State of

New Hampshire

HOUSE RECORD

Second Year of the 156th Session of the General Court

Calendar and Journal of the 2000 Session

Vol. 22 Concord N.H. Friday, January 7 No. 4

Contains: Hearings, Notices and Reports and Amendments on Re-referred Bills For January 13

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet on Thursday, January 13 at 1:30 p.m. Please reserve Thursday, January 20 for a possible session as well.

The master schedule of hearings on all House bills was printed in House Record No. 3 distributed yesterday. You might want to retain it for easy reference. Instead of reprinting the whole list every week, future calendars will include the schedule for each subsequent two-week period only.

Chairmen and Vice Chairmen will meet Tuesday, January 11 at 9:00 a.m. in Room 201 LOB.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Thursday, January 13 at 1:00 p.m. in Representatives Hall.

Rep. Gene G. Chandler, Majority Leader

NOTICE

There will be a Democratic Caucus on Thursday, January 13th at 11:00 a.m. in Representatives Hall.

Rep. Peter H. Burling, Democratic Leader

THURSDAY, JANUARY 13

REGULAR CALENDAR

ELECTION LAW

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

Rep. Janet S. Arndt for Election Law**:** The original bill added "felons" to the list of those who could not vote. Since the category of felon is broad, it would be difficult to enforce. The new amendment allows the General Court to pass laws in conformance with the Constitution relative to the election process. Vote 15-2.

HB 445, relative to straight ticket voting procedures. INEXPEDIENT TO LEGISLATE

Rep. Robert E. Clegg, Jr. for Election Law**:** The study committee looked at House Bill 445 and Senate Bill 116 together since they both dealt with straight ticket voting. The problem appeared to be determining voter intent when the box for straight ticket was checked but the voter voted outside the straight ticket for a particular candidate. Currently the secretary of state has ruled any vote cast after a straight ticket vote shall supersede the straight ticket since it is obvious the voter intended to do so. The study committee felt this was sufficient and no legislation to change this was necessary. The full committee agreed. Vote 15-2.

SB 116, eliminating straight ticket voting. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Robert E. Clegg, Jr. for the Majority of Election Law**:** The study committee looked at Senate Bill 116 and House Bill 445 together since they both dealt with the same subject. The problem appeared to be determining voter intent when the box for straight ticket was checked but the voter voted outside the straight ticket for a particular candidate. Currently the secretary of state has ruled any vote cast after a straight ticket vote shall supersede the straight ticket since it is obvious the voter intended to do so. The study committee felt this was sufficient and no legislation to change things was necessary. The majority of the full committee agreed. Vote 10-7.

Rep. Christine M. Konys for the Minority of Election Law**:** The minority believes that removing any doubt regarding voter intent when casting a ballot is far more important than the ease or speed of casting a straight ticket vote. Confusion during the recent recounts over determining the intent of the voter when the voter cast both a straight ticket vote and also a vote for other candidates in multi-candidate races is just cause for eliminating straight ticket voting altogether.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 228-FN, relative to spousal benefits upon the death of certain retired group II members of the New Hampshire retirement system. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Frank V. Sapareto for the Majority of Executive Departments and Administration**:** This bill as amended by the Senate replaces the benefits for retirees whose retirement date occurred prior to April 1, 1987. It places these retirees on the same playing field as those who retired after that date. The committee felt that it was only fair to equate these benefits. It also provides for options for those pre-April 1, 1987 retirees who took a reduced benefit to provide for spousal benefit. The estimated cost from the special account, which does not affect the General Fund in any way, is approximately $1.8 million. The special account purpose specifies such use and has a substantial surplus making this appropriation with little effort. Vote 15-4.

Rep. Merton S. Dyer for the Minority of Executive Departments and Administration**:** The minority does not agree with the majority that this bill should become law. This bill will provide a spousal benefit to certain Group II retirees. This bill, as written, raises many concerns that are unanswered in the bill. This bill is not clear on certain provisions of the implementation, such as, what will the 50 percent spousal benefit be based upon – annuity at retirement or value of current annuity – will the additional benefits, providing benefits in excess of 100 percent of the accurately determined values be in conflict with IRC(a)9 and, if so, will this affect the tax exempt status of the New Hampshire system and the personal tax status of the beneficiary? The bill will provide a 50 percent spousal benefit to the spouses of those members retired prior to April 1, 1987. The actuary has determined this will cost $4.4 million for approximately 500 people. By providing this spousal benefit, the spouse will be eligible for the medical insurance subsidy for a cost of $3.7 million or a total cost of $8.1 million from the Special Account of the Group II members, for a small number of retirees. This brings up a question of the fairness of this bill. Many who retired prior to 1987 elected a survivorship option, which has been available since at least 1955. Those who provided for their spouse have been

receiving a monthly annuity of less than 100 percent. There is no provision in this bill to extend the same privilege to them or to reimburse them for the reduced benefit they have been receiving. Legislation passed in 1987, Chapter 216 Spousal Benefits, established the automatic 50 percent spousal benefit and made the benefits available prospectively. The Legislature has allowed those with 100 percent benefit two opportunities, Chapter 251 of 1990 and Chapter 166 of 1992, to change their option to a survivorship allowance, but for various reasons they did not change their benefits. This bill will provide them with a gift to keep their 100 percent annuity and provide a 50 percent annuity for the spouse. These benefits are not actuarially determined, but rather done by percentage of some annuity. This bill has too many flaws to become law. An amendment to provide only the medical health subsidy was defeated by the committee.

FINANCE

CACR 10, relating to restricting the use of a statewide property tax and all funds deposited into the education trust fund to education funding. Providing that all revenues resulting from a statewide property tax and all funds deposited into the education trust fund shall be used exclusively for elementary and secondary education. INEXPEDIENT TO LEGISLATE

Rep. William S. Belvin for Finance**:** This CACR was originally introduced as a companion piece to HB 108, a statewide property tax, which was a fiscal response to the *Claremont II* decision. It is narrowly crafted to dedicate all statewide property tax money to be placed in the education trust fund, to be spent exclusively for elementary and secondary education.

The committee believes that, given the fluid legal status of the statewide property tax, a dedicated statewide property tax constitutional amendment may prove to be a hindrance and be overtaken by events in addressing the *Claremont II* decision. Also, future legislatures may need flexibility in addressing health care, or postsecondary higher education, or other material issues where a statewide property tax may have multiple roles in a re-aligned state budget. Other questions remained about apparent conflicts in the bill's references to ". . . education funding . . ." and what would happen if the statewide property tax raised more money than required for an adequate education, so the committee voted Inexpedient to Legislate. Vote 21-0.

CACR 11, relating to the use of lottery revenues for educational purposes. Providing that lottery revenues be distributed directly to the governing body of the city or town. INEXPEDIENT TO LEGISLATE

Rep. William S. Belvin for Finance: The issue primarily dealt with in CACR 11 is for the net proceeds of the state lottery to be distributed directly to the cities and towns, before being used exclusively for the purpose of state aid to education. At present these funds now go into the education trust fund established in HB 117 last session; and previously they were paid directly to individual school districts.

Much of the content of this CACR was based on previous school funding processes which were materially changed by HB 117, hence the CACR's original mechanism is no longer applicable. Even if the intent remains as proposed, future legislative activity in response to present or future court mandates or legislative initiatives may again make the bill's approach inappropriate. Vote 21-0.

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. OUGHT TO PASS

Rep. David J. Alukonis for Finance**:** CACR 26 acknowledges the state's duty to provide an opportunity for an adequate education to all public school pupils in NH. It defines the scope of the state duty while establishing the limits of the Court's involvement in legislative policy decisions. As we have already seen, the Court will step into the education debate again and again unless we amend the constitution to define the proper roles of the legislature and the courts.

The adoption of CACR 26 is an affirmation of the state's duty to provide an adequate public education. The amendment provides that the legislature will decide the nature of the duty, how much it costs, and how it shall be funded. The legislature may also delegate part or all of the duty to its political subdivisions. The Court's involvement is limited to a review of whether or not the legislature had a rational basis for its policy decisions.

The additional language proposed in CACR 26 cements and defines the state's duty to public schools within the constitution while at the same time preventing an endless stream of lawsuits and appeals against the state. The passage of CACR 26 by the

legislature would also let NH voters decide whether to restore control over education and tax policy to their elected representatives or whether to leave such policy making to the courts. Vote 13-7.

