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, February 11, 2000 No. 15

Contains: Hearings, Notices, Subcommittee Work Sessions, Reports and Amendments for February 17.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet on Thursday, February 17 at 10:00 a.m. We will also be in session on Thursday, February 24, which is the deadline for action on bills going to a second committee. This means that some of the busier committees will have to make an extra effort to meet the reporting deadline next week. Your colleagues and constituents will be grateful if you attend to ensure that your committee has a full complement of members to vote out your bills.

Our winter break is scheduled for the week of February 28. There will be no House or Senate meetings during this period.

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

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Thursday, February 17 at 9:00 a.m. in Representatives Hall.

Rep. Gene G. Chandler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, February 17 at 9:00 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

HOUSE DEADLINES

February 10, 2000, Thursday	Last day to act on remaining re-referred bills
February 24, 2000, Thursday	Last day to act on all bills going to a second committee
March 30, 2000, Thursday	Last day to act on all remaining House bills
April 20, 2000, Thursday	Last day to act on all Senate bills going to a second committee
May 18, 2000, Thursday	Last day to act on Senate bills
May 23, 2000, Tuesday	Last day to form committees of conference
May 26, 2000, Friday	Last day to sign off on Committee of Conference reports
May 31, 2000, Wednesday	Last day to act on Committee of Conference reports

THURSDAY, FEBRUARY 17

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 1217, establishing a committee to study marriage preparation. INEXPEDIENT TO LEGISLATE

Rep. Barbara H. Richardson for Children and Family Law: The committee believes this is an important bill. However, a study committee was believed to be extremely difficult during this year. The committee hopes the prime sponsor of this bill will form an ad hoc committee to consider this subject and propose a bill for next session. Vote 11-1.

HB 1542-FN-L, establishing a parents bill of rights. INEXPEDIENT TO LEGISLATE

Rep. Laura C. Pantelakos for Children and Family Law: A part of the language in this bill is currently state law. The committee felt that the remainder deserves attention and intends to address the issue when studying HB 1533, the Child Protection Act. Vote 14-0.

COMMERCE

HB 1134, establishing a committee to study mental health care treatment under managed care plans. OUGHT TO PASS

Rep. Martha Fuller Clark for Commerce: The committee heard overwhelming testimony as to the need for studying the many aspects of mental health which are defined in this bill. In particular, the New Hampshire Department of Insurance representative testified that they continue to receive an inordinate number of complaints concerning both access and coverage for mental health. Mental health benefits have been cut back severely at the same time that one in five patients is being diagnosed with mental health problems. Nearly everyone who testified agreed that New Hampshire's parity law is not working. Confidentiality is also an issue for mental health patients. The committee voted unanimously in favor of establishing a mental health study committee as requested in this bill. Vote 12-0.

HB 1318, requiring a waiting period before the retail price of home heating or motor vehicle fuel is increased in certain circumstances. OUGHT TO PASS WITH AMENDMENT

Rep. Linda L. Garrish for Commerce: The committee heard compelling and disturbing testimony regarding this winter's dramatic increase in fuel prices. This bill as amended creates a study committee on the issue of fuel supply and demand within the New England region, and its impact on consumer prices. Further, this study committee will look at possible recommendations for providing better price protection for consumers in New Hampshire. Vote 12-0.

HB 1359, limiting fees charged for use of electronic customer service terminals. INEXPEDIENT TO LEGISLATE

Rep. Tim S. McGough for Commerce: This bill would have limited the total charge for an ATM transaction to $1.00. The bill would only apply to state-chartered banks and not federally or nationally-chartered institutions. The bill would also not apply to owners of cash dispensing machines which usually charge more than $1.00 per transaction. The committee felt that limiting fees on ATM machines would limit or reduce the number of machines currently located in more rural areas, and felt that most consumers are willing to pay for the convenience of easily accessing their money 24 hours a day. Vote 15-0.

HB 1364, establishing a study committee on student credit card debt and regulation of credit card solicitation on college campuses. INEXPEDIENT TO LEGISLATE

Rep. Joseph D. Kenney for Commerce: This bill was to establish a study committee on student credit card debt and to regulate commercial solicitation on college campuses. The committee feels young adult credit card debt is a growing concern in the State of New Hampshire and around the nation. A major coalition of the New Hampshire banking industry, education and public officials will be meeting on March 14, 2000 at New Hampshire College in Manchester to address money management and personal financial literacy concerns around young adults. The National Jump-Start Coalition, a national non-profit group who addresses personal finance issues, will be spearheading this effort in March. It is the committee's belief that the New Hampshire Jump-Start Coalition would be an ideal place to study student credit card debt first, and later future recommendations could be brought back to the legislature. Vote 12-0.

HB 1384, relative to consumer liability for charges made with a stolen credit or debit card. INEXPEDIENT TO LEGISLATE

Rep. Joseph D. Kenney for Commerce: This bill would have removed consumer liability by a creditor or debit card issuer for more than $50.00 when such a consumer's credit or debit card or the number of such card is stolen and used to make charges unauthorized by the consumer. Presently, most credit card companies will hold individual card owners responsible up to $50.00 if the credit card is stolen but not if the pin number of such cards is compromised. Upon knowing the latter, the prime sponsor withdrew his bill and support. Vote 12-0.

HB 1396, relative to interest rates on credit cards. INEXPEDIENT TO LEGISLATE

Rep. Tim S. McGough for Commerce: This bill would have placed a maximum rate of interest on credit cards to 6 percentage points above the prime interest rate. The bill would only affect one financial institution in the state and would thus have no effect on the majority of all credit cards owned by NH customers. Vote 15-0.

HB 1456, requiring creditors to consider the postmarked date of a credit card installment payment as the date of payment. INEXPEDIENT TO LEGISLATE

Rep. Sheila T. Francoeur for Commerce: This bill would apply only to the one bank in New Hampshire that is a credit card issuer. On a typical day that bank processes approximately 300,000 credit card payments. The committee felt that this bill would place an undo burden on this institution by requiring retention of envelopes used for payments, while having no effect on credit card issuers located in other states. The committee also heard testimony that the postmark could be falsified by using a postage machine. Vote 12-0.

HB 1466, relative to disclosure by banks, trust companies, guaranty savings banks, mutual savings banks, savings and loan associations, building and loan association, and cooperative banks under the supervision of the bank commissioner, of consumer rights and remedies. INEXPEDIENT TO LEGISLATE

Rep. Tim S. McGough for Commerce: This bill would require state-chartered banks to disclose account and loan information to their customers on an annual basis. The committee agreed that between state banking laws and federal banking laws and regulations, banks are already required to provide consumers with the disclosure information included in HB 1466. The committee felt that the bill would be a duplication of effort and a significant compliance expense that would affect state-chartered banks only. Vote 15-0.

HB 1474-FN, establishing a "no sales solicitation calls" list. INEXPEDIENT TO LEGISLATE

Rep. Joseph D. Kenney for Commerce: This bill requires the secretary of state to compile and maintain a list of persons who do not wish to receive telephone sales solicitation calls. The bill prohibits any commercial telephone sellers from calling any person whose name appears on the list. The committee felt the Federal Trade Commission is currently doing a comprehensive study on this issue, and we should wait until the results came back to the states. This bill as written would require a $32,800 expenditure in the first year. The committee felt there are enough educational tools such as the customer safety and protection tips in our phone books to help handle unwarranted calls. Vote 14-0.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1137, relative to bingo and lucky 7 volunteers. INEXPEDIENT TO LEGISLATE

Rep. Frank M. Schanda for Criminal Justice and Public Safety: HB 1137 can be interpreted to mean volunteers or professional workers will be able to operate or work bingo games. The committee was concerned with the undefined generic use of the words "persons" and "or otherwise", which can be interpreted a number of different ways. This new language is contradictory to RSA 287-E: 7, I(a) and could only add confusion to the enforcement of these laws. The current statutes are written to allow charitable organizations to operate bingo games as a fundraiser and to assure maximum proceeds to the charity at a minimum expense. Vote 11-1.

HB 1257-FN, prohibiting the sale of urine for drug testing purposes. INEXPEDIENT TO LEGISLATE

Rep. Beth Rodd for Criminal Justice and Public Safety: This bill seeks to make the sale of altered urine products for the purpose of fraud a criminal act. The bill directs criminal penalties at suppliers of the product, many of whom are out of state, rather than the fraudulent users of the products. Monitoring of fraudulent use and tracking down interstate suppliers for enforcement purposes would be an onerous task. Pursuing legal action against providers would often extend beyond the geographic and legal jurisdiction of this state. Other details of the bill raised concerns about privacy and constitutional issues. Vote 12-0.

HB 1374, extending the reporting date for the sex offender issues study committee. OUGHT TO PASS WITH AMENDMENT

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: As the sex offender study committee established by the legislature last year was only able to hold six meetings, the committee unanimously agreed to extend its life for another year. As attendance at those meetings was mainly by the appointed house members, it was determined that by adding three more house members, participation would likely increase. At the same time, this might also increase more diverse viewpoints and constructive suggestions. Vote 13-0.

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. INEXPEDIENT TO LEGISLATE

Rep. Robert M. Fesh for Criminal Justice and Public Safety: The sponsor agrees that his concerns are already covered and standards are currently in place. He agrees to inexpedient to legislate. Vote 13-0.

HB 1497-FN-L, granting female prisoners in-state access to the same type of rehabilitation programs available to male prisoners. INEXPEDIENT TO LEGISLATE

Rep. Maxwell D. Sargent for Criminal Justice and Public Safety: The committee was told that all programs available to males and available to females with the exception of the sex offenders program. For that, the female has to go to a Massachusetts's facility. There are presently only two or three females requiring this treatment. The sex offender program at the Concord men's prison has only 4 staff members and over 100 men on the waiting list. Women's treatment programs are very new with about 4 treatment programs in the country. The committee felt that it was more feasible to continue to send the very few eligible women to the state of the art program in Massachusetts instead of trying to find funding to develop a special program here. Vote 13-0.

HB 1530, relative to the reporting requirement for criminal offenders. INEXPEDIENT TO LEGISLATE

Rep. James M. Johnson for Criminal Justice and Public Safety: The committee finds that expungement has the same meaning as the word annulment. Annulment of a violent criminal offence, (i.e. felonious sexual assault) is forbidden under provisions of RSA 651:5, XIII (c). Vote 12-1.

HB 1556-FN-A, establishing a tax on the retail sale of fireworks and making appropriations to the division of fire standards and training. REFER FOR INTERIM STUDY

Rep. Everett A. Weare for Criminal Justice and Public Safety: This bill attempts to provide a method of funding for satellite training, fire fighters certification, and purchasing of training aids by taxing the sale of fireworks. There was some objection to using fireworks as a method of funding fire training. There is a scheduled meeting with the fire service planned in June 2000, where the method of funding can be discussed and a viable and agreeable method of funding can be finalized if necessary. Vote 12-1.

EDUCATION

HB 1283, establishing a commission on the education of the deaf in New Hampshire OUGHT TO PASS WITH AMENDMENT

Rep. Susan B. Durham for Education: The committee agrees that there is a need to study issues related to the education of the deaf in New Hampshire. The amendment adds "hard of hearing" where "deaf" is mentioned and it also adds "or its successor" following "ASSETS", which is an organization which has a contract with the Department of Education. Vote 15-0.

HB 1362-L, relative to the reconsideration of cost apportionment within a cooperative school district. OUGHT TO PASS WITH AMENDMENT

Rep. Susan B. Durham for Education: This bill is a technical change to clarify the law governing co-op schools. The amendment changes the sections for co-ops formed before 1963 and afterward, to make clear that reconsideration of cost apportionments can be done "anytime", five years after the last change. Vote 16-0.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1114-FN, relative to creditable service in the retirement system for teachers in a job-sharing position. OUGHT TO PASS WITH AMENDMENT

Rep. Robert E. Murphy for Executive Departments and Administration: This bill will continue the present practice of how teachers serving in a job share position earn their creditable service in the retirement system. The amendment defines the credit they will receive for the medical subtrust subsidy. Vote 15-0.

HB 1367-FN, establishing a program of acting service awards to state employees who temporarily perform the duties of a higher level agency position. INEXPEDIENT TO LEGISLATE

Rep. Michael O'Neil for Executive Departments and Administration: The committee felt that the current policies within the division of personnel provide the departments with the flexibility needed to address the issue of compensation. The committee was also concerned about the complexity of administering these policies and indeterminable increase in state expenditures in FY 2000 and each year thereafter. Vote 14-2.

HB 1509-FN-L, repealing RSA 541-A and creating a study committee to review rules which must be codified as a result. INEXPEDIENT TO LEGISLATE

Rep. Alida I. Millham for Executive Departments and Administration: This bill repeals RSA 541-A relative to administrative rulemaking. It also establishes a committee to review the thousands of rules now in effect to determine which of these would need to be codified. It would take several years to accomplish this. After careful review, the committee agreed that this approach was impracticable. Vote 15-0.

HB 1561-FN, relative to benefits payable upon a group II retirement system member's death after retirement. REFER FOR INTERIM STUDY

Rep. Ray F. Langer for Executive Departments and Administration: This bill increases the lump sum death benefit of $3600 to $10,000 for certain retirees. It is not possible to estimate the total cost of this bill to the New Hampshire Retirement System. This total cost when considered in conjunction with other unknown costs of retirement bills is a major problem to this committee. Vote 15-0.

HB 1583, increasing the education requirement for estheticians and manicurists and relative to the board of barbering, cosmetology, and esthetics. OUGHT TO PASS WITH AMENDMENT

Rep. Nancy C. Stickney for Executive Departments and Administration: This bill as amended makes clearer the time period that estheticians and manicurists must be trained to be eligible for licensure. The original bill removed "ethical" as a criterion

for professional standards. The amendment reinstates the obvious requirement for ethical behavior similar to almost every licensure statute in New Hampshire. Vote 15-0.

HB 1591-FN, establishing a defined contribution retirement option in the New Hampshire retirement system. REFER FOR INTERIM STUDY

Rep. Ray F. Langer for Executive Departments and Administration: This bill provides a defined contribution plan to every member of the retirement system, if desired. Though the bill has merit, the concept is very challenging and the committee wants to study this bill to better understand all the ramifications. Vote 16-0.

HB 1592, relative to the display of the United States flag. OUGHT TO PASS WITH AMENDMENT

Rep. Howard C. Dickinson for Executive Departments and Administration: HB 1592, as amended, insures that the United States flag displayed in state facilities is in accordance with federal law and military tradition. Vote 14-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1302, establishing a committee to study issues of senior outreach programs. INEXPEDIENT TO LEGISLATE

Rep. Robert F. Chabot for Health, Human Services and Elderly Affairs: While the concept of reaching out to the elderly is admirable, the committee realizes that the needs expressed are already being addressed by the Department of Health and Human Services with the new "Focal Points" program which has been in development for over a year. It is expected that this "Focal Points" program will be up and running by September 2000. A major component of that program is to assist with senior outreach programs. Vote 17-0.

