hampshire. Vote 19-0.

SCIENCE, TECHNOLOGY AND ENERGY

SB 70, changing the safe drinking water standard for MTBE. OUGHT TO PASS WITH AMENDMENT

Rep. Jeb E. Bradley for Science, Technology and Energy: As passed by the Senate, this legislation would establish, in statute, a primary drinking water standard for the gas additive methyl tertiary butyl ether (MTBE) of 5 parts per billion. The Senate also passed SB-71, which would ban use of the additive in New Hampshire's gas supply by 2003. While the committee appreciates the dedication and hard work of the Senate sponsors, the committee recommends the approach of this amendment and re-referral of SB 71, which is on the consent calendar. Use of MTBE in reformulated gasoline was designed to lessen air pollution, but when spilled or when storage tanks leak, MTBE readily enters groundwater.

The amendment instructs the Department of Environmental Services (DES) to immediately seek a waiver from the Environmental Protection Agency (EPA) so that non-reformulated gas, which contains far less MTBE, could be used on an interim basis until there is a regional or national alternative found to this problem. This is similar to the approach adopted by Maine. The amendment also instructs DES to develop a health-based primary drinking water standard, a secondary taste and odor standard, as well as a groundwater remediation standard. Drinking water standards have never been legislatively determined. The committee recommends that standards for MTBE be adopted based upon sound, technical and economic information and go through a thorough review process as DES has done when setting other standards.

Regarding the proposed MTBE ban, the committee is also sympathetic to the sponsor's intent. However, with the exception of California, individual states cannot set specific criteria for the content of gasoline. For better or worse, that is federal law. Banning MTBE in 2003 would only invite significant lawsuits and do little to solve the groundwater and drinking water contamination problem existing today. That is why Maine did not ban MTBE, but chose to seek an EPA waiver to use a different fuel containing far less MTBE. That is the approach of this amendment. If a waiver were received, that would be the most helpful method of eliminating the groundwater threat in the short run.

This amendment is very similar to HB 694-FN, which is currently being reviewed by the Finance Committee. The one key change is that this proposed amendment does not legislatively determine the groundwater remediation standard as is proposed in HB 694-FN. Adoption of this amendment should lessen the fiscal impact of MTBE remediation at this time. If DES recommends health-based drinking water standards or groundwater remediation standards as called for in this amendment, there would be a fiscal impact at that time. That future fiscal impact would be subject to the scrutiny that any proposed rule would have. If the House adopts this amendment to SB 70, the Science, Technology and Energy Committee would recommend that it supersede HB 694-FN. Vote 15-2.

COMMITTEE OF CONFERENCE STATEMENT

HB 67, relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses.

The Committee of Conference report on HB 67 promotes permanency for children who are in out-of-home placement pursuant to findings of neglect or abuse. HB 67 requires the Department of Health and Human Services to move more quickly to adoption so that children do not languish in foster care. The conference committee report is faithful to the House's position on the bill and will enable the Department of Health and Human Services to comply with the requirements of the Federal Adoption and Safe Families Act.

Rep. L. Randy Lyman

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.)

house bills amended by the senate

HB 56, establishing a procedure for reinstating corporate charters that have been expired for more than 3 years. (SJ 22)

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 69, relative to the definition of employee under certain labor laws and relative to overtime pay for hourly employees. (SJ 22)

HB 82, establishing a committee to study financial arrangements among hospitals, physicians, and insurance companies. (SJ 22)

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. (House Concurred 6/9/99)

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. (House Concurred 6/9/99)

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. (House Concurred 6/9/99)

HB 325, prohibiting "cramming" in telecommunications billing. (House Concurred 6/9/99)

HB 345-FN, relative to harassment via the computer. (House Concurred 6/9/99)

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

HB 374, relative to the order of names on presidential primary election ballots. (House Concurred 6/9/99)

HB 428, relative to school administrative units. (House Nonconcurrent; C-of-C 6/9/99)

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. (House Concurred 6/9/99)

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. (House Concurred 6/9/99)

HB 456, establishing a committee to study issues relating to the deaf community in NewHampshire. (House Concurred 6/9/99)

HB 463, relative to local regulation of junk yards and altering the definition of federal aid primary system for purposes of the laws regarding highway regulations, protection and control regulations. (SJ 22)

HB 491, relative to qualifying examinations for individuals seeking driver's licenses, and driver education course requirements. (House Nonconcurrent; C-of-C 6/9/99)

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 519, requiring law enforcement agencies to adopt written policies regarding emergency responses and vehicular pursuits. (SJ 22)

HB 527, relative to the duties of the public utilities commission. (House Concurred 6/9/99)

HB 541, establishing a committee to study the upgrade of Routes 11 and 140. (House Concurred 6/9/99)

HB 566, relative to the supervision of the driver education program. (House Concurred 6/9/99)

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 667, relative to the quorum required for sessions of the supreme court. (SJ 22)

HB 689-FN, establishing a committee to study campaign contributions and expenditures. (House Nonconcurrent; C-of-C 6/9/99)

HB 714-FN, changing the potential penalties for certain acts of solicitation and conspiracy to commit murder and attempted murder to life in prison. (House Concurred 6/9/99)

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. **SENATE ADOPTED REPORT 6/8/99**

