

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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Vol. 21 Concord NH Friday, October 29, 1999 No. 88

Contains: Public Hearings, Work Sessions, Notices, Unsigned Sponsor List,

Committee Report and Amendment for Wednesday, November 3.

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

The House will meet on Wednesday, November 3, at 10:00 a.m. Please reserve Thursday, November 4, for a possible session day as well.

Thank you for your attendance and participation on the vote on HB 109 this week. I recognize that many members had to make last minute changes to their plans, necessitating additional expense and inconvenience. I commend you for your devotion to duty.

This week we welcome the first of our new State House nurses. Margaret Lind, R.N. of Concord is here this week. Starting November 15, she will be sharing the job with Barbara Leahy, R.N., of Concord. Margaret will be on duty Mondays, Tuesdays and Wednesday mornings, with Barbara covering the rest of the week. We are delighted that we will have full time medical coverage again.

Congratulations to Assistant House Clerk Leo Callahan on being named to the Department of Athletics Hall of Fame at New England College. Our very own Renaissance man coached ice hockey and served as director of athletics before coming to the State House.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Wednesday, November 3rd at 9:15 a.m. in Representatives Hall.

Rep. Gene G. Chandler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, November 3rd at 9:00 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

NOTICE

DEADLINES FOR FILING THE YEAR 2000 BILLS

SEPTEMBER 7 - Tuesday	First day that requests for drafting of bills for introduction in the second-year session may be filed with the Office of Legislative Services.
OCTOBER 7 - Thursday	Last day to file bill drafting requests.
NOVEMBER 1 - Monday	Last day to report all re-referred bills from the first-year session.
NOVEMBER 10 - Wednesday	Last day to file legislation relating to subject matter of study committees.
NOVEMBER 22 - Monday	Last day to sign off all bills requiring fiscal notes (FNs) and study committee bills. Sign-off shall be 10 calendar days after receipt by the sponsor of the draft legislation, or November 22, whichever day is earlier.
DECEMBER 6 - Monday	Last day to sign off all other bills. Sign-off shall be 10 calendar days after receipt by the sponsor of the draft legislation, or December 6, whichever day is earlier.
DECEMBER 21 - Tuesday	Availability of chairmen's copies of all bills and resolutions.

WEDNESDAY, NOVEMBER 3

FINANCE

HB 999-FN-A-LOCAL, an act establishing a uniform education property tax to provide funding for an adequate public education and providing education property tax hardship relief to low and moderate income taxpayers. OUGHT TO PASS WITH AMENDMENT

Rep. David J. Alukonis for Finance: HB 999 establishes a uniform statewide property tax for the purpose of funding an adequate education. The bill utilizes many of the well-considered elements of the property tax originally adopted in HB 117 and further incorporates a program for property tax hardship relief for low- to moderate-income taxpayers.

The hardship provision functions by granting a rebate of up to 100% of any growth in education property taxes greater than those on the 1998 property tax bill. The 100% rebate would be available to single individuals with adjusted gross incomes of up to \$15,000. The same level of rebate would be available to married couples and heads of households with incomes up to \$30,000. Lesser levels of rebate would be available for singles with incomes up to \$25,000 and married persons/heads of households of up to \$50,000. Further, the rebate applies only to the first \$200,000 of equalized value of an applicant's primary residence. The entire hardship relief provision sunsets in four years.

The committee amendment makes numerous minor technical changes to the bill as a result of discussions with the Department of Revenue Administration (DRA) and the N.H. Municipal Association. Of significance are the following changes:

1. The amendment removes the provision that allowed for municipalities to administer the abatements. Rather, the committee agrees with the DRA and NHMA that the DRA should be the sole "handler" of all abatement requests.
2. The committee has added a standard severability clause to the bill. If any provision of the bill is deemed invalid, the remaining provisions and applications shall remain in effect.

3. The DRA is granted emergency rulemaking authority for a period of 180 days subsequent to passage in order to allow for an expeditious application of the hardship abatements.

The financial implications of the bill. As in HB 117, the statewide property tax at the rate of \$6.60 per thousand dollars of assessed valuation raises \$442.1 million. The hardship relief provisions reduce that amount by \$8 million, \$3 million in the first year of the biennium and \$5 million in the second.

The elimination of the phase-in and the substitution of the hardship relief provisions result in net additional revenue of approximately \$33 million over the biennium. This would reduce the so-called Claremont "gap" from \$104 million to \$71 million.

The committee amendment also calls for the transfer of \$31 million of unanticipated general fund surplus from FY 1999 to the Education Trust Fund. This would further reduce the "gap" to \$40 million. In addition, the amendment increases anticipated lapses for the current biennium by \$10 million based on our experience in the last biennium. The net result is that our "gap" would stand at \$30 million. Vote 12-6.