SPECIAL ORDER

HB 235-FN-A, increasing the exemption amount under the interest and dividends tax. (Pending question is Ought to Pass With Amendment)

SB 36-FN-A, relative to salary increases for care providers for persons with developmental and acquired disabilities and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Robert K. Boyce for Finance: There was little disagreement about the need to increase the pay of these people providing direct care to some of the neediest people in the Health and Human Services system. There was disagreement about where the money should come from. This bill, as amended, directs the commissioner to provide the money for these increases from money not in the current budget. There was testimony that over $6 million of non-budget funds has already been received. The cost of this increase is $2.28 million of general fund money for fiscal year 2001. Vote 24-0.

SB 186-FN, relative to additional cost of living adjustments and increased minimum allowances for certain retired group II members, and relative to requiring spousal acknowledgement of a member's election of an optional retirement allowance. OUGHT TO PASS WITH AMENDMENT

Rep. Steve Vaillancourt for Finance: This bill increases the minimum allowance and grants additional COLAs to retired group II members (police and firemen) whose annual allowance is less than a certain very low amount. The committee heard compelling testimony that certain individuals, mostly elderly (many in their 80s) who retired a long time ago, are receiving monthly checks which are far below the amounts required to live a life of dignity commensurate with the quality service they provided the state over the years. Testimony was also convincing that this increase can be accomplished within the existing retirement fund framework. Therefore there is no negative financial impact to the state. The amendment increases the minimum amount from $5200 to $10,000 as was the intent of the original legislation. It also establishes a percentage formula for COLA increases so that those on the bottom of the scale, the most needy, benefit most. For example, those currently receiving $9300 or less will be increased to the minimum of $10,000. Those currently receiving between $9300 and $11,699 will get a 71/2 % COLA, but those currently receiving between $15,700 and $17,699 will get a COLA of only 3%. Vote 22-0.

JUDICIARY

CACR 2, relating to supreme court rules. Providing that supreme court rules shall be subject to review and approval by a special legislative committee. OUGHT TO PASS WITH AMENDMENT

Rep. Tony F. Soltani for Judiciary**:** The 1978 constitutional amendment to article 73-a was approved by the voters. The voters were not explicitly informed of the language that the rules of the Supreme Court would have the "force and effect of law." In fact, the question presented to the voters never mentioned those words. This language has been a source of controversy while the representatives of the court have repeatedly advised the Legislature that this language was superfluous and without substantive effect. This proposal seeks to remedy the oversight of the 1978 amendment by affording the voters an opportunity to choose after having been fully informed. The proposal clarifies an existing ambiguity. Vote 13-2.

CACR 22, relating to 7-year terms for state judges. Providng that all state judges appointed on or after January 1, 2001 be commissioned for 7-year terms, which may be renewed. INEXPEDIENT TO LEGISLATE

Rep. James W. Craig for Judiciary**:** This bill was studied by a subcommittee this summer. The subcommittee and a majority of the full committee felt that this bill was not good for the judicial process or for the retention of competent judges. The prospect of having to undergo a reappointment process could interject the political process into decision-making by a judge and the committee feels that judicial decisions must be made as independently as possible. Further, it would be difficult for top grade candidates to give up a law practice to sit as a judge knowing that they may be out of work in seven years just at the time when they may be facing family student tuition and other personal expenses. Vote 13-3.

LAID ON TABLE

HB 637-FN, including persons who make medical decisions as practicing medicine. (Pending question is the adoption of the committee report.)

COMMITTEE HEARINGS

MONDAY, JANUARY 10

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

1:00 p.m. Complaint hearings.

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

9:30 a.m. Regular meeting.

LAND USE MANAGEMENT AND PROTECTION OF FARMLAND, RURAL CHARACTER AND ENVIRONMENTAL QUALITY AND SPRAWL STUDY (HB 288, Chapter 23:3, Laws of 1999, Room 306, LOB

2:00 p.m. Rescheduled regular meeting.

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

9:00 a.m. Regular meeting.

PERINATAL ALCOHOL TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19), Room 102, LOB

9:00 a.m. Regular meeting.

PUBLIC HIGHER EDUCATION STUDY COMMITTEE (RSA 187-A:25-a), UNH, Durham

10:00 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, JANUARY 11

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. ***HB 1363,*** relative to grandparents' visitation rights.

11:00 a.m. ***HB 1102,*** relative to accessibility of veterans' disability payments in divorce cases.

1:00 p.m. ***HB 1234,*** relative to a special commission allowing non-ordained ministers residing out of state to perform marriages in New Hampshire.

1:45 p.m. ***HB 1109,*** relative to the modification of spousal support orders.

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

COMMERCE, Room 302, LOB

10:00 a.m. Presentation by the Bankers Association on the new federal law known as the Financial Modernization Act.

1:15 p.m. Presentation by the Insurance Commissioner, Paula Rogers, related to Tufts liquidation.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1130,*** relative to persons conducting alcohol concentration tests.

10:30 a.m. ***HB 1351-LOCAL,*** relative to possession of firearms while intoxicated.

11:00 a.m. ***HB 1391,*** relative to personal appearance by law enforcement officers at administrative license suspension hearings.

11:30 a.m. ***HB 1449,*** relative to the cost of any and all tests conducted pursuant to DWI convictions.

1:30 p.m. ***HB 1131-FN,*** relative to license revocations and suspensions.

2:00 p.m. ***HB 1611,*** recodifying the state's DWI laws.

EDUCATION, Room 207, LOB

10:00 a.m. ***HB 1136,*** adding the dean of the college for lifelong learning to the university system of NewHampshire board of trustees.

11:00 a.m. ***HB 1188-FN-LOCAL,*** relative to alternative kindergarten programs.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1483,*** permitting owners to choose certain health care providers for their animals.

11:00 a.m. ***HB 1258-FN,*** relative to invasive plant, insect, and fungal species.

1:00 p.m. ***HB 1390,*** establishing a committee to study environmental health.

2:00 p.m. ***HB 1423-LOCAL,*** relative to regulation of junk yards.

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. ***HB 1437-FN,*** relative to ayurvedic health care practice.

11:30 a.m. ***HB 1175,*** relative to license renewal for dental hygienists.

1:30 p.m. ***HB 1345-FN,*** relative to the salary of licensed practical nurses employed by the state.

2:15 p.m. ***HB 1176,*** relative to publication of notice of meetings of the joint health council.

2:45 p.m. ***HB 1367-FN,*** establishing a program of acting service awards to state employees who temporarily perform the duties of a higher level agency position.

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

FINANCE, Rooms 210-211, LOB

9:30 a.m. ***HB 51*****,** providing for registration of equipment used in the production of maple products and allowing the commissioner of the department of agriculture, markets and food to adopt rules relative to standards for such equipment. (A)

10:15 a.m. ***HB 580-FN-A-L,*** creating a new tourism district and making an appropriation therefor. (A)

11:00 a.m. ***HB 86-A***, making a capital appropriation for renovation of the Sawyer House at the Daniel Webster Birthplace in the city of Franklin. (A)

1:00 p.m. ***HB 648-FN*****,** relative to a sludge testing program. (A)

1:45 p.m. ***SB 135-FN***, relative to water supply land protection grants. (A)

2:45 p.m. ***HB 725,*** relative to rulemaking under the administrative procedures act. (A)

2:50 p.m. Continued public hearing on ***HB 1199,*** establishing a study committee on funding for affordable housing.

Executive session on pending legislation to follow.

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

10:00 a.m. ***HB 1142,*** establishing a study committee to evaluate the Medicaid "In and Out" Program.

11:00 a.m. ***HB 1302,*** establishing a committee to study issues of senior outreach programs.

1:00 p.m. ***HB 1301,*** relative to regional appointments to the state committee on aging.

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. ***HB 1435,*** establishing a committee to study electronic media and the right-to-know law.

11:00 a.m. ***HB 1477-FN-LOCAL,*** relative to notification of public proceedings.

1:00 p.m. ***HB 1168,*** establishing a committee to study the merits of limiting the use of social security numbers as identifiers.

2:00 p.m. ***CACR 37,*** relating to the right to privacy. Providing that an individual's right to live free from governmental interference in private or personal matters is fundamental.

