State of

New Hampshire

HOUSE RECORD

First Year of the 157th Session of the General Court

Calendar and Journal of the 2001 Session

Vol. 23 Concord NH Friday, May 18, 2001 No. 46

Contains: Reports and Amendments for May 24, Unsigned Sponsor List, Committee Hearings, Work Sessions and Notices

HOUSE CALENDAR

NOTICE

Members of the House:

The House will meet in session on Thursday, May 24 at 10:00 a.m.

I am sure we all share a deep sadness due to the loss of our friend and colleague, Walter Mikowlski. Walter was a dedicated public servant and we will miss his knowledge, experience and friendship.

Members are asked to refrain from using the Executive Council Office for private meetings uninvited. Though it may seem like a public area it is the only private space provided to them in the State House and should be respected as such.

Chairmen and Vice Chairmen will meet on Tuesday, May 22 at 9:00 a.m. in Room 201 LOB.

Gene G. Chandler, Speaker

NOTICE

There will be a Republican Caucus on Thursday, May 24 at 9:00 a.m. in Representatives Hall.

Rep. David M. Scanlan, Majority Leader

NOTICE

There will be a Democratic Caucus on Thursday, May 24 at 9:00 a.m. in Rooms 306-308 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

THURSDAY, MAY 24

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

SB 55, creating a commission to study the need for and location of architecturally secure facilities and community shelter care facilities to service juveniles. **OUGHT TO PASS**

Rep. Laura C. Pantelakos for Children and Family Law: This bill will set up a commission to study the need for and location of architecturally secure facilities and community shelter care facilities to serve juveniles. **Vote 17-0**.

SB 123, establishing a committee to study how information regarding private individuals is obtained, maintained, and employed by the division of children, youth and families. **OUGHT TO PASS**

Rep. Gary C. Greenberg for Children and Family Law: The committee feels that a study committee would help on finding out how information regarding private individuals known as the Central Registry is obtained and maintained by the Division of Children, Youth and Families. **Vote 17-0**.

SB 136, establishing a committee to study the use of multi-disciplinary team investigations of child abuse and neglect allegations. **OUGHT TO PASS**

Rep. Mary Stuart Gile for Children and Family Law: This bill proposes a committee to study the usefulness of multi-disciplinary team investigations into allegations of child abuse and neglect. Successful models have been implemented in other states and the Committee agreed that results from such a study might yield important information for New Hampshire. **Vote 15-1**.

COMMERCE

SB 103, changing the qualification requirements for charitable organizations that conduct bingo or lucky 7. **OUGHT TO PASS WITH AMENDMENT**

Rep. Stephen G. Avery for Commerce: The amendment to SB 103 adds 501(c)(7)'s (social clubs) to the bill. The bill as presented would have grandfathered a dozen or so social clubs and not allowed any new ones to get bingo licenses. The committee felt that would be unfair so we included tax exempt social clubs and eliminated the grandfather clause. This bill will allow the Miss America Pageant to raise money through the playing of bingo. **Vote 12-0**.

SB 131-FN-A, establishing a study committee relative to charitable bingo operations. **OUGHT TO PASS**

Rep. Stephen G. Avery for Commerce: This bill establishes a study committee on charitable bingo operations. The committee will look at all laws related to charitable bingo operations, the use of volunteers, and a comparison of commercial bingo operations. The committee will also consider expenses charged to the charities, prize limits, and ways to enhance revenue for charities, including forms of electronic bingo. The committee will report their findings by November 1, 2001. **Vote 14-0**.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 550-FN, relative to remedies under the right-to-know law. **OUGHT TO PASS WITH AMENDMENT**

Rep. John E. Tholl, Jr. for Criminal Justice and Public Safety: HB 550 was referred to the Criminal Justice & Public Safety committee on March 29, 2001 after being passed by the House on a voice vote. After the hearing a subcommittee was appointed

and met on April 25, 2001. The main concern expressed was that a civil statute, NHRSA 91-A, should not contain a criminal penalty. The Criminal Justice Committee agreed and amended HB 550 to place the destruction of information that had been requested under 91-A in the appropriate criminal statute, RSA 641:7, Tampering with Public Records or Information. This amendment has the full support of the bill's sponsor as well as the two members of the Judiciary committee who worked with the Criminal Justice committee. **Vote 12-0**.

SB 122-FN, relative to the license to carry a weapon. **INEXPEDIENT TO LEGISLATE**

Rep. Karl I. Gilbert for Criminal Justice and Public Safety: This bill extends the expiration period for a license to carry a loaded and concealed weapon from four to ten years and requires notification of the expiration of said license. At the present time RSA 159:6, entitled "License to Carry" provides that a "suitable person" will be issued a permit to carry a loaded and concealed pistol or revolver on their person or in a motor vehicle. The permit expires upon the fourth anniversary of the applicant's date of birth following the date of issue. An application for renewal shall be approved providing that the status of a "suitable person" has been maintained during the prior four years. Legislation has determined that a person's "suitability and residency" are easily subject to changes within a four-year period. For that reason, the Criminal Justice and Public Safety committee felt strongly that to extend the life of this permit beyond four years was to diminish the value of any background investigation that determined that person's suitability to hold a permit. This bill also obligates the issuing agency (the local police chief), to remind the permit holder, via first-class mail, that his/her permit is about to expire. Because of the staggered expiration of the permits, the committee felt this would place a burden of finance and time on police departments, and should be the responsibility of the permit holder to monitor its expiration. It is the opinion of the committee that this provision would violate Part I, Art 28-a, which prohibits unfunded mandates. Members of the NH Chief's of Police Association appeared in opposition to this bill. **Vote 12-1**.

EDUCATION

SB 59, relative to the inclusion of a signature declaration and verification statement on teacher certification applications. **OUGHT TO PASS**

Rep. John R. Alger for Education: This bill simply puts the notary process into law, whereby a teacher applying for a certification verifies their name and their statement of qualifications with the possibility of criminal prosecution if there is willful misrepresentation or omission of facts. **Vote 18-0**.

SB 78-FN-L, relative to the distribution of special education records to certain educationally disabled pupils. **INEXPEDIENT TO LEGISLATE**

Rep. Claire D. Clarke for Education: The committee found that this bill, requested by the Dept. of Education, was covered by federal legislation and was not necessary. The Department of Education concurred and suggested that this legislation be found inexpedient to legislate. **Vote 17-1**.

SB 117, relative to extended school year services for educationally disabled children. **INEXPEDIENT TO LEGISLATE**

Rep. Brien L. Ward for Education: The committee voted ITL because this bill, if enacted, would remove the standard of proof (preponderance of evidence) used by the local, individualized educational program team to evaluate the appropriateness of an extended year's program for an educationally disabled child. All parties, which participate in establishing programs for educationally disabled children, benefit from having a uniform standard of proof. **Vote 17-1**.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 17-FN, relative to accidental disability retirement benefits upon the death of a retired group II member. **INEXPEDIENT TO LEGISLATE**

Rep. William R. Zolla for Executive Departments and Administration: At the present time, upon the death of a retirement group II member who retired prior to April l, 1987, a lump sum payment of $3600.00 is made to the surviving beneficiary along with the member's pre-designated spousal benefit. If the deceased member was in receipt of an accidental disability retirement allowance at the time of death, then the surviving spouse had the option of receiving 50% of the deceased member's disability benefit for life or until remarriage or the lump sum payment. This bill would have granted both the disability benefit and the lump sum payment to the deceased disabled members spouse at an additional cost to the special account of $310,000.00. The committee felt that this expenditure was not necessary at this time especially at the exclusion of other groups of retirees. **Vote**

13-3.

SB 71, establishing a study committee relative to the regulation and compensation of persons licensed under the real estate practice act. **OUGHT TO PASS**

Rep. David G. Poulin for Executive Departments and Administration: This bill establishes a committee to study regulation and compensation of persons licensed under the real estate practice act. The committee shall assess problems relating to agents and agencies and shall recommend any possible solutions. **Vote 12-1**.

SB 111-FN, extending the term for the payment of group health insurance premiums for certain retired members of the retirement system. **OUGHT TO PASS WITH AMENDMENT**

Rep. William R. Zolla for Executive Departments and Administration: This bill will extend and terminally fund the health insurance premium subsidy to certain teacher and employee members of political subdivisions. Those eligible include members and spouses (or beneficiaries including disabled children) who retire on a service or disability retirement on or before July 1, 2008 at age 60, with at least 20 years of creditable service, or at age 55 through 59, with at least 30 years of creditable service. The amendment to this bill recognizes retirees with qualifying service that leaves service before reaching retirement age to be eligible for medical benefits upon reaching the age of 60. **Vote 15-0**.

SB 125-FN, relative to election of optional allowances by retirement system members granted disability retirement and relative to an exception to the 120-day requirement for payment of compensation. **OUGHT TO PASS**

Rep. William R. Zolla for Executive Departments and Administration: This bill would give the option to the retirement system to extend the 120 days allowed after the decision to grant disability benefits for inclusion of compensable earnings in retirement benefits provided the additional time is required through no fault of the recipient of the benefits. At the present time, earnable compensation shall not include compensation paid in any form paid later than 120 days after the member's termination of employment from a retirement eligible position. The rule still holds true for non-disabled retirees. **Vote 15-0**.

