State of

New Hampshire

HOUSE RECORD

Second Year of the 157th Session of the General Court

Calendar and Journal of the 2002 Session

Vol. 24 Concord N.H. Friday, December 21, 2001 No. 2

Contains: Reports for January 2, 2002, Hearing Schedule, Committee Meetings, Work Sessions, Notices, Unsigned Sponsor List and Order Form for the 2001 Permanent Journal

HOUSE CALENDAR

NOTICE

Members of the House:

The 2002 Session will convene on Wednesday, January 2, 2002 at 10:00 a.m. My intent for the day is to deal with the retained bills reported on the Consent Calendar, Regular Calendar and any bills removed from the Consent Calendar.

The House will meet on the following Thursdays: January 10, 17 and 31, 2002. There is a session tentatively planned for Thursday, January 24, 2002. The House will take a winter break the week of February 25, 2002.

I wish you all a wonderful holiday season. Please take this time to rest and recharge as you can see from the calendar, we will hit the ground running on the 2nd.

All House offices will close at noon on Monday, December 24, to allow the staff some extra time for the Christmas holiday.

Gene G. Chandler, Speaker

NOTICE

There will be a Republican Caucus on Wednesday, January 2, 2002 at 9:00 a.m. in Representatives Hall.

Rep. David M. Scanlan, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, January 2, 2002 at 9:00 a.m. in Rooms 306-308 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

NOTICE

All members should take note that December and January are open enrollment months for members who want to join the health insurance plan. If you are interested, please see Carol Dunning in Room 308, State House or call her at 271-3664 for assistance.

Gene G. Chandler, Speaker

NOTICE

The House Calendar will close at noon on Thursdays for mailing on Fridays. Members and staff who need to schedule meetings should make arrangements with the Clerk's Office for room availability/assignment and publication of meeting notices

CLOSES NOON *THURSDAY*: TO BE MAILED FRIDAY:

December 27 December 28

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES

Thursday, January 24, 2002	Last day to report retained bills and supplemental House bills being referred to a second committee.
Thursday, January 31, 2002	Last day to act on retained bills and supplemental House bills being referred to a second committee.
Thursday, February 21, 2002	Last day to report all remaining retained bills and supplemental House bills.
Thursday, March 7, 2002	CROSSOVER. Last day to act on all remaining retained bills and supplemental House bills.
Friday, May 3, 2002	Last day to act on committee of conference reports.

WEDNESDAY, JANUARY 2

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 447, relative to the establishment of parenting plans in certain domestic cases. **OUGHT TO PASS WITH AMENDMENT**

Rep. Laura C. Pantelakos for Children and Family Law: This bill puts a task force in place to review different problems that can occur during a divorce procedure. This task force would report back recommendations to hopefully resolve some of these problems. **Vote 14-0**.

HB 449, relative to access to adoption records. **INEXPEDIENT TO LEGISLATE**

Rep. Christine M. Furman for Children and Family Law: The committee could not arrive at a consensus relative to possible confidentiality issues. The committee felt that the current law is appropriate at this time. **Vote 13-2**.

HB 586, excluding stepchildren from the definition of "child" in the context of support orders. **OUGHT TO PASS WITH AMENDMENT**

Rep. Laura C. Pantelakos for Children and Family Law: This bill removes "stepchildren" from the definition of "dependent child." It also amends RSA 546-A:1, Uniform Civil Liability for Support. **Vote 15-0**.

HB 599-FN, relative to unlawful possession of alcohol by a minor. **INEXPEDIENT TO LEGISLATE**

Rep. Carolyn M. Gargasz for Children and Family Law: Study on this bill indicated it was not needed because of current practices, programs and studies. At this time police departments have a variety of methods to deal with youth under age 16 in possession of alcohol. In addition, information was received about programs being initiated – a youth drug and alcohol treatment program and a pilot youth drug/alcohol court. Also, there is a study committee reviewing children in need of services. **Vote 14-0**.

HB 660, relative to out-of-home placements in juvenile abuse and neglect cases. **OUGHT TO PASS WITH AMENDMENT**

Rep. Daniel C. Itse for Children and Family Law: Removing children from their home creates instability and separation anxiety which can last for years. This damage can be far worse than the alleged abuse and is particularly troubling when no abuse has occurred. Therefore, this bill raises the level of proof required before a child is removed and kept out of its home from "probable cause to believe" to "clear and convincing evidence". **Vote 14-0**.

HB 661, relative to hearing timelines in abuse and neglect cases. **OUGHT TO PASS WITH AMENDMENT**

Rep. David A. Bickford for Children and Family Law: This bill changes the hearing timelines in abuse and neglect cases to five days in emergency situations and twenty-one days for adjudication and dispositional hearings, excluding Saturdays, Sundays, and holidays. It also requires the court to reschedule the adjudication hearing within a month after a waiver. **Vote 12-1**.

HB 686, relative to the scope of discovery in abuse and neglect cases. **OUGHT TO PASS WITH AMENDMENT**

Rep. Thomas I. Arnold, Jr. for Children and Family Law: This bill resolves the problem which arises when an individual accused of abuse or neglect of a child needs evidence in the possession of Division of Children, Youth and Families or a law enforcement agency and the agency refuses to release it because it constitutes part of an ongoing investigation. Resolution is accomplished by requiring the agency, on request of the respondent, to submit the evidence to a judge of the Superior Court for in-camera review. The judge will determine whether the evidence is important to the defense and whether it will be released to the respondent. **Vote 12-1**.

HB 706, requiring alternative dispute resolution prior to adjudication by the court in divorce proceedings. **OUGHT TO PASS WITH AMENDMENT**

Rep. Laura C. Pantelakos for Children and Family Law: This bill requires parties in a divorce involving children to participate in mediation filed after July 1, 2003. Mandatory mediation may be waived in certain cases. The committee feels this would help to resolve a lot of problems that occur now when there is a dispute over children. **Vote 14-0**.

COMMERCE

HB 264, relative to the state treasurer and relative to certain unclaimed or abandoned property. **INEXPEDIENT TO LEGISLATE**

Rep. Joseph D. Kenney for Commerce: The bill would have allowed the State Treasurer to invest funds, which the treasurer deems prudent and which have been approved by the governor and council. Secondarily, it would have authorized the state treasurer for the cost of processing uncollectable instruments. Thirdly, it would have authorized the sale upon receipt of

abandoned property. And lastly, it would have amended the procedure relative to the location, delivery, or recovery of property. The committee felt that all securities presumed abandoned should continue to have a longer period for it to be reclaimed that exists now. Additionally, the amounts of present abandoned securities being addressed were manageable in numbers, and the Treasurer's office is doing an excellent job under the existing law. Under this bill, all funds located by any person, firm, business, or other entity which sought compensation for locating such property would have the ability to use a power of attorney of an owner to reclaim property. The committee felt this procedure was extending too much power to an independent body. Lastly, the committee felt under existing law that there was more legislative oversight and understanding in regards to the treasurer's collection of unclaimed or abandoned property revenue. **Vote 17-0**.

HB 313-FN, limiting access to certain business records. **REFER FOR INTERIM STUDY**

Rep. Ronald J. Belanger for Commerce: Although the committee would very much like to find a way to stop out-of-state sales tax bureaucrats from harassing New Hampshire business, this bill had too many problems. The committee unanimously agreed to refer the bill to Interim Study. **Vote 17-0**.

HB 404, allowing licensed alcohol and drug counselors to obtain third party payment and establishing a committee to study levels of licensure of alcohol and drug counselors. **OUGHT TO PASS WITH AMENDMENT**

Rep. Kathleen N. Taylor for Commerce: The main issue of allowing licensed alcohol and drug counselors to obtain third part reimbursement was addressed in HB 672. The study committee section of the bill was unnecessary. The amendment changes the rulemaking authority from Health and Human Services Commissioner to the licensure board, which is where it belongs. **Vote 17-0**.

HB 514, relative to uniform prescription drug information cards. **REFER FOR INTERIM STUDY**

Rep. Leo W. Fraser, Jr. for Commerce: Although the committee recognizes that some prescription cards do not contain all of the data required by insurers in processing a claim, the committee continues to be unsure as to how great the problem is for pharmacists. Negotiations are on going between the pharmacists and the insurance companies. The committee does not believe that legislation is necessary at this time, but if the parties fail to negotiate in good faith, this legislation may be reintroduced. The committee voted unanimously to send this bill to Interim Study. **Vote 17-0**.

HB 524, relative to unfair insurance trade practices. **REFER FOR INTERIM STUDY**

Rep. Leo W. Fraser, Jr. for Commerce: The New Hampshire Insurance Department has requested that this legislation be voted referred to Interim Study, as language for model legislation is not as yet forthcoming from the National Association of Insurance Commissioners. When the proposed model legislation is forthcoming the bill will be brought forward. **Vote 16-0**.

HB 619, relative to the sale or lease of goods or services to residents of this state via the Internet. **REFER FOR INTERIM STUDY**

Rep. Marshall E. Quandt for Commerce: This bill allows an Internet company to be designated a contact agent for those companies doing Internet sales in New Hampshire. The committee felt this bill should be further studied in relationship to the consumer protection effect in it. **Vote 16-0**.

SB 56, relative to health care providers discontinuing service in New Hampshire. **OUGHT TO PASS**

Rep. Leo W. Fraser, Jr. for Commerce: This proposed legislation would allow the Insurance Commissioner the discretion to waive the five-year rule on re-administering a health insurance company following the companies' previous withdrawal from the New Hampshire market. The most important aspect of the bill is that it addresses health insurers only, an area of insurance where New Hampshire along with most other states, continues to experience difficulties, not only in access but also in the continuing increases in the costs of insurance. **Vote 17-0**.

SB 126, relative to the use of certain credit data in underwriting certain insurance policies. **INEXPEDIENT TO LEGISLATE**

Rep. Leo W. Fraser, Jr. for Commerce: In 1997 the General Court granted rule-making authority to the Insurance Department addressing the issue of using credit reports in the processing and issuing of both motor vehicle and homeowners policies. Currently the rule is pending before the Administrative Rules Committee. If it is adopted it would address most of the issues contained in SB 126. The committee agrees that rule-making is a most appropriate vehicle and with concurrence of the Insurance Department voted unanimously Inexpedient to Legislate. **Vote 17-0**.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 223, allowing a state resident to obtain a license for a pistol or revolver for life. **INEXPEDIENT TO LEGISLATE**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: The unanimous vote of the committee is Inexpedient to Legislate. Among the more compelling arguments against issuance of a lifetime permit are the changes brought by life circumstances. Periodic (four year) licensing permits a review to determine the continuing stability of the individual to obtain a license to carry a pistol or revolver. **Vote 16-0**.

HB 301-FN, requiring that the department of corrections be charged the lowest rate for inmates who need medical services within the community. **REFER FOR INTERIM STUDY**

Rep. Beth Rodd for Criminal Justice and Public Safety: The subcommittee met on multiple occasions to hear testimony from the Department of Corrections and several health care providers regarding rates charged to the DOC for inmate medical care. A complicated and delicate series of negotiations have commenced between the parties to address fair rate issues that consider the broad social and economic results that may ensue from setting rates legislatively. All parties express confidence that negotiations are progressing and a good resolution of these issues is expected. Should negotiations fail to achieve a satisfactory resolution, and a mutually acceptable compromise, the committee will consider further legislative action through the vehicle of a similar bill being brought to the committee later in the session. **Vote 14-0**.

HB 557-FN-A, establishing a sexual assault victim services program to be funded by a tax on video games, video movies, video game players, and video movie players. **OUGHT TO PASS WITH AMENDMENT**

Rep. William V. Knowles for Criminal Justice and Public Safety: This bill was proposed to be funded by a tax on video games, video movies, video game players and video movie players. It seemed logical that videos that portrayed sexual acts and violence inspired acts of sexual assault. Testimony by video storeowners stressed that it would be discriminatory against them if movie theaters, TV stations and computers are not taxed in the same manner. A good point and an overwhelming task. Sexual assault is basically a matter of control of the victim, not just the arousal attained by watching a sexually explicit film. We currently have a victim's assistance fund. The fund is administered through the Attorney General's office. The funds come from penalty assessments levied against fines or penalties imposed by the court for a criminal offense. The assessment amounts to 20%, of which 15% goes to police standards and training and 5% to victim's assistance fund. The victim's assistance fund also receives 5% of the sales price of every item sold in a state prison commissary. Currently, by statute, the fund has a cap of $750,000. Anything in excess goes in to the general fund. The last fiscal year, revenue to the victim's assistance fund was $984,534; therefore, in excess of $234,000 was put into the general fund. Current statute also states, subject to the availability of money in the victim's assistance fund, the attorney general shall make grants totaling not more than 25% of the victim's assistance fund for the establishment and maintenance of victim's assistance programs. There is currently no funding for programs for victims of sexual assault from the victim's assistance fund. This bill will make provision to assure programs for sexual assault victims by eliminating the cap of $750,000 and eliminating the 25% maximum of the fund to be used for victim's assistance programs. The program is being paid for by perpetrators of crime and victims of sexual assault should be supported by the fund. **Vote 16-1**.

HB 565-FN, relative to liability for providing alcoholic beverages to minors. **INEXPEDIENT TO LEGISLATE**

Rep. Maxwell D. Sargent for Criminal Justice and Public Safety: This bill would have made it a felony to furnish a person under the age of 21 with alcohol if that person became intoxicated and caused or suffered death or great bodily harm. The bill went to subcommittee twice and the subcommittee twice came up with amendments. The word 'knowingly' was added, the felony wording was changed to 'Class B felony', but still the full committee was not convinced that the amendments provided the answer to the stated problem. Discussion centered around enforcement of the present law, personal responsibility of the youth, the emotional component, etc. Finally, a majority of the committee determined as the proposed amendments were not acceptable, that this bill should be inexpedient to legislate. **Vote 11-6**.

HB 567-FN-L, granting female inmates access to certain rehabilitation related programs. **OUGHT TO PASS WITH AMENDMENT**

Rep. Maxwell D. Sargent for Criminal Justice and Public Safety: This bill sought to grant female inmates access to the same rehabilitation programs as inmates at the male prison. The emphasis was on the sex offender treatment program. After several subcommittee meetings, the Department of Corrections agreed this was prudent, and have now initiated a female sex offender treatment at the Goffstown facility. This bill was no longer needed, and the original content was removed so it could be used as a vehicle to extend the reporting date of a commission created by HB 475, Chapter 245, Laws of 2001, a commission which is developing a statewide protocol for interviewing victims of sexual assault crimes. **Vote 13-0**.

HB 729, permitting a person charged with a felony or misdemeanor to access the medical and psychiatric records of the alleged victim. **INEXPEDIENT TO LEGISLATE**

Rep. Maxwell D. Sargent for Criminal Justice and Public Safety: This bill was an attempt by the sponsors to ensure that all persons accused of a crime receive their full constitutional rights under Article 19. However, the language in this bill was so broad, it could have had serious, unintended consequences for the alleged victims. It was sent to subcommittee to ascertain if somehow the sponsor's intent could be put into language which would also adequately protect the rights of the alleged victim. After hearing testimony from prosecutors, defense attorneys and victim rights advocates, it became obvious to the committee that an acceptable agreement could not be reached for this particular bill. Some members intend to continue the pursuit for possible new, more satisfactory, legislation at another time. **Vote 12-0**.

HB 768-FN, relative to DNA testing of criminal offenders. **OUGHT TO PASS WITH AMENDMENT**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill accomplishes two major positions. First, it expands the scope of the current law permitting the obtainment of a DNA sample from persons convicted of violations of sexual assault and now includes those convicted of "violent crimes". The amendment defines violent crimes as: capital, first degree, or second degree murder, attempted murder, manslaughter, first degree assault, second degree assault, felony arson, kidnapping, robbery, felony burglary, or negligent homicide in consequence under the influence of intoxicating liquor or controlled drugs as these crimes are defined by statute. It is important to note that the majority of other states already include violent crimes and, in fact, many include all felonies. Secondly, the amendment creates a commission to study issues related to past-conviction DNA testing offenses. A convicted individual's continued assertion of innocence is not new. The use of DNA technology can bring a degree of certainty to the courtroom. The introduction of DNA evidence, after conviction, may definitely prove innocence. Another consideration in this amendment is to expand the "DNA sample" to include tissue, hair follicle, or other biological samples. The current law only allows acquisition of a blood sample. This will minimize the intrusiveness of obtaining any sample. **Vote 16-0**.

