

State of New Hampshire HOUSE RECORD

First Year of the 158th Session of the General Court Calendar and Journal of the 2003 Session

Vol. 25 Concord N.H Friday, January 31, 2003 No. 11

Contains: Reports and Amendments for February 6, Hearings, Work Sessions and Notices

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

The House will meet in session on Thursday, February 6 at 10:00 a.m. The General Court will meet in Joint Convention on Thursday, February 13, at 10:00 a.m. to attend to the Governor's budget address.

There will be no legislative business conducted during the week of February 24-28.

Chairmen and Vice Chairmen will meet on Tuesday, February 4, at 9:00 a.m. in Room 201, LOB.

Gene G. Chandler, Speaker

NOTICE

There will be a Republican Caucus on Thursday, **February 6** at 9:15 a.m. in Representatives Hall.

Rep. David W. Hess, Majority Leader

NOTICE

There will be a Democratic Caucus on Thursday, **February 6** at 9:00 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

thursday, FEBRUARY 6

consent calendar

CHILDREN AND FAMILY LAW

HB 180, relative to proceedings for termination of parental rights. **OUGHT TO PASS WITH AMENDMENT**

Rep. Margaret D. Hallyburton for Children and Family Law: This bill provides that a subsequent hearing in a "termination of parental rights" proceeding will carry over the findings regarding grounds for termination, hearing only new evidence on the "best interests of the child". The amendment provides for a full evidentiary hearing if there has been a subsequential change in circumstances. **Vote 18-0.**

HB 204, relative to venue in juvenile proceedings. **OUGHT TO PASS WITH AMENDMENT**

Rep. Daniel C. Itse for Children and Family Law: This bill, requested by the department of justice, enables the state to prosecute a juvenile in the location where the crime is alleged to have occurred in the event that the juvenile neither lives nor was found in New Hampshire. The amendment simply clarifies the intent of the bill. **Vote 17-0.**

EDUCATION

HB 168, relative to access to public schools. **INEXPEDIENT TO LEGISLATE**

Rep. Claire D. Clarke for Education: The committee unanimously felt that ITL was appropriate for this bill because it was vague and appeared to be a local problem. In the end the committee felt it was a " solution looking for a problem." **Vote 15-0.**

HB 252, prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils. **INEXPEDIENT TO LEGISLATE**

Rep. Richard C. Leone for Education: This bill prohibited public schools from issuing out-of-school suspensions. The committee maintained this issue would best be served by superintendents of schools and local districts. The bill also proposed to establish a committee to study the development of a community/school services program for suspended students. The committee opted to refer this issue to a HB 139 subcommittee dealing with school attendance and dropouts. **Vote 17-0.**

ELECTION LAW

HB 98-FN, relative to fees for state election recounts. **INEXPEDIENT TO LEGISLATE**

Rep. Christine M. Konys for Election Law: This bill would have increased the fee schedule for state election recounts. However, the proposed increases were minimal, would not have substantially reduced costs to the state and may have been a deterrent to some candidates who legitimately want a recount. Therefore, the committee unanimously voted the bill Inexpedient to Legislate. **Vote 13-0.**

HB 101, relative to qualifications for state offices. **OUGHT TO PASS**

Rep. Howard C. Dickinson for Election Law: This bill places in statute the constitutional requirements for holding the offices of governor, executive counselor, state senator and state representative. The committee unanimously believes that HB 101 clarifies these constitutional provisions. **Vote 14-0.**

HB 126, relative to posting statutes at polling places. **OUGHT TO PASS WITH AMENDMENT**

Rep. Andrew L. Dorsett for Election Law: This bill clarifies which laws must be posted at polling places and the amendment gives the secretary of state the discretion to require posting of additional relevant statues. **Vote 14-0.**

HB 251, relative to party affiliation and voting in primary elections. **INEXPEDIENT TO LEGISLATE**

Rep. Steve Vaillancourt for Election Law: This bill would in effect eliminate the ability of undeclared voters to vote in primary elections. In order to vote in either the Republican or Democratic Party primary, a voter would have to be registered in that party. It sets a deadline of thirty (30) days prior to the primary for an undeclared voter to change to one of the two parties and thus be eligible to participate in the primary. According to some surveys, upwards of 22% of the voters in last September's primary were undeclared. One of the goals of the Election Law Committee is to encourage increased voter participation. This bill flies in the face of that goal in that it would disenfranchise tens of thousands of voters. While sympathetic with the sponsor's contention that primaries should be only for party members, there is little, if any, evidence that voters actually engage in sabotaging the other party. There is a further problem in that this process could not be mandated for federal elections. Thus, passage would mean that town and city clerks would be forced to maintain two separate checklists, one for state and one for federal elections. The committee is convinced that the process for same-day registration and the ability of undeclareds to vote in either primary is working well. **Vote 15-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 52-FN, relative to the licensure of shampoo assistants by the board of barbering, cosmetology, and esthetics. **INEXPEDIENT TO LEGISLATE**