HOUSE BILLS AMENDED BY THE SENATE

HB 109-FN-A-LOCAL, an act establishing a flat rate education income tax and a statewide education property tax to fund public education and making an appropriation therefor. (House Nonconcurrent 10/28/99)

HB 294-FN-LOCAL, relative to state aid to municipalities for closure of certain municipal incinerators. (SJ 28)

HB 346-FN-A, relative to permissible fireworks. (House Nonconcurrent; C-of-C 10/28/99)

HB 577, relative to the power of a school district to expend catastrophic special education funds and relative to the exemption of certain unexpected catastrophic special education expenses from the provisions of the municipal budget law. (House Concurred 10/28/99)

HB 615-FN-A, establishing a registry for brain and spinal cord injuries. (SJ 29)

HB 649-FN, relative to nitrogen oxide emissions from electricity generation. (SJ 29)

HB 746, relative to emergency police assistance. (House Concurred 10/28/99)

COMMITTEE OF CONFERENCE

HB 346-FN-A, relative to permissible fireworks. (Reps. Welch, Hunter, Mikowski and Vaillancourt)

COMMITTEE MEETINGS

MONDAY, NOVEMBER 1

SULLIVAN COUNTY REGIONAL REFUSE DISPOSAL DISTRICT (HB 379, Chapter 201:2, Laws of 1999), Room 301, LOB

2:00 p.m. Rescheduled regular meeting.

WEDNESDAY, NOVEMBER 3

NEW HAMPSHIRE COMMISSION ON THE SMITHSONIAN FESTIVAL OF AMERICAN FOLKLIFE (SJR 20, Chapter 204, Laws of 1996), Room 208, LOB

3:00 p.m. Regular meeting.

THURSDAY, NOVEMBER 4

HISTORICAL COMMITTEE (RSA 17-I), Room 103, State House

1:00 p.m. Regular meeting.

WOMEN'S HEALTH CARE STUDY, (HB 214, Chapter 42:1, Laws of 1999), Room 302, LOB

1:00 p.m. Regular meeting.

FRIDAY, NOVEMBER 5

PET OVERPOPULATION STUDY (RSA 437-A), Room 102, LOB

1:00 p.m. Regular meeting.

MONDAY, NOVEMBER 8

COMMISSION ON EARLY CHILDHOOD EDUCATION (HB 532, Chapter 135:3, Laws of 1999), Room 207, LOB

1:00 p.m. Rescheduled regular meeting.

WILDLIFE AND MARINE RESOURCES, Sunset Mountain Fish & Game Club, Canterbury

10:00 a.m. Subcommittee work session on ad hoc cross bow study. Cross bow demonstration for all interested House and Senate members.

TUESDAY, NOVEMBER 9

CAMPAIGN CONTRIBUTION AND EXPENDITURE STUDY (HB 689, Chapter 264:2, Laws of 1999), Room 308, LOB

11:00 a.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

1:00 p.m. Public hearing on **CACR 16**, relating to establishing a restricted education trust fund; establishing a maximum rate on an income tax, and dedicating income tax revenues to education. Providing that an education trust fund be established, that revenues from a state-run lottery and revenues from the imposition of an income tax shall be deposited into the education trust fund, and that the moneys in such trust fund shall be used exclusively to provide relief from local school property taxes and to fund the state's duty to cherish the interest of public schools under Article 83,

Part 2 of the New Hampshire constitution, and shall not be transferred or diverted to any other purpose.

3:00 p.m. Public hearing on *CACR 17*, relating to the state's responsibility to provide to all citizens the opportunity for a public education. Providing that the general court shall have the exclusive authority to determine the content, extent, and funding of a public education and that the state may fulfill its responsibility to provide to all citizens the opportunity for a public education by exercising its power to levy assessments, rates, and taxes, or by delegating this power, in whole or part, to a political subdivision, provided that upon delegation, such assessments, rates, and taxes are proportional and reasonable throughout the state or the political subdivision in which they are imposed.

LAND USE MANAGEMENT AND PROTECTION OF FARMLAND, RURAL CHARACTER AND ENVIRONMENTAL QUALITY AND SPRAWL STUDY (HB 288, Chapter 23:3, Laws of 1999), Room 302, LOB

2:00 p.m. Rescheduled regular meeting.

SEED STERILIZATION TECHNOLOGY STUDY, (HB 291, Chapter 282:2, Laws of 1999), Room 303, LOB

1:00 p.m. Regular meeting.

WEDNESDAY, NOVEMBER 10

FINANCE - (DIVISION II), ROOM 209, LOB

10:00 a.m. Work session on the rehabilitation of the Walker Building at New Hampshire Hospital.