HB 1585, relative to staffing ratios in long term care facilities in the state. INEXPEDIENT TO LEGISLATE

Rep. Marion L. Copenhaver for Health, Human Services and Elderly Affairs: The issue of staffing long-term care facilities is one that concerns us all. As most nursing homes have Medicaid patients, and therefore, have to comply with federal guidelines vis-a-vis staffing, the committee felt that it was not timely to impose more regulation on an already stressed industry. That is not to say that there isn't a problem, but the committee did not want to set up yet another study committee when legislation can be introduced in the next session if necessary. Vote 17-0.

HB 1602-FN, establishing the New Hampshire task force on deafness and hearing loss. OUGHT TO PASS WITH AMENDMENT

Rep. Daniel M. Burnham for Health, Human Services and Elderly Affairs: This bill would create a task force to assist New Hampshire's community of deaf and hard of hearing, and establish a non-profit interpreter referral and resource center. The Department of Education and Health and Human Services have agreed to provide significant help to make the center a model location for interpreter referrals, job placement, peer counseling and advocacy services. Vote 14-0.

JUDICIARY

HB 1110, establishing a committee to study landlord-tenant issues. OUGHT TO PASS WITH AMENDMENT

Rep. Loren J. Jean for Judiciary: The original bill requested a study which was far too broad for the committee to find favor with. Landlord-tenant law is expensive and complex. The committee did find favor however with limiting the study to the termination process of a landlord-tenant relationship. Vote 13-3.

HB 1168, establishing a committee to study the merits of limiting the use of social security numbers as identifiers. OUGHT TO PASS WITH AMENDMENT

Rep. Sandra B. Keans for Judiciary: The committee believes that with a recent opinion against the state of South Carolina by the U. S. Supreme Court, there is great validity in proceeding with a study of limiting the use of social security numbers. There was no opposition at the hearing. This bill only authorizes a study. Vote 12-1.

HB 1267-FN, requiring courts to use the English language on all forms and in all correspondence. INEXPEDIENT TO LEGISLATE

Rep. Bette R. Lasky for Judiciary: This bill would require the courts to use only the English language on all judicial forms and correspondence. The committee voted unanimously inexpedient to legislate as this would eliminate use of all Latin terms, even those that are commonly known, thus creating statutory problems. This bill would also prohibit translating forms into other languages. The suggestion was made, however, to the courts to create a glossary of Latin terms to assist the "pro se" litigant in particular. Vote 14-0.

HB 1518-FN, relative to in pro pria persona and pro se litigants. INEXPEDIENT TO LEGISLATE

Rep. Robert H. Rowe for Judiciary: This bill requires a court to provide a written explanation of a denial of any motion in any court where there is a pro se (representing oneself) party. The committee felt the bill will result in an extreme hardship to all courts especially the municipal and district courts which process great numbers of cases each day such as motor vehicle violations. The requirement for a written explanation on every motion will substantially reduce the number of cases that can be heard by a judge and increase court clerical costs. Vote 17-0.

HB 1523, relative to landlord-tenant obligations. OUGHT TO PASS WITH AMENDMENT

Rep. Phyllis L. Woods for Judiciary: This bill, as amended, would require a landlord to accept as rental payment by the tenant, a written promise to pay on behalf of the tenant by the state, a county or a municipality of this state, or payment from an organization which disburses federal or state funds. Vote 16-0.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 1126, relative to requiring certain employers to pay time-and-one-half wages for hours worked on Sundays. OUGHT TO PASS WITH AMENDMENT

Rep. Philip J. McColgan, Jr. for Labor, Industrial and Rehabilitative Services:

This bill as amended repeals the 1911 laws that prohibit the practice of offering finder's fees and signing bonuses for enlisting workers. This amendment, recommended by the Department of Labor, replaces the whole original bill, which required certain employers to pay time-and-a-half wages to employees who worked on Sunday. For a variety of reasons, the original bill was overwhelmingly rejected. The amendment was unanimously accepted. 12-0. Vote 12-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 1124-L, relative to local building codes. OUGHT TO PASS

Rep. Robert W. Brundige for Municipal and County Government: This bill amends RSA 674:52 to provide that the adoption by reference of any provision of a nationally recognized building or fire code shall not be construed to restrict a municipality's authority relative to the appointment, removal or duties of municipal employees and the organization of municipal departments. Vote 14-0.

HB 1132-L, relative to exemptions and credits to property taxes when the property is sold. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill would have changed existing law to provide that property tax credits and exemptions would expire upon the filing of a real estate transfer with the registry of deeds. Currently property is assessed, and exemptions and credits calculated, as of April 1 of each year. Other than the sponsor, the testimony was unanimous in opposition to this bill. Among the concerns cited were a dramatic increase in paperwork, the need for other major changes in the law to accommodate this concept and the likelihood that enacting this would open the floodgates to similar proposals. If a change in the current tax calculation procedure is desired, it needs to be accomplished in a comprehensive, rather than piecemeal, fashion. Vote 14-0.

HB 1205-L, relative to tax exemption for noise pollution control facilities. INEXPEDIENT TO LEGISLATE

Rep. David W. Hess for Municipal and County Government: While the sponsor's objectives in introducing this bill are laudable the public hearing raised a considerable number of issues and concerns. There is no general statewide definition, or even generally accepted criteria to determine what is, noise pollution. Furthermore, the bill would apply to anything, which only "partly" is intended to or does in fact reduce noise pollution. This could include planting trees, installing insulation in walls, or even the mere erection of an enclosing structure. Finally, there was no way to determine the administrative costs of this legislation or the impact it would have on other local property tax payers. Vote 14-0.

HB 1214-L, relative to municipal permits for registration of motor vehicles. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government: This bill would amend RSA 261:148-a to allow any city or town to require that before any person having outstanding or unpaid license or permit fees must pay them before the vehicle registration is issued to such person by the town or city. Testimony indicated this procedure would be unwieldy and not practical. Vote 14-0.

HB 1219, relative to elected officials with corporate conflicts of interest. INEXPEDIENT TO LEGISLATE

Rep. Betsey L. Patten for Municipal and County Government: Local government in New Hampshire is dependent on residents who are willing to volunteer their time to serve as elected officials. Most of these positions are held by residents who also may or may not be a part of a "corporate entity". This bill would restrict those residents from transacting any business with the local political subdivision and the effect of this limitation would reduce the number of volunteers eligible to serve at the local level. Vote 14-0.

HB 1277-L, relative to payment by an applicant of outstanding costs on a withdrawn proposal submitted to a planning board. INEXPEDIENT TO LEGISLATE

Rep. Betsey L. Patten for Municipal and County Government: There are inherent costs to an applicant to request a subdivision or a site plan review before the Planning Board. Even if an application is withdrawn, costs are associated with any planning process, over and above any Planning Board administrative costs. The Planning Board may state in their subdivision regulations that all costs incurred, even if an application is withdrawn must be paid. This bill would have allowed the Planning Board to reject a subsequent application based on non-payment of cost incurred for unrelated application. The Committee found this legislation unnecessary since the Planning Board already has this option when compiling their regulations. Vote 14-0.

HB 1389-L, relative to the Nute High School and library trustees. REFER FOR INTERIM STUDY

Rep. Betsey L. Patten for Municipal and County Government: The Nute family of Milford made a generous contribution in 1889 for the construction of the Nute High School and the formation of the Nute Trust Fund. The Session Law enacted that year granted the Trust Fund a tax exemption for up to $350,000 in assets. That cap has long since become obsolete. The sponsors, through HB1389 requested an increase of that tax-exemption cap from $350,000 to $3,000,000. A request for information about the status of other possible trust funds that have been established for the same purpose is still being researched. This bill needed to be reported out early in order for it to go to the Finance Committee to review any possible financial impacts on state revenues. The Committee was split on making a recommendation without the requested information. Consequently, the Committee unanimously voted to Refer to Interim Study knowing that there will be time to review this bill and the forthcoming information later this spring and act on it at that time. Vote 14-0.

HB 1413, relative to the rights of ownership of cemetery plots or burial spaces. OUGHT TO PASS

Rep. Priscilla P. Lockwood for Municipal and County Government: This bill clarifies the criteria for determining ownership of cemetery plots or burial spaces for purposes of probate of estates. It was the product of a statutory study committee in collaboration with the Attorney General and the Probate Court. Vote 14-0.

HB 1487-FN-L, reducing the interest rate on delinquent property tax payments and subsequent tax payments. INEXPEDIENT TO LEGISLATE

Rep. Thomas E. Rice for Municipal and County Government: Testimony that multiple rates of interest would produce many problems for tax collectors and that the present rates seem to be a good compromise between public and private concerns persuaded the committee to ITL this bill. Vote 12-1.

HB 1495-FN-L, requiring local political subdivisions to submit to annual audits by independent certified public accountants. INEXPEDIENT TO LEGISLATE

Rep. Paul A. McGuirk for Municipal and County Government: The fiscal note on HB 1495 states that 61% of municipalities and 15.6% of village districts undergo annual independent audits. Recent events in one municipality should cause officials in those subdivisions that do not do annual audits to review their local situations and hopefully initiate action to bring forward a proposal for voter consideration that would provide for annual independent audits. The Committee believes that this question lies with local officials and taxpayers and should remain so. Finally, this bill if enacted would result in an unfunded state mandate in violation of Article 28-a of the New Hampshire Constitution. Vote 14-0.

HB 1522-L, relative to posting warrants in languages other than English and in large-print format. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill would have allowed selectmen to post town meeting warrants, or portions of the warrant, in language(s) other than English and/or in large type format for the visually impaired. The Committee is satisfied that selectmen already have the authority to post warrants in either of these ways. Vote 13-0.

HB 1601-FN-L, relative to the procedure for the setting of tax rates by the commissioner of revenue administration. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill would have established a thirty day time limit for DRA to review the town reports that are statutorily required as part of the process for setting tax rates. Additionally, the bill would require the commissioner to seek an opinion of the Attorney General on any questions of law regarding a disallowed appropriation, as part of an oral hearing afforded to a municipality dissatisfied with the tax rate that has been set. The Committee feels that such provisions are unnecessary, are potentially in conflict with other sections of statute and would only serve to seriously delay, and likely frustrate entirely in some situations, the setting of municipal tax rates. Vote 13-0.

PUBLIC WORKS AND HIGHWAYS

HB 1143-FN, relative to renaming New Hampshire route 28 in the town of Wolfeboro as the "Gary Parker Memorial Highway." OUGHT TO PASS

Rep. William E. Leber for Public Works and Highways: The committee supports naming this stretch of highway, Route 28 in the town of Wolfeboro, after the late state trooper Gary Parker, who was killed in the line of duty. The sponsor testified that the town of Wolfeboro supports the bill. The committee heard moving testimony from the widow that the trooper had grown up in the area. He often reflected, as they returned from assignment in other districts, that when he reached the Wolfeboro town line on Route 28, he was home. The New Hampshire Trooper's Association and family reportedly will cover the cost of the signs. The committee opposition was not a reflection on the memory of trooper Parker, but a concern that a policy and procedure should be developed to manage the proposals for naming highways and bridges. Some members of the committee indicated they will do so for the next term. Vote 12-7.

HB 1222, relative to outdoor advertising in an unzoned commercial or industrial area. INEXPEDIENT TO LEGISLATE

Rep. Candace W. Bouchard for Public Works and Highways: This bill concerning off premise signs, although well intended, would result, as testified by the Department of Transportation, in a violation of an agreement between the state and the federal government. The financial loss of this violation would be a ten percent reduction in New Hampshire's federal highway funds. Vote 13-0.

HB 1322, relative to the regulation of certain outdoor advertising devices. OUGHT TO PASS WITH AMENDMENT

Rep. Barbara L. Spear for Public Works and Highways: This bill as amended states that no advertising device which is not in conformance with state law shall be permitted to be re-erected if destroyed or abandoned. Advertising devices created adjacent to highways shall not exceed a height of 50 feet. Vote 19-0.

HB 1341-FN, relative to direct access for certain types of development along highways. REFER FOR INTERIM STUDY

Rep. Robert A. Daigle for Public Works and Highways: The committee heard testimony from the Department of Transportation and the Transportation and Construction Bureau of the Attorney Generals Office. Both of these agencies felt that changes were necessary to the existing RSAs regarding access. They plan to prepare information necessary for legislation for the next session. This Interim Study motion will allow the committee to monitor the above effects. Vote 17-0.

HB 1433, relative to notice to abutters by the department of transportation of proposed construction projects. INEXPEDIENT TO LEGISLATE

Rep. John R. Cloutier for Public Works and Highways: This bill provides that the Commissioner of the Department of Transportation shall identify abutters to a proposed construction project, and provide them with notice and an opportunity to be heard prior to the initiation of such construction project. The bill also provides that prehearing notice be afforded to an owner of property abutting a construction project which may result in the loss of any portion of the owner's property, and requires the department to make restitution to such owner. The Transportation Commissioner testified in opposition to the bill. He said

passage of the bill would unduly hamper his department's highway work because, among other items, the bill's use of the word "construction" is too vague and not well defined. Could the bill apply even to drainage and shoulder repairs for example? The Commissioner admitted a few problems with the department's notifying just the described abutters in the past, but that present law works well overall for the abutters, and that such problems can be resolved through its administrative procedures instead. Vote 13-0.

HB 1553-FN-L, relative to the construction and renovation of covered bridges. INEXPEDIENT TO LEGISLATE

Rep. Richard F. Ahern for Public Works and Highways: This idea has a lot of merit and would encourage reconstruction of covered bridges in towns. The Department of Transportation testified that current law allows for this to happen now. The big change under this bill would provide up to 150% funding for covered bridges, but we only received testimony from the sponsor, and did not feel that there was broad enough support for this change. Vote 17-0.

RESOURCES, RECREATION AND DEVELOPMENT

HB 1121-FN, relative to admission to Wellington state park by residents of the town of Alexandria. INEXPEDIENT TO LEGISLATE

Rep. Michael W. Downing for Resources, Recreation and Development: The committee heard testimony that Wellington State Park has the only safe beach in the Town of Alexandria. After consultation between the sponsor, the Director of State Parks and the Town of Alexandria, an agreement was reached that satisfied everyone involved. The Town of Alexandria agreed to pay a fee for special use permits allowing residents to utilize the beach area. The sponsor agrees that this legislation is no longer necessary. Vote 14-0.