Rep. Judson K. Dexter for Executive Departments and Administration: The problem that triggered this bill was confusion by the "Board of Barbering, Cosmetology and Esthetics" in the interpretation of their rules as well as concerns of conflict between the RSA's and rules. The committee found that the current statute and rules are very clear with regard to the employment of shampooing assistants and when enforced as written, there is no problem. Therefore, this legislation is not necessary. **Vote 13-0.**

HB 88, relative to bond requirements for building contractors. **INEXPEDIENT TO LEGISLATE**

Rep. Albert W. Hamel for Executive Departments and Administration: This bill was deemed to be inexpedient to legislate as it would place an undue burden on the office of the secretary of state. Also, it would be prejudicial to the large number of small contractors who might have difficulty obtaining bonding for several small jobs. **Vote 17-0.**

HB 147, establishing a committee to study the expungement of records. **INEXPEDIENT TO LEGISLATE**

Rep. Peter E. Bergin for Executive Departments and Administration: This bill was to establish a committee to determine a remedy for expunging any error in the records pertaining to part 2, article 73-a of the New Hampshire Constitution. Article 73-a was passed in 1978 and came out of a Constitutional Convention. The words "the rules for promulgated shall have the force and effect of law" has been debated over the years. The house and senate in last session passed the constitutional amendment to address this controversy. In the November 2002, election the amendment failed by 63% to 37%. A similar amendment to article 73-a has been introduced and will be taken up by the House Judiciary Committee. Therefore, the committee felt this bill was not necessary. **Vote 17-0**

HB 229-FN, relative to increasing the contribution amount of call, substitute, or volunteer firefighters eligible for certain disability benefits. **INEXPEDIENT TO LEGISLATE**

Rep. Charles Q. Hall for Executive Departments and Administration: This bill was introduced to provide additional benefits to call and volunteer firefighters. However, as written, it doubles the cost of the contribution without added benefits. Therefore, the committee felt this bill was unnecessary. **Vote 14-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 293, establishing a commission to identify medical errors and their causes. **OUGHT TO PASS**

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: It is said that to err is human. Most times we apologize, correct the error and get on with life. Unfortunately when medical errors occur, and they do by the thousands, the consequences can be of a far more serious nature. The fact is that more people in America die from medical errors than from highway accidents, breast cancer or AIDS. It is best estimated that between 50,000 and 98,000 die due to medical errors. Mistakes come from surgery, drug to drug interactions, duplicate drug therapy, administrative errors, wrong site surgery etc. The cost for medical errors in America is estimated to be \$17 to \$20 billion. Mistakes in medical care must be addressed and this commission

will be expected to make recommendations for safety, protocols that enhance our efforts to find ways that will focus on a solution to the problem of medical errors. **Vote 19-0.**

HB 314, establishing a committee to study the feasibility of buying pharmaceuticals on a statewide or regional basis. **INEXPEDIENT TO LEGISLATE**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: The committee agreed with the sponsor of the bill that it is an important subject worthy of study. Testimony revealed that a number of legislative and professional committees are already extensively studying the issue, and therefore felt that another committee is not needed. **Vote 19-0.**

JUDICIARY

HB 219, relative to the assignment of judges to hear cases in the superior, district, and probate courts. **INEXPEDIENT TO LEGISLATE**

Rep. Nancy M. Ford for Judiciary: This bill would allow probate judges and district court judges to hear cases in superior or probate courts. The Committee felt that the judges confirmed by the Governor and Council are selected for their special expertise in the courts to which they are assigned and it would not be good practice to have judges serve in specialized areas in which they do not have the experience or advanced expertise. **Vote 14-0.**

HB 221-FN, prohibiting the courts from charging fees. **INEXPEDIENT TO LEGISLATE**