SB 30, relative to DNA testing of criminal offenders. **REFER FOR INTERIM STUDY**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: The committee would like to have this bill for interim study to enable further consideration of the implications of the proposal. DNA issues are becoming very important as technology continues to improve. The opportunity to study these policy considerations as they develop is an invaluable learning experience for all legislators. **Vote 12-0**.

EDUCATION

HB 329-FN-L, relative to school safety. **OUGHT TO PASS WITH AMENDMENT**

Rep. Iris W. Estabrook for Education: The original bill called for public school buildings to have annual fire inspections and to meet clean air standards. The committee has serious concerns regarding the underlying issues of existing fire safety risks and poor air quality in public school buildings. However, the committee feels these issues are complex and the options for legislative action are far broader than the original proposal, making a study committee appropriate. The bill no longer has a fiscal note. **Vote 15-0**.

ELECTION LAW

HB 137, establishing a committee to study the definition of domicile for voting purposes.` **OUGHT TO PASS**

Rep. John P. Kacavas for Election Law: Given the vagueness of the definition of the term "domicile" contained in RSA 654:1, and the controversy such vagueness has engendered, a study committee should be formed to revise, clarify and tighten the definition of the term "domicile" for voting purposes. The study committee shall report its findings and any recommendations on or before November 2, 2001. **Vote 18-0.**

HB 266, establishing a committee to study recodification of the election laws. **OUGHT TO PASS**

Rep. Jackie K. Weatherspoon for Election Law: The intent of the bill is to establish a study committee to determine if the election laws need to be recodified. The study group will not recodify the laws at this time but would determine which laws need clarification and whether a further committee needs to be established to recodify the laws. This would be a major undertaking. **Vote 18-0**.

HB 384, relative to political expenditures. **INEXPEDIENT TO LEGISLATE**

Rep. Michael S. Rollo for Election Law: It was the unanimous opinion of the committee that as well intentioned as this bill is, it is quite unenforceable. As a matter of campaign finance reform, it places a burden on candidates to keep track of expenditures made by political parties, whether or not they are authorized or not by the candidate. It was for these reasons that the committee voted Inexpedient to Legislate. **Vote 18-0**.

HB 544-FN, relative to reporting by candidates of independent expenditures. **INEXPEDIENT TO LEGISLATE**

Rep. Michael S. Rollo for Election Law: While the committee applauds the efforts of the sponsor, the unanimous opinion of the committee is that this bill be found Inexpedient to legislate. The bill calls for the "good faith effort" by a candidate to report expenditures made on his/her behalf. The committee felt that this was an unreasonable approach and not enforceable. The committee recommends Inexpedient to Legislate. **Vote 18-0**.

ENVIRONMENT AND AGRICULTURE

HB 654-FN-L, establishing a presorting program to remove mercury from waste prior to incineration at certain facilities. **REFER FOR INTERIM STUDY**

Rep. John S. Cobb for Environment and Agriculture: The bill is being recommended for interim study because the committee believes it needs more time to work on these issues. **Vote 17-0**.

HB 655-FN-A-L, establishing an advance disposal fee to fund local mercury presorting and recycling programs. **REFER FOR INTERIM STUDY**

Rep. John S. Cobb for Environment and Agriculture: The bill is being recommended for interim study because the committee believes it needs more time to work on these issues. **Vote 18-0**.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 282-FN-L, enabling political subdivision employers to establish minimum hours of service for optional membership in the retirement system by political subdivision employees. **INEXPEDIENT TO LEGISLATE**

Rep. William R. Zolla for Executive Departments and Administration: This bill would allow part time employees the option of becoming a member of the New Hampshire Retirement System. The committee found too many unanswered questions and potential problems with the bill. Questions of what constituted part time, what happened if the employee worked full time the last three years of employment prior to retirement, would they get full retirement benefits over and above the annuity earned? After 17 years of part time and 3 years of full time would the retiree be entitled to medical benefits at age 60? What application would be made for group II participants? How would disability claims be handled for living wages? Would this be fair to full time employees who would have to bear the brunt of this expense out of the trust fund? It was felt that in order to accommodate this bill in a fair and equitable manner to all participants, the retirement system would have to be completely revamped with unknown and incalculable ramifications. **Vote 13-0**.

HB 314-FN, relative to administrative rules governing privacy. **INEXPEDIENT TO LEGISLATE**

Rep. Donald R. Lent for Executive Departments and Administration: This bill requires state agencies to adopt administrative rules governing privacy. Two laws enacted at the end of the 2001 session relate to state and federal privacy issues. HB 702, Chapter 256:7, Laws of 2001, establishes a taskforce on privacy issues as they pertain to federal law and a review of existing state laws relative to privacy issues. HB 142, Chapter 31:2, Laws of 2001, establishes a committee charged with studying methods of ensuring the privacy of confidential personal information in state agencies. Interim reports from both groups indicate they have encountered several of the same problems of information gathering this committee has done concerning present agency privacy policies and commitments. Given the specific aims of both chapter studies, we believe the information they provide and the policies they recommend will engender more informed legislation than the present bill, which we, therefore, find inexpedient to legislate **Vote 13-0.HB 341-FN,** adding police officers of the New Hampshire hospital campus police force to group II of the New Hampshire retirement system. **REFER FOR INTERIM STUDY**

Rep. Merton S. Dyer for Executive Departments and Administration: This bill would change the New Hampshire Hospital security personnel from group I to group II, the hazardous duty group. An amendment was presented to change the title to New

Hampshire State Hospital Police Force. The committee felt that this did not clarify who should be in group I or group II. With at least two more bills coming to the committee during the next session, the committee felt that this bill should be reserved for interim study along with similar future bills. This will allow the committee to establish guidelines as to who shall be in which group. **Vote 12-0**.

HB 462-FN, requiring state regulatory boards, commissions, advisory boards, advisory committees, and authorities to develop an orientation manual for new members. **OUGHT TO PASS**

Rep. Merton S. Dyer for Executive Departments and Administration: This bill will require commissions, boards and advisory committees to develop an orientation manual for the members and future appointees. This manual should contain a copy of RSA 91-A, Right to Know Law, a copy of the New Hampshire Constitution, a copy of the statute establishing the "Board" and any other material that will allow the new members to know what their duties are and how they should conduct their meetings and adjudicative hearings if they are required to hold such hearings. **Vote 13-0**.

HB 483, repealing the Uniform Aircraft Financial Responsibility Act. **INEXPEDIENT TO LEGISLATE**

Rep. Merton S. Dyer for Executive Departments and Administration: The committee held a public hearing on this bill which would repeal the rulemaking authority of the Commissioner of Transportation relative to aircraft financial responsibility and content of aircraft accident reports. The committee voted inexpedient to legislate because the House Transportation Committee had a more comprehensive bill and would take up these two items. **Vote 12-2**.

SB 22, requiring the use of certified radiologic technologists for hospitals operating equipment licensed under the radiological health program. **INEXPEDIENT TO LEGISLATE**

Rep. Maurice E. Goulet for Executive Departments and Administration: This bill started in the Senate as a licensure bill for radiologic technologists. It was amended to require hospitals to use certified radiologic technologists to operate radiology equipment. The sub-committee determined that hospitals and major clinics do utilize registered radiologic technologists to perform these duties. The subcommittee work sessions revealed that no health care licensing board has ever had a complaint of harm resulting from having an x-ray taken. **Vote 13-0**.

SB 39, establishing the position of market conduct chief administrator in the insurance department. **INEXPEDIENT TO LEGISLATE**

Rep. William R. Zolla for Executive Departments and Administration: This bill was a request of the Insurance Department and would have established a position of market conduct chief administrator within the department. During the committee deliberations, we were informed by the requesting department that the importance of this bill had been eclipsed by other actions and this bill was not longer necessary. **Vote 13-0**.

SB 77, relative to the regulation of plumbers and plumbing. **INEXPEDIENT TO LEGISLATE**

Rep. Maurice E. Goulet for Executive Departments and Administration: After hearing this bill, the committee recognized there was another bill (HB 285) which deals with not only plumbing codes but all building codes across the state. It was felt that the resulting conclusion of HB 285 would resolve all the issues of this bill. **Vote 13-0**.

SB 81-FN-A, regulating medication nursing assistants under the nurse practice act. **INEXPEDIENT TO LEGISLATE**

Rep. Mary L. Andosca for Executive Departments and Administration: This bill authorizes the Board of Nursing to register and regulate medication-nursing assistants for the purpose of administering medication under the delegation of a licensed nurse. This bill also establishes a dedicated medication nursing assistant fund that is non-lapsing through fiscal year 2005, but lapses to the general fund beginning fiscal year 2006 and every year thereafter. This bill is an adjunct to HB 408, which deals with the delegation of medication by a licensed nurse. At present, the Board of Nursing is working on the administrative rules in regards to medication administration and will present them to Joint Legislative Committee on Administrative Rules. Therefore, our committee feels work should continue on HB 408 and that SB 81 is premature for consideration at this time and will probably be made redundant by rules now being developed. **Vote 14-0**.

SB 128, relative to stress injuries under the workers' compensation law and relative to disability retirement benefits and mental injury. **INEXPEDIENT TO LEGISLATE**

Rep. William R. Zolla for Executive Departments and Administration: This bill would have placed the burden of medical expense and resulting disability expense on the retirement system in cases of "injury" or "personal injury" to include a mental

injury resulting from any disciplinary action, work evaluation, job transfer, layoff, demotion, termination, or any similar action taken in good faith by an employer. **Vote 14-0**.

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. **INEXPEDIENT TO LEGISLATE**

Rep. Merton S. Dyer for Executive Departments and Administration: This bill would allow creditable service in group I and group II to be combined to meet the minimum requirements of the health insurance subsidy provided to retired members. The bill would also provide additional benefits to divorced or widowed retirees who have dependent children. The bill would cost $6,648,000 to terminally fund from the special account and require $80,000 from the retirement to establish the data base and a yearly cost of $30,000 each year for maintenance of the data base. If a member had spent most of their time in group II, then transferred to group I, all of the cost would come from the appropriate group I medical sub trust while most of the contributions were made to the group II sub trust. With the cost and complexity of the withdrawal of the funds for the individual from the various medical sub trusts, the committee voted to present this bill as inexpedient to legislate. **Vote 13-0**.

FINANCE

CACR 17, relating to restricting the use of a statewide property tax and all funds deposited into the education trust fund to education funding. Providing that all revenues resulting from a statewide property tax and all funds deposited into the education trust fund shall be used exclusively for elementary and secondary education. **INEXPEDIENT TO LEGISLATE**

Rep. Joseph E. Stone for Finance: The Constitutional Amendment Concurrent Resolutions 20, 22 and 23 basically attempt to do the same thing: dedicating a specific tax to be used only for education. If, in the future, we pass an income tax or a sales tax or defeat a statewide property tax, this CACR would be null and void. The committee feels this CACR is not necessary. **Vote 18-1**.

CACR 20, relating to a personal income tax. Providing that any personal income tax enacted by the general court shall be dedicated exclusively for the purposes of public education. **INEXPEDIENT TO LEGISLATE**

Rep. Kenneth L. Weyler for Finance: The majority of the fifty states rely on an income tax and/or sales tax as the largest source of state revenue. New Hampshire is unique in not instituting either of these broad-based taxes. This proposal could lead to one of these broad-based taxes being adopted. It attempts to make such a tax more palatable to some by dedicating it to education. Not only would the income tax have adverse effects on New Hampshire's economy, as has been discussed in previous debate, but it would also tie the hands of future legislatures should some new demand arise. Anti-terrorism security, relief from natural disasters, and health care crises are some of the possibilities that could trigger new spending. Dedicating a major funding source would leave us less able to cope with future contingencies. This tax could be imposed, if needed, without a change to the constitution. Also, dedicating funds reduces the general fund, which affects our bond rating and borrowing limits for capital improvements. **Vote 19-0**.

CACR 22, relating to moneys generated by a uniform statewide property tax established in law by the general court for the purpose of providing state aid for public elementary and secondary education. Providing that all moneys generated by a uniform statewide property tax established in law by the general court for the purpose of providing state aid for public elementary and secondary education shall, after deducting the necessary costs of administration and collection of such moneys, be appropriated and used exclusively for the purpose of state aid to education and shall not be transferred or diverted to any other purpose. **INEXPEDIENT TO LEGISLATE**

Rep. Joseph E. Stone for Finance: The committee appreciates the good intentions of the sponsors to attempt to limit the potential state property tax burden on the citizens of New Hampshire. However, as is the case with CACRs 17, 20 and 23, the committee concludes that these matters are best addressed by statute, rather than constitutional changes, thus permitting future general courts to most accurately and appropriately weigh changed economic conditions as well as evolving public policy. **Vote 18-1**.

CACR 23, relating to restricting the use of moneys collected from a sales tax. Providing that all moneys collected from any sales tax established in law by the general court shall, after deducting the necessary costs for administration and collection of such moneys, be appropriated and used exclusively for the purpose of state aid to public elementary and secondary education and shall not be transferred or diverted to any other purpose. **INEXPEDIENT TO LEGISLATE**

Rep. Kenneth L. Weyler for Finance: The majority of the fifty states rely on an income tax and/or sales tax as the largest source of state revenue. New Hampshire is almost unique in not instituting either of these broad-based taxes. This proposal could lead to one of these broad-based taxes being adopted. It attempts to make such a tax more palatable to some by dedicating it to

education. Not only would the sales tax have adverse effects on New Hampshire's economy, as has been discussed in previous debate, but it would also tie the hands of future legislatures should some new demand arise. Anti-terrorism security, relief from natural disasters, and health care crises are some of the possibilities that could trigger new spending. Dedicating a major funding source would leave us less able to cope with future contingencies. This tax could be imposed, if needed, without a change to the constitution. Also, dedicating funds reduces the general fund, which affects our bond rating and borrowing limits for capital improvements. **Vote 18-0**.

HB 353-FN-A, relative to diversified agricultural development, and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert L. Wheeler for Finance: The amendment removes the appropriation because the state has received a $620,000 grant for this purpose. The policy relative to diversified agricultural development remains in place. **Vote 20-0**.

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

Rep. Paul J. Dwyer for Finance: This bill would have appropriated 2.6 million dollars to be divided among the 19 regional vocational technical high schools. The resulting distribution would not likely have funded any major upgrading at one school. The main reason for the committee's opposition is the funding method that has been employed after the submission of this bill. New Hampshire began constructing regional vocational technical schools in the early 1970's, and has been adding to them almost annually since. Now the earliest ones need modernization and upgrading. For some years, there was debate over whether the upgrades were the responsibility of the receiving district or the state. The decision was finally made that the state should begin major improvements in the order in which the facilities were built. This concept was supported by the Department of Education and the voc-tech administrators. The first two schools were included in the present capital improvement budget at 4.5 million dollars each. It is anticipated that subsequent capital budgets will contain similar amounts and that all regional voc-techs can plan on capital funds in order of their construction. The capital budget process is rigorous and fair. We should not try to bypass this established mechanism. **Vote 19-0**.

HB 691-FN-A, relative to Area Health Education Centers in New Hampshire and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Lawrence A. Emerton for Finance: The committee feels that the Area Health Education Centers in New Hampshire are doing needed and very good work. However, as the Area Health Education Centers have funding through 2002, albeit limited, the state can and should look at this function again in the next biennium. **Vote 19-0**.

HB 757, establishing an early literacy and reading improvement initiative. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert L. Wheeler for Finance: The amendment changes the financing but not the policy of the bill. Instead of appropriating millions of dollars for programs yet to be selected, the amendment appropriates $485,349 in general funds for the Department of Education for the period ending June 30, 2003. These funds are to be used (a) to develop end-of-grade-3 reading tests already required by statute and (b) to investigate and select research-proven programs to effect the early literacy and reading improvement initiative established by the bill. The selected programs cannot be implemented until the next biennium, so funding for them would best be included in the next biennial budget. **Vote 20-0**.