HB 428, relative to school administrative units. (Reps. McKinley, Ward, Larrabee and C. Jean)

HB 491, relative to qualifying examinations for individuals seeking driver's licenses, and driver education course requirements. (Reps. Packard, Letourneau, LaPorte and Gleason)

HB 689-FN, establishing a committee to study campaign contributions and expenditures. (Reps. Horton, F. Davis, Splaine and Clegg)

- 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; Reps. Bergin, P. Woods, J. Wall and Craig)
- SB 124**, establishing a committee to study the integration of technology at the state and municipal level. (Sens. D'Allesandro, McCarley and Klemm; Reps. Lynde, Guay, Maxfield and Bergeron)
- SB 204**, establishing the New Hampshire excellence in higher endowment trust fund. (Sens. Larsen, Gordon and Cohen; Reps. Hoadley, Alger, P. Davis and Snyder)

COMMITTEE MEETINGS
MONDAY, JUNE 14

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.

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

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. Executive session on pending legislation.
- 11:00 a.m. Subcommittee work session on **HB 571**, relative to joint legal and physical custody of children.

COMMERCE, Representatives Hall

- 10:00 a.m. **SB 147**, relative to self-referrals for chiropractic care under managed care organizations.
Room 302, LOB
- 1:00 p.m. **SB 73**, relative to eligibility for off-premise liquor licenses.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

1:30 p.m. Subcommittee work session on ***SB 199***, establishing certain standards of accountability for health maintenance organizations and other entities providing health insurance through a managed care system.

3:30 p.m. Subcommittee work session on ***SB 175-FN***, requiring insurance coverage for prescription contraceptive drugs and devices and for contraceptive services.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Subcommittee work session on ***SB 122***, allowing certain prisoners to earn good conduct credits reducing such person's minimum sentence.

10:30 a.m. Subcommittee work session on ***SB 201-FN***, reclassifying non-support as a felony under certain circumstances.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. Subcommittee work session on ***SB 198-FN***, relative to certification of persons installing and servicing propane gas and heating oil equipment, ***SB 53-FN***, relative to licensure of physicians providing teleradiology services in this state, ***SB 83***, relative to the regulation of the practice of veterinary medicine, ***SB 28***, relative to food production and distribution and food service licensure and ***SB 224***, relative to stenographic records and availability of transcripts of adjudicative hearings before licensing boards.

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

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. The session may extend into the evening.

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

9:00 a.m. ***SB 197-FN-A***, establishing a pilot program for opioid agonist therapy of addiction and making an appropriation therefor.

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.

JUDICIARY, Room 208, LOB

10:00 a.m. Continued public hearing on ***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.

10:45 a.m. Subcommittee work session on ***SB 189-FN***, relative to the establishment of a civil rights act.

1:00 p.m. ***SB 209-FN-L***, establishing a study committee on certain matters concerning superior court justices.

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.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

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

Followed by executive session on pending legislation.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 308, LOB

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

WEDNESDAY, JUNE 16

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on ***SB 20***, relative to the sale or resale of tickets to motor sports events at the NewHampshire International Speedway.

9:30 a.m. Subcommittee work session on ***SB 212-FN***, requiring the insurance department to develop a plan to address the needs of persons with chronic illnesses and disabilities.

10:00 a.m. Subcommittee work session on ***SB 222-FN-A-L***, relative to guarantee of loans to local development organizations and ***SB 52***, requiring insurance coverage for infertility treatments.

EDUCATION, Room 207, 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. Work and executive session on the budget and other pending legislation. The session may extend into the evening.

JOINT COMMITTEE ON EMPLOYEE RELATIONS (RSA 273-A:9,V), Room 208, LOB

10:00 a.m. Regular meeting.

JUDICIARY, Room 208, LOB

9:00 a.m. Executive session on pending legislation , if needed.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Continued public hearing on **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.

THURSDAY, JUNE 17

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **SB 167**, relative to off-label prescription drugs.

10:00 a.m. Subcommittee work session on **SB 90**, establishing a committee to study and investigate the needs for small business loans to pay for technical improvements for persons working at home.

10:30 a.m. Subcommittee work session on **SB 162**, providing for the licensure and regulatory oversight of voluntary small employer health insurance purchasing alliances.

11:00 a.m. Subcommittee work session on **SB 114**, relative to health carrier disclosure of third party liability and **SB 104**, making a variety of changes in certain insurance laws.

11:15 a.m. Subcommittee work session on **SB 105**, relative to continuation of coverage of health insurance.

11:30 a.m. Subcommittee work session on **SB 107**, relative to fees for examination of domestic societies and foreign societies.

1:00 p.m. Subcommittee work session on **SB 166**, establishing a committee to study insurance coverage for certain physical, occupational, and speech therapies.

1:45 p.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.

2:00 p.m. Executive session on pending legislation.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 746**, relative to emergency police assistance.

11:00 a.m. **SB 227-FN**, establishing a gambling business felony.

1:30 p.m. ***SB 143***, relative to penalties for incest.

2:15 p.m. ***SB 158***, relative to indecent exposure.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***SB 68***, establishing minimum 300 foot buffer zones around sensitive areas from application of herbicides, authorizing a study of environmental effects from residual herbicides and making an appropriation therefor.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

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

FINANCE, Rooms 210-211, LOB

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

Representatives Hall

1:00 p.m. Budget briefing for House members.