3:00 p.m. ***HB 1147,*** relative to the right-to-know law and electronic communication.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1124-LOCAL,*** relative to local building codes.

10:30 a.m. ***HB 1111,*** relative to the adoption by reference of the International Property Maintenance Code for municipalities.

11:00 a.m. ***HB 1122,*** relative to firewards.

11:30 a.m. ***HB 1397,*** relative to naming a certain island in Lake Winnipesaukee in the town of Moultonborough.

1:15 p.m. ***HB 1487-FN-LOCAL,*** reducing the interest rate on delinquent property tax payments and subsequent tax payments.

2:00 p.m. ***HB 1543-FN-LOCAL,*** repealing the laws on the collection and enforcement of property taxes.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:30 a.m. ***HB 1169,*** relative to gates and bars on class VI roads.

11:30 a.m. ***HB 1165-FN-LOCAL,*** reclassifying certain roads in the towns of Northfield, Tilton, and Waterville Valley.

1:30 p.m. ***HB 1118,*** establishing a committee to study the feasibility and value of encouraging the construction and operation on state park lands of publicly or privately-owned hotels, conference centers and other resort facilities.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 1101,*** establishing a Pillsbury state park advisory commission.

11:00 a.m. ***HB 1121-FN,*** relative to admission to Wellington state park by residents of the town of Alexandria.

1:00 p.m. ***HB 1158,*** relative to state park campground reservations.

2:00 p.m. ***HB 1479-FN-LOCAL,*** relative to boat fees.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. ***HB 1309,*** relative to wood-to-energy rate order buydowns.

11:00 a.m. ***HB 1406,*** relative to transition service.

1:00 p.m. ***HB 1329,*** limiting the system benefits charge.

2:00 p.m. ***HB 1470,*** relative to divestiture of electric utility assets.

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

TRANSPORTATION, Room 203, LOB

10:00 a.m. ***HB 1324,*** establishing a committee to study the junk yard licensing process.

10:45 a.m. ***HB 1161,*** making technical changes to the New Hampshire Aeronautics Act and establishing a committee to study revisions to the state aeronautics laws.

11:30 a.m. ***HB 1290,*** relative to liability for motor vehicle state inspection, registration, and equipment violations.

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

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

10:00 a.m. ***HB 1262,*** establishing a fly-fishing stamp for persons possessing a fishing license who wish to fly-fish in waters designated fly-fishing only.

11:00 a.m. ***HB 1454,*** relative to restrictions of persons possessing any fish and game license.

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

WEDNESDAY, JANUARY 12

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. ***HB 1333-LOCAL,*** relative to the establishment of parenting plans.

11:00 a.m. ***HB 1498,*** establishing a committee to study child support and parental involvement issues.

11:30 a.m. ***HB 1217,*** establishing a committee to study marriage preparation.

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

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on ***SB 147,*** relative to self-referrals for chiropractic care under managed care organizations.

10:00 a.m. ***HB 1579-FN,*** establishing a penalty for a third violation of the youth tobacco laws.

11:00 a.m. ***HB 1608-FN-LOCAL,*** relative to minors and smoking.

2:15 p.m. ***HB 1358,*** prohibiting smoking in restaurants.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1137,*** relative to bingo and lucky 7 volunteers.

10:15 a.m. ***HB 1405,*** exempting 50/50 raffles from the laws regulating games of chance.

11:00 a.m. ***HB 1544-FN,*** prohibiting the wearing of certain masks and hoods.

11:30 a.m. ***HB 1432,*** prohibiting active law enforcement personnel from obtaining a license to sell confiscated or seized firearms and ammunition.

1:30 p.m. ***HB 1531,*** relative to the preemption of local regulations of firearms.

1:45 p.m. ***HB 1494-FN,*** establishing a penalty for attempt to purchase a firearm illegally.

2:15 p.m. ***HB 1492-FN,*** relative to clarifying the state's stalking statute.

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

EDUCATION, Room 207, LOB

10:00 a.m. ***HCR 29,*** promoting the development and implementation of a financial literacy curriculum for primary school pupils in New Hampshire.

11:00 a.m. ***HB 1427,*** relative to the calculation of the days of school in the school year.

1:00 p.m. ***HB 1197,*** encouraging school districts to offer instruction on the causes and effects of the Great Irish Hunger.

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

ELECTION LAW, Room 308, LOB

9:00 a.m. ***HB 1526-FN,*** relative to campaign contributions and expenditures.

10:15 a.m. ***HB 1331,*** relative to campaign contributions by corporations.

11:00 a.m. ***CACR 36,*** relating to voting rights of homeowners. Providing that every person shall be considered an inhabitant for the purposes of voting relating to the raising of money in any town, ward, or unincorporated place where the person has his or her domicile or owns a residence.

1:15 p.m. ***HB 1478-FN-A,*** establishing matching funds for certain candidates.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:30 a.m. Orientation by Waste Management.

10:00 a.m. ***HB 1342-FN,*** relative to measurements of heavy metals and other compounds in sludge.

11:00 a.m. ***HB 1343-FN-A,*** appropriating available funds for fiscal year 2000 to provide funding to support research monitoring groundwater at reclamation sites that have had sludge applied.

1:00 p.m. ***HB 1227,*** relative to universal waste.

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. ***HB 1539-FN-LOCAL,*** returning to group II of the New Hampshire retirement system all full-time emergency communicators and full-time emergency-911 telecommunicators who staff offices which are part of the 24-hour public safety network.

11:00 a.m. ***HB 1560-FN,*** relative to the purchase of certain prior service by county corrections officers in the New Hampshire retirement system.

1:15 p.m. ***HB 1399-FN,*** relative to the amount payable by the retirement system on account of qualified group II retirees of a political subdivision employer.

2:15 p.m. ***HB 1419-FN,*** allowing teachers to purchase credit in the retirement system for certain service in an armed conflict.

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

FINANCE, Rooms 210-211, LOB

1:00 p.m. ***HB 405-FN***, relative to the definition of "placement cost" with regard to services for children, youth, and families provided by the department of health and human services. (A)

1:45 p.m. ***SB 170-FN-A,*** establishing a parents as teachers pilot program in Sullivan county and making an appropriation therefor. (A)

2:30 p.m. ***HB 305-A***, making a capital appropriation to the department of administrative services for the construction of the new Jaffrey-Peterborough district courthouse. (A)

Executive session on pending legislation to follow.

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

9:00 a.m. Regular business.

9:30 a.m. Audits: State of New Hampshire Judicial Branch Family Division Pilot Program performance audit report January 2000.

State of New Hampshire Comprehensive Annual Financial Report for Fiscal Year ended June 30, 1999

Comprehensive Annual Financial Report of the New Hampshire Retirement System for Fiscal Year ended June 30, 1999.

Comprehensive Annual Financial Report New Hampshire Sweepstakes Commission for Fiscal Years

ended June 30, 1999 and 1998.

New Hampshire Turnpike System audited financial statements June 30, 1999.

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

10:00 a.m. ***HB 1325,*** establishing a study committee to address smoking in motor vehicles.

11:00 a.m. ***HB 1502,*** establishing a committee to study procedures following lead paint abatement.

1:00 p.m. ***HB 1394,*** requiring physicians to conduct examinations of the entire colon for certain patients.

2:00 p.m. ***HB 1379,*** establishing a long-term care council.

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

9:30 a.m. ***HB 1239,*** relative to durable powers of attorney.

10:30 a.m. ***HB 1233,*** relative to interest on judgments.

11:30 a.m. ***HB 1448,*** relative to the partition of real property.

1:00 p.m. ***CACR 35,*** relating to malfeasance and crime in state agencies. Providing that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.

2:00 p.m. ***HCR 28,*** requesting the New Hampshire supreme court to rule on whether part first, article 6 and part second, article 83 of the New Hampshire constitution are in conflict.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1163,*** relative to the date of decision for appeals of zoning matters.

10:45 a.m. ***HB 1332,*** relative to review of plats or applications submitted to local planning boards.

11:15 a.m. ***HB 1123-FN-LOCAL,*** relative to local planning and zoning enforcement procedures.

1:00 p.m. ***HB 1277-LOCAL,*** relative to payment by an applicant of outstanding costs on a withdrawn proposal submitted to a planning board.

1:45 p.m. ***HB 1425-LOCAL,*** relative to driveway permits.