SB 16-FN-A, relative to state financial aid for state fairs, and making an appropriation therefor. **REFER FOR INTERIM STUDY**

Rep. McKim W. Mitchell for Finance: This bill appropriates $250,000 in fiscal year 2002 and $250,000 in fiscal year 2003 from the general fund to the Department of Agriculture, Markets and Food. The Commissioner of the Department of Agriculture shall carry out the distribution of this appropriation. The amount and breakout of the distribution proposed is: each fair receives $10,000 for capital improvement, $8,000 for marketing and promotional activities and a pro rata share based upon premiums paid and qualified under RSA 425:19-b. Division l of the House Finance Committee has heard compelling testimony from agents of individual fairs, President of the New Hampshire Fair Association and the New Hampshire Department of Agriculture. However, Division I had unanswered questions regarding state fairs including: 1) the need to define "state" fair because fairs are not presently state operated or managed; 2) the actual financial history of revenues and expenses in order to better understand the financial situation. Interim study will allow time for the committee to resolve these questions. **Vote 20-0**.

SB 36-FN-A, making an appropriation to the postsecondary education commission for the purpose of tuition incentive grants. **INEXPEDIENT TO LEGISLATE**

Rep. Kenneth L. Weyler for Finance: The tuition incentive grants that this bill proposed were included in additions to the budget. Moneys were added to the post secondary education commission line. Thus the intent of the bill has already been accomplished. **Vote 20-0**.

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

Rep. Joseph E. Stone for Finance: The committee feels that this bill which calls for the addition of another position and an additional vehicle to collect unpaid fines is unnecessary. The Department of Safety should be able to fund this request with its present budget and manpower. **Vote 20-0**.

SB 72-FN, relative to payment of medical benefits costs for group II members of the retirement system. **INEXPEDIENT TO LEGISLATE**

Rep. MaryAnn Blanchard for Finance: This bill is unnecessary because its provisions have already been adopted in the passage of HB 279 by the Committee of Conference. HB 279 became Chapter 275 of the 2001 session and signed by the governor on July 16, 2001. **Vote 20-0**.

SB 110-FN-A, extending the kindergarten construction program. **INEXPEDIENT TO LEGISLATE**

Rep. Kenneth L. Weyler for Finance: The concept of extending the kindergarten construction program has been thoroughly explored by the committee under a house bill. That process has been exhaustive and resulted in an extension. The committee felt that no further action needed to be done on this subject at this time. **Vote 20-0**.

SB 115-FN, granting a cost of living adjustment to certain retired group II firefighters. **OUGHT TO PASS**

Rep. MaryAnn Blanchard for Finance: This bill promises a supplemental 5% cost of living allowance to firefighters who retired on or before July 1, 1994, (591 persons) and $4.1 million will be expended from the Firefighters Special Account to cover the cost and still maintain a healthy balance in the special account. **Vote 17-1**.

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. **INEXPEDIENT TO LEGISLATE**

Rep. McKim W. Mitchell for Finance: This bill is not necessary because the issues raised in this bill have already been addressed in HB 279, which is now in Chapter 275 of the 2001 session. **Vote 20-0**.

SB 133-FN-A, relative to Skyhaven airport and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT**

Rep. O. Alan Thulander for Finance: The bill, as amended by the Finance Committee to remove the appropriation and the contingency clause, will accomplish the goals of the sponsors and the policy committee to facilitate the expansion of the Skyhaven airport located in Rochester. Sufficient funding was included in the biennial budget. **Vote 16-0**.

SB 135-FN-L, relative to kindergarten funding. **INEXPEDIENT TO LEGISLATE**

Rep. Linda T. Foster for Finance: Since kindergarten was funded in the budget, this bill is unnecessary. **Vote 19-0**.

SB 189-FN-A, establishing a gasoline remediation and elimination of ethers fund. **INEXPEDIENT TO LEGISLATE**

Rep. Joseph E. Stone for Finance: This bill is unnecessary because its provisions have already been amended and adopted in the passage of committee of conference on HB 758 which became Chapter 293 of 2001 session. **Vote 20-0**.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 235, establishing a committee to study certain mental health systems to address the needs of mentally ill persons in New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. Joseph Manning for Health, Human Services and Elderly Affairs: This bill would have studied ways to allow the criminal justice and mental health entities (police, probation, public defenders etc.) to more economically and humanly deal with the mentally ill who commit a misdemeanor. The bill was voted Inexpedient to Legislate since SB 100 will accomplish the desired goals. **Vote 12-0**.

JUDICIARY

CACR 2, relating to the nomination and appointment of judicial officers. Providing that the governor shall nominate and, by and with the advice and consent of the senate, shall appoint judges of the supreme, superior, and district courts, the chief justice of the supreme court, chief justice of the superior court, and the administrative justice of the district court. **INEXPEDIENT TO LEGISLATE**

Rep. Tony F. Soltani for Judiciary: This amendment would transfer the power to confirm judicial officers from the Executive Council to the Senate. This method would be similar to that utilized for the judicial officers of the United States. Although some committee members found the proposal meritorious, there was inadequate legislative and popular support at this time. **Vote 17-0**.

CACR 3, relating to 7-year terms for state judges. Providing that all state judges appointed on or after January 1, 2003 be commissioned for 7-year terms, which may be renewed. **INEXPEDIENT TO LEGISLATE**

Rep. Tony F. Soltani for Judiciary: This amendment would create 7-year renewable terms for all judicial officers. The subcommittee proposed a modified version of this proposal by amending CACR 16, which was passed by the Senate with the requisite number of votes. **Vote 16-1**.

CACR 4, relating to the administrative head of the courts. Providing that article 73-a of the second part of the New Hampshire constitution, relative to the chief justice of the supreme court as the administrative head of all the courts, be repealed. **INEXPEDIENT TO LEGISLATE**

Rep. Phyllis L. Woods for Judiciary: This subject matter was addressed in CACR 5, which was passed by the House on a vote of 290-48 and is now under consideration in the Senate. **Vote 13-0**.

HB 281-FN, establishing an independent administrative office of the courts. **INEXPEDIENT TO LEGISLATE**

Rep. Janet G. Wall for Judiciary: This bill would establish an independent Administrative Office of the Courts which would be independent of the Supreme Court. The committee found that the current Administrative Office of the Courts does not adjudicate any cases, nor does it establish policies. The Administrative Office of the Courts has many responsibilities including but not limited to assembling the budget, as well as handling daily work and fiscal matters, administering personnel, coordinating court technology for video conferencing and digital audio reporting, and facilitating judicial education. This bill is not good public policy because a service organization should report to the entity it serves. The functions of the Administrative Office of the Courts are analogous to the support staff of the Legislature. **Vote 17-1**.

HB 409, relative to qualification for admission to the New Hampshire bar. **INEXPEDIENT TO LEGISLATE**

Rep. Larry G. Elliott for Judiciary: This bill is found to be inexpedient to legislate by the House Judiciary Committee because the implementation of the concept is not fully developed. The committee found that the program has merit and recognizes that other states such as Vermont have similar programs. However, at this time, we are unable to recommend the legislation and encourage the sponsor to continue to research the subject and bring legislation back at a future date. **Vote 16-1**.

HB 566, establishing terms for the offices of administrative judges of the courts. **REFER FOR INTERIM STUDY**

Rep. Tony F. Soltani for Judiciary: This bill would establish a 7-year term for the administrative heads of the Supreme, Superior, Probate and District Courts. The subject needs further study since other statutes may be implicated and need alteration. The committee will study these implications and the necessity for creation of the terms. **Vote 16-1**.

HB 582, establishing a judicial nominating commission. **INEXPEDIENT TO LEGISLATE**

Rep. Tony F. Soltani for Judiciary: This bill would establish a commission which would nominate judicial candidates to be appointed by the Governor and Council. The committee was of the opinion that such a proposal would erode the constitutional authority of the Executive Branch, and may only be enacted through a constitutional amendment. Presently, the Governor has, by executive order, implemented such a commission. **Vote 16-1**.

HB 608-FN, establishing a judicial ethics advisory committee. **INEXPEDIENT TO LEGISLATE**

Rep. Peter F. Bergin for Judiciary: This bill establishes a judicial ethics advisory committee. This bill was filed as a result of testimony given at the House impeachment hearings. Testimony was given that it would be beneficial to judges to have a

judicial ethics committee. The Supreme Court has recently established such a committee. In addition, the Supreme Court has adopted a new Code of Judicial Conduct, which is the 1990 model. This model is more explicit in the definition of judicial conduct. **Vote 16-0**.

SB 155-L, limiting the liability of teachers and other educational employees. **OUGHT TO PASS WITH AMENDMENT**

Rep. James W. Craig for Judiciary: The original bill provided for immunity from suit for teachers and others acting within the scope of his or her employment or responsibilities in attempting to enforce control and discipline in schools. The committee felt that the bill did not rectify the problem. Instead, the committee amended the bill to make a strong statutory policy statement in support of school discipline and by providing for sanctions for frivolous actions brought against teachers to include payment of costs, fees and an award of $1000.00 to each prevailing party. **Vote 17-1**.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 744-FN-A, establishing a family and disability leave program. **OUGHT TO PASS WITH AMENDMENT**

Rep. Corey E. Corbin for Labor, Industrial and Rehabilitative Services: The amendment establishes a study committee on the feasibility of a state pilot program for family and disability leave. The committee feels placing the bill into study would serve to narrow the focus of the bill and address the issues of participation and funding. **Vote 12-1**.

SB 120, relative to tip pooling for certain hourly employees. **INEXPEDIENT TO LEGISLATE**

Rep. Robert E. Clegg, Jr. for Labor, Industrial and Rehabilitative Services: The industry and the Department of Labor have worked together over the past year to eliminate the problem. The committee felt if no problem existed, then Inexpedient to Legislate was appropriate. **Vote 14-0**.

SB 201-FN, creating a dedicated fund for the job training program for economic growth and making certain changes to the program. **OUGHT TO PASS WITH AMENDMENT**

Rep. Corey E. Corbin for Labor, Industrial and Rehabilitative Services: This bill, as amended, establishes a new dedicated fund for the purpose of job training for economic growth using a portion of the employer's contribution to the unemployment compensation trust fund. The amended bill also changes the membership of the grant review committee of the job training programs for economic growth, adds new eligibility requirements for training grants, raises the amount available for administering the program and changes the grant performance reporting procedure. **Vote 10-3**.

MUNICIPAL AND COUNTY GOVERNMENT

HB 285-FN, relative to the adoption of a state building code. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert W. Brundige for Municipal and County Government: There is a multiplicity of building codes in this state. This bill incorporates the International Building Code 2000, the International Plumbing Code 2000, the International Mechanical Code 2000, the International Energy Conservation Code and the National Electric Code 1999 to form the basis of the state building code to insure that the state has a uniform, modern construction code which will protect public health, safety and welfare. This act provides requirements for construction consistent with national recognized standards and will permit to the fullest extent possible the use of modern technical methods, devices and improvements. This bill also establishes the state building code review board, consisting of the Commissioner, Department of Safety or designee and 15 additional members nominated by the various affected boards and appointed by the Commissioner of Safety. The board shall meet to review and assess the application of the state building code and shall recommend legislation as the board deems necessary to modify the requirements of the state building code and the state fire code in order to provide consistency with the application of other laws, rules or regulations that will promote public safety and best practices. The board shall hear appeals of variances or exceptions to the state fire code. The board shall adopt rules under RSA 541-A within six months of the effective date of RSA 155-A:2 relative to the operation of the board, the procedures for appeals to the board and procedures for updating or changing the state building code. **Vote 12-3**.

HB 342-FN, relative to the enforcement of applicable law and rules concerning contractors for appraisals of taxable property. **INEXPEDIENT TO LEGISLATE**

Rep. Robert W. Brundige for Municipal and County Government: The Commissioner of Revenue Administration has a duty to exercise supervision over assessing officials. The intent of HB 342 was to add "contracted appraisers" to the supervised list. The

committee retained this bill with the intention that it may serve as a vehicle for new proposed legislation, if needed. Since an Assessing Standards Board was created in SB 193, Chapter 297 of the Laws of 2001 and since one of the duties the board is charged with is to establish certification, continuing education requirements and revocation and suspension standards for assessing official (which does include contracted appraisers) the committee felt that this issue is being currently addressed. The bill is recommended for Inexpedient to Legislate. **Vote 13-0**.

HB 365-L, requiring the department of revenue administration to establish a uniform system of property classification for assessment purposes. **INEXPEDIENT TO LEGISLATE**

Rep. Robert W. Brundige for Municipal and County Government: The intent of this bill is to require the Commissioner of the Revenue Administration to establish a uniform system of property classification for assessment purposes in New Hampshire. The time line for the implementation of the uniform system was to be during the first full revaluation of property 60 days after the effective date. The committee realized that this issue was ongoing and retained the bill to use as a vehicle for new proposed legislation, if needed. Due to the Sirrell case, the legislature created the Assessing Standards Board to address uniformity in the assessing process in New Hampshire. SB 193, Chapter 297 of the Laws of 2001 requires that board to set standards that are to be followed by assessors, selectmen and boards of assessors. The time line that has been set up by the legislature requires that all communities, starting with the tax year 2003, bring the assessments up to full market value every five years. Since this process is in place the committee deemed that HB 365 was not needed and voted to recommend Inexpedient to Legislate. **Vote 13-0**.

HB 392, establishing a committee to study the property tax status for land of agricultural fairs. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert W. Brundige for Municipal and County Government: This bill adds charitable Agricultural Fair to RSA 72:23, VI which designates which organizations are eligible for real estate and property tax exemptions, in recognition of the historical role and values promoted by Agricultural Fairs in the communities of this state. It is the intent of the general court to encourage cooperation between charitable Agricultural Fairs and the communities that host such activities. **Vote 11-0**.

HB 432, relative to the limit on appropriations to the capital reserve fund of a county. **INEXPEDIENT TO LEGISLATE**

Rep. Laurie J. Boyce for Municipal and County Government: There are two ways to fund capital projects available to the counties. They can choose to borrow money for a specific amount of time at a specific interest through the bonding process or they can choose to set money aside annually to accumulate enough to fund the capital cost through the capital reserve process. The county delegations choose what method best fits their needs. HB 342 requested that the counties be allowed to "raise and appropriate" a percentage of the last base valuation for debt limit computed pursuant to RSA 33:4-b for all municipalities included in that county. The change would be from 1/100 of one percent to 1/10 of one percent of the last base valuation for the dept limit so calculated. Only one county out of the last ten counties had asked for this change. After looking at the differing amounts of tax dollars that could be accumulated and seeing that there was no requirement for a specific purpose, unlike at the town level, the committee felt that the 1/100 of one percent was adequate for the counties and voted the bill Inexpedient to Legislate. **Vote 14-0**.

HB 439-FN-A, appropriating available funds to provide funding for an engineering feasibility study to assess the viability of constructing new or expanded regional septage disposal facilities in the Rockingham and Strafford county area. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert W. Brundige for Municipal and County Government: This bill was retained to study the increased need to resolve the lack of in state septage processing capacity in Rockingham and Strafford counties. During the work sessions with the subcommittee which included members of Environment and Agriculture Committee and the Septage Task Force a number of ideas were discussed. Because of the common subject matter HB 311, passed by the House and relative to sewage disposal systems became a topic of discussion. An error was discovered when the Fiscal Committee went to approve the septage coordinator funding. The amendment to HB 439 corrects that error by covering the cost of salary, benefits, current expenses and equipment for this position. The subcommittee voted unanimously to approve the amendment with the intention of continuing to look for long range septic solutions for Rockingham and Strafford counties. **Vote 13-0**.

HB 506, prohibiting the granting of certain variances from zoning ordinances. **INEXPEDIENT TO LEGISLATE**

Rep. William G. Johnson for Municipal and County Government: This bill would have greatly reduced municipal zoning flexibility and created a regulatory "taking of property". The Committee felt that the bill would also have precipitated numerous property rights lawsuits directed at the State or individual municipalities. The Committee retained the bill to deal with the

Simplex v Town of Newington Supreme Court decision in regards to the definition of "unnecessary hardship" as it relates to the granting of a variance from the requirements of the local zoning ordinance. An amendment was generated but the information was so different than the original bill the Committee knew it would need a second public hearing. Instead of trying to schedule a hearing, the Committee will discuss the issue as an amendment to the supplemental bill HB 1141 or HB 1344. **Vote 15-0**.