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 to follow. The session may extend into the evening.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

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

Followed by executive session on pending legislation.

FRIDAY, JUNE 18

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

9:00 a.m. Regular meeting.

FINANCE - (DIVISION I), Room 212, LOB

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

FINANCE - (DIVISION II), ROOM 209, LOB

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

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

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

JOINT COMMITTEE ON ADDRESS, Room 208, LOB

11:00 a.m. Regular meeting on *HA 1*, for the removal of David A. Brock, chief justice of the New Hampshire supreme court, from his said office.

Executive session to follow.

MONDAY, JUNE 21

FINANCE, Rooms 210-211, LOB

9:30 a.m. *SB 102*, relative to payment of the premium tax.

10:15 a.m. *SB 153-FN-A*, requiring that a percentage of profits derived by the liquor commission be placed into and continually appropriated to a special fund for alcohol education and abuse prevention and treatment programs.

11:00 a.m. *SB 176-FN-A*, relative to technology support for individuals and making an appropriation therefor.

1:00 p.m. *SB 195-FN-A*, appropriating funds for sludge testing.

1:45 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 session on pending legislation may be held throughout the day on any pending legislation.

FINANCE - (DIVISION I), Room 212, LOB

Work and executive session on pending legislation at the conclusion of the full committee executive session.

FINANCE - (DIVISION II), ROOM 209, LOB

Work and executive session on pending legislation at the conclusion of the full committee executive session.

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

Work and executive session on pending legislation at the conclusion of the full committee executive session.

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

9:00 a.m. Regular meeting.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Rooms 202-204, LOB

10:30 a.m. Fatal Reality Forum by the Highway Safety Agency in collaboration with the Department of Safety.

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.

FRIDAY, JULY 2

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

9:00 a.m. Regular meeting.

MONDAY, JULY 12

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

9:00 a.m. Regular meeting.

WEDNESDAY, JULY 14

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

9:00 a.m. Regular business.

9:30 a.m. Audit: State of New Hampshire Department of Education Special Education Catastrophic Aid Program Performance Audit report July 1999.

FRIDAY, JULY 16

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

9:00 a.m. Regular meeting.

MONDAY, JULY 19

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

1:00 p.m. Regular meeting.

FRIDAY, JULY 30

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

1:00 p.m. Rescheduled 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, 297, 311, 325, 395, 424, 417, 443, 453, 464, 477, 486, 494, 495, 501, 522, 537, 546, 549, 565, 574, 576, 579, 596, 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, 707, 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.

Paul A. Golden, PO Box 26, Center Barnstead, New Hampstead 03225-0026

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
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MEMBERS' NOTICES

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

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

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

Reps. Gary Torressen and Mary Griffin invite you to a luncheon with Dan Quayle, the 44th Vice President at noon on June 16th at the Eagle's Nest Restaurant, Concord. RSVP to 621-0500. Seating is limited so please RSVP as soon as possible.

Rep. Gary P. Torressen

The Deerfield Republican Committee invites you to attend a reception for Presidential Candidate Dan Quayle at the Deerfield Town Hall June 16th at 7:30 p.m. For further information please call Deerfield Republican Chairman Kevin Chalbeck at 463-8363 or Rep. Gary Torressen at 253-7044.

Rep. Gary P. Torressen

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 Saturday, 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

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 Comfort Inn invites all legislators and staff to a nearing the end of session party on Tuesday, June 22 immediately following the House session.

Rep. Lynn C. Horton

Legislators for Limited Spending will meet at noon at the Upham Walker House on 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 Wednesday, June 23. Refreshments will be served.

Rep. Paul M. Mirski

fatal reality: " Deadly Choices"

On Wednesday, June 23 the Highway Safety Agency in collaboration with the Department of Safety is sponsoring a program, "Deadly Choices" at 10:30 a.m. in Rooms 202-204, LOB. The program showcases a real New Hampshire alcohol-related fatal crash and the consequences of one man's deadly choices. The program is approximately one hour in length. This past school season, over 15,000 New Hampshire high school students witnessed the program. All representatives are encouraged to attend and bring their high school-age children.

Rep. David A. Welch

The Legislative Caucus for Young Children will meet on Thursday, June 24 at noon in Room 208, LOB.

Rep. Sandra B. Keans

The McCain for President Campaign invites all members of the General Court to an Ice Cream Social and Reception for Senator John McCain at the home of Rep. Kathy Flora on Saturday, June 26th at 5:00-6:00 p.m. Location: 95 Hitching Post Lane, Bedford. Family members are welcome. See Rep. Kathy Flora or call the McCain offices at 626-0800 for directions. Hope to see you there.

Rep. Kathleen M. Flora

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

The New Hampshire Center for Constitutional Studies will hold a breakfast forum on constitutional principles on June 26 at

8:00 a.m. at Maddens Tavern, 583 Daniel Webster Highway in Merrimack.

Rep. Tony F. Soltani

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>
6/14	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 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 22 – East Concord Community Center, Eastman Street, East Concord, 7:00 p.m. Public informational meeting re: construction schedule and landscaping, Concord, I-93/Exit 16.