SB 157, relative to state government information dissemination and access. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert K. Dodge for Executive Departments and Administration: This bill which creates a system of dissemination of information and access to state government will allow increased citizen involvement in state policies and empower citizens to participate in state policy decision making. The amendment rectified drafting errors in the legislation and addressed technical agency concerns. **Vote 14-0**.

PUBLIC WORKS AND HIGHWAYS

SB 190, dedicating the I-93 causeway at Moore Dam and the Cottage Street Bridge in Littleton. **OUGHT TO PASS WITH AMENDMENT**

Rep. William E. Leber for Public Works and Highways: This bill dedicates the causeway at Moore Dam on I-93 as the "Curran/McAvoy Causeway" in honor of Ken Curran and George McAvoy who researched, designed and proposed a causeway rather than a bridge in the original design to cross the Connecticut River. This proposal was adopted by the United States and New Hampshire Departments of Transportation and reportedly saved $20,000,000.00 in construction cost. In addition, this bill dedicates the Cottage Street Bridge in Littleton as the "Veterans' Memorial Bridge". Testimony in support indicated there are no bridges north of the Notch named in honor of veterans. An additional amendment would rename the "Smith Bridge" in Plymouth as the "Smith Millennium Bridge". It is a recently rebuilt covered bridge and since it is dedicated in the new millennium, thus the name. The bridge was originally named after Jacob Smith, an early settler that lived next to the original covered bridge. The committee strongly supports Ought to Pass as Amended. **Vote 14-0.**

SCIENCE, TECHNOLOGY AND ENERGY

SB 45, relative to the legislative oversight committee on electric utility restructuring. **OUGHT TO PASS WITH AMENDMENT**

Rep. John H. Thomas for Science, Technology and Energy: This bill updates the membership and duties of the Legislative Oversight Committee on electric utility restructuring. The bill also limits the changes that the Public Utilities Commission (PUC) may make to approved special contracts for the six ski areas in the New Hampshire Electric Cooperative (NHEC) service

territory. The committee found that any changes to existing special contracts in the NHEC service territory would be detrimental to other NHEC customers. The NHEC could lose all revenue from the six ski areas which representatives of the NHEC testified would increase rates to all other NHEC customers. This bill also restores equity between ski areas in the NHEC service territory and ski areas in the Public Service of New Hampshire (PSNH) Service territory. **Vote 15-0**.

SB 93, establishing a committee to study the public health and environmental benefit of requiring stationary and mobile sources that burn virgin petroleum products or coal to comply with the requirements of the air toxic control act. **OUGHT TO PASS**

Rep. Roy D. Maxfield for Science, Technology and Energy: This bill establishes a limited two-year committee that will study the public health and environmental impact related to the burning of virgin petroleum products or coal. The Science, Energy and Technology Committee agrees with the need to review our requirements of the Toxic Air Control Act and to determine any compliance issues that we may need to correct. **Vote 15-0**.

SB 189-FN-A, establishing a gasoline remediation and elimination of ethers fund. **OUGHT TO PASS WITH AMENDMENT**

Rep. Jeb E. Bradley for Science, Technology and Energy: The bill as passed by the Senate creates a separate remediation fund for groundwater supplies contaminated by MtBE and other ethers. Gasoline taxes are not increased. Rather the 1.5 cent per gallon tax which funds the Oil Discharge and Disposal (ODD) Cleanup Fund, will have ¼ cent of the per gallon tax transferred into the new remediation fund. Testimony indicated the ODD Fund would not be adversely affected. With the new remediation fund, MtBE ground water contamination can be better treated. There was universal support for the bill. The committee amendment makes technical changes to the bill to allow efficient implementation of the remediation fund. There is language in the bill authorizing the Attorney General's Office to seek reimbursement from parties responsible for spills. **Vote 14-0**.

TRANSPORTATION

SB 67-FN, relative to costs of locating and apprehending persons improperly at large for driving-related offenses. **OUGHT TO PASS**

Rep. Robert J. Letourneau for Transportation: Each year the state has to deal with approximately $1,000,000.00 in default fines from violations of highway laws. State and local police departments are faced with strains on their financial resources. Many scofflaws escape paying fines unless stopped for other reasons. This bill would help with this issue by hiring a full time person to review and follow up the default cases. The money for the position would come from the bench warrant fund. From testimony received by the committee, we can expect to recoup up to $700,000.00 a year of these fines. **Vote 14-0**.

SB 84, relative to funeral processions. **OUGHT TO PASS WITH AMENDMENT**

Rep. Brenda L. Ferland for Transportation: I thought there were laws now to regulate funeral processions? Why do we need them? What could you possibly regulate? These were some of the questions that came up when this bill came to the House committee for a hearing. The bill then went to a subcommittee to clarify the language. The amended version requires that the lead vehicle shall use and be equipped with a purple flashing or emergency light. Each vehicle in the procession shall be marked by funeral flags or windshield signage. Headlights, taillights, and if so equipped with hazard flashers should be on. Automatic headlights started a problem in lines because you couldn't tell who was part of a procession. Operators of vehicles not part of a funeral processional shall not join them for the purpose of getting the right-of-way, they cannot pass on a two-lane highway, and they cannot proceed through a green lighted intersection unless they can do so without crossing the path of the funeral procession. Violations of these laws will be considered a moving violation under our motor vehicle code. Emergency vehicles still have the right-of-way governed by current RSAs that pertain to them. This bill will take effect January 2002, and that allows time for funeral directors to take the necessary steps to comply with the law. **Vote 13-0**.

SB 156, relative to the suspension of drivers licenses of persons under 20 years of age. **OUGHT TO PASS**

Rep. John W. Flanders for Transportation: This bill is the result of a study committee in the year 2000 to define the meaning of "misconduct, misuse or abuse" in RSA 263:14, III for those individuals under 20 years of age. This bill defines that language for suspensions of original licenses. **Vote 14-0**.

SB 184, relative to review of fees for the removal and impoundment of motor vehicles. **OUGHT TO PASS WITH AMENDMENT**

Rep. Brenda L. Ferland for Transportation: This bill came about as a result of a truck driver being charged a total of $5,200.00

for a towing incident. Upon further examination and an outcry from the trucking company, the bill was reduced to $3,300.00, and further reduced to $1,200.00. What this resulted in was the examination of the way towing fees are assessed. With this bill the owner or other person entitled to possession of the vehicle may challenge the reasonableness of the fee charged. After paying the fees, that person, within 15 days, can request in writing a review by the Commissioner of Safety. The Commissioner will review the charges and decide if a hearing is necessary and the hearing will be held within 30 days, and then the extent of removal and storage fees will be determined within another 30 days. The amendment was simply changing the number of a provision of the bill. **Vote 10-1**.

THURSDAY, MAY 17

REGULAR CALENDAR

EDUCATION

SB 13, relative to the duties of a school nurse and relative to school food and nutrition programs. **OUGHT TO PASS**

Rep. John R. Alger for Education: This bill eliminates mandatory testing for tuberculosis as recommended by the American Lung Association, while leaving such testing as a local option. The bill also provides that a school nurse may administer oxygen in a medical emergency, recommended by testimony from the Dept. of Safety, stating that on most occasions when EMS is dispatched to a school it is for asthma or other relief with oxygen. Finally, the bill relieves clerical work of districts, relative to yearly statistics for each student. **Vote 10-2**.

SB 68, relative to school district placements of children living in foster homes. **OUGHT TO PASS WITH AMENDMENT**

Rep. John R. Alger for Education: This bill simply authorizes a child placed by the court to remain in the school of prior attendance before placement, if it is in the best interest of the child, according to agreement between the parent or guardian and the superintendent or school board. **Vote 13-5**.

SB 135-FN-L, relative to kindergarten funding. **OUGHT TO PASS**

Rep. J. D. Colcord for Education: This bill amends RSA 198 to include new kindergarten programs implemented on or after July 1, 1999 in the Education Adequacy Grant Payment Program, at the rate as currently specified by law. This brings all public kindergarten programs to the same funding level, i.e. one-half of the adequacy grant. **Vote 17-1**.

JUDICIARY

SB64-FN-A, establishing a fund to pay mediators in the probate courts. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James W. Craig for the Majority of Judiciary: This bill establishes a Probate Court mediation fund which is continually appropriated to the Probate Court for payment of mediators. The bill requires the sum of $5.00 to be added to each Probate Court entry fee to be deposited into the fund. Mediation is not mandatory and the record of unsuccessful mediations shall not be released to judges or other court officers who later hear the case. Mediators shall be paid the sum of $300 per case and they will deal with all forms of family issues which require special expertise. It is expected that money paid into the fund will be more than offset by court costs and attorneys' fees saved, as well as the family resentments and bitterness which will be diffused by mediation. **Vote 13-3**.

Rep. Larry G. Elliott for the Minority of Judiciary: The minority, being unable to agree with the majority, find SB 64-FN-A should be Inexpedient to Legislate. This bill adversely affects the middle class by adding an additional $5.00 filing fee to their Probate Court matters, for which they may receive no benefit. In addition to that, this bill creates a fund to establish mediation which has a limited amount of resources so some persons seeking mediation will be denied because there are no funds available for mediation. Yet, they are still required to pay $5.00 to go toward someone else's mediation. Furthermore, this bill sets out no guidelines, no qualifications, and no direction other than it is voluntary to the courts. This bill as written allows the Probate Court to establish a program without direction from the legislature as to the program's design and shape. In conclusion, this creates an inequity between the Superior Court and the Probate Court because currently the Superior Court provides a

mediation program for free to users of the court and charges no additional fee to file a petition before the Superior Court. To be clear here, the mediators at the Superior Court level are unpaid, whereas mediators at the Probate Court level would receive as much as $300 for their services.