HB 549-FN-L, relative to procedures of the department of revenue administration concerning the reassessment of property. **INEXPEDIENT TO LEGISLATE**

Rep. Robert W. Brundige for Municipal and County Government: The original intent of HB 549 was to allow the Department of Revenue Administration to petition the Board of Tax and Land Appeals for a reassessment of property when the values of a particular city, town or unincorporated place were disproportional to any other property within that particular city, town or unincorporated place. During the public hearing an amendment was proposed to require inventory blanks for commercial and industrial property. The Municipal and County Government Committee retained this bill to address the issue of required inventory blanks and also to have a vehicle for related legislation, if needed. During our work sessions a resolution to the requirement of inventory forms was not found and yet the committee realizes that this issue needs to be addressed. Under HB 170, Chapter 158 of the Laws of 2001, the Department of Revenue Administration is required to certify that the assessments of a municipality comply with the provisions of New Hampshire law. There are five specific areas in assessment procedures that will be reviewed during the certification process. The most pertinent area is that assessments "are based on reasonably accurate data". The Assessing Standards Board will need to resolve this issue in the process of determining "reasonably accurate data". Since the issue of inventory forms will be addressed by the board, the committee voted that HB 549 be reported Inexpedient to Legislate. **Vote 14-0**.

HB 601-FN-A, relative to a municipality's liability for failure to remit state taxes collected by the municipality to the state. **INEXPEDIENT TO LEGISLATE**

Rep. Nancy K. Johnson for Municipal and County Government: This bill tried to address the situation that occurs when a municipality has to pay a bill to another governmental department, such as school district or county, when they have not collected the taxes from the local taxpayer. The current procedure requires the municipality to pay the bill but allows the municipality to charge a fee of up to 18% when a taxpayer does not pay the bill through the tax lien/tax deed process. The Department of Revenue Administration, during the tax rate process, may set up an overlay account, which sets money aside to cover any shortfall in the collection of taxes. Since there did not seem to be a better way to collect taxes and pay bills without losing some financial benefits the committee voted Inexpedient to Legislate on a unanimous vote. **Vote 15-0**.

HB 607-FN-LOCAL, relative to reimbursement for police assistance provided to schools within a cooperative school district or an authorized regional enrollment area school. **INEXPEDIENT TO LEGISLATE**

Rep. Robert W. Brundige for Municipal and County Government: Small towns which host cooperative schools appear to be overwhelmed with the increasing numbers and cost of providing police assistance and coverage. Requests for reimbursement by the cooperative school districts have been denied. The Committee has requested the New Hampshire Association of School Boards to investigate the feasibility of resolving the situation to ease the burden on the small town. The intent of HB 607 was to require reimbursement of the costs incurred by the cooperative school districts to the host community. Since this was considered to be an unfunded mandate, the committee voted HB 607 Inexpedient to Legislate. **Vote 14-1**.

HB 617, relative to zoning for hobby vehicles. **OUGHT TO PASS WITH AMENDMENT**

Rep. Mary R. Cooney for Municipal and County Government: This bill creates an exception to the junkyard statutes (RSA 236:111-129) for noncommercial motor vehicle restoration activities. In order to be eligible for this exception there are five conditions that need to be met: all antique motor vehicles need to be owned by the property owner or lessee; the antiques motor vehicles/parts need to be kept out of public view; all repairs and modifications need to be performed out of public view; not more than one unregistered/uninspected motor vehicle that is not over 25 years old shall be kept on the premises; and the use of the premises is in compliance with all municipal land use ordinances and regulations. This bill was introduced because currently strict interpretation of state law classifies any antique motor vehicle hobbyist activities and collections as junkyards. The committee voted unanimously to allow the restoration of antique motor vehicles without fear of their work being confiscated into the metal pile. **Vote 11-0**.

HB 627-FN, establishing a market-based water pollutant trading program. **INEXPEDIENT TO LEGISLATE**

Rep. Robert W. Brundige for Municipal and County Government: This bill would require publicly owned wastewater treatment works (POTW's) to allocate to each pretreatment operation in the area that discharges wastewater to the municipal treatment

facility a certain portion of the allowable concentration of pollutants limit for the municipality. The bill was introduced based on a paper written by a technical assistance program group. The idea of a water pollutant trading scheme is laudable, but as proposed is too restrictive and currently unnecessary. The POTW's already have the discretion to develop pollutant-trading programs within the existing regulatory framework. Required implementation of this program is clearly an unfunded mandate and there were no funds offered to cover the costs. A study committee was to be established in this bill, but the committee, along with subcommittee members for the Environmental and Agriculture Committee, noted that numerous studies are done and therefore another study was not necessary at this time. **Vote 14-0**.

HB 650-FN, relative to master plans. **OUGHT TO PASS WITH AMENDMENT**

Rep. William G. Johnson for Municipal and County Government: This bill while not mandating any new requirements on local governments provides valuable assistance and suggestions to local planners in their efforts to create and revise local master plans. The committee also recognized the bill's intent to synchronize the sections and order of local master plans with regional and state plans. The committee vote was unanimous. **Vote 14-0**.

HB 673, relative to a net asset qualification for the elderly property tax exemption for married persons, and relative to the availability of the elderly exemption for persons who reestablish residency. **OUGHT TO PASS WITH AMENDMENT**

Rep. James E. Twombly for Municipal and County Government: This amendment allows for the adoption of an additional elderly net asset qualification for an elderly resident by the local municipality. Currently, there is only one amount allowed (no less than $35,000) for net assets in the elderly exemption statute (RSA 72:39). Once the municipality votes to include this net asset qualification it shall apply to a surviving spouse until sale or transfer of the property or until the remarriage of the surviving spouse. This bill also clarifies references to consecutive years of residence and married persons in certain property tax exemption statutes. The committee voted Ought to Pass as Amended. **Vote 13-2**.

HB 689, establishing a committee to study the effectiveness and fairness of county government. **INEXPEDIENT TO LEGISLATE**

Rep. James E. Twombly for Municipal and County Government: The intent of HB 689 was to see if county government as currently operated and paid for, was effective and fair. The original bill called for a study committee to look into certain areas of county government – functions of the county now and as originally intended; what county tasks could better be accomplished by the state; possible duplication of services; equitable allocation of costs to cities and towns in the county; assessment practices. The committee retained this bill to look at these issues, to collect data to determine if any specific legislation was appropriate. The allocation of costs is set in statute - RSA 29:11 – which states that the towns shall pay in their "just proportion of all taxes granted by the county convention according to their proportion of public taxes". Also RSA 76:1 states that "an apportionment of public taxes according to the equalized valuation of the towns, cities and unincorporated places…" is the method of determining that proportion. The committee looked at possible changes to the formula of apportionment – using land area, population, number of residents from each time at a specific date – with all different percentages. Each option discussed resulted in a more complex situation within the counties and the committee was unable to propose any clear or concise solutions. The committee also feels that to have the State take over any county functions would be more expensive than what is occurring now. The Assessing Standards Board and Equalization Standards Board are looking at the statewide assessment procedures and any changes will be recommended for new legislation each December 1. Looking at the vast amount of information provided, having a belief that county government is viable in New Hampshire and not finding any solutions to the discontent with county government, the committee recommend **Vote 13-1**.

HB 701, relative to municipal regulation of renewable energy systems. **OUGHT TO PASS WITH AMENDMENT**

Rep. William G. Johnson for Municipal and County Government: The committee recognized that policies encouraging the use of renewable energy sources present benefits for the New Hampshire Economy and Environment. This bill, while not creating any new mandates on local government, often encouragement for municipalities to facilitate the installation and use of such renewable energy systems. The bill had the support of the Department of Environmental Services. **Vote 12-1**.

SB 188-FN, relative to abatements and appeals of betterment assessments. **INEXPEDIENT TO LEGISLATE**

Rep. Robert W. Brundige for Municipal and County Government: This bill would have provided specific time lines, abatement and appeal procedures for betterment assessments. All procedures and any changes were contained in HB 170, Chapter 158, Laws of 2001 which changed RSA 231:30, 32 thus rendering this bill mute. **Vote 11-0**.

PUBLIC WORKS AND HIGHWAYS

HB 336-FN-A, making capital appropriations to the university system of New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. William E. Leber for Public Works and Highways: The projects proposed in this bill were considered and most included in the Capital Improvement Budget HB 25, with provisions to extend bonding of $100 million over four to six years as the projects are prepared. The University System is satisfied for the time, therefore, this bill is no longer needed. **Vote 13-0**.

HB 494, establishing a committee to study the permitting and hearing processes for proposed highways. **OUGHT TO PASS WITH AMENDMENT**

Rep. Candace C. W. Bouchard for Public Works and Highways: This study is needed to address the problems that occur with the current process of the Department of Transportation and Environmental Services holding separate hearing on the same highway projects. Combining these hearings would allow the public to be better informed and provide a continuity to the process. **Vote 14-0**.

HB 634, relative to public/private partnership projects in the department of transportation. **INEXPEDIENT TO LEGISLATE**

Rep. Charles W. Morse for Public Works and Highways: The Department of Transportation has researched public/private partnerships for transportation projects and does not recommend this legislation. The committee and the Commissioner of the Department of Transportation (DOT) agrees with the sponsor that rail projects should have specific legislation in the future to address the projects appropriately. **Vote 13-1**.

SB 66-FN-A, relative to appropriations to the port authority for dredging projects. **INEXPEDIENT TO LEGISLATE**

Rep. Benjamin E. Moore for Public Works and Highways: The committee feels that further maintenance dredging in Seabrook/Hampton Harbor not be done until the Blackwater River/River Street Cut problem is resolved. **Vote 13-1**.

RESOURCES, RECREATION AND DEVELOPMENT

HB 472, requiring that land transferred to the White Mountain National Forest and the Silvio O. Conte National Fish and Wildlife Refuge include a covenant granting access to the citizens of New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. John T. Gallus for Resources, Recreation and Development: Although the committee appreciated the intent of the bill to allow access to citizens of New Hampshire. The committee felt the bill was in conflict with Federal/State laws. **Vote 16-1**.

HB 476, relative to the definition of a campsite. **INEXPEDIENT TO LEGISLATE**

Rep. Stanley E. Czech for Resources, Recreation and Development: This bill was conceived to allow private property owners to have scouts or relatives camping on their property. While considering this bill, SB 33 was presented. SB 33 passed and was signed by the governor. SB 33 solves the problem that HB 476 was intended to solve and is therefore not needed. **Vote 15-2**.

SB 88-FN-A, establishing a travel and tourism development fund in the department of resources and economic development and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. H. Charles Royce for Resources, Recreation and Development: SB 88-FN-A was to establish a travel and tourism appropriation in the Department of Resources and Economic Development. The appropriation for the Division of Travel and Tourism was made through the budgetary process, making this bill unnecessary. **Vote 15-0**.

SCIENCE, TECHNOLOGY AND ENERGY

HB 316-FN, establishing the position of state energy manager. **INEXPEDIENT TO LEGISLATE**

Rep. Terie T. Norelli for Science, Technology and Energy: This bill would have established the position of state energy manager to coordinate efforts to reduce the state's energy consumption and lower its $17,000,000 annual energy bill. This position was funded in the budget and the new energy manager has been introduced to the committee. Therefore, this bill is no longer needed. **Vote 16-0**.

HB 423, relative to the sale of generation assets, the provision of transition service, and the funding of the energy efficiency program for Public Service Company of New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. Jeb E. Bradley for Science, Technology and Energy: The committee and the sponsor decided the bill is no longer needed. After extensive discussions the committee was made aware that in the event of merger between regulated utilities that the PUC has adequate authority to ensure that "just and reasonable" rates are a result of any merger. This authority would include jurisdiction over synergy savings that might be a result of any mergers. Such synergy savings were ordered by the PUC in the Northeast Utilities and Consolidated Edison merger, which was approved by the PUC though that proposed merger failed due to events outside of New Hampshire. The other issue was the time frame for the approval process for a merger under RSA 369:8, II(b)(5). Several utilities stated in writing that a 60-day requirement in that section did not constitute a "deemed approval" requirement. While the law points to expeditious approval of a merger within the stated time frame, if the PUC requires more time than the 60 days that the statute calls for, the PUC is not under a deemed approval requirement and could easily seek extensions from petitioners in the PUC review process of a merger. **Vote 14-0**.

HB 681, relative to imposition of fines for anti-competitive acts by electric utilities and relative to billing by electric and gas utilities. **OUGHT TO PASS WITH AMENDMENT**

Rep. John H. Thomas for Science, Technology and Energy: This bill adds Public Utility Commission (PUC) authority to prevent cramming and slamming in the electric and gas industries similar to the existing statutes that make it illegal for service providers in the telecommunications industry to engage in slamming and cramming. Slamming is the changing of a service provider that is not authorized by the customer. Cramming is the addition of services that are not authorized by a customer. Gas and electric utilities have agreed to this legislation. **Vote 15-0**.

HB 718-FN, establishing minimum renewable standards for energy portfolios. **OUGHT TO PASS WITH AMENDMENT**

Rep. Donald B. White for Science, Technology and Energy: The committee voted unanimously for passage of this bill, as amended; recognizing that promotion of the generation of electric power is in the public interest. The generation of renewable electricity provides energy diversity and security, as well as environmental, economic and public health benefits. The amendment encourages greater choices for customers who wish to voluntarily purchase electricity generated from renewable resources. Any additional costs for this electricity must be borne by the customer. Utilities are not mandated to provide the option of renewable electricity. The amendment defines what is renewable electricity. The amendment also requires the Public Utilities Commission to complete its rulemaking on environmental disclosure of the sources of electricity so that customers have this information if they choose a competitive supplier. The amendment also encourages the PUC to include information on renewable electricity as part of its on-going customer education program. The amendment is a first step toward encouraging more generation of renewable electricity on a voluntary basis. The original bill would have mandated increasing levels of renewable electricity generation, which the committee rejected because of concerns of the impact such a policy would have had on the price of electricity in New Hampshire. Sections 6 and 7 are not intended to create PUC jurisdiction over the New Hampshire Electric Cooperative or a municipality where such jurisdiction would not otherwise exist. **Vote 16-0**.

TRANSPORTATION

HB 209-FN, relative to original and youth operators' licenses. **OUGHT TO PASS WITH AMENDMENT**

Rep. Sherman Packard for Transportation: This bill, as amended, repeals the stipulation that a 16 or 17 year old cannot drive unless accompanied by an adult for the first 90 days. It requires a one-year license for those under 18 years old. During the first 6 months, the youth operator will be limited to one passenger in the vehicle other than a family member or unless accompanied by an adult over 25 years of age. The charge for the license will be 10 dollars ($10). If conviction free for one year, the youth will be moved into a full 5-year license. **Vote 13-0**.

WAYS AND MEANS

CACR 24, relating to establishing a maximum rate for a sales tax. Providing that the rate of any sales tax established in law shall not exceed 2 1/2 percent, provided that a higher rate may be established by a 2/3 vote of those present and voting in each house of the general court. **INEXPEDIENT TO LEGISLATE**

Rep. Bette R. Lasky for Ways and Means: The subcommittee voted 5-0 to ITL this bill. As a sales tax was not passed in 2001, nor does there appear to be one on the horizon, this bill is not relevant at this time. **Vote 17-0**.

CACR 25, relating to establishing a maximum rate for any uniform statewide property tax established in law by the general court for the purpose of providing state aid for public elementary and secondary education. Providing that the rate of any uniform statewide property tax established in law by the general court for the purpose of providing state aid for public

elementary and secondary education shall not exceed $4.90 on each $1,000 of the value of taxable property subject to the tax, provided that a higher rate may be established by a 2/3 vote of those present and voting in each house of the general court. **INEXPEDIENT TO LEGISLATE**

Rep. Jeff Gilbert for Ways and Means: In view of the legislature's actions in adopting HB 170 last June, the Committee believes that this bill is now moot. **Vote 15-0**.