June 22 – Belmont Middle School, 38 School Street, Belmont, 7:00 p.m. Public informational meeting, Belmont, reconstructing/signalizing Union Road/US3/NH11.

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 1 – UNH, Elliot Alumni Center, The 1925 Room, Edgewood Road, 7:00 p.m. Combined public officials/public informational meeting, Durham, rail platform at railroad tracks near UNH Dairy Bar.

July 13 – Northfield Town Hall, 21 Summer Street, Northfield, 7:00 p.m. Public informational meeting, Northfield-Tilton, bridge rehabilitation.

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 16

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

1999-1468h

Amendment to HB 346-FN-A

Proposed by the Committee on Finance - R

Amend RSA 160-B:6, V as inserted by section 8 of the bill by replacing it with the following:

V. The fee for a license for each location shall be [~~\$1,000~~] **\$2,000** per year, payable annually to the department of safety for deposit into the general fund.

Amend RSA 160-C:3, VII as inserted by section 14 of the bill by replacing it with the following:

VII. The fee for a license for each location shall be \$2,000 per year, payable annually to the department of safety for deposit into the general fund.

1999-1546h

Amendment to HB 412-FN

Proposed by the Committee on Finance - R

Amend the bill by replacing all after section 5 with the following:

6 Repeal. The following are repealed:

I. RSA 6:23, relative to duties of the deputy treasurers.

II. RSA 162-I:9-b, III, relative to the minimum charge on the reasonable value of a state guarantee.

III. RSA 162-I:9-b, III-a, relative to the use of bond proceeds awarded under a state guarantee.

IV. RSA 162-I:9-b, VIII, relative to guaranteed loans issued by a federally insured depository institution.

7 Applicability of Prospective Repeal. Any bonds awarded under the provisions of RSA 162-I:9-b, III-a shall not be affected by the prospective repeal in paragraph III of section 6 of this act.

8 Effective Date.

I. Paragraph III of section 6 of this act shall take effect July 1, 2002.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

I. Increases the limit of state indebtedness for borrowing in anticipation of insufficient general funds from \$125,000,000 to \$200,000,000.

II. Requires that any excess board premiums remaining after the sale of bonds and the payment of bond issuance costs be deposited into the general fund.

III. Clarifies the duties of the deputy state treasurers.

IV. Requires that all payments due to the state be paid in United States dollars.

1999-1475h

Amendment to HB 501-FN-A

Proposed by the Committee on Finance - C

Amend the bill by replacing section 2 with the following:

2 Study Required. The department of cultural resources may hire a competent structural engineering firm to study and evaluate the repairs required to restore the covered railroad bridge in Contoocook village in the town of Hopkinton. A report containing the firm's recommendations and findings shall be submitted to the speaker of the house, the senate president, and the governor on or before June 30, 2000.

1999-1317h

Amendment to HB 542-FN-A

Proposed by the Committee on Finance - R

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

AN ACT relative to the rate of the legacies and succession tax.

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

1 Rate of the Legacies and Succession Tax. Amend RSA 86:6, I to read as follows:

I.(a) All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state; and all real estate within the state, or any interest therein, belonging to persons who are not domiciliaries of the state; which shall pass by will, or by the laws regulating intestate successions, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, shall be subject to a tax ~~[of 18 percent of its fair market value]~~, for the use of the state **at a rate as provided in subparagraph (b) on its fair market value**, except as provided in paragraphs II and III and RSA86:9-a.

(b)(1) For the biennium ending June 30, 2001, the rate of the tax shall be 18 percent.

(2) For the fiscal year ending June 30, 2002, the rate of the tax shall be 17 percent.

(3) For the fiscal year ending June 30, 2003, the rate of the tax shall be 16 percent.

(4) For the fiscal year ending June 30, 2004, the rate of the tax shall be 15 percent.

- (5) For the fiscal year ending June 30, 2005, the rate of the tax shall be 14 percent.*
- (6) For the fiscal year ending June 30, 2006, the rate of the tax shall be 13 percent.*
- (7) For the fiscal year ending June 30, 2007, the rate of the tax shall be 12 percent.*
- (8) For the fiscal year ending June 30, 2008, the rate of the tax shall be 11 percent.*
- (9) For the fiscal year ending June 30, 2009, the rate of the tax shall be 10 percent.
- (10) For the fiscal year ending June 30, 2010, the rate of the tax shall be 9 percent.
- (11) Beginning July 1, 2010, the rate of the tax shall be 8 percent.

2 Effective Date. This act shall take effect July 1, 1999.

AMENDED ANALYSIS

This bill changes the rate of the legacies and succession tax.

1999-1542h

Amendment to HB 645-FN

Proposed by the Committee on Finance -R

Amend the bill by replacing section 7 with the following:

7 Public Utilities; Telecommunications Equipment Assistance Program; Duties; Eligibility Criteria; Cost-Sharing Added. Amend RSA 362-E:3, I(b) to read as follows:

(b) Eligibility criteria, ~~including~~ **which shall include** ability to pay~~[, which]~~. **The telecommunications equipment assistance program** shall ~~be based on~~ **pay the full costs for persons whose** income levels ~~which shall~~ **do** not exceed 200 percent of the federal poverty level guidelines published in the Federal Register, exclusive of disability-related expenses.

