

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, January 25, 2002 No. 9

Contains: Reports and Amendments for January 31, 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 House will meet in session on the following: Thursday, January 31, Thursday, February 14, Wednesday, March 6, and Thursday, March 7 at 10:00 a.m.

In the event we do not finish our business on the 14th we will meet on Thursday, February 21, as well. With March 7 being our crossover deadline I am anticipating the need for session on both the 6th and 7th. Hopefully, we can take care of everything on the 6th and not need to meet in session on the 7th.

Chairmen and Vice Chairmen will meet on Tuesday, January 29 at 9:00 a.m. in Room 201, LOB.

Gene G. Chandler, Speaker

NOTICE

There will be a Republican Caucus on Thursday, January 31, 2002 at 9:00 a.m. in Representatives Hall.

Rep. David M. Scanlan, Majority Leader

NOTICE

There will be a Democratic Caucus on Thursday, January 31, 2002 at 9:00 a.m. in Rooms 306-308 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

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.

THURSDAY, JANUARY 31

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

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

Rep. L. Randy Lyman for Children and Family Law: This bill was re-committed to the committee. The bill requires that the Department of Health and Human Services (DHHS) demonstrates by clear and convincing evidence that adequate services cannot be provided in the home before the court orders an out-of-home placement as part of the final disposition in an abuse and neglect hearing. This provision "kicks in" after a petition has been filed, after an adjudicatory hearing, and after a finding of "True". The petition (case) has had its day(s) in court, both parties having attorneys, experts, (even hearsay testimony is permitted), etc. The timeline for this portion can be expanded beyond the statutory timelines by the use of waivers. During this long protracted period, a child is in placement. Should there be a serious, dangerous and physical risk to the child, that information should be well documented by the dispositional hearing. The last step in the process is the dispositional hearing and it generally takes place within 30 days of the "finding of True". If there is physical or mental risk to the child, DHHS at this juncture should have acquired proof as to the "clear and convincing" aspect of the case. The need for the parents to take parenting classes, etc. should not justify out-of-home placement; however, alcohol and/or drug abuse, etc. certainly might justify out-of-home placement. Extended periods of out-of-home placement for a child is really punishing the child. For a child to go to school, etc., and not know if he will be returning to the same placement after school and to never feel secure because of frequent moves between foster homes is in itself damaging to the stability and self-esteem of the child. The child frequently feels he or she is at fault, that he or she did something wrong. The cure becomes more damaging than the initial event. All findings PRIOR to the dispositional hearing remain at the "preponderance of the evidence" level. Preponderance is the lowest level of proof in the judicial system. **Vote 14-1.**

HB 1139, allowing the governor to enter into reciprocal international child support agreements. **OUGHT TO PASS**

Rep. David M. Bouchard for Children and Family Law: Passage of this bill would enable the Department of Health and Human Services, Division of Child Support to work with foreign countries and their states or provinces to recognize each other's child support orders. In turn this could culminate in duplicate and conflicting orders. Each country could use the same order in either court jurisdiction similar to current Interstate Uniform Reciprocal Enforcement Support Act (URESAs). This bill was requested

by DHHS Division of Child Support, and this has been successful in other US states. **Vote 17-0.**

HB 1177, enforcing the prohibition on the possession and use of tobacco products by minors through the juvenile statutes. **INEXPEDIENT TO LEGISLATE**

Rep. David M. Bouchard for Children and Family Law: This would create an enormous amount of new Children In Need of Services (CHINS) petitions if passed. Any person not of majority and found to have tobacco products on them would be referred to services. Currently, possession of tobacco products by a minor is a "violation." In the event that the violation summons is defaulted, then a CHINS petition is generated. A default would indicate that, more likely than not, the child is in need of services. **Vote 16-1.**

HB 1266-FN, relative to the appointment of a guardian of the estate of a minor. **INEXPEDIENT TO LEGISLATE**

Rep. Gary C. Greenberg for Children and Family Law: The language did not produce the desired intent by the sponsor and the committee was asked to vote Inexpedient to Legislate. **Vote 19-0.**

HB 1287, establishing a committee to study the need for additional training of attorneys representing clients in domestic relations matters. **INEXPEDIENT TO LEGISLATE**

Rep. David A. Bickford for Children and Family Law: The committee feels this bill can be better addressed by HB 447, a commission established to study family law practices in New Hampshire. **Vote 15-2.**

HB 1347-FN, authorizing the department of health and human services to intercept insurance payments if there is unpaid child support. **REFER FOR INTERIM STUDY**

Rep. L. Randy Lyman for Children and Family Law: The committee feels that further study is needed in order to examine policy issues regarding the Department of Health and Human Service's participation with the Rhode Island Child Support Lien Network (CSLN). The bill would authorize the department to intercept insurance settlement payments if there is unpaid child support via an automated data-match between the department and the CSLN. An interim study committee is necessary to review the bill for possible amendment to limit its application and to identify exemptions to preclude insurance settlement intercepts involving medical and casualty loss and workers' compensation. **Vote 18-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1293, relative to the specificity of criminal complaints and warrants. **INEXPEDIENT TO LEGISLATE**

Rep. John E. Tholl, Jr. for Criminal Justice and Public Safety: HB 1293 was introduced to address the problems encountered in obtaining copies of a complaint, warrant, and supporting affidavit from a police department. Testimony failed to indicate that this was a problem in New Hampshire. Witnesses testified that police and prosecutors routinely provide the requested information to defendants and that defendants always, unless the records are sealed by the court, have a constitutional right to these items making this bill unnecessary. Testimony further revealed that there would be an excessive increase in the workload and costs if this bill became law. The Director of the New Hampshire Police Standards and Training Academy has indicated that he will address this issue in a publication that is sent to all police departments in New Hampshire. The supporters of HB 1293 felt that this was a good step to address any problem that might exist. The committee believes that this course of action is the appropriate way to remind the law enforcement communities of its duty and responsibilities. **Vote 13-0.**

HB 1303-FN, prohibiting the wearing of certain facial coverings. **INEXPEDIENT TO LEGISLATE**

Rep. Stephen H. Nedeau for Criminal Justice and Public Safety: This bill would have amended RSA 631:4 (criminal threatening) to include a new section (f). This new section would make it a crime to wear "a mask, hood, or other device intended to conceal the wearer's identity with the intent to terrorize another." The committee felt that this was unnecessary since the wearing of a mask, hood or other device was immaterial. All of the acts listed in criminal threatening are crimes whether or not a mask is worn. The new section (f) would be overly broad and could be applied to a Halloween mask. The bill would also enhance the penalty for criminal threatening to make the wearing of a "mask, hood, or other device", a class B felony. This would apply to the offenses listed in subparagraphs I (a) through I (d). This would make it a class B felony to place "any object or graffiti on the property of another." It was the vote of the committee that such an expansion of RSA 631:4 is not appropriate. **Vote 13-0.**

EDUCATION

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

Rep. Russell N. Cox for Education: The Committee was unanimously unwilling to embrace the concept that an adequate education ends at grade 8. **Vote 14-0.**

ELECTION LAW

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. **INEXPEDIENT TO LEGISLATE**

Rep. Steve Vaillancourt for Election Law: This constitutional amendment would increase the number of state senators from 24-30 and also stipulates that each county be allocated three state senators. The committee sympathizes with the sponsor's desire to see the interests of geographic areas of the state equally represented. However, it must be noted that this is a radical change, one which even if made part of the NH Constitution, would be in violation of "one man, one vote" provisions of the US Constitution, specifically, the 14th Amendment. For example, with a population of 336,073, Hillsborough County would have one senator for every 112,034 people while Coos County with a population of 34,828 would have one senator for every 11,610 people. That would mean that one person in Coos County would have 10 times the voting "power" of a person in Hillsborough County. This is hardly compatible with the "one man, one vote" concept. **Vote 14-0.**

HB 519, relative to the ballot law commission. **INEXPEDIENT TO LEGISLATE**

Rep. Robert E. Clegg, Jr. for Election Law: The committee realized this bill inadvertently would allow the Ballot Law Commission to override legal decisions made by the Attorney General's Office. **Vote 15-0.**

HB 1246, relative to the chairperson of the board of recount in school district recounts. **OUGHT TO PASS**

Rep. Michael S. Rollo for Election Law: HB 1246 states that the moderator of the school district is to be the chairperson, if a recount is needed in a school district election. **Vote 14-0.**

HB 1262-FN-A-L, relative to implementing on-line exchange of voter registration information and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Peter B. Bragdon for Election Law: This bill would establish a statewide-centralized voter registration system. The committee felt that this was premature and that the \$4M requested by the sponsor was far below the actual cost. **Vote 14-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1378-FN-A, establishing a sunset review process for executive agency and judicial programs and making an appropriation therefor. **REFER FOR INTERIM STUDY**

Rep. Nelson S. Allan for Executive Departments and Administration: The sunset review process was an established activity in the state legislature during the period of 1978 to 1987. Now after the many years of growing state revenues and associated government growth, it may be time to reestablish a government size and efficiency control process. It will oversee the sunset process and conduct a review of legislative oversight procedures. The issue of integration of the performance audits of the LBA and other established review processes into an overall program merited additional review and study. **Vote 15-0.**

FISH AND GAME

HB 1245-FN, requiring applicants for recreational licenses issued by the fish and game department to provide his or her social security number. **INEXPEDIENT TO LEGISLATE**

Rep. Eric G. Stohl for Fish and Game: The intent of this bill was to provide a method of locating absent parents and collecting child support. This bill would require that all recreational license applications of the Fish and Game Department record the social security number of the person applying for the license. Any person purchasing a recreational license, for example a fishing license, would be required to provide to the issuing agent his or her social security number. The Fish and Game Department has

286 license agents in New Hampshire, Massachusetts, and Vermont. The process of obtaining this fishing license is to simply go to one of the agents and they will record the required information directly onto the license itself. There is no separate application form for the license. RSA 214:1 requires that "the license shall be subject to inspection on demand of any person" which would allow any person to have access to the social security number on the license. Fish and Game has estimated that it would cost \$939,784 for a three year period to implement the collection of social security numbers on recreational licenses. The Commissioner of Health and Human Services provided written testimony to the committee stating that requiring social security numbers on recreational licenses "will not increase our program's efficiency or effectiveness in locating absent parents and collecting child support. **Vote 15-1.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1337, establishing a study committee to review and determine steps to fully implement the infant deafness program. **OUGHT TO PASS**

Rep. Daniel M. Burnham for Health, Human Services and Elderly Affairs: Rep. Dan Burnham for Health, Human Services & Elderly Affairs: This bill sets up a study committee to review the Department of Health and Human Services' new program for testing newborn infants for deafness. Today, the program has resulted in the testing of 60% of New Hampshire's infants. The study committee will consider actions to provide testing of every newborn child in the state. **Vote 14-0.**

JUDICIARY

HB 1188, prohibiting discrimination because of political belief. **INEXPEDIENT TO LEGISLATE**

Rep. Larry G. Elliott for Judiciary: The House Judiciary Committee abhors discrimination of any sort. However, discrimination based on political belief does not rise to the same level as discrimination based on sex, religion, sexual orientation, or ethnicity. All of the protected forms of discrimination are forms which individuals have no choice in being classified, and to add political discrimination, which is clearly an individual's choice, weakens the spirit and the intent of the current discrimination laws. Only one individual appeared before the committee in favor of the bill. The person did not testify with any interest in the usual protections, but was exclusively interested in election law protections. **Vote 11-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 1198, relative to the minimum hourly rate for certain employees. **REFER FOR INTERIM STUDY**

Rep. Robert E. Clegg Jr. for Labor, Industrial and Rehabilitative Services: The bill was unanimously approved by the committee for Interim Study. The issue of waitperson wages requires additional study to adequately understand any and all issues and/or ramifications to business and employees. **Vote 16-0.**

HB 1228, relative to union dues. **REFER FOR INTERIM STUDY**

Rep. Corey E. Corbin for Labor, Industrial and Rehabilitative Services: This bill concerns the subject of the use of union dues for political purposes without the consent of the union member. The committee felt this bill deserved a closer look over the summer. **Vote 16-0.**

HB 1325, prohibiting payroll deductions by public employers for political activities and prohibiting coercive actions against public employees to obtain political contributions. **INEXPEDIENT TO LEGISLATE**

Rep. Corey E. Corbin for Labor, Industrial and Rehabilitative Services: This bill covers the same subject matter relative to the use of union dues for political purposes as another bill already recommended for further study. **Vote 17-0.**

LEGISLATIVE ADMINISTRATION

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. **OUGHT TO PASS**

Rep. Keith R. Herman for Legislative Administration: In an effort to make state government more efficient and reduce

paperwork the committee recommends passage of this bill. This bill repeals several statutory committees which have not met in several years and have no active purpose anymore. There was no opposition to the bill during the public hearing and there is no apparent reason to keep these committees going. There was one question about the environmental research advisory committee, but the committee has been unable to identify any current activity. Should someone come forward with evidence of continued need for any of these committees, the Senate can amend the bill as appropriate. **Vote 12-0.**

HB 1145-FN-A, requiring metal detectors in the state house and legislative office building and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Sharon L. Nordgren for Legislative Administration: The committee believes that the material encompassed in this bill is being reviewed a group that is studying the whole question of statehouse security. The committee therefor accepted ITL and left the issue of installing metal detectors for later action. **Vote 12-0.**

HB 1386-FN, establishing a research and investigation unit for the house of representatives. **INEXPEDIENT TO LEGISLATE**

Rep. George N. Katsakiores for Legislative Administration: Even though this legislation has merit and considerable importance in future research, the committee felt an investigation was premature and not the proper action at this time. **Vote 12-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 1155, relative to the unauthorized use of firearms in towns and cities. **INEXPEDIENT TO LEGISLATE**

Rep. Dudley D. Dumaine for Municipal and County Government: RSA 644:13, I provides that if a person fires or discharges any cannon, gun, pistol, or other firearms, except by written permission of the Chief of Police or governing body, within the compact part of a town or city, the person is guilty of a violation. "A compact part of a town or city is defined under RSA 644:13,II:c as six or more buildings which are used as either part-time or permanent dwellings and the spaced between them where each such building is within 300 feet of at least one of the others". HB 1155 would allow any citizen to by-pass the Chief of Police or governing body's permission, by getting the permission to do so from his or her surrounding neighbors. The committee felt that HB 1155 was an issue of gun safety. **Vote 11-1.**

HB 1226-L, allowing discretionary easements to include barns used for farming. **INEXPEDIENT TO LEGISLATE**

Rep. Paul C. Bellavance for Municipal and County Government: The sponsor of this bill had good intentions in wanting to help the farmers. The committee heard testimony in opposition to the bill that it may be laudable but there are no requirements for upkeep of the barn by the owner. There was also concern that this bill would be counter productive to other pending legislation. **Vote 14-0.**

HB 1240, establishing a property tax limitation and credit for elderly persons and increasing the amount of the homestead right for elderly persons. **INEXPEDIENT TO LEGISLATE**

Rep. Priscilla P. Lockwood for Municipal and County Government: New Hampshire has a comprehensive policy regarding elderly property tax exemptions stated in RSA 72:38-a. One of the parameters is being 65 years old. HB 1240 would use age 62 as a starting point for creating a tax limitation and credit. During the hearing, there was opposition to this process because it would be an administrative tracking problem. There is also a homestead right in RSA 480:1 that covers everyone, regardless of age. This bill would create many abatements that would be difficult to administer and did not cover any life estates or trusts. **Vote 12-0.**

HB 1277, increasing the optional veterans' property tax credit. **OUGHT TO PASS**

Rep. James E. Twombly for Municipal and County Government: This enabling legislation would increase the amount of the optional veterans' property tax credit from \$100 up to \$500. This increase would be determined by the legislative body of the municipality. This bill received no opposition and all testifying felt that the increase was appropriate for the sacrifices that veterans have made for their country. **Vote 12-0.**

HB 1352-FN-L, relative to establishing a hazardous duty classification in the length of service awards program. **OUGHT TO PASS**

Rep. Robert W. Brundige for Municipal and County Government: There is an urgent need in the state to continuously recruit

volunteer firefighters and EMS personnel. RSA 100-B established the length of service awards program that allows municipalities by vote of the legislative body to set up a deferred pension plan for call firefighters and qualified volunteer emergency medical personnel. This bill provides the mechanism for contributions to the compensation plan and will provide the needed incentive to invigorate the recruiting program. **Vote 15-0.**

HB 1398, relative to the vote required for issuance of bonds by the Sunapee water and sewer commission. **OUGHT TO PASS**

Rep. William G. Johnson for Municipal and County Government: This bill resolves a local matter for the Town of Sunapee. The voters of Sunapee elected SB-2 status under RSA 33:8. However, the Water and Sewer Commission was created by RSA 465:2 prior to the Town’s SB-2 status. That statute retains a 2/3 voting majority for bond issuance versus the 3/5 majority allowed under SB-2 status. HB 1398 brings the voting majorities for all bind votes into conformity. **Vote 16-0.**

HB 1401, relative to the authority of highway agents. **INEXPEDIENT TO LEGISLATE**

Rep. Mary E. Griffin for Municipal and County Government: This bill would require the elected road agents to obtain consent of the selectmen in the performance of their duties. Authority is already granted under RSA 231:62 for this purpose. This bill also requests compensation for elected agents to be fixed in the budget of the town instead of by the town legislative body. The Municipal and County Committee was of the opinion the process should remain as is under the purview of the town legislative body requiring the cooperation of both the selectmen and the elected officials. **Vote 16-0.**

PUBLIC WORKS AND HIGHWAYS

HB 1104, establishing the Danny Carswell Memorial Patrol Shed in the town of Merrimack. **OUGHT TO PASS**

Rep. Marlene M. DeChane for Public Works and Highways: The committee supports the proposal to rename the Merrimack Patrol Shed to the Danny Carswell Memorial Patrol Shed. Danny Carswell was a state employee for the Department of Transportation as a highway maintainer. He was killed in the performance of his duties on 23 September 1997. A suitable marker may be erected at the patrol shed at no expense to the state in his memory. **Vote 16-0.**

HB 1116, establishing a committee to study the feasibility of placing state liquor stores at the Manchester airport and at the Pease International Tradeport. **INEXPEDIENT TO LEGISLATE**

Rep. Bernard L. Benn for Public Works and Highways: Because the proposed purpose of the bill has been studied by the Liquor Commission, and due to irreconcilable differences between the rules of the commission and Federal government as to allowable rents, the parties cannot negotiate an agreeable amount of rent. The committee feels the concept has much merit and would be supportive of any agreement between the Liquor Commission and airport, but with the known obstacles, the study would not be productive. The committee was also willing to help with any changes that the Liquor Commission needed to facilitate such a sales outlet. **Vote 16-0.**

HB 1164, renaming the Sugden House in Odiorne State Park in the town of Rye as the Clark House. **OUGHT TO PASS WITH AMENDMENT**

Rep. Edwin O. Smith for Public Works and Highways: The committee listened to all of the testimony and feels that the request from the Clarks goes beyond anything that the New Hampshire House can solve. The problem resulted from a taking by the United States Government at the beginning of World War II. The Clark Family has definite ties to the Sugden House, and the committee feels that information presented to the public during tours should include the Clark connection. The President of the Seacoast Science Center provided written testimony that she has been asking for information, such as pictures, from the Clarks to use during tours, and no information has been received. The committee strongly urges the Clarks to provide information that they would like used in any presentation to the Center at no cost to the Clarks. The committee felt that the Sugden name is and should continue to be as it is currently. The Sugdens and Clarks have strong ties, and both should be acknowledged. The amendment changes the name of the Hill Bridge in Lee, to the Reuben Hill Bridge. The Lee Board of Selectmen requested this name change. **Vote 16-0.**