HOUSE DEADLINES

May 25, 2001, Friday	Last day to sign-off all supplemental bills.
May 30, 2001, Wednesday	Last day to report all Senate bills for action in the first-year session.
	Last day for committees to report list of retained Senate bills.
June 7, 2001, Thursday	Last day to act on all Senate bills in the first-year session.
	Supplemental day to amend House Rules by majority vote.
June 13, 2001, Wednesday	Last day to form committees of conference.
June 20, 2001, Wednesday by 5:00 p.m.	Last day to sign committee of conference reports.
June 26, 2001, Tuesday	Last day to act on committee of conference reports.
	Last day to introduce supplemental bills.

LAID ON TABLE

HB 50-FN-A-L, relative to sources of funding an adequate education. (Pending question is Inexpedient to Legislate.)

HB 185-FN-L**,** repealing the prospective repeals of the education property tax and related laws. (Pending question is the adoption of the majority committee report of Ought to Pass.)

HB 358-FN, relative to tolls on the Everett turnpike. (Pending question is the adoption of the committee report of Inexpedient to Legislate.)

HB 562-FN-A-LOCAL**,** establishing a New Hampshire education tax on consumption and transactions and accumulating certain principal sums in a state trust for education to provide for future education funding. (Pending question is the adoption of the committee report of Inexpedient to Legislate.)

HB 747-FN-LOCAL, relative to increases in the cost of an adequate education. (Pending question is the adoption of the committee amendment.)

HR 10, affirming revenue estimates for fiscal years 2001, 2002, and 2003. (Pending question is Ought to Pass.)

HOUSE BILLS AMENDED BY THE SENATE

HB 107, naming a certain bridge in the town of Milford. (House Concurred 5/17/01)

HB 142, establishing a committee to study encryption of confidential information. (House Concurred 5/17/01)

HB 143, establishing a committee to address the problem created by the shortage of health care personnel and support staff in New Hampshire. (House Concurred 5/17/01)

HB 230, relative to scheduled permanent impairment awards under the workers' compensation law. (House Concurred 5/17/01)

HB 232, relative to compensability of work-related stress injuries under the workers' compensation act. (House Concurred 5/3/01)

HB 238, relative to interstate banking. (House Nonconcurred; C-of-C 5/17/01)

HB 240, requiring the department of health and human services to develop a plan reducing the number of persons awaiting certain services for developmental disabilities. (House Nonconcurred; C-of-C 5/17/01)

HB 367, relative to the establishment of a town forest in the town of Randolph. (House Concurred 5/17/01)

HB 369, relative to driving in highway construction maintenance areas. (House Concurred 5/17/01)

HB 433, clarifying the duties of the oversight committee on health and human services. (House Concurred 5/17/01)

HB 489, relative to the regulation of rural electric cooperatives by the public utilities commission and relative to transition and default service. (House Concurred 4/19/01))

HB 532, establishing a committee to study the adequacy of funding for the continued universal distribution of children's vaccines. (SJ 4/12/01)

HB 585, relative to the membership and duties of the council on resources and development. (SJ 4/19/01)

COMMITTEES OF CONFERENCE

HB 238, relative to interstate banking. (Reps. Hunt, L. Fraser, Marshall and T. Reardon)

HB 240, requiring the department of health and human services to develop a plan reducing the number of persons awaiting certain services for developmental disabilities. (Reps. Batula, Burnham, Manning and Seldin)

COMMITTEE MEETINGS

MONDAY, MAY 21

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE, (RSA 126-A:13), Room 102, LOB

1:00 p.m. Regular meeting.

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

9:00 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

TUESDAY, MAY 22

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. Subcommittee work session on ***SB 124,*** relative to confidentiality in abuse and neglect proceedings and establishing a pilot program in the courts of Grafton county.

COMMERCE, Room 302, LOB

8:30 a.m. Subcommittee work session on ***SB 99,*** relative to the exemption from the community benefits law for charitable trusts.

9:30 a.m. Subcommittee work session on ***SB 47,*** relative to ownership of certified public accounting firms.

10:00 a.m. Subcommittee work session on ***HB 710-FN,*** relative to liquor licenses and fees and ***SB 98,*** relative to notice requirements prior to the sale of manufactured housing parks.

11:00 a.m. Subcommittee work session on ***SB 148,*** relative to certain penalties for violations of the youth tobacco laws.

Noon Subcommittee work session on ***SB 21,*** establishing a commission to develop recommendations for legislation to reduce regulatory barriers to the creation of affordable housing.

12:30 p.m. Subcommittee work session on ***SB 41,*** relative to technical corrections for life, accident and health insurance.

1:00 p.m. Continued public hearing on ***SB 76-FN,*** requiring attendance in an education and training program by those who obtain a liquor license and relative to applications for one-day liquor licenses.

2:00 p.m. Continued public hearing on ***SB 181***, relative to the manufacture, sale, or installation of certain smoke detectors.

3:00 p.m. ***SB 178***, establishing a committee to study the uniform computer information transactions act.

3:30 p.m. ***SB 126,*** relative to the use of certain credit data in underwriting certain insurance policies.

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. Executive session on pending legislation.

1:00 p.m. Subcommittee work session on ***SB 36-FN-A,*** making an appropriation to the postsecondary education commission for the purpose of tuition incentive grants.

ELECTION LAW, Room 308, LOB

10:00 a.m. ***SB 19,*** establishing a committee to study prevention of voter fraud.

10:45 a.m. ***SB 141,*** relative to proof of qualifications for voter registration.

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

EXCAVATING AND DREDGING PERMITS APPLICATION AND APPEAL PROCEDURES STUDY (HB 1127, Chapter 86:2, Laws of 2000), Room 303, LOB

2:00 p.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:00 a.m. Subcommittee work session on ***SB 158-FN,*** relative to payment of medical benefits for certain retirement system members retiring with combined creditable service or for certain members who have dependent children and ***SB 159-FN,*** relative to benefit options for surviving spouses and designated beneficiaries of deceased members of the retirement system.

10:00 a.m. ***SB 81-FN-A,*** regulating medication nursing assistants under the nurse practice act.

1:30 p.m. ***SB 39***, establishing the position of market conduct chief administrator in the insurance department.

2:00 p.m. ***SB 174-FN-A***, including Martin Luther King, Jr. Civil Rights Day as a holiday for which certain state employees are entitled to holiday pay and relative to employees of the department of

youth development services.

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

FINANCE, Rooms 210-211, LOB

1:00 p.m. ***SB 54***, relative to the transfer of funds in the community-technical college system.

1:30 p.m. ***SB 16-FN-A,*** relative to state financial aid for state fairs, and making an appropriation therefor.

2:00 p.m. ***SB 72-FN***, relative to payment of medical benefits costs for group II members of the retirement system.

2:30 p.m. ***SB 115-FN***, granting a cost of living adjustment to certain retired group II firefighters.

Executive session on pending legislation to follow.

FINANCE - (DIVISION I), Room 209, LOB

10:00 a.m. Work and executive session on the following retained bills:

HB 207-F-L, increasing the state aid contribution to municipalities that expand, upgrade, or develop new wastewater treatment facilities to provide for expanded septage handling and disposal capacity.

HB 253-FN, relative to mercury reductions.

HB 353-FN-A, relative to diversified agricultural development, and making an appropriation therefor.

FINANCE - (DIVISION II), ROOM 212, LOB

10:00 a.m. Work and executive session on the following retained bills:

HB 298-FN-L, relative to charter schools and establishing a charter school revolving fund.

HB 515-FN-L, establishing parental choice scholarships.

HB 629-FN-A, relative to equipment upgrades, improvements, or purchases at the regional vocational education centers and making an appropriation therefor.

HB 656-FN-L, relative to the formula for distributing school building aid grants.

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

11:00 a.m. Work and executive session on the following retained bill:

HB 555-FN-LOCAL, relative to the billing of counties for certain expenses by the department of health and human services.

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

10:00 a.m. ***SB 161-FN-A,*** relative to treatment for individuals with disabilities and making an appropriation therefor.

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

1:00 p.m. Subcommittee work session on ***SB 161-FN-A,*** relative to treatment for individuals with disabilities and making an appropriation therefor and ***SB 167-FN-A,*** relative to the medicaid payment for long-term care services.

JUDICIARY, Room 208, LOB

10:00 a.m. ***SB 114,*** establishing a committee to study issues relating to judicial reform, and making an appropriation therefor.

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

1:00 p.m. Subcommittee D work session on ***HB 280-FN,*** transferring the responsibility and authority of the judicial conduct committee and the attorney's professional conduct committee to the legislature, ***HB 281-FN,*** establishing an independent administrative office of the courts, ***HB 608-FN,*** establishing a judicial ethics advisory committee and ***SB 197-FN,*** restructuring the judicial conduct committee as an independent judicial conduct commission and making an appropriation therefor..

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Subcommittee work session on ***HB 285-FN-LOCAL,*** relative to the adoption of a state building code.