HB 1340-FN-L, relative to dam construction permits. INEXPEDIENT TO LEGISLATE

Rep. Judith T. Spang for Resources, Recreation and Development: This bill is intended to assure that when a dam fails, the owner will have the resources to compensate downstream property owners for resulting losses. Expert testimony revealed that the insurance industry will not have the ability to offer such insurance until actuarial studies are completed. The Department of Environmental Services will monitor this progress in this insurance industry research. Vote 16-0.

HB 1479-FN-L, relative to boat fees. INEXPEDIENT TO LEGISLATE

Rep. Michael D. Whalley for Resources, Recreation and Development: Although the committee was impressed with the sponsor's intention to develop a financial incentive through a discounted boat registration for clean burning engines, we felt that this discount in the registration was too insignificant to have any impact on a person's buying decision. However, federal regulations regarding the sale of marine engines require that all marine engines sold in the United States after 2007 must be "clean" engines. Between now and 2007 there will be an increased percentage of clean engines sold each year until the goal of 100% is met in 2007. Vote 16-0.

SCIENCE, TECHNOLOGY AND ENERGY

HB 1179, relative to final orders of the public utilities commission. OUGHT TO PASS WITH AMENDMENT

Rep. Gary R. Gilmore for Science, Technology and Energy: This legislation clarifies an existing ambiguity. The language of the legislation has been agreed to by the Public Utilities Commission. The passage of this law guarantees that all parties to a PUC docket can know the PUC's decision on each issue of the docket, and the reasoning behind such decision(s) before that party must choose if it is to appeal such a decision. Vote 18-0.

HB 1462, extending the report date of the committee to study methods to promote the use of renewable energy sources. OUGHT TO PASS WITH AMENDMENT

Rep. Gary R. Gilmore for Science, Technology and Energy: The bill extends the Renewable Energy Committee for two years and requires it to submit an interim report by Nov. 1, 2000, and a final report by Nov. 1, 2001. The bill also eliminates one duty of the committee and allows the Senate to appoint fewer members than House members. Vote 15-0.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 20, urging Congress to stop the collection of certain kinds of information from patients in a home health care setting. OUGHT TO PASS

Rep. Margaret E. Lynott for State-Federal Relations and Veterans Affairs: The Health Care Financing Administration (HCFA), in accordance with the Balanced Budget Act of 1997 which must be in place by October 2000, will force home health care agencies to collect and report personal and medical information of patients. Patients who receive federal benefits must disclose personal information. Patients in home health care who do not collect federal benefits should not be required to disclose personal information without informed consent. This would be an intrusion of personal liberty, privacy and violation of their 4th Amendment rights. We were shown large amounts of personal health information and pages of questions asking the client for very minor medical screening which we felt were far reaching. Vote 12-0.

HCR 23, urging the United States Congress to allow greater state and local regulation of cable television services and greater choice for cable television subscribers. INEXPEDIENT TO LEGISLATE

Rep. Dennis H. Fields for State-Federal Relations and Veterans Affairs: The committee felt that this bill is not necessary at this time. Cable company representatives made the committee aware that there are some ongoing changes which will provide better cable selections. The representatives also explained that when a cable company has several different outlets to buy from and, in turn, sell to the subscriber, different channels come with different packages, some of which cannot be grouped with other cable combinations. Vote 13-0.

HCR 24, relative to integration of people with disabilities. OUGHT TO PASS

Rep. Margaret E. Lynott for State-Federal Relations and Veterans Affairs: Every citizen should have the right to live where he or she wants to live without discrimination. This right applies to people with disabilities. Incarceration of people with developmental disabilities was the solution in the Middle Ages. Every citizen should have the opportunity to contribute to a community by residing in the integrated setting most appropriate to their disability and receive support services in their homes and from their communities. Vote 12-0.

TRANSPORTATION

HB 1103, relative to the number of motor vehicle dealer plates. INEXPEDIENT TO LEGISLATE

Rep. Robert J. Letourneau for Transportation: This bill would require that a motor vehicle dealer be given three dealer plates whether the dealer wanted them or not. During the 1997-98 legislative session the House Transportation committee rewrote the dealer plate law. One of the changes to those laws was not to "automatically" issue the dealers three plates. However, upon request and need dealers may receive as many plates as they may need. Vote 17-0.

HB 1112, prohibiting the use of the far left lane on the interstate for anything other than passing. INEXPEDIENT TO LEGISLATE

Rep. Peter R. Cote for Transportation: The committee felt that RSAs 265:16, 265:18, 265:19 and 265:20 already adequately cover the sponsor's intent. The committee also felt that because of all the two lane interstate roads in New Hampshire, this bill would be impractical on these roads. Vote 17-0.

HB 1230, abolishing the requirement that purchasers of new motor vehicles must surrender the certificate of origin to the department of motor vehicles. INEXPEDIENT TO LEGISLATE

Rep. Gordon E. Bartlett for Transportation: The certificate of origin is a piece of paper that a dealer receives from the manufacturer, in essence, a certificate of ownership to the dealer. When the dealer sells that vehicle to a customer, the certificate of origin is turned over to the Department of Safety, along with a purchase title application. This is the start of the titling process. If the customer paid for the vehicle, the customer will receive a New Hampshire title. If the vehicle is financed, the title will go to the lien holder until the vehicle is paid for. Vote 17-0.

HB 1251, relative to driver education training reimbursement. OUGHT TO PASS WITH AMENDMENT

Rep. George A. LaPorte for Transportation: This bill tries to even the reimbursement to students who successfully complete an approved driver education course in New Hampshire. Presently, only students who complete this course in a public school are eligible for reimbursement. Even though money which comes from vanity and original licenses fees are paid by all and not used by all, any money left is returned to the general fund. Vote 15-0.

HB 1265-FN, exempting snowmobiles used by OHRV clubs for trail grooming and other public services from the payment of OHRV registration fees. OUGHT TO PASS WITH AMENDMENT

Rep. Robert J. Letourneau for Transportation: The amended version of this bill defines the state of antique snowmobiles and antique OHRV all terrain vehicles and antique trail bikes. This would allow a one-time registration fee of $36.00 for all valid New Hampshire driver license holders over 18 years of age. The sponsor of the bill endorses this changed endorsed by the Departments of Resources and Economic Development and Fish and Game. Vote 15-0.

HB 1266-FN, relative to classification of and standards for custom vehicles manufactured during or after 1949, and establishing special plates for such vehicles. INEXPEDIENT TO LEGISLATE

Rep. Robert J. Letourneau for Transportation: The committee recognizes the sponsors' good intentions in drafting this legislation. The committee researched this issue with the Department of Safety,. and the results of this research concludes that this bill as written would allow any vehicle to be exempt from inspection requirements by not meeting the current criteria. This would create a new class of vehicle and would require a major overhaul of current statutes. Vote 15-0.

HB 1268-FN, relative to certain vehicle registrations. OUGHT TO PASS WITH AMENDMENT

Rep. Robert J. Letourneau for Transportation: This bill would require that persons claiming the exemption from the certificate of title for older motor vehicles provide proof of a previously issued certificate of registration or title, or out of state title, or validation of vehicle identification number (VIN) by the Department of Safety. Vote 17-0.

HB 1269-FN, relative to the creation of a university system of New Hampshire license plate. INEXPEDIENT TO LEGISLATE

Rep. Robert J. Letourneau for Transportation: The idea of a special plate raising revenue for the University System on the surface appears to have merit. However, after listening to testimony from a University of New Hampshire faculty member, the committee learned that a total of four plates, one for each university, would be requested for identity purposes. Looking at the relatively small number of plates sold in states with larger graduate populations, the committee felt that the state would not meet the cost of production for these special plates. Vote 17-0.

HB 1304, establishing a statutory committee to review and approve any motor vehicle license plate design. INEXPEDIENT TO LEGISLATE

Rep. George A. LaPorte for Transportation: The committee felt that with the new plates recently issued that this bill was not needed, as new plates would not be needed for at least ten years. The Director needs the discretion for public safety to display what is needed. Vote 16-0.

HB 1439-FN, relative to operation of a motor vehicle under a learner's permit. INEXPEDIENT TO LEGISLATE

Rep. Robert J. Letourneau for Transportation: This bill would change the current law and allow 15 year olds to receive a learner's permit to drive an automobile. The subcommittee, along with the Departments of Safety and Health and Human Services, and Injury Prevention Group folks, found this to be an unacceptable provision. The trend has been toward longer driver experience with adult supervision. The committee received testimony during hearings that produced evidence that the older a driver, the more mature that driver is likely to be. The Transportation committee will be meeting as an Ad Hoc group during the summer to take up the under age 20 driver issue in an effort to make appropriate changes. This will take considerable time and effort. This Ad Hoc committee will look at what is successful and what is not. Motor Vehicles Director Beecher is very interested in this issue, and will take an active role and participation with this committee. The committee along with the sponsor agrees to make a recommendation to find this bill Inexpedient to Legislate. Vote 17-0.

HB 1458, relative to the wearing of motorcycle protective headgear. INEXPEDIENT TO LEGISLATE

Rep. Robert J. Letourneau for Transportation: This bill as introduced would require all motorcycle operators and passengers to wear protective headgear and would require drivers of motorcycles to receive training as to the benefits of protective headgear prior to receiving licensure. The premise for this is that motorcyclists are a burden to society for their care and subsistence. The committee heard no testimony nor saw any data to support this position. Testimony presented to the committee revealed motorcyclists that are admitted to trauma centers for treatment of crash related injuries were just as likely as other road trauma cases to be medically insured, and considerably better insured than non-road cases. Motorcyclists had the highest insurance payment rate of all groups, and a higher rate of self-payment than any other group. New Hampshire data supports that testimony. 1996 NH data showed that you are twenty five times more likely to receive a head injury in an auto crash than on a motorcycle. The second issue in this bill required "proof of receipt of headgear safety training". No such training currently

exists anywhere, and there was no provision in this bill for funding of this training or who was to administer any such program. The committee held two hearings on this bill. Three hundred and twenty four people who attended the hearings were in opposition. Six were in support. Additionally, sixteen Representatives attended the hearings and were opposed to the legislation, and four were in favor. There were twenty speakers who voiced their opposition, and three were in support. The most common thread of testimony from those who testified in opposition was that motorcyclists have a vested interest in their own safety, and as responsible adults they were insured and very much aware what is in their best interest. Motorcyclists view this legislation as a government intrusion into their lives without justification. Vote 17-0.

HB 1513-FN, relative to a fine for a youth operating a motor vehicle without an adult present. INEXPEDIENT TO LEGISLATE

Rep. Robert J. Letourneau for Transportation: The committee appreciates the sponsor's intent and effort, however, the committee and subcommittee conducted lengthy discussions with representatives from the Departments of Health and Human Services and Safety, and the Injury Prevention group, concerning this subject matter. Motor Vehicles Director Beecher and the Transportation committee will be looking at a number of proposals concerning drivers under the age of 20 years old with an Ad Hoc committee during the summer months. The committee recognizes the sponsor's intent and will consider such when new proposals are discussed. Vote 17-0.

HB 1613, exempting police officers on bicycles from certain motor vehicle laws and rules. OUGHT TO PASS WITH AMENDMENT

Rep. George N. Katsakiores for Transportation: Peace officers (police officers) wearing a distinctive uniform, operating a bicycle during the course of his or her duties shall not be subject to all the rules of the road if his or her operation of a bicycle is in response to an emergency call, while engaged in a rescue operation, or in pursuit of an actual or suspected violator of the law. This bill does not relieve a peace officer from operating a bicycle with due regard for the safety of all persons using the public way. Vote 17-0.

THURSDAY, FEBRUARY 17

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

HB 1391, relative to personal appearance by law enforcement officers at administrative license suspension hearings. OUGHT TO PASS

Rep. Everett A. Weare for Criminal Justice and Public Safety: Presently, the non-appearance of the law enforcement officer at a Administrative License Suspension hearing invariability grants the right to operate to the individual thereby negating the purpose of the hearing. The requirement to have the law enforcement officer present at the request of the individual at the hearing is placing a financial and operational burden on many of the small law enforcement agencies throughout the state. The changes in this bill will allow the hearing to be conducted upon the review of the law enforcement officer's report or sworn affidavit. Should the individual desire the officer to be present he may do so by subpoenaing him at his or her cost or have a deposition taken prior to the hearing. Vote 10-4.

HB 1459, requiring the state police to record and update information relative to the charge of non-support. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Laura C. Pantelakos for the Majority of Children and Family Law: This bill requires the state police to record and update information daily relative to civil non-support warrants in addition to its correct practice of recording criminal non-support warrants. Vote 10-4.

Rep. Thomas I. Arnold, Jr. for the Minority of Children and Family Law: The minority did not object to the contents of the bill but, rather, to a glaring omission which will work an injustice on the innocent if not corrected. The bill adds civil complaints for nonpayment of child support to the state police computer on a daily basis. There is no provision to protect, or make whole, those who are arrested even though they are current in their payments. This applies equally to those who made payments to the state which the state did not correctly apply and credit the payor.

COMMERCE

HB 1358, prohibiting smoking in restaurants. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Joseph D. Kenney for the Majority of Commerce: This bill prohibits all smoking in any restaurant where serving food is the primary function. The majority of the committee felt the present indoor smoking act is what is best for New Hampshire. The indoor smoking act allows for the location of no-smoking and smoking-permitted areas in restaurants, and requires smoking areas not to cause harm or unreasonably intrude into the areas occupied by persons who are not smoking. There is a requirement for a physical barrier such as a wall at least 56 inches in height to separate no-smoking areas from a smoking-permitted area. Additionally, existing ventilation systems in restaurants, where reasonably possible, should be located near smoking areas. Since New Hampshire law forbids bars from not serving food, any attempt to allow smoking in bars only would require a change in our liquor laws, and a long standing public policy that bars must serve food in New Hampshire. Vote 10-5.

Rep. Martha Fuller Clark for the Minority of Commerce: The strong vote against inexpedient to legislate reflects the position of those committee members who believe that smoking in restaurants, where serving food is the primary function should be prohibited. Currently four other states prohibit smoking in places of public employment due to the documented risks of second hand smoke. They are Maine, Vermont, Utah and California. All of these states have some form of exemptions. These states have not seen a negative impact on the overall room and meals tax. They have, however, seen an increase in the number of licenses for bars, taverns, lounges and cabarets that are exempt from the ban. Some of these states also provide through legislation a requirement that "no one as part of his or her work responsibilities shall be required to work in an area where smoking is permitted." In New Hampshire we define in statute cocktail lounges as a portion or area of a restaurant, hotel, motel, convention center or resort which is used primarily to serve liquor or other alcoholic beverages. This bill offers a reasonable compromise by exempting cocktail lounges from banning smoking. However, these lounges would now be required to be in an enclosed place to protect others from second hand smoke as much as possible. Currently the state regulates restaurants with regard to health and safety. Banning smoking would simply be an appropriate extension of such regulations since death from smoking and exposure to second hand smoke has been deemed a public health issue of primary importance. Environmental tobacco smoke constitutes the third leading cause of preventable death in the United States. This bill seeks to protect both restaurant workers and patrons in New Hampshire from involuntary exposure to second hand smoke and should be passed.