HB 1216, erecting a historic sign in Berlin honoring its original settlers. **INEXPEDIENT TO LEGISLATE**

Rep. Candace C. W. Bouchard for Public Works and Highways: The sponsor has decided to use the state highway historical marker program for the erection of this sign. Therefore legislation is not needed. **Vote 16-0.**

HB 1256, relative to Clark Pond Road in the town of Haverhill. **OUGHT TO PASS WITH AMENDMENT**

Rep. James B. Rausch for Public Works and Highways: The amendment replaces the entire bill. The bill provides for reconstruction of Clark Pond Road in the town of Haverhill. The amendment provides for the project to be completed with state aid which requires the town to pay one third of the cost, and the state to pay two thirds of the cost. **Vote 16-0.**

HB 1334-FN, relative to a certain highway project in Brookfield, New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. Candace C. W. Bouchard for Public Works and Highways: The Commissioner of the Department of Transportation, testified that this project is an identifiable maintenance issue problem and can be done within the current budget using the Highway Betterment Funds. **Vote 16-0.**

HB 1375-FN, relative to the sale of land by the department of transportation. **INEXPEDIENT TO LEGISLATE**

Rep. Marlene M. DeChane for Public Works and Highways: The bill is not needed as current provisions are covered under eminent domain laws. **Vote 16-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1113, relative to boating on Sandogardy Pond in the town of Northfield. **INEXPEDIENT TO LEGISLATE**

Rep. David H. Russell for Resources, Recreation and Development: A similar petition to this bill to have petroleum powered boats banned on Sandogardy Pond was submitted to the Commissioner of the Department of Safety on August 3, 2001. A public hearing was held on August 17th, and after consideration, the petition was denied. In addition, testimony before the committee was presented by the majority of the residents of Sandogardy Pond who oppose the restriction of power boats. The town of Northfield also maintains a town beach there, and are proposing construction of a boat ramp. **Vote 13-1.**

HB 1120, relative to naming a certain island in Lake Winnepesaukee in the town of Moultonborough. **OUGHT TO PASS**

Rep. David M. Lawton for Resources, Recreation and Development: HB 1120 will enable the town of Moultonborough to name an approximately 2000 square foot island, located entirely within the town's boundaries, "Henry's Island" or any other name deemed suitable by the town. The island's present owner plans to donate the property to the town so long as the town agrees to name the island in his name. **Vote 13-1.**

HB 1160-FN-LOCAL, requiring the state to rebuild and maintain the dam controlling Russell Reservoir in the town of Harrisville. **INEXPEDIENT TO LEGISLATE**

Rep. Sid Lovett for Resources, Recreation and Development: HB 1160-FN-LOCAL would require the state to take over the maintenance, repair, liability and operating costs associated with the dam controlling Russell Reservoir in the town of Harrisville. At this time the committee unanimously found that such an acquisition was unnecessary in part due to the fact that there is little or no public access on Russell Reservoir. The committee also took note of a unanimous decision of the New Hampshire Dam Management Review Committee not to recommend such an acquisition for the state and further noted that the town of Harrisville had not fully explored creating a village district to manage the dam. **Vote 14-0.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1312, establishing a committee to study the needs of the Native American population in New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. Lucille V. Power for State-Federal Relations and Veterans Affairs: At the request of the sponsor and after speaking with members of New Hampshire's Abenaki Indians it was decided to defer to the judgement of the Abenaki's and respect their request to withdraw HB 1312 at this time. **Vote 18-0.**

HB 1406, permitting the appointment of a temporary guardian for the children of activated members of the armed services and creating a committee to study the tuition waiver for National Guard members. **OUGHT TO PASS WITH AMENDMENT**

Rep. Pamela D. Coughlin for State-Federal Relations and Veterans Affairs: This bill will permit the nomination of a guardian for the children of activated members of the armed services or for incapacitated persons for whom the activated member is the guardian and creating a committee to study the New Hampshire National Guard Education Assistance Act. **Vote 18-0.**

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. **OUGHT TO PASS**

Rep. Pamela D. Coughlin for State-Federal Relations and Veterans Affairs: The committee urges the state attorney's general and the Federal Trade Commission to enforce the Telemarketing Sales Rule, which requires telemarketers to maintain do-not-call lists. It also urges Congress to adopt the Know Your Caller Act of 2001, which provides additional consumer protections relative to telephone solicitation. **Vote 16-2.**

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

Rep. Pamela D. Coughlin for State-Federal Relations and Veterans Affairs: This resolution sends a strong message to our Congressional Delegation that New Hampshire strongly supports multiple use management at all National Forests and especially the White Mountain National Forest here in New Hampshire. This will include sustainable forest and wildlife habitat management, traditional recreational uses that generate local revenue and controlled harvesting of forests and wood products. **Vote 13-1.**

HCR 23, urging Congress to abolish the Recreational Fee Demonstration Program on public lands including the White Mountain National Forest. **OUGHT TO PASS**

Rep. Paul G. LaFlamme for State-Federal Relations and Veterans Affairs: The Recreational Fee Demonstration Program, which is essentially a "parking fee", charges the citizens of New Hampshire unfairly. The citizens of the communities in which the White Mountains exist are expected to pay a fee in order to hike, hunt, fish, snowmobile and participate in other recreational activities on that land. The Federal government has also failed to fully fund payments promised to those communities in lieu of taxes for acquired Federal lands. **Vote 15-1.**

HCR 24, urging the federal government to declare a moratorium on major airline industry mergers. **INEXPEDIENT TO LEGISLATE**

Rep. Pamela D. Coughlin for State-Federal Relations and Veterans Affairs: Because of the September 11, 2001 tragedy, the committee felt this bill was not appropriate at this time. **Vote 17-1.**

HCR 25, encouraging an increased distribution of federal money from the military budget to the states. **INEXPEDIENT TO LEGISLATE**

Rep. Anne K. Priestley for State-Federal Relations and Veterans Affairs: The sponsor requested that the bill be withdrawn. Even though this is an important issue, it is not appropriate at this time. **Vote 14-1.**

TRANSPORTATION

HB 1348, clarifying the law regarding title-exempted vehicles. **OUGHT TO PASS WITH AMENDMENT**

Rep. Lawrence A. Artz for Transportation: There has been much confusion among town and city clerks, as well as among vehicle owners, regarding the procedures adopted during the 2000 session regarding the registration of certain title exempted older vehicles. This bill clarifies that the town or city clerk issuing the permit may copy the bill of sale and NH certificate of registration or certificate of title but shall return the original documents to the person. This bill clarifies those changes. **Vote 16-0.**

WAYS AND MEANS

HB 212-FN, expanding income eligibility limits for education property tax hardship relief. **OUGHT TO PASS WITH AMENDMENT**

Rep. Jeff Gilbert for Ways and Means: The amended bill will provide an alternative method of calculating state education property tax hardship relief. The low to moderate income property tax hardship relief program in effect through property tax year beginning April 2001 is unable to self adjust for municipalities that have revalued or updated their values since April of 1999. The temporary and extraordinary nature of the hardship relief program precluded the design and implementation of a cost-effective system to deliver this relief to municipalities who have updated their values since April of 1999. This bill is designed to provide comparable relief, as provided to those who qualify under RSA 198:50, to those needy taxpayers denied relief because the municipal government has revalued the property, something both the court and this legislature has

encouraged. **Vote 12-0.**

HB 1239-FN-A, relative to off-track wagering by certain establishments. **INEXPEDIENT TO LEGISLATE**

Rep. Howard C. Dickinson for Ways and Means: The committee voted this bill Inexpedient To Legislate because the subject matter of interest to the sponsor is covered by another bill (video lottery at the race tracks). **Vote 16-1.**

HB 1270-FN, making technical corrections due to the repeal of the legacies and succession tax. **OUGHT TO PASS WITH AMENDMENT**

Rep. Susan W. Almy for Ways and Means: Last year in HB 170 we repealed the legacies and succession tax, to take effect on 1/1/03. The legacies and succession statute, RSA 86, contains many provisions necessary to RSA 87, which allows us to collect the state portion of the federal estate tax. This bill, effective 1/1/03, moves those provisions to in-state possessions of those out-of-state decedents whose lawyers volunteer to pay it, which grosses up to \$10,000 per year. The amendment was requested by the Probate Court to fix references the legislature changed in 2001; it removes all other references to RSA 86 throughout the statutes. The Department of Revenue Administration stated that there is no fiscal impact. **Vote 15-0.**

HB 1322, requiring a super majority vote for adoption of certain tax legislation. **INEXPEDIENT TO LEGISLATE**

Rep. Karen K. McRae for Ways and Means: The requirement to raise taxes by super majority in statute is a laudable end. However, that end can only be properly pursued through a constitutional amendment. Any legislature cannot bind a subsequent legislature. Please refer back to the passage of the BET tax, which carried with it a super majority to increase the tax. However, the very next legislature passed an increase in that tax without even acknowledging the fact that the original legislation had an expressly stated super majority to raise the percent of the tax by changing the super majority requirement. The committee hopes that the spirit of this bill - fiscal responsibility and accountability – will be a guide to every member of this legislature and subsequent legislatures as well. **Vote 16-0.**

HB 1362-FN-A, establishing a state-owned casino to provide funds for public education. **INEXPEDIENT TO LEGISLATE**

Rep. David J. Alukonis for Ways and Means: The committee believes that this proposal for a state-owned and managed casino would need substantial additional review and modifications prior to being made law. Like the other gambling proposals brought before the committee, the concept of this bill should be seriously considered by a study committee which the committee will propose via House Bill 1282. **Vote 16-0.**

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**

Rep. Susan W. Almy for Ways and Means: Last year two identical bills dealing with a dedicated fund for job training started from House and Senate. The House bill became law and House Labor held SB 201 for fine-tuning to the Berlin crisis. When they recommended passage of their amendment several weeks ago, somehow the original material in the bill was not deleted, and so the bill came to Ways and Means. This is the amendment Labor meant to pass, and it does not involve Ways and Means issues, so the committee recommends passage of the amendment as is. **Vote 14-0.**

THURSDAY, JANUARY 31

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

HB 1173, relative to the identification and notification of putative fathers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Barbara Hull Richardson for the Majority of Children and Family Law: This bill, which would have required a mother to name the father of a child and notify him within 60 days, violates a mother's right to privacy and could be harmful to all parties. Currently, fathers can file an affidavit to claim paternity. Mothers and fathers are better protected under the current laws. **Vote 13-4.**

Rep. David A. Bickford for the Minority of Children and Family Law: This bill would have helped influence unmarried mothers to name the possible fathers at the time of birth rather than waiting years to notify the father after the child's development is

missed.

HB 1232-FN-LOCAL, relative to the confidentiality of library user records. **INEXPEDIENT TO LEGISLATE**

Rep. Mary Stuart Gile for Children and Family Law: This bill makes all records related to a minor's use of library materials and services available to the minor's parent or guardian. The committee agreed that libraries are great sources of information but creating policies allowing parent access to their children's choices of material and services is not the business of government. Further, the committee is aware that local libraries have boards of trustees who determine policy and neither they nor the librarians should be put in positions of policy practices that affect parent/child communication. **Vote 15-4.**

EDUCATION

HB 1230-FN, establishing the office of the special education advocate. **OUGHT TO PASS WITH AMENDMENT**

Rep. Debra A. Naro for Education: The committee heard compelling testimony to authorize the Commissioner of the Department of Education to expend federal discretionary special education funds to contract with private, non-profit agencies for the provision of special education advocacy services for parents. The majority of the committee agreed that parents play a key advocacy role and may require assistance in securing an appropriate education for their children. Existing advocacy services are not sufficient to meet the need for advice, information and where needed, representation. Contracting with pre-existing, nonprofit advocacy agencies that can provide administrative and in-kind support is the most cost-effective way for the state to meet this need. **Vote 9-5.**

ENVIRONMENT AND AGRICULTURE

HB 655-FN-A-LOCAL, establishing an advance disposal fee to fund local mercury presorting and recycling programs. **INEXPEDIENT TO LEGISLATE**

Rep. George J. Liebl for Environment and Agriculture: Committee was aware that this issue would be addressed in HB 675 as amended. **Vote 17-0.**

HB 675, relative to mercury source reduction. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Harold P. Melcher for the Majority of Environment and Agriculture: After extensive consultation with businesses, and serious revision, the bill now addresses the major mercury problem, its improper disposal. It does not ban useful products that contain mercury, but does take great care that mercury does not go into incinerators, the water supply, and the food chain. An outright ban would accomplish the same thing, but be deleterious to the economy, and in fact to energy efficiency. Instead it brings together the manufacturers, distributors, waste facility operators, and users to cooperate in proper disposal. The committee feels that when all these interested parties are involved, it will not be burdensome on any of them. Much of the infrastructure is already in place. Information is cheap and highly cost-effective. DES is ready to do much of the contact work. Our neighboring states are already working on the problem along the same lines. This bill will go a long way toward alleviating the non-power-plan sources of this poison in the environment. **Vote 14-3.**

Rep. George J. Liebl for the Minority of Environment and Agriculture: In order for the intent of this bill to be realized, it needs to be implemented on a nationwide basis. The minority would support a resolution to our congressional delegation to this effect. The section of the bill requiring consumer notification of mercury content of products would put the state and its manufacturers at a competitive disadvantage. It would also violate the interstate commerce clause of the federal constitution that holds that states cannot encumber or unreasonably restrict or burden interstate commerce. Of particular concern is that the advance disposal fee of 8% on the wholesale market price of certain mercury-added products and the costs associated with the labeling or notification provision would give consumers a reason to go to neighboring states to purchase the same goods at cheaper prices. The minority believes the bill is bad public policy, would adversely impact the state and its businesses, and may be unconstitutional. A better approach is to work toward a national mercury reduction program and to have a strong public education, outreach, and assistance program, as provided for already in current law, on the proper handling and disposal of mercury-added products.

HB 1126-FN-A, establishing the weights and measures laboratory accreditation program. **OUGHT TO PASS WITH AMENDMENT**

Rep. Timothy D. O'Connell for Environment and Agriculture: This bill authorizes a weights and measures laboratory accreditation program, and a non-lapsing, continually appropriated fund for the program. The accreditation program will provide technical and calibration services to service agencies, industry, state agencies, or others based on national standards. Registration fees and fees collected from services rendered will be used exclusively for the laboratory accreditation program. **Vote 15-0.**

HB 1374-FN, requiring the department of environmental services to bear certain clean-up costs. **REFER FOR INTERIM STUDY**

Rep. Betty B. Hall for Environment and Agriculture: This bill deals with costs of waste disposal. There is more at stake than just one community. The committee wishes to look at the broader picture. **Vote 9-8.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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. **OUGHT TO PASS WITH AMENDMENT**

Rep. Donald R. Lent for Executive Departments and Administration: This bill, as amended, increases the annuity paid to the spouse of firefighters accidentally killed while in the performance of duty. The annuity will be 100% rather than 50% of the firefighters annual rate of earnable compensation at the time of death. A separate bill is being introduced to research ways for a similar policy to be adopted by the police. Currently the police lack the necessary funds but do not wish to hold back the firefighters who do have sufficient funds in their special account. **Vote 12-2.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1209, relative to a civil rights act for health care providers. **INEXPEDIENT TO LEGISLATE**

Rep. Hilda W. Sokol for Health, Human Services and Elderly Affairs: In this bill the definition of a healthcare provider includes "but is not limited to: physician, physician's assistant, nurse, nurses aide, medical assistant, hospital employee, clinic employee, nursing home employee, pharmacist, pharmacy employee, medical school student, medical school employee, or any professional, paraprofessional, or any other person who furnishes, or assists in the furnishing of, healthcare services" Because of a religious belief, or a moral, ethical, or philosophical conviction some individuals may have a conscientious objection to participating in certain healthcare procedures "including, but not limited to, abortion, artificial insemination, artificial contraception, cloning, human stem cell and fetal experimentation, withdrawal of nutrition and hydration, physician-assisted suicide and euthanasia." The bill proposed to ensure that healthcare providers': 1) religious beliefs or rights of conscience are protected; 2) refusal to participate in certain medical procedures based on their religious, philosophical, or moral convictions is allowed; and 3) protection against reprisal for objecting to participate in certain medical procedures is assured. Although a minority in the committee found some merit to the bill, the majority was concerned that it was much too broad in scope. There was a concern that patients might have their health and civil rights compromised by being denied important information, referrals, and medical procedures. Healthcare professionals have certain responsibilities and are licensed to perform medical procedures. It behooves them to choose areas or specialties which would not put them into situations which might compromise their religious or moral beliefs. Patients should not be placed at risk or denied legal services, medical procedures, drugs, or relevant medical information because of the personal beliefs of healthcare providers. In the opinion of the majority, we currently have federal statutes that cover civil rights. Furthermore, passage of this bill would restrict the ability to have access to adequate healthcare in New Hampshire. If an individual cannot participate in a particular medical procedure (based on their personal convictions or beliefs), that should be addressed at the time of the hiring process, not when a particular medical need is present, perhaps in a medical emergency situation. **Vote 9-4.**

JUDICIARY

HB 1129, relative to discriminatory practices by owners of public accommodations. **INEXPEDIENT TO LEGISLATE**

Rep. Peter R. Leishman for Judiciary: The proposed legislation was proposed to prohibit the practice of banning a person's entry in public accommodations based on their mode of transportation and/or clothing. The committee heard testimony that some restaurants and other public accommodation had refused entry based on a person's clothing and mode of transportation specifically motorcycles and leathers. The supporters of this bill felt strongly that this practice is discriminatory and the prohibition of this activity be added to the state discrimination statute. The committee, though sympathetic to the sponsor and

supporters of the bill, felt strongly that the state should not elevate one's mode of transportation and clothing to the same level of importance enumerated in the discrimination statute's scope of prohibited conduct. **Vote 11-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 589, relative to eligibility for unemployment benefits for part-time workers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. G. Michael Gilman for the Majority of Labor, Industrial and Rehabilitative Services: HB 589 was amended with the intent of removing Section 3 which provided for "good cause exemption" a major sticking point and reason for its recommittal. After discussion on a motion to remove Section 3, restoring HB589 to its original form as a part-time workers bill, the amendment was accepted unanimously. After the executive session, it was discovered the amendment vote on contained a drafting error that does not accomplish the intent of the committee. Therefore, the committee will introduce a floor amendment to correct the problem and fulfill the intent of the committee. **Vote 12-6.**

Rep. Corey E. Corbin for the Minority of Labor, Industrial and Rehabilitative Services: The minority of the committee felt the new amendment was identical to the amendment that caused us to recommit this bill in the first place. The bill still contains financial implications that have not, and cannot be determined. The Labor Department said this bill would be very difficult to administer as amended. The bill is still very ambiguous with regard to the financial impact on our businesses and therefore not prudent until a fiscal impact study has been done.