1:00 p.m. Subcommittee work session on ***HB 506,*** prohibiting the granting of certain variances from zoning ordinances.

2:00 p.m. Subcommittee work session on ***HB 522-LOCAL,*** establishing discretionary preservation easements for preserving historic agricultural structures.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:30 a.m. Subcommittee work session on ***SCR 2,*** calling on the President and the Congress to fully fund the federal government's share of the average per pupil expenditure in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act.

TRANSPORTATION, Room 203, LOB

10:00 a.m. ***SB 149-FN,*** permitting persons involved in motor vehicle accidents and certain medical researchers access to motor vehicle records.

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

WAYS AND MEANS, Room 202, LOB

10:00 a.m. ***SB 168-FN***, relative to education property tax hardship relief.

10:30 a.m. ***SB 170***, making certain changes to the excavation tax and excavation activity tax.

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

11:00 a.m. ***SB 142-FN***, relative to the collection of debts owed to the state.

1:00 p.m. Subcommittee work session on ***SB 28***, permitting disclosure of final decisions of the commissioner of revenue administration, ***HB 427,*** establishing a commission to study the taxation of trusts and the control of beneficiaries over trust management, ***SB 168-FN***, relative to education property tax hardship relief, ***SB 170***, making certain changes to the excavation tax and excavation activity tax, ***HB 378,*** requiring organizations engaged in the conduct of charitable gambling to reserve at least 80 percent of the revenue for use within New Hampshire, ***HB 558-FN-A-LOCAL,*** increasing certain state taxes, establishing a tax on gambling winnings, and expanding the meals and rooms tax to include a tax on entertainment, ***HB 644-FN-A-LOCAL,*** requiring the sweepstakes commission to hold a sealed bid auction for permits to operate slot machines and providing municipalities the option of allowing the operation of slot machines and ***HB 762-FN-A,*** increasing the tobacco tax to allow for a healthy families trust fund and for increased funding for the tobacco use

prevention fund.

WEDNESDAY, MAY 23

COMMERCE, Room 302, LOB

9:30 a.m. ***SB 102-A,*** making a capital appropriation to support affordable housing solutions in the state of New Hampshire.

10:30 a.m. ***SB 106,*** relative to consumers' cooperative associations.

11:30 a.m. ***SB 51,*** relative to financial holding companies; cash dispensing machines; the participation in meetings by out-of-state, nondepository trust company directors; and a clarification of the status of student loans.

1:30 p.m. ***SB 152-FN,*** relative to the regulation of business practices between motor vehicle manufacturers, distributors, and dealers.

2:30 p.m. ***SB 109,*** implementing certain federal regulations relative to setting minimum requirements for employee benefit plan procedures pertaining to the filing of benefit claims, notification of benefit determinations, and appeal of adverse benefit determinations.

3:30 p.m. ***SB 139,*** relative to uniform electronic transactions.

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

10:30 a.m. Subcommittee work session on ***HB 478,*** relative to campaign finance reporting requirements, availability of voter checklists on computer disks, and permissible campaign contributions by business organizations, ***HB 384,*** relative to political expenditures and ***HB 544-FN,*** relative to reporting by candidates of independent expenditures.

EDUCATION, Room 207, LOB

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

11:00 a.m. Subcommittee work session on ***HB 581-FN,*** relative to the authority of the commissioner of agriculture, markets, and food to search for invasive species.

ETHICS COMMITTEE (RSA 14-B:2), Room 304, LOB

8:30 a.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:00 a.m. Subcommittee work session on ***SB 81-FN-A,*** regulating medication nursing assistants under the nurse practice act.

10:00 a.m. ***SB 77***, relative to the regulation of plumbers and plumbing.

11:00 a.m. ***SB 192-FN***, relative to the issuance of high/medium voltage licenses by the electricians' board.

1:30 p.m. ***SB 128***, relative to stress injuries under the workers' compensation law and relative to disability retirement benefits and mental injury.

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

time the committee is initially convened.

FINANCE, Rooms 209, LOB

10:00 a.m. Subcommittee work session on ***HB 560-FN-A,*** establishing a contributory judicial retirement plan.

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

9:00 a.m. Rescheduled regular business.

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

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

JUDICIARY, Room 208, LOB

10:00 a.m. Subcommittee D work session on ***HB 280-FN,*** transferring the responsibility and authority of the judicial conduct committee and the attorney's professional conduct committee to the legislature, ***HB 281-FN,*** establishing an independent administrative office of the courts and ***HB 608-FN,*** establishing a judicial ethics advisory committee and ***SB 197-FN,*** restructuring the judicial conduct committee as an independent judicial conduct commission and making an appropriation therefor.

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. Subcommittee work session on ***SB 120,*** relative to tip pooling for certain hourly employees.

10:00 a.m. Subcommittee work session on ***SB 53,*** relative to attorneys' fees in certain circumstances under the workers' compensation law.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. Subcommittee work session on ***HB 432,*** relative to the limit on appropriations to the capital reserve fund of a county.

10:30 a.m. Full committee work session on ***HB 285-FN-LOCAL,*** relative to the adoption of a state building code.

3:00 p.m. ***SB 188-FN-L***, relative to abatements and appeals of betterment assessments.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee work session on ***HB 316-FN,*** establishing the position of state energy manager, ***HB 695,*** relative to net energy metering, ***HB 681,*** relative to imposition of fines for anti-competitive acts by electric utilities and relative to billing by electric and gas utilities, ***HB 755,*** relative to groundwater contamination and gasoline sampling, ***HB 423,*** relative to public utilities mergers and ***HB 718-FN,*** establishing minimum renewable standards for energy portfolios.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. ***SB 183-FN-A-L***, relative to distribution of certain meals and rooms tax revenue to municipalities with affordable housing.

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

12:30 p.m. Subcommittee work session on ***HB 592-FN-A,*** relative to a milfoil prevention and research grant program and fund.

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

THURSDAY, MAY 24

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

Immediately following the House session executive session on pending legislation.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

Immediately following the House session executive session on pending legislation.

TUESDAY, MAY 29

ELECTION LAW, Room 308, LOB

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

WEDNESDAY, MAY 30

RULES COMMITTEE, Room 100, State House

3:00 p.m. Public hearing.

Executive session to follow.

FRIDAY, JUNE 1

NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), Community Development Finance Authority (CDFA), 14 Dixon Avenue, Concord

9:00 a.m. Regular meeting.

FRIDAY, JUNE 8

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

9:00 a.m. Regular meeting.

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3), Room 102, LOB

9:00 a.m. Work session.

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), Room 207, LOB

10:00 a.m. Regular meeting.

MONDAY, JUNE 11

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

9:30 a.m. Regular meeting.

COMMISSION TO STUDY THE RELATIONSHIP BETWEEN PUBLIC HEALTH AND THE ENVIRONMENT (HB 1390, Chapter 114:2, Laws of 2000), Room 205, LOB

10:00 a.m. Regular meeting.

FRIDAY, JUNE 15

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

9:00 a.m. Regular meeting.

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3), Room 207, LOB

9:00 a.m. Regular meeting.

FRIDAY, JUNE 22

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

10:00 a.m. Regular meeting.

OFFICIAL NOTICES

The bound volumes of the 2000 Session Laws are now available on a first come, first served basis in the Office of Legislative Services for those members who are interested. A limited number of volumes of 1999 Session Laws are still available.

Carol J. Holahan, Director, Legislative Services

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Pursuant to RSA 326-B:12, the Joint Health Council will meet at the NH Board of Nursing, Room 17, 78 Regional Drive, Building 2, Concord, on Monday, June 4 at 5:30 p.m.

Karen O. Wadsworth, Clerk of the House

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When the House Clerk's Office is aware of House Members who are hospitalized or homebound by serious illness, we will publish a list of names and addresses requested.

Irene A. Pratt, 66 Clark Road, Winchester, New Hampshire 03470-2201.

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

Karen O. Wadsworth, Clerk of the House

REVISED AMENDED FISCAL NOTES

The following HBs have revised or amended fiscal notes: HB 105, 123, 152, 169, 170, 172, 173, 174, 175, 176, 177, 179, 180, 181, 183, 184, 185, 186, 189, 204, 205, 207, 208, 209, 210, 211, 213, 214, 218, 253, 270, 274, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 293, 298, 299, 302, 303, 305, 308, 309, 313, 314, 315, 316, 317, 318, 319, 321, 322, 324, 325, 326, 327,328, 329, 334, 335, 337, 341, 344, 346, 347, 348, 362, 414, 429, 459, 463, 471, 511, 523, 535, 538, 543, 544, 547, 548, 549, 552, 555, 556, 557, 559, 560, 561, 587, 592, 603, 604, 605, 606, 629, 643, 644, 648, 649, 654, 655, 656, 667, 675, 708, 710, 713,

715, 736, 741, 743, 744, 745, 747, 748, 749, 754, 755, 758, 760, 762 and 765. SB 69, 114, 143, 167, 178, 188.

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

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

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The Legislative Military Association will be meeting on Wednesday, May 23 in Room 201, LOB at 1:00 p.m. for a presentation by Barry E. Conway, Commandant of the New Hampshire Veterans' Home and Dennis Viola from the State Veterans Council, to brief the association on any issues on veterans' health care and benefits.