HB 1577-FN, revising the indoor smoking act. INEXPEDIENT TO LEGISLATE

Rep. Joseph D. Kenney for Commerce: This bill revives the indoor smoking act. Under this bill, smoking is prohibited in restaurants. The bill also authorizes the commissioner of health and human services to levy administrative fines on persons in charge of places of public access and publicly owned buildings and offices who repeatedly violate the indoor smoking act law. The first portion of this bill addressed banning smoking in restaurants, which was also addressed in HB 1358. The committee felt the second part to this bill, to place administrative fines on persons in charge of public buildings who allow illegal smoking, would be difficult to enforce and place a difficult administrative burden onto health and human services. Vote 13-2.

HB 1579-FN, establishing a penalty for a third violation of the youth tobacco laws. OUGHT TO PASS WITH AMENDMENT

Rep. Joseph D. Kenney for Commerce: This bill as amended provides that sellers of tobacco products who are found guilty of selling to minors for a third time shall have their licenses to sell suspended or revoked. Additionally, for the fourth offense, the commission shall issue either an administrative fine and a suspension of a minimum of 10 consecutive days not to exceed 40 consecutive days, or a suspension. For any violation beyond the fifth, the commission shall revoke any license. The committee felt that putting the focus on the sellers would elevate the importance of this issue of not selling tobacco products to minors. This bill now duplicates the liquor laws and rules for sellers who sell to minors the fourth and fifth time. The bill further clarifies the definition of "effectively segregated" to mean all of the conditions in the indoor smoking act paragraph of RSA 155:65, V need to be met for compliance. Vote 15-0.

HB 1608-FN-L, relative to minors and smoking. INEXPEDIENT TO LEGISLATE

Rep. Joseph D. Kenney for Commerce: This bill changes the penalty for possession and use of tobacco products by minors to include a warning for the first offense. The committee heard testimony from the Dover Police Department chief indicating that the current law has been effective and that passing this new law would create an additional administrative workload for law enforcement. The present law fines a minor $100 for each tobacco violation or requires up to 20 hours of community service for each offense. This bill would exclude the $100 fine for the first offense and require a copy of a written warning be sent to the minor's parent or guardian. The problem with this bill is that there is no system of tracking those written warnings as first offenses. Vote 13-2.

EDUCATION

HB 1208, relative to the appointment of non-certified employees within a school administrative unit. INEXPEDIENT TO LEGISLATE

Rep. Clair A. Snyder for Education: This bill was submitted at the request of a constituent who subsequently could not garner any support. The prime sponsor also felt, without constituent support, this bill was unnecessary. There are currently administrative rules for hiring non-certified personnel through alternative processes to get them certified. Vote 13-2.

SPECIAL ORDER

HB 1499, relative to credit for American sign language and transliteration as a foreign language. INEXPEDIENT TO LEGISLATE

Rep. Warren Henderson for Education: The committee heard compelling testimony about the special challenges faced by members of the deaf and hard of hearing community. When all the facts had been presented, however, it was evident that this issue needs more examination before such a bill is passed. The committee is currently considering formation of a commission for the deaf and hard of hearing, which could take up this issue. Among the concerns expressed by the committee were: 1) American Sign Language (ASL) as the only language for the deaf and hard of hearing may not be justified. 2) Categorizing American Sign Language as a "foreign" language did not seem appropriate. The Department of Education testified that the intent of this bill could be accomplished without legislation. They indicated that this chapter of administrative rules was undergoing major revision. They pointed out that no other specific language is mentioned in statute as mandated to meet the foreign language requirement and "foreign language" will be changed to "world language". Vote 13-2.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1464, relative to the licensing process for new health care facility construction. OUGHT TO PASS

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: Everyone agrees that healthcare costs are increasing and that medical care and payment reform requires closer scrutiny. Under current law, the Health Services Planning & Review Board, a.k.a. "Certificate of Need Board", is mandated to review any medical facilities where the "construction" costs exceed $1.1 million (a.k.a. threshold figure) or when medical equipment costs exceed a separate threshold figure of $400,000. It is the majority opinion of the subcommittee and the full Health and Human Services Committee that the C.O.N. Board seemingly has ignored statute and has, through rules, not statute, imposed an arbitrary threshold of $750,000, above which a complete application would be required for review. These factors guided this proposed bill to clarify the law. Another board abuse is the inclusion of land in the "construction" threshold…whether it is a freestanding building or part of an existing building. This bill simplifies and clarifies current law and was supported in a non-partisan majority vote. Vote 12-5.

HB 1607, establishing a study committee to consider legislation reducing to zero the number of mentally retarded or developmentally disabled individuals in the state who are not receiving or have not received medicaid services OUGHT TO PASS

Rep. Daniel M. Burnham for Health, Human Services and Elderly Affairs: This bill would establish a study committee to consider legislation, which would require New Hampshire to reduce to zero the number of mentally retarded or developmentally disabled individuals who are not receiving Medicaid services for which they are eligible. The committee would also consider the minimum timeframe and costs required to accomplish this reduction in a fiscally responsible manner. Vote 12-5.

JUDICIARY

HB 1507, establishing a committee to investigate allegations against supreme court justice Thayer regarding unreported and underreported income. REFER FOR INTERIM STUDY

Rep. Loren J. Jean for Judiciary: The committee finds that since the courts Judicial Conduct Committee has the Justice Thayer matter presently before it, and since the courts Judicial Conduct proceedings concerning Justice Thayer are being undertaken in secret, the most prudent position for the legislature to take on this question at this time is to wait for the conclusion of ongoing Judicial Conduct proceedings before voting on the merits of making an independent inquiry. The legislature will be better able to judge by waiting for the outcome of the JCC proceedings on whether or not further inquiry into the Justice Thayer matter ought to be initiated by the general court. Vote 14-3.

MUNICIPAL AND COUNTY GOVERNMENT

HB 1123-FN-L, relative to local planning and zoning enforcement procedures. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill was introduced to require that trial courts enjoin transfers of lots in unapproved subdivisions and award costs and fees to the municipality when such transfers of lots occur. Current law provides that injunctions and the award of costs and fees may be ordered at the discretion of the court. Some opponents of the bill were concerned that our courts already favor municipalities. Others expressed the fear that by "upping the ante" in this way, municipalities actually might face a more difficult fight when they attempt to enforce their ordinances. The Committee feels that the current statute provides adequate remedies for both municipalities and the public. Vote 12-2.

PUBLIC WORKS AND HIGHWAYS

HB 1576-FN-A, abolishing ramp tolls along state highways and increasing the gasoline tax. INEXPEDIENT TO LEGISLATE

Rep. Bernard J. Raynowska for Public Works and Highways: The committee has worked with this issue before and understands the problems created, as well as the strong feeling from the Merrimack citizens. We also understand that removing the tolls on July 1, 2000, and increasing the gas tax by two cents a gallon within sixty days would create great problems. Toll issues have been troublesome for many citizens for a long period of time. Someone has been listening and progress is being made. The Commissioner of Transportation received approval from the Governor and Council for funding a study to remove the tolls. The study will start soon, and the full report will be completed by the end of August 2000. Removing tolls without having any idea of changes to traffic patterns could be very disruptive. We now have something in place and are proceeding. The Department of Transportation proposal would affect an orderly and systematic removal of the tolls. The DOT proposal has the Merrimack tolls at exits 10, 11 and 12 as its first order of business. Vote 11-4.

RESOURCES, RECREATION AND DEVELOPMENT

HB 1101, establishing a Pillsbury state park advisory commission. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. David M. Lawton for the Majority of Resources, Recreation and Development: HB 1101 seeks to impose a state park advisory commission on the operation of Pillsbury State Park. The majority of the committee believes that this proposal is an unnecessary government intrusion into the park's operations which are currently under the watchful eyes of the "Friends of Pillsbury State Park, Inc." The "Friends" group is a charitable non-profit organization made up of approximately 50 volunteers who have forged a strong connection with the division of parks and recreation in the cooperative management of the park including many educational and informational programs. Given that this extremely active and dedicated volunteer group is already in place, enacting this bill would be duplication of efforts which could fatally fracture the "Friends" group and destroy a relationship that is already working well. Vote 10-6.

Rep. MaryAnn N. Blanchard for the Minority of Resources, Recreation and Development: The Minority of Resources, Recreation and Development believes that the purpose of a Pillsbury State Park Advisory Commission is to ensure that a formal relationship exists between representatives of the local governing bodies (Goshen and Washington Selectmen) and the Department of Parks. This would provide valuable communication when changes are proposed for this 2,300 acre property in both towns. Yes, there is an active Friends group. Their primary focus however, is educational and the concerns that towns have are different: Impacts on services plus abutting property owners.

SCIENCE, TECHNOLOGY AND ENERGY

HB 1375, establishing financial assurance for guaranteed promise of customer repayment of rate reduction bonds. REFER FOR INTERIM STUDY

Rep. Gary R. Gilmore for Science, Technology and Energy: This legislation is one measure by which the state could establish a means of financial assurance should the state agree to support securitization and there was a subsequent merger. This bill has an early reporting date and the committee has not examined the issue of securitization to which the legislation is linked. At this time the PSNH Settlement Agreement is still being deliberated by the PUC. Because the committee might wish to have this bill available at a future time, the committee intends to ask the House to lay the bill on the table. Vote 16-0.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1213, establishing a commission to develop a pilot program for displaced veterans. INEXPEDIENT TO LEGISLATE

Rep. Dennis H. Fields for State-Federal Relations and Veterans Affairs: The committee has the deepest regard and respect for the sponsors of this bill. However, the committee feels that there are several veterans programs and services already in place such as Outreach, the Veterans Home and the Veterans Hospital. In addition, there are local veterans groups, which provide programs and services to those veterans who wish to participate. Vote 11-1.

WILDLIFE AND MARINE RESOURCES

HB 1454, relative to restrictions of persons possessing any fish and game license. OUGHT TO PASS WITH AMENDMENT

Rep. Rose Marie Rogers for Wildlife and Marine Resources: This bill remedies restrictions on the ability of Fish and Game to hire and compensate deputy officers. The bill will allow more flexibility in donated hours and allow retired Conservation Officers over the age of 55 to participate. Vote 10-6.

LAID ON TABLE – 1999 session

CACR 12, relating to a 4-year term for the office of governor. Providing that beginning in the year 2002, the governor shall be elected every 4 years.

CACR 21, relating to gender neutral language in the constitution. Providing that all references to persons in the constitution shall be gender neutral.

HB 116-FN-A-L, establishing an alternative consumption tax as a source of funding for education and making an appropriation therefor.

HB 549-L, relative to the minimum vote required for bond issues by municipalities.

HB 550-L, relative to the date town reports must be made available in towns which have adopted the official ballot referenda form of meeting.

HB 612-FN, relative to compensation paid to jurors.

HB 695-FN-A, providing an exemption under the interest and dividends tax for taxpayers on a limited income.

HB 703-FN-A-L, establishing a regional youth center pilot program in the city of Nashua.

HR 10, affirming revenue estimates for fiscal years 1999, 2000, and 2001.

LAID ON TABLE – 2000 session

CACR 2, relating to supreme court rules. Providing that supreme court rules may not be inconsistent with statutes. (Pending question is reconsideration.)

HB 637-FN**,** establishing certain standards of accountability for health maintenance organizations and other entities providing health insurance through a managed care system. (Pending question is the adoption of the committee report.)

HOUSE BILLS AMENDED BY THE SENATE

HB 75, changing the number required for a quorum on the commission for human rights.

(House Nonconcurred; C-of-C 2/3/00)

HB 422, relative to advertising by rent-to-own business. (House Concurred 2/3/00)

HB 1105, ratifying article 9 of the 1999 Seabrook annual town meeting and the 1999 Epping annual town meeting. (House

Concurred 2/10/00)

HJR 6, encouraging the revitalization of the northern rail line from Concord to Lebanon. (House Concurred 2/3/00)

COMMITTEE OF CONFERENCE

HB 75, changing the number required for a quorum on the commission for human rights. (Reps. O'Neil, Mercer, Zolla and Murphy)

SB 143, relative to penalties for incest. (Sens. Pignatelli, Squires and Brown; Reps. Welch, Lozeau, Tholl and Knowles)

COMMITTEE HEARINGS

MONDAY, FEBRUARY 14

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

9:30 a.m. Regular meeting.

ELECTRIC UTILITY RESTRUCTURING OVERSIGHT COMMITTEE (RSA 374-F:5), Rooms 301-303, LOB

1:00 p.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

11:00 a.m. Subcommittee work session on ***HB 1559-FN,*** establishing the division of ports and harbors within the department of transportation and transferring all functions, powers, and duties of the New Hampshire state port authority.

1:00 p.m. Subcommittee work session on ***HB 1574-FN,*** relative to a living wage act which establishes a living wage requirement for state contracts and awards and state employees, and establishing a study committee on living wage and family economic security.

2:00 p.m. Subcommittee work session on ***HB 1220,*** establishing a New Hampshire conflict of interest law.

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. Regular meeting.

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

9:00 a.m. Rescheduled 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 201-203, LOB (Please note room change.)

1:30 p.m. Regular meeting.

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

Noon Rescheduled regular meeting.

TUESDAY, FEBRUARY 15

CHILDREN AND FAMILY LAW, Rooms 206-208 LOB

10:00 a.m. ***HB 1469,*** establishing a committee to study the feasibility of making the division of children, youth, and families an independent state agency.

1:30 p.m. Continued public hearing on ***HB 1565-FN,*** relative to defining certain forms of psychological injury in the child protection act.

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 1138,*** requiring warnings for certain antitheft devices.

11:00 a.m. ***HB 1204-FN,*** relative to plant seeds that have artificially heightened resistance to herbicides and pesticides.

1:15 p.m. ***HB 1255,*** establishing a government competition competitive neutrality study committee.

2:00 p.m. ***HB 1260-FN,*** relative to the cost of prescription medication.