Amend the bill by replacing section 9 with the following:

9 Public Utilities; Telecommunications Equipment Assistance Program; Funding. RSA362-E:6 is repealed and reenacted to read as follows:

362-E:6 Funding. The telecommunications equipment assistance program shall be funded in an amount not to exceed \$96,000 annually from the telecommunications relay service trust fund established by the public utilities commission.

AMENDED ANALYSIS

This bill

- I. Changes the name of the telecommunications assistance program to the telecommunications equipment assistance program.
- II. Provides funding for the telecommunications equipment assistance program from the telecommunications relay service trust fund.
- III. Requires the telecommunications equipment assistance program to pay the costs for persons within current income criteria.
- IV. Adds a representative of the disabled community to the enhanced 911 commission.
- V. Specifies that a qualified person under the telecommunications equipment assistance program is a person with a hearing or speech disability.
- VI. Requires telephone service providers to transfer emergency calls, including the caller's telephone number, to the public safety answering point.

1999-0582h

Amendment to HB 653-FN-A - R

Proposed by the Committee on Finance

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

AN ACT increasing the personal needs allowance of nursing home residents and residents of residential care facilities and community residences and making an appropriation therefor.

Amend the bill by replacing all after section 1 with the following:

2 Appropriation. The sum of \$160,000 is hereby appropriated for the fiscal year ending June30, 2000 to the department of health and human services, for the purposes of section 1 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect July 1, 1999.

AMENDED ANALYSIS

This bill increases the personal needs allowance of nursing home residents and residents of residential care facilities and community residences and makes an appropriation for that purpose.

1999-1544h

Amendment to SB 47-FN

Proposed by the Committee on Executive Departments and Administration - R

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

AN ACT relative to restoring certain leave time for a conservation officer injured while on duty on August 19, 1997.

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

1 Certain Officer's Annual Leave and Sick Leave Benefits Restored. On August19, 1997, conservation officer Wayne T. Saunders was shot by Carl Drega, while performing his duties as a conservation officer for the New Hampshire fish and game department. As a result, Officer Saunders suffered a debilitating injury to his right arm and shoulder, was hospitalized, and received workers compensation benefits. During such time, Officer Saunders was unable to perform his normal duties as a conservation officer and his accrued sick leave and annual leave time was used to augment workers compensation benefits. Any sick leave and annual leave time accrued to August19,1997, which was lost as a direct result of his line of duty injury as determined by the executive director of fish and game, shall be restored.

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

AMENDED ANALYSIS

This bill restores certain leave time for a conservation officer injured while on duty on August19,1997.

1999-1413h

Amendment to SB 62-FN-A-LOCAL

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

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

III. The purchased property will be managed by the department of resources and economic development, division of parks and recreation. Currently the sale of this property is being negotiated by the Trust for Public Lands and the owners of the property. The division of parks and recreation will operate this campground under agreement with the Trust for Public Lands until the sale is final.

Amend the bill by replacing section 4 with the following:

4 Bonds Authorized. To provide funds for the appropriation made in section 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$600,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the state park fund.

1999-1486h

Amendment to SB 70

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 prevention of MTBE contamination of drinking water and groundwater.

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

1 Findings and Recommendations.

- I. The general court finds that New Hampshire's participation in the federal reformulated gasoline program in Strafford, Merrimack, Hillsborough, and Rockingham counties, in order to comply with federal air pollution regulations, has had mixed results. The oxygenate methyl tertiary butyl ether (MTBE) is a major constituent of reformulated gasoline. Though MTBE's presence in gasoline has helped reduce harmful automobile tailpipe emissions and toxic constituents such as benzene, unintended contamination to the state's water resources has occurred. MTBE is extremely water-soluble and even the smallest spills of gasoline may allow MTBE to migrate into the groundwater. While MTBE is not classified as a known or probable carcinogen, initial research indicates that it may be found to be a carcinogen.
- II. A recent preliminary study in Maine found detectable levels of MTBE in 15.8 percent of private wells and 16 percent of public water supplies. Levels of MTBE were below 5 parts per billion in 97 percent of Maine's tested private wells and 98.6 percent of Maine's tested public supplies. Due to similar soil and bedrock characteristics in New Hampshire, it is reasonable to assume that NewHampshire would find similar contamination levels in its water supplies if testing were done. Maine has adopted a 35 part per billion health standard.
- III. The general court finds that alternatives to using MTBE in gasoline may have undesirable environmental effects, that restricting MTBE in gasoline may cause significant gasoline supply disruptions and price increases, and that regulation by the state of MTBE levels in gasoline may not be legal under federal law. The general court finds that the only realistic, near term means of lowering MTBE levels in gasoline, while avoiding supply disruptions and price increases, is reverting to the use of conventional gasoline as is currently allowed in the six New Hampshire counties that have demonstrated attainment of federal air quality standards. An Environmental Protection Agency waiver is necessary to use conventional rather than reformulated gasoline in Strafford, Merrimack, Hillsborough, and Rockingham counties.
- IV. The general court finds that, based on available information, there is not an imminent threat to public health due to MTBE contamination. However, the general court believes that there is a sufficient threat of groundwater contamination to warrant preventive action in order to protect drinking water supplies and prevent costly remediation of MTBE contaminated groundwater.
- V. Therefore, the general court recommends that:
- (a) The department of environmental services and the department of health and human services continue to monitor New Hampshire's public and private drinking water supplies.
- (b) Both departments continue to study MTBE alternatives.
- (c) The department of environmental services in consultation with the department of health and human services adopt primary and secondary drinking water standards and ambient groundwater quality standards designed to protect the public health.
- (d) The commissioner of the department of environmental services seek all necessary waivers from the Environmental Protection Agency such that conventional gasoline (or some other substitute gasoline that is readily available and reasonably priced) may immediately replace reformulated gasoline in Strafford, Rockingham, Hillsborough, and Merrimack counties until January 1, 2002. As such waivers would be temporary, they shall not be predicated upon the state implementing substitute air emissions reduction strategies in order to comply with the state implementation plan.