Rep. Lawrence J. Guay

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All freshmen legislators are invited to attend the Freshmen 2001 Assembly at 8:15 a.m. on Thursday, May 24th in the cafeteria. We will finalize plans for the June 6th social gathering. This informal social group is open to all freshmen of both parties.

Reps. Edward R. Leach, Hilda W. Sokol, John A. Graham and Nancy M. Scovner

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The Osteoporosis Prevention and Education Council invites you to our Annual Legislative Awareness Day on Thursday, May 31 at 11:00 a.m. in Room 105A, State House. There will be exhibits, educational material and of course great luncheon treats.

Rep. Barbara C. French

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The Nashua Democratic City Committee invites you to their Spring Fling. This event will be held on June 2 from 6:00 p.m. to midnight at the American Legion Hall, Court Street, Nashua. There will be fine food, a silent auction, and a bugaloo dance contest. Tickets are $25 per person or $45 per couple. See Reps. Jane Clemons or Mary Gorman for information and tickets.

Rep. Mary Gorman

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The Kids Cabinet will meet at 2:00 p.m. in the Governor and Council Chambers on Friday, June 15.

Rep. Raymond Buckley

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The Second Annual OWLS Golf Tournament will be held on Monday, June 18 at the Passaconway Golf Club, Litchfield. Fees include Continental Breakfast, Steak Dinner, Green Fees, Golf carts and great camaraderie and prizes. For more information contact Reps Julie Brown or Karen McRae

Rep. Betsy McKinney

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Save the date! Governor Shaheen's annual barbecue for legislators and staff will be Thursday, June 21st from 4:00 to 8:00 p.m. at Bridges House. Food, fun and frosty drinks.

Rep. Peter H. Burling

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The Belknap County Republicans Chicken Barbecue Annual Picnic will be held at the Smith Meeting House Road, Gilmanton from 11:00 a.m. to 2:30 p.m. on Saturday, June 23. Tickets are $15 per person.

Rep. Thomas Rice

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The International Trade Resource Center located at the Pease International Tradeport, Portsmouth is hosting a Legislative Awareness Day on Monday, June 25. Exports play a significant role in the state's economy and your awareness of this resource will serve you well with businesses in your district. Details of the days activities will be available in the near future. Set the date on your calendar, you will not be disappointed.

Rep. Lawrence J. Guay

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The Department of Transportation will hold the following meetings:

May 23 – Keene Public Library, 60 Winter Street, Keene, 6:30 p.m. Final design ATF meeting, Keene-Swanzey, NH Route 9, 19,12 and 101 upgrade.

May 24 – Londonderry High School Cafeteria, 295 Mammoth Road, Londonderry, 6:00 p.m. Resource Agency meeting, Salem-Manchester, I-93 widening

May 24 – Wayfarer Inn, Bedford, 8:00 a.m. 3rd Annual Conference, Bike/Ped Conference.

Rep. Edwin O. Smith

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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 May 2001.

Please contact the Visitors' Center concerning additional information. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

DATE	TIME	GROUP	CLASS/Size
May 21	9:00	Epsom Central School	4/50
May 21	11:00 & 12:30	John Fuller Elem – N. Conway	4/50
May 22	9:30 & 11:00	Plymouth Elem	4/75
May 23	10:00	Groveton Elem	4/50
May 23	11:00	Dondero Elem – Portsmouth	4/45
May 23	1:00	Pierce Elem – Bennington	4/20
May 24	9:30	Salem Christian School	4/25
May 24	11:00	Campton Elem School	4/45
May 24	1:00	St. Mary's – Claremont	4 & 6-8/35
May 25	9:30 & 11:00	Hanover St. School – Lebanon	4/85
May 25	12:30	Ed Fenn School – Gorham	4/50
May 29	9:30 & 11:00	Green Acres School – Manchester	4/75
May 30	9:30 & 11:00	Green Acres School – Manchester	4/50
May 30	1:00	Berlin Jr High	8/35
May 31	9:30 & 11:00	Hillsboro Deering Elem School	4/60
May 31	11:00	Mt. Shadow School – Dublin	6/12
May 31	1:00	Bartlett School – Berlin	3/50
June 1	9:30 & 11:00	Hillsboro Deering Elem School	4/75

NOTICE

The **28th Annual Bill White Memorial Legislative Golf Tournament** is scheduled for Monday, June 11 at Androscoggin Valley Country Club in Gorham, NH. The entry fee for this annual tourney is $60 per person and includes greens fee, cart, barbecue and prizes. A *shot-gun* start is scheduled for 9:00 a.m. The format is "Captain and Crew." Sign-up as a foursome or sign-up by yourself and be placed in a foursome. A maximum of 120 players will be allowed. Please return your entry and payment no later than May 29th to Sandy Wheeler at the LOB Lobby Desk. Please make checks payable to Legislative Golf Tournament, care of David S. Saltmarsh.

For your convenience, arrangements have been made with the Town & Country Motor Inn (located directly across the street from the golf course) for special lodging rates of $44 plus tax per person, per night for those of you who may choose to come up early or stay late. If you choose to stay over, you must book your room in advance by calling the Inn at 1-800-325-4386. Speaker Chandler will be hosting a reception at the Town and Country Inn from 5:30 to 7:00 p.m. on Sunday evening. We are planning other events for Sunday and Monday, details to follow.

Reps. David M. Scanlan and Peter H. Burling

28th Annual Bill White Memorial Legislative Golf Tournament

Names (1)_____(2)_____

(3)_____(4)_____

Telephone No: _____ Amount Enclosed: _____

NOTICE

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

Carol J. Holahan, Director

SPONSOR	COUNTY	DISTRICT	LSR NUMBER
Alger, John	Grafton	09	2001-H-2245-L
Allen, Peter	Cheshire	07	2001-H-2142-R
Balboni, Michael	Hillsborough	27	2001-H-2158-R
Bouchard, Candace	Merrimack	22	2001-H-2329-R
Buckley, Raymond	Hillsborough	44	2001-H-2312-R
Chalbeck, Kevin	Rockingham	08	2001-H-2158-R
Chandler, Gene	Carroll	01	2001-H-2290-R
Christiansen, Lars	Hillsborough	23	2001-H-2340-R
Crosby, Toni	Merrimack	20	2001-H-2042-R
DeChane, Marlene	Strafford	06	2001-H-2059-R
Dickinson, Howard	Carroll	02	2001-H-2343-R
Dowling, Patricia	Rockingham	13	2001-H-2234-R
Dowling, Patricia	Rockingham	13	2001-H-2291-R
Duval, Jeffrey	Hillsborough	42	2001-H-2158-R
Fraser, Leo	Merrimack	09	2001-H-2042-R
Giordano, Ronald	Rockingham	26	2001-H-2128-R
Griffin, Mary	Rockingham	27	2001-H-2128-R
Holden, Randolph	Hillsborough	07	2001-H-2158-R
Hutchinson, John	Merrimack	15	2001-H-2221-R
Katsakiores, Phyllis	Rockingham	13	2001-H-2213-R
Kurk, Neal	Hillsborough	05	2001-H-2025-R

Lockwood, Priscilla	Merrimack	09	2001-H-2108-R
McHugh, Claire	Hillsborough	26	2001-H-2188-R
Melcher, Harold	Hillsborough	11	2001-H-2142-R
Micklon, Stephanie	Rockingham	26	2001-H-2213-R
Mirski, Paul	Grafton	12	2001-H-2343-R
Pepino, Leo	Hillsborough	40	2001-H-2123-R
Power, Lucille	Rockingham	13	2001-H-2188-R
Proulx, Raymond	Strafford	12	2001-H-2059-R
Putnam, Ed	Rockingham	15	2001-H-2343-R
Quandt, Marshall	Rockingham	20	2001-H-2059-R
Quandt, Matthew	Rockingham	20	2001-H-2059-R
Souza, Kathleen	Hillsborough	40	2001-H-2194-R
Sova, Charles	Grafton	11	2001-H-2013-R
Sova, Charles	Grafton	11	2001-H-2029-R
Sova, Charles	Grafton	11	2001-H-2030-L
Sova, Charles	Grafton	11	2001-H-2290-R
Spiess, Paul	Hillsborough	14	2001-H-2042-R
Stone, Joseph	Rockingham	07	2001-H-2025-R
Sullivan, P Judith	Carroll	02	2001-H-2245-L
Thompson, Rob	Hillsborough	47	2001-H-2002-R
Thompson, Rob	Hillsborough	47	2001-H-2022-R
Thulander, O Alan	Hillsborough	06	2001-H-2025-R
Vaillancourt, Steve	Hillsborough	44	2001-H-2055-R
Weed, Charles	Cheshire	19	2001-H-2158-R
Wendelboe, Fran	Belknap	02	2001-H-2317-R
Woodill, Rodney	Strafford	02	2001-H-2059-R

THURSDAY, MAY 24

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2001-1105h

Amendment to HB 550-FN

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

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

AN ACT relative to destruction of information.

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

1 New Paragraph; Destruction of Certain Information Prohibited. Amend RSA 641:7 by inserting after paragraph III the following new paragraph:

IV. Knowingly and purposely destroys any information, electronic or written, which is requested for inspection pursuant to RSA 91-A prior to such inspection. If a request for inspection is denied on the grounds that the information is exempt from RSA 91-A, the requested material shall be preserved for 90 days or while any lawsuit pursuant to RSA 91-A:7-8 is pending.