2:30 p.m. Rescheduled public hearing on ***HB 1295,*** relative to prescription drug cards.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:30 a.m. Subcommittee work session on ***HB 1346-FN,*** relative to certain acts of felonious sexual assault.

10:00 a.m. Subcommittee work session on ***HB 1382-FN,*** making it a felony for inmates to harass corrections personnel and others by propelling bodily fluids.

10:30 a.m. Subcommittee work session on ***HB 1424,*** relative to reevaluation of a person's competency to stand trial.

11:00 a.m. Full committee executive session on pending legislation.

EDUCATION, Room 207, LOB

10:00 a.m. ***HB 1393-LOCAL,*** relative to teacher contract renewals and enforcement of teacher contracts.

11:00 a.m. ***HB 1224,*** relative to the process for nonrenewal of teacher contracts.

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

ELECTION LAW, Room 308, LOB

9:00 a.m. Subcommittee work session on ***HB 1331,*** relative to campaign contributions by corporations.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on ***HB 1468-FN,*** relative to the registration of pharmacy technicians, ***HB 1345-FN,*** relative to the salary of licensed practical nurses employed by the state,

HB 1437-FN, relative to ayurvedic health care practice, ***HB 1549-FN,*** relative to cost of living adjustments for certain retired members of the New Hampshire retirement system, ***HB 1558-FN-LOCAL,*** relative to payment of group health insurance premiums for eligible retired members of the retirement system and ***HB 1501,*** relative to public notice of all administrative rulemaking meetings.

9:30 a.m. Subcommittee work session on ***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.

10:00 a.m. ***HB 1338,*** increasing the membership of the American and Canadian French cultural exchange commission.

10:45 a.m. ***HB 1253,*** establishing a 4-year term for the commissioner of the department of corrections.

11:30 a.m. ***HB 1288,*** relative to the rulemaking hearing process for state agencies.

1:15 p.m. ***HB 1347-FN,*** relative to review of administrative rules by the legislature prior to adoption.

2:00 p.m. ***HB 1129-FN,*** relative to wetlands scientists.

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. ***HJR 23***, urging the executive branch to negotiate an expedient settlement resolving the Claremont dispute.

10:15 a.m. ***CACR 31***, relating to the constitutional duty of the legislature concerning the interest of literature and the sciences. Providing that the legislature shall no longer have the constitutional duty to promote the interest of literature and the sciences.

11:00 a.m. Continued public hearing on ***HB 1572-FN-A-L***, repealing the education trust fund, the sources of funding for the education trust fund, and the procedures for funding state aid for educational adequacy.

11:30 a.m. ***HB 1615-L,*** relative to the application of a local per capita income weighting factor to the education property tax.

1:30 p.m. ***HJR 22,*** relative to the unintended consequences of the Balanced Budget Act of 1997.

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.

FINANCE - (DIVISION I), Room 212, LOB

3:00 p.m. Division I Subcommittee work session on

HB 735-FN-A, establishing a contributory judicial retirement plan.

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

10:00 a.m. Subcommittee work session on ***HB 1244,*** establishing a committee to study requiring health care workers to use retractable needles.

Representatives Hall

2:30 p.m. ***HB 1514-FN-LOCAL,*** requiring a death record for an aborted fetus.

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

JUDICIARY, Representatives Hall

9:00 a.m. ***HB 1116-FN,*** prohibiting partial-birth abortions.

1:30 p.m. ***HB 1511-FN,*** requiring parental notification before abortions may be performed on unemancipated minors.

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. Executive session on pending legislation.

1:00 p.m. Subcommittee work session on ***HB 1582,*** establishing a committee to study family friendly employment and workplace policies and to determine effects on families and employers.

1:30 p.m. Subcommittee work session on ***HB 1241,*** relative to third person liability under the workers' compensation law.

2:30 p.m. Subcommittee work session on ***HB 1189-FN,*** relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1453,*** relative to the grant of power over applications before a planning board.

10:45 a.m. ***HB 1294-LOCAL,*** relative to regional planning commissions.

11:30 a.m. ***HB 1590,*** relative to prohibiting a zoning ordinance from a residential preexisting nonconforming property owner's ability to rebuild after a fire loss.

Noon Continued public hearing on ***HB 1541-FN-LOCAL,*** relative to the cremation of deceased persons.

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 JOINT MEETING WITH EDUCATION, Rooms 301-303, LOB

2:15 p.m. Joint meeting with Education for a briefing on a three-year project on SB 2 by Doug Hall, Executive Director for the New Hampshire Center for Public Policy Studies.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. Subcommittee work session on ***HB 1305-LOCAL,*** exempting water withdrawals for normal agricultural operations from certain restrictions on water withdrawals and ***HB 1350,*** relative to interbasin and interstate transfers of water.

11:00 a.m. Subcommittee work session on ***HB 1235,*** relative to fill and dredge in wetlands and ***HB 1127,*** establishing a committee to study the application and appeal procedures for excavating and dredging permits.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Air Pollution subcommittee work session on ***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, ***HB 1569-FN,*** relative to contamination of state water resources and the health and environmental effects of certain gasoline components. Time permitting, ***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, ***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, ***HJR 21,*** calling for changes in the federal Clean Air Act regarding best available control technology and ***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.

WEDNESDAY, FEBRUARY 16

CHILDREN AND FAMILY LAW, Room 206, LOB

9:15 a.m. Rescheduled subcommittee work session on ***HB 1238,*** relative to the collection and disbursement of support orders by the department of health and human services.

10:00 a.m. Continued public hearing on ***HB 1271,*** relative to participation by minors in certain athletic activities.

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

1:00 p.m. Subcommittee work session on ***HB 1333-LOCAL,*** relative to the establishment of parenting plans.

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on ***HB 1160,*** relative to access to the enhanced 911 system.

9:30 a.m. Subcommittee work session on ***HB 1587-FN,*** relative to payment of health insurance costs for certain child day care agencies.

10:00 a.m. ***HB 1411,*** requiring credit reporting agencies to notify consumers prior to changing certain information in their files.

11:00 a.m. ***HB 1315,*** relative to payout ratios of qualified charitable gift annuities.

1:15 p.m. ***HB 1135,*** establishing a committee to study whether the governor should mediate negotiations between health care providers and insurance companies.

2:00 p.m. ***HB 1174,*** establishing a committee to study the feasibility of creating an umbrella-type agency for health care.

2:30 p.m. ***HB 1540-FN,*** prohibiting certain transfers of information.

3:00 p.m. Subcommittee work session on ***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.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on ***HB 1492-FN,*** relative to clarifying the state's stalking statute.

10:00 a.m. Subcommittee work session on ***HB 1250,*** allowing a psychiatric/mental health advanced registered nurse practitioner to declare a personal safety emergency, to transfer an inmate for a psychiatric inpatient emergency, and to authorize an involuntary emergency hospitalization.

11:00 a.m. Full committee executive session on pending legislation.

EDUCATION, Room 207, LOB

9:00 a.m. Rescheduled public hearing on ***HB 1191-FN-LOCAL,*** relative to the adoption of charter school and open enrollment provisions in cooperative school districts and authorized regional enrollment areas.

10:00 a.m. Vocational school presentation.

1:00 p.m. Rescheduled public hearing on ***HB 1270-FN-LOCAL,*** relative to charter schools and open enrollment districts.

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. Executive session on pending legislation.

11:00 a.m. Subcommittee work session on ***HB 1390,*** establishing a committee to study environmental health.

1:00 p.m. Subcommittee work session on ***HB 1417-FN-A-LOCAL,*** setting priorities for the disposal of certain components of the solid waste stream.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on ***HB 1575-FN,*** relative to the licensure of interpreters for the deaf, ***HB 1584-FN,*** relative to the licensing and regulation of child day care agencies.

10:00 a.m. ***HB 1276,*** establishing a committee to study the adoption of a regulated health professions act to promote consistency and efficiency in health occupation regulation.

11:15 a.m. ***HB 1203-LOCAL,*** relative to the cost to municipal libraries of access to services of the state library.

1:15 p.m. ***HB 1612-FN,*** establishing a state office of privacy.

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

FINANCE - (DIVISION I), ROOM 212, LOB

Work and executive session on the following bills:

10:00 a.m. ***HB 1199,*** establishing a study committee on funding for affordable housing,

HB 1504,relative to submission of biennial budget estimates by agencies.

HB 1321, relative to certain funds collected by order of the public utilities commission.

HB 1282, establishing a committee to study the possibility of self-insuring state employees.

FINANCE - (DIVISION II), ROOM 209, LOB

9:00 a.m. Revenue Estimates.

Work and executive session on the following bills:

HB 1484-FN-A-L, establishing a 5 percent tax on gambling winnings as a source of funding public education.

HB 1113, raising the maximum price for lucky 7 tickets.

1:00 p.m. ***HB 1440-FN-A***, taxing the cost of advertising under the meals and rooms tax.

HB 1515-FN-A-L, increasing the rate of the meals and rooms tax.

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.

HB 1356-FN, relative to sales tax exemption certificates for antique dealers.

HB 1436-FN-A, reducing the temporary rate of the communications services tax.

HB 1442-FN-A, increasing the exemption to the interest and dividends tax for persons 65 years of age or older.

HB 1490-L, relative to enabling municipalities to enact a sales tax.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 203, LOB (Please note room change.)

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

JUDICIARY, Room 208, LOB

9:30 a.m. Executive session on pending legislation.

11:30 a.m. Or immediately following executive session, subcommittee work session on ***HB 1438-FN,*** relative to transportation of children for involuntary emergency admissions.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. Subcommittee work session on ***HB 1475-FN,*** relative to the applicable minimum wage for hourly employees.

LEGISLATIVE ADMINISTRATION, Room 307, LOB

1:30 p.m. ***HB 1177,*** relative to the effective date of legislation establishing a chaptered or statutory legislative committee.

2:00 p.m. ***HB 1190-FN,*** requiring that fiscal notes specify the exact amount of the fiscal impact.

2:30 p.m. ***HB 1597,*** relative to passage of fiscal note bills which do not contain an accompanying fiscal analysis.

3:00 p.m. ***HB 1248,*** relative to the out-of-state travel budget for house members.

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. Executive session on pending legislation.

PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1), Room 103, State House

1:00 p.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:00 a.m. Executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

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

11:00 a.m. Full committee work session on ***HB 1470,*** relative to divestiture of electric utility assets, ***HB 1375,*** establishing financial assurance for guaranteed promise of customer repayment of rate reduction bonds. Time permitting, ***HB 1281,*** relative to disqualification of public utility commissioners, ***HB 1406,*** relative to transition service, ***HB 1329,*** limiting the system benefits charge and ***HB 1309,*** relative to wood-to-energy rate order buydowns.

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:00 a.m. ***HCR 32,*** urging the President and Secretary of Energy to release certain amounts of petroleum from the nation's petroleum reserve.

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

THURSDAY, FEBRUARY 17

EDUCATION, Room 207, LOB

Noon Executive session on pending legislation, if necessary.

FINANCE, Rooms 210-211, LOB

1:00 p.m. Or immediately following the House session, executive sessions may be held throughout the remainder of the day.

FINANCE - (DIVISION II), ROOM 209, LOB

Work and executive session on the following bills will be held one hour after the conclusion of the House session.

HB 1580-FN-A-LOCAL, allowing businesses to apply the investment tax credit to contributions made to public schools, charter schools, and scholarship funding organizations.

HB 1180-FN, relative to separating the budget for New Hampshire public television from the university system of New Hampshire budget.

HB 1352, requiring that state funding for public television be used exclusively for the production of original programming.

HB 1247-FN-LOCAL, increasing the tax rate assessed on excavated earth.

HB 1339-FN-LOCAL, relative to the local option to exempt taxation of certain excavation activity.

HB 1261-FN-A-LOCAL, replacing the excavation tax and excavation activity tax with an excavation yield tax.

HB 1461-FN-A-LOCAL, relative to an education property tax exemption and school choice.

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

Work and executive session on the following bills will be held at 1:00 p.m. or one hour after the conclusion of the House session.

HB 1434, relative to processing applications under the medicaid waiver.

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.

HB 1599-FN-A-L, establishing a prescription drug payment assistance program and making an appropriation therefor.

HJR 22, relative to the unintended consequences of the Balanced Budget Act of 1997.

JUDICIARY, Room 208, LOB

9:30 a.m. Executive session on pending legislation.

Immediately following the House session, executive session on pending legislation.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

8:30 a.m. Subcommittee work session on ***HB 1422-FN,*** relative to the composition of and procedures for the appellate board of the department of employment security.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

Immediately following the House session, executive session on pending legislation.

TRANSPORTATION, Room 203, LOB

Immediately following the House session, executive session on pending legislation.

FRIDAY, FEBRUARY 18

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.

HISTORICAL COMMITTEE (RSA 17-I), Room 105A, State House

1:00 p.m. Regular meeting.

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 307, LOB

9:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 22

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1278,*** establishing a committee to investigate bank foreclosures on homeowners' properties and bank overdraft fees.

11:00 a.m. ***HB 1373,*** relative to payments of first and second mortgage home loans.

1:15 p.m. ***HB 1534,*** relative to availability of funds on cash and checks deposited.

2:00 p.m. ***HB 1403,*** relative to ownership of property appraisals.

2:30 p.m. Rescheduled public hearing on ***HB 1481,*** requiring managed care organizations to offer prescription drug plans.

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 1430,*** establishing a committee to study the circumstances and investigations of the deaths of Janet and Steven Dow.

1:30 p.m. ***HB 1460,*** making the playing of an individual's car stereo in excess of 50 decibels disorderly conduct.

2:00 p.m. ***HB 1516-FN,*** relative to prosecutorial conduct.

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 1388,*** establishing a commission to study the statewide delivery of special education programs and services.

11:00 a.m. ***HB 1285,*** establishing a committee to study the feasibility of assessing taxes for special education at the county level.

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

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

JUDICIARY, Room 208, LOB

9:00 a.m. Subcommittee work session on ***HB 1239,*** relative to durable powers of attorney.

10:00 a.m. ***HB 1145,*** limiting the liability of the state and its employees for personal injuries and civil damages resulting from fire standards and training instruction and programs.

11:00 a.m. ***HB 1366,*** limiting civil liability of firearms manufacturers and dealers.

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, Rooms 201-203, LOB

1:30 p.m. Informational meeting on procedures under T21 Highway Funding (10-Year Plan). Open to all legislators.

WEDNESDAY, FEBRUARY 23

COMMERCE, Room 302, LOB

10:00 a.m. Rescheduled public hearing on ***HB 1589,*** prohibiting the use of genetic testing for certain insurance policies.

11:00 a.m. Rescheduled public hearing on ***HB 1335,*** requiring hospitals to disclose certain information to the attorney general.