LEGISLATIVE ADMINISTRATION

HB 1279-FN-A, making an appropriation for the purchase of equipment to record committee sessions. **OUGHT TO PASS**

Rep. Maurice E. Goulet for Legislative Administration: This is the next logical step in providing recording equipment for committee hearings. This bill will enable expanding equipment to approximately six (6) more committee rooms. The initial pilot program was established in the following committees: Criminal Justice and Executive Departments and Administration. The program works very well and this committee strongly encourages its continuation. **Vote 11-0.**

MUNICIPAL AND COUNTY GOVERNMENT

SPECIAL ORDER

HB 1297, exempting land which is subject to a governmental conservation easement or development restriction from property taxation. **INEXPEDIENT TO LEGISLATE**

Rep. James E. Twombly for Municipal and County Government: At the present time, if a property has an easement, the municipality usually assesses the property with the easement at a lower rate than full market value. The committee felt that if the bill were passed as written, there would be many unintended consequences because most of the focus on property easements seemed to center around the property's development value. However, a shoreline easement would dramatically affect shoreline use and would increase taxes on other land such as timberland. This would constitute a cost shift to other properties within the municipality. Testimony throughout the hearing indicated that this bill would interrupt a system that has been working well. Furthermore, as introduced the bill did not include any buffer zones that the sponsor felt should have been included. **Vote 13-0.**

PUBLIC WORKS AND HIGHWAYS

HB 1370, relative to establishing a 6-year capital budget. **OUGHT TO PASS**

Rep. William E Leber for Public Works and Highways: The committee has been aware for years that the Capital Improvement Program could be improved with long term planning, and where possible, phased planning and construction over a few bienniums. This bill provides for this option. It also provides restraints as a percentage of bonding over the biennium, so each Legislature will have plenty of room for new capital appropriation each biennium and extended projects can proceed. The percentage established has historically been used in recent years as a recommendation of the Treasurer. This is the first major step to manage the state capital improvement needs more efficiently. **Vote 14-2.**

HB 1411-FN-A, transferring funds from 2 capital accounts to the judicial branch for district court security implementation

period funding. **OUGHT TO PASS WITH AMENDMENT**

Rep. James B. Rausch for Public Works and Highways: As amended, this bill transfers \$300,000 to the judicial branch for district court security services that were underfunded. The sum is transferred from the balances of two prior capital appropriations made to the Department of Corrections. Additionally, a footnote is deleted to allow the transfer of funds between line items for district probate court security. **Vote 14-2.**

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

Rep. William E. Leber for Public Works and Highways: The original bill provided for a bonded appropriation of \$5 million to the Housing Finance Authority for affordable housing based on a study committee report last year. The committee heard substantial testimony for the need for affordable housing and the success of previous bonding in 1988. The amendment provides for splitting the bonding into two separate bienniums to ease the pressure on the state bonding limits. The amendment also increases the capital appropriation for the New Hampshire Veterans Home expansion that was overbid by \$1.9 million. The additional appropriation includes \$650,000 of federal support which requires an additional state appropriation of \$1.25 million. It is critical that the appropriation is approved by April 1st or the federal share of \$7.15 million will be terminated and the much needed project of 100 more beds would have to be started over by reapplication which could take years to reach this point again, if ever. **Vote 16-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1000-FN-A, relative to the acquisition and oversight of certain rights in land located in Pittsburg, Clarksville, and Stewartstown, known as the Connecticut Lakes headwaters tract and making an appropriation therefor; establishing funds for the stewardship of these lands; and allowing state agencies to hold certain rights under the New Hampshire land and community heritage investment program. **OUGHT TO PASS WITH AMENDMENT**

Rep. H. Charles Royce for Resources, Recreation and Development: Several members of the Resources, Recreation & Development Committee attended a Public Hearing in Pittsburg, N.H. on January 12, 2002. The hearing covered all the aspects of the acquisition of the lands known as the Connecticut Lakes headwaters. The committee heard overwhelming support from the local residents for this legislation. A forum on this acquisition was held in the LOB on January 22, 2002 with many legislators and the public attending. The Public Hearing before the committee was also well attended. After much positive discussion, the committee supports this legislation with a unanimous vote of the committee members attending. What this bill does is permanently protect 171,500 acres from development and subdivision. There will be continued forest management with sustainable harvesting guidelines in the conservation easements. There will be perpetual public access for a full range of recreation. Twenty-five thousand acres (25,000) of natural areas have been set aside and will be owned and managed by the state. Local, state, private and federal funds will finance this project. Consideration has been given to the people who live and work in these communities. It is hoped that the entire house can fully support this once in a lifetime opportunity. **Vote 14-0.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HR 21, urging the development and implementation of a national missile defense system. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard F. Heon for the Majority of State-Federal Relations and Veterans Affairs: The committee heard compelling testimony regarding the clear and present danger posed by the proliferation of ballistic missiles and weapons of mass destruction. That proliferation imperils not just New Hampshire and the nation, but also our allies and our armed forces abroad. This resolution urges the President to take all actions necessary to protect our nation, and to develop an effective ballistic missile defense system designed to deter future threats whenever possible. The question at hand is whether the United States has a duty to protect its ideals, interests and influence in the global community. The committee's bipartisan vote believes it does. **Vote 13-5.**

WAYS AND MEANS

HB 1263-FN-A-L, establishing the statewide cost of an adequate education at zero dollars and repealing the education property tax. **INEXPEDIENT TO LEGISLATE**

Rep. Frank V. Sapareto for Ways and Means: Currently approximately \$880 million of state aid is distributed to the 234 districts and municipalities at the existing adequacy amounts. A reduction in state aid based on zero adequacy does not lower taxes on residents of New Hampshire, it merely shifts the \$880 million onto local property rates. For most communities, a one-dollar reduction in the state property taxes equates to a two (\$2) increase in local property tax. This would amount to the single largest property tax increase in New Hampshire's history. Opponents may argue that it is a first step in the state reasserting control over school funding; however, no distribution replacement is offered with this bill. The legislature has been entrusted to help communities lower their property tax rates for education only to break their word and fail to fund their promised amounts. The most recent example of this was the Augenblick formula. Zero dollars for adequacy, as written in this bill, only eliminates state money for public education. The committee has no desire to place such a large property tax increase on the state of New Hampshire's residents. **Vote 14-3.**

HB 1294-FN-A, reducing the tobacco tax. REFER TO FOR INTERIM STUDY

Rep. David J. Alukonis for Ways and Means: In light of recent and proposed tobacco tax increases in our surrounding states, the committee would like this bill referred back to it for interim study. The bill will serve well as a vehicle for the committee to study the impacts and consequences of raising taxes in other states and the resulting impacts on our domestic sales and New Hampshire's tobacco tax receipts. **Vote 17-0.**

HB 1319-FN-A-L, 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. INEXPEDIENT TO LEGISLATE

Rep. Paul A. McGuirk for Ways and Means: After due consideration, the committee opted to use another vehicle to address the issue of expanded gaming in New Hampshire. **Vote 13-3.**

HB 1353-FN-A-L, relative to video lottery at the racetracks. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Rep. David J. Alukonis for the Majority of Ways and Means: HB 1353 would allow for the development of four slot machine casinos at the three existing dog tracks and the sole thoroughbred horse track. While the bill is well drafted, there are serious policy and fiscal consequences with this proposal. These consequences are not in the best interest of the host communities, or of the State of New Hampshire as a whole. At no time during the public hearing, sub-committee work session, or during the full committee executive session was there any testimony that this proposal would maximize state revenues, result in the least local impact, or that the monies generated would be allocated in the best possible fashion. The only projections provided to the committee were those provided by the racetracks themselves, the very (and only) businesses that would benefit from this legislation. While these numbers may be correct, the committee has had no other forecasts or projections made available which would allow for an objective and impartial review. Proponents of the bill suggest that the bill will generate a net increase of \$56 million to the general fund while reducing the business profits tax, the business enterprise tax and the statewide property tax. There is an old saying that says: "Follow the money." The committee is unable to "follow the money," and cannot verify that the general fund will be bettered by \$56 million per year. Nor can the committee guaranty that the total dollars generated will fully fund the state's needs as well as the tax reductions. In this respect, the tax reductions proposed in this bill may very well be temporary. The uncertainty is simply too great. Additionally, the committee questions the use of funds as proposed in the bill. Do we want the state to be responsible for buying, leasing, owning and operating the slot machines while the tracks propose to realize a gross income of \$190 million? Do we want the state to pay for the health and welfare benefits of the jockeys? Do we want the state to fund a breeding fund or a greyhound adoption fund? These serious policy questions have not been discussed. It is the desire of the majority of the Ways & Means Committee that a study be performed which will bring to light all facts and figures relevant to each of the major gambling structures that have been proposed. The light of day has not fully allowed for a complete and comprehensive look at the impacts of this, or any other gambling legislation. **Vote 9-8.**

Rep. Howard C. Dickinson For the Minority of Ways and Means: HB 1353, as amended will allow the four racetracks in the state of New Hampshire to operate video lottery terminals under the control of the Pari-mutuel Commission, the Sweepstakes Commission and a newly created agency, the Gaming Oversight Authority. Together, these three agencies will regulate discreet aspects of the operations to ensure that New Hampshire will have a superior product and at the same time, the integrity and public safety aspects of expanded gambling are addressed. The bill, as amended, dedicates funds to create a live racing purse fund administered by the Pari-mutuel Commission. In addition, funds are provided for problem gambling and other addictive behaviors. The bill also provides funds to the greyhound adoption program, economic development within the counties in which the pari-mutuel licensees are located and additional economic development funds to be administered by the Department of Resources and Economic Development. HB 1353, as amended, institutes additional safeguards. For example, the bill requires a

bid procedure with regard to the machine providers and the central computer system. The bill prohibits automatic teller machines being located within 150 feet of video lottery terminals. The bill has strict penalties for underage use of video lottery machines. The bill empowers the Gaming Oversight Authority to impose significant penalties for violations of the chapter, including the suspension of licenses. Lastly, the bill requires that local approval occur in the four communities in which the racetracks are located. The bill will produce significant revenues to the state of New Hampshire. These revenues will be sufficient to reduce the recent increases in the business property tax to 8%, and reduces the business enterprise tax to ½%, and further reduces the statewide property tax to \$4.90. The bill will produce in excess of \$75,000,000 in funds available for the general fund. These revenue projections anticipate competition in adjacent jurisdictions, including the Commonwealth of Massachusetts. For these reasons the minority of the committee recommends HB 1353 ought to pass with amendment.

HB 1404-FN-A-L, establishing an economic development resort and casino at Jericho Lake Park in Berlin. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David J. Alukonis for the Majority of Ways and Means: This bill would establish a State run casino in the city of Berlin. The intent of the sponsors is to provide much needed property tax relief and economic development to the city of Berlin to help offset the effects of the closing of the paper mills. While the committee understands the unfortunate economic situation in Berlin, the committee feels that expanding gambling would not be a long-term solution to Berlin’s problems. The committee has doubts about the financial impact a casino in Berlin would have considering its geographic location. In addition, expanding gambling opportunities to only the city of Berlin makes poor public policy. The committee believes the efforts the state of New Hampshire has already taken to help diminish the economic effects of mill closings is a good step forward in helping Berlin. Finally, the bill provides that money received from the casino would be used for the education trust fund. The fact that gambling revenues are shown to be highly volatile, and there is little or no ability to accurately predict revenues, it would be unwise and unfair to rely on gambling revenues for education tax relief. The State’s commitment to education is set for the bi-ennium. Uncertainty in how the state meets that obligation is bad public policy. **Vote 9-6.**

Rep. Howard C. Dickinson for the Minority of Ways and Means: HB 1404 is about economic opportunity. For decades the one-industry economy of Berlin has been declining. The population of Berlin has dropped from 25,000 to 10,000 while at the same time jobs at the paper and pulp mills has fallen from 9,000 in 1929 to 4,000 in 1958 to nearly zero today. This bill would provide Berlin and the North Country with an opportunity to create a world-class four-season resort including a casino at Jericho Lake Park at no cost or risk to the state of New Hampshire. The state will supervise and control the gaming operations and benefit by receiving 20% of the revenue. With no other realistic economic solution on the horizon, Berlin needs a new, innovative, and job-producing initiative. This bill provides that opportunity for the people of Berlin. If this was any other industry, we would jump at the chance to support it.

LAI D ON T A B L E

CACR 7, relating to the state's responsibility to provide to all citizens the opportunity for a public education. Providing that the general court shall have the exclusive authority to determine the content, extent, and funding of a public education and that the state may fulfill its responsibility to provide to all citizens the opportunity for a public education. (Pending question is the adoption of the majority committee report of Ought to Pass With Amendment.)

HB 730, establishing a committee to study the transfer of the Goffstown district court to a new location. (Pending question is adoption of the committee report of Ought to Pass with Amendment.)

COMMITTEE MEETINGS

MONDAY, JANUARY 28

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

1:00 p.m. Complaint hearings.

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), Room 103, State House

9:00 a.m. Investment committee.

10:00 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

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

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

TUESDAY, JANUARY 29

CHILDREN AND FAMILY LAW, Room 206, LOB

9:00 a.m. Subcommittee work session on **HB 1301**, relative to grounds for divorce for persons with minor children.

10:15 a.m. Presentation on the Foster Family Care Performance Audit Report.

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 1361-FN**, relative to the regulation of business practices between off highway recreational vehicle manufacturers, distributors, and dealers.

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.

2:30 p.m. **HB 1422**, establishing certain positions in the insurance department.

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 1418**, establishing a committee to study the cost of telephone calls from state prison inmates to their families.

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

10:30 a.m. Subcommittee work session on **HB 1108**, relative to personal appearance by law enforcement officers at administrative license suspension hearings.

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

11:15 a.m. Subcommittee work session on **HB 1285**, relative to the applicability of the stalking statute to minors and **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.

ELECTION LAW, Room 308, LOB

9:45 a.m. Executive session on pending legislation.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

1:00 p.m. Subcommittee work session on **HB 1396**, authorizing the state veterinarian to provide wildlife disease prevention and treatment.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:00 a.m. Subcommittee work session on **HB 1207**, relative to the regulation of the installation and servicing of fire suppression systems, **HB 1310**, relative to the city of Manchester's contributory retirement system, **HB 1302-FN**, relative to the purchase of certain prior service credit by members of the retirement system.

Room 105A, State House

9:00 a.m. Subcommittee work session on **HB 1118**, relative to participation by certain judges in the state employee group health and dental insurance programs.

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.

FINANCE, Rooms 210-211, LOB

1:00 p.m. Continued public hearing on **HB 556-FN-A**, making certain appropriations to the department of cultural resources and the department of safety.

Executive session on pending legislation may follow.

FINANCE - (DIVISION I), Room 209, LOB

Work and executive session on the following bills:

9:30 a.m. **HB 1264-FN-A-L**, returning all municipal fines to the municipality.

10:15 a.m. **HB 592-FN-A**, relative to a milfoil and other exotic plants prevention and research grant program and fund.

11:15 a.m. **HB 672**, relative to insurance coverage for mental and nervous conditions and for treatment for chemical dependency.

2:00 p.m. **HB 768-FN**, relative to DNA testing of criminal offenders.

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

10:00 a.m. Subcommittee work session on **HB 1251**, relative to the use of mercury amalgam fillings by dentists.

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.

1:00 p.m. **HB 1420**, relative to exceptions to the prohibition on persons practicing as attorneys when not admitted to practice by the supreme court.

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

3:00 p.m. Subcommittee work session on ***HB 1311***, relative to expunging certain mental health records.

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.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:15 a.m. ***HB 1419-FN-A***, increasing the capital appropriation made to the fish and game department for the Barry conservation camp building replacement.

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. Subcommittee work session on ***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. Subcommittee work session on ***HB 1402***, designating segments of the Isinglass River as protected under the rivers management and protection program.

1:00 p.m. Subcommittee work session on ***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.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Subcommittee work session on ***HB 1349-FN-A***, establishing a New Hampshire power authority.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

9:30 a.m. ***HB 1405***, relative to the Memorial Day holiday.

Noon Subcommittee work session on ***HCR 26***, urging the U.S. Food and Drug Administration to remove all unapproved prescription fluoride products from the market.

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.

TRANSPORTATION, Room 203, LOB

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

WAYS AND MEANS, Room 202, LOB

10:00 a.m. ***HB 1414-FN-A-LOCAL***, relative to the valuation method in the excavation activity tax.

11:00 a.m. ***HB 1427-FN-A-LOCAL***, establishing a property tax relief program for low income homeowners.

1:30 p.m. ***HB 1417-FN-A***, eliminating the payment of the business enterprise tax on interest paid by business enterprises.

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

WEDNESDAY, JANUARY 30

CHILDREN AND FAMILY LAW, Room 206, LOB

11:30 a.m. Subcommittee work session on ***HB 1299-FN***, relative to premarital preparation courses.

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on ***HB 1150***, relative to insurance compliance self-audits.

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

11:00 a.m. Rescheduled public hearing on ***HB 1176***, limiting the hours available for telephone solicitation.

1:15 p.m. ***HB 1413***, relative to disclosure of information by hospitals.

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

2:00 p.m. Subcommittee work session on ***HB 1166***, relative to sign restrictions regarding alcoholic beverages, ***HB 1167***, relative to wine tasting and ***HB 1336-FN***, permitting wine manufacturers to maintain restaurants or catering facilities.

EDUCATION, Room 207, LOB

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

1:00 p.m. Subcommittee work session on ***HB 1190***, relative to local school management of teacher hiring and retention, ***HB 1260-FN***, relative to certification and licensing of teachers and school administrators and ***HB 1105***, relative to the appointment of non-certified employees within a school administrative unit.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:00 a.m. Subcommittee work session on ***HB 1267-FN-LOCAL***, relative to a ban on landfilling and incinerating aluminum cans.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:00 a.m. Subcommittee work session on ***HB 1271-FN***, relative to dental care insurance for state employees and retired state employees, ***HB 1128-FN***, relative to the retirement system classification for the director of field services, department of corrections and ***HB 1276***, permitting pharmacists to dispense emergency contraception.

Room 105A, State House

9:15 a.m. Subcommittee work session on **HB 1388**, relative to respiratory care, **HB 1377-FN**, relative to the regulation of physical therapists and **HB 1381-FN-A**, requiring licensing of public bathing facilities and of the operators, designers, and installers of public bathing facilities.

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.

FINANCE - (DIVISION I), Room 209, LOB

Work and executive session on the following bills:

9:30 a.m. **SB 64-FN-A**, establishing a fund to pay mediators in the probate courts.

10:15 a.m. **HB 439-FN-A**, establishing a position of septage coordinator and making an appropriation therefor.

11:15 a.m. **HB 556-FN-A**, making certain appropriations to the department of cultural resources and the department of safety.

1:00 p.m. Subcommittee on **HB 1330-FN**, requiring state agencies to respond to fiscal note requests in a timely manner.

2:00 p.m. Subcommittee on **HB 1364-FN**, requiring an accounting of dedicated funds in the budgetary process.

FINANCE - (DIVISION II), ROOM 212, LOB

Work and executives session on the following bills:

10:00 a.m. **HB 1272-FN-A-LOCAL**, establishing a statewide special education funding pool.

11:00 a.m. **HB 1324-FN**, requiring that budget requests made by the state government be limited by inflationary and population growth indices.

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

Work and executive session on the following bills:

9:30 a.m. **HB 1124**, establishing a committee to evaluate the administration of the Medicaid "In and Out" Program.

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

1:15 p.m. **HB 179-FN**, including 17 year olds under RSA 169-B, the juvenile delinquency statute.

JUDICIARY, Room 208, LOB

9:30 a.m. Continued public hearing on **HB 1380-FN**, relative to parental consent for abortions

performed on children less than 16 years of age.

1:00 p.m. Rescheduled public hearing on ***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.

2:30 p.m. Subcommittee work session on ***HB 1292***, relative to interpreters for the deaf in certain governmental or public proceedings.