2 Effective Date. This act shall take effect January 1, 2002.

AMENDED ANALYSIS

This bill declares that any information requested pursuant to the right-to-know law shall not be destroyed prior to such inspection. This bill provides a procedure for when inspection is denied. Under this bill, any person who purposely and knowingly violates this provision shall be guilty of a misdemeanor.

2001-1078h

Amendment to SB 45

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

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

AN ACT relative to the legislative oversight committee on electric utility restructuring and relative to service from a rural electric cooperative under special contracts.

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

4 Purpose and Findings. The general court finds that restructuring of the electric utility industry should not result in changes in the total rates of customers taking service under special contracts with a rural electric cooperative for the duration of those contracts, consistent with the general court's determination with respect to special contract customers of Public Service Company of New Hampshire in RSA 369-B:3, IV(b)(10).

5 New Section; Rural Electrification Associations; Special Contracts. Amend RSA 301 by inserting after section 61 the following new section:

301:62 Special Contracts. The commission shall not order changes in the total rates or impose stranded cost, system benefits, or other restructuring charges under RSA 374-F if the result would be to cause changes in the total rates charged to, or the accounting for revenue received from customers taking service from a rural electric cooperative under special contracts approved pursuant to RSA 378:18 for the duration of those special contracts in effect as of May 1, 2000.

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

AMENDED ANALYSIS

This bill updates the membership and duties of the legislative oversight committee on electric utility restructuring. This bill also limits the changes that the public utilities commission may make to certain approved special contracts for service from a rural electric cooperative.

2001-1207h

Amendment to SB 64-FN-A

Proposed by the Majority of the Committee on Judiciary - R

Amend RSA 490:27, II as inserted by section 2 of the bill by replacing it with the following:

II.(a) There is established in the office of the state treasurer a separate fund to be known as the probate court mediation fund. The sum of $5 shall be added to each entry fee collected in the probate courts and shall be deposited in the fund for paid mediation in the probate courts. Costs of probate court mediators may be paid from this fund, provided that:

(1) Participation in the mediation sessions is not mandated by the court; and

(2) Mediation reports shall not be released to any judge or other officer of the court who may later decide or rule on the case without the written consent of all parties participating in the mediation.

(b) Moneys in the fund shall be continually appropriated to the probate court and used to pay probate court mediators subject to the conditions under subparagraph (a) and as recommended and approved by the administrative justice of the probate court.

AMENDED ANALYSIS

This bill establishes a probate court mediation fund, which is continually appropriated to the probate court for payment of mediators. The sum of $5 shall be added to each entry fee collected in the probate courts and shall be deposited in this fund. This bill also prevents court-ordered mediation.

2001-1176h

Amendment to SB 68

Proposed by the Committee on Education - R

Amend the bill by replacing section 2 with the following:

2 Education of Children Placed in Homes for Children, Health Care Facilities, or State Institutions; Right of Attendance. Amend RSA 193:28 to read as follows:

193:28 Right of Attendance. Whenever any child is placed and cared for in any home for children, or is placed by the department of health and human services in the home of a relative or friend of such child pursuant to RSA 169-B, RSA 169-C, RSA 169-D, or RSA 463, such child, if of school age, shall be entitled to attend***:***

I. The public schools of the school district that the child attended prior to placement, if continuing in the same school district is in the best interest of the child as determined by the parent or guardian and the school superintendent or school board, if the home is within a reasonable distance of the school to be attended, and if suitable transportation can be arranged without imposing additional transportation costs on a school district or the department of health and human services; or

II. The public schools of the school district in which said home is located, unless such placement was solely for the purpose of enabling a child residing outside said district to attend such schools, provided that the school district for a child placed in a group home, as defined in RSA 170-E:25, II(b), within a cooperative school district, shall be the cooperative school district, not the pre-existing district within the cooperative.

AMENDED ANALYSIS

This bill allows children in court-ordered placements to continue attending the school that they attended prior to the placement if continuing in the same school is in their best interest as determined by the parent and school, if the home is within a reasonable distance of the school, and if suitable transportation arrangements can be made.

2001-1060h

Amendment to SB 84

Proposed by the Committee on Transportation - C

Amend RSA 265:156, II as inserted by section 1 of the bill by replacing it with the following:

II. All vehicles comprising a funeral procession shall follow the preceding vehicle in the funeral procession as closely as is practical and safe. Each vehicle of the funeral procession shall be appropriately marked by having funeral flags or windshield signage, and headlights, taillights, and, if so equipped, hazard flasher on. A funeral escort or funeral lead vehicle shall use and be equipped with a purple flashing or emergency light.

Amend RSA 265:157, II-IV as inserted by section 1 of the bill by replacing them with the following:

II. Operators of vehicles not part of a funeral processional shall not join a funeral procession for the purpose of securing the right-of-way granted in RSA 265:156, I.

III. An operator of a vehicle not in a funeral procession shall not attempt to pass vehicles in a funeral procession on a 2-lane highway or roadway.

IV. When a funeral procession is proceeding through a red signal as permitted by RSA 265:156, I, a vehicle that is not in the funeral procession may not enter the intersection, even if the vehicle is facing a green signal, unless it can do so without crossing the path of the funeral procession.

2001-1183h

Amendment to SB 103

Proposed by the Committee on Commerce

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

1 Bingo and Lucky 7; Definitions; Charitable Organization. Amend RSA 287-E:1, V to read as follows:

V. "Charitable organization" means any bona fide religious, charitable, civic, veterans or fraternal organization which shall have been ***registered with the secretary of state for at least 2 years and*** in existence and organized under the laws of this state for at least 2 years in a town or city ***in this state***, and [~~to which contributions are exempt from federal income tax~~] ***which possesses a tax exempt status under Internal Revenue Code 501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) or is covered under a group ruling issued by the Internal Revenue Service under authority of those sections***. To be eligible for licensure under this chapter, a charitable organization shall do all of the following:

(a) Document that [~~contributions to the organization are~~] ***it is*** exempt from federal income tax.

(b) Establish that the religious, civic, fraternal, veterans, or charitable purposes for which it was organized, other than charitable gambling, are furthered through activities conducted in the town or city in which the charitable organization is organized.

(c) Register ***with the secretary of state and***, if required under RSA 7:19-32-a, with the director of charitable trusts.

(d) Maintain a current list of bona fide members.

(e) Document that the organization has tax exempt status under Internal Revenue Code 501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) or is covered under a group ruling issued by the Internal Revenue service under authority of those sections.

A charitable organization shall not include auxiliary units, committees or other entities organized under the auspices of a charitable organization eligible for licensure under this chapter, when such auxiliary unit, committee, or other entity is organized for the primary purpose of conducting bingo games.

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

2001-1112h

Amendment to SB 111-FN

Proposed by the Committee on Executive Departments and Administration - C

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

AN ACT extending the payment of group health insurance premiums for certain retired members of the retirement system.

Amend RSA 100-A:52-a, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Any person [~~who has completed no less than 20 years of group I creditable service, but~~] who for reasons other than retirement or death [~~ceased~~] ***ceases*** to be a group I teacher [~~member~~] or political subdivision employee [~~member~~] prior to attaining the age of 60, and who, as of July 1, [~~2004~~] ***2008***, receives a vested deferred retirement allowance and who ***has completed no less than 20 years of group I creditable service and*** subsequently attains the age of 60***, or who has completed no less than 30 years of group I creditable service and subsequently attains the age of 55***.

AMENDED ANALYSIS

This bills extends the time period for the payment for group health insurance premiums for teacher and political subdivision member retirees in the retirement system. The bill also extends the payment of health insurance premiums to certain vested deferred retirees.

2001-1088h

Amendment to SB 157

Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing section 3 with the following:

3 Department of Cultural Resources; Rulemaking Authority Amend RSA 21-K:8, VII to read as follows:

VII. ***New Hampshire state government information access*** libraries and retention schedules for state publications ***as provided in RSA 202-B***.

Amend RSA 202-B:2, VI as inserted by section 4 of the bill by replacing it with the following:

VI. "State government information product" means a state publication or other discrete compilation of state government information of general public interest, either conveyed in a tangible physical format including electronic media, or disseminated via a state government electronic information service.

Amend the section heading and paragraph I of RSA 202-B:4 as inserted by section 4 of the bill by replacing it with the following:

202-B:4 Copies of State Government Information Products.

I. Each agency component of state government shall produce 25 copies of its tangible state government information products for deposit with the state librarian. The state librarian shall make tangible products available through distribution to program libraries and shall ensure program libraries and general public access to state information products available via state electronic information services as soon as practicable.

2001-1061h

Amendment to SB 184

Proposed by the Committee on Transportation - C

Amend RSA 262:35-a, I as inserted by section 1 of the bill by replacing it with the following:

I. All fees charged for the removal and storage of any vehicle caused to be removed by an authorized official pursuant to RSA 262:32 or RSA 262:40-a shall be reasonable, and may reflect market variables, including, but not limited to, distance traveled to and from the storage facility, vehicle size and weight, the amount of time needed to remove and store the vehicle, and personnel costs. If the owner or other person lawfully entitled to possession of the vehicle wishes to challenge the reasonableness of the fee

charged, the owner or other person may pay over to the custodian of the vehicle an amount equal to the towing and storage charges to secure the release of the vehicle, and, within 15 days of the release of the vehicle, request in writing a review by the commissioner of safety. The commissioner of safety shall review the towing and storage charge and determine if there are sufficient grounds to conduct a hearing to determine whether the charge was reasonable. If the commissioner determines that a hearing is necessary, the hearing shall be held within 30 days after review by the commissioner, at which time the extent of removal and storage fees shall be determined. The commissioner shall issue a decision within 30 days after holding a hearing. Notwithstanding RSA 262:25, any person aggrieved by a decision of the commissioner under this section may appeal the decision to the superior court in the same manner as that prescribed in RSA 263:75, II and III. If no request for review is filed within the 15 day period, the owner or other person lawfully entitled to possession of the vehicle shall be deemed to have waived all rights to review under this section and shall be liable for the total amount billed.