(e) The commissioner of the department of environmental services be given the authority to require lower MTBE concentrations in gasoline upon determining that readily available and reasonably priced substitute gasoline supplies exist, that alternative gasoline formulations are less hazardous to humans and the environment, and that such gasoline alternatives are approved for use in New Hampshire by the Environmental Protection Agency.

(f) The commissioner of the department of environmental services explore all mitigation alternatives, including but not limited to, the commissioner's authority to enforce the NewHampshire safe drinking water act under RSA 485.

2 New Subdivision; Methyl Tertiary Butyl Ether (MTBE). Amend RSA 485 by inserting after section 16 the following new subdivision:

Methyl Tertiary Butyl Ether (MTBE)

485:16-a Drinking Water Standards and Notification.

I. The commissioner, in consultation with the commissioner of health and human services, shall adopt primary and secondary drinking water standards pursuant to RSA 485:3, and ambient groundwater quality standards pursuant to RSA 485-C:6, applicable to MTBE. The commissioner shall not commence rulemaking for these standards until after the department has reviewed the scientific record on the risks posed by the presence of MTBE in drinking water supplies. Such review shall be completed at the earliest possible date, but no later than June 30, 2000.

II. Any public water system delivering water with greater than 5 parts per billion of MTBE shall notify each customer of the MTBE content.

485:16-b Authority to Limit MTBE in Gasoline; Penalties.

I. The commissioner, after consultation with the commissioner of health and human services, may limit, with the approval of the governor and council, the concentration of MTBE allowed in any gasoline sold in all or part of the state after first holding a public hearing on the issue and certifying to the air pollution advisory committee established in RSA 125-J:11 that gasolines which meet such limit are:

(a) Readily available to New Hampshire consumers at a reasonable price;

(b) Less hazardous overall to humans and the environment than gasoline having higher MTBE concentrations taking into account all exposure routes, including air and water; and

(c) Approved for use in New Hampshire by the Environmental Protection Agency without a requirement to substitute additional air emissions reductions.

II. Nothing in this section shall prohibit the commissioner from phasing in any limitations approved under paragraph I.

III. Retail sellers of gasoline and the suppliers to such retail sellers shall comply with the provisions of paragraph I or be subject to the enforcement provisions of RSA 485:58.

IV. The limitations on MTBE concentrations established under the provisions of this section shall be exempt from the requirements of RSA 541-A, the administrative procedure act. The department shall file, however, in the office of legislative services a copy of all rules adopted, amended, or repealed under this section by the department.

3 New Subparagraph; Proceedings in Special Cases; Administrative Procedure Act; Exceptions; Limits on Methyl Tertiary Butyl Ether. Amend RSA 541-A:21, I by inserting after subparagraph (u) the following new subparagraph:

(v) RSA 485:16-b, I relative to limits on the concentration of methyl tertiary butyl ether in gasoline.

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

AMENDED ANALYSIS

This bill:

I. Requires that the commissioner of environmental services adopt primary and secondary drinking water and ambient groundwater quality standards applicable to MTBE.

- II. Authorizes the commissioner to limit the concentration of MTBE allowed in gasoline.
- III. Requires that public water systems delivering water with a certain concentration of MTBE notify each customer of the MTBE content.

1999-1452h

Amendment to SB 113

Proposed by the Committee on Executive Departments and Administration - R

Amend RSA 12-A:44, II as inserted by section 6 of the bill by replacing it with the following:

II. The advisory committee shall consist of the director of the division of travel and tourism development, 3 individuals at-large having an interest in travel and tourism, and an individual representing each of the following:

- (a) Chambers of Commerce.
- (b) Regional and/or statewide trade associations.
- (c) Lodging.
- (d) Food and beverage.
- (e) Recreation.
- (f) Attractions.
- (g) Camping.
- (h) Culture, arts, and history.
- (i) Environment and wildlife.
- (j) Retail industry.
- (k) Transportation.
- (l) Education.