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

9:00 a.m. Regular business.

9:30 a.m. Audit: Adjutant General's Department and Highway Safety Agency audit reports for the nine months ended March 31, 1999.

FRIDAY, NOVEMBER 12

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

1:00 p.m. Regular meeting.

MONDAY, NOVEMBER 15

OIL FUND DISBURSEMENT (RSA 146-D:4), Room 205, LOB (Note room change)

9:00 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

REDUCING VIOLENT INCIDENTS INVOLVING CHILDREN AND GUNS STUDY (SB 163, Chapter 322:2, Laws of 1999), Rooms 206-208, LOB

1:30 p.m. Regular meeting.

TUESDAY, NOVEMBER 16

ELECTRIC UTILITY RESTRUCTURING OVERSIGHT COMMITTEE (RSA 374-F:5), Room 304, LOB

10:00 a.m. Regular meeting.

WEDNESDAY, NOVEMBER 17

ADEQUATE EDUCATION AND EDUCATION FINANCING COMMISSION (RSA 198:49), Rooms 210-211, LOB

10:00 a.m. Regular meeting.

FINANCE - (DIVISION II), ROOM 209, LOB

10:00 a.m. Revenue estimates.

Work session (if needed) on the rehabilitation of the Walker Building at New Hampshire Hospital.

UPDATING NEW HAMPSHIRE LAWS RELATED TO FENCES STUDY, (HB 1154, Chapter 62:1, Laws of 1998), Room 301, LOB

2:00 p.m. Regular meeting.

WEBSTER INTERNET SITE ADVISORY BOARD (RSA 201-A:27), Room 202, LOB

2:00 p.m. Regular meeting.

THURSDAY, NOVEMBER 18

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), Room 205, LOB

1:00 p.m. Regular meeting.

WOMEN'S HEALTH CARE STUDY, (HB 214, Chapter 42:1, Laws of 1999), Room 302, LOB

1:00 p.m. Regular meeting.

FRIDAY, NOVEMBER 19

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 201-203, LOB (NOTE ROOM CHANGE)

9:00 a.m. Regular meeting.

MONDAY, NOVEMBER 22

MERCURY SOURCE REDUCTION AND RECYCLING ISSUES STUDY (HB 340, Chapter 71:2, Laws of 1999), Room 303, LOB

1:30 a.m. Regular meeting.

MONDAY, NOVEMBER 29

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

9:00 a.m. Regular meeting.

TUESDAY, NOVEMBER 30

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee meeting for discussion of securitization.

FRIDAY, DECEMBER 3

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

9:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The Merrimack County Delegation will meet on Tuesday, November 9th at 10:00 a.m. at the Merrimack County Administration Building in the lower level conference room, 4 Court Street, Concord.

Rep. Ray F. Langer, Chairman

Merrimack County Executive Committee

Pursuant to RSA 326-B:12, the Joint Health Council will meet at the NH Board of Nursing, Room 17, 78 Regional Drive, Building 2, Concord, on Monday, November 1 at 5:30 p.m.

Karen O. Wadsworth, Clerk of the House

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 requested.

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

Frank M. Schanda, 22 Maplecrest, Newmarket, New Hampshire 03857-1402

Clair A. Snyder, 46 Colonial Village, Somersworth, New Hampshire 03878-1558

Colleagues who so desire may send cards and greetings to the addresses listed above.

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.

The Governor's Lilac and Wildflower Commission exhibit is on display in the Visitors' Center of the State House through the holidays.

Rep. Francine Wendelboe

Copies of "The Economic Impact of the Adoption of a State Income Tax in New Hampshire" are available at the Sergeant-at-Arms desk for all members. This study, commissioned by the national Taxpayers Union Foundation, will be of interest to all those who want to learn more about the implications of an income tax.

Rep. John R.M. Alger

Applications are available for the New Hampshire Order of Women Legislators Scholarship. Your constituents may pick them up in their college's financial aid office or you may get them from the House Secretarial Services Office on the 4th floor of the LOB. New Hampshire residents who are obtaining transitional education in their field of endeavor toward a field of public service are eligible. All pertinent information is included in the scholarship application.

Rep. Janet S. Arndt

Formal adjudicated hearings on Phase 1 of the Electric Industry Restructuring Docket issues will be from October 18-29, 1999 at the Public Utilities Commission.

Rep. Jeb E. Bradley

The House Republican Alliance will meet at the Upham Walker House (Park Street across from the State House) at 9:00 a.m. on the following Wednesdays: November 3 and November 17. Refreshments will be served.