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.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:00 a.m. Subcommittee work session on ***HB 1111***, establishing a committee to study regulation and procedures for lake level investigations and orders.

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

10:30 a.m. Subcommittee work session on ***HB 1343***, relative to processing excavating and dredging permits.

TASK FORCE ON RE-ESTABLISHING THE LAWRENCE, MA TO MANCHESTER, NH AND THE CONCORD TO LEBANON RAIL SERVICE (HB 258, Chapter 271:1, Laws of 2001), Room 203, LOB

10:00 a.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

9:00 a.m. Full committee meeting on Assessing Standards Board.

10:00 a.m. Rescheduled public hearing on ***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.

THURSDAY, JANUARY 31

FINANCE (DIVISION IV), Rooms 210-211, LOB

Fifteen minutes following the House session, work and executive session on the following bills:

HB 294-FN, excluding certain pension income from household income for purposes of determining low and moderate income homeowners property tax relief.

HB 1259-FN-L , relative to the base cost for calculating adequate education grants.

FRIDAY, FEBRUARY 1

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on *HB 1258-FN*, relative to post-conviction DNA testing.

10:00 a.m. Subcommittee work session on *HB 1185-FN*, relative to the possession of deadly weapons in a safe school zone and *HB 1187-FN*, relative to criminal penalties for possession of a firearm in a safe school zone.

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

10:00 a.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. Subcommittee work session on *HB 1318*, relative to the regulation of the use of pharmaceutical agents by licensed optometrists.

FISCAL COMMITTEE (RSA 14:30-a), Room 102, LOB

9:00 a.m. Subcommittee on PUC low income energy assistance programs (RSA 6:12-b)

MONDAY, FEBRUARY 4

CIVIL WAR MEMORIALS COMMISSION (RSA 21-K:18), Room 203, LOB

2:00 p.m. Regular meeting.

TUESDAY, FEBRUARY 5

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on *HB 1153*, relative to the jurisdiction of the board of manufactured housing.

10:00 a.m. Continued public hearing on *HB 1225*, relative to disclosure of referral restrictions.

11:00 a.m. *HB 1434*, lowering the minimum medical cost coverage for motor vehicle liability policies.

1:15 p.m. *HB 1429*, relative to the scope of the consumer protection act.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

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

11:00 a.m. Subcommittee work session on *HB 1363-FN-LOCAL*, requiring the state to reimburse counties for the costs of incarcerating certain prisoners.

1:00 p.m. *HB 1432*, establishing a committee to study the use of drug concentration levels to enforce prohibitions against driving under the influence of drugs.

1:30 p.m. *HB 1433*, prohibiting constructive possession of alcohol by minors.

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 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.

JUDICIARY, Room 208, LOB

10:00 a.m. **HB 1100-FN-A**, requiring review of judges by the judicial conduct commission and relative to staffing of the judicial conduct commission 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.

2:30 p.m. Subcommittee work session on **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.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Presentations by UNITIL on proposed restructuring plan and by BIA/WasteCap on the industries of the Future program.

11:30 a.m. Executive session on pending legislation.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:00 a.m. Rescheduled public hearing on **HR 20**, supporting the country of Tibet.

11:00 a.m. **HCR 28**, urging increased federal funding for quality breast cancer research.

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

TRANSPORTATION, Room 203, LOB

10:00 a.m. **SB 385**, relative to electric personal assistive mobility devices.

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

WEDNESDAY, FEBRUARY 6

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

3:00 p.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1426-FN***, relative to the availability of information on the registration of certain sexual offenders.

10:30 a.m. ***HB 1425-FN***, relative to protective custody for intoxicated or incapacitated persons.

11:00 a.m. ***HB 1423-FN***, relative to state or local government security issues under the right-to-know law and relative to threats of biological or chemical substances.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:00 a.m. Subcommittee work session on ***HB 1171***, establishing a committee to study the state’s role in supporting organic agriculture.

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

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.

FRIDAY, FEBRUARY 8

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, 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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

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.

FINANCE, Rooms 210-211, LOB

9:00 a.m. Continued public hearing on **HB 1376-FN**, relative to distribution of tobacco settlement funds.

Executive session on pending legislation may follow.

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.

2:00 p.m. **HB 1407**, relative to the definition of property in planning and zoning laws, and allowing planning and zoning boards to require public notice by posting signs for hearings on the property.

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.

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

9:00 a.m. Regular business.

9:30 a.m. Audits.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 1410-LOCAL**, permitting the city of Dover to hold a municipal election in conjunction with the 2002 biennial election.

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

time the committee is initially convened.

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

COUNTY DELEGATION NOTICE

The Rockingham County Delegation meeting to adopt the 2002 County Budget will be held on Wednesday, February 20 at 6:00 p.m. at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood. The Executive Committee will meet at 5:00 p.m. in the Commissioner’s Conference Room at the Rockingham County Nursing Home, Brentwood.

Rep. David A. Welch, Clerk

Rockingham County Delegation

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

REVISED FISCAL NOTES

The following HBs have revised fiscal notes: HBs 179, 213, 329, 353, 439, 567, 592, 656, 744, 1192, 1260, 1264, 1266, 1268, 1270, 1271, 1275, 1319, 1352, 1353, 1355, 1358, 1359, 1360, 1362, 1363, 1364, 1365, 1366, 1367, 1369, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1379, 1380, 1381 and 1382.

Karen O. Wadsworth, Clerk of the House

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

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.

From time to time I receive reports and audits from various committees, commissions, and departments. On the chance that some of these reports might be of interest to a member, I will periodically list the reports that are received in the Speaker’s office and available for viewing.

Reports most recently received include:

Dept. of Treasury Debt Statement as of December 31, 2001

State Advisory Group on Juvenile Justice Annual Report

Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program Application

Gene G. Chandler, Speaker

Members of the NH House are encouraged to utilize the complimentary ski privileges afforded them. Upon presentation of proper credentials at the ticket window, legislative members may receive a lift ticket for their personal use and one for a guest. The elected official must be present to personally present the credentials unless prior arrangement is made with Commissioner Bald. *(Lift tickets are to be picked up at Guest Services or the Ticket Window at Cannon.)*

Gene G. Chandler, Speaker

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

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

The Business and Industry Association of New Hampshire is hosting a series of regional morning "get-togethers" to allow legislators to meet and chat with business people from across the state. Tours of the host facilities will be given and a continental breakfast will be served. There is no cost to attend these events, but an RSVP is requested. If you would like to attend one or more of these meetings, please call the BIA at (800) 540-5388. **January 28** from 9:00 to 11:00 a.m. at The H L Turner Group, 27 Locke Road, Concord. **February 4** from 9:00 to 11:00 a.m. at Attitash Bear Park Resort, Grand Summit Hotel, Route 302, Bartlett.

Rep. David W. Hess

All members from Salem, Atkinson, Hampstead, Windham and Pelham are invited to join the Greater Salem Chamber of Commerce, and their "Leadership Class", for a legislative forum at the Holiday Inn on Wednesday, January 30 at noon. Lunch will be provided.

Rep. Robert M. McGuire

The Legislative Caucus for Young Children will meet for an important business agenda on January 30 at 9:00 a.m. in the State House Cafeteria.

Rep. Alida I. Millham

All freshmen legislators are invited to attend the Freshmen 2001 Assembly at 8:00 a.m. on Thursday, January 31 in the State House Cafeteria. This informal social group is open to all freshmen of both parties.

Rep. Edward R. Leach

The Main Street Republican Caucus will meet on Thursday, January 31 at 8:30 a.m. in the Upham Walker House.

Rep. Paul D. Spiess

All legislators and staff are invited to a "Welcome Back Reception" hosted by the New Hampshire Association of Realtors on January 31 from 3:00 to 6:00 p.m. at the Barley House, directly across from the State House.

Rep. Michael D. Whalley

All legislators are invited to a luncheon on January 31, 2002 hosted by the New Hampshire State Library /Department of Cultural Resources for a last viewing of the WW II Poster Exhibit entitled "Unifying a Nation," which closes on February 2. Lunch will be provided by BAE Systems and available from 11:30 a.m. to 1:30 p.m. on the second floor of the State Library in the Computer Training Lab.

Gene G. Chandler, Speaker

The House Republican Alliance will meet at the Upham Walker House (Park Street across from the State House) at 8:30 a.m. on the following Wednesdays: February 6, February 20 and March 6 at 11:30 a.m. on the following Wednesdays: February 13 and March 13.

Rep. Paul M. Mirski

Importance of NH's Forest Luncheon: All members are invited to join the New Hampshire Timberland Owners Association and New Hampshire Sustainable Forestry Initiative's State Implementation Committee at the New Hampshire Historical Society's Tuck Library on Wednesday, February 6 from 11:30 a.m. to 1:00 p.m. for an informal luncheon reception and presentation on New Hampshire's forest industry and its environmental and economic importance to the entire state. Sandwiches and all the fixings will be provided by Durgin Lane Deli.

Reps. David M. Scanlan and Peter H. Burling

All Young Republicans and GOP Representatives are invited to attend the New Hampshire Young Republicans meeting at the Upham Walker House on February 6 from noon to 1:30 p.m. to celebrate Ronald Reagan's 96th birthday as well as the NHYR's awarding of the 2nd Annual Gipper Award. Refreshments will be provided.

Rep. Keith R. Herman

The Governor’s Commission on Alcohol and Drug Abuse Prevention, Intervention and Treatment will be holding public forums during February, March and April to obtain feedback from the citizens of New Hampshire on alcohol and drug issues in their communities and the draft state plan. The Commission is interested in learning: what the issues are; what programs are working; what programs are not working and what additional prevention, intervention, and treatment programs or assistance are needed. Copies of the draft state plan will be available in early January in public libraries throughout the state. For more information on the public forums or the state plan, call Dorothy Leavitt, Research and Policy Analyst at the New Hampshire Division of Alcohol and Drug Abuse Prevention and Recovery, at (603) 271-5564 or toll free at 1-800-852-3345, Extension 5564.

The following public forums will be held in February:

Berlin NH Community Technical College Wednesday, February 6, 6:30-8:30 p.m.

Lebanon Lebanon College Multipurpose Room 5 Wednesday, February 20, 6:30-8:30 p.m.

Rep. William E. Leber

The University of New Hampshire Alumni and Parents Association invites members of the General Court to the annual UNH Legislative Breakfast to be held Thursday, February 21 from 7:30 a.m. to 9:00 a.m. at the New Hampshire Historical Society.

Reps. Mary Jane Wallner and Marjorie K. Smith

As a convenience to the members of the NH General Court, the Visitors’ Center offers the following schedule of schools and other groups visiting the State House in **January 2002**. These listings will replace individual notifications in an effort to reduce paper usage and to ensure all members will be notified in a timely manner. Our schedule is tightly booked for the remainder of the school year. Please contact the Visitors’ Center concerning school tour booking information. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

DATE	TIME	GROUP	CLASS/Size
Jan. 28	9:30, 10:30, & 11:30	Rochester Middle School	8/90
Jan. 29	9:30	Maple Avenue School – Goffstown	4/45
Jan. 29	11:00	Wheelock Elementary - Keene	4/31
Jan. 30	9:30 & 11:00	Lancaster Memorial School - Salem	4/75
Jan. 31	10:00 & 11:30	Elm St. School - Laconia	4/65

NOTICE

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

Carol J. Holahan, Director

SPONSOR	COUNTY	DISTRICT	LSR NUMBER
Almy, Susan	Grafton	14	2002-H-2405-R
Almy, Susan	Grafton	14	2002-H-2409-R
Alukonis, David	Hillsborough	23	2002-H-2458-R
Arnold, Thomas	Hillsborough	20	2002-S-3143-R
Babson, David	Carroll	05	2002-H-2444-R
Bellavance, Paul	Hillsborough	26	2002-S-3157-R
Brundige, Robert	Hillsborough	18	2002-S-3157-R
Clayton, William	Hillsborough	39	2002-H-2435-R
Davis, Perley	Coos	01	2002-S-3167-R
Dickinson, Howard	Carroll	02	2002-S-3169-R
DiFruscia, Anthony	Rockingham	27	2002-H-2420-R
Dokmo, Cynthia	Hillsborough	14	2002-S-3157-R
Downing, Michael	Rockingham	26	2002-S-3170-R
Emerton, Lawrence	Hillsborough	07	2002-S-3167-R
Fairbanks, Chandler	Cheshire	18	2002-S-3131-R
Gilmore, Gary	Strafford	11	2002-H-2401-R
Golding, William	Hillsborough	38	2002-S-3178-R
Goley, Jeffrey	Hillsborough	37	2002-H-2420-R
Goley, Jeffrey	Hillsborough	37	2002-H-2435-R
Guinta, Frank	Hillsborough	39	2002-S-3178-R
Holden, Randolph	Hillsborough	07	2002-H-2420-R
Jacobson, Alf	Merrimack	02	2002-H-2411-R
Konys, Christine	Hillsborough	33	2002-S-3157-R
Kurk, Neal	Hillsborough	05	2002-H-2366-R
Leone, Richard	Sullivan	02	2002-H-2427-L
Leone, Richard	Sullivan	02	2002-S-3169-R
Mirski, Paul	Grafton	12	2002-S-3169-R
Packard, Sherman	Rockingham	29	2002-S-3131-R

Pappas, Marc	Hillsborough	48	2002-S-3178-R
Patten, Betsey	Carroll	09	2002-S-3157-R
Pepino, Leo	Hillsborough	40	2002-H-2435-R
Quandt, Marshall	Rockingham	20	2002-H-2366-R
Quandt, Matthew	Rockingham	20	2002-H-2366-R
Reardon, Neil	Rockingham	15	2002-H-2440-R
Reid, Christopher	Strafford	12	2002-S-3132-R
Scanlan, David	Grafton	11	2002-H-2375-R
Scanlan, David	Grafton	11	2002-S-3169-R
Smith, Edwin	Cheshire	06	2002-S-3175-R
Souza, Kathleen	Hillsborough	40	2002-H-2432-R
Sullivan, Peter	Hillsborough	39	2002-H-2455-R
Tholl, John	Coos	05	2002-H-2409-R
Trueman, Raymond	Rockingham	19	2002-H-2270-R
Weatherspoon, Jacquelyne	Rockingham	20	2002-H-2366-R
Welch, David	Rockingham	18	2002-H-2409-R
Welch, David	Rockingham	18	2002-S-3169-R
Wood, Jane	Belknap	07	2002-H-2393-R

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THURSDAY, JANUARY 31

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2002-2280h

Amendment to HB 212-FN

Proposed by the Committee on Ways and Means - C

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

AN ACT providing an alternative method of calculating state education property tax hardship relief.

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

1 Purpose. The purpose of this act is to provide an alternative method for the calculation of state education property tax hardship relief grants for eligible claimants in municipalities for which 1998 is no longer an accurate benchmark year for determining increases in state education property taxes in certain towns because of property revaluations. This act is intended to be effective only for the property tax year beginning April 1, 2001.

2 Alternative Calculation for State Education Property Tax Hardship Relief.

I. For the property tax year beginning April 1, 2001, the following calculation shall be used instead of the calculation provided in RSA 198:50-55 except where this calculation results in a reduced amount of tax relief. Alternative hardship relief amounts shall be determined for those municipalities that pay excess state education property taxes to the state and which have undergone a recent revaluation which renders the local assessed valuations from the 1998 property tax bills inaccurate as a benchmark for determining state education property tax relief.

II. In this act:

(a) "Homestead" means homestead as defined in RSA 198:50, II.

(b) "Household income" means household income as defined in RSA 198:50, III

(c) "New Hampshire household" means New Hampshire household as defined RSA 198:50, IV.

III. Pursuant to this act, eligible claimants shall be granted education property tax hardship relief for the property tax year beginning April 1, 2001.

IV. An eligible hardship relief claimant is a person who:

- (a) Owns a homestead or interest in a homestead subject to the education property tax;
- (b) Resided in such homestead for a period of one year as of November 3, 1999, except such persons as are on active duty in the United States armed forces or are temporarily away from such homestead but maintain the homestead as a primary domicile;
- (c) Realizes in the property tax year beginning April 1, 2001 a net increase in property taxes, exclusive of municipal and county taxes, arising from the payment of excess education property tax to the state; and
- (d) Realizes total household income of \$25,000 or less if a single person and \$50,000 or less if a married person or head of a New Hampshire household.

V. A portion of the net increase in an eligible hardship relief claimant's property taxes, exclusive of municipal and county taxes, shall be rebated as follows:

- (a) Using the excess education property tax as the numerator and the state education warrant as the denominator to determine a state education property tax ratio;
- (b) Multiply the education property tax ratio, determined under subparagraph (a), by the state education property tax rate as shown on the local tax bill. This shall represent the local rate increase;
- (c) The total amount of tax relief allowable shall not exceed the amount the claimant would receive with respect to a homestead with a local maximum homestead value of \$200,000 in that municipality for tax year 2001. This amount shall be determined by creating a local value fraction with \$6.60 as the denominator and the state education property tax rate as it appears on the local tax bill in the municipality as the numerator. The local maximum homestead value is the local value fraction times \$200,000 rounded to the next highest \$1,000;
- (d) Multiply the value of the property as shown on the April 2001 tax bill or the amount determined in subparagraph (c), whichever is less, by the net rate increase computed in subparagraph (b) to determine the base amount of the hardship relief; and
- (e) Multiply the base amount of hardship relief determined in subparagraph (d) by the percentages provided in RSA 198:51, IV(c).

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

VII. Claims filed with the department of revenue administration shall be filed between May 15, 2002 and June 30, 2002.

VIII. Each claim shall be accompanied by a copy of the claimant's 2000 federal income tax return. Claimants who were not required to file a federal tax return for the 2000 tax year may submit an affidavit to such effect in lieu of a tax return, which document shall include the claimant's social security number. A claimant who asserts ownership in a homestead because he or she holds equitable title, or the beneficial interest for life, in the homestead shall also submit a copy of the document creating such interest and a copy of the federal tax return, if any, for the 2000 tax year, of the trust holding legal title to the homestead. Any documents submitted shall be considered confidential, and protected under RSA 21-J:14.

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

X. The department of revenue administration may adjust the hardship relief amount of any claimant who qualifies for relief under this act and has already filed under the provisions of RSA 198:50-55 for the property tax year beginning April 1, 2001, but only if such adjustment will increase the claimant's, otherwise correct, relief amount by \$5 or more.

XI. The provisions of RSA 198:53 and 198:54, relative to penalties for fraudulent filings and appeals to the board of tax and land appeals shall apply to claimants filing under this act.

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

AMENDED ANALYSIS

This bill provides an alternative method of calculating state education property tax hardship relief for the property tax year beginning April 1, 2001.

2002-2307h

Amendment to HB 589

Proposed by the Majority of the Committee on Labor, Industrial and Rehabilitative Services - R

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

1 Unemployment Compensation; Total and Partial Unemployment. Amend RSA 282-A:14, II to read as follows:

II. **(a)** An individual shall be deemed to be "partially unemployed" in any week of less than full-time work if the wages computed to the nearest dollar payable to him **or her** with respect to such week fail to equal his **or her** weekly benefit amount.

(b) An individual who is seeking only part-time work shall be deemed to be partially unemployed in any week during which the individual was employed fewer than 20 hours.