HB 213-FN, increasing the allowable amount of education property tax relief. **OUGHT TO PASS WITH AMENDMENT**

Rep. Jeff Gilbert for Ways and Means: The committee unanimously agreed that while this bill's purpose of expanding hardship relief from the statewide property tax was laudable the bill was too narrow in its focus and therefore should be amended to create a study committee to examine all aspects of hardship relief from the statewide property tax. **Vote 15-0**.

HB 294-FN, excluding certain pension income from household income for purposes of determining education property tax hardship relief. **OUGHT TO PASS WITH AMENDMENT**

Rep. Susan W. Almy for Ways and Means**:** Certain pensions**,** primarily those of Portsmouth Shipyard and NH State Group II retirees, are taxable in full by the IRS. The vast majority of NH elderly enjoy non-taxable pensions and social security, and thus, if impoverished homeowners, can claim more relief than the working poor under the statewide property tax hardship relief program passed into law last year. Portsmouth Shipyard and Group II pensioners cannot. This bill entitles them to the same relief as the majority of elderly get. The legislature projected a maximum of $10 million to cover the cost of hardship relief over the biennium; this should add an estimated 4-9% to that. **Vote 15-0**.

HB 334-FN-A, adopting a single sales factor method of apportionment under the business profits tax. **INEXPEDIENT TO LEGISLATE**

Rep. Howard C. Dickinson for Ways and Means: The Business Profits Tax is currently calculated using three criteria, with the so-called sales factor receiving double weight. This bill would base the BPT solely on a business' sales. It would affect the approximate 8,000 taxpayers who do business both inside and outside New Hampshire. The change would benefit and encourage manufacturing – a sector of our economy which has been in significant decline – but adversely affect an even larger number of smaller businesses in the service, retail and wholesale sectors. In addition, all parties agreed that this change would result in a reduction of from $7 to $9 million in business tax revenues during normal times. The committee almost unanimously concluded that it would be unwise to consider this change during these uncertain economic and fiscal times. **Vote 16-1**.

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. **INEXPEDIENT TO LEGISLATE**

Rep. David J. Alukonis for Ways and Means: The intent of this bill is to reduce the possibilities for dishonest activities by bingo operators and to reduce the amount of proceeds from those games that go to benefit causes outside of the state of New Hampshire. The committee entertained significant testimony from reputable charities as well as from churches that stated that this proposal would interfere with their charitable efforts. For example, many churches in New Hampshire hold bingo games that raise funds for relief and missionary efforts in other parts of the United States as well as in third world nations. If HB 378 were to be adopted, local charities would not be able to raise funds to benefit causes that they see as important to them. The issue of fraudulent activities was not a concern for the Department of Safety, which has police powers over the operations of bingo games. **Vote 18-0**.

HB 424, establishing a committee to study the exemption from property taxes for not-for-profit hospitals. **INEXPEDIENT TO LEGISLATE**

Rep. Jeff Gilbert for Ways and Means: The committee believes that this bill is premature, in light of pending litigation between the town of Lebanon and the owners of Mary Hitchcock Hospital, to deal with its core subject matter. **Vote 13-1**.

HB 427, establishing a commission to study the taxation of trusts and the control of beneficiaries over trust management. **INEXPEDIENT TO LEGISLATE**

Rep. David W. Hess for Criminal Justice and Public Safety: This bill was filed at the request of one constituent who was concerned about the fairness of taxing trusts in New Hampshire and about a beneficiaries power to influence a trustee's management decision. However testimony received from the Department of Revenue Administration, the banking industry, and the legal profession unanimously confirmed that trusts are taxed in the way that individuals and corporations are taxed, as required by the New Hampshire Constitution. Further, in order for a trust to validly exist as a separate legal entity, the trustee

must be receptive to, but cannot be bound and controlled by the demands of that trust's beneficiaries. **Vote 16-0**.

HB 558-FN-A-L, increasing certain state taxes, establishing a tax on gambling winnings, and expanding the meals and rooms tax to include a tax on entertainment. **INEXPEDIENT TO LEGISLATE**

Rep. David J. Alukonis for Ways and Means: This bill was introduced as a vehicle to solve the state's anticipated budget deficit by increasing several taxes and creating some new ones as well. As the budget for the current biennium is balanced and has been signed into law, there is now no need for this proposal**. Vote 17-1.**

HB 592-FN-A, relative to a milfoil and other exotic plants prevention and research grant program and fund. **OUGHT TO PASS WITH AMENDMENT**

Rep. Michael W. Downing for Ways and Means: This bill creates a grant program administered by the Department of Environmental Services to aid lake associations and municipalities in controlling milfoil and other exotic plants without increasing existing boat registration fees. This bill also provides funding for the harbor dredging and pier maintenance fund, as well as a research grant in exotic plant control. Funding for these programs will be provided utilizing the boat fees currently collected by authorized agents of the state. The boat fees currently collected by municipalities will remain with the municipality. The fees collected directly by the state will continue to go to the navigational aid fund. This bill also requires the Departments of Environmental Services and Safety to submit a yearly report to the legislature**. Vote 18-0.**

HB 644-FN-A-L, 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. **INEXPEDIENT TO LEGISLATE**

Rep. Kevin L. Camm for Ways and Means: This bill was retained by the committee as a gambling bill vehicle. There are at least 5 new bills coming forth that we feel deserve consideration. The sponsor's concerns were that expanded gambling (should that occur) should not be an exclusive license to a chosen few and that there should be fair opportunity for the distribution of licenses to those that want to participate. These concerns can be addressed at the appropriate time with the upcoming bills. **Vote 17-1**.

SB 28, permitting disclosure of final decisions of the commissioner of revenue administration. **INEXPEDIENT TO LEGISLATE**

Rep. Christine M. Konys for Ways and Means: This bill was requested by the Dept. of Revenue Administration. There was opposition from both the legal and business communities, and subsequent to the public hearing, the Commissioner of the DRA asked that the bill be found inexpedient to legislate. **Vote 16-0**.

SB 64-FN-A, establishing a fund to pay mediators in the probate courts. **OUGHT TO PASS**

Rep. David W. Hess for Ways and Means: This bill institutes a voluntary mediation program in our Probate Courts to facilitate the resolution of litigation in those courts. Effective mediation of these disputes is particularly appropriate because the parties involved are generally familiar with each other and are frequently members of the same family. Mediation in these cases requires professional, skilled and trained individuals. This purely voluntary program will be funded by a $5 fee added to all filings in Probate Court. No parties appeared in opposition. The probate court forecasts that the fee will generate $50,000 annually. **Vote 15-0**.

SB 142-FN, relative to the collection of debts owed to the state. **INEXPEDIENT TO LEGISLATE**

Rep. Christine M. Konys for Ways and Means: This bill was introduced at the request of a single constituent, which was a collection agency. The committee received input from several state agencies, and the consensus was that the state does very well collecting debt on its own. There were also serious concerns about having a private agency represent the state in the collection of debt. **Vote 17-0**.

SB 183-FN-A-L, relative to distribution of certain meals and rooms tax revenue to municipalities with affordable housing. **INEXPEDIENT TO LEGISLATE**

Rep. Bette R. Lasky for Ways and Means: The subcommittee voted 5-0 to ITL this bill. A commission established by SB 21 has been meeting all summer to study in depth the issue of "affordable housing". The commission is ongoing and will consider the content of SB 183 in its deliberations on possible legislation to address affordable housing. **Vote 17-0**.

WEDNESDAY, JANUARY 2

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

HB 559-FN, relative to the procedures for assignment of income from child or spousal support orders. **OUGHT TO PASS WITH AMENDMENT**

Rep. David M. Bouchard for Children and Family Law: The intent of the bill is to decrease the workload of the Health and Human Services, Division of Child Support, by enacting an additional option for the transfer of child support payments instead of automatic wage assignment. **Vote 13-0**.

COMMERCE

HB 470, relative to caller identification requirements for persons engaged in telephone solicitation. **INEXPEDIENT TO LEGISLATE**

Rep. Leo W. Fraser, Jr. for Commerce: In this first year of the biennium, the committee dealt with three bills relative to telemarketing practices. Because of interstate commerce issues, it is difficult to regulate against the telemarketers. The Commerce Committee requested that the New Hampshire Telephone industry do a special mailing advising their customers what can be done to stop telemarketers from making these calls. It is our understanding that 100% of users with telephone wires have been contacted. Based on this, the committee recommends that HB 470 be reported out as inexpedient to legislate. **Vote 15-1**.

HB 541-FN, requiring certain hospitals to provide charity care and continually appropriating a special fund. **REFER FOR INTERIM STUDY**

Rep. Marshall E. Quandt for Commerce: This bill would require non-profit hospitals to have a guaranteed amount of charitable care. The committee felt this bill has merit but needed a lot of work, and therefore voted unanimously for Interim Study. **Vote 16-0**.

HB 710-FN, relative to liquor licenses and fees. **OUGHT TO PASS WITH AMENDMENT**

Rep. Stephen G. Avery for Commerce: This bill constitutes a sweeping revision of the current liquor licenses and fees as found in RSA 178. Right now there are 54 classifications of retail on premise licenses for the sale of alcohol. This legislation is strongly recommended by the New Hampshire Liquor Commission who believe that the current laws governing licensing in the Title XIII are a complex labyrinth constructed more to accommodate new and evolving businesses than an orderly and efficient licensure structure for businesses selling alcoholic beverages. This bill, when passed, will enable the Bureau of Enforcement to concentrate their efforts on the more important issues of underage drinking and the over- service of alcoholic beverages. **Vote 17-0**.

HB 765-FN-A, establishing an historic homeownership mortgage credit program. **REFER FOR INTERIM STUDY**

Rep. Joseph D. Kenney for Commerce: This bill would establish an historic homeownership mortgage credit program in which owners of certain historic homes receive a mortgage credit for a percentage of qualified rehabilitation expenses. The overall fiscal note for this bill was for $1,000,000. An eligible individual would be entitled to receive an historic homeownership mortgage credit in an amount equal to 25% or the qualified rehabilitation expenditures made by the individual with respect to a qualified historic home. The credit allowed by this section with respect to any residence shall not exceed $50,000. The committee appreciated the need to develop a program for historical home preservation in historic districts and within New Hampshire Main Street Centers. However, the committee felt the bill needed some "nuts and bolts" work and a better financial study of pre-existing programs around the nation to justify a large fiscal note. The committee felt the pressing need in New Hampshire is for affordable housing that is addressed in SB 102-A. **Vote 17-0**.

SB 102-A, making a capital appropriation to support affordable housing solutions in the state of New Hampshire. **OUGHT TO PASS**

Rep. Joseph D. Kenney for Commerce: This bill would appropriate $5,000,000 to the New Hampshire Housing Finance Authority to address the affordable housing needs of the state. A similar request was made in 1989, which has produced excellent results, and for every dollar invested, ten dollars was created in housing projects. The Treasury Department has

determined that this bill will increase state general fund expenditures by $545, 875 in FY 2002, by $530,875 in FY 2003, by $515,875 in FY 2004 and by $503, 500 in FY 2005. There will be no effect on county and local expenditure or on state, county and local revenues. This bill increases general fund bonded indebtedness by $5,000,000. This appropriation shall be nonlapsing. Because the Commerce Committee is a policy committee, we left the dollar amount and the timing of when the funding would begin to be determined by the Finance Committee. However, the committee strongly supported this bill based on the escalating needs of housing in our state, and the past success of the New Hampshire Housing Authority. **Vote 17-0**.

ELECTION LAW

HB 436, eliminating nomination of a party by nomination papers. **INEXPEDIENT TO LEGISLATE**

Rep. Robert E. Clegg, Jr. for Election Law: The majority of the committee agreed more work needs to be done on this issue but this bill would repeal all the work the committee accomplished last year. The majority of the committee recommended Inexpedient to Legislate so that it may start fresh with bills presented this year. **Vote 10-8**.

HB 519, relative to the ballot law commission. **OUGHT TO PASS**

Rep. Natalie S. Flanagan for Election Law: This bill returns the right to determine petition to cease and desist back to the Ballot Law Commission. Any cases of misconduct or fraud shall be handled by the Attorney General. **Vote 10-8**.

ENVIRONMENT AND AGRICULTURE

HB 581, relative to the authority of the commissioner of agriculture, markets, and food to search for invasive species. **INEXPEDIENT TO LEGISLATE**

Rep. Timothy D. O'Connell for Environment and Agriculture: This bill would require the 3 plant inspectors in the Department of Agriculture to obtain a search warrant to inspect over 700 regulated plant producers and retailers, in addition to monitoring our general landscape for exotic, or invasive, species. Invasive species include other plants, insects, molds, fungi, and bacteria that compete with our native species. Invasions, accidental or intentional can have major economic and ecological impact as evident with Am. Chestnut Blight and Milfoil. The committee recognizing that early detection and rapid response is essential to combat such threats to our economic and environmental well being. **Vote 14-0**.

HB 675, relative to mercury source reduction. **OUGHT TO PASS WITH AMENDMENT**

Rep. James Phinizy for Environment and Agriculture: This bill is part of a regional effort to achieve mercury reduction in the environment and to establish a reasonable time line for reduction of mercury in consumer products. This legislation establishes a sensible, non-nonsense approach towards those products which contain mercury as an added component. **Vote 13-5**.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 159-FN, relative to benefit options for surviving spouses and designated beneficiaries of deceased members of the retirement system. **REFER FOR INTERIM STUDY**

Rep. Maurice E. Goulet for Executive Departments and Administration: There was much discussion when this bill was examined in executive session. The initial motion brought forth was inexpedient to legislate. This motion was defeated 6-8. The issue of contention regarding this bill was the impact of an Article 28-A concern. Interim study was offered as an optional motion so that the committee can provide additional study to the impact of this constitutional situation. **Vote 13-1**.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 161-FN-A, relative to treatment for individuals with disabilities and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT**

Rep. James MacKay for Health, Human Services and Elderly Affairs: This bill establishes a commission to review and approve locations for the provision of residential facilities for individuals with complex and significant disabilities who have engaged in behavior which endangers the community and also requires intensive therapeutic intervention and close supervision. It is anticipated that there will be two sites on publicly owned property. The bill also establishes an appropriation to establish the

program and provide staff to provide services. Much of the bill is based on Chapter 171, which was passed when the Laconia State School was closed. **Vote 13-1**.

JUDICIARY

CACR 16, **relating to: procedure for nomination and review of judges. Providing that: judges shall be nominated and selected by an independent commission and reviewed every 10 years thereafter.** INEXPEDIENT TO LEGISLATE

Rep. John M. Pratt for Judiciary: No bill before this committee during the past session received greater consideration than CACR 16. A subcommittee heard three days of public testimony before voting 3-2 to recommend establishing renewable 10-year term limits for all members of the judiciary appointed after January 1, 2003. Extensive discussion by the full committee on this proposal plus a second alternative resulted in four separate committee votes (including a 9-9 tie on the alternative plan) before the final 13-5 vote to ITL the original Senate bill. The Senate bill was killed because (a) it lumped together in one constitutional question the two distinctly separate issues of Judicial Selection and Judicial Retention/Renewal, which some members objected to, (b) it placed the Judicial Selection process in the Constitution, which some members opposed, and/or (c) it altered the current constitutional requirement that judges shall "hold their offices during good behavior" (Part 2, Article 73), which some members opposed. Vote 13-5**.**

PUBLIC WORKS AND HIGHWAYS

HB 730, establishing a committee to study the transfer of the Goffstown district court to a new location. **OUGHT TO PASS WITH AMENDMENT**

Rep. Leon Calawa, Jr. for Public Works and Highways: The committee agreed that since there are ongoing discussions between the courts and Hillsborough County it is in the best interest to keep this legislation open until there is resolution by negotiation. **Vote 13-1**.