Rep. Paul M. Mirski

A Retirement Reception for George Coronis and Richard Amidon will be held at the Cat 'n Fiddle Restaurant on Manchester Street, Concord on Wednesday, November 3rd at 5:00 p.m. All are invited.

Rep. Howard C. Dickinson

A public hearing on plans for the new Manchester Airport entrance road (not to be confused with the access road) has been scheduled for Thursday, November 4th, 7:00 to 9:00 p.m. at the St. Francis Parish Hall on Brown Avenue. Along with airport officials, representatives from the State Department of Transportation and the Manchester Highway Department will be on hand.

Rep. Steve Vaillancourt

All interested House and Senate members are invited to join the House Wildlife & Marine Resources Committee on Monday, November 8th at 10:00 a.m. at the Sunset Mountain Fish & Game Club in Canterbury for a cross bow demonstration. Refreshments will be served.

Rep. Richard S. Brothers

The Legislative Caucus for Young Children welcomes all legislators to attend a workshop on Early Brain Development with Carol Crooker, Director, NH Success by Six, to be held Monday, November 8th at 10:00 a.m. in Room 206 of the Legislative Office Building.

Rep. Anne C. Grassie

On Monday, November 8th at 3:15 p.m., Governor Shaheen will be signing the Veterans Day Proclamation in the Governor's Council chambers. All veterans and friends are invited.

Rep. John H. Thomas

On Wednesday, November 10th at 8:00 a.m., the Marine Corps flag will be flown over the Capitol building for the first time according to law in honor of the birthday of the Marine Corps. A ceremony will take place at that time in front of the State House or in the Hall of Flags in the case of inclement weather. All are invited to attend.

Rep. John H. Thomas

The Legislative Caucus for Young Children will meet at the Upham Walker House on Monday, November 15th at 10:00 a.m. on Tuesday, November 30th at 10:30 a.m. All legislators are welcome.

Rep. Rebecca C. Hutchinson

There will be a Pro-life Caucus at the Upham Walker House (Park Street across from the State House) at 11:00 a.m. on Wednesday, November 17th. All pro-life representatives are encouraged to come and learn about proposed legislation. Refreshments will be provided.

Rep. Phyllis L. Woods

The Department of Transportation will hold the following meetings:

Nov 4 – Peterborough Town Hall Auditorium, 1 Grove Street, Peterborough, 7:00 p.m. Public hearing, Peterborough, Route 202 reconstruction.

Nov 10 – Lebanon High School Cafeteria, 195 Hanover Street, 7:00 p.m. Public hearing, Lebanon, Exit 20 I-89 and Route 12A.

Nov 10 – West High School Café, 9 Notre Dame Avenue, Manchester, 7:00 p.m. Public officials/informational meeting, I-293/Exit 5 Granite Street interchange.

Nov 18- Belmont High School Cafeteria, 255 Seavey Road, Belmont, 7:00 p.m. Public hearing, Belmont US Route 3/NH Route 11.

Dec 1 – Pollard School (Old Gym), 120 Main Street, Plaistow, 7:00 p.m. Public hearing, Plaistow Kington Road Bridge over the B&M Railroad and the NH Route 121 Bridge.

Dec 8 - Pollard School (Old Gym), 120 Main Street, Plaistow, 7:00 p.m. Plaistow NH Route 121 Bridge over the B&M Railroad and Little River.

Rep. Edwin O. Smith, Chairman

Public Works and Highways

Once again another season of student visits is upon us.

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 November, 1999. These listings will replace individual notifications in an effort to reduce paper usage and to ensure all members will be notified in a timely manner. Please contact the Visitors' Center for further information. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>CLASS/Size</i>
Nov 1	10:00	Lyndeboro Central	5/25
Nov 1	11:15	Merrimack Valley High	HS/25
Nov 2	10:00 & 11:00	Grinnell Elem/Derry	4/60
Nov 3	9:45	Meerimack Valley High	HS/25
Nov 3	10:30	Questors	Adults/15
Nov 4	10:00 & 11:00	Grinnell/Derry	4/60
Nov 4	2:00	PACE Program	HS/14
Nov 8	11:00 & 12:30	Sandown Central	4/84
Nov 9	9:30 & 11:00	Nelson Elem School	K-6/63

Nov 10	11:00 & 12:30	Sandown Central	4/48
Nov 12	9:30	Kearsarge Reg at New London	4/45
Nov 15	9:30	Deerfield Comm School	4/21
Nov 15	10:45	Alstead Primary School	4/20
Nov 15	1:00	NH College Graduate School	15
Nov 16	9:30 & 11:00	Mastricola Elem/Merrimack	4/50
Nov 17	9:30 & 11:00	Mastricola Elem/Merrimack	4/50
Nov 17	3:00	Girl Scouts	10
Nov 18	10:00 & 11:30	Danville Elem	4/69
Nov 19	11:00 & 12:30	Chesterfield Elem	3&4/75
Nov 22	9:00	Deerfield Comm School	4/21
Nov 22	1:00	Cornerstone Christian School/Epsom	4/15
Nov 23	10:00	Freedom Elem School	4/14
Nov 23	11:00	Goshen-Lempster Elem School	4/36
Nov 29	9:30	Calvary Christian School/Derry	4/28
Nov 29	11:00	Beaver Meadow School/Concord	4/42
Nov 30	10:00	Lamprey River Elem/Raymond	3/46

The members listed below have bills ready for signature in Legislative Services.