Rep. Gregory M. Sorg for Judiciary: This bill would amend, replace or repeal numerous sections of the statutes in order to abolish all fees charged by the courts of this state. It would, in the view of its sponsors, codify the prohibitions enumerated in Article 14 of Part 1 of the NH Constitution. In voting this bill inexpedient to legislate, the committee concluded that Article 14 was a response to common Eighteenth Century English practice where bribery of magistrates, officials, or staff was normal, often necessary means of inducing administrative or judicial action, and that the Article was not intended to proscribe the charging of reasonable, uniform filing fees designed to defray actual processing expenses and to discourage frivolous filings. It was noted that the courts follow a liberal practice, upon motion in appropriate situations, of waiving such fees based on inability to pay or other just cause. **Vote 13-1.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 144, establishing a procedure for the adoption of contracts in certain schools. **INEXPEDIENT TO LEGISLATE**

Rep. Dudley D. Dumaine for Municipal and County Government: This bill requires that the adoption of contracts with schools shall be made by a warrant article approved at an annual or special meeting of each school district which is a party to the contract, provided that the article is inserted in the warrant at least one year prior to the proposed attendance of any students. Testimony was received that implementation of this bill would not allow the school districts to engage in contracts in a timely manner, possibly preventing special students from gaining the necessary education. RSA 194:22 is a catch-all vehicle for emergency contracts for the school districts. The bill would lead to unnecessary interruption of school programs. For there was further evidence that this was a local issue that needed to be addressed at the local level. The Committee therefore recommended this bill to be reported out as Inexpedient to Legislate. **Vote 14-0.**

HB 151, authorizing the county convention to contract and fund performance audits of county departments. **OUGHT TO PASS**

Rep. Peter B. Schmidt for Municipal and County Government: The authority of the county delegation to review county executive departments has only been allowed through the budget process when the requests for their finances has come to the Delegation. This legislation would grant the County Convention the power "to provide payment for a performance audit" under specific requirements. The cost of the performance audit will be paid from a contingency fund appropriated by the County Convention. The performance audit will be directed by the County Convention and the performance audit reports will be made public record upon approval of the County Convention. The committee believes performance audits provide a useful tool to improve the efficiency and cost effectiveness of county government. **Vote 17-0.**

HB 242, relative to the number of members on, and quorum necessary for, the assessing standards board. **OUGHT TO PASS**

Rep. Robert W. Brundige for Municipal and County Government: At the present time, membership of the assessing standards board consists of state representatives, senators, assessors and public members. There are no municipal officers on the board.

This bill enlarges the committee from 13 to 18 members. The additional five members will be municipal officials. These appointments will give municipal officials from the cities and towns a voice on the board. The board is required to hold a series of three public forums annually throughout the state. Presently, a quorum of the members is required before testimony can be received at the forums. This bill allows the testimony to be received and shared with the other board members at a later date. **Vote 20-0.**

PUBLIC WORKS AND HIGHWAYS

HB 136-FN, relative to regional electronic toll collection. **INEXPEDIENT TO LEGISLATE**

Rep. William E. Leber for Public Works and Highways: This bill would require the Commissioner of Transportation to credit interest earned on the money held in E-Z Pass toll accounts to the account holder when the E-Z Pass system is completed and activated. With the E-Z Pass system, individuals deposit funds in an account and receive an electronic transponder to transit the toll gate and the account will be charged. To require the New Hampshire Department of Transportation to compute and record interest and maintain accounts will create a burden that will increase costs and reduce benefits of the E-Z Pass system. It was indicated in testimony that residents of other states may elect to buy the E-Z Pass here to collect interest, since other states do not pay interest. **Vote 15-0.**

HB 137-FN, relative to discounted tolls under the regional electronic toll collection system. **INEXPEDIENT TO LEGISLATE**

Rep. Edmond D. Gionet for Public Works and Highways: Because the Governor and Council have the responsibility of setting tolls in New Hampshire, the committee did not feel that we should micromanage that process. Legislation already exists allowing for discounts. The committee felt that it was irresponsible to mandate a specific discount. **Vote 15-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 67, relative to funding for energy efficiency programs. **INEXPEDIENT TO LEGISLATE**

Rep. Paul R. Hatch for Science, Technology and Energy: The bill requires funds allocated from the system benefits charge for the Public Service Company of New Hampshire energy efficiency program be placed in a revolving loan fund to provide loans to ratepayers for energy-efficiency projects and products. This bill also phases out the energy efficiency program allocation over three years. The committee believes the pilot programs created have been beneficial, but feel the programs have not been in effect long enough to determine the full value of the programs and savings to ratepayers. The committee recommends the bill as ITL and feels it is premature to phase out the funding and end the pilot Pay as You Save program (PAYS), suggesting the collection of more data during the next year will be beneficial in determining the effectiveness of the Energy Efficiency Program. The program uses no general fund revenues, and is funded at a rate of \$0.0018 per kilowatt-hour as part of the system benefits charge. **Vote 11-0.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 2, urging the federal government to recognize hearing loss as a service-connected disability for veterans who flew UH-1 helicopters in Vietnam. **INEXPEDIENT TO LEGISLATE**