Amend the bill by replacing section 10 with the following:

10 Reference Change. Amend RSA 216-A:3-f, III to read as follows:

III. Funding for park system promotion shall be appropriated to the division of parks and recreation and shall be expended with the assistance of the ~~[office of vacation travel of the division of economic development]~~ **division of travel and tourism development.**

1999-1332h

Amendment to SB 164

Proposed by the Committee on Executive Departments and Administration - C

Amend RSA 327-A:13, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The activities of any employee of an ophthalmic dispenser, **licensed physician, or optometrist if the employee is** not engaged in ~~[the ophthalmic dispensing [of eyeglasses or contact lenses including, but not limited to, the sale of related products, laboratory technicians and the making of minor mechanical repairs upon eyeglasses or frames]~~ **as defined in RSA 327-A:1, I. Such activities shall include, but not be limited to, the sale of related products, work performed by laboratory technicians, and the making of minor mechanical repairs on eyeglasses or frames.**

1999-1411h

Amendment to SB 168

Proposed by the Committee on Judiciary - R

Amend RSA 541-C:2, IX(a)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) Manufactures cigarettes anywhere that such manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer (except where such importer is an original participating manufacturer (as that term is defined in the Master Settlement Agreement) that will be responsible for the payments under the Master Settlement Agreement with respect to such cigarettes as a result of the provisions of subsection II(mm) of the Master Settlement Agreement and that pays the taxes specified in subsection II(z) of the Master Settlement Agreement, and provided that the manufacturer of such cigarettes does not market or advertise such cigarettes in the United States);

1999-1453h

Amendment to SB 187-FN

Proposed by the Committee on Executive Departments and Administration - R

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

AN ACT relative to payment of group health insurance premiums for eligible retired teachers and for certain active or retired group II members in the New Hampshire retirement system.

Amend the bill by replacing all after section 3 with the following:

4 New Sections; Group I Teachers; Medical Benefits; Payment; Financing. Amend RSA 100-A by inserting after section 53 the following new sections:

100-A:53-a Payment by Retirement System; Group I Teachers.

I. The New Hampshire retirement system shall pay the cost for permanent group hospitalization, hospital medical care, surgical care and other medical and surgical benefits, in the employer-sponsored plan provided for active employees of a retiree's former employer, subject to the provisions of this section, for the following persons:

(a) Any person, who has at least 20 years of creditable service as a group I teacher member if age 60 or older, or at least 30 years of creditable service as a group I teacher member if age 55-59, retired on or before July 1, 2004 as a group I teacher member of the New Hampshire retirement system on service or disability retirement, provided that such person shall be entitled to retirement on the basis of group I creditable service without including any credit for service as a group I employee member of the retirement system, or any person retired on or before July 1, 2004, as a group I member whose service retirement benefit is based upon the provisions of RSA 100-A:19-c and who has a minimum of 20 years of creditable service as a group I teacher member.

(b) The spouse of such a qualified retiree.

(c) The surviving spouse of a deceased retired group I teacher member who met the qualifications of subparagraph (a), or of a deceased member who died while in service as a group I teacher member, provided that such surviving spouse was covered as the member's spouse in the employer-sponsored plan before the member's death and is entitled to a monthly allowance under RSA100-A:8, 100-A:9, or 100-A:13.

(d) Any certifiably dependent child with a disability living in the household and being cared for by the qualified retired member, the member's spouse, or the qualified surviving spouse.

(e) The surviving spouse and children of a deceased group I teacher member who dies as the natural and proximate result of injuries suffered while in the performance of duty, provided that:

(1) Any such child shall be qualified under this subparagraph only if under 18 years of age, or under 23 years of age if attending school on a full-time basis; and

(2) Such surviving spouse shall cease to be qualified upon the remarriage of the surviving spouse; and

(3) No surviving spouse or child shall be qualified or continue to be qualified under this subparagraph while receiving or eligible to receive medical insurance or health care benefits from any employer-sponsored plan.

(f) Any person who has completed no less than 20 years of group I teacher creditable service, but who for reasons other than retirement or death ceased to be a group I teacher member prior to attaining the age of 60, and who, as of July 1, 2004, receives a vested deferred retirement allowance and who subsequently attains the age of 60.

(g) Any person who has completed no less than 20 years of group I teacher creditable service and who retired as a group I teacher member prior to age 60, and who subsequently attains the age of 60.

II. However, for the fiscal year beginning July 1, 1999, the maximum amount payable by the retirement system under this subdivision on account of each person qualified under paragraph I who is not entitled to medicare benefits, and on account of each person qualified under paragraph I who is entitled to medicare benefits, shall be the same as the amount provided in RSA 100-A:52, II for group II retirees. As of July 1, 1999, and on each July 1 thereafter, the maximum amount payable by the retirement system as provided in this paragraph shall be increased by 8 percent, compounded on previous increases.

III. In the case of group I teacher members retired from employment by political subdivisions of the state, if the cost of the premium for any eligible person under paragraph I shall exceed the maximum under paragraph II, and the employer does not elect to pay the excess cost, the excess cost shall be paid by the retiree or qualified surviving spouse and may be deducted from retirement benefits as provided in RSA 100-A:51. The employer may require, as a condition for coverage, that the retiree or surviving spouse apply for deduction of such excess cost from retirement benefits as provided in RSA 100-A:51.

IV. There shall be no age limit to participate in the employer sponsored medical and health plan provided in paragraph I, and there shall be no physical examination or health statement required for such coverage, provided, however, that if an eligible retired group I teacher member of the retirement system fails to apply for such coverage within the time required by the insurance contract, the insurer may require satisfactory evidence of insurability as a condition for becoming insured.