Carol J. Holahan, Director

<i>SPONSOR</i>	<i>COUNTY</i>	<i>DISTRICT</i>	<i>LSR NUMBER</i>
Alger, John	Grafton	09	2000-H-2446-L
Anderson, Eric	Merrimack	07	2000-S-2100-R
Andrews, Frederick	Hillsborough	34	2000-H-2094-R
Avery, Stephen	Cheshire	08	2000-H-2160-R
Beaulieu, Jon	Rockingham	11	2000-H-2031-R
Beaulieu, Jon	Rockingham	11	2000-H-2082-L
Beaulieu, Jon	Rockingham	11	2000-H-2224-L

Bickford, David	Strafford	01	2000-H-2193-R
Bickford, David	Strafford	01	2000-H-2303-R
Blaisdell, Michael	Cheshire	19	2000-H-2001-R
Bouchard, Candace	Merrimack	22	2000-H-2395-R
Boyce, Robert	Belknap	05	2000-H-2103-L
Boyce, Robert	Belknap	05	2000-H-2109-L
Boyce, Robert	Belknap	05	2000-H-2114-R
Brothers, Richard	Grafton	06	2000-H-2172-R
Brothers, Richard	Grafton	06	2000-H-2232-R
Brundige, Robert	Hillsborough	18	2000-H-2083-R
Bruno, Pierre	Hillsborough	04	2000-H-2333-R
Buckley, Raymond	Hillsborough	44	2000-H-2364-R
Buckley, Raymond	Hillsborough	44	2000-H-2367-R
Calawa, Leon	Hillsborough	17	2000-H-2274-L
Carlson, Donald	Hillsborough	19	2000-H-2232-R
Case, Margaret	Rockingham	02	2000-H-2590-R
Chandler, Gene	Carroll	01	2000-H-2364-R
Christie, Andrew	Rockingham	22	2000-H-2218-R
Christie, Andrew	Rockingham	22	2000-H-2236-R
Christie, Andrew	Rockingham	22	2000-H-2468-R
Clark, Martha	Rockingham	36	2000-H-2083-R
Clark, Martha	Rockingham	36	2000-H-2366-R
Clark, Martha	Rockingham	36	2000-S-2472-R
Clegg, Robert	Hillsborough	23	2000-H-2138-R
Clegg, Robert	Hillsborough	23	2000-H-2148-R
Cloutier, John	Sullivan	08	2000-H-2274-L
Cooney, Richard	Rockingham	26	2000-H-2400-R
Cote, David	Hillsborough	29	2000-H-2366-R

Crosby, Toni	Merrimack	20	2000-H-2502-R
Dalianis, Griffin	Hillsborough	35	2000-H-2054-R
Dalianis, Griffin	Hillsborough	35	2000-H-2138-R
Dyer, Merton	Hillsborough	08	2000-S-2100-R
Dyer, Merton	Hillsborough	08	2000-H-2243-R
Dyer, Merton	Hillsborough	08	2000-H-2392-R
Dyer, Merton	Hillsborough	08	2000-H-2599-R
Dyer, Merton	Hillsborough	08	2000-H-2601-R
Estabrook, Iris	Strafford	08	2000-S-2144-R
Fenton, James	Hillsborough	24	2000-H-2347-R
Fenton, James	Hillsborough	24	2000-H-2349-R
Fields, Dennis	Hillsborough	18	2000-H-2138-R
Flora, Kathleen	Hillsborough	15	2000-H-2002-R
Flora, Kathleen	Hillsborough	15	2000-S-2628-R
Gibbons, Paul	Rockingham	13	2000-H-2063-R
Gilman, G Michael	Grafton	01	2000-H-2298-R
Gilmore, Gary	Strafford	11	2000-H-2080-L
Gilmore, Gary	Strafford	11	2000-H-2134-R
Gilmore, Gary	Strafford	11	2000-H-2172-R
Gorman, Mary	Hillsborough	29	2000-H-2004-R
Goulet, Maurice	Hillsborough	15	2000-H-2355-R
Hager, Elizabeth	Merrimack	18	2000-H-2172-R
Hall, David	Grafton	13	2000-H-2350-R
Hall, David	Grafton	13	2000-H-2499-R
Hamel, Albert	Rockingham	10	2000-H-2082-L
Harmon, Hobart	Grafton	08	2000-H-2236-R
Hinman, Harry	Grafton	07	2000-H-2358-R
Howard, Godfrey	Carroll	10	2000-H-2446-L
Hunt, John	Cheshire	10	2000-H-2446-L