2:15 p.m. ***HB 1194,*** relative to the composition of planning boards in certain cities.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 1254,*** establishing a committee to study the need to review and assess state-owned land managed by the fish and game department.

10:30 a.m. ***HB 1141,*** relative to access highways to public waters.

1:00 p.m. ***HB 1489-A,*** making a capital appropriation for the reconstruction and repair of the Monadnock Mill State Office Building in Claremont.

2:00 p.m. ***HB 1471,*** repealing the department of employment security's power to approve building projects without legislative oversight.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 1209,*** restricting construction of class B and class C dams.

11:00 a.m. ***HB 1340-FN-LOCAL,*** relative to dam construction permits.

1:00 p.m. ***HB 1306,*** relative to boating on Sandogardy Pond in the town of Northfield.

2:00 p.m. ***HB 1170,*** relative to recreational vehicle parking at property contiguous to certain motorsports facilities.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. ***HB 1524,*** requiring all retail suppliers of electricity to disclose information regarding the environmental characteristics of the electric power in their resource mix, and establishing a committee to determine optimal ways to ensure that all electricity sold in New Hampshire conforms with acceptable environmental standards.

11:00 a.m. ***HB 1412,*** relative to electric customer-generators.

1:00 p.m. ***HB 1179,*** relative to final orders of the public utilities commission.

1:30 p.m. ***HB 1462,*** extending the report date of the committee to study methods to promote the use of renewable energy sources.

2:00 p.m. ***HB 1375,*** establishing financial assurance for guaranteed promise of customer repayment of rate reduction bonds.

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

TRANSPORTATION, Room 203, LOB

9:30 a.m. ***HB 1378,*** establishing a task force to conduct an ongoing study of the feasibility of re-establishing passenger rail service on the Eastern Line from Newburyport, Massachusetts to Kittery, Maine.

10:30 a.m. ***HB 1409,*** establishing a committee to study the feasibility of reestablishing the Lawrence, Massachusetts to Manchester, New Hampshire rail service line and the Concord to Lebanon Northern passenger rail service line.

11:30 a.m. ***HB 1588,*** relative to the authority of the department of transportation regarding rail safety inspections.

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

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. ***HB 1152,*** relative to the establishment of crossbow hunting seasons.

11:00 a.m. ***HB 1604-FN-LOCAL,*** establishing the position of state animal control officer.

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

THURSDAY, JANUARY 13

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. ***HB 1293,*** relative to same-sex marriages contracted outside of the state of New Hampshire.

11:00 a.m. ***HB 1242,*** relative to the standard for modification of a child custody order.

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

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1545-FN-A,*** relative to the sale of furniture and bedding.

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

ELECTION LAW, Room 308, LOB

9:00 a.m. ***HB 1365,*** relative to spending disclosures in political advertising.

9:45 a.m. ***HB 1527,*** relative to false statements about candidates.

10:15 a.m. ***HB 1327,*** relative to residency of prisoners for purposes of voter registration.

10:45 a.m. ***HB 1308,*** relative to nomination paper requirements.

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. ***HB 1185,*** extending the report date of the committee established to study mercury source reduction and recycling issues to November 1, 2000.

10:30 a.m. ***HB 1418-FN-LOCAL,*** relative to mercury-containing products.

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. ***HB 1380-FN,*** relative to compensation for time lost by state law enforcement officers injured in the line of duty.

11:00 a.m. ***HB 1568-FN,*** relative to disability retirement benefits for group II members injured in the performance of duty.

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

FINANCE, Rooms 210-211, LOB

9:00 a.m. ***SB 76-L***, allowing certain municipalities to offer tax exemptions to foster commercial and industrial construction. (A)

9:45 a.m. ***HB 413-FN-A,*** relative to the renovation of regional vocational education centers, and making an appropriation therefor. (A)

10:45 a.m. ***SB 178-FN-A***, relative to appropriations to the port authority for dredging projects. (A)

Executive session on pending legislation to follow.

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

10:00 a.m. ***HB 1337,*** repealing the New Hampshire foundation for mental health.

11:00 a.m. ***HB 1441-FN-A-LOCAL,*** relative to establishing a pilot welfare-to-work program in rural communities 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.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. ***HB 1450-FN,*** relative to the adoption of the fair pay act.

10:00 a.m. ***HB 1126,*** relative to requiring certain employers to pay time-and-one-half wages for hours worked on Sundays.

11:00 a.m. ***HB 1243,*** relative to permitting the practice of tip pooling by an employer.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Rescheduled public hearing on ***HB 1444,*** relative to certain municipal ordinances.

10:30 a.m. Rescheduled public hearing on ***HB 1522-LOCAL,*** relative to posting warrants in languages other than English and in large-print format.

11:00 a.m. Rescheduled public hearing on ***HB 1105,*** ratifying the 1999 Seabrook annual town meeting.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 1553-FN-LOCAL,*** relative to the construction and renovation of covered bridges.

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

RESOURCES, RECREATION AND DEVELOPMENT, Rooms 305-307, LOB

9:30 a.m. ***HCR 25,*** opposing the President's action to establish vast roadless areas in the White Mountain National Forest without the consultation or input of the New Hampshire citizenry.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. Continued public hearing on ***HB 1229,*** requiring the completion of a rate proceeding prior to legislative approval of a settlement agreement with PSNH.

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

Immediately following the public hearing, full committee work session on ***HB 1470,*** relative to divestiture of electric utility assets, ***HB 1281,*** relative to disqualification of public utility commissioners, ***HB 1309,*** relative to wood-to-energy rate order buydowns, ***HB 1406,*** relative to transition service, ***HB 1229,*** requiring the completion of a rate proceeding prior to legislative approval of a settlement agreement with PSNH and ***HB 1329,*** limiting the system benefits charge.

FRIDAY, JANUARY 14

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

9:00 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

LONG-RANGE CAPITAL PLANNING AND UTILIZATION (RSA 17-M), NH Hospital, Acute Psychiatric Services Building, Conference Room

1:30 p.m. Regular subcommittee meeting.

TUESDAY, JANUARY 18

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. ***HB 1162,*** establishing a committee to study the petition process, record keeping procedures, and costs of services in CHINS cases.

11:00 a.m. ***HB 1371,*** relative to allocation and distribution of incentive funds for juvenile diversion and abuse and neglect prevention programs.

1:00 p.m. ***HB 1383,*** relative to child support payments.

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

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1396,*** relative to interest rates on credit cards.

11:00 a.m. ***HB 1466,*** relative to disclosure by banks, trust companies, guaranty savings banks, mutual savings banks, savings and loan associations, building and loan associations, and cooperative banks under the supervision of the bank commissioner, of consumer rights and remedies.

1:15 p.m. ***HB 1567-FN,*** extending medical and surgical benefits to domestic partners.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1374,*** extending the reporting date for the sex offender issues study committee.

10:15 a.m. ***HB 1407,*** establishing a committee to study the development of standards of conduct governing the reporting of cases of domestic violence by individuals in certain occupations and professions.

10:45 a.m. ***HB 1297,*** establishing a commission on fairness in sentencing.

11:15 a.m. ***HB 1431,*** relative to protective orders in domestic violence cases.

11:30 a.m. ***HB 1346-FN,*** relative to certain acts of felonious sexual assault.

1:30 p.m. ***HB 1530,*** relative to the reporting requirement for criminal offenders.

2:00 p.m. ***HB 1480,*** making consent a defense under the sexual assault laws.

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

EDUCATION, Room 207, LOB

10:00 a.m. ***HB 1499,*** relative to credit for American sign language and transliteration as a foreign language.

11:00 a.m. ***HB 1283,*** establishing a commission on the education of the deaf in New Hampshire.

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. ***HB 1344-FN,*** expanding the used oil program.

11:00 a.m. ***HB 1416-FN,*** establishing a brownfields cleanup revolving loan fund.

1:00 p.m. ***HB 1369-FN-LOCAL,*** clarifying authority to regulate asbestos.

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. ***HB 1468-FN,*** relative to the registration of pharmacy technicians.

10:45 a.m. ***HB 1467-FN,*** relative to the licensing of mail-order pharmacies.

1:15 p.m. ***HB 1286,*** relative to relicensure by the pharmacy board of a certain pharmacist.

1:45 p.m. ***HB 1501,*** relative to public notice of all administrative rulemaking meetings.