2 Unemployment Compensation; Benefit Eligibility Conditions; Part-Time Workers. Amend RSA 282-A:31, I(a)-(f) to read as follows:

- (a) ~~[He]~~ **The individual** has been classified in accordance with his **or her** experience and abilities and so registered for employment with and by the commissioner and has reported and continues thereafter to report at an employment office in accordance with such rules as the commissioner may adopt.
- (b) ~~[He]~~ **The individual** has made a claim for benefits in accordance with the provisions of RSA 282-A:43.
- (c) ~~[He]~~ **The individual** is ready, willing and able to accept and perform suitable work ~~[on all the shifts and during all the hours]~~ for which there is a market for the services ~~[he]~~ **the individual** offers and that ~~[he]~~ **the individual** has exposed himself **or herself** to employment to the extent commensurate with the economic conditions and the efforts of a reasonably prudent ~~[man]~~ **person** seeking work.
- (d) ~~[He]~~ **The individual** is available for and seeking permanent, full-time work for which he **or she** is qualified.
- (e) ~~[He]~~ **The individual** has disclosed whether or not he **or she** owes child support obligations that are payable through any agency of the state of New Hampshire or its political subdivisions.
- (f) ~~[He]~~ **The individual** has participated in reemployment services when so directed by the commissioner unless he **or she** has completed such services or has good cause for failure to participate in such services.

3 Unemployment Compensation; Disqualification for Benefits. Amend RSA 282-A:32, I(d) to read as follows:

- (d) ~~[He]~~ **The individual** has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the commissioner or to accept **any** suitable work when offered ~~[him]~~, or to return to ~~[his]~~ **the individual's** customary self-employment (if any) when so directed by the commissioner.
- (1) The commissioner, in determining whether or not any work is suitable for an individual, shall consider the following:
 - (A) The degree of risk involved to ~~[his]~~ **the individual's** health, safety and morals; and
 - (B) ~~[His]~~ **The individual's** physical fitness; and
 - (C) ~~[His]~~ **The individual's** prior training; and
 - (D) ~~[His]~~ **The individual's** experience; and
 - (E) ~~[His]~~ **The individual's** prospects for securing, in his labor market area, work in his **or her** customary occupation; and
 - (F) The distance of the available work from ~~[his]~~ **the individual's** residence; but such distance shall not be substantially

greater than that distance to all those places to which others living in the same town or city travel for work which utilizes similar or related skills or services, and also to where he *or she* acquired his *or her* currently available annual earnings; and

(G) ~~His~~ Prior earnings, *prior shifts and hours*, and length of unemployment, but ~~his~~ prior earnings shall be given more weight than ~~his~~ length of unemployment, *and length of unemployment shall be given more weight than prior shifts and hours*.

(2) Notwithstanding any other provision of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

- (A) If the position offered is vacant due directly to a strike, lockout, or other labor dispute;
- (B) If the wages, hours or other conditions of the work are substantially less favorable to the individual than those prevailing for similar work in the locality;
- (C) If, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization;
- (D) If ~~he~~ *the individual* is unable to apply for or accept work during the hours of ~~the third~~ *a particular* shift, ~~[so-called]~~ because he *or she* is the only adult available for the care of ~~his children~~ *a natural, adopted, stepchild, or foster child* under the age of ~~15~~ *16* during said hours or for the care of an ill or infirm ~~[elderly person who is dependent on him for support]~~ *family member whom a licensed physician has certified is in need of care for the activities of daily living*.
- (E) If the individual is permanently physically and/or mentally disabled, full-time work for such individual shall be deemed to be the hours and shifts the individual is physically able to work as certified by a licensed physician provided there is a market for the services the individual offers during such hours and shifts.

(3) For the purposes of section 3304(a)(8) of the Internal Revenue Code of 1954, this subsection, together with RSA 282-A:31, I(c) shall be waived.

- 4 Repeal. The following are repealed:
- I. RSA 282-A:14, II(b), relative to partial unemployment as defined by hours worked.

- 5 Effective Date.
- I. Section 4 of this act shall take effect July 1, 2006.
 - II. The remainder of this act shall take effect January 1, 2003.

AMENDED ANALYSIS

This bill allows individuals willing and able to work at least 20 hours per week to collect unemployment benefits. The provisions of this bill will expire on June 30, 2006.

2002-2320h

Floor Amendment to HB 589
Proposed by Rep. Baroody

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

- 1 Unemployment Compensation; Total and Partial Unemployment. Amend RSA 282-A:14, II to read as follows:
- II.(a) An individual shall be deemed to be "partially unemployed" in any week of less than full-time work if the wages computed to the nearest dollar payable to him *or her* with respect to such week fail to equal his *or her* weekly benefit amount.
- (b) An individual who is seeking only part-time work shall be deemed to be partially unemployed in any week during which the individual was employed fewer than 20 hours.*

2 Unemployment Compensation; Benefit Eligibility Conditions; Part-Time Workers. Amend RSA 282-A:31, I(a)-(f) to read as

follows:

- (a) ~~[He]~~ ***The individual*** has been classified in accordance with his ***or her*** experience and abilities and so registered for employment with and by the commissioner and has reported and continues thereafter to report at an employment office in accordance with such rules as the commissioner may adopt.
- (b) ~~[He]~~ ***The individual*** has made a claim for benefits in accordance with the provisions of RSA 282-A:43.
- (c) ~~[He]~~ ***The individual*** is ready, willing and able to accept and perform suitable work ~~[on all the shifts and during all the hours]~~ for which there is a market for the services ~~[he]~~ ***the individual*** offers and that ~~[he]~~ ***the individual*** has exposed himself ***or herself*** to employment to the extent commensurate with the economic conditions and the efforts of a reasonably prudent ~~[man]~~ ***person*** seeking work.
- (d) ~~[He]~~ ***The individual*** is available for and seeking permanent, full-time work for which he ***or she*** is qualified.
- (e) ~~[He]~~ ***The individual*** has disclosed whether or not he ***or she*** owes child support obligations that are payable through any agency of the state of New Hampshire or its political subdivisions.
- (f) ~~[He]~~ ***The individual*** has participated in reemployment services when so directed by the commissioner unless he ***or she*** has completed such services or has good cause for failure to participate in such services.

3 Unemployment Compensation; Disqualification for Benefits. Amend RSA 282-A:32, I(d) to read as follows:

(d) ~~[He]~~ ***The individual*** has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the commissioner or to accept ***any*** suitable work when offered ~~[him]~~, or to return to ~~[his]~~ ***the individual's*** customary self-employment (if any) when so directed by the commissioner.

(1) The commissioner, in determining whether or not any work is suitable for an individual, shall consider the following:

(A) The degree of risk involved to ~~[his]~~ ***the individual's*** health, safety and morals; and

(B) ~~[His]~~ ***The individual's*** physical fitness; and

(C) ~~[His]~~ ***The individual's*** prior training; and

(D) ~~[His]~~ ***The individual's*** experience; and

(E) ~~[His]~~ ***The individual's*** prospects for securing, in his labor market area, work in his ***or her*** customary occupation; and

(F) The distance of the available work from ~~[his]~~ ***the individual's*** residence; but such distance shall not be substantially greater than that distance to all those places to which others living in the same town or city travel for work which utilizes similar or related skills or services, and also to where he ***or she*** acquired his ***or her*** currently available annual earnings; and

(G) ~~[His]~~ Prior earnings, ***prior shifts and hours***, and length of unemployment, but ~~[his]~~ prior earnings shall be given more weight than ~~[his]~~ length of unemployment, ***and length of unemployment shall be given more weight than prior shifts and hours.***

(2) Notwithstanding any other provision of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(A) If the position offered is vacant due directly to a strike, lockout, or other labor dispute;

(B) If the wages, hours or other conditions of the work are substantially less favorable to the individual than those prevailing for similar work in the locality;

(C) If, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization;

(D) ~~[If he is unable to apply for or accept work during the hours of the third shift, so-called, because he is the only adult available for the care of his children under the age of 15 during said hours or for the care of an ill or infirm elderly person who is dependent on him for support.]~~

~~(E)~~ If the individual is permanently physically and/or mentally disabled, full-time work for such individual shall be deemed to be the hours and shifts the individual is physically able to work as certified by a licensed physician provided there is a market for the services the individual offers during such hours and shifts.

(3) For the purposes of section 3304(a)(8) of the Internal Revenue Code of 1954, this subsection, together with RSA 282-A:31, I(c) shall be waived.

4 Effective Date. This act shall take effect January 1, 2003.

AMENDED ANALYSIS

This bill allows individuals willing and able to work at least 20 hours per week to collect unemployment benefits.

2001-2009h

Amendment to HB 660

Proposed by the Committee on Children and Family Law - C

Amend the bill by replacing section 2 with the following:

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

2002-2254h

Amendment to HB 675

Proposed by the Majority of the Committee on Environment and Agriculture - R

Amend the bill by replacing section 2 with the following:

2 Notification. RSA 149-M:52 is repealed and reenacted to read as follows:

149-M:52 Notification.

I. No mercury-added product shall be offered for final sale or use or distributed for promotional purposes in this state without prior notification in writing by the manufacturer of the product or its industry trade group to the department in accordance with the requirements of this section. The individual component manufacturer shall remain responsible for providing the information in accordance with the requirements of this section. Importers of these products shall assure that the manufacturer has complied with this section before sale or use or distribution in the state. Such notification shall as a minimum include:

- (a) A brief description of the product to be offered for sale, use, or distribution.
- (b) For each individual product, or for each category of product, identification of its mercury content in one of the following ranges: greater than 0 to 5 mg, greater than 5 mg to 10 mg, greater than 10 mg to 50 mg, greater than 50 mg to 100 mg, greater than 100 mg to 1000 mg, or greater than 1000 mg.
- (c) For each individual product or category of products, identification of the purpose that mercury serves in the product.
- (d) The name and address of the manufacturer, and the name, address, and telephone number of a contact person for the manufacturer.
- (e) The total amount of mercury contained in all their products containing mercury sold in the United States. This information may be provided either by individual manufacturers or aggregated for an industry by a trade group. This information shall be based on prior calendar year sales and shall be updated in 3-year intervals or sooner for categories of mercury-added products where there has been a significant change in the amount of mercury used by that product category.

II. The manufacturer shall update and revise the information in the notification when requested by the department.

III. Any information furnished pursuant to the requirements of this section, which, as certified by the manufacturer, relates to production or sales figures or to processes or production unique to the manufacturer or which would tend to affect adversely the competitive position of the manufacturer, shall be only for the confidential use of the department and the interstate clearing

house in the administration of this section, unless the manufacturer shall expressly agree to its publication or availability to the general public. Nothing in this section shall be construed to prevent the use of such information by the department and the interstate clearinghouse in compiling or publishing analyses or summaries relating to the amount and effect of mercury in products and the environment; provided that the analyses or summaries do not identify any manufacturer or reveal any information otherwise confidential under this section.

IV. A fabricated mercury-added product manufacturer is not required to provide mercury content information on its mercury-added component, if the component manufacturer has provided the information to the department, and if the fabricated mercury-added product manufacturer notifies the department of the specific components used in the fabricated mercury-added product, and the identity of the manufacturer of the components.

V. This section shall not apply to prescription drugs or any substance regulated by the Food, Drug and Cosmetic Act, 21 U.S.C. 301 et seq. or to biological products regulated by the Food and Drug Administration under the Public Health Service Act, 42 U.S.C. 262 et seq.

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

4 New Sections; Requirements Relative to Consumer Information, Notification, and Disposal of Mercury-Added Products; Advance Disposal Fee; Reduction, Education and Management Fund. Amend RSA 149-M by inserting after section 57 the following new sections:

149-M:58 Consumer Information About Mercury-Added Products.

I. Two years after the effective date of this section, any person offering a mercury-added product for final sale or use or promotional purposes to an address in New Hampshire shall advise clearly the purchaser or recipient at the point of sale, either in writing or by labeling, that the product contains mercury and that the product so identified should not be disposed of or placed in a waste stream destined for disposal at any waste combustor, in a waste treatment facility, or into any landfill until the mercury is removed and reused, recycled, or otherwise managed to ensure that the mercury in the product does not become mixed with other solid waste or wastewater.

II. Where a mercury-added product is a component of another product, the product containing the component shall be indicated in writing or by labeling that the product contains components fabricated with mercury. Those internal components shall also be identified clearly.

III. The manufacturer shall be responsible for identifying the product or products with a mercury component and shall advise the purchaser or recipient of the mercury content; the wholesaler or retailer shall not be responsible for such identification unless that wholesaler or retailer agrees with the manufacturer to accept responsibility. In the case of a multi-component product the manufacturer ultimately responsible for identifying mercury content is the last manufacturer to produce or assemble the final product. Importers of mercury-added products shall assure that the manufacturer has complied with this section before sale, use, or distribution in the state.

IV. This section shall not apply to prescription drugs or any substance regulated by the Food, Drug and Cosmetic Act, 21 U.S.C. 301 et seq. or to biological products regulated by the Food and Drug Administration under the Public Health Service Act, 42 U.S.C. 262 et seq.

149-M:59 Mercury-added Lamps: Large Use Applications.

I. A person who sells mercury-added lamps to the owner or manager of an industrial, commercial, institutional, or office building, or to any person who replaces or removes from service outdoor lamps that contain mercury shall clearly inform the purchaser in writing on the invoice for the lamps or in a separate document that the lamps contain mercury, a hazardous substance that is regulated by federal and state law, and that they may not be placed in solid waste destined for disposal. Retail establishments that incidentally sell mercury-added lamps to the specified purchasers are exempt from the requirements of this paragraph.

II. A person who contracts with the owner or manager of an industrial, commercial, institutional, or office building, or with a person responsible for outdoor lighting, to remove from service mercury-added lamps; shall clearly inform, in writing, the person for whom the work is being done, that the lamps being removed from service contain mercury and what the contractor's arrangements are for the management of the mercury in the removed lamps. Such arrangements shall be consistent with state and federal law pertaining to the handling and disposal of mercury as a hazardous substance. Residential users are exempt from the requirements of this section.

149-M:60 Disposal Ban.

- I. Five years after the effective date of this section, no person shall knowingly dispose of mercury-added products in solid waste landfills or incinerators.
- II. Owners and operators of solid waste landfills, transfer stations, and incinerators may develop programs to sort, collect, and recycle or dispose of mercury-added products in accordance with applicable laws and regulations.
- III. Except as otherwise provided by this section, every person who discards solid waste within the state shall separate mercury-added products from that solid waste for recycling or disposal as a hazardous waste. Any contractor who replaces or removes mercury-added products shall assure the proper separation and recycling or the disposal as a hazardous waste of any discarded mercury-added product.
- IV. After proper separation of mercury-added products, each person who discards that waste shall either:
- (a) Set that waste in a designated area for collection by a hauler who shall deliver that waste to a facility that is legally authorized and permitted to accept that waste; or
 - (b) Deliver that waste to a facility that is legally authorized and permitted to accept that waste.
- V. Owners and operators of solid waste transfer, incineration, and landfill facilities shall not be found to have knowingly accepted or disposed of mercury-added products if, at a minimum, the facility has implemented all of the following mechanisms as required:
- (a) Posting of signs at the facility providing notice of the prohibition against the disposal and incineration of mercury-added products.
 - (b) Written notification to, or agreements with, the facility's customers, providing notice of the prohibition against the disposal and incineration of mercury-added products.
 - (c) Implementation of a procedure, approved by the department, for periodically monitoring incoming wastes to detect the presence of mercury-added products at the facility and for separating out observed mercury-added products for return to the generator, recycling, or disposal as a hazardous waste.
 - (d) Provide customers with information about collection programs or facilities that are permitted to accept mercury-added products for recycling or disposal as a hazardous waste.
- VI. Solid waste management facilities or any business in New Hampshire that accepts appliances or motor vehicles shall be responsible for removing mercury-added components, except lamps used for backlighting or displays, prior to crushing, shredding, or other scrap metal processing. The collected mercury-added components shall be recycled or disposed of as hazardous waste.
- VII. This section shall not apply to prescription drugs or any substance regulated by the Food, Drug and Cosmetic Act, 21 U.S.C. 301 et seq. or to biological products regulated by the Food and Drug Administration under the Public Health Service Act, 42 U.S.C. 262 et seq.

149-M:61 Universal Waste Rule. The department may adopt or modify its rules governing universal hazardous waste, to promote the recycling, recovery, and proper management of elemental mercury and mercury-added products on a statewide and regional basis.

149-M:62 State Procurement Preferences for Low or Non-Mercury-Added Products.

- I. Notwithstanding other policies and guidelines for the procurement of equipment, supplies, and other products, the department of administrative services shall, within one year of the effective date of this section, revise its policies, rules, and procedures to implement the purposes of this subdivision.
- II. The department of administrative services shall give priority and preference to the purchase of equipment, supplies, and other products that contain no mercury-added compounds or components, unless there is no economically feasible non-mercury-added alternative that performs a similar function and is less harmful to the environment and public health. In circumstances where a non-mercury-added product is not available, preference shall be given to the purchase of products that contain the least

amount of mercury added to the product necessary for the required performance.

(a) The department of administrative services is authorized to give a price preference for products that contain no mercury or less mercury.

(b) This priority and preference shall apply to all state purchases, as well as any purchases made by others with state funds.

(c) With respect to lighting, energy efficient lamps for lighting purposes shall be purchased in preference to other less efficient lighting options. To the maximum extent possible, purchases shall be restricted to lights that contain the lowest total mercury content per lumen hour available. Spent bulbs shall be recycled.

(d) The procurement agent shall specify non-mercury or reduced mercury-added products, as applicable, in procurement bid documents.

(e) The department of administrative services shall investigate the potential cost savings from use of energy efficient lamps and shall implement a program of accelerated replacements in those applications where there is an estimated payback period of 3 years or less.

Advance Disposal Fee; Mercury Reduction and Management Fund

149-M:63 Advance Disposal Fee. An advance disposal fee shall be imposed on certain mercury-added products and shall be collected by the department from product wholesalers. For the purposes of this section, mercury-added products subject to an advanced disposal fee shall include, but not be limited to, fluorescent light bulbs, mercury-added thermostats, electrical tilt switches, mercury thermometers, or replacable mercury added products which are a component of another product and which would otherwise have been discarded or placed into a waste stream destined for disposal at any waste combustor, in a waste treatment facility, or into any landfill. The amount of the fee shall be 8 percent of the wholesale market price of any finished product. The fee shall be assessed at the point of distribution. Products from manufacturers, as defined in RSA 149-M:51, I, that have approved mercury reclamation or "take back" programs for mercury-added products shall be exempt from this advance disposal fee. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to determining what is an approved reclamation, "take back," or collection program. As of January 1, 2004, the department shall begin collecting the advance disposal fee and crediting sums received to the mercury reduction, education, and management fund.

149-M:64 Collection of Fees.

I. All advance disposal fees collected by the department shall be deposited into the mercury reduction, education, and management fund.

II. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to procedures for fee collection.

III. The department may apply for, request, solicit, contract for, receive, and accept gifts, grants, donations, and other assistance from any source to carry out the purposes of this subdivision.

IV. If payment required by this subdivision is not filed, or is incorrect or insufficient, the commissioner shall make a finding as such, and determine the amount of the fee due from any information available, and enforce payment.

149-M:65 Mercury Reduction, Education, and Management Fund. There is hereby established the mercury reduction, education, and management fund, to be used for the purposes of awarding grants to municipalities as provided in RSA 149-M:66 and for administrative costs of implementing this subdivision to include hiring any necessary personnel. This nonlapsing, revolving special fund is hereby continually appropriated to be expended by the department in accordance with this subdivision. All moneys collected under this subdivision and not currently needed to meet the obligations of the department under this subdivision shall be deposited with the state treasurer who shall keep this money in a separate fund, designated the mercury reduction, education and management fund, notwithstanding RSA 6:12. The state treasurer shall invest the moneys deposited as provided by law. Interest received on investments made by the state treasurer shall also be credited to the fund.