Hunt, John	Cheshire	10	2000-H-2447-L
Johnson, Nancy	Strafford	05	2000-H-2251-L
Katsakiores, Phyllis	Rockingham	13	2000-H-2129-R
Katsakiores, Phyllis	Rockingham	13	2000-H-2158-R
Katsakiores, Phyllis	Rockingham	13	2000-H-2187-R
Kenney, Joseph	Carroll	06	2000-H-2138-R
Kenney, Joseph	Carroll	06	2000-H-2518-R
Kibbey, David	Sullivan	04	2000-H-2206-R
Knowles, William	Strafford	11	2000-H-2542-R
Konys, Christine	Hillsborough	33	2000-H-2148-R
Konys, Christine	Hillsborough	33	2000-H-2366-R
L'Heureux, Robert	Hillsborough	18	2000-H-2004-R
L'Heureux, Robert	Hillsborough	18	2000-H-2232-R
Larrabee, David	Merrimack	09	2000-H-2558-R
Leone, Richard	Sullivan	02	2000-H-2157-R
Letourneau, Robert	Rockingham	13	2000-H-2031-R
Letourneau, Robert	Rockingham	13	2000-H-2077-R
Lozeau, Donnalee	Hillsborough	30	2000-H-2148-R
MacDonald, Kenneth	Carroll	07	2000-H-2176-R
Manning, Joseph	Cheshire	09	2000-H-2590-R
Marple, Richard	Merrimack	11	2000-H-2040-R
Marple, Richard	Merrimack	11	2000-H-2185-R
Marple, Richard	Merrimack	11	2000-H-2188-R
Martel, Andre	Hillsborough	45	2000-H-2072-R
Martel, Andre	Hillsborough	45	2000-H-2077-R
McCarthy, William	Hillsborough	41	2000-H-2324-R
McGough, Tim	Hillsborough	18	2000-H-2241-R
Melcher, Harold	Hillsborough	11	2000-H-2083-R

Milligan, Robert	Hillsborough	18	2000-H-2004-R
Mirski, Paul	Grafton	12	2000-H-2145-R
Moore, Carol	Merrimack	19	2000-S-2144-R
Musler, George	Strafford	06	2000-H-2587-R
Nowe, Ronald	Rockingham	03	2000-H-2073-R
Nowe, Ronald	Rockingham	03	2000-H-2077-R
Nowe, Ronald	Rockingham	03	2000-H-2198-R
Nowe, Ronald	Rockingham	03	2000-H-2236-R
O'Hearn, Jane	Hillsborough	26	2000-H-2182-R
O'Hearn, Jane	Hillsborough	26	2000-H-2446-L
O'Hearn, Jane	Hillsborough	26	2000-H-2447-L
O'Keefe, Patricia	Rockingham	21	2000-H-2092-L
Ouellette, Dean	Hillsborough	42	2000-H-2003-R
Packard, Sherman	Rockingham	29	2000-H-2077-R
Packard, Sherman	Rockingham	29	2000-H-2236-R
Packard, Sherman	Rockingham	29	2000-H-2391-R
Pelletier, Arthur	Strafford	12	2000-H-2013-R
Pelletier, Arthur	Strafford	12	2000-H-2014-R
Pilliod, James	Belknap	03	2000-H-2366-R
Quandt, Marshall	Rockingham	20	2000-H-2050-R
Quandt, Marshall	Rockingham	20	2000-H-2077-R
Quandt, Marshall	Rockingham	20	2000-H-2138-R
Quandt, Marshall	Rockingham	20	2000-H-2224-L
Splaine, James	Rockingham	34	2000-H-2203-R
Sullivan, P Judith	Carroll	02	2000-H-2059-R
Tholl, John	Coos	05	2000-H-2004-R
Tholl, John	Coos	05	2000-H-2274-L
Thulander, O Alan	Hillsborough	06	2000-H-2601-R
Torressen, Gary	Carroll	10	2000-H-2262-R