V. Any group I teacher member retired before January 1, 2000, or other eligible person under paragraph I, who would have been eligible for medical benefits under this section if this section had been in effect on the member's date of retirement, shall have the option of re-joining the medical or health plan sponsored by the retired member's former employer and of receiving benefits under this section, provided that such eligible person shall apply to the employer for such benefits before January 1, 2002. Upon receipt of such application, the former employer shall enroll such retiree or other eligible person in the employer's plan in the same manner and subject to the same conditions as enrollment of a new employee but without any benefit-waiting period which may be applicable to new employees of that employer. Neither an employer nor an employer's group plan or insurer shall be liable for any claims incurred prior to the date of enrollment under this paragraph.

VI. The retirement system shall notify all group I teacher retirees and surviving spouse beneficiaries, who are currently drawing monthly allowances from the retirement system, of their possible right to re-join an active-employee medical insurance or health plan and to receive benefits under this section.

VII. Any person who is eligible to receive group insurance or other medical benefits under the provisions of this section, but who does not need and who declines such benefits because they would be duplicative of coverage under any employer-sponsored plan, shall nevertheless continue to be eligible and, upon ceasing to be eligible for the other coverage, shall be permitted to receive the benefits allowable under this section without any waiting period.

100-A:53-b Method of Financing; Group I Teachers.

I. The benefits provided under RSA 100-A:53-a shall be provided by a 401(h) subtrust of the New Hampshire retirement system. The 401(h) subtrust shall be funded by allocating 25 percent of future group I teacher employer contributions made for group I teachers in accordance with RSA 100-A:16 to the subtrust until such time as the benefits are fully funded. Thereafter the subtrust shall receive only that portion of each year's contribution as is necessary to keep the benefits fully funded.

II. All contributions made to the retirement system to provide medical benefits under RSA 100-A:53-a shall be maintained in a separate account, the 401(h) subtrust. All funds and accumulated interest shall not be used for or diverted to any purpose other than to provide said medical benefits. Similarly, none of the funds accumulated to provide the retirement benefits set forth in this chapter may be used or diverted to provide medical benefits under RSA100-A:53-a. The funds, if any, providing medical benefits under RSA100-A:53-a may be invested pursuant to the provisions of RSA100-A:15.

5 New Paragraph; Application. Amend RSA 100-A:55 by inserting after paragraph I the following new paragraph:

I-a. It is the intent of the legislature that future group I teacher members eligible after July 1, 2004 shall be included under the provisions of RSA 100-A:53-a only if the total cost of such inclusion can be terminally funded from the special account established under RSA100-A:16, II(h).

6 Funding. The sum of \$89,100,000 is hereby transferred from the group I teacher special account balance existing on June 30, 1999 for the purpose of funding RSA 100-A:53-a and 53-b as inserted by section 4 of this act.

7 Payment of Benefits; Application. Amend RSA 100-A:55, I to read as follows:

I. The additional benefits provided under RSA 100-A:52 shall apply to persons who are active or retired members of group II as of ~~[June 30, 1993, except for active or retired permanent firemen members to whom the additional benefits shall apply as of]~~ June 30, 1995; to persons who prior to July 1, 1988, had completed no less than 20 years of group II creditable service, but who for reasons other than retirement or death ceased to be a group II member prior to attaining the age of 45, and who, as of July 1, 1993, are eligible for vested deferred retirement benefits; and to persons who are group II permanent policemen or permanent firemen members on disability retirement as the natural and proximate result of injuries suffered while in the performance of duty who become permanent policemen members of group II after June 30, 1988, but before July 1, ~~[1993]~~ **1995** or permanent firemen members of group II after June 30, 1988, but before July 1, 1995. Such additional benefits shall not apply to other persons who become members of group II after ~~[June 30, 1993, or in the case of permanent firemen members, after]~~ June 30, 1995, without future legislation to include them. It is the intent of the legislature that future group II members shall be included only if the total cost of such inclusion can be funded by reimbursement from the special account established under RSA 100-A:16, II(h).

8 Effective Date.

I. Sections 1-6 of this act shall take effect January 1, 2000.

II. The remainder of this act shall take effect July 1, 1999.

AMENDED ANALYSIS

This bill provides for the payment by the retirement system of the cost of group health insurance for eligible retired teachers. The additional benefits shall be funded from the special account for current retired teachers and projected eligible teachers for the next 5 years.

The bill also includes certain active or retired group II members for funding of payment of medical benefits.

1999-1540h

Amendment to SB 217-FN

Proposed by the Committee on Executive Departments and Administration - C

Amend RSA 331-A:22-a as inserted by section 1 of the bill by inserting after paragraph III the following new paragraph:

IV. The commission shall adopt rules pursuant to RSA 541-A relative to cooperative brokerage agreements under this section. Such rules shall include:

- (a) The form and content of a cooperative brokerage agreement.
- (b) The length of time an agreement may be effective.
- (c) The procedure for extension or early termination of an agreement
- (d) Any fees which may be associated with a cooperative brokerage agreement.
- (e) The penalty, in addition to any other penalty under this chapter, for violation of the rules concerning cooperative brokerage agreements, and the procedure to appeal the commission's ruling.
- (f) Any other matter necessary for the implementation and administration of this section.