149-M:66 Grant Program. The department shall be responsible for the disbursement of the mercury reduction, education and management fund through a grant program under rules adopted by the commissioner, pursuant to RSA 541-A. The department shall distribute funds under this grant program to municipalities of the state to reimburse them for eligible costs related to the establishment of local mercury presorting and recycling programs. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to requirements for reimbursement of those municipalities that voluntarily develop a mercury presorting and collection program and to establish eligibility requirements and priority among all municipalities eligible to receive grants including

municipalities which may have established a mercury presorting program prior to the effective date of this subdivision. Available funds shall be distributed on an annual basis and shall be disbursed on a prorated basis depending on funds received by the department. As of January 1, 2005, the department shall begin making grants pursuant to this program.

149-M:67 Agency Reporting. The department shall submit an annual report by September 1 of each year to the senate environment committee and the house environment and agriculture committee, commencing September 1, 2004, relative to the activities of the advance disposal fee program and disbursements from the mercury reduction, education and management fund.

5 New Subparagraph; Application of Receipts; General Revenue Exceptions; Mercury Reduction, Education, and Management Fund. Amend RSA 6:12, I by inserting after subparagraph (iiii) the following new subparagraph:

(jjjj) Moneys received under RSA 149-M:64, which shall be credited to the mercury reduction, education, and management fund established under RSA 149-M:65.

6 Public Education and Outreach. Amend RSA 149-M:55, I to read as follows:

I. The department shall implement a public education, outreach, and assistance program for households, hazardous waste generators, local and regional solid waste management agencies, dismantlers, institutions, and schools on the hazards of mercury, the requirements and obligations of individuals, manufacturers, and agencies under this subdivision, and voluntary efforts that individuals, institutions, and businesses can undertake to help further reduce mercury in the environment. The department shall cooperate with ***and seek assistance from*** manufacturers of mercury-added products and other affected businesses in the development and implementation of public education and technical assistance programs. ***Any direct financial assistance received will be deposited in the mercury reduction, education, and management fund.***

7 Applicability. Section 5 of this act shall become effective upon the collection of the advance disposal fee pursuant to RSA 149-M:63 and the deposit of such sums into the mercury reduction, education, and management fund pursuant to RSA 149-M:65.

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

AMENDED ANALYSIS

This bill establishes certain restrictions on the sale, labeling, and disposal of certain mercury-added products. This bill also establishes an advance disposal fee to be assessed at the point of distribution on mercury-added products. Fees shall be collected by the department of environmental services to be deposited in a special fund and used for grants for eligible local presorting and recycling programs and for educating the public on the hazards of mercury.

2002-2271h

Amendment to HB 1000-FN-A

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

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

1 Statement of Purpose. The purpose of this act is to make funds available for the purchase of a certain tract of land and related conservation easements located in Pittsburg, Clarksville, and Stewartstown, New Hampshire, known as the Connecticut Lakes headwaters tract.

2 Findings.

I. The general court finds that certain lands in Pittsburg, Clarksville, and Stewartstown, New Hampshire, known as the Connecticut Lakes headwaters tract, have provided economic, recreation, and natural resource benefits to the state's citizens and visitors for generations. The owner of these lands has recently declared its intention to sell 171,500 acres, known as the Connecticut Lakes headwaters tract. This land represents 3.4 percent of the land area of the state and encompasses the headwater tributaries of the Connecticut and Androscoggin Rivers. The general court declares that it is in the public interest to acquire fee ownership and conservation easement interests in these lands to ensure that they remain as a largely undeveloped, productive, working forest which also provides public access for recreation and conserves ecologically sensitive areas. The general court also finds that in addition to state capital and general fund appropriations, an effort of this scope requires the contribution of funds from many sources, including the federal government, a private timberland investor, and other private individuals, organizations, and charitable foundations.

II. The general court further finds that it is in the best interests of the state of New Hampshire that a conservation easement:

- (a) Cover 146,400 acres to be purchased by a private buyer.
- (b) Be executed in perpetuity to govern all future owners of the property.
- (c) Be recorded in the registry of deeds for Coos county where it can be viewed in its entirety by members of the public.
- (d) Provide for continued forest management and timber harvesting.
- (e) Guarantee public access for recreation including, but not limited to, hiking, hunting, fishing, trapping, snowmobiling, and other motorized recreation.
- (f) Provide for continued vehicular access to major portions of the property over the existing road network.
- (g) Provide for monitoring and enforcement of the easement by the state of New Hampshire.

3 New Section; Connecticut Lakes Headwaters Citizens Committee Established. Amend RSA 12-A by inserting after section 9-a the following new section:

12-A:9-b Connecticut Lakes Headwaters Citizens Committee.

I. There is established the Connecticut Lakes headwaters citizens committee. Committee membership shall be as follows and shall include a minimum of 7 members who are residents of any community in the Great North Woods region association, as established by the state in February 1998:

- (a) Two residents of the town of Pittsburg, appointed by the selectmen.
- (b) One resident of the town of Clarksville, appointed by the selectmen.
- (c) One resident of the town of Stewartstown, appointed by the selectmen.
- (d) One person who shall have expertise in forestry and timber harvesting, appointed by the speaker of the house of representatives.
- (e) One person who shall have expertise in monitoring conservation easements, appointed by the speaker of the house of representatives.
- (f) One person who shall have expertise in outdoor recreation and tourism, appointed by the president of the senate.
- (g) One person who shall have expertise in forest ecology and management of natural areas, appointed by the president of the senate.
- (h) Two persons appointed by the governor with the consent of the council.
- (i) A Coos county commissioner, or designee.
- (j) The commissioner of the department of resources and economic development, or designee.
- (k) The executive director of the fish and game department, or designee.
- (l) A representative of the largest private landowner within the borders of the Connecticut Lakes headwaters tract, appointed by the landowner, who shall serve as an ex-officio, non-voting member.

II. Each member shall serve a 3-year term. Vacancies shall be filled for the unexpired term of office in the same manner as the original appointment. Members may serve successive terms.

III. The members shall elect a chairperson from among the public members. Preference shall be given to a resident of the Great North Woods region if a member from that area is willing to serve as chairman, otherwise another public member shall be elected.

IV. The committee shall meet at least annually and at such other times as the chairperson deems necessary. At least once annually, the committee shall meet to review the management plan of the state-owned properties as prepared by the managing

state agencies. The committee's meetings shall be open to the public, in accordance with RSA 91-A. Interested members of the public shall be allowed to speak before the committee or to submit statements. Records, reports, and working papers generated or used by the committee, or both, shall be made available to the public for inspection or copying. The committee shall not be responsible to the public for the costs of copying its documents.

V. The duties of the committee shall include and be limited to:

- (a) Providing advice to the monitoring entity for monitoring compliance with the terms and conditions of the working forest conservation easement covering approximately 146,400 acres of the Connecticut Lakes headwaters tract.
- (b) Providing advice to the department of resources and economic development and the fish and game department on the management of public recreational use of the Connecticut Lakes headwaters tract, including the siting and approval of the first 10 new leases, the seasonal use of the road system, snowmobile trails and their use, and the terms for access and use of the tract by motorized vehicles. Such advice shall be offered in cooperation with the private landowner.
- (c) Providing advice on the management of state park and natural areas within the tract owned in fee by the state.
- (d) Exercising authority to decide if 15 leases in addition to those in subparagraph (b) should be allowed and where such leases should be located, if the private owner or any future private owner requests this action.
- (e) Exercising authority to decide if the private buyer, or any future private owner, should be allowed to exercise its rights under the conservation easement for commercial recreational activities for which the private owner may charge fees.
- (f) Exercising authority to decide if the state can build structures for visitor support facilities as described in the conservation easement for the 146,400 acres.

VI. The commissioner of the department of resources and economic development shall designate a state employee from the department as the administrative officer of the committee. The administrative officer shall attend each meeting of the committee and provide recordkeeping and related administrative and clerical assistance to the committee.

VII. The terms and provisions of the conservation easements shall at all times provide the legal basis for the committee's advice and authority, and any legal opinion of the easement's terms shall be rendered by the attorney general.

4 Acquisition of Certain Lands and Rights in Lands. The governor is authorized to expend an amount not to exceed \$10,000,000 to purchase fee real estate and conservation easement interests in Pittsburg, Clarksville, and Stewartstown, New Hampshire consisting of approximately 171,500 acres known as the Connecticut Lakes headwaters tract. Of this acreage, the state's fee ownership of 25,000 acres in natural areas shall be subject to a conservation easement to be held by a qualified not-for-profit conservation organization or other qualified entity or both, and shall be managed in the public interest by the fish and game department. Of this acreage, 146,400 acres shall be sold to a private buyer subject to a perpetual conservation easement held by the state of New Hampshire under the jurisdiction of the department of resources and economic development. One hundred acres shall be managed by the department of resources and economic development as an addition to the Deer Mountain campground.

5 New Paragraphs; Land to be Retained. Amend RSA 227-H:5 by inserting after paragraph XIV the following new paragraphs:

XV. Connecticut Lakes headwaters tract natural areas, consisting of approximately 25,000 acres in the towns of Pittsburg and Clarksville .

XVI. Connecticut Lakes headwaters tract addition to the Deer Mountain campground, consisting of approximately 100 acres in the town of Pittsburg, to be owned and managed for conservation and outdoor recreation purposes only.

6 New Subdivisions; Connecticut Lakes Headwaters Tract Monitoring Endowment; Connecticut Lakes Headwaters Natural Areas Stewardship Endowment; Connecticut Lakes Headquarters Tract Road Maintenance Endowment. Amend RSA 216 by inserting after section 6 the following new subdivisions:

Connecticut Lakes Headwaters Tract Monitoring Endowment

216:7 Monitoring Endowment Established.

I. There is established an endowment fund, to be known as the Connecticut Lakes headwaters tract monitoring endowment, for the purpose of ensuring a perpetual source of funds to monitor compliance with the terms and conditions of the conservation

easement interests acquired by the state in the Connecticut Lakes headwaters tract. The fund shall be administered jointly by the executive director of the fish and game department and the commissioner of the department of resources and economic development.

II. Funds added to the monitoring endowment pursuant to paragraph I shall be used to support monitoring by state agencies, local municipalities, and qualifying nonprofit corporations of conservation easement interests acquired in the Connecticut Lakes headwaters tract. Such monitoring shall be to ensure that the tract will be managed according to the legal agreements embodied within the conservation easement, which is recorded in its entirety in the Coos county registry of deeds.

216:8 Administration.

I. The monitoring endowment established by RSA 216:7 shall be maintained in perpetuity and shall be utilized only for the purposes of monitoring and enforcing the conservation easement acquired through the Connecticut Lakes headwaters tract purchase.

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision and expenditures from the endowment for these purposes shall be limited to the interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision within the fiscal year in which it is earned shall be nonlapsing. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations, and grants shall be added to the principal amount.

IV. The executive director of the fish and game department and the commissioner of the department of resources and economic development shall, pursuant to the monitoring endowment established under RSA 216:7, I, jointly prepare an annual report to be presented no later than December 1 of each year to the speaker of the house, the president of the senate, the governor, the house clerk, the senate clerk, and the state library. The report shall include a listing of all lands and interests in lands subject to the monitoring provisions of RSA 216:7 and a complete financial accounting of the funds in the monitoring endowment including expenditures for the most recent full fiscal year. The report shall also summarize monitoring activities and findings for each property, as conducted in the most recent full fiscal year.

Connecticut Lakes Headwaters Natural Areas Stewardship Endowment

216:9 Stewardship Endowment.

I. There is hereby established an endowment fund to be known as the Connecticut Lakes headwaters natural areas stewardship endowment account.

II. The stewardship endowment shall be maintained in perpetuity and shall be utilized jointly by the executive director of the fish and game department and the commissioner of the department of resources and economic development only for the purposes of habitat and public use management of 25,000 acres of natural areas owned by the state of New Hampshire, and for the purposes of recreation, use, and the conservation easement management of the 146,400 acres on which the state shall hold a conservation easement within the Connecticut Lakes headwaters tract.

III. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision and expenditures from the endowment account for those purposes shall be limited to the interest earned thereon.

IV. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision within the fiscal year in which it is earned shall be nonlapsing. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations, and grants shall be added to the principal amount.

V. The executive director of the fish and game department and the commissioner of the department of resources and economic development shall, pursuant to the stewardship endowment, prepare an annual report to be presented no later than December 1 of each year to the speaker of the house, the president of the senate, the governor, the house clerk, the senate clerk, and the state library. The report shall include a listing of all natural area lands within the Connecticut Lakes headwaters tract under their joint stewardship and a complete financial accounting of the funds in the stewardship endowment including expenditures for the most recent full fiscal year. The report shall also summarize stewardship activities and findings for each natural area,

for the most recent full fiscal year.

Connecticut Lakes Headwaters Tract Road

Maintenance Endowment

216:10 Road Maintenance Endowment Established.

I. There is established an endowment fund, to be known as the Connecticut Lakes headwaters tract road maintenance endowment, for the purpose of ensuring a perpetual source of funds to maintain the system of roads that exists within the conservation easement and property interests acquired by the state in the Connecticut Lakes headwaters tract. The fund shall be administered jointly by the executive director of the fish and game department and the commissioner of the department of resources and economic development.

II. Funds added to the road maintenance endowment pursuant to paragraph I shall be used to support road maintenance under the authority of state agencies within the conservation easement and property interests acquired in the Connecticut Lakes headwaters tract.

216:11 Administration.

I. The road maintenance endowment established by RSA 216:10 shall be maintained in perpetuity and shall be utilized only for the purposes of maintaining the road system acquired through the Connecticut Lakes headwaters tract purchase.

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision and expenditures from the endowment for these purposes shall be limited to the interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision within the fiscal year in which it is earned shall be nonlapsing. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations, and grants shall be added to the principal amount.

IV. The executive director of the fish and game department and the commissioner of the department of resources and economic development shall, pursuant to the road maintenance endowment established under RSA 216:10, I, jointly prepare an annual report to be presented no later than December 1 of each year to the speaker of the house, the president of the senate, the governor, the house clerk, the senate clerk, and the state library. The report shall include a listing of all roads subject to the maintenance provisions of RSA 216:10 and a complete financial accounting of the funds in the monitoring endowment including expenditures for the most recent full fiscal year. The report shall also summarize maintenance activities for the road system, as conducted in the most recent full fiscal year.

7 Exemption From Real Estate Transfer Tax. The provisions of RSA 78-B shall not apply to transfers of real estate or any interest in real estate to or from any organization exempt from federal taxation under section 501 of the United States Internal Revenue Code of 1986, as amended, that are necessary to achieve the purposes of this act. The exception provided in this paragraph shall apply only to the exempt organization. Any non-exempt seller, grantor, assignor, transferor, or purchaser of any real estate or interest in real estate shall be liable for the payment of the tax imposed by RSA 78-B:1.

8 Appropriation. The sum of \$10,000,000 is hereby appropriated to the office of the governor for the purchase of a certain tract of land and conservation easements in the towns of Pittsburg, Clarksville, and Stewartstown, New Hampshire known as the Connecticut Lakes headwaters tract. Any portion of this appropriation which is not expended for this purpose shall lapse to the general fund on June 30, 2003.

9 Bonds Authorized. To provide funds for the appropriation made in section 8 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$10,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest of the bonds and notes shall be made from the general fund of the state.

10 State Agencies Authorized to Hold Rights Under the Land and Community Heritage Investment Program. Amend RSA 227-M:8, II to read as follows:

II. Other parties wishing to participate in the program may partner with one or more eligible applicants. *At the option of*

eligible applicants and with the approval of the board, state agencies may hold rights in resource assets acquired through the program by eligible applicants. The applicant must demonstrate the commitment of the owner of the assets to participate in the proposed action.

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

2002-2220h

Amendment to HB 1126-FN-A

Proposed by the Committee on Environment and Agriculture - R

Amend RSA 438:10-a, II as inserted by section 5 of the bill by replacing it with the following:

II. There is established a non-lapsing fund, continually appropriated to the commissioner of agriculture, markets, and food, to be known as the weights and measures laboratory accreditation fund and to be used exclusively for the laboratory accreditation program. Fees collected under RSA 438:8, I(h)(2) for the registration of service agencies and fees collected under RSA 438:8, I(h)(1), for laboratory services provided to service agencies, industry, state agencies, and other individuals, shall be deposited in this fund. The state treasurer may invest moneys in the fund as provided by law and all interest received on such investment shall be credited to the fund. The commissioner shall be authorized to accept grants, gifts, and donations from any public or private sources for deposit in the fund.

2002-2316h

Amendment to HB 1164

Proposed by the Committee on Public Works and Highways - C

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

AN ACT renaming Hill’s Bridge in the town of Lee as the Captain Reuben Hill Bridge.

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

- 1 Hill’s Bridge Renamed. Hill’s Bridge on Lee Hook Road in the town of Lee shall be renamed the Captain Reuben Hill Bridge.
- 2 Historic Sign. Notwithstanding the provisions of RSA 236:40, limiting the number of historic markers that can be erected in one year, the commissioner of the department of transportation is hereby directed to erect a historic sign at the Captain Reuben Hill Bridge in the town of Lee. The sign shall honor Captain Reuben Hill, a Revolutionary War officer and prominent citizen of the town of Lee.
- 3 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers required pursuant to this act shall not be a charge to the state.
- 4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill renames Hill’s Bridge in the town of Lee as the Captain Reuben Hill Bridge. It also directs the commissioner of the department of transportation to erect a historic marker at the site of the Captain Reuben Hill Bridge.

2002-2277h

Amendment to HB 1206-FN

Proposed by the Committee on Executive Departments and Administration - R

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

AN ACT increasing the annuity paid to a surviving spouse or beneficiary upon the accidental death of a group II permanent firemen member in the performance of duty.

Amend the bill by replacing section 1 with the following:

1 Retirement System; Accidental Death; Group II Permanent Firemen Members; Annuity Paid to Spouse or Beneficiary Increased. Amend RSA 100-A:8, II(b) to read as follows:

(b) Upon the accidental death of a group II member the amount of the state annuity payable shall be equal to 50 percent of the member's annual rate of earnable compensation at the date of the member's death, ***except that upon the accidental death of a group II member who is a permanent fireman, while in the performance of duty at some definite time and place, the amount of the state annuity payable shall be equal to 100 percent of the member's annual rate of earnable compensation at the date of the member's death.***

AMENDED ANALYSIS

This bill increases the annuity payable to a surviving spouse or other beneficiary upon the accidental death of a group II permanent firemen member in the performance of duty.

2002-2231h

Amendment to HB 1230-FN

Proposed by the Committee on Education - R

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

AN ACT authorizing the commissioner of the department of education to expend funds for special education advocacy.

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

1 New Paragraph; Duties of Commissioner. Amend RSA 21-N:4 by inserting after paragraph X the following new paragraph:

XI. Contract with a nonprofit agency which provides special education advocacy services to parents and legal guardians of children with educational disabilities in New Hampshire with regard to any alleged violations of rights under the federal Individuals with Disabilities Education Act, RSA 186-C, and any other applicable federal and state education statutes. If such agencies are unable to enter into a contract, the contract shall be put out to competitive bid. The contract shall require the provision of advocacy services by qualified staff including the power and duty to petition for, initiate, appear, or intervene on behalf of, the parent or legal guardian of an educationally disabled child in any proceeding concerning special education decisions rendered by a local school board, the state board of education, or before any board, commission, agency, court, or regulatory body in which the interests of the parents or legal guardians of an educationally disabled child are involved. The contract shall provide for the advice and support of parents and legal guardians on such matters where appropriate.