2001-1209h

Amendment to SB 189

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

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

1 Oil Discharge and Disposal Cleanup Fund; Purpose. Amend RSA 146-D:1 to read as follows:

146-D:**1** Purpose. The general court finds that gasoline and diesel fuel, due to their extreme fluidity and suspected carcinogenic qualities, comprise a sufficiently distinct class of property which represents a potential serious health and safety problem to the citizens of New Hampshire. In particular, gasoline and diesel fuel present a potential threat to the quality of New Hampshire's groundwater and environment because of the speed with which these products are able to flow into, and contaminate, valuable groundwater supplies. The purpose of this chapter is to establish financial responsibility for the cleanup of oil discharge and disposal, and to establish a fund to be used in addressing the costs incurred by the owners of underground storage facilities and bulk storage facilities for the cleanup of oil discharge and disposal, to protect groundwater, and for reimbursement for third party damages. ***An additional purpose is to provide a funding source for cleanup and reimbursement for discharges of gasoline ethers pursuant to RSA 146-G.*** The fund established under this chapter shall be in addition to the oil pollution control fund established pursuant to RSA 146-A:11-a***, and the gasoline remediation and elimination of ethers fund established under RSA 146-G***.

2 New Paragraphs; Definitions. Amend RSA 146-D:2 by inserting after paragraph VII the following new paragraphs:

VIII. "Gasoline" means all products commonly or commercially known or sold as gasoline, including casinghead and absorption of natural gasoline, regardless of their classification or uses, and any liquid prepared, advertised, offered for sale, or sold for use as or commonly and commercially used as a fuel in internal combustion engines, which when subjected to distillation in accordance with the standard method of test for distillation of gasoline, naphtha, kerosene, and similar petroleum products (ASTM Designation D-86) show not less than 10 percent distilled (recovered) below 347 degrees Fahrenheit (175 degrees Centigrade) and not less than 95 percent distilled (recovered) below 464 degrees Fahrenheit (240 degrees Centigrade); provided that the term gasoline shall not include commercial solvents or naphthas which distill by ASTM method D-86 not more than 9 percent at 176 degrees Fahrenheit and which have a distillation range of 150 degrees Fahrenheit or less, or liquefied gases which would not exist as liquid at a temperature of 60 degrees Fahrenheit and a pressure of 14.7 pounds per square inch absolute.

IX. "Diesel fuel" means a liquid hydrocarbon fuel used in internal combustion high speed engines that operate with a diesel thermodynamic cycle.

3 Fund Established. RSA 146-D:3, VI is repealed and reenacted to read as follows:

VI. The fee collected on motor fuels shall be deposited in the oil discharge and disposal cleanup fund, except as provided in subparagraph (b), and divided as follows:

(a) For each gallon of diesel fuel for which a fee is assessed, $.014 shall be placed in an account for reimbursement of owners of eligible underground storage facilities and $.001 shall be placed in an account to be used for reimbursement of owners of eligible bulk storage facilities.

(b) For each gallon of gasoline for which a fee is assessed, $0.0115 shall be placed in the underground storage facilities account, $0.001 shall be placed in the bulk storage facilities account and $0.0025 shall be placed in the gasoline remediation and

elimination of ethers fund established under RSA 146-G.

(c) For all fees assessed on gasoline during the period from January 1, 2001 to July 1, 2001 and deposited in the account for reimbursement of owners of eligible underground storage facilities, 18 percent of those fees shall be transferred to gasoline remediation and elimination of ethers fund established under RSA 146-G.

4 New Chapter; Gasoline Remediation and Elimination of Ethers Fund. Amend RSA by inserting after chapter 146-F the following new chapter:

CHAPTER 146-G

GASOLINE REMEDIATION AND ELIMINATION OF ETHERS FUND

146-G:1 Purpose.

I. In recognition of its fiduciary responsibility to minimize the contamination of our citizens' drinking water and the water sources of the state, the general court finds that ethers contained in gasoline, due to their extreme fluidity, recalcitrance to natural degradation, low taste and odor thresholds, and probable carcinogenic qualities, comprise a sufficiently distinct class of property which represent a particular, present, and rapidly escalating threat to the quality of all the water of the state and, thereby, to our citizens. The general court also finds that potentially serious health, safety, and environmental problems are evidenced due to the speed with which ethers are able to flow into, contaminate, and accumulate in invaluable groundwater supplies.

II. The purpose of this chapter is to provide procedures that will expedite the cleanup of gasoline ether spillage, mitigate the adverse affects of gasoline ether discharges, encourage preventive measures, impose a fee upon importers of neat gasoline ethers into the state and establish a fund for the remediation of groundwater and surface water contaminated by gasoline ethers. The fund may also be used to provide financial reimbursement to owners of public and private water supplies for the treatment and removal of gasoline ethers and associated contaminants from those supplies. The fund established under this chapter shall be in addition to the oil pollution control fund established pursuant to RSA 146-A:11-a and is separate from the oil discharge and disposal cleanup fund established pursuant to RSA 146-D:3.

146-G:2 Definitions. In this chapter:

I. "Discharge" or "spillage" means the release or addition of any gasoline containing ethers to land, groundwater, or surface water.

II. "Distributor" means any person, wherever resident or located, who imports or causes to be imported neat gasoline ethers, as defined in this section, into the state; provided, however, that bringing gasoline into the state in the fuel supply tank attached to the engine of a vehicle or aircraft shall not be considered importing. "Distributor" does not mean a spill cleanup organization or other person acting to contain, remove, clean up, restore, or take other remedial or corrective action or measures with regard to the spillage or discharge of gasoline or neat gasoline ethers, or threatened spillage or discharge of gasoline or neat gasoline ethers.

III. "Ethers" means organic compounds formed by the treatment of an alcohol with a dehydrating agent resulting in 2 organic radicals joined by an oxygen atom.

IV. "Facility" means a location, including structures or land, at which gasoline is subjected to treatment, storage, processing, refining, pumping, transfer, or collection.

V. "Gasoline" means all products commonly or commercially known or sold as gasoline, including casinghead and absorption of natural gasoline, regardless of their classification or uses, and any liquid prepared, advertised, offered for sale, or sold for use as or commonly and commercially used as a fuel in internal combustion engines, which when subjected to distillation in accordance with the standard method of test for distillation of gasoline, naphtha, kerosene, and similar petroleum products (ASTM Designation D-86) show not less than 10 percent distilled (recovered) below 347 degrees Fahrenheit (175 degrees Centigrade) and not less than 95 percent distilled (recovered) below 464 degrees Fahrenheit (240 degrees Centigrade); provided that the term gasoline shall not include commercial solvents or naphthas which distill by ASTM method D-86 not more than 9 percent at 176 degrees Fahrenheit and which have a distillation range of 150 degrees Fahrenheit or less, or liquefied gases which would not exist as liquid at a temperature of 60 degrees Fahrenheit and a pressure of 14.7 pounds per square inch absolute.

VI. "Gasoline ethers" means any ether added to gasoline to improve or increase octane or to increase

gasoline oxygen content, and their by-products, including, but not limited to, methyl tertiary butyl ether (MtBE), tertiary amyl methyl ether (TAME), di-isopropyl ether (DIPE), and ethyl tertiary butyl ether (EtBE). "Gasoline ethers" shall not include prepackaged goods intended for retail consumer use including, but not limited to, starting fluid and octane booster.

VII. "Gasoline remediation and elimination of ethers fund" means the fund established pursuant to RSA 146-G:4.

VIII. "Gasoline terminal facility" means any facility of any kind and its related appurtenances located within the boundaries of this state that is used or capable of being used for pumping, handling, transferring, processing, refining, or storing gasoline.

IX. "Groundwater" means subsurface water that occurs beneath the water table in soils and geologic formations.

X. "Neat gasoline ethers" mean ethers intended for blending with gasoline prior to sale to the public which are imported into the state with little or no admixtures or dilution. Neat gasoline ethers shall contain a minimum of 92.1 percent by volume ether, including its impurities.

XI. "Removal costs" means the costs of containment, removal, cleanup, restoration, and remedial or corrective action or measures that are incurred after a spillage or discharge of gasoline has occurred or, in any case in which there is a threat of a spillage or discharge of gasoline, the cost to prevent, minimize, or mitigate gasoline pollution from such an incident.

XII. "Surface water" means streams, lakes, ponds, and tidal waters within the jurisdiction of the state, including all streams, lakes, or ponds bordering on the state, marshes, watercourses, and other bodies of water, natural or artificial.

XIII. "Vessel" includes every description of watercraft or other contrivance used, or capable of being used as a means of transportation on water or land whether self-propelled or otherwise and shall include barges, tanker trucks, and railroad cars.