SCIENCE, TECHNOLOGY AND ENERGY

HB 284-FN, relative to additional emissions reductions from grandfathered fossil fuel burning steam electric power plants. **OUGHT TO PASS WITH AMENDMENT**

Rep. Jeb E. Bradley for Science, Technology and Energy: This bill is based upon a significant study the New Hampshire Department of Environmental Services (DES) released early in 2001 that detailed the impacts of pollution from electric generating plants that primarily burn coal and indicated a need for further controls on those emissions. At the first public hearing most environmental groups said the bill was a good first step but needed to be strengthened. Public Service of New Hampshire (PSNH) was neutral, and national coal interests and the towns of Bow and Newington, where facilities are located, opposed the bill. The committee retained the bill, held work sessions, and then several members negotiated the compromise amendment that is supported by PSNH, Audubon Society of NH, Society for Protection of NH Forests, NH Lung Association, Environmental Voters of NH, and NH Lakes Association. A public hearing was held on the amendment. Other environmental groups want stronger provisions, coal interests remained opposed, and Bow and Newington support the amendment. Originally the bill sought reductions of 70% nitrogen-oxides (smog), 75% sulfur (acid rain), 10% carbon dioxide, and 75% mercury by the end of 2007. Under the proposed amendment, the caps for sulfur and nitrogen remain unchanged and the carbon-dioxide cap is a 3% reduction. A mercury cap will be the subject of future legislation after tests are conducted and the current levels of mercury emissions determined. PSNH and DES both estimate the compliance costs of the amendment are in the $5 million range annually. The effective date of the amendment (a year earlier than the original bill) is December 31, 2006, which means there will be no costs to customers until that point. Should PSNH sell the generating plants after February 2004 (when current law allows the plants to be sold) the legislation might have the effect of minimally decreasing the plant's value. PSNH testified that greater certainty that the bill provides regarding future regulation would help preserve the plant's value. The sale price of the plants would not directly affect rates; rather any negative effect on the sale price of the plants could possibly lengthen the time over which stranded costs are recovered without increasing the actual stranded cost charge. If PSNH still owns the plants in 2007 the $5 million cost would be recoverable in rates and have an impact of about 40 cents per month on an average 500 kilowatt-hour bill. The amendment contains provisions for emissions trading which allows PSNH to make on-site emissions

reductions or to purchase emissions reductions from other facilities that have surplus reductions. Emissions trading allow markets to establish the most cost-effective way to reduce pollution. Inclusion of this component was essential in gaining PSNH's support for the bill. Without emissions trading it is unlikely that PSNH could meet the proposed emissions limits and operate the plants. This would have the effect of driving up the price of electricity in NH and reducing energy diversity regionally. Mercury trading will be an issue for future legislation as it is neither promoted nor prohibited in this amendment. The amendment contains several incentives for PSNH to reduce emissions locally and to purchase emissions reductions as needed from nearby upwind states. DES and EPA data indicate that the majority of air pollution in NH comes from upwind states so an incentive for trading from nearby up-wind states will improve NH air quality. Additionally the bill allows PSNH to choose to comply by spending additional money on energy efficiency programs. While some argue that energy efficiency programs do not achieve the same pollution reduction as on-site controls or emissions trading, the committee recognizes that energy efficiency does lead to environmental improvement over time and also allows customers greater options in reducing demand for electricity which in turn lowers bills. The energy efficiency component of the amendment was essential in getting the backing of the environmental supporters and PSNH. The amendment also insures that any new pollution control programs DES might propose would need future legislative approval. PSNH has spent $100 million in the last decade to significantly lower emission levels of nitrogen, sulfur, and particulate matter. This amendment represents further progress in reducing these emissions. The committee believes the future cost of compliance with this amendment is reasonable and that energy diversity and energy security are maintained as the plants will be able to continue to operate as environmental progress is made. **Vote 15-0.**

HB 695, relative to net energy metering. **INEXPEDIENT TO LEGISLATE**

Rep. William W. Gabler for Science, Technology and Energy: In an effort to redefine the list of technologies that qualify for net metering, this bill seeks to add fuel cells to that list and to modify the rules for net energy measurement regarding the carrying forward of excess credit from one billing cycle to the next. Inclusion of fuel cells as eligible generating equipment would not be in keeping with the stated purpose of the Limited Electrical Energy Producers Act. Specifically, the electrical output of fuel cells is not limited and cyclical in nature, nor do they use indigenous or renewable fuels. With regard to carrying forward excess credit, the Public Utilities Commission testified and provided documentation to the fact that this is already current practice. **Vote 14-1**.

HB 755, relative to groundwater contamination and gasoline sampling. **INEXPEDIENT TO LEGISLATE**

Rep. Donald B. White for Science, Technology and Energy: The committee felt the aim of this bill was commendable but not necessary at this time for several reasons. Legislation passed in 2000 required the Department of Environmental Services (DES) to sample the MtBE content of gasoline in the six northern and western counties of the state where a high content of MtBE is not mandatory. Further sampling would not likely reveal new information. DES testified that groundwater sampling is unlikely to reveal information substantially different from similar studies conducted in Maine and that the money that would be needed to conduct such testing would be better spent on remediation and prevention. It should also be noted that HB 758 became law last spring. That bill required DES to opt-out of the federal reformulated gas program by January 2004 and to submit all necessary documentation to the EPA to seek the waiver from this program. That bill also established a separate fund to remediate groundwater contaminated by MtBE. By early December DES will have completed the process of submitting the necessary paperwork to the EPA for the opt-out waiver from the reformulated gas program and will await a response from the EPA. This submittal includes an interim rule recently adopted by DES that would allow much lower MtBE content for reformulated gasoline once the federal opt-out waiver is received. An identical permanent rule should be finalized by March. Despite these efforts, the critical ingredient for fully and finally removing MtBE from gasoline in NH remains a change in federal law that would allow states flexibility in determining the chemical content of gasoline. Under current federal law that flexibility does not now exist. Senator Smith is once again working to pass such federal legislation. **Vote 15-1**.

COMMITTEE MEETINGS

THURSDAY, JANUARY 3, 2002

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. ***HB 1232-FN-LOCAL,*** relative to the confidentiality of library user records.

10:30 a.m. ***HB 1299-FN,*** relative to premarital preparation courses.

1:00 p.m. ***HB 1266-FN,*** relative to the appointment of a guardian of the estate of a minor.

2:00 p.m. ***HB 1347-FN,*** authorizing the department of health and human services to intercept insurance payments if there is unpaid child support.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1258-FN,*** relative to post-conviction DNA testing.

11:30 a.m. ***HB 1365-FN,*** requiring that the county departments of correction be charged the medicaid or lowest rate for inmates who need medical services within the community.

1:30 p.m. ***HB 1363-FN-LOCAL,*** requiring the state to reimburse counties for the costs of incarcerating certain prisoners.

EDUCATION, Room 207, LOB

10:00 a.m. ***HB 1244,*** establishing a committee to study the curriculum content of an adequate education.

11:00 a.m. ***HB 1281,*** establishing a commission to study public educational choice initiatives.

1:00 p.m. ***HB 1328,*** establishing a committee to define "instructional hour" and "instructional time" for the purposes of primary and secondary education.

1:45 p.m. ***HB 1326,*** establishing a committee to study the veterinary/medical education loan program and the veterinary/medical/optometric loan program.

2:30 p.m. ***HB 1333,*** establishing a committee to study the definition of an adequate education.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1126-FN-A,*** establishing the weights and measures laboratory accreditation program.

10:30 a.m. ***HB 1374-FN,*** requiring the department of environmental services to bear certain clean-up costs.

11:30 a.m. ***HB 1119-FN-LOCAL,*** relative to landfill closing costs reimbursed by the department of environmental services.

1:00 p.m. ***HB 1267-FN-LOCAL,*** relative to a ban on landfilling and incinerating aluminum cans.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1265-FN,*** permitting certain gaming enforcement officers to be group II members of the New Hampshire retirement system.

11:00 a.m. ***HB 1351-FN,*** granting group II retirement system status to certain positions in the department of corrections.

1:30 p.m. ***HB 1388,*** relative to respiratory care.

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

10:00 a.m. ***HB 1372-FN,*** relative to certain residential care facilities.

11:30 a.m. ***HB 1136,*** proclaiming February 14 as Congenital Heart Defect Awareness Day.

1:30 p.m. ***HB 1131,*** establishing a committee to study increasing the number of physicians who are New Hampshire residents.

JUDICIARY, Room 208, LOB

9:30 a.m. ***HB 1117,*** establishing a committee to study the effects of prohibiting adverse possession in

New Hampshire.

10:30 a.m. ***HB 1253,*** relative to possessory actions against tenants.

1:00 p.m. ***HB 1257,*** relative to oaths by public employees.

1:30 p.m. ***HB 1379-FN,*** affirming the state's sovereignty and revising the state's labor laws application to elected and appointed officials.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. ***HB 1130,*** increasing the rate of workers' compensation.

10:00 a.m. ***HB 1142,*** relative to the advisory council on unemployment compensation.

11:00 a.m. ***HB 1161,*** relative to youth employment.

1:00 p.m. ***HB 1335,*** excluding the services of a broker-dealer agent from the definition of employment for unemployment compensation purposes.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1369-FN-LOCAL,*** requiring cities and towns to complete valuations of property and relative to the implementation of education property tax hardship relief provisions.

11:30 a.m. ***HB 1315,*** relative to requiring revaluation of property.

1:00 p.m. ***HB 1155,*** relative to the unauthorized use of firearms in towns and cities.

2:00 p.m. ***HB 1397,*** relative to the annual salary of police commissioners of the town of Wolfeboro.

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

1:30 p.m. Regular meeting.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 1120,*** relative to naming a certain **island** in Lake Winnipesaukee in the town of Moultonborough.

11:00 a.m. ***HB 1296,*** relative to ambient groundwater quality standards.

1:30 p.m. ***HB 1235,*** relative to operation of motorized vessels and safe boater education.

2:30 p.m. ***HB 1113,*** relative to boating on Sandogardy Pond in the town of Northfield.

TRANSPORTATION, Room 203, LOB

10:00 a.m. ***HB 1327,*** establishing a committee to study the recodification of railroad statutes in New Hampshire.

10:45 a.m. ***HB 1180,*** establishing a task force to research revenue streams to fund intermodal transportation systems in New Hampshire.

11:30 a.m. ***HB 1179,*** establishing a task force to investigate the feasibility of utilizing the Concord to Lincoln rail corridor for passenger service.

1:00 p.m. ***HB 1283,*** establishing a committee to study state and local regulation of helicopter landings.

1:45 p.m. ***HB 1134,*** relative to lighting requirements for motor vehicles and trailers.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. ***HB 1268-FN,*** establishing a net operating loss deduction in computing the business profits tax.

11:00 a.m. ***HB 1270-FN,*** making technical corrections due to the repeal of the legacies and succession tax.

1:30 p.m. ***HB 1322,*** requiring a super majority vote for adoption of certain tax legislation.

2:00 p.m. ***HB 1358-FN-LOCAL,*** relative to valuation of property for purposes of assessing the education property tax.

2:30 p.m. ***HB 1341,*** relative to permissible uses of education property tax revenues.

FRIDAY, JANUARY 4

ELECTION LAW, Room 308, LOB

9:30 a.m. Public hearing on proposed amendment to ***HB 380,*** apportioning county commissioner districts. (Copies of the amendment will be available from the Sergeant-at-Arms Office.)

10:00 a.m. Public hearing on proposed amendment to ***HB 419,*** apportioning delegates to state party conventions. (Copies of the amendment will be available from the Sergeant-at-Arms Office.)

10:30 a.m. Public hearing on proposed amendment to ***HB 379,*** apportioning the executive council districts. (Copies of the amendment will be available from the Sergeant-at-Arms Office.)

12:30 a.m. Public hearing on proposed amendment to ***HB 420,*** apportioning state representative districts. (Copies of the amendment will be available from the Sergeant-at-Arms Office.)

TUESDAY, JANUARY 8

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Rescheduled public hearing on ***HB 1287,*** establishing a committee to study the need for additional training of attorneys representing clients in domestic relations matters.

11:00 a.m. Rescheduled public hearing on ***HB 1301,*** relative to grounds for divorce for persons with minor children.

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 1332-FN-A,*** requiring an audit of New Hampshire housing finance authority programs and making an appropriation therefor.

11:00 a.m. ***HB 1153,*** relative to the jurisdiction of the board of manufactured housing.

1:30 p.m. ***HB 1361-FN,*** relative to the regulation of business practices between off highway recreational vehicle manufacturers, distributors, and dealers.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1186-FN,*** relative to penalties for flag desecration.

11:00 a.m. ***HB 1303-FN,*** prohibiting the wearing of certain facial coverings.

1:30 p.m. ***HB 1187-FN,*** relative to criminal penalties for possession of a firearm in a safe school zone and ***HB 1185-FN,*** relative to the possession of deadly weapons in a safe school zone.

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 1371-FN-A-LOCAL,*** relative to state aid for provision of an adequate education, and for additional local education tax relief.

11:00 a.m. ***HB 1233-FN-A,*** requiring an audit of the department of education and making an appropriation therefor.

1:00 p.m. ***HB 1229-FN-A-LOCAL,*** relative to funding of special education.

2:00 p.m. ***HB 1213,*** relative to personal school records of pupils.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1170,*** extending the environmental audit program.

10:30 a.m. ***HB 1143,*** establishing a committee to study self-certification of hazardous waste small quantity generators.

11:00 a.m. ***HB 1171,*** establishing a committee to study the state's role in supporting organic agriculture.

1:00 p.m. ***HB 1197-FN,*** relative to providing notice of invasive species to New Hampshire citizens.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1373-FN,*** relative to the participation in the New Hampshire retirement system by certain school district employees.

1:30 p.m. ***HB 1318,*** relative to the regulation of the use of pharmaceutical agents by licensed optometrists.

2:30 p.m. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE, Rooms 210-211, LOB

9:00 a.m. ***CACR 30,*** relating to the legislature's authority to define and fund education, education taxes, and delegation of power to local school districts. Providing that the legislature shall have the authority to determine the content, extent, beneficiaries, and funding of education or to delegate that authority to local school districts; and it shall have the authority to determine the proportion of taxes necessary to fund public education which shall be provided by state and local taxes and judicial review of the legislative determination shall be limited to whether the legislature has a rational basis for its decision.

10:00 a.m. ***HB 1192,*** relative to the use of enrollment by residence data in the calculation of adequate education grants.

10:45 a.m. ***HB 1259-FN-LOCAL,*** relative to the base cost for calculating adequate education grants.

1:00 p.m. ***HB 1272-FN-A-LOCAL,*** establishing a statewide special education funding pool.

2:00 p.m. ***HB 1124,*** establishing a committee to evaluate the administration of the Medicaid "In and

Out" Program.

2:45 p.m. ***HB 1264-FN-LOCAL,*** returning all municipal fines to the municipality.

Executive session on pending legislation may follow.

FISH AND GAME, Room 307, LOB

10:00 a.m. ***HB 1245-FN,*** requiring applicants for recreational licenses issued by the fish and game department to provide his or her social security number.

11:00 a.m. ***HB 1178-FN,*** relative to the recreational taking of lobster by scuba diving.

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

10:15 a.m. ***HB 1269-FN,*** requiring the department of health and human services to compile and maintain abortion statistics.

1:00 p.m. ***HB 1135,*** establishing a study committee to reevaluate the health benefits and risks from fluoridation of water in New Hampshire.

2:30 p.m. ***HB 1149,*** establishing a committee to study the efficiency of the long-term care facility survey process.

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

JUDICIARY, Room 208, LOB

10:00 a.m. ***HB 1236-FN,*** abolishing the marital master program and ***HB 1360-FN,*** relative to appointments and qualifications of marital masters and procedures for cases heard by marital masters.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1297,*** exempting land which is subject to a governmental conservation easement or development restriction from property taxation.

11:00 a.m. ***HB 1226-LOCAL,*** allowing discretionary easements to include barns used for farming.

1:00 p.m. ***HB 1277,*** increasing the optional veterans' property tax credit.

2:30 p.m. ***HB 1196,*** enabling municipalities to adopt a property tax exemption for deaf persons.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:30 a.m. ***HB 1104,*** establishing the Danny Carswell Memorial Patrol Shed in the town of Merrimack.

1:15 p.m. ***HB 1164,*** renaming the Sugden House in Odiorne State Park in the town of Rye as the Clark House.

2:15 p.m. ***HB 1148,*** naming the state office complex on Hazen Drive in the city of Concord the Meldrim Thomson, Jr. State Office Complex.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 1247,*** establishing a study committee to determine the feasibility of assessing land transfer fees on land bought by public agencies from private entities for conservation purposes.

11:00 a.m. ***HB 1111,*** establishing a committee to study regulation and procedures for lake level investigations and orders.