1:15 p.m. Rescheduled public hearing on ***HB 1317,*** relative to rights of rental applicants.

2:00 p.m. Rescheduled public hearing on ***HB 1401,*** requiring manufactured housing sellers to provide a breakdown of purchasing costs.

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

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

1:00 p.m. Regular meeting.

JUDICIARY, Room 208, LOB

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

LEGISLATIVE ADMINISTRATION, Room 205, LOB

1:30 p.m. ***HB 1447,*** establishing a legislative oversight committee on judicial conduct.

2:00 p.m. ***HB 1231,*** requiring proposed legislation to be reviewed by a house or senate special committee to determine constitutionality prior to its introduction.

2:30 p.m. ***HB 1452,*** establishing a committee to study the recodification of laws relating to the joint committee on legislative facilities.

3:00 p.m. ***HB 1596,*** establishing a committee to study deadlines for the completion of work in the legislative process.

Executive session on pending legislation.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 2000-FN-LOCAL,*** relative to a 10-year transportation plan.

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

FRIDAY, FEBRUARY 25

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

9:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Coos County Delegation will meet on Tuesday, February 15 at 10:00 a.m. in Room 203, LOB. A representative of the Census Bureau will answer any questions you have on the upcoming census and go over ways to generate a more accurate and complete count of North Country residents.

Rep. Lynn C. Horton, Chairman

Coos 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

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

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

Friday, February 18 at 11:00 a.m.

Review of Nursing Home and Residential Properties.

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

COUNTY DELEGATION NOTICE

The Rockingham County Executive Committee will be meeting on the following schedule to finalize the 2000 County budget:

Friday, February 18 at 9:30 a.m. Executive Committee meeting

Friday, March 10 at 9:30 a.m. Executive Committee meeting

Saturday, March 11at 10:00 a.m. Full Delegation meeting to adopt 2000 budget

Rep. Jon P. Beaulieu, Chairman

Rockingham County Executive Committee

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REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 86, 273, 305, 405, 417, 514, 522, 553, 580, 605, 615, 625, 630, 637, 648, 699, 730, 733, 1191, 1419, 1511, 1522, 1535, 1536, 1537, 1540, 1541, 1543, 1544, 1546, 1547, 1548, 1549, 1551, 1553, 1554, 1555, 1556, 1557, 1558, 1560, 1561, 1562, 1563, 1564, 1566, 1567, 1568, 1569, 1571, 1572, 1573, 1575, 1584, 1586, 1591, 1595, 1602, 1606, 1608 and 1616.

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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Copies of an informational packet on proposed 3-step solution to the educational funding issue are available at the Sergeant-at-Arms desk. Included are a detailed description of the plan, a breakdown of the effect on each town in the state and an analysis of why an income tax would not be a viable solution.

Reps Lars T. Christiansen

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Members of the Manchester delegation are invited to meet with Mayor Bob Baines' new legislative liason, Dave Scannel, on Monday, February 14th at 1:00 p.m. at City Hall in the Aldermanic Chambers. This meeting is scheduled in lieu of former meetings with city department heads. All Manchester representatives are urged to attend and to come armed with information and copies of any bills before your committee which you believe city officials should be made aware of. Details will be forthcoming on three bills which City Hall has already taken a position.

Rep. Steve Vaillancourt

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Legislators are invited to attend a meeting of the Natural, Cultural and Historic Resources Group at the Upham Walker House on Tuesday, February 15 from 3:00 to 4:30 p.m. Opening presentations on the Land and Community Heritage legislation.

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

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The Legislative Caucus for Young Children will meet on Tuesday, February 15th at noon in Room 306, LOB. Please bring a bag lunch.

Rep. Rebecca C. Hutchinson

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Wednesday, February 16th is Career and Technical Student Organization Day (formerly Vocational Student Organization Day). Students from eight organizations will be present in the State House and LOB for the day. Legislators are invited for breakfast in the cafeteria at 8:00 a.m. Come take this chance to talk with students and their advisors.

Rep. Susan B. Durham

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The Board of Directors of the Greater Concord Chamber of Commerce cordially invite legislators and staff to a 2000 Legislative Welcome Breakfast Reception on Wednesday, February 16 from 8:00 a.m. to 9:30 a.m. at the New Hampshire Historical Society, 30 Park Street, Concord.

Rep. Peter H. Burling

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President Victor Montana from the College of Lifelong Learning invites all members of the Hillsborough and Merrimack County Delegations to a breakfast briefing on the state of CLL as it begins the new year. The breakfast will be held on Thursday, February 24 from 7:30 to 8:30 a.m. at the CLL Ammon Center, 175 Ammon Drive Unit D, in Manchester.

Rep. David E. Larrabee, Sr.

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The House Republican Alliance will meet at the Upham Walker House (Park Street across from the State House) at 9:00 a.m. on Wednesday, March 8 and Wednesday, March 22. Refreshments will be served.

Rep. Paul M. Mirski

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President Leitzel and the University of New Hampshire Parent and Alumni Association invite all members of the General Court to a breakfast briefing on the state of the University as it begins the new year. The breakfast will be held at 7:30 a.m.– 9:00 a.m. on Thursday, March 9th at St. Paul's Church in Concord.

Rep. Mary Jane Wallner

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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 Tuesday, March 14th . 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 "Director's Report on the Newly-Created "Division" and Advisory Committee on Travel and Tourism". Speaker will be Lauri Ostrander Klefos, Director, New Hampshire Division of Travel and Tourism Development.

Reps. Stephen G. Avery and Martha Fuller Clark

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Ski New Hampshire will be hosting its **8th Annual Legislative Ski Day on March 19th and 20th** at **Mount Sunapee Ski Resort**. On Sunday, members will be able to buy an all-day ticket for only **$15.** There will also be an apres-ski reception at the mountain. A full day of activities for skiers and non-skiers will take place on Monday. Again, this year's event is a fundraiser for **Keep Kids S.A.F.E.** and we hope you can attend.

Rep. Gene G. Chandler

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The Department of Transportation will hold the following meetings:

Feb 15 – Keene Public Library Meeting Room, 60 Winter Street, Keene, 6:30 p.m. Advisory Task Force meeting, Keene-Swanzey.

Feb 16 – Old Town Hall, 45 Summers Street, Bristol, 7:00 p.m. Public officials/public informational meeting, Danbury/Alexandria/Bristol, pavement rehabilitation NH 3A/Smith River Road.

Feb 16 – Franklin City Hall, 316 Central Street, Franklin, 7:30 p.m. Councilmen's meeting, Franklin, US Route 3/NH Route 11 with West Bow Street, Franklin, US Route 3/NH Route 11 with Kendall Street.

Feb 22 – Town House, 1 Grove Street (across from Granite Bank), Peterborough, 7:00 p.m. Peterborough selectmen's meeting, Jaffrey-Peterborough, US 202 rehabilitation.

Feb 25 – NHDOT, 1 Hazen Drive Room 3, Concord, 10:00 a.m. Commission meeting, Holderness-Plymouth, NH Route 175A.

Mar 6 – Southern New Hampshire Planning Commission, 438 Dubuque Street, Manchester, 3:00 p.m. Public hearing of the committee, Congestion Mitigation and Air Quality Advisory Committee meeting.

Mar 8 – Room 201. Legislative Office Building, Concord, 2:00 p.m. Public hearing of the committee, Transportation Enhancement Advisory Committee meeting.

Mar 13 – Room 201. Legislative Office Building, Concord, 3:00 p.m. Public hearing of the committee, Transportation Enhancement Advisory Committee meeting.

Mar 20 – Southern New Hampshire Planning Commission, 438 Dubuque Street, Manchester, 4:00 p.m. Project selection meeting of the committee, Congestion Mitigation and Air Quality Advisory Committee meeting.

Mar 22 – Room 201. Legislative Office Building, Concord, 3:00 p.m. Project selection meeting of the committee, Transportation Enhancement Advisory Committee meeting.

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 February 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

Feb 14	9:30 & 11:00	Londonderry South Elem School	4/75
Feb 15	9:30 & 11:00	Londonderry South Elem School	4/75
Feb 16	9:30 & 11:00	Charlotte Ave Elem School – Nashua	4/75
Feb 17	9:30 & 11:00	Charlotte Ave Elem School – Nashua	4/50 Adults/10
Feb 17	1:00	AGC	
Feb 18	11:00 & 12:30	Auburn Village School	4/85
Feb 18	11:30	Russell School – Rumney	4/18`
Feb 21	10:30 & 11:45	Stratham Memorial School	4/45
Feb 22	9:30 & 11:00	Weston School – Manchester	4/55
Feb 23	9:30 & 11:00	Parker Varney School – Manchester	4/55
Feb 24	9:30 & 11:00	Parker Varney School – Manchester	4/55
Feb 24	1:00	Amherst Area Newcomers	Adults/15
Feb 25	9:30	Deerfield Community School	4/20
Feb 28	9:30 & 11:00	Northwood Elem School	4/60
Feb 29	9:30 & 11:00	Towle School – Newport	4/50

THURSDAY, FEBRUARY 17

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2000-3330h

Amendment to HB 1101

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

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

1 Pillsbury State Park Advisory Commission Established. There is established a Pillsbury state park advisory commission which shall recommend policies affecting the recreational use of Pillsbury state park. The commission shall consist of 2 members from each town of Washington and Goshen, the director of the division of parks and recreation, the director of the division of forests and lands, and the president/forester of the Society for the Protection of New Hampshire Forests; or their designees. The town members shall be appointed by the selectmen. The first-appointed town member from each town shall serve a 3-year term, the second shall serve a 2-year term, and subsequent appointments shall be for 3-year terms. Vacancies shall be filled by the selectmen for the unexpired term. The director of the division of parks and recreation shall provide to the commission support as necessary for the commission to discharge its responsibilities.

2 Powers of the Commission. The Pillsbury state park advisory commission shall:

I. Guide the department of resources and economic development planning efforts to ensure that the growing popularity of Pillsbury state park not be allowed to compromise the integrity of this state park and its visitors' experiences.

II. Assist the department in the formation and adoption of a long-range plan to ensure that the recreational and educational

benefits of Pillsbury state park will be developed so as to ensure their perpetual availability.

III. Recommend specific management policies and practices to control use of the resources of Pillsbury state park under the jurisdiction of the department.

IV. Assist the department in acquiring lands and rights in lands, to ensure a consistent management over these lands.

V. Meet at least annually, with a quorum of at least 4 members, to conduct any business relevant to the purposes of this act.

VI. Meet at least annually with the commissioner of the department of resources and economic development and report annually to the commissioner on its activities in support of this act; its recommendations for acquisitions, easements, and landowner agreements; and any threats to the integrity of Pillsbury state park and its enjoyment by the public.

VII. Issue an annual report to the member communities.

3 Acceptance of Gifts. The commission may accept any gifts, donations, or grants from any source whatsoever, such gifts, donations, or grants shall be used exclusively to further the purpose of this act.

4 Distinct Legal Existence. In order to establish the tax exempt status of the Pillsbury state park advisory commission established by this act, such advisory commission is deemed to be a governmental instrumentality having a distinct legal existence separate from the state and shall not be considered as a department of state government. The exercise by the advisory commission of any authority granted by this act shall be deemed to be the performance of public and essential governmental functions not otherwise fulfilled by state government.

5 Repeal. Sections 1-4 of this act, relative to the Pillsbury state park advisory commission, are repealed.

6 Effective Date.

I. Section 5 of this act shall take effect January 1, 2007.

II. The remainder of this act shall take effect January 1, 2001.

AMENDED ANALYSIS

This bill establishes a commission to assist the department of resources and economic development in the long-range planning of Pillsbury state park and recommend management policies and practices to control use of Pillsbury state park resources. The provisions of this bill are repealed after 6 years.

2000-3342h

Amendment to HB 1110

Proposed by the Committee on Judiciary - C

Amend the bill by replacing section 3 with the following:

3 Duties.

I. The committee shall study laws governing eviction or ejection of tenants of residential dwelling units. The following issues are not within the scope of the committee's duties:

(a) Tort liability of persons engaged in a landlord-tenant relationship.

(b) All aspects of rental or lease of non-residential, commercial, or industrial properties.

(c) The issues pertaining to the initiation or commencement of a tenancy or lease.

(d) Hotels, motels, lodges, inns, bed & breakfasts.

(e) Camps, campgrounds, and recreational parks and campgrounds.

II. The committee shall specifically study the termination process of a landlord-tenant relationship in a residential context, regardless of whether the tenancy involves a permanent structure or a manufactured housing unit.

2000-3406h

Amendment to HB 1114

Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Teachers Creditable Service; Job Sharing; Payment of Medical Benefits. Amend RSA 100-A:53-a by inserting after paragraph I the following new paragraph:

I-a. Notwithstanding the provision of RSA 100-A:4, III-b, for the purpose of calculating creditable service for eligibility for medical benefits payment under paragraph I, each full year of job-sharing service of a teacher in a job-sharing position shall be calculated at ½ of one year of such service credit.

3 Effective Date. This act shall take effect July 1, 2000 at 12:02 a.m.

AMENDED ANALYSIS

This bill continues the current practice for determining creditable service of teachers in a job-sharing position, for teachers in service after July 1, 1995. The bill negates a prospective amendment to the provision. The bill also limits creditable service in the calculation of service for medical benefits payment eligibility for job-sharing teachers.

2000-3193h

Amendment to HB 1126

Proposed by the Committee on Labor, Industrial and Rehabilitative Services - C

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

AN ACT relative to repealing the prohibition on rewards for procuring employment.

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

1 Repeal. RSA 275:6-9, relative to rewards for, offers of, and penalties for, procuring employment, are repealed.

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

AMENDED ANALYSIS

This bill repeals certain provisions relating to rewards for procuring employment.

2000-3306h

Amendment to HB 1168

Proposed by the Committee on Judiciary - C

Amend subparagraphs I(a) and (b) of section 2 of the bill by replacing them with the following:

(a) Five members of the house of representatives, one of whom shall be a member of the commerce committee, and 4 of whom shall be members of the house judiciary committee, appointed by the speaker of the house.

(b) Four members of the senate, one of whom shall be a member of the banks committee, and 3 of whom shall be members of the senate judiciary committee, appointed by the president of the senate.