146-G:3 Recovery by State. Recovery of costs of containment cleanup, removal, or corrective measures expended under this chapter shall be in accordance with RSA 146-A:9.

146-G:4 Fund Established.

I. There is hereby established the gasoline remediation and elimination of ethers fund. This nonlapsing, revolving fund shall be used to pay the costs to implement the provisions of this chapter which include, but are not limited to, the salaries and expenses of personnel, as approved by the legislature, to the extent that such salaries and expenses are incurred in implementing the provisions of this chapter, testing and monitoring activities, and other costs of treatment or removal or corrective measures deemed necessary by the department of environmental services as a result of an actual or potential discharge of gasoline ethers into or onto the surface water or groundwater of the state. Moneys from the fund shall be used to mitigate the adverse affects of gasoline ether discharges including, but not limited to, provision of emergency water supplies to persons affected by such pollution, and, where necessary as determined by the department of environmental services, the establishment of an acceptable source of potable water to injured parties. Not more than $150,000 shall be allocated annually for research programs dedicated to the development and improvement of preventive and cleanup measures concerning such gasoline ether discharges. The waste management council shall approve any agreements entered into by the department for purposes of conducting research. Income derived from the fund shall only be used for those administrative costs needed to implement this chapter.

II. Moneys in the fund not currently needed to meet the obligations of the department of environmental services under this chapter shall be deposited with the state treasurer to the credit of the fund and shall be invested as provided by law. Interest received on such investment shall also be credited to the fund. If the fund's balance becomes greater than $2,500,000, the transfer of moneys into the fund as established in RSA 146-D:3 shall be discontinued and only re-established when the fund's balance is below $1,000,000. Those fees normally transferred to the gasoline remediation and elimination of ethers fund shall accumulate instead in the account for reimbursement of owners of eligible underground storage facilities under RSA 146-D:3,VI.

III. All moneys paid to the state to reimburse costs paid out of the gasoline remediation and elimination of ethers fund by any person strictly liable to the state under RSA 146-A:3-a shall be placed in the gasoline remediation and elimination of ethers fund.

146-G:5 Competitive Bidding Required.

I. Except as provided in paragraph II, the commissioner of environmental services shall enter into the competitive bidding process for any project undertaken by the department of environmental services under the authority of this chapter with an

estimated cost of $10,000 or more. The commissioner may enter the competitive bidding process for any such project with an estimated cost of less than $10,000.

II. When procuring professional services from engineers, architects, and surveyors associated with the investigation or cleanup of contamination from gasoline ethers, the commissioner of environmental services shall procure those services in accordance with the procedures contained in RSA 21-I:22.

146-G:6 Corrective Measures Authorized. Corrective measures authorized by this chapter shall include but not be limited to:

I. Provision of interim water supplies to residents whose water supplies have been contaminated due to the presence of gasoline ethers above standards set by the department of environmental services or a condition related to gasoline ethers determined to be hazardous by the office of community and public health and the state forensic toxicologist. This may include the supply of bottled water and the installation and operation of water supply treatment systems, approved or provided by the department.

II. The establishment of an acceptable source of potable water to injured parties, where necessary, as determined by the department of environmental services. This may include but not be limited to a proportioned share of the costs of construction of the extension of public water mains and appurtenances, the installation of replacement water supply wells and appurtenances, or the installation of water treatment processes for new or existing water supplies. The extent of reimbursement shall be determined based upon criteria established by rules adopted by the department of environmental services. Such rules shall consider the overall need for the capital investment to address contamination or threatened contamination of water supplies by gasoline ethers. Operation and maintenance costs or annual user fees for new or upgraded public water supply main extensions or treatment processes shall not be eligible expenses under this paragraph.

146-G:7 License Required; Fee.

I. Any distributor who imports or causes to be imported neat gasoline ethers into the state shall be licensed by the department of safety under this chapter. The annual fee for the license shall be $0.10 per gallon of neat gasoline ethers imported into this state for the purpose of being mixed or blended with gasoline prior to sale to the public. The fee shall be paid monthly by such person to the department of safety and deposited by the department of safety into the gasoline remediation and elimination of ethers fund. Imposition of the fee shall be based on the records of the person and certified as accurate to the department of safety.

II. Every distributor who imports or causes to be imported neat gasoline ethers into the state shall file a monthly report for the preceding month and shall include all fees due for that reporting period with the department of safety on or before the twentieth day of the following calendar month. Failure to file by the required date or to enclose fees due shall result in the assessment of a 10 percent penalty to be added to the amount of fees due for that month. If no fees are due, a penalty of $10 per day shall be assessed. Such penalty shall immediately accrue and thereafter the overdue fees and the penalty shall bear interest at the rate established by the Internal Revenue Service effective on the first business day of the calendar year. To this rate shall be added 2 percent. In determining the monthly rate, that figure shall be rounded off to the nearest quarter percent. The department of environmental services may waive all or any portion of penalties or interest for good cause. Such cause and incident shall be recorded in the records of the gasoline remediation and elimination of ethers fund.

III. No distributor licensed under this section shall import neat gasoline ethers into this state without paying the fee required by this section.

IV. Unless otherwise provided, any distributor who violates any provision of this section shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.

146-G:8 Administrative Costs. Notwithstanding any other provision of law, if the expenditure of additional funds is necessary for the costs of administration of the collection process established in RSA 146-D:3 and RSA 146-G:7 for funding the gasoline remediation and elimination of ethers fund, the commissioner of safety, with the prior approval of the governor and council, may draw upon the gasoline remediation and elimination of ethers fund for such purposes.

146-G:9 Reporting by Department of Environmental Services. The department of environmental services shall file annual reports of the status of the gasoline remediation and elimination of ethers fund no later than October 1, to the speaker of the house and president of the senate. The first such report shall be submitted no later than October 1, 2002. The department of environmental services shall also file interim reports on the activities of the gasoline remediation and elimination of ethers fund, including expenditures and reimbursements, and enforcement and remediation activities under RSA 146-G, by October 1, 2005 and by October 1, 2009 to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the house and senate committees having jurisdiction over water quality policy, the governor, and the state library. The department shall file a final report on the activities of the fund and enforcement and remediation activities by October 1, 2010 to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the house and senate committees having jurisdiction over water quality policy, the governor, and the state library.

146-G:10 Review and Report. Upon issuance of the interim report by the department of environmental services required by RSA 146-G:9, the members of house and senate committees having jurisdiction over water quality policy shall constitute a joint committee for purposes of reviewing the effectiveness of the program implemented by this chapter. The joint committee shall review the effectiveness of the program implemented by this act, and shall report the joint committee's findings and recommendations to the full senate and house.

146-G:11 Rulemaking. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the allocation of funds from the gasoline remediation and elimination of ethers fund authorized under this chapter. Construction costs due to contamination from gasoline ethers incurred by operators of public water supplies between May 4, 2000 and the effective date of department rules may be considered for compensation on a case-by-case basis subject to approval of the waste management council.

5 Date Changed. Amend 1993, 294:1 as amended by 1995, 247:9 to read as follows:

294:1 Funds Transferred to Oil Pollution Control Fund. The oil discharge and disposal cleanup fund established in RSA 146-D:3, I shall lapse on [~~January 1, 2005~~] ***July 1, 2010***. Any moneys remaining in the fund at that time shall be transferred to the oil pollution control fund established in RSA 146-A:11-a.

6 Effective Date of Repeal Changed. Amend 1988, 271:11, I as amended by 1993, 294:14 and 1995, 247:10 to read as follows:

I. Paragraphs VIII and IX of section 9 of this act shall take effect [~~January 1, 2005~~] ***July 1, 2010***.

7 Repeal.

I. RSA 146-G, excluding RSA 146-G:9, relative to the gasoline remediation and elimination of ethers fund, is repealed.

II. RSA 146-G:9, relative to reporting on the gasoline remediation and elimination of ethers fund, is repealed.

8 Funds Transferred to Oil Pollution Control Fund. The gasoline remediation and elimination of ethers fund established in RSA 146-G:4, I shall lapse on July 1, 2010. Any moneys remaining in the fund at that time shall be transferred to the oil pollution control fund established in RSA 146-A:11-a.

9 Effective Date.

I. Section 7, paragraph I of this act shall take effect July 1, 2010.

II. Section 7, paragraph II of this act shall take effect October 1, 2010.

III. The remainder of this act shall take effect July 1, 2001.

2001-1074h

Amendment to SB 190

Proposed by the Committee on Public Works and Highways - C

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

AN ACT dedicating the I-93 causeway at Moore Dam, the Cottage Street Bridge in Littleton, and the Smith Bridge in Plymouth.

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to read as 4-5, respectively:

3 The Smith Millennium Bridge. Pursuant to RSA 4:43, the Smith Bridge in Plymouth is hereby dedicated as the "Smith Millennium Bridge."

Amend the bill by replacing section 4 with the following:

4 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers required under sections 1-3 of this act shall not be a charge to the state. However, the design, construction, and installation of any signage or other markers required under this act shall be approved by the department of transportation.

AMENDED ANALYSIS

This bill dedicates the I-93 causeway at Moore Dam as the "Curran/McAvoy Causeway," the Cottage Street Bridge as the "Veterans' Memorial Bridge," and the Smith Bridge as the "Smith Millennium Bridge."