Virtue, Carolyn	Merrimack	09	2000-H-2395-R
Wall, Nancy	Hillsborough	22	2000-H-2262-R
Weare, Everett	Rockingham	21	2000-H-2392-R
Weber, Phil	Grafton	11	2000-H-2056-R
Weyler, Kenneth	Rockingham	18	2000-H-2074-R
Weyler, Kenneth	Rockingham	18	2000-H-2224-L
White, Donald	Hillsborough	25	2000-H-2069-R
White, Donald	Hillsborough	25	2000-H-2340-R

WEDNESDAY, NOVEMBER 3

AMENDMENT

Amendment to HB 999-FN-A-LOCAL

Proposed by the Committee on Finance

1999-2214h

Amend RSA 198:50, II as inserted by section 12 of the bill by replacing it with the following:

II. "Homestead" means the dwelling owned by a claimant or, in the case of a multi-unit dwelling, the portion of the dwelling which is owned and used as the claimant's principal place of residence and the claimant's domicile for purposes of RSA 654:1. "Homestead" shall not include land and buildings taxed under RSA 79-A or land and buildings or the portion of land and buildings rented or used for commercial or industrial purposes. In this paragraph, the term "owned" includes a vendee in possession under a land contract and one or more joint tenants or tenants in common.

Amend RSA 198:51 as inserted by section 12 of the bill by replacing it with the following:

198:51 Education Property Tax Hardship Relief.

- I. Pursuant to the provisions of this subdivision, eligible claimants shall be granted education property tax hardship relief following the effective date of the reenactment of the statewide property tax under RSA 76:3 in this act.
- II. Residents shall apply to the department of revenue administration for such relief.
- III. An eligible hardship relief claimant is a person who:
- (a) Owns a homestead or interest in a homestead subject to the education property tax;
 - (b) Has resided in such homestead for a period of one year, except such persons as are on active duty in the United States armed forces or are temporarily away from such homestead but maintain the homestead as a primary domicile;
 - (c) Realizes in any year after the effective date of the reenactment of the statewide property tax under RSA 76:3 in this act a net increase in property taxes, exclusive of municipal and county taxes, which exceeds the local education property tax portion of such claimant's local property taxes for the tax year ended March 31, 1999; and
 - (d) Realizes total household income of \$25,000 or less if a single person and \$50,000 or less if a married person or head of a New Hampshire household.
- IV. A portion of the net increase in an eligible hardship relief claimant's property taxes, exclusive of municipal and county taxes,

shall be abated as follows:

- (a) Deduct the municipal and county tax rates from the claimant's total current tax rate;
- (b) Subtract the amount of the claimant's local education property tax rate for the tax year ended March 31, 1999 from the sum computed in subparagraph (a) to determine the net rate increase;
- (c) Multiply the net rate increase computed in subparagraph (b) by the following percentage as applicable to determine the amount of the hardship relief:
 - (1) If a single person and total household income is:
 - (A) less than \$15,000, 100 percent of the net rate increase;
 - (B) \$15,000 but less than \$20,000, 66 2/3 percent of the net rate increase; or
 - (C) \$20,000 but less than \$25,000, 33 1/3 percent of the net rate increase.
 - (2) If a married person or a head of a New Hampshire household and total household income is:
 - (A) less than \$30,000, 100 percent of the net rate increase;
 - (B) \$30,000 but less than \$40,000, 66 2/3 percent of the net rate increase; or
 - (C) \$40,000 but less than \$50,000, 33 1/3 percent of the net rate increase.
- (d) Multiply the amount computed in subparagraph (c) by the local assessed valuation from the 1998 property tax bill.
- (e) The total amount of tax relief allowable in any year shall not exceed the amount the claimant would receive with respect to a homestead with an equalized value of \$200,000 in that municipality for tax year 1998.

V. If a homestead is owned by 2 or more persons as joint tenants or tenants in common, and one or more of such joint owners do not principally reside at such homestead, hardship relief applies to the proportionate share of the homestead value that reflects the ownership percentage of the claimant. Only one claim may be filed for a single homestead.

VI. Claims filed with the department of revenue administration shall be filed within 60 days of the due date of the taxes.

VII. Each claim shall be accompanied by a copy of the claimant's federal income tax return filed by the claimant for the immediately prior tax period. Claimants who were not required to file a federal tax return for the immediately prior tax period may submit an affidavit to such effect in lieu of a tax return which document shall include the claimant's social security number. Any documents submitted shall be considered confidential, handled so as to protect the privacy of the claimant, and shall be destroyed after all appeal periods have expired.

VIII. The provisions of RSA 359-C shall not apply to the documents required to be submitted under this section.

Amend RSA 198:52 as inserted by section 12 of the bill by replacing it with the following:

198:52 Rulemaking; Forms; Notice.

I. The commissioner shall adopt emergency rules under RSA 541-A relative to the administration of excess tax payments and the hardship relief provisions of this subdivision. Notwithstanding RSA 541-A:18, II, such emergency rules shall be effective for 180 days. After 180 days the commissioner shall adopt rules pursuant to RSA 541-A.