2:15 p.m. ***HB 1509-FN-LOCAL,*** repealing RSA 541-A and creating a study committee to review rules which must be codified as a result.

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

FINANCE, Rooms 210-211, LOB

9:30 a.m. ***HB 1442-FN-A,*** increasing the exemption to the interest and dividends tax for persons 65 years of age or older.

10:15 a.m. ***HB 1472-FN-A,*** allowing the deduction of trust expenses from trust income taxable under the interest and dividends tax.

11:00 a.m. ***HB 1532***, excluding military pension payments and military survivor's benefits for certain persons from gross income under any income tax which may be enacted.

11:30 a.m. ***HB 1434***, relative to processing applications under the medicaid waiver.

1:30 p.m. ***HB 1473-FN***, relative to the payment of certain costs to contract service providers or vendors for pending claims by the department of health and human services.

2:15 p.m. ***HB 1599-FN-A-L***, establishing a prescription drug payment assistance program and

making an appropriation therefor.

Executive session on pending legislation to follow.

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

10:00 a.m. ***HB 1319,*** extending the reporting date of the committee studying negotiated risk agreements and requiring the department of health and human services to conduct a study.

11:00 a.m. ***HB 1538-FN,*** relative to coverage of treatment for periodontal disease for adults on medicare or medicaid.

1:00 p.m. ***HB 1323,*** relative to local public assistance to nonresidents.

2:15 p.m. ***HB 1602-FN,*** establishing the New Hampshire task force on deafness and hearing loss.

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. ***HB 1517-FN,*** memorializing the New Hampshire bill of rights as the law of the land.

11:00 a.m. ***HB 1508-FN,*** directing the attorney general to apply to the supreme court to convene a grand jury to investigate health care and insurance issues and practices.

1:00 p.m. ***HB 1537-FN,*** increasing the fees charged by sheriffs for service of legal process.

2:00 p.m. ***HB 1551-FN,*** relative to legislative access to agency information.

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

10:00 a.m. ***HB 1241,*** relative to third person liability under the workers' compensation law.

11:00 a.m. ***HB 1582,*** establishing a committee to study family friendly employment and workplace policies and to determine effects on families and employers.

1:00 p.m. ***HB 1475-FN,*** relative to the applicable minimum wage for hourly employees.

3:00 p.m. ***HB 1326,*** relative to managed care programs under workers' compensation.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1259-FN,*** establishing a coordinated and comprehensive effort by state agencies for economic growth, resource protection, and planning policy to encourage smart growth.

11:00 a.m. ***HB 1605-FN-LOCAL,*** relative to the adoption of a state building code.

11:45 a.m. ***HB 1541-FN-LOCAL,*** relative to the cremation of deceased persons.

1:30 p.m. ***HB 1495-FN-LOCAL,*** requiring local political subdivisions to submit to annual audits by independent certified public accountants.

2:15 p.m. ***HB 1601-FN-LOCAL,*** relative to the procedure for the setting of tax rates by the commissioner of revenue administration.

Executive session on pending legislation may be held throughout the day, time permitting, from the

time the committee is initially convened.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. ***HB 1336-LOCAL,*** relative to posting of roads in municipalities.

11:00 a.m. ***HB 1334-LOCAL,*** relative to posting municipal roads.

1:00 p.m. ***HB 1528,*** establishing a commission relative to the New Hampshire International Speedway.

2:00 p.m. ***HB 1357-FN,*** relative to the sale of state-owned property in the towns of Belmont and Laconia.

2:30 p.m. ***HB 1299-LOCAL,*** prohibiting elected or appointed public servants from leasing or renting space to private contractors.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 1305-LOCAL,*** exempting water withdrawals for normal agricultural operations from certain restrictions on water withdrawals.

11:00 a.m. ***HB 1386,*** designating segments of the Souhegan River as protected under the rivers management and protection program.

1:00 p.m. ***HB 1287,*** relative to the membership of the water council.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. ***HCR 30,*** urging the United States Environmental Protection Agency to adopt recently proposed new automobile emission standards and fuel regulations known as the Tier2/Gasoline Sulfur Rule, at least as stringent as originally proposed.

10:15 a.m. ***HJR 21,*** calling for changes in the federal Clean Air Act regarding best available control technology.

11:00 a.m. ***HB 1349-LOCAL,*** authorizing the department of environmental services to collect the costs of administering air pollution control from polluters at different rates for different polluters.

1:00 p.m. ***HB 1414,*** authorizing the department of environmental services to discuss with other northeastern states the use of a regional gasoline containing less or no MTBE, promoting the use of less polluting marine engines by the state and others, and extending the reporting date of the committee to study the requirements for usage of MTBE.

2:00 p.m. ***HJR 24,*** urging the United States Environmental Protection Agency and Congress to work with the northeastern states and gasoline refiners to authorize the use of a regional gasoline containing less or no MTBE and to eliminate Clean Air Act requirements for oxygenates in gasoline.

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

TRANSPORTATION, Room 203, LOB

10:00 a.m. ***HB 1439-FN,*** relative to operation of a motor vehicle under a learner's permit.

11:00 a.m. ***HB 1513-FN,*** relative to a fine for a youth operating a motor vehicle without an adult

present.

1:00 p.m. ***HB 1268-FN,*** relative to certain vehicle registrations.

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

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

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

WEDNESDAY, JANUARY 19

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. ***HB 1271,*** relative to participation by minors in certain athletic activities.

10:45 a.m. ***HB 1238,*** relative to the collection and disbursement of support orders by the department of health and human services.

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

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1587-FN,*** relative to payment of health insurance costs for certain child day care agencies.

11:00 a.m. ***HB 1184,*** relative to minimum participation requirements for small employers.

1:15 p.m. ***HB 1359,*** limiting fees charged for use of electronic customer service terminals.

2:00 p.m. Rescheduled public hearing on ***HB 1577-FN,*** revising the indoor smoking act.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1196-LOCAL,*** giving the police department of Lincoln authority to respond to emergency situations and exercise police duties in the unincorporated place of Livermore.

10:15 a.m. ***HB 1296,*** establishing a committee to study the education and training curriculum developed by the police standards and training council.

10:45 a.m. ***HB 1536-FN,*** requiring parental notification for certain offenses involving minors.

11:30 a.m. ***HB 1221,*** directing the fire standards and training commission to establish a formal means of inquiry for purposes of quality assurance in fire standards and training.

1:30 p.m. ***HB 1257-FN,*** prohibiting the sale of urine for drug testing purposes.

2:00 p.m. ***HB 1493-FN,*** increasing minimum prison terms for felons.

2:30 p.m. ***HB 1529-FN,*** establishing criminal penalties for aggressive driving

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

EDUCATION, Room 207, LOB

10:00 a.m. ***HB 1505-FN-LOCAL,*** relative to the formula for distributing school building aid.

11:00 a.m. ***HB 1362-LOCAL,*** relative to the reconsideration of cost apportionment within a cooperative school district.

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. ***HB 1417-FN-A-LOCAL,*** setting priorities for the disposal of certain components of the solid waste stream.

11:00 a.m. ***HB 1201,*** creating a committee to study incentives for regionalization of sludge and septage facilities.

1:00 p.m. ***HB 1252,*** establishing a beneficial use policy for wastewater sludge and providing technical and education assistance to municipalities and their residents concerning the beneficial use of sludge.

2:00 p.m. ***HB 1395-FN-A-LOCAL,*** establishing an advance disposal fee and establishing grants to fund municipal waste management programs and activities.

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. ***HB 1307,*** relative to certification of food protection managers.

10:45 a.m. ***HB 1583,*** increasing the education requirement for estheticians and manicurists and relative to the board of barbering, cosmetology, and esthetics.

1:15 p.m. ***HB 1559-FN,*** establishing the division of ports and harbors within the department of transportation and transferring all functions, powers, and duties of the NewHampshire state port authority.

2:30 p.m. ***HB 1550-FN,*** establishing a bureau of tax law in the department of justice and transferring department of revenue administration hearing officers to the bureau.

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

FINANCE, Rooms 210-211, LOB

9:30 a.m. ***HB 1321***, relative to certain funds collected by order of the public utilities commission.

9:45 a.m. ***HB 1504,*** relative to submission of biennial budget estimates by agencies.

10:15 a.m. ***HB 1573-FN***, relative to funding of the salary of the director of emergency medical services.