2000-3173h

Amendment to HB 1179

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

Amend the bill by replacing section 1 with the following:

1 Public Utilities Commission; Appointment, Qualification, etc; Final Orders. Amend RSA 363:17-b to read as follows:

363:17-b Final Orders. The commission shall issue a final order on all matters presented to it. [~~Final orders of the commission~~] ***The transcript or minutes of oral deliberations shall not constitute a final order. A final order*** shall include, but not be limited to:

I. The identity of all parties;

II. The positions of each party on each issue;

III. A decision on each issue including the reasoning behind the decision; and

IV. The concurrence or dissent of each commissioner participating in the decision.

2000-3325h

Amendment to HB 1251

Proposed by the Committee on Transportation - C

Amend the bill by replacing section 1 with the following:

1 Driver Training Reimbursement. Amend RSA 263:52, I to read as follows:

I. The proceeds from original license fees as provided in RSA 263:42 and $5 from every special fee for vanity number plates collected in accordance with RSA 261:89, plus such additional portion of the $25 special fee for vanity number plates or the renewal of the use of such plates as is needed to fully fund the driver training program for each fiscal year as determined by the general court pursuant to paragraph II, after costs of such plates or designation of effective periods thereof and issuance of same have been appropriated and deducted, shall be expended solely for courses of instruction and training in safe motor vehicle driving conducted in or under the supervision of ***approved*** secondary [~~schools~~] ***or private driver education courses***. After all costs of administration of the program each year of the biennium have been reserved, the balance which is appropriated to the driver training program shall be paid to the state treasurer by June 30 of each year. Such balance shall be kept in a separate fund [~~which shall be paid out on or before September 15 of each year~~ ***directly*** ~~to participating schools prorated on a per-pupil basis for those~~ ***pupils*** ~~who have completed the driver education program~~ ***to be used as a reimbursement to defray the cost of tuition***]. Subject to final approval by the governor and council, the commissioner of safety jointly with the commissioner of education shall adopt pursuant to RSA 541-A and publish rules governing the courses of instruction and training and determining eligibility of [~~secondary schools~~] ***students*** to receive moneys from the fund established by this section. ***Students who successfully complete driver education provided by public secondary schools shall receive either a $150 credit toward their tuition or a reimbursement of that amount from the public institution within 30 days of receiving its reimbursement from the department of safety. Students who successfully complete private driver education courses shall be reimbursed $150 directly from the fund.***

AMENDED ANALYSIS

This bill requires a portion of the fees collected for the driver training fund to be allocated directly to students who have successfully completed private driver education courses as reimbursement, or providing students successfully completing secondary school programs of instruction a credit toward, or reimbursement of, fees charged.

This bill is a request of the house study committee established by 1999, 297.

2000-3220h

Amendment to HB 1265

Proposed by the Committee on Transportation - C

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

AN ACT relative to registration of certain antique OHRVs.

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

1 Definition of Antique Snow Traveling Vehicle. Amend RSA 215-A:1, I-a to read as follows:

I-a. "Antique snow traveling vehicle" means any snow traveling vehicle manufactured prior to the year 1969 or [~~20~~] ***25*** or more years old owned by a resident of the state. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.

2 New Paragraphs; Definitions; Antique All Terrain Vehicle; Antique Trail Bike. Amend RSA 215-A:1 by inserting after paragraph I-b the following new paragraphs:

I-c. "Antique all terrain vehicle" means any all terrain vehicle manufactured prior to the year 1969 or 25 or more years old owned by a resident of the state. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.

I-d. "Antique trail bike" means any trail bike manufactured prior to the year 1969 or 25 or more years old owned by a resident of the state. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.

3 Registration; Antique Snow Traveling Vehicle. Amend RSA 215-A:21, IV-a to read as follows:

IV-a. Notwithstanding the provisions of RSA 215-A:21, IV, antique snow traveling vehicles may be registered by a one-time purchase of a permanent plate to be affixed permanently to the snow traveling vehicle. [~~This plate shall be non-transferable from one snow traveling vehicle to another or from one owner to another.~~] This registration shall be available at the fish and game headquarters only.

4 New Paragraphs; Registration; Antique All Terrain Vehicles; Antique Trail Bikes. Amend RSA 215-A:21 by inserting after paragraph IV-a the following new paragraphs:

IV-b. Antique all terrain vehicles may be registered by a one-time purchase of a permanent plate to be affixed permanently to the antique all terrain vehicle. This registration shall be available at the fish and game headquarters only.

IV-c. Antique trail bikes may be registered by a one-time purchase of a permanent plate to be affixed permanently to the antique trail bike. This registration shall be available at the fish and game headquarters only.

5 Registration Fees; Antique Snow Traveling Vehicles. Amend the introductory paragraph of RSA 215-A:23, II to read as follows:

II. Resident antique snow traveling vehicle permanent registration-$35 for each registration upon presentation of resident tax receipt ***or a valid New Hampshire driver's license issued to a person 18 years of age or older***. From each fee collected pursuant to this paragraph:

6 New Paragraphs; Registration Fees; Antique All Terrain Vehicles; Antique Trail Bikes. Amend RSA 215-A:23 by inserting after paragraph II the following new paragraphs:

II-a. Resident antique all terrain vehicle permanent registration-$35 for each registration upon presentation of resident tax receipt or a valid New Hampshire driver's license issued to a person 18 years of age or older. From each fee collected pursuant to this paragraph:

(a) The first $20 shall be appropriated to the department of resources and economic development for administration of the bureau's grant-in-aid program pursuant to paragraph VI.

(b) From the balance, $7.50 shall be appropriated to the department of resources and economic development for administration of the bureau for the purposes listed in paragraph VII, and $7.50 shall be appropriated to the department of fish and game for the purposes listed in paragraph VIII.

II-b. Resident antique trail bike permanent registration-$35 for each registration upon presentation of resident tax receipt or a valid New Hampshire driver's license issued to a person 18 years of age or older. From each fee collected pursuant to this paragraph:

(a) The first $20 shall be appropriated to the department of resources and economic development for administration of the

bureau's grant-in-aid program pursuant to paragraph VI.

(b) From the balance, $7.50 shall be appropriated to the department of resources and economic development for administration of the bureau for the purposes listed in paragraph VII, and $7.50 shall be appropriated to the department of fish and game for the purposes listed in paragraph VIII.

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

AMENDED ANALYSIS

This bill establishes registration requirements and fees for antique all terrain vehicles and antique trail bikes.

2000-3322h

Amendment to HB 1268-FN

Proposed by the Committee on Transportation - C

Amend the bill by replacing section 1 with the following:

1 New Section; Registration of Certain Title Exempted Vehicles. Amend RSA 261 by inserting after section 2 the following new section:

261:2-a Registration of Certain Title Exempted Vehicles. Notwithstanding the provisions of RSA 261:2 and RSA 261:148, no person shall register a motor vehicle exempted under RSA 261:3, I(k) in this state without first providing a previously issued New Hampshire certificate of registration, a valid out-of-state certificate of title, or a current New Hampshire vehicle identification number verification form as prescribed by the director. For the purposes of this section, a temporary registration issued pursuant to RSA 261:57 does not meet the requirement of a previously issued New Hampshire certificate of registration. Any person who violates the provisions of this section shall be guilty of a misdemeanor.

2000-3337h

Amendment to HB 1283

Proposed by the Committee on Education - C

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

AN ACT establishing a commission on the education of the deaf and hard of hearing in New Hampshire.

Amend the bill by replacing section 1 with the following:

1 Commission Established on the Education of Deaf and Hard of Hearing Persons in New Hampshire. There is hereby established a commission on the education of deaf and hard of hearing persons in New Hampshire. The commission shall, in addition to performing the duties set forth in RSA 200-C:19, have the following duties which shall include, but are not limited to:

I. The study of certification procedures for teachers of the deaf and hard of hearing in New Hampshire.

II. The study of certification standards and procedures for educational interpreters.

III. A review of the current status of support services for the deaf and hard of hearing in New Hampshire.

IV. Determination of the feasibility of establishing regional centers and schools for the deaf and hard of hearing.

V. An assessment of pre-service training issues as related to the curriculum of college and university level students training to become professionals in various support service fields for the deaf and hard of hearing.

VI. A review of instructional practices used to educate deaf and hard of hearing citizens in other states.

VII. The study of any other issue relevant to the education of the deaf and hard of hearing deemed necessary by the commission.

VIII. The review, and revision as deemed necessary, of the program for the deaf and hard of hearing pursuant to RSA 200-C:18

through RSA 200-C:20-a.

Amend paragraph III as inserted by section 2 of the bill by replacing it with the following:

III. The commission shall solicit input and assistance from a representative of ASSETS, or its successor, who, in consultation with the university system of New Hampshire and the New Hampshire Colleges and University Council, shall provide advice on relevant matters as deemed necessary by the commission. The commission may solicit advice and input from any individual it deems appropriate in furtherance of the duties and objectives enumerated in this act.

AMENDED ANALYSIS

This bill establishes a commission on the education of the deaf and hard of hearing in New Hampshire to study issues related to the current status of education and support services for the deaf and hard of hearing in the state. The bill also establishes a sunset date of November 1, 2002 for the commission.

2000-3348h

Amendment to HB 1318

Proposed by the Committee on Commerce - C

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

AN ACT establishing a committee to study the instability of kerosene, gasoline, diesel fuel, and home heating fuel prices.

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

1 Committee Established. There is established a committee to study the instability of kerosene, gasoline, diesel fuel, and home heating fuel prices.

2 Membership and Compensation.

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

(a) Three members of the house of representatives, appointed by the speaker of the house.

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

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

3 Duties. The committee shall study the instability of prices for kerosene, gasoline, diesel fuel, and home heating fuel due to changes in supply and demand within the New England region, and make recommendations toward providing better price protection for consumers.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2000.

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

AMENDED ANALYSIS

This bill establishes a committee to study the instability of prices for kerosene, gasoline, diesel fuel, and home heating fuel due to changes in supply and demand within the New England region, and make recommendations toward providing better price protection for consumers.

2000-3373h

Amendment to HB 1322

Proposed by the Committee on Public Works and Highways - C

Amend RSA 236:74, V as inserted by section 2 of the bill by replacing it with the following:

V. HEIGHT. With respect to advertising devices located adjacent to any interstate, federal aid primary, or turnpike highway, no advertising device shall exceed a height of 50 feet from the base of the structure.

AMENDED ANALYSIS

This bill adds restrictions on the reconstruction of destroyed or abandoned advertising devices and on the height of devices to the regulation of outdoor advertising devices adjacent to interstate, federal aid primary, or turnpike highways.

2000-3346h

Amendment to HB 1362-LOCAL

Proposed by the Committee on Education - C

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

1 Cooperative School Districts; Five-Year Period Reconsideration Amended. RSA 195:8 is repealed and reenacted to read as follows:

195:8 Reconsideration Procedure. If a cooperative school district was organized prior to July 1, 1963, the basis for the apportionment of all such costs may be subject to review, pursuant to an article for that purpose duly inserted in the warrant for a district meeting to be held at any time after the expiration of the 5-year period measured from the date of the first annual meeting. If the apportionment formula for a cooperative school district has been duly changed, the basis for the apportionment of all such costs may be subject to review, pursuant to an article for that purpose duly inserted in the warrant for a district meeting to be held at any time after the expiration of the 5-year period measured from the date of the meeting at which the last change was made to the cost apportionment formula. In either case, the cooperative school district may then by majority vote elect to apportion all such costs by the adoption of one of the formulas set forth in RSA 195:7, I(a), (b), or (c). Such apportionment may be reviewed in the same manner at any time in order to permit the enlargement of the territory of a school district or an increase in the number of grades for which the district shall be responsible.

2 Cooperative School Districts; Procedure for Formation; Process for Reconsideration Amended. Amend RSA 195:18, III(i) to read as follows:

(i) The method by which the articles of agreement may be amended with the approval of the board; except that no amendment may permit secession of territory [~~and~~]**.** The provisions adopted under either subparagraph (e) or (g) above may [~~not be amended prior to the expiration of 5 years from the date of the first annual meeting of the cooperative school district, or thereafter, within 5 years following the adoption of any amendment to such provisions respectively; but~~] ***be subject to review pursuant to an article for that purpose duly inserted in the warrant for a district meeting which may be held at any time after the expiration of the 5-year period measured from the date of the first annual meeting. If the apportionment formula for a cooperative school district has been duly changed, the basis for the apportionment of all such costs may be subject to review pursuant to an article for that purpose duly inserted in the warrant for a district meeting which may be held at any time after the expiration of the 5-year period measured from the date of the meeting at which the last change was made to the cost apportionment. However,*** such provisions may be amended at any time in order to permit the enlargement of a cooperative school district or an increase in the number of grades for which the cooperative school district shall be responsible.

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

AMENDED ANALYSIS

This bill provides that the cost apportionment formula within a cooperative school district may be subject to review at any time after the expiration of the 5-year period measured from the date of the first annual meeting. Subsequently, if the cost apportionment formula is duly changed, the basis for such apportionment may be reviewed at any time after the expiration of the 5-year period measured from the date of the meeting at which the last change to the formula was made.

2000-3340h

Amendment to HB 1374

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

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

2 Membership. Amend 1999, 89:2, I(a) to read as follows:

(a) [~~Four~~] ***Seven*** members of the house of representatives, one of whom shall be from the criminal justice and public safety committee and one of whom shall be from the judiciary committee, appointed by the speaker of the house.

2000-3274h

Amendment to HB 1454

Proposed by the Committee on Wildlife and Marine Resources - R

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

AN ACT relative to deputy conservation officers in the fish and game department.

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

1 Deputy Conservation Officer; Qualifications; Age. Amend RSA 206:27-b, IV to read as follows:

IV. [~~Between the ages of~~] ***At least*** 21 years [~~and 55 years~~] of age[~~; provided, however, retired personnel of the department of fish and game are exempted from the provisions of this paragraph~~];

2 Deputy Conservation Officer; Compensation; Volunteer Service. Amend RSA 206:27-h to read as follows:

206:27-h Compensation. All deputy conservation officers shall be compensated for their services while actively engaged in the performance of their official duties at rates as fixed by the executive director; provided, however, all deputy conservation officers shall serve 8 hours per month without compensation. ***This section shall not prohibit a deputy conservation officer from volunteering more hours than the 8 hours per month without compensation.***

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

AMENDED ANALYSIS

This bill changes the age requirements for service as a deputy conservation officer in the fish and game department, and allows for additional volunteer service by deputy conservation officers.

2000-3361h

Amendment to HB 1459

Proposed by the Majority of the Committee on Children and Family Law - R

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

AN ACT requiring the state police to record and update information relative to the charges of criminal and civil non-support.