1:30 p.m. ***HB 1195,*** relative to the comprehensive shoreland protection act.

2:30 p.m. ***HB 1252,*** relative to the membership of the wetlands council.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. ***HB 1340,*** establishing a committee to study the feasibility of computerizing and consolidating demographic information.

11:00 a.m. ***HB 1349-FN-A,*** establishing a New Hampshire power authority.

TRANSPORTATION, Room 203, LOB

10:00 a.m. ***HB 1348,*** clarifying the law regarding title-exempted vehicles.

10:45 a.m. ***HB 1163,*** relative to child passenger restraints.

11:30 a.m. ***HB 1243,*** relative to safety devices required for transporting logs, lumber, or timber.

1:00 p.m. ***HB 1132,*** relative to grip height on motorcycles.

1:30 p.m. ***HB 1280-FN,*** raising the maximum speed limit on all New Hampshire interstate highways from 65 to 70 miles per hour and on portions of the interstate specifically posted currently at 55 miles per hour to 60 miles per hour.

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. ***CACR 31,*** relating to the valuation of real estate. Providing that real property in the state shall be valued in accordance with the method enacted into law by the general court and at such times as it shall order.

10:30 a.m. ***HB 1234-FN,*** relative to an education property tax cap for retired residents.

11:00 a.m. ***HB 1263-FN-A-LOCAL,*** establishing the statewide cost of an adequate education at zero dollars and repealing the education property tax.

1:30 p.m. ***HB 1317-FN-A-LOCAL,*** targeting aid for education to certain school districts.

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

WEDNESDAY, JANUARY 9

211 COMMISSION (HB 707, Chapter 258:1, Laws of 2001), Room 304, LOB

1:00 p.m. Regular meeting.

COMMERCE, Room 302, LOB

10:30 a.m. ***HB 1150,*** relative to insurance compliance self-audits.

2:00 p.m. ***HB 1212,*** relative to certain disclosures in real estate sales.

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 1108,*** relative to personal appearance by law enforcement officers at administrative license suspension hearings.

10:30 a.m. ***HB 1133,*** relative to intrastate fresh pursuit.

11:00 a.m. ***HB 1286,*** increasing the time period during which warrantless arrests for violations of the stalking law and violations of restraining orders in domestic cases are permitted.

1:30 p.m. ***HB 1137,*** relative to the crime of resisting arrest.

2:00 p.m. ***HB 1285,*** relative to the applicability of the stalking statute to minors.

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

DAM MANAGEMENT REVIEW (RSA 482:93), Room 305, LOB

1:00 p.m. Regular meeting.

EDUCATION, Room 207, LOB

10:00 a.m. ***HB 1105,*** relative to the appointment of non-certified employees within a school administrative unit.

11:00 a.m. ***HB 1190,*** relative to local school management of teacher hiring and retention.

1:00 p.m. ***HB 1260-FN,*** relative to certification and licensing of teachers and school administrators.

2:00 p.m. ***HB 1191,*** establishing a committee to study the expansion of opportunities for teacher certification and the election of members of the state board of education.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1199-FN,*** providing for the certification of septage haulers.

10:30 a.m. ***HB 1214,*** relative to medical waste incinerators and to the polyvinyl chloride content of medical waste.

11:30 a.m. ***HB 1110,*** relative to the sale of ferrets.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1354-FN,*** licensing body art practitioners.

11:30 a.m. ***HB 1248-FN,*** requiring the notification of renewal prior to expiration to holders of professional licenses issued by state agencies.

1:30 p.m. ***HB 1207,*** relative to the regulation of the installation and servicing of fire suppression systems.

3:00 p.m. ***HB 1378-FN-A,*** establishing a sunset review process for executive agency and judicial programs 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.

FINANCE, Rooms 210-211, LOB

9:00 a.m. ***HB 1324-FN,*** requiring that budget requests made by the state government be limited by inflationary and population growth indices.

9:45 a.m. ***HB 1330-FN,*** requiring state agencies to respond to fiscal note requests in a timely manner.

10:45 a.m. ***HB 1364-FN,*** requiring an accounting of dedicated funds in the budgetary process.

1:00 p.m. ***HB 1376-FN,*** relative to distribution of tobacco settlement funds.

Executive session on pending legislation may follow.

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

9:30 a.m. ***HB 1168,*** relative to ambulatory surgical facilities owned in whole or in part by a hospital.

11:15 a.m. ***HB 1182,*** establishing a committee to study a managed care model for New Hampshire's home and community-based care system.

1:30 p.m. ***HB 1367-FN,*** relative to the childhood lead poisoning prevention program.

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

JUDICIARY, Rooms 206-208, LOB

9:30 a.m. ***HB 1278,*** establishing an abortion waiting period.

1:00 p.m. ***HB 1380-FN,*** relative to parental consent for abortions performed on children less than 16 years of age.

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. ***HB 1198,*** relative to the minimum hourly rate for certain employees.

10:00 a.m. ***HB 1228,*** relative to union dues.

11:00 a.m. ***HB 1325,*** prohibiting payroll deductions by public employers for political activities and prohibiting coercive actions against public employees to obtain political contributions.

1:00 p.m. ***HB 1384,*** making certain technical changes to the workers' compensation law.

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

LEGISLATIVE ADMINISTRATION, Room 307, LOB

1:00 p.m. ***HB 1103,*** establishing a committee to study the budget process.

1:30 p.m. ***HB 1106,*** repealing the water pollution control revolving loan fund advisory committee, the local government advisory committee, the New Hampshire industrial heritage commission, and the environmental research advisory committee.

2:00 p.m. ***HB 1145-FN-A,*** requiring metal detectors in the state house and legislative office building and making an appropriation therefor.

2:30 p.m. ***HB 1279-FN-A,*** making an appropriation for the purchase of equipment to record committee sessions.

3:00 p.m. ***HB 1314,*** requiring candidates for speaker of the house of representatives to file certain reports and register as political committees.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1240,*** establishing a property tax limitation and credit for elderly persons and increasing the amount of the homestead right for elderly persons.

11:00 a.m. ***HB 1352-FN-LOCAL,*** relative to establishing a hazardous duty classification in the length of service awards program.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 1216,*** erecting a historic sign in Berlin honoring its original settlers.

10:30 a.m. ***HB 1256,*** relative to Clark Pond Road in the town of Haverhill.

1:00 p.m. ***HB 1298,*** relative to signage for the adopt-a-highway program.

2:30 p.m. ***HB 1334-FN,*** relative to a certain highway project in Brookfield, New Hampshire.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 1172,*** relative to the adoption of rules for certain wetland permits.

11:00 a.m. ***HB 1343,*** relative to processing excavating and dredging permits.

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

TRANSPORTATION, Room 203, LOB

9:00 a.m. ***HB 1205,*** relative to the availability of motor vehicle records for the distribution of seat belt safety materials.

10:00 a.m. ***HB 1357-FN,*** relative to the form of drivers' licenses.

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. Revenue briefing.

FRIDAY, JANUARY 11

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

9:00 a.m. Rescheduled regular meeting.

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 205, LOB

10:00 a.m. Regular meeting.

EQUALIZATION STANDARDS BOARD (RSA 21-J:14-c), Room 301, LOB

10:00 a.m. Regular meeting.

TASK FORCE TO STUDY PRIVACY ISSUES AS THEY PERTAIN TO FEDERAL LAW (HB 702, Chapter 256:8, Laws of 2001), Rooms 210-211, LOB

9:00 a.m. Regular meeting.

MONDAY, JANUARY 14

CERTIFICATE OF NEED TASK FORCE (RSA 151-C:16), Room 203, LOB

10:00 a.m. Regular meeting.

DEVELOPMENTAL DISABILITY WAITLIST FUND ALLOCATION OVERSIGHT COMMITTEE, (RSA 171-A:1-b), Room 205, LOB

10:00 a.m. Rescheduled regular meeting.

TUESDAY, JANUARY 15

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. ***HB 1173,*** relative to the identification and notification of putative fathers.

11:00 a.m. ***HB 1177,*** enforcing the prohibition on the possession and use of tobacco products by minors through the juvenile statutes.

1:00 p.m. ***HB 1139,*** allowing the governor to enter into reciprocal international child support agreements.

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 1289,*** relative to personal health and financial information privacy.

11:00 a.m. ***HB 1290,*** relative to genetic information.

1:15 p.m. ***HB 1220,*** relative to assisted living residences and housing for older persons.

2:00 p.m. ***HB 1217,*** relative to payment of trust income.

2:30 p.m. ***HB 1169,*** relative to the termination of safe deposit box leases.

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 1122,*** establishing a committee to study statistical patterns of DWI offenses.

10:30 a.m. ***HB 1261-FN,*** relative to penalties for DWI offenses.

11:30 a.m. ***HB 1222,*** exempting ice-out contests from the laws regulating games of chance.

1:30 p.m. ***HB 1189,*** relative to the plea of guilty but insane.

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 1345,*** relative to sex education instruction in public schools.

11:00 a.m. ***HB 1346,*** relative to participation in certain health education programs.

1:00 p.m. ***HB 1146,*** relative to candidate qualifications for school district office.

2:00 p.m. ***HB 1174-FN-LOCAL,*** requiring the provision of educational opportunities to expelled pupils.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1305-FN,*** relative to the pollution prevention program.

10:30 a.m. ***HB 1313,*** relative to spreading sludge on excavation sites for reclamation.

11:00 a.m. ***HB 1102,*** establishing a committee to study a hazardous waste coordinator certification program.

1:00 p.m. ***HB 1382-FN,*** revising requirements for restoring excavation sites.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1377-FN,*** relative to the regulation of physical therapists.

1:30 p.m. ***HB 1310,*** relative to the city of Manchester's contributory retirement system.

3:00 p.m. ***HB 1302-FN,*** relative to the purchase of certain prior service credit by members of the retirement system.

FISH AND GAME, Room 307, LOB

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

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

10:00 a.m. ***HB 1209,*** relative to a civil rights act for health care providers.

11:30 a.m. ***HB 1194,*** relative to medical records.

1:30 p.m. ***HB 1219,*** establishing a committee to study ways to implement the principles of state health care reform.

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

JUDICIARY, Room 208, LOB

10:00 a.m. ***HB 1368-FN,*** adopting the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure as law.

1:00 p.m. ***HB 1292,*** relative to interpreters for the deaf in certain governmental or public proceedings.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1101,*** relative to the payment date for county taxes.

11:00 a.m. ***HB 1215,*** relative to county delegations.

1:00 p.m. ***HB 1306-FN-LOCAL,*** increasing the county's portion of fees collected from the real estate transfer tax.

2:00 p.m. ***HB 1355-FN-LOCAL,*** relative to merging unincorporated places with abutting municipalities in Coos county.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:30 a.m. ***HB 1375-FN,*** relative to the sale of land by the department of transportation.

1:00 p.m. ***HB 1370,*** relative to establishing a 6-year capital budget.

2:30 p.m. ***HB 1116,*** establishing a committee to study the feasibility of placing state liquor stores at the Manchester airport and at the Pease International Tradeport.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

11:00 a.m. ***HB 1402,*** designating segments of the isinglass River as protected under the rivers management and protection program.

1:00 p.m. ***HB 1160-FN-LOCAL,*** requiring the state to rebuild and maintain the dam controlling Russell Reservoir in the town of Harrisville.

Rooms 305-307, LOB

2:00 p.m. ***HB 1273-FN,*** relative to planning and procedures for state owned or leased trails for all-terrain vehicles and relative to registration fees for certain off highway recreational vehicles.

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 22,*** encouraging multiple use management and access for future land transfers to the White Mountain National Forest.

11:00 a.m. ***HCR 23,*** urging Congress to abolish the Recreational Fee Demonstration Program on public lands including the White Mountain National Forest.

1:00 p.m. ***HCR 25,*** encouraging an increased distribution of federal money from the military budget to the states.

1:45 p.m. ***HCR 26,*** urging the U.S. Food and Drug Administration to remove all unapproved prescription fluoride products from the market.

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

9:30 a.m. ***HB 1239-FN-A,*** relative to off-track wagering by certain establishments.

10:30 a.m. ***HB 1353-FN-A-LOCAL,*** relative to video lottery at the racetracks.

11:30 a.m. ***HB 1282,*** establishing a committee to study the impact of legalized casino gambling on the state of New Hampshire.

1:30 p.m. ***HB 1362-FN-A,*** establishing a state-owned casino to provide funds for public education.

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

WEDNESDAY, JANUARY 16

CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2), Room 201, LOB

9:30 a.m. Regular meeting. Update on University System of New Hampshire construction projects.

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1167,*** relative to wine tasting.

10:30 a.m. ***HB 1336-FN,*** permitting wine manufacturers to maintain restaurants or catering facilities.

11:00 a.m. ***HB 1166,*** relative to sign restrictions regarding alcoholic beverages.

1:30 p.m. ***HB 1238,*** requiring seating accommodations in retail establishments.

2:00 p.m. ***HB 1176,*** limiting the hours available for telephone solicitation.

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

11:30 a.m. ***HB 1293,*** relative to the specificity of criminal complaints and warrants.

1:30 p.m. ***HB 1309,*** prohibiting arrests for violation-level offenses.

2:30 p.m. ***HB 1356-FN,*** establishing the criminal offense of felony pursuit.

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 1291,*** requiring the department of education to develop a plan to address and reduce the number of persons awaiting vocational rehabilitation transition services.

11:00 a.m. ***HB 1230-FN,*** establishing the office of the special education advocate.

1:00 p.m. ***HB 1231-FN,*** implementing a pre-engineering technology curriculum in the public high schools in the state.

2:00 p.m. ***HB 1151,*** establishing a commission to examine the status of public school curriculum requirements in civic education.

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

9:30 a.m. ***HB 1158,*** relative to the definition of "party."

10:00 a.m. ***HB 1181,*** requiring registration of political parties.

10:30 a.m. ***HB 1246,*** relative to the chairperson of the board of recount in school district recounts.

11:00 a.m. ***CACR 32,*** relating to the number of members of the senate and senatorial districts. Providing that the senate shall consist of 30 members with 3 elected at large from each district and that senate districts shall conform to county boundaries.

1:00 p.m. ***HB 1144,*** establishing a committee to study access to the polls by disabled persons and the use of new technology to accommodate disabled voters.

1:30 p.m. ***HB 1308,*** relative to checklist corrections on election day.

2:00 p.m. ***HB 1262-FN-A-LOCAL,*** relative to implementing on-line exchange of voter registration information 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.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1157,*** providing for the local option to apply the current use laws.

10:30 a.m. ***HB 1396,*** authorizing the state veterinarian to provide wildlife disease prevention and treatment.

11:00 a.m. ***HB 1399-LOCAL,*** relative to assessment of the land use change tax.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1241-FN,*** relative to salaries for the wardens of department of corrections facilities.

11:00 a.m. ***HB 1271-FN,*** relative to dental care insurance for state employees and retired state employees.

1:30 p.m. ***HB 1206-FN,*** increasing the annuity paid to a surviving spouse or beneficiary upon the accidental death of a group II member in the performance of duty.

2:30 p.m. ***HB 1128-FN,*** relative to the retirement system classification for the director of field services, department of corrections.

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

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

9:30 a.m. ***HB 1251,*** relative to the use of mercury amalgam fillings by dentists.

11:30 a.m. ***HB 1337,*** establishing a study committee to review and determine steps to fully implement the infant deafness program.

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

time the committee is initially convened.

JUDICIARY, Room 208, LOB

9:30 a.m. ***HB 1188,*** prohibiting discrimination because of political belief.

10:30 a.m. ***HB 1175,*** relative to proclaiming oneself a New Hampshire native.

1:00 p.m. ***HB 1165,*** establishing a committee to study issues arising from State v. Laurie.

2:00 p.m. ***HB 1129,*** relative to discriminatory practices by owners of public accommodations.

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

LEGISLATIVE ADMINISTRATION, Room 203, LOB

1:00 p.m. ***HB 1329-FN,*** relative to fiscal notes.

1:30 p.m. ***HB 1342,*** relative to preparation of fiscal notes.

2:00 p.m. ***HB 1331,*** requiring that the effect on revenues, expenditures, and fiscal liability be included in the reports of house standing committees.