10:45 a.m. ***HB 1284-FN***, prohibiting the courts from charging fees.

11:15 a.m. ***HB 1578-FN-A***, relative to the joint promotional program and making an appropriation therefor.

1:15 p.m. ***HB 1440-FN-A,*** taxing the cost of advertising under the meals and rooms tax.

2:00 p.m. ***HB 1593-FN-A-L***, repealing the provision allowing operators to retain 3 percent of meals and rooms taxes collected and establishing the local option of a 4 percent rooms tax.

2:45 p.m. ***HB 1515-FN-A-L,*** increasing the rate of the meals and rooms tax.

Executive session on pending legislation to follow.

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

10:00 a.m. ***HB 1215,*** establishing a committee to study school nurse certification.

11:00 a.m. ***HB 1211,*** establishing a committee to study the health effects of child immunizations.

1:00 p.m. ***HB 1272,*** allowing school nurses to possess and administer epinephrine for certain emergency treatment.

2:15 p.m. ***HB 1256,*** clarifying certain health care laws.

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

9:30 a.m. ***HB 1110,*** establishing a committee to study landlord-tenant issues.

10:30 a.m. ***HB 1523,*** relative to landlord-tenant obligations.

1:00 p.m. ***HB 1263-FN,*** establishing the crime of misrepresentation of law or facts of a case by a state judicial, executive, or legislative official.

2:00 p.m. ***HB 1486-FN,*** making the penalty for the offense of official oppression a felony and creating a civil cause of action against public officials for abuse of office or improper influence.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1210-LOCAL,*** relative to capital reserve funds.

10:45 a.m. ***HB 1402-LOCAL,*** relative to the transfer of excess medical reserve funds to the capital reserve fund.

11:30 a.m. ***HB 1232,*** relative to the investment options for county funds.

1:15 p.m. ***HB 1413,*** relative to the rights of ownership of cemetery plots or burial spaces.

2:00 p.m. ***HB 1214-LOCAL,*** relative to municipal permits for registration of motor vehicles.

2:30 p.m. ***HB 1563-FN-LOCAL,*** establishing the Wolfeboro Airport Authority.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 1192-FN,*** creating an exemption from tolls within the New Hampshire turnpike system for members of the New Hampshire national guard.

10:30 a.m. ***HB 1485-FN,*** relative to a certain toll booth and establishing a committee to study road tolls along the state's highways.

1:00 p.m. ***HB 1576-FN-A,*** abolishing ramp tolls along state highways and increasing the gasoline tax.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 1235,*** relative to fill and dredge in wetlands.

11:00 a.m. ***HB 1127,*** establishing a committee to study the application and appeal procedures for excavating and dredging permits.

1:00 p.m. ***HB 1289,*** relative to defining surface waters, relative to septage and sludge spreading, and relative to rulemaking by the commissioner of the department of environmental services.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. ***HB 1552-FN-A,*** establishing a telecommunications development initiative in New Hampshire and making an appropriation therefor.

11:00 a.m. ***HB 1310,*** relative to the universal service fund.

1:00 p.m. ***HB 1125,*** protecting the confidentiality of telecommunications customer information.

2:00 p.m. ***HB 1330,*** relative to telephone special contracts.

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

TRANSPORTATION, Room 203, LOB

9:00 a.m. ***HB 1266-FN,*** relative to classification of and standards for custom vehicles manufactured during or after 1949, and establishing special plates for such vehicles.

10:00 a.m. ***HB 1273,*** relative to restricting usage of cellular phones while driving.

11:30 a.m. ***HB 1275,*** requiring school bus drivers to use all safety equipment on the bus or risk revocation of certificate.

1:00 p.m. ***HB 1304,*** establishing a statutory committee to review and approve any motor vehicle license plate design.

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

WEBSTER INTERNET SITE ADVISORY BOARD (RSA 201-A:27), Upham Walker House

2:00 p.m. Regular meeting.

THURSDAY, JANUARY 20

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

Immediately following the House session executive session on pending legislation.

FRIDAY, JANUARY 21

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

9:00 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The Carroll County Delegation will meet Tuesday, January 18th at 12:00 a.m. at the Eagles Nest Restaurant, Main Street, Concord to authorize the Carroll County Commissioners to apply, accept and expend Rural Development Funds in the approximate amount $415,000 of which no more than $235,000 shall be loaned funds and remaining dollars to come from the Rural Development Grant.

L. Randy Lyman, Chairman

Carroll County Delegation

COUNTY DELEGATION NOTICE

Merrimack County Executive Committee will meet on the following days to review the 2000 Merrimack County Budget. The meetings will be held in the Lower Level Conference Room, McDonnell Building, 4 Court Street, Concord

Monday, February 7 at 10:00 a.m.

Review of Delegation, Treasurer, Administration, Concord Complex, Maintenance, Registry of Deeds and Miscellaneous.

Monday, February 7 at 1:00 p.m.

Review of Nursing Home and Residential Properties.

Friday, February 11 at 10:00 a.m.

Review of Human Services, Adult Diversion, Juvenile Diversion, Bridge Program, Grant Agencies and Cooperative Extension.

Friday, February 18 at 10:00 a.m.

Review of County Attorney, Medical Referee, Sheriff and Dispatch.

Friday, February 18 at 1:00 p.m.

Review of Corrections, Merrimack County Academy Program.

Monday, March 6 at 10:00 a.m.

Final approval.

Rep. Ray F. Langer, Chairman

Merrimack County Executive Committee

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REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 1191, 1511, 1535, 1536, 1540, 1543, 1544, 1548, 1555, 1556, 1557, 1563, 1564, 1566, 1567, 1571, 1572, 1595, 1602 and 1608

Leo J. Callahan, Assistant Clerk

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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.

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NH Senators and Representatives may receive complimentary ski privileges at Cannon Mountain for themselves and one guest upon presentation of proper credentials at the ticket window. The elected official must be present to personally present the credentials unless prior arrangement has been made with Commissioner George Bald at the Department of Resources and Economic Development. (*Lift tickets are to be picked up at Guest Services or the ticket window at Cannon Mountain.*)

Rep. Gene G. Chandler

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Legislators are cordially invited to attend meetings of the Citizens for Inheritance Tax Equity (CITE). Meetings are held on the first Tuesday of each month at the Nashua Public Library at 7:00 p.m. Please join us for a discussion of the Legacies and Succession Tax, RSA 86.

Rep. Paul A. McGuirk

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The Reproductive Rights Caucus invites all interested members to attend an informational session on the four anti-choice pieces of legislation on January 11th from 11:30 a.m. to 1:00 p.m. at St. Paul's Church, Park Street (across from the State House). Light lunch will be served.

Reps. Sandra B. Keans and Terie T. Norelli

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There will be a meeting of the Natural, Cultural and Historic Resources Group at the Upham Walker House on Tuesday, January 11th at 2:00 p.m. There will be a brief presentation by James Griswold on water resource information.

Reps. MaryAnn N. Blanchard, Martha Fuller Clark and Howard C. Dickinson

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The Capitol Information Exchange Group will meet on Tuesday, January 11th and January 25th from 8:00 a.m. to 9:30 a.m. in Room 306, LOB.

Rep. G. Michael Gilman

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Legislators for Limited Spending will meet on Wednesday, January 12th at noon at the Upham Walker House. Bring your lunch, coffee will be served.

Rep. Sylvia A. Holley

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The Legislative Tourism Caucus will hold a meeting at the Eagles Nest Restaurant (directly across from the State House) from 3:30 to 5:30 p.m. on Wednesday, January 12th . Wine and cheese will be served courtesy of a generous sponsor and the New Hampshire Travel Council and the New Hampshire Lodging and Restaurant Association. Topic of this meeting will be "State of the State of Tourism in New Hampshire Today". Speakers will be Richard Hamilton of the White Mountains Attractions and Richard Ober from the Society for the Protection of New Hampshire Forests and Chair of the New Hampshire Travel Council.

Reps. Stephen G. Avery and Martha Fuller Clark

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The Legislative Caucus for Young Children will meet on Thursday, January 13th at noon in the Upham Walker House. Marian Edelman Wright, founder of the Children's Defense Fund and a leading national advocate for children, will be our special guest. Please bring a bag lunch.

Rep. Rebecca C. Hutchinson

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Strafford County Republican Party regular meeting will be held Tuesday, January 18 at 7:00 p.m. at the Gateway Restaurant, Somersworth.