Rep. Ken Hawkins for State-Federal Relations and Veterans Affairs: The United States Congress passed Public Law 107-330 that institutes a study by the National Academy of Sciences on all Military Occupation Specialties. The committee feels that the issue is being addressed by this federal study. **Vote 14-0.**

HCR 5, urging Congress to permit satellite television subscribers to select in-state broadcast signals. **OUGHT TO PASS**

Rep. Russell A. Albert for State-Federal Relations and Veterans Affairs: By enacting the Satellite Home Viewer Improvement Act of 1999 (SHVIA), Congress greatly expanded the ability of satellite companies to provide local signals to subscribers, but limited service to the "designated market area" (DMA). Many subscribers in New Hampshire are in the Portland/Auburn DMA and are unable to receive WMUR-TV, which is located in the Boston/Manchester DMA. This bill would urge Congress to permit the satellite television subscribers to select in-state broadcast signals thus allowing them to receive WMUR-TV that provides emergency messages, disaster information, news coverage and political debates relevant to and originating in New Hampshire. **Vote 11-0.**

TRANSPORTATION

HB 87, establishing a study committee to examine decibel limits. **INEXPEDIENT TO LEGISLATE**

Rep. Robert J. Letourneau for Transportation: This bill would establish a study committee to examine decibel limits. While there are many sources of noise pollution, this bill asks to study options for enforcement, particularly for motorcycles. New Hampshire has enforcement procedures and has established laws concerning motorcycle decibel limits. While we respect the sponsor's efforts, this is an enforcement issue that has rules and procedures in place. **Vote 15-0.**

HB 234, relative to verification of vehicle identification. **INEXPEDIENT TO LEGISLATE**

Rep. Jean-Guy J. Bergeron for Transportation: Until recently in New Hampshire, because of our laws, only titling vehicles up to 15 years, it had been possible to send a bill of sale to a person in NH and have that person register the vehicle at their local municipality. Once registered, the NH person would send the registration back to any state in the United States where the vehicle could then be titled in that state. We had persons in this state registering thousands of vehicles per year for a fee when "none" of these vehicles ever saw the roads of this state. On many occasions, the NH State Police were called from another state with a stolen vehicle that had been traced back to this process. Three years ago we changed the law in NH to prevent the washing of titles in this state. This bill would restore the process of washing titles. This bill would also make the town clerks responsible for verifying the authenticity of an out-of-state vehicle identification number. **Vote 16-0.**

HB 254, relative to the penalty for failing to have front and rear decals on an OHRV. **INEXPEDIENT TO LEGISLATE**

Rep. Robert J. Letourneau for Transportation: This bill establishes the penalty for failing to have front and rear decals on an Off Highway Recreational Vehicle, and raises the fine from \$36.00 to \$50.00. This bill would require by law that we raise the fine \$14.00 for failing to properly display decals. The cost to print new tickets is not taken into consideration in this proposed legislation. Additionally, a judge in an OHRV case may, upon his discretion, fine an individual up to \$500.00 if he deems it is necessary. **Vote 16-0.**

HB 256, establishing a committee to study the feasibility of breast cancer awareness number plates. **INEXPEDIENT TO LEGISLATE**

Rep. Brenda L. Ferland for Transportation: The committee felt that a study committee on breast cancer awareness or awareness of any form of cancer license plates is unnecessary in these times. The medical profession advertises everyday through television, magazines, pamphlets and radio to make people aware of treatments, medications and the risk of cancer. The percentage of the population leans toward knowledge or being associated with someone who has had a form of cancer. **Vote 15-0.**

HB 270, relative to issuing drivers' licenses to aliens temporarily residing in the state. **OUGHT TO PASS**

Rep. Brenda L. Ferland for Transportation: Passage of this bill will add a section to current law allowing aliens to drive in this state. Currently, they show identification to the Commissioner of the New Hampshire Department of Safety. That will change to Director of the NH DOS. Added language provides they must show proof of their previous vehicle operation in a foreign country, or proof of completion of an approved driver education course acceptable to the Director. The NH DOS spoke in favor of this bill noting that after six months drivers have to obtain a NH license as we do not recognize international driving licenses. **Vote 16-0.**