2:30 p.m. ***HB 1386-FN,*** establishing a research and investigation unit for the house of representatives.

3:00 p.m. ***HB 1387,*** relative to toll exemptions for legislators.

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

LONG-RANGE CAPITAL PLANNING AND UTILIZATION (RSA 17-M), Room 201, LOB

1:30 p.m. Regular meeting. Skyhaven master plan presentation by Jack Ferns, Director, Aeronautics Commission.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1221,*** relative to coordinating certain town and school district meetings.

11:00 a.m. ***HB 1242,*** relative to the required vote for approving school district bond articles.

11:45 a.m. ***HB 1398,*** relative to the vote required for issuance of bonds by the Sunapee water and sewer commission.

1:00 p.m. ***HB 1254,*** relative to the budget preparation procedures of municipalities.

2:00 p.m. ***HB 1275-FN-LOCAL,*** relative to approval of budget calculations in the default budget of a municipality using the official ballot system.

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

9:30 a.m. ***HB 1383,*** relative to lucky 7.

10:15 a.m. ***HB 1319-FN-A-LOCAL,*** establishing the New Hampshire electronic gaming commission, creating New Hampshire electronic gaming districts, and authorizing the licensing and use of electronic gaming machines and equipment.

1:30 p.m. ***HB 1294-FN-A,*** reducing the tobacco tax.

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

FRIDAY, JANUARY 18

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

9:00 a.m. Regular meeting.

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 203, LOB

10:00 a.m. Regular meeting.

NEW HAMPSHIRE COUNCIL ON APPLIED TECHNOLOGY AND INNOVATION (RSA 12-H:1), Rooms 205-207, LOB

9:30 a.m. Regular meeting.

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

1:00 p.m. Regular meeting.

TUESDAY, JANUARY 22

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Rescheduled public hearing on ***HB 1107,*** establishing a committee to study the telephone policies for juveniles under the care of the department of youth development services.

11:00 a.m. Rescheduled public hearing ***HB 1115,*** relative to the procedure for assignment of juvenile probation and parole officers.

Executive session on pending legislation.

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1203,*** relative to retroactive health insurance denials.

11:00 a.m. ***HB 1225,*** relative to disclosure of referral restrictions.

1:15 p.m. ***HB 1159,*** prohibiting mail-order pharmacies from substituting generic drugs without written authorization.

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

11:00 a.m. ***HB 1147,*** relative to the annulment of certain criminal offenses committed under the laws of another jurisdiction.

1:30 p.m. ***HB 1255-FN,*** relative to an extended term license to carry a concealed firearm.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1381-FN-A,*** requiring licensing of public bathing facilities and of the operators, designers, and installers of public bathing facilities.

1:30 p.m. ***HB 1118,*** relative to participation by certain judges in the state employee group health and dental insurance programs.

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

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

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

JUDICIARY, Room 208, LOB

10:00 a.m. ***HB 1307,*** relative to the Dover-Somersworth-Durham district court.

1:00 p.m. ***HB 1127,*** relative to the timing for the filing of an affidavit for the disposition of nursing home patient accounts after death.

1:30 p.m. ***HB 1311,*** relative to expunging certain mental health records.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1391,*** relative to municipal budgets.

10:45 a.m. ***HB 1389,*** enabling towns to charge fees for the disproportionate use of municipal safety services.

11:30 a.m. ***HB 1401,*** relative to the authority of highway agents.

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 21,*** urging the state attorneys general and the Federal Trade Commission to enforce the Telemarketing Sales Rule and urging Congress to adopt the Know Your Caller Act of 2001.

11:00 a.m. ***HCR 24,*** urging the federal government to declare a moratorium on major airline industry mergers.

11:15 a.m. ***HB 1312,*** establishing a committee to study the needs of the Native American population in New Hampshire.

1:30 p.m. ***HCR 20,*** encouraging trade with the Central American Northern Triangle.

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

WEDNESDAY, JANUARY 23

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1223,*** establishing a committee to study the model insurance rating laws.

11:00 a.m. ***HB 1162,*** relative to unsolicited electronic mail.

1:15 p.m. ***HB 1125,*** extending insurance coverage by health service corporations to certain call firefighters and emergency medical technicians employed by municipalities.

2:00 p.m. ***HB 1184-FN,*** permitting the department of health and human services to use the National

Medical Support Notice.

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. Quarterly report from the Department of Corrections.

1:30 p.m. ***HB 1385,*** relative to trespassing on certain rail lines.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1276,*** permitting pharmacists to dispense emergency contraception.

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

JUDICIARY, Room 208, LOB

9:30 a.m. ***HB 1249,*** adopting the model Drug Dealer Liability Act.

11:00 a.m. ***HB 1338,*** clarifying that the judicial council is responsible for payment of indigent defense expenses.

1:00 p.m. ***HB 1316,*** eliminating the application of the rule against perpetuities in certain trusts which contain safeguards relative to the continued alienability of property.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1227,*** relative to the appraisal of affordable housing developments.

11:00 a.m. ***HB 1339,*** relative to the offices of forest fire warden and deputy forest fire warden.

1:00 p.m. ***HB 1152,*** establishing a committee to study methods for clarifying the division of authority between boards of selectmen and elected chiefs of police.

2:00 p.m. ***HB 1138,*** requiring the attorney general to initiate a declaratory judgement action concerning record title matters related to the Green Hills subdivision in the town of Raymond.

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

FRIDAY, JANUARY 25

SOURCES THAT BURN PETROLEUM PRODUCTS OR COAL TO COMPLY WITH THE AIR TOXIC CONTROL ACT (SB 93, Chapter 88:1, Laws of 2001), Room 101, LOB

9:00 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

MONDAY, JANUARY 28

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

1:00 p.m. Complaint hearings.

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

9:00 a.m. Hearing and regular meeting.

TUESDAY, JANUARY 29

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1211,*** prohibiting insurers from discriminating against a person on the basis of the person holding elective office.

11:00 a.m. ***HB 1201,*** relative to charitable trust customer data.

1:30 p.m. ***HB 1114,*** establishing a committee to study the state's real estate leasing practices and requirements.

2:00 p.m. ***HB 1392,*** relative to mediation before the board of manufactured housing.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1295,*** establishing an environmental services review commission.

1:30 p.m. ***HB 1123,*** establishing a committee to study the feasibility of integrating the functions of the departments of education and health and human services.

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

JUDICIARY, Room 208, LOB

10:00 a.m. ***HB 1390,*** relative to quality assurance information.

11:00 a.m. ***HB 1393,*** relative to the determination of just compensation in eminent domain proceedings.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1202-FN,*** reducing fees for municipal permits for registration of certain hybrid vehicles.

11:00 a.m. ***HB 1274,*** relative to deputy town clerks.

1:00 p.m. ***HB 1109,*** establishing a commission to study problems related to the delivery of local assistance.

2:00 p.m. ***HB 1321-LOCAL,*** permitting municipalities to reimburse persons who assist applicants in obtaining social security benefits.

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

1:00 p.m. ***HCR 27,*** urging Congress to release information to the public regarding restrictions placed on Italian-American citizens of the United States during World War II.

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

WEDNESDAY, JANUARY 30

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1208,*** relative to real estate broker liens.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1237,*** relative to a conflict of interest policy for persons having a substantial interest in grants awarded by or contracts with a state agency.

1:30 p.m. ***HB 1140,*** providing for the nomination and appointment of a "state treasure."

2:30 p.m. ***HB 1183,*** establishing a committee to study the conformity of administrative rules to statutory authority.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1112,*** relative to the notice period for hearings on excavation permits.

11:00 a.m. ***HB 1121,*** relative to planning board recommended programs of capital improvements.

1:00 p.m. ***HB 1156,*** relative to the issuance of building permits on private roads.

2:00 p.m. ***HB 1193-LOCAL,*** relative to local enforcement of junk yards and motor vehicle recycling yards.

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

TUESDAY, FEBRUARY 5

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1218,*** relative to the regulation of pharmacists and prescription drug orders.

1:30 p.m. ***HB 1304,*** prohibiting preferences in hiring, promotion, or admission by state agencies, the university system, the regional community-technical colleges, and the postsecondary education commission.

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.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:30 a.m. ***HR 20,*** supporting the country of Tibet.

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

WEDNESDAY, FEBRUARY 6

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1224,*** adopting the nurse licensure compact and rescheduled public hearing on ***HB 1394,*** establishing a committee to study entering into the nurse licensure compact for interstate reciprocity for nurses.

11:00 a.m. ***HB 1210,*** relative to training to be a licensed esthetician.

1:30 p.m. ***HB 1204,*** relative to administrative rulemaking of the sweepstakes commission.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1154,*** relative to appeals of historic district commissions.

11:00 a.m. ***HB 1141,*** relative to the adoption of innovative land use zoning.

1:00 p.m. ***HB 1344-LOCAL,*** establishing a village plan alternative in zoning and land use planning laws.

2:00 p.m. ***HB 1395,*** relative to historic district commissions.

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

MONDAY, FEBRUARY 11

CERTIFICATE OF NEED TASK FORCE (RSA 151-C:16), Room 203, LOB

10:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

TUESDAY, FEBRUARY 12

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1323,*** establishing a committee to study performance-based public salaries.

1:30 p.m. ***HB 1359-FN,*** establishing a department of financial services.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1284,*** relative to the time frame for petitions for zoning changes submitted to local planning boards.

11:00 a.m. ***HB 1288,*** relative to regular meetings of local planning boards.

1:00 p.m. ***HB 1320,*** establishing a committee to study establishing enterprise zones in economically deprived communities.

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

WEDNESDAY, FEBRUARY 13

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. ***HB 1366-FN,*** establishing a state employee cost-saving award program.

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.

FRIDAY, FEBRUARY 15

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

9:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 19

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

WEDNESDAY, FEBRUARY 20

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

OFFICIAL NOTICES

NOTICE

LEGISLATIVE ETHICS COMMITTEE

All legislators and legislative officers are required to complete and file the annual "Financial Disclosure Form" with the Office of Secretary of State no later than January 31, 2002.

Rep. Jeb E. Bradley, Chairman

Legislative Ethics Committee

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REVISED FISCAL NOTES

The following HBs have revised fiscal notes: HBs 656, 1192, 1260, 1266, 1270, 1271, 1275, 1319, 1352, 1355, 1358, 1359, 1360, 1362, 1363, 1364, 1365, 1366, 1367, 1369, 1371, 1372, 1373, 1374, 1375, 1377, 1379, 1380, 1381 and 1382.

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.

James A. Whittemore, PO Box 6058, Franklin, New Hampshire 03235-6058.

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

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 New Hampshire State Library (20 Park Street, Concord, NH) first-ever exhibition of sixty-one of its vintage posters from World War II runs from Dec. 7, 2001 to February 2, 2002. In addition to the poster exhibition will be information regarding the NH Cemetery Association's plans for a NH Veteran's Memorial Walkway to be established at the Veteran's Cemetery in Boscawen.

Gene G. Chandler, Speaker

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On December 19 a presentation was given by the Department of Revenue regarding elderly exemptions, tax credits, tax deferrals and application procedure for statewide property tax relief. Packets are available from the Municipal and County Government Committee in Room 301, LOB, after January 2, 2002.

Rep. Betsey L. Patten, Chairman

Municipal and County Government

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S&H/Murphy, Inc. cordially invites all legislators and staff to a "Welcome Back Reception" at the Barley House Restaurant on

Wednesday, January 2 from 3:00 p.m. to 6:00 p.m.

Reps. Robert E. Clegg and Peter H. Burling

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Attention Pro-choice legislators. There will be a brief Reproductive Rights Caucus meeting Thursday, January 3, from noon to 1:00 p.m. in 302, LOB.

Reps. Terie Norelli and Cynthia Dokmo

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A reception honoring the NH Student Intern Program will be held on Tuesday, January 8 (5:00-7:00 p.m.) at the Eagle Court Deli, 5 Eagle Square, Concord. Dr. Tom Rocco, President of the University System College for Lifelong Learning will offer a few words about involving citizens with their government. $20 per person to assist in minimal costs for the students and the program.

Gene G. Chandler, Speaker

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The New Hampshire Women's Policy Institute is sponsoring workshops in Plymouth, Durham and Concord to help concerned citizens learn how they can make a difference in the New Hampshire legislative process. For more information or to pre-register (so we can plan for enough materials) please contact the co-sponsoring organization or contact the NH Women's Policy Institute.

Concord: Saturday, January 19, 9:30 a.m. to 12:30 p.m. Fellowship Hall, Unitarian Universalist Church, 274 Pleasant Street. To pre-register contact the NH Women's Lobby/NH Women's Policy Institute, 603-224-9105, nhwomen@earthlink.net.

Rep. Marjorie K. Smith

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NOTICE

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

Carol J. Holahan, Director

SPONSOR	COUNTY	DISTRICT	LSR NUMBER
Belanger, Ronald	Rockingham	26	2001-H-2380-R
Burling, Peter	Sullivan	01	2001-H-2394-R
Clegg, Robert	Hillsborough	23	2001-H-2380-R
Clegg, Robert	Hillsborough	23	2001-H-2394-R
Clemons, Jane	Hillsborough	31	2001-H-2368-R

Coes, Betsy	Rockingham	19	2001-H-2270-R
Cox, Russell	Rockingham	24	2001-H-2379-L
Craig, James	Hillsborough	38	2001-H-2374-L
Craig, James	Hillsborough	38	2001-H-2394-R
Dewhirst, Glenn	Belknap	07	2001-H-2393-R
DiFruscia, Anthony	Rockingham	27	2001-H-2407-R
Drisko, Richard	Hillsborough	22	2001-H-2379-L
Flanders, Donald	Belknap	07	2001-H-2393-R
Gilmore, Gary	Strafford	11	2001-H-2429-L
Hager, Elizabeth	Merrimack	18	2001-H-2379-L
Jacobson, Alf	Merrimack	02	2001-H-2411-R
Jean, Loren	Hillsborough	17	2001-H-2399-R
Kelley, Jane	Rockingham	22	2001-H-2399-R
Kurk, Neal	Hillsborough	05	2001-H-2394-R
McCarthy, Gerald	Strafford	03	2001-H-2367-R
Mears, Edgar	Coos	07	2001-H-2362-R
Millham, Alida	Belknap	04	2001-H-2379-L
Mock, Henry	Carroll	03	2001-H-2370-R
Peterson, Andrew	Hillsborough	08	2001-H-2374-L
Peterson, Andrew	Hillsborough	08	2001-H-2375-R
Pilliod, James	Belknap	03	2001-H-2379-L
Pratt, John	Cheshire	02	2001-H-2370-R
Rodeschin, Beverly	Sullivan	04	2001-H-2402-R
Smith, Edwin	Cheshire	06	2001-H-2417-R
Sokol, Hilda	Grafton	10	2001-H-2406-R
Tsiros, William	Strafford	03	2001-H-2413-R
Welch, David	Rockingham	18	2001-H-2394-R
Welch, David	Rockingham	18	2001-H-2403-R
Wendelboe, Fran	Belknap	02	2001-H-2393-R

Whalley, Michael	Merrimack	05	2001-H-2416-L
Wood, Jane	Belknap	07	2001-H-2393-R

NOTICE

The House Clerk's Office is now accepting orders for the 2001 hardcover Permanent House Journal. The deadline to place an order is **January 25, 2002.** Production will begin soon, with distribution expected sometime in the spring of 2002.

Upon request, members of the House, Senate and all state agency heads are entitled to one Journal at no charge. Additional copies ordered by legislators, agencies, and all others will cost approximately $45 each, plus any applicable mailing expenses. Those who order paid copies will be notified *and billed* when the Journals are ready. DO NOT send money now.

In an effort to contain costs, the number of Journals printed will be determined by the number of advance orders received. Please do not order a Journal if you have no intention of claiming it.

Please clip this form and return in person or via mail to:

House Clerk's Office

Room 317, State House

107 North Main St.

Concord, NH 03301

Please Print

REP./SEN./ NAME_____

AGENCY/BUSINESS _____

CONTACT _____

ADDRESS_____

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CITY/STATE/ZIP _____

PHONE/EXT. _____

I WISH TO ORDER _____ 2001 PERMANENT HOUSE JOURNAL (S)

SIGNED _____