Rep. Robert E. McKinley

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The House Republican Alliance will meet at the Upham Walker House (Park Street across from the State House) on Wednesday, January 19th at 9:00 a.m. Refreshments will be served.

Rep. Paul M. Mirski

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All members are invited by the NH Public Health Association to a legislative briefing on Public Health Issues on Thursday, January 20th from noon to 1:30 p.m. at St. Paul's Church, 111 Centre Street, Concord. A light lunch will be served.

Rep. Alphonse Haettenschwiller

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The Hillsborough County Republican Committee's Lincoln Day Dinner will be held at the Center of New Hampshire in Manchester on January 20th. Featured guest will be the former first lady Barbara Bush. Tickets $30 per person or $300 for a table of ten. See Rep. Joan Tate (Seat 3-55) for tickets.

Rep. Betsy McKinney

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The Carroll County Republican Committee and the Mount Washington Valley Republican Committee are hosting an evening with the former first lady Barbara Bush on Friday, January 21 starting at 6:00 p.m. at the Sheraton Four Points in North Conway. For more information contact Reps. Betsey Patten (253-6927) and Henry Mock (356-5109).

Reps. Betsey L. Patten and Henry P. Mock

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Rockingham County Republican Committee will hold its Lincoln Day Dinner on Friday, January 28 at the Executive Courtyard in Manchester. Social hour 6:00 p.m. Dinner 7:00 p.m. Tickets are $30 per person. All Presidential candidates are expected to attend. For tickets contact Rep. Sherman Packard at 432-3391.

Rep. Sherman A. Packard

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The Carroll County Republican Committee is holding their annual Lincoln Day Dinner on Saturday, January 29 starting at 6:00 p.m. at the Lakeview Inn, Wolfeboro. Come and join us as we listen to the Presidential candidates. For more information contact Rep. Betsey Patten (253-6927).

Rep. Betsey L. Patten

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The New Hampshire Women's Lobby will be sponsoring a "How to Lobby Workshop" on January 22 at the Unitarian Universalist Church in Concord. This is a great opportunity to sharpen your advocacy skills and better understand the legislative process. If interested, please register at 224-9105. The workshop is free for Lobby members and a $5 donation is requested from non-members.

Reps. Sandra B. Keans and Marjorie K. Smith

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The Strafford County Republican Party Lincoln Day Dinner will be held Thursday, January 27 at the Elks Hall in Rochester. Enjoy the evening while meeting the candidates. Tickets are $25 each. For tickets call Bob Marsdon at 742-1254 or myself at 473-2347.

Rep. Robert E. McKinley

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The Manchester Legislative Delegation will meet with the Board of Mayor and Alderman to discuss pending legislation of particular interest to the city on Tuesday, February 18 from 6:30 to 7:30 p.m. in the Aldermanic Chambers at City Hall. Any Manchester representative with a bill to discuss should contact me, as soon as possible, at 627-9047 so that I can prepare an agenda in advance with City Clerk, Leo Bernier.

Rep. Steve Vaillancourt

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The Department of Transportation will hold the following meetings:

Jan 12 – Old Courthouse, North Main Street, Farmington, 7:00 p.m. Public informational meeting, Farmington, construction of 700' of sidewalk along Spring Street.

Jan 18 – Springfield Town Hall, Four Corners Road, Springfield, 7:00 p.m. Combined public officials/public informational meeting, Sunapee-Grantham, I-89 bridge and pavement rehabilitation.

Jan 24 – Bartlett Town Hall, Town Hall Road, Bartlett, 7:00 p.m. Combined public officials/public informational meeting, Bartlett, pavement rehabilitation/drainage improvement.

Jan 26 – Plymouth Regional/Grafton County Senior Center, 8 Depot Street, Plymouth, 7:00 p.m. Combined public officials/public informational meeting, Plymouth-Campton-Thornton-Woodstock, I-93 bridge and pavement rehabilitation and safety improvements.

Rep. Edwin O. Smith, Chairman

Public Works and Highways

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As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in January 2000. 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

DATE	***TIME***	***GROUP***	***CLASS/Size***
Jan 10	9:30 & 11:00	Lincoln St. Elem. – Exeter	4/60
Jan 11	10:00	Wheelock School – Keene	4/35
Jan 11	11:00	Faith Christian Academy – Bedford	4/17
Jan 13	8:30	Manchester Chamber of Commerce	35
Jan 13	10:00	Centerwoods Elem. – Weare	4/50
Jan 13	11:00	Grace Christian School – Merrimack	4/11
Jan 13	11:00	Tabernacle Christian School – Litchfield	4/13
Jan 14	11:00 & 12:30	Cutler Elem. School – West Swanzey	4/65
Jan 18	11:00 & 12:30	Appleton Elem. – New Ipswich	4/72
Jan 19	9:30 & 11:00	Lancaster Memorial School – Salem	4/71
Jan 20	9:30 & 11:00	Bicentennial School – Nashua	4/45

Jan 21	9:30 & 11:00	Bicentennial School – Nashua	4/70
Jan 24	10:00	Acworth Elem. School	3&4/18
Jan 24	11:00	Shaker Road School – Concord	3&4/21
Jan 25	9:00 & 10:15	Pembroke Hill Elem.	4/50
Jan 26	9:00 & 10:15	Pembroke Hill Elem.	4/50
Jan 27	9:30 & 11:00	New Boston Central School	4/80
Jan 28	11:00 & 12:30	Milford Elem. School	4/66
Jan 31	9:30 & 11:00	Pleasant St. Elem. School – Laconia	4/54

THURSDAY, JANUARY 13

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

1999-2015h

Amendment to CACR 2

Proposed by the Committee on Judiciary - R

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

RELATING TO: supreme court rules.

PROVIDING THAT: supreme court rules may not be inconsistent with statutes.

Amend the resolution by replacing paragraph I with the following:

I. That article 73-a of the second part of the constitution be amended to read as follows:

[Art.] 73-a [Supreme Court, Administration.] The chief justice of the supreme court shall be the administrative head of all the courts. He shall, with the concurrence of a majority of the supreme court justices, make rules governing the administration of all courts in the state and the practice and procedure to be followed in all such courts. The rules so promulgated shall have the force and effect of law***; provided, however, that such rules may not be inconsistent with statutes.***

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

Are you in favor of amending the Constitution to provide that supreme court rules may not be inconsistent with statutes?

AMENDED ANALYSIS

This constitutional amendment-concurrent resolution provides that supreme court rules may not be inconsistent with statutes.

1999-2029h

Amendment to CACR 5

Proposed by the Committee on Election Law - R

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

RELATING TO: voting and elective rights.

PROVIDING THAT: every person 18 years of age and older, having the proper qualifications as set forth in this constitution, and by the general court, shall have an equal right to vote in any election.

Amend the resolution by replacing paragraph I with the following:

I. That article 11 of the first part of the constitution be amended to read as follows:

[Art.] 11 [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and [~~upwards~~] ***older, having the proper qualifications as set forth in this constitution, and by the general court,*** shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the non-payment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be: Are you in favor of amending the Constitution to provide that every person 18 years of age and older, having the proper qualifications as set forth in this constitution, and by the general court, shall have an equal right to vote in any election?

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that every person 18 years of age and older, having the proper qualifications as set forth in this constitution, and by the general court, shall have an equal right to vote in any election.

2000-3014h

Floor Amendment to HB 235-FN-A

Proposed by Rep. Jacobson

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

AN ACT increasing exemptions under the interest and dividends tax.

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

1 Individuals, Businesses, Fiduciaries. Amend RSA 77:3, I(a)-(c) to read as follows:

(a) Individuals who are inhabitants or residents of this state for any part of the taxable year whose gross interest and dividend income from all sources exceeds [~~$2,400~~] ***$3,000*** during that taxable period.

(b) Partnerships, limited liability companies, associations, and trusts, the beneficial interest in which is not represented by transferable shares, whose gross interest and dividend income from all sources exceeds [~~$2,400~~] ***$3,000*** during the taxable year, but not including a qualified investment company as defined in RSA77-A:1, XXI, or a trust comprising a part of an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section3.

(c) Fiduciaries deriving their appointment from a court of this state whose gross interest and dividend income from all sources exceeds [~~$2,400~~] ***$3,000*** during the taxable year.