Amend RSA 106-B:14, III as inserted by section 1 of the bill by replacing it with the following:

III. The division of state police shall record and update on its computer system on a daily basis the names of all persons for whom there is either an outstanding arrest warrant or a capias pending for criminal or civil non-support. The director shall submit an annual report to the general court relative to felony and misdemeanor non-support as well as civil non-support based on the records and information acquired pursuant to RSA 106-B:14, I. The report shall be a compilation of the number of persons charged with criminal or civil non-support, the number of apprehensions made on the charges of criminal or civil non-support, and any other information the director deems relevant.

AMENDED ANALYSIS

This bill provides that the state police shall record and update on its computer system any arrest warrant or capias issued by a superior court for criminal or civil non-support and shall submit a report of such information to the general court.

2000-3307h

Amendment to HB 1462

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

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

AN ACT extending the report date and changing the membership and duties of the committee to study methods to promote the use of renewable energy sources.

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

1 Study Committee; Membership, Duties, Report Changed. Amend 1999, 47 to read as follows:

47:1 Committee Established. There is established a committee to study methods to promote the use of renewable energy sources.

47:2 Membership and Compensation.

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

(a) Five members of the science, technology and energy committee of the house of representatives, appointed by the speaker of the house of representatives.

(b) [~~Five~~] ***Not less than 3 nor more than 5*** members of the senate, appointed by the president of the senate.

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

47:3 Duties. The committee shall study methods to promote the use of renewable energy sources. The committee shall seek input from representatives of the renewable energy industry and interested state agencies. As part of its study, the committee shall examine:

I. The system benefits charge established pursuant to RSA 374-F:4 and similar charges levied by other states that promote renewable energy sources.

II. Programs and initiatives instituted by other states to promote renewable energy.

III. Implementation issues specific to deregulated markets.

[~~IV. Recommendations regarding the amount of the system benefits charge in light of program goals, market activity, and consumer concerns.~~]

47:4 Chairperson; Quorum. The first meeting of the committee shall be called by the first-named house member. The members shall elect a chairperson. The first meeting of the committee shall be held within 45 days of the effective date of this section. [~~Six~~] ***Five*** members of the committee shall constitute a quorum.

47:5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library ***in an interim report*** on or before November 1, [~~1999~~] ***2000 and a final report on or before November 1, 2001***.

47:6 Effective Date. This act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill extends the report date and modifies the membership and duties of the committee to study methods to promote the use

of renewable energy sources.

2000-3310h

Amendment to HB 1523

Proposed by the Committee on Judiciary - C

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

1 Entities Paying Rent on Behalf of a Tenant. Amend RSA 540:9-a to read as follows:

540:9-a Payment by Voucher and Application of Rents Paid by [~~the~~] ***a*** Municipality. Any rental payment or partial rental payment tendered by the tenant in the form of a written promise to pay on behalf of the tenant by ***the state, a county or*** a municipality of this state, ***or a payment by any organization which disburses federal or state funds,*** and any application by [~~the~~] ***a*** municipality of amounts owed to it by a landlord pursuant to RSA 165:4-a, shall constitute payment by the tenant of the amount represented in the voucher, and of any amount applied by [~~the~~] ***a*** municipality to delinquent balances of the landlord; provided, that this section shall not be construed to obligate a landlord to accept partial rental payments or payments tendered after the expiration of the notice to quit.

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

AMENDED ANALYSIS

This bill extends payments on behalf of tenants to include payments by voucher from the state, a county, or any organization that disburses state or federal funds.

2000-3367h

Amendment to HB 1579-FN

Proposed by the Committee on Commerce - R

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

AN ACT establishing certain penalties for violations of the youth tobacco laws and clarifying a definition under the indoor smoking act.

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

1 Penalties. RSA 126-K:4, I is repealed and reenacted to read as follows:

II. Violations of this section shall be civil infractions punishable by administrative action of the commission against the licensee. The fines for violations of this section shall not exceed $250 for the first offense and $500 for the second offense. For the third offense, the commission shall issue a letter of warning detailing necessary corrective actions and an administrative fine ranging from $500 to $1500. In addition, the license to sell tobacco products of the manufacturer, wholesaler, sub-jobber, vending machine operator, or retailer where the offense occurred shall be suspended for a period of 10 consecutive days and not exceeding 30 consecutive days. For the fourth offense, the commission shall issue either an administrative fine and a suspension of a minimum of 10 consecutive days not to exceed 40 consecutive days, or a suspension. The administrative fine shall range from $750 to $3,000 while any suspension without a fine shall be 40 consecutive days. For any violation beyond the fifth, the commission shall revoke any license.

2 Penalties. RSA 126-K:5, III is repealed and reenacted to read as follows:

III. Violations of this section shall be civil infractions punishable by administrative action of the commission against the licensee. The fines for violations of this section shall not exceed $250 for the first offense and $500 for the second offense. For the third offense, the commission shall issue a letter of warning detailing necessary corrective actions and an administrative fine ranging from $500 to $1,500. In addition, the sampler's license shall be suspended for a period of 10 consecutive days and not exceeding 30 consecutive days. For the fourth offense, the commission shall issue either an administrative fine and a suspension of a minimum of 10 consecutive days not to exceed 40 consecutive days, or a suspension. The administrative fine shall range from $750 to $3,000 while any suspension without a fine shall be 40 consecutive days. For any violation beyond the fifth, the

commission shall revoke any license.

3 Penalties. RSA 126-K:8, IV is repealed and reenacted to read as follows:

IV. Violations of this section shall be civil infractions punishable by administrative action of the commission against the licensee. The fines for violations of this section shall not exceed $250 for the first offense and $500 for the second offense. For the third offense, the commission shall issue a letter of warning detailing necessary corrective actions and an administrative fine ranging from $500 to $1,500. In addition, the license to sell tobacco products of the manufacturer, wholesaler, subjobber, vending machine operator, or retailer where the offense occurred shall be suspended for a period of 10 consecutive days and not exceeding 30 consecutive days. For the fourth offense, the commission shall issue either an administrative fine and a suspension of a minimum of 10 consecutive days not to exceed 40 consecutive days, or a suspension. The administrative fine shall range from $750 to $3,000 while any suspension without a fine shall be 40 consecutive days. For any violation beyond the fifth, the commission shall revoke any license.

4 Penalties; Vending Machines. RSA 78:12-d, VII is repealed and reenacted to read as follows:

VII. Violations of this section shall be civil infractions punishable by administrative action by the commissioner against the licensee. Fines for violations of paragraphs I-V shall be no more than $100 for a first offense and no more than $200 for a second offense. For the third offense, the commissioner shall issue a letter of warning detailing necessary corrective actions and an administrative fine ranging from $500 to $1,500. In addition, the license to sell tobacco products shall be suspended for a period of 10 consecutive days and not exceeding 30 consecutive days. For the fourth offense, the commissioner shall issue either an administrative fine and a suspension of a minimum of 10 consecutive days not to exceed 40 consecutive days, or a suspension. The administrative fine shall range from $750 to $3,000 while any suspension without a fine shall be 40 consecutive days. For any violation beyond the fifth, the commissioner shall revoke any license.

5 Definition Clarified; Effectively Segregated. Amend the introductory paragraph of RSA 155:65, V to read as follows:

V. "Effectively segregated" means ***all*** the following conditions have been met:

6 Effective Date.

I. Sections 1-4 of this act shall take effect January 1, 2001.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill provides that sellers of tobacco products who are found guilty of selling to minors for third and subsequent times shall have their licenses to sell suspended or revoked.

This bill also clarifies the definition of "effectively segregated" for the purposes of the indoor smoking act.

2000-3365h

Amendment to HB 1583

Proposed by the Committee on Executive Departments and Administration - C

Amend RSA 313-A:8, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) A high school education or its equivalent; and

Amend RSA 313-A:8, VI as inserted by section 1 of the bill by replacing it with the following:

VI. Ethical and professional standards required to be met by each holder of a license to practice under this chapter and how disciplinary actions by the board shall be implemented for violations of these standards;

2000-3389h

Amendment to HB 1592

Proposed by the Committee on Executive Departments and Administration - C

Amend RSA 3-E:1 as inserted by section 1 of the bill by replacing it with the following:

3-E:1 United States Flag; Display. The flag of the United States of America shall be displayed in state facilities in accordance with federal law. United States flags used by the military for military purposes shall be exempt from the provisions of this chapter.

AMENDED ANALYSIS

This bill provides that the display of the United States flag in state facilities shall conform to federal law.

2000-3320h

Amendment to HB 1602-FN

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

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

1 Statement of Findings. The general court finds that there is an urgent need for a statewide interpreter referral and resource center dedicated to people who are deaf or who have a hearing loss. Moreover, the general court finds that:

I. Improved interpreter referral services would benefit the business community, educational institutions, health care providers, law enforcement and court systems, state agencies, the general court, and others who require such services to effectively communicate with deaf persons and persons who are hard of hearing.

II. An information and referral service operated by and for persons who are deaf and hard of hearing would promote access of such persons to the community based health care, educational, employment, and social services that are available to all citizens.

III. Development of peer counseling, job placement, and advocacy services would enhance the ability of individuals who are deaf or hard of hearing to contribute to their communities.

2 Task Force Established; Membership; Terms.

I. There is hereby established the New Hampshire task force on deafness and hearing loss. The task force shall consist of the following members:

(a) One member of the house of representatives who shall be from the health, human services, and elderly affairs committee, appointed by the speaker of the house.

(b) One member of the senate who shall be from the public institutions, health, and human services committee, appointed by the president of the senate.

(c) One member from the governor's commission on disabilities, appointed by the governor.

(d) Two representatives of the department of health and human services, appointed by the commissioner.

(e) One representative of the department of employment security, appointed by the commissioner.

(f) Two representatives of the department of education, appointed by the commissioner.

(g) One representative of the administrative office of the courts, appointed by the chief justice of the New Hampshire superior court.

(h) The president of the New Hampshire Association of the Deaf, or designee.

(i) One representatives of the New Hampshire Association of the Deaf, appointed by the president of the New Hampshire Association of the Deaf, or designee.

(j) The president of Self Help for the Hard of Hearing, or designee.

(k) One representative from Self Help for the Hard of Hearing, appointed by the president of Self Help for the Hard of Hearing, or designee.

(l) One representative of the New Hampshire Registry of Interpreters for the Deaf, appointed by the president of the New Hampshire Registry of Interpreters for the Deaf, or designee.

II. The task force members shall serve without compensation, except that legislative members of the task force shall receive mileage at the legislative rate when attending to the duties of the task force.

3 Organization; Meetings.

I. The task force shall be convened by the named member of the house of representatives, and shall hold its first meeting no later than 30 days after the effective date of this act. The task force shall meet in the facilities of the department of health and human services.

II. The task force shall meet with sufficient frequency to complete its duties, including recommendations for proposed legislation, within 4 months of the effective date of this act.

III. The department of education and health and human services shall provide administrative support, in equal measure, for the task force, including interpreter services for task force meetings.

4 Duties. The task force shall:

I. Review the structure of interpreter referral services in other states.

II. Identify the public agencies within New Hampshire that need interpreter referral services.

III. Identify potential funding sources, including user fees, public/private partnerships, and grant opportunities available from the departments of education and health and human services, that could be accessed to support an interpreter referral and resource center in New Hampshire.

IV. Facilitate the development of a private, not for profit organization to provide information, interpreter referral, and other related services.

V. Determine whether the department of education or the department of health and human services is the most appropriate agency for any requests for proposals which may be needed, and select such agency to be responsible for this process.

5 Report. The task force shall submit a report of its findings and actions, including proposals for legislation to the governor and council, the speaker of the house, the president of the senate, the chairperson of the house committee on health, human services, and elderly affairs, and the chairperson of the senate committee on public institutions, health, and human services no later than 4 months from the effective date of this act.

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

2000-3363h

Amendment to HB 1613

Proposed by the Committee on Transportation - C

Amend RSA 265:143, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) This paragraph shall not relieve a peace officer from the duty to operate a bicycle with due regard for the safety of all persons using the public way.

Amend the bill by replacing section 2 with the following:

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

----------Clip and Post----------

NOTICE

HOUSE EMERGENCY NOTIFICATION SYSTEM

A plan has been developed for the House Leadership to communicate with members of the House at night and at such other times as the members are at home.

In most emergencies the individual member will be aware that an emergency exists, though may be in doubt as to its extent.

The following procedure has been developed:

1. Notice of an emergency message will be given to State Police Headquarters in Concord and commercial wire services.

2. State Police Headquarters will send the message via computer to the stations listed.

3. Reliance will be placed on each individual legislator to call the terminal station nearest his or her home and inquire for any emergency message to legislators in times of emergency or suspected emergency. This will include, but not be limited to cancellation of sessions due to severe weather conditions.

Gilford	Police Station	528-3800
Laconia	Police Station	524-5252
Keene	Police Station	352-2222
Lebanon	Police Station	448-1212
Manchester	Police Station	668-8711
Nashua	Police Station	594-3500
Concord	Police Station	225-8600
Rockingham County	County Sheriff	679-2225
Portsmouth	Police Station	436-2145
Dover	Police Station	742-4646
Claremont	Police Station	542-9538
Newport	Police Station	863-3232
Merrimack	Police Station	424-2222
Salem	Police Station	893-1911
Ossipee	County Sheriff	539-2284
Derry	Police Station	432-6111

In addition to the above listed numbers you can also call the numbers listed below nearest you.

State Police Headquarters

Department of Safety

10 Hazen Drive

Concord, NH 03305

Tel: 271-3636	
Rockingham & Strafford Counties Troop - A Route 125 Epping, NH 03042 Tel: 679-3333	**Hillsborough County** Troop - B 4 Meadowbrook Drive Milford, NH 03055 Tel: 672-3333
Cheshire & Sullivan Counties Troop - C Box 272 Keene, NH 03431 Tel: 358-3333	**Merrimack County** Department of Safety 10 Hazen Drive Concord, NH 03305 Tel: 271-3636
Belknap & Carroll Counties Troop - E Box 235 W. Ossipee, NH 03890 Tel: 323-3333	**Coos & Grafton Counties** Troop - F Box 440 Twin Mountain, NH 03595 Tel: 846-3333

Also in the event members wish to obtain road or weather conditions during periods of inclement weather they should call the nearest Troop Station to their residence or Headquarters Communications in Concord. When calling Headquarters Communications, they should ask to speak with the Communications Supervisor. When calling a Troop Station, inquiries will be handled by the Communications Specialist on duty at the time.

The caller should specify the information he or she wishes to obtain. This information should be readily available to communications personnel and every effort will be made to accommodate these requests in a timely manner.

Please be advised when calling State Police Headquarters to call **271-3636** and not any of the 800 lines, which are used for emergency purposes only.

A toll-free 24-hour weather and traffic hotline is now available at 1-800-918-9993. If you have to call from out-of-state, the number is 1-603-271-6900.