II. The commissioner shall approve and provide forms relative to the administration of this subdivision.

III. Claim forms shall include the following:

- (a) Instructions on completing and filing the form;
- (b) Sections for information concerning the claimant, the claimant's household, the property for which relief is sought and such other information as is reasonably necessary to determine the accuracy of the claim;
- (c) Instructions on appeal procedure and time limits relative to such appeals;

(d) A place for the claimant's signature with a certification by the claimant that the claim is made in good faith and that the facts contained in the claim are true.

IV. The commissioner shall publicize notice of the education property tax hardship relief provisions in a suitable manner.

Amend RSA 198:53, II as inserted by section 12 of the bill by replacing it with the following:

II. The commissioner may assess and collect the amount of any sums granted for hardship relief relative to a fraudulent or erroneously paid claim including interest provided under RSA21-J:28 and an additional penalty of 25 percent for the erroneous amount of such claim or an additional penalty of the greater of 25 percent or \$1,000 for a fraudulent claim.

Amend RSA 198:54 as inserted by section 12 of the bill by replacing it with the following:

198:54 Appeals.

I. Whenever the commissioner refuses to grant a claimant an education property tax hardship relief claim, the claimant may appeal in writing within 30 days of notice of such refusal to the board of tax and land appeals.

II. When a taxpayer appeals the denial of a claim to the board of tax and land appeals, the board may reverse or affirm, wholly or partly, or may modify the decision brought up for review when there is an error of law or when the board finds the commissioner's action to be arbitrary or unreasonable.

Amend RSA 198:55 as inserted by section 12 of the bill by replacing it with the following:

198:55 Refund of Tax Claims. The department of revenue administration shall review a claim for hardship relief filed with it and, if such claim is determined to be valid, shall certify such amount to the state treasurer within 90 days. The state treasurer shall pay the claim to the claimant from funds in the education trust fund. The department shall notify a claimant whose claim is rejected in whole or in part of such determination within 90 days of the department's receipt of the claim and all required documentation.

Amend the bill by replacing all after section 15 with the following:

16 Appropriation. The sum of \$200,000 is hereby appropriated for the biennium ending June 30, 2001 from the education trust fund established in RSA 198:39 to the department of revenue administration for the purpose of administering the education property tax hardship relief provisions established in RSA 198:50-55.

17 General Fund; Deposit of Undesignated Surplus into the Education Trust Fund for the Biennium Ending June 30, 1999. Notwithstanding the provisions of RSA 9:13-e, the state treasurer shall deposit any general fund undesignated surplus as of June 30, 1999 into the education trust fund as established in RSA 198:39.

18 Estimate of General Fund Undesignated Surplus for Biennium Ending June 30, 2001; Lapses Adjusted. Amend 1999, 159:13 to read as follows

13 Estimate of General Fund Undesignated Surplus.

GENERAL FUND

(Dollars in Thousands)

FY 2000 FY 2001

Balance, July 1 \$0 [~~\$(3,509)~~] ***\$1,491***

Additions:

Unrestricted Revenue

Unrestricted Revenue-Net of Medicaid 961,148 1,003,757

Medicaid Enhancement Revenues 63,700 65,300

Uncompensated Care 10,000 10,000

Total Unrestricted Revenue 1,034,848 1,079,057

Appropriations:

Gross Appropriations (Section 1) 1,064,842 1,093,465

Legislative Specials 530 455

Footnote Reductions/Adjustments 5,548 13,024

Reduction in Judicial Appropriation ~~(4,563)~~ ~~(4,480)~~

Total Appropriations 1,066,357 1,102,464

Less Lapses [~~(26,000)~~] **(31,000)** [~~(26,000)~~] **(31,000)**

Lapse Percent ~~[2.44%]~~ **2.90%** ~~[2.36%]~~ **2.81%**

Net Appropriations [~~1,040,357~~] **1,035,357** [~~1,076,464~~] **1,071,464**

GAAP Adjustment 2,000 2,000

Current Year Balance [~~(3,509)~~] **1,491** [~~4,593~~] **9,593**

Balance, June 30 [~~(3,509)~~] **1,491** [~~1,084~~] **11,084**

19 Severability. If any provision of this act or the application thereof to any person or circumstance is deemed invalid, the invalidity does not affect the other provisions or applications of the act which can be given effect without the invalid provisions or applications and to this end the provisions of this act are severable.

20 Repeal. RSA 198:50-55, relative to education property tax hardship relief, is repealed.

21 Effective Date.

I. Section 20 of this act shall take effect July 1, 2003.

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