2 Contract Funding. Any contract for special education advocacy services entered into pursuant to this act shall provide for the equivalent of 2 full-time special education advocates and shall cover incidental overhead and administrative costs not to exceed \$105,000 for the fiscal year ending June 30, 2003 and \$105,000 for the fiscal year ending June 30, 2004.

3 Department of Education; Special Education Funds. Any funding for special education advocacy services pursuant to this act shall be provided from special education funds appropriated to the department of education.

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

AMENDED ANALYSIS

This bill authorizes the commissioner of the department of education to contract with a nonprofit agency for the provision of special education advocacy services to parents or legal guardians of children with educational disabilities.

2002-2256h

Amendment to HB 1256

Proposed by the Committee on Public Works and Highways - C

Amend the bill by replacing section 1 with the following:

1 Clark Pond Road in the Town of Haverhill; Classification Changed to Class II. Clark Pond Road in the town of Haverhill, also known as Cross Road and Brier Hill Road, beginning at Route 10 and running to Route 116, a distance of 11,965 feet according to state highway inventory 51, shall be classified as a class II highway; provided, however, that said Clark Pond Road shall be reclassified as a class V highway 60 days after completion of the reconstruction to be performed by the department of transportation. This project shall be completed under state aid for class I, II, and III highways. Costs shall be allocated according to RSA 235:15.

AMENDED ANALYSIS

This bill reclassifies Clark Pond Road in the town of Haverhill as a class II highway, provided that the road shall be reclassified as a class V highway upon completion of reconstruction to be performed by the department of transportation. This project shall be completed under the state aid for class I, II and III highways program which requires the town to pay 1/3 of the cost and the state to pay 2/3 of the cost.

2002-2130h

Amendment to HB 1270-FN

Proposed by the Committee on Ways and Means - C

Amend RSA 87:17 as inserted by section 1 of the bill by replacing it with the following:

87:17 Prerequisite to Administration. Letters of administration shall not be issued to any executor or administrator until he or she has given bond to the judge of probate with sufficient sureties containing, in addition to the other conditions required by law, a condition in terms that he or she shall "pay all taxes for which he or she may be or become liable under the provisions of this chapter, and comply with all the provisions of this chapter."

Amend RSA 87:25 as inserted by section 1 of the bill by replacing it with the following:

87:25 Conditions of Allowance of Account or Motion for Summary Administration. No final account or motion for summary administration of an executor, administrator, or trustee shall be allowed by the probate court until the certificate of the department of revenue administration has been filed in said court, stating that all tax returns required by the provisions of this chapter have been filed and that the amounts of taxes have been paid, and that provision has been made for any taxes which may become due on said property or interest secured by deposit, or by lien on real estate.

Amend the bill by replacing all after section 1 with the following:

2 References to Repealed Taxes Deleted. Amend RSA 21-J:14, X to read as follows:

X. Disclosure of returns and return information filed under RSA [86,] 87 [~~and 89~~] may be made to the register of probate and the probate court having jurisdiction over the estate of the decedent, but only for the purpose of and to the extent necessary for the administration of such tax laws.

3 Reference to Repealed Tax Deleted; Estate Tax. Amend RSA 87:1, I to read as follows:

I. [~~In addition to the taxes imposed by RSA 86~~] An estate tax is hereby imposed upon the transfer of the estate of every decedent leaving an estate which is subject to an estate tax under the provisions of the United States Internal Revenue Code of 1986, as amended, and who has property within this state.

4 Reference to Repealed Tax Deleted; Banks; Distribution of Joint Accounts. Amend RSA 384:32 to read as follows:

384:32 Effect on Other Legislation. This subdivision shall in no way affect the provisions of RSA 386:19 relative to savings banks and RSA 393:12 relative to building and loan associations [~~as well as RSA 86:8 and 9, relative to the inheritance tax~~].

5 Reference to Repealed Tax Deleted; Banks; Pledge of Savings Account in Joint Tenancy. Amend RSA 384:35 to read as follows:

384:35 Pledge of Savings Account in Joint Tenancy. The pledge of any savings account held in joint tenancy or of any joint savings account of the type described in RSA 384:28 and 386:19, when made in writing by any one of the co-depositors or co-owners having the authority to make withdrawals from such account, shall, unless the terms of the savings account provide specifically to the contrary, be a valid pledge and transfer of so much or all of such savings account as may be necessary to secure the collateral obligation for which it is pledged, but such pledge shall not operate to destroy the joint and survivorship

character of that portion of such account which is not encumbered by the pledge or which may subsequently be redeemed therefrom. This section shall apply to savings accounts maintained in any institution described in RSA 384:1, or in any federally-chartered institution of like nature having a place of business in this state. ~~[This section shall in no way affect the provisions of RSA 86:8 and 9, relative to the inheritance tax.]~~

6 Reference to Repealed Tax Deleted; Banks; Trust Deposits in Banks. Amend RSA 384-D:5 to read as follows:

384-D:5 Effect on Other Legislation. This chapter shall in no way affect or modify the provisions of RSA 386:19, RSA 393:12, **and** RSA 384:28-31~~[-and RSA 86:8, 9].~~

7 Reference to Repealed Tax Deleted; Banks; Joint Renters of Safe Deposit Boxes. Amend RSA 385:6 to read as follows:

385:6 Joint Renters of Safe Deposit Boxes. When a safe deposit box is rented to 2 or more persons under a rental contract granting a separate right of access to either or any one of such persons or the survivor or survivors of them, the survivor or survivors of such joint renters shall have a right of access to such box for any purpose~~[-subject only to the provisions of RSA 86:72]~~; and the lessor of the box shall be protected against all renters of the box, their heirs, assigns, executors and administrators, in recognizing such right.

8 Reference to Repealed Tax Deleted; Banks; Surviving Deputies with Authorized Access to Safe Deposit Boxes. Amend RSA 385:7 to read as follows:

385:7 Surviving Deputies with Authorized Access to Safe Deposit Boxes. When a safe deposit box is rented to a person, and such renter appoints a deputy on the records of the lessor by written power of attorney expressly providing that the deputy shall have a continued right of access to the box after the death of the renter, and the renter dies survived by such deputy, then, notwithstanding any rule of law to the effect that a power of attorney is terminated by the death of the principal, such surviving deputy shall have a right of access to such box for any purpose~~[-subject only to the provisions of RSA 86:72]~~; and the lessor of the box shall be protected against the heirs, assigns, executors and administrators of such deceased renter in recognizing such right.

9 Reference to Repealed Tax Deleted; Banks; Joint Deposits. Amend RSA 386:19 to read as follows:

386:19 Joint Deposits. When a deposit has been made in any savings bank in the names of 2 persons, payable to either, or payable to either or the survivor, such deposit or any part thereof, or any interest or dividend thereon, may be paid to either of said persons, whether the other be living or not; and the receipt or acquittance of the person so paid shall discharge the bank for any payment so made~~[-provided, that if one of the parties has deceased, and the bank has knowledge of the fact, payment shall not be made to the survivor, until the department of revenue administration has certified that no taxes are due the state under the provisions of RSA 86, on account of the interest of said decedent in said deposit, or that all taxes due have been paid; except as otherwise provided in RSA 86].~~

10 Reference to Repealed Tax Deleted; Building and Loan Associations; Joint Accounts. Amend RSA 393:12 to read as follows:

393:12 Joint Accounts. When an account in any building and loan association has been opened in the names of 2 persons payable to either or payable to the survivor, such account together with dividends thereon may be withdrawn by either of said persons whether the other be living or not, and the payment by said bank to either of said persons of the whole or any part of said account upon the demand or request of either of said persons shall discharge the bank for any payment so made~~[-provided that if one of the parties has deceased and the bank has knowledge of the fact, payment shall not be made to the survivor until the state treasurer has certified that no taxes are due the state under the provisions of RSA 86, on account of the interest of the deceased in said account, or that all taxes have been paid].~~

11 References to Repealed Taxes Deleted; Probate Courts; Administrations, Bond. Amend RSA 553:13, I(d) to read as follows:

(d) To pay all taxes for which he **or she** may be or become liable under ~~[RSA 86;]~~ RSA 87~~[-and RSA 89].~~

12 Technical Corrections; Probate Courts; Administration of Small Estates. Amend RSA 553:31, I to read as follows:

I. If the estate of a person, whether testate or intestate, consists entirely of personal property of a gross value not exceeding \$10,000, and the will has been allowed, or if no will, after the expiration of 30 days from date of death, and no petition under RSA 552:7 or 552:8 or any other sections of RSA 553 has been filed, the right to administer shall be in the executor named in the will, if any, and otherwise as set forth in RSA 553:2, upon filing with the probate court in the county in which the deceased was domiciled at the time of death, a petition stating that the petitioner has undertaken to act as executor or voluntary

administrator of such estate and will administer the same according to law. Such executor or voluntary administrator shall, at the time of filing such petition, also file:

- (a) A personal bond without sureties;
- (b) ~~[A list of heirs or list of legatees or devisees as required under RSA 86:18;~~
- ~~(c) A report of gifts and transfers in accordance with RSA 86:22 with the register of probate and with the department of revenue administration;~~
- ~~(d) An appointment of some person residing in this state as an agent pursuant to RSA 553:25 for every nonresident executor or voluntary administrator;~~
- ~~(e)~~ **(c)** A list of assets owned by the deceased and to be administered, sufficiently described to afford reasonable identification, along with a list of the value of each. The list of assets shall be incorporated into the petition. The form of the petition, and the rules governing proceedings under this section, shall be prescribed in the manner referenced by RSA 547:33; and
- ~~(f)~~ **(d)** A certification that a copy of the petition has been forwarded to all persons beneficially interested, as defined in RSA 550:12.

13 Technical Corrections; Probate Courts; Summary Administration. Amend RSA 553:33, III(a)(3) to read as follows:

(3) No New Hampshire estate ~~[or inheritance]~~ taxes are due~~;~~; or all applicable New Hampshire estate ~~[and inheritance]~~ taxes have been paid, and a certificate from the department of revenue administration under RSA ~~[86:22]~~ **87:26** has been filed with the court.

14 Repeals. The following are repealed:

- I. RSA 87:12, relative to provisions applicable of RSA 86.
- II. RSA 86, relative to the legacies and successions tax.
- III. RSA 89, relative to the transfer tax upon the personal property of nonresident decedents.

15 Effective Date. This act shall take effect January 1, 2003.

2001-2122h

Amendment to HB 1348
Proposed by the Committee on Transportation - C

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

1 Motor Vehicles; Registration of Certain Title Exempted Vehicles. Amend RSA 261:2-a to read as follows:

261:2-a Registration of Certain Title Exempted Vehicles. Notwithstanding the provisions of RSA 261:2 and RSA 261:148, no person shall register a motor vehicle exempted under RSA 261:3, I(k) in this state without first providing a previously issued, **current or expired** New Hampshire certificate of registration, a valid **New Hampshire or** out-of-state certificate of title, or a current New Hampshire vehicle identification number verification form as prescribed by the director. For the purposes of this section, a temporary registration issued pursuant to RSA 261:57 does not meet the requirement of a previously issued New Hampshire certificate of registration. ***The town or city clerk that issues the permit may copy the bill of sale and the New Hampshire certificate of registration or the certificate of title for their records, but shall return the original bill of sale and the New Hampshire certificate of registration or the certificate of title to the person registering the vehicle upon issuing the permit.*** Any person who violates the provisions of this section shall be guilty of a misdemeanor.

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

2002-2294h

Amendment to HB 1353-FN-A-LOCAL

Proposed by the Minority of the Committee on Ways and Means - R

Amend RSA 284-A:1, VI as inserted by section 1 of the bill by replacing it with the following:

VI. "Pari-mutuel licensee" means an entity licensed and authorized as of January 1, 2001 to conduct live thoroughbred horse racing as provided in RSA 284:16 or live dog racing as provided in RSA 284:16-a for at least the number of days as required in RSA 284:22-a, II(a)(3).

Amend RSA 284-A:7-9 as inserted by section 1 of the bill by replacing it with the following:

284-A:7 Exclusion of Minors.

I. No person under 21 years of age shall play a video lottery machine authorized by this chapter.

II. No pari-mutuel licensee or its operator licensee shall knowingly permit any person under 21 years of age to play or participate in any aspect of the play of a video lottery machine.

III. Each violation of this section shall be punishable by a fine of no more than \$20,000 and shall be payable by such person who violates paragraph I.

IV. Each violation of this section shall be punishable by a fine of no more than \$20,000 and shall be payable by the pari-mutuel licensee or its operator licensee that is found to have violated paragraph II. In the event that a pari-mutuel licensee or its operator licensee has 3 or more violations under paragraph II within a calendar year, the license held by the pari-mutuel licensee or its operator licensee shall be subject to suspension for a period to be determined by the gaming oversight authority.

284-A:8 Distribution of Net Machine Income. Each operator licensee shall distribute and pay net machine income as follows:

I. Forty-seven and 1/2 percent of the average daily net machine income generated by video lottery machines in each calendar month shall be paid to the state from which the state shall pay the cost of administration and regulation; the acquisition and operation of the central computer system; the payments due technology providers; and the balance shall be deposited in the general fund.

II. Two percent of the average daily net machine income from video lottery machines in each calendar month shall be paid to the municipality in which the operator licensee operates video lottery machines.

III. Four percent of the average daily net machine income generated from video lottery machines in each calendar month shall be paid to the pari-mutuel commission for the live racing fund established herein and shall be disbursed as follows:

(a) The sum of \$300,000 each year, adjusted annually for inflation, to the Jockeys Guild Health and Welfare Trust maintained by the Jockey's Guild Inc. for the sole purpose of providing health and welfare benefits to active, disabled, and retired jockeys who have been licensed and raced in New Hampshire.

(b) A sum not to exceed 5 percent of the fund shall be distributed by the pari-mutuel commission to support a New Hampshire thoroughbred and standard bred horse-breeding fund as established in the office of the state treasurer. The pari-mutuel commission shall adopt rules under the provisions of RSA 541-A to implement this subparagraph.

(c) A sum not to exceed 3 and 1/2 percent of the fund shall be allocated to the alcohol and drug abuse treatment program as established in RSA 172 to treat problem gambling.

(d) A sum not to exceed 3 percent of the fund shall be allocated to the county where the pari-mutuel licensee is located for the purpose of economic development.

(e) A sum not to exceed one percent of the fund shall be used by the pari-mutuel commission to establish a greyhound adoption fund in the office of the state treasurer. The pari-mutuel commission shall adopt rules pursuant to RSA 541-A for the establishment and administration of the greyhound adoption fund.

(f) The balance of the fund shall be used by the pari-mutuel commission to enhance live racing purses at the pari-mutuel licensee locations. The pari-mutuel commission shall adopt rules under RSA 541-A to implement this subparagraph.

IV. One and ½ percent of the average daily net machine income from video lottery machines in each calendar month shall be paid to the state treasurer to be used by the department of resources and economic development for purposes as determined by

the commissioner of the department of resources and economic development.

V. Forty-five percent of the average daily net machine income from video lottery machines generated in each calendar month shall be retained by the operator licensee.

284-A:9 Procedures for Adoption by Local Community. A town or city may adopt the provisions of RSA 284-A, for the operation of video lottery machines in the municipality, in the following manner:

I. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of an annual or special town meeting, by the governing body or by petition pursuant to RSA 39:3.

II. In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of any such municipality may vote to place the question on the official ballot for any regular municipal election.

III. A municipality may vote to rescind its action in the same manner as it may vote to adopt.

Amend RSA 284-A:11, I as inserted by section 1 of the bill by replacing it with the following:

I. An operator licensee shall provide to the gaming oversight authority, the sweepstakes commission, and the pari-mutuel commission by diagram a description of:

Amend RSA 284-A:11, XI as inserted by section 1 of the bill by replacing it with the following:

XI. Video lottery machines shall be operated only at times when the public is allowed access to the locations. They shall not be operated during private functions. No automatic teller machines shall be located within 150 feet of video lottery machines.

Amend RSA 284-A:14, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Civil penalties as may be necessary to punish misconduct and to deter future violations, which penalties may not exceed \$50,000 for each violation.

Amend RSA 284-A:14, III(g) as inserted by section 1 of the bill by replacing it with the following:

(g) Notwithstanding the foregoing, in the event that a person receives 3 or more civil penalties during the term of such person's license, the gaming oversight authority shall either revoke the license for the balance of the term of the license or suspend such license for a period of time, as determined by the gaming oversight authority.

Amend RSA 284:21-w, I(e)-(f) as inserted by section 2 of the bill by replacing it with the following:

(e) Establish a central computer system located at the office of the sweepstakes commission linking all video lottery machines to insure control over video lottery machines. The sweepstakes commission shall establish a bid procedure for such contracts.

(f) Enter into purchase or lease agreements with technology providers to provide video lottery machines to operator licensees. These purchase or lease agreements shall provide that each technology provider shall supply the quantity and quality of video lottery machines as determined by an operator licensee in a timely and efficient manner. Each agreement shall also provide that the technology provider shall provide all maintenance and service of its video lottery machines at no additional charge or fee to the state or the operator licensee.

Amend RSA 284:21-w, V as inserted by section 2 of the bill by replacing it with the following:

V. Pending the adoption of rules under RSA 541-A, and notwithstanding RSA 541-A:18, the sweepstakes commission shall adopt interim rules after public hearing and within 30 days after enactment of this chapter. Such interim rules shall implement the provisions of this chapter including approval of technology providers and the selection of the provider of the central computer system.

Amend RSA 284:6-b, I(b) as inserted by section 4 of the bill by replacing it with the following:

(b) Hear and make recommendations to the gaming oversight authority in reasonable order on all license applications for a license under RSA 284-A:6.

Amend the bill by replacing section 8 with the following:

8 New Subparagraphs; Application of Receipts. Amend RSA 6:12, I by inserting after subparagraph (iiii) the following new subparagraphs:

(jjjj) Moneys received under RSA 284-A:8, III(b), which shall be credited to the New Hampshire thoroughbred and standardbred horse breeding program fund.

(kkkk) Moneys received under RSA 284-A:8, III(e), which shall be credited to the greyhound adoption fund.

Amend the bill by replacing all after section 16 with the following:

17 Gambling Addiction Deleted. RSA 172:2-a is repealed and reenacted to read as follows:

172:2-a Program Established. The commissioner shall provide for the scientific care, treatment, and rehabilitation of alcohol and drug abusers, and work towards the prevention of, and assist in the control of, alcohol and drug abuse within the state through education, treatment, community organization, and research.

18 Gambling Addiction Deleted. RSA 172:8 is repealed and reenacted to read as follows:

172:8 Duties of Commissioner. The commissioner shall:

I. Study the problems presented by alcohol and drug abuse, including methods and facilities available for the care, treatment, custody, employment, and rehabilitation of persons who are inebriates, alcohol abusers, drug dependent, or drug abusers.

II. Promote meetings and programs for the discussion of alcohol and drug dependency and abuse for the guidance and assistance of individuals, schools, courts, and other public and private agencies.

III. Conduct, promote and finance, in full or in part, studies, and other appropriate facilities dealing with the physical, psychological, and/or social aspects of alcohol and drug abuse.

IV. Have the authority to accept or reject for examination, diagnosis, guidance, and treatment, insofar as funds and facilities permit, any resident of the state who comes to the commissioner voluntarily for advice and treatment.