2 Increase in Exemption. Amend RSA 77:5, I to read as follows:

I. Income of [~~$2,400~~] ***$3,000***.

3 New Paragraph; Exemptions. Amend RSA 77:5 by inserting after paragraph IV the following new paragraph:

V. An additional $3,000 for each taxpayer 65 years of age or older on the last day of the tax year.

4 Filing of Returns. Amend RSA 77:18, IV(a) and (b) to read as follows:

(a) Every individual whose total interest and dividend income is less than [~~$2,400~~] ***$3,000*** for a taxable period.

(b) For joint filers whose total interest and dividend income is less than [$4~~,800~~] ***$6,000*** for a taxable period.

5 Effective Date. This act shall take effect July 1, 2000.

AMENDED ANALYSIS

This bill increases exemptions under the interest and dividends tax.

1999-2117h

Amendment to SB 36-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 salary increases for direct care providers for persons with developmental and acquired disabilities.

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

1 Statement of Intent. The general court finds that direct care providers for persons with developmental and acquired disabilities currently earn an hourly wage of $7.54 or approximately $15,683 annually. This amount is insufficient to continuously attract qualified and committed providers and to pay those providers a minimally adequate hourly wage. The funding contained in section 2 of this act will raise the wage of direct care providers, of which there are approximately 1,575 in New Hampshire, to $18,034 ($8.67 per hour) in the fiscal year ending June 30, 2001. It is the intent of the general court that the commissioner of health and human services request to fund the state portion through use of additional revenues under 1999, 225:2 or RSA 167:64.

2 Transfer. 1999, 225:5 is repealed and reenacted to read as follows:

225:5 Transfer. The commissioner of health and human services shall transfer not more than $4,553,875 for the purpose of paying direct care providers for persons with developmental and acquired disabilities. This amount shall be funded from non-budget funds including matching federal funds, funds from any other source received by the department, and from RSA 167:64. Notwithstanding RSA 167:64, it is the intent of the general court that the commissioner of the department of health and human services request under 1999, 225:2, the fiscal committee and the governor and council to approve use of any additional revenues or not more than $2,277,000 under RSA 167:64 for the purpose of the salary increase.

3 Effective Date. This act shall take effect July 1, 2000.

AMENDED ANALYSIS

This bill authorizes the commissioner of health and human services to request moneys from the uncompensated care fund for salary increases for direct care providers.

1999-2009h

Amendment to SB 186-FN

Proposed by the Committee on Finance - R

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

AN ACT relative to additional cost of living adjustments and increased minimum allowances for certain retired group II members, and relative to requiring spousal acknowledgement of a member's election of an optional retirement allowance.

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

1 Service Retirement; Group II; Minimum Allowance Increased. Amend RSA 100-A:5, II (c) (1) to read as follows:

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who has retired on a full service retirement allowance shall receive a minimum service retirement allowance of [~~$5,200~~] ***$10,000***. In comparing the minimum service retirement allowance and the full service retirement allowance, the full service retirement allowance shall be the sum of the basic allowance plus COLA's. The provisions of this subparagraph shall not apply to a group II member who has retired on a reduced or on a vested deferred retirement allowance. In the case of a group II member who has retired on a full service retirement allowance, and who has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the [~~$5,200~~] ***$10,000*** which shall be based upon the optional allowance which the surviving spouse is receiving. Under no circumstances shall the provisions of this subparagraph be construed to reduce the retirement benefits being paid to a group II member as of the effective date of this subparagraph.

2 Optional Allowances; Spousal Acknowledgement of Election. Amend RSA 100-A:13, I to read as follows:

I. Any member who has reached service retirement age as provided in RSA 100-A:5, I(a), or II(a), or RSA 100-A:19-b, or any retiree within 120 days after the effective date of retirement, may elect to receive, instead of the retirement allowance otherwise payable, a retirement allowance of equivalent actuarial value under one of the options named in paragraph III, or to redesignate any such option previously elected. When the member elects to receive an optional retirement allowance under paragraph III, the beneficiary or beneficiaries whom the member nominates may include the member's spouse and/or children. The notice of election or change of retirement option shall be on a form designated by the board***, and which shall include a spousal acknowledgment with signature, if any election or change by the member***. The optional allowance shall be effective upon retirement if the election is made before the effective date of retirement, and on the first day of the month following receipt by the board of the notice of election or change of option if made during the 120-day grace period. When an election or change of option is made during the 120-day grace period, no retroactive adjustments will be made in payments already received by the retiree. After expiration of the 120-day grace period no change in option selection shall be permitted except as provided in paragraph II. If a retiree dies after filing notice of election or change of option during the 120-day grace period but before the effective date, the election or change shall be effective as of the date of death. If a member dies after filing an election for a survivorship retirement option and before the effective date of retirement, whether or not the member has filed for retirement, the beneficiary who was nominated by the member in the election of the option may elect to receive either the optional survivor benefit which the member had elected or the ordinary death benefit provided under RSA 100-A:9, whichever is more advantageous to the beneficiary; provided that, in the case of the member's death before retirement, if the beneficiary named in the survivorship option election is not the same person as the beneficiary under RSA 100-A:9, then the death benefit under RSA 100-A:9, II, and not the survivorship option shall apply.

3 New Section; Supplemental Allowances for Certain Retired Group II Members. Amend RSA 100-A by inserting after section 41-a the following new section:

100-A:41-b Supplemental Allowances for Certain Retired Group II Members.

I. An eligible retired group II member of the New Hampshire retirement system, or beneficiary, whose annual retirement allowance as reported on the member's Internal Revenue Service Form 1099-R was less than $17,700 and who retired on or before June 30, 1998, shall receive an additional allowance or a $10,000 minimum service retirement allowance whichever is greater, as provided in paragraph II and RSA 100-A:5, II. An eligible retired group II member shall be a member, or beneficiary of such member, who retired with at least 20 years of creditable service under RSA 100-A:5, II, or member, or beneficiary of such member, who retired under RSA 100-A:6, II. The provisions of this section shall not apply to a group II member who has retired on a reduced or vested deferred retirement allowance. The additional allowance shall become a permanent addition to each member or beneficiary's base retirement allowance, as provided in RSA 100-A:41-a.

II. The supplemental allowance, or COLA, provided in paragraph I shall be the following percent increase for the following annual reported retirement allowance of each member:

(a) Less than $9,300, the applicable percentage to reach $10,000;

(b) $9,300 - $11,699, 71/2 percent;

(c) $11,700 - $13,699, 5 1/2 percent;

(d) $13,700 - $15,699, 4 percent;

(e) $15,700 - $17,699, 3 percent.

4 Funding of Supplemental Allowances. The total actuarial cost of the additional allowances provided in RSA 100-A:41-b as inserted by section 3 of this act shall be funded on a terminal basis from the special account established in RSA 100-A:16, II(h).

5 Repeal. RSA 100-A:5, II(c)(2) and (3), relative to the reduction in minimum service retirement allowance due to federal social security benefits or other benefits, are repealed.

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

AMENDED ANALYSIS

This bill increases the minimum allowance and grants additional COLAs to retired group II members whose annual retirement allowance is less than a certain amount. The additional COLAs are funded on a terminal basis from the special account.

The bill also adds a requirement of spousal acknowledgment for a member's election or change of an optional allowance.

1999-2195h

Amendment to SB 228-FN

Proposed by the Majority of the Committee on Executive Departments and Administration - R

Amend the bill by replacing sections 2 and 3 with the following:

2 Right to Elect Optional Retirement Allowance; Certain Group II Retired Members. Notwithstanding any provision of RSA 100-A:13 to the contrary, any currently retired group II member of the New Hampshire retirement system or a predecessor system, who retired prior to April1, 1987 with a full service or ordinary disability allowance and who originally elected and are receiving the 100 percent joint and survivor option, or 100 percent option, will be allowed to elect a 50 percent joint survivor, 50 percent pop up option, or no option, prospectively. Those members who elected and are receiving a 50 percent joint survivor or 50 percent pop up option may continue their option or no option, prospectively, as provided by RSA 100-A:13. The optional allowance shall be of equal actuarial value to the allowance the retiree is receiving as of July 1, 2000. The total benefit payable to a survivor shall not exceed the amount payable to the member.

3 Effective Date. This act shall take effect July 1, 2000.