V. Render biennially to the governor and council a report of his activities including recommendations for improvements therein by legislation or otherwise.

VI. Coordinate community medical resources for the emergency medical care of persons suffering acute mental or physical reaction to alcohol or drugs and of persons suffering from drug dependency.

VII. Employ such assistants as may be necessary to carry out the purposes of this chapter, in accordance with state personnel regulations, and within available appropriations and funds.

VIII. Disseminate information on the subjects of alcohol and drug abuse for the guidance and assistance of individuals, schools, courts and other public and private agencies.

19 Gambling Addiction Deleted. RSA 172:8-a is repealed and reenacted to read as follows:

172:8-a Confidentiality of Client Records. No reports or records or the information contained therein on any client of the program or a certified alcohol or drug abuse treatment facility or any client referred by the commissioner shall be discoverable by the state in any criminal prosecution. No such reports or records shall be used for other than rehabilitation, research, statistical or medical purpose, except upon the written consent of the person examined or treated. Confidentiality shall not be construed in such manner as to prevent recommendation by the commissioner to a referring court, nor shall it deny release of information through court order pursuant to appropriate federal regulations.

20 Gambling Addiction Deleted. RSA 172:8-b is repealed and reenacted to read as follows:

172:8-b Rulemaking. The commissioner shall adopt rules under RSA 541-A relative to the following:

I. The acceptance, care and treatment of alcohol or drug dependent persons and alcohol or drug abusers who are clients of the program established under this chapter or a certified substance abuse treatment facility.

II. A fee schedule and collection of fees under RSA 172:14, IV.

III. Certification of substance abuse treatment facilities including, but not limited to:

(a) Program content;

(b) Qualifications of program staff; and

(c) Type of substance abuse treatment offered.

IV. Certification and recertification of alcohol and drug abuse counselors including, but not limited to:

(a) Peer review of applicants.

(b) Minimum qualifications and competency.

(c) Education and continuing education.

(d) Experience required.

(e) Required knowledge of alcohol and drug abuse counseling.

(f) Such other matters as the commissioner may deem necessary to carry out the purposes of this chapter.

V. Voluntary admissions under RSA 172:13.

21 License Restricted. RSA 284:16-c is repealed and reenacted to read as follows:

284:16-c License Restricted. Notwithstanding any other provision of law, the greyhound racing commission shall not issue a license pursuant to RSA 284:16-a to any applicant if the place where the races or race meets are to be held is within a radius of 40 miles of the place where such races or race meets have already been licensed pursuant to RSA 284:16-a.

22 Repeal. The following are repealed:

I. RSA 284-A, relative to gaming oversight authority and video lottery.

II. RSA 284:21-w, relative to duties of the sweepstakes commission.

III. RSA 21-P:11-b, relative to division of gaming enforcement.

IV. RSA 284:6-b, relative to duties of the pari-mutuel commission.

V. RSA 178:20, V (v), relative to special cocktail lounge license.

VI. RSA 647:2, V (d), relative to video lottery machines.

23 Effective Date.

I. Sections 10-12 of this act shall take effect July 1, 2003.

II. Sections 17-22 of this act shall take effect September 1, 2011.

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

AMENDED ANALYSIS

This bill:

I. Authorizes video lottery machines at racetracks upon certain conditions and sets forth criteria for establishing and conducting video lottery machines.

II. Establishes requirements and guidelines for the distribution of net machine income.

III. Establishes a gaming oversight authority and its authority and duties.

IV. Establishes a division of gaming enforcement within the department of safety.

V. Establishes fee amounts for license applicants.

VI. Authorizes the issuance of special liquor licenses to license locations within tourism facilities and pari-mutuel locations that have liquor licenses.

VII. Establishes live dog racing and horse racing purse funds administered by the pari-mutuel commission, a greyhound adoption fund, pension funds for employees of pari-mutuel licensees, a thoroughbred breeding fund, and provides funds for gambling addition programs.

VIII. Reduces the business profits tax to 8 percent.

IX. Reduces the business enterprise tax to $\frac{1}{2}$ percent.

X. Reduces the state education property tax to \$4.90 per \$1,000.

XI. Establishes a prospective repeal of video lottery statutes to be effective September 1, 2011.

2001-2110h

Amendment to HB 1404-FN-A-LOCAL

Proposed by the Minority of the Committee on Ways and Means - R

Amend the bill by replacing section 5 with the following:

5 New Paragraph; Duties of the Commissioner. Amend RSA 21-J:3 by inserting after paragraph XXV the following new paragraph:

XXVI. Disburse funds from the education property tax rebate fund established in RSA 76:3-a.

Amend the bill by replacing sections 7 - 8 with the following:

7 New Section; Education Property Tax Rebate Fund. Amend RSA 76 by inserting after section 3 the following new section:

76:3-a Education Property Tax Rebate Fund. There is hereby established in the office of the state treasurer the education property tax rebate fund, which shall be kept separate and distinct from all other funds. Revenue collected under RSA 284-A:14, I shall be deposited in this revolving, non-lapsing fund for the sole purpose of providing a rebate or tax credit to taxpayers. The commissioner of revenue administration shall include the fund in the education property tax calculation required under RSA 76:8, and the contents of the fund shall be transferred to the education trust fund in lieu of taxes that would otherwise be collected under RSA 76:3.

8 Commissioner's Warrant. Amend RSA 76:8, I to read as follows:

I. The commissioner of revenue administration shall annually calculate the proportion of education property tax to be raised by each municipality by multiplying the uniform education property tax rate by the total equalized value of all property in the municipality as determined under RSA 21-J:3, XIII for the preceding year, except property taxable under RSA 82 or RSA 83-F. ***The property tax to be raised by each community shall be proportionately reduced by the application of moneys in the education property tax rebate fund pursuant to RSA 76:3-a, III.***

2002-2276h

Amendment to HB 1406

Proposed by the Committee on State-Federal Relations and Veterans Affairs - C

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

AN ACT permitting the nomination of a guardian for the children of activated members of the armed services or for incapacitated persons for whom the activated member is the guardian, and creating a committee to study the New Hampshire national guard education assistance act.

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

1 New Section; Guardianships of Minors and Estates of Minors; Nomination of a Guardian of the Person for the Children of Activated Members of the Armed Services. Amend RSA 463 by inserting after section 18 the following new section:

463:18-a Nomination of a Guardian for the Children of Activated Members of the Armed Services.

I. Any member of the United States armed services, whether a member of an active component, reserve component, or national guard unit of the army, air force, navy, marines, or coast guard, who is ordered to active duty outside of the state of New Hampshire with the armed forces of the United States or state militia of any state, and who pursuant to a court order has sole primary physical custody of a minor residing in New Hampshire or is the guardian of such minor, may nominate a guardian of the person of the minor with the same powers and duties of a guardian of the person under RSA 463:12.

II. The document nominating the guardian shall have the effect of an ex parte order appointing a temporary guardian under RSA 463:7, except that it shall expire 7 days after activation or when a guardianship has been granted by the court, whichever is sooner. Upon activation, the individual nominated guardian shall petition for appointment of a guardian of the person of the minor within 7 days in the county where the parent or legal guardian was residing upon activation. The petitioner shall append to the petition copies of the nomination document and the member's activation orders. The petition for appointment of a guardian shall be processed, heard, and adjudicated in the same manner as other guardianships filed under this chapter. All fees for the filing of the petition for the appointment of a guardian under this section shall be waived.

III. If the minor is the subject of a pre-activation custodial court order from this or any other state, any non-guardianship related custodial order entered after activation but before deactivation of the member shall be temporary and shall not prejudice the pre-activation custodial order.

IV. Nomination of a guardian of the person shall be made by using a properly executed nomination document to which a certified copy of the minor's birth certificate and an attested copy of the existing custody or guardianship order, if any, of the minor shall be attached. The document nominating the guardian shall contain the following:

- (a) Name and address of the armed forces member.
- (b) Name and address of the person nominated by the guardian.
- (c) Name and date of birth of the minor of the armed forces member.
- (d) The following language:

Know all persons that I _____, currently residing at _____, by this document do consent to the appointment of _____, whose address is _____, as the guardian of my minor child, thereby submitting to the jurisdiction of the court and waiving notice of the petition. This document shall grant the person nominated the same powers and duties of a guardian of the person under RSA 463:12 for 7 days from the date of my activation or until the probate court grants a guardianship, whichever is sooner. My activation orders must accompany this document for it to be valid.

Termination: The appointment by the probate court of the guardian of the person of my minor child shall remain in effect until the court has granted a motion to terminate the guardianship.

V. The parent or legal guardian's signature shall be witnessed by a third party and the signatures of the witness and parent or legal guardian shall be acknowledged by a notary public.

2 New Subparagraph; Guardianship and Estates of Minors; Ex Parte and Temporary Orders. Amend RSA 463:7, I by inserting after subparagraph (b) the following new subparagraph:

(c) Upon the entry of a petition seeking guardianship of the person accompanied by a nomination document and activation orders pursuant to RSA 463:18-a, the court shall issue temporary orders appointing the individual nominated guardian pending a hearing and ruling on the merits; but for cause, the court may appoint some other suitable individual temporary guardian.

3 New Section; Guardians and Conservators; Nomination of Guardian for Incapacitated Person for whom Activated Member of the Armed Services Is Guardian. Amend RSA 464-A by inserting after section 4 the following new section:

464-A:4-a Nomination of Guardian for Incapacitated Persons for Whom Activated Member of the Armed Services Is Guardian.

I. Any member of the United States armed services, whether a member of an active component, reserve component, or national guard unit of the army, air force, navy, marines, or coast guard who is ordered to active duty outside of the state of New Hampshire with the armed forces of the United States or state militia of any state and who is the guardian of an incapacitated person may nominate a successor guardian of the person with the same powers and duties of a guardian of the person under RSA 464-A:25.

II. The document nominating the guardian shall have the effect of an order appointing a temporary guardian under RSA 464-A:12, except that it shall expire 7 days after activation or when a guardianship has been granted by the court, whichever is sooner. Upon activation, the individual nominated guardian shall petition for appointment of a guardian of the person within 7 days in the county where the original guardianship was granted. The petitioner shall append to the petition copies of the nomination document and the member's activation orders. The petition for appointment of a guardian shall be processed, heard, and adjudicated in the same manner as other guardianships filed under this chapter. All fees for the filing of the petition for the appointment of a guardian under this section shall be waived.

III. Nomination of a guardian of the person by an activated member of the armed services shall be made by using a properly executed nomination document to which a certified copy of the existing guardianship order shall be attached. The document nominating the guardian shall contain the following:

- (a) Name and address of the armed forces member.
- (b) Name and address of the person nominated the guardian.
- (c) Name and address of the ward.
- (d) The following language:

Know all persons that I _____, currently residing at _____, by this document do consent to the appointment of _____, whose address is _____, as the successor guardian of _____, thereby waiving notice of the petition. This document shall grant the person nominated the same powers and duties of a guardian of the person under RSA 464-A:25 for 7 days from the date of my activation or until the probate court grants a guardianship, whichever is sooner. My activation orders must accompany this document for it to be valid.

Termination: The appointment by the probate court of the guardian of the person shall remain in effect until the court has granted a motion to terminate the guardianship or a successor guardian.

IV. The legal guardian's signature shall be witnessed by a third party and the signatures of the witness and legal guardian shall be acknowledged by a notary public.

4 New Hampshire National Guard Education Assistance Act Study Committee.

I. Committee Established. There is established a committee to study the New Hampshire national guard education assistance act.

II. Membership and Compensation.

(a) The members of the committee shall be as follows:

- (1) Three members of the house of representatives, appointed by the speaker of the house.
- (2) Three members of the senate, appointed by the president of the senate.
- (3) The New Hampshire army national guard education services officer, or designee, appointed by the adjutant general for the New Hampshire national guard.
- (4) The New Hampshire air national guard education services officer, or designee, appointed by the adjutant general for the New Hampshire national guard.
- (5) One member to represent the New Hampshire university system, appointed by that organization.
- (6) One member to represent the New Hampshire technology community college, appointed by that organization.

(b) Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. Duties. The committee shall study the administration of the New Hampshire national guard education assistance act. The study shall include:

(a) A comparison of the state and federal laws regarding national guard education benefits.

(b) An assessment of how the tuition waiver process may be improved.

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

V. Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2002.

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

AMENDED ANALYSIS

This bill permits the nomination of a guardian for the children of activated members of the armed services or for incapacitated persons for whom the activated member is the guardian.

The bill also creates a committee to study the New Hampshire national guard education assistance act.

2002-2283h

Amendment to HB 1411-FN-A

Proposed by the Committee on Public Works and Highways - R

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

AN ACT relative to transfer of funds for district and probate court security.

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

1 Transfer of Funds; District Court Security Implementation Funding.

I. The sum of up to \$300,000 is hereby transferred from the accounts listed in paragraph II to 2001, 130:1.02, 01, 06, class 90, to cover the costs incurred by the judicial branch in implementing the new administrative plan for provision of district court security services.

II. The sum transferred shall be from the balances of the following 2 capital appropriations made to the department of corrections:

(a) 1999, 226:1, V, D, new halfway house-southern.

(b) 1995, 309:1, IV, K as amended by 1997, 349:29, preliminary design of expanded correctional facilities in accordance with federal crime bill grants.

III. Notwithstanding any other provision of law, the sum transferred under this section shall be bonded for no more than 3 years.

2 Footnote Deleted; District and Probate Court Security. 2001, 130:1.02, 01, 06 is repealed and reenacted to read as follows:

02 Admin of justice and public prin

01 Judicial branch

06 Court security

FY 2002 FY 2003

10 Personal services – permanent \$31,786 \$31,786

50 Personal service – temp/appointe 26,000 26,000

60 Benefits 12,162 12,162

90 District & probate security 1,066,130 1,066,130

92 Sheriff reimbursement * 1,490,200 1,490,200

* The judicial branch shall make transfers sufficient to fully fund the provisions of RSA 104:31, X.

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

AMENDED ANALYSIS

This bill transfers funds from 2 capital accounts to the judicial branch for district court security implementation period funding.

The bill also eliminates a footnote in the 2002-2003 operating budget which prevents the judicial branch from transferring funds in and out of the class line for district and probate court security.

2002-2309h

Amendment to HR 21

Proposed by the Majority of the Committee on State-Federal Relations and Veterans Affairs - R

Amend the resolution by replacing all after the title with the following:

Whereas, New Hampshire is located in the New England region of the northeastern United States and is populated by over 1,200,000 persons, and maintains distinguished centers of higher learning, and is the site of advanced information and defense technology, and is noted for outstanding natural endowments of forests, mountains, and lakes, and derives considerable electrical power from nuclear energy; and

Whereas, the people of New Hampshire are conscious of the state's assets and favorable future development for their children and future generations; and

Whereas, New Hampshire responded to the call at Bunker Hill with volunteers in the struggle for American independence and has contributed to national defense through its citizenry ever since; and

Whereas, the people of New Hampshire are aware of the global proliferation of ballistic missiles and weapons of mass destruction and their threat to our nation, our allies, and our armed forces abroad; and

Whereas, the United States does not possess a robust and effective defense against ballistic missiles bearing weapons of mass destruction, launched by anyone who opposes American ideals, interests, and influence throughout the world; and

Whereas, New Hampshire, the United States, and the international community are increasingly imperiled by the global proliferation of ballistic missiles and weapons of mass destruction and cannot defend against a hostile or accidental ballistic missile attack; in consequence, New Hampshire asserts its leadership as one of 50; now, therefore, be it

Resolved by the House of Representatives:

That the New Hampshire house of representatives hereby urges the President of the United States to take all actions necessary, within the limits of the considerable technological prowess of this great union, to protect our nation, our allies, and our armed forces abroad from the threat of missile attack; and

That the New Hampshire house of representatives hereby urges the President to allow the United States the freedom to defend itself, it allies, and its armed forces abroad from ballistic missile attack, treaties and other agreements to the contrary notwithstanding; and

That the New Hampshire house of representatives hereby conveys to the President and Congress that effective national missile defense will require a robust and multi-layered architecture consisting of integrated land-based, sea-based, and/or space-based assets designed to deter future threats whenever possible and meet them whenever necessary; and

That copies of this resolution shall be sent by the house clerk to the New Hampshire congressional delegation, the Speaker of the United States House of Representatives, the President of the United States Senate, the Chairman of the Joint Chiefs of Staff, and the President of the United States.

2002-2318h

Amendment to SB 102-A
Proposed by the Committee on Public Works and Highways - R

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

AN ACT making a capital appropriation to support affordable housing solutions in the state of New Hampshire and increasing a capital appropriation to the New Hampshire veterans’ home to design and build a new facility.

Amend the bill by replacing all after section 2 with the following:

3 Appropriation. The sums of \$2,500,000 for the fiscal year ending June 30, 2003 and \$2,500,000 for the fiscal year ending June 30, 2004 are hereby appropriated to the New Hampshire housing finance authority for the purposes set forth in RSA 204-C:56-62. This appropriation shall be nonlapsing.

4 Bonds Authorized. To provide funds for the appropriation made in section 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$5,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A, provided said bonds and notes shall not be issued in excess of \$2,500,000 for the fiscal year ending June 30, 2003 and an additional \$2,500,000 for the fiscal year ending June 30, 2004. Payments of principal and interest of the bonds and notes shall be made from the general funds of the state.

5 Capital Budget; Veterans’ Home; Appropriation Increased. Amend 1999, 226:1, XIV to read as follows:

XIV. N.H. Veterans Home.

A. Design and build new facility [~~\$10,000,000~~] **\$11,900,000**

Less federal [~~-6,500,000~~] **7,150,000**

Net state appropriation subparagraph A [~~3,500,000~~] **4,750,000**

Total state appropriation paragraph XIV [~~\$3,500,000~~] **\$4,750,000**

The funds appropriated in subparagraph A shall not lapse.

6 Capital Budget; Total Amended: Amend 1999, 226:1, total state appropriation section 1 to read as follows:

Total state appropriation section 1 [~~\$ 41,311,314~~] **\$42,561,314**

7 Capital Budget; Bonds Authorized; Total Amended: Amend 1999, 226:8 to read as follows:

226:8 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, 3, and 4 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of [~~\$59,425,314~~] **\$60,675,314** and for said purposes may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

8 Effective Date.

I. Sections 1-4 of this act shall take effect July 1, 2002.

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

AMENDED ANALYSIS

This bill makes a capital appropriation to support affordable housing initiatives in the state of New Hampshire and increases the capital appropriation made to the New Hampshire Veterans’ Home to design and build a new facility.

2002-2129h

Amendment to SB 201-FN

Proposed by the Committee on Ways and Means - C

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

AN ACT relative to the job training program for economic growth.

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

1 Repeal. The following are repealed:

I. RSA 188-F:52, III, relative to the terms and compensation of grant review committee members.

II. RSA 188-F:52, V, relative to the \$25,000 cap on grant amounts that may be awarded by the commissioner upon the recommendation of the grant review committee.

2 Regional Community-Technical College System; Eligibility for Training Grants. Amend RSA 188-F:53, V to read as follows:

V. Priority shall be given for grants to small businesses ~~[in the manufacturing sector]~~ for the implementation of technological innovations.

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

AMENDED ANALYSIS

This bill repeals the term length and compensation provision covering members of the grant review committee of the job training program for economic growth and repeals the \$25,000 cap on grants that the commissioner may award upon recommendation of the committee. It also gives priority for training grants to small businesses implementing technological innovations.