HB 271, relative to walking disability plates and placards. **OUGHT TO PASS**

Rep. Robert J. Letourneau for Transportation: This bill will change the validity date for disability license plates and placards from four years to five years. This action will update the current law to match the new license renewal dates. **Vote 16-0.**

HB 292, relative to vehicles entering intersections. **INEXPEDIENT TO LEGISLATE**

Rep. Robert J. Letourneau for Transportation: This bill prohibits a driver from entering an intersection unless there is sufficient space. While we understand the sponsor's frustration with a driver who is not courteous, there are RSAs on the books to deal with these situations; police officers have the authority to ticket individuals who block intersections. The committee also would like to stress to authorities, both state and local, that this is an action that provokes road rage and would strongly urge the appropriate agencies to begin an aggressive enforcement policy towards this activity. **Vote 15-1.**

WAYS AND MEANS

HB 81-FN-A, setting the rate for the medicaid enhancement tax for the biennium ending June 30, 2005. **OUGHT TO PASS**

Rep. Susan W. Almy for Ways and Means: Every two years the legislature sets the rate of this tax at the maximum rate allowed by federal medicaid regulations. The Department of Health and Human Services and the representative of the New Hampshire Hospital Association support the bill. A minimum of \$180 million in revenue for the biennium depends on this renewal of the rate. **Vote 16-0.**

HB 313, establishing a committee to study the feasibility of setting aside a portion of tobacco settlement money to subsidize smoking cessation programs. **INEXPEDIENT TO LEGISLATE**

Rep. Jeff Gilbert for Ways and Means: Three million dollars is annually set aside from the state's tobacco settlement proceeds to fund cessation and other tobacco use and prevention programs. These various programs are established, funded and reviewed by the Governor's Tobacco-Use Advisory Committee. By unanimous vote the Committee concurred with the testimony from the American Cancer Society of New Hampshire that the establishment of this study committee would not add to, and might well interfere with the Governor's Tobacco Use Advisory Committee's work. **Vote 18-0.**

THURSDAY, FEBRUARY 6

REGULAR CALENDAR

EDUCATION

HB 54, establishing a committee to study the eligibility for school building aid of certain public academies which serve as the local school for their communities. **INEXPEDIENT TO LEGISLATE**

Rep. Clair A. Snyder for Education: The committee felt this bill would take building aid funds from limited state funds to support building in private schools. This would limit funds to public schools badly in need of new buildings and renovations to existing buildings. If these funds were to be used for private schools we would be supporting schools over which the state has no control. These schools have endowment funds available, the ability to raise funds through building drives, and they can also include building drives in the tuition charge to the communities. **Vote 15-2.**

HB 84, requiring school district budgets to disclose moneys paid for lobbying fees. **INEXPEDIENT TO LEGISLATE**

Rep. J D Colcord for Education: While this bill is well intentioned, school districts presently show on annual school district budgets dues paid to organizations which support school boards, school administrators, etc. These organizations provide many types of support to the administrative process of the schools, including keeping them informed on legislation before this body. The lobbying efforts of these organizations currently is reported and available through the Secretary of State. **Vote 17-3.**

HB 191, establishing a commission to study the school administrative unit system. **INEXPEDIENT TO LEGISLATE**

Rep. Bruce L. Dearborn for Education: This subject had been studied many times in the past. In 1996 districts were allowed to form their own supervisory administrative units (SAUs) without state approval and quite a few did, reflecting the ability of the districts to exercise the local control. The ultimate decision lies with the voter. **Vote 10-9.**

ENVIRONMENT AND AGRICULTURE

HB 203, establishing a committee to study the use of pesticides and herbicides in the state, and directing the commissioner of agriculture to issue a report on the use of funds from the pesticide control fund. **INEXPEDIENT TO LEGISLATE**

Rep. Peter H. Allen for Environment and Agriculture: Hearing no compelling testimony in support of the bill and learning that information about the use of pesticides and herbicides in the state is readily available from the New Hampshire Department of Agriculture, the Environment and Agriculture Committee recommends ITL. **Vote 14-1.**

HCR 1, endorsing the Canine Good Citizen Program. **OUGHT TO PASS**

Rep. David N. Scott for Environment and Agriculture: This resolution endorses The Canine Good Citizenship Program

sponsored by the American Kennel Club, and has been passed in 28 states. The Canine Good Citizenship Program focuses a greater awareness of the benefits of training and responsible canine ownership. Participation in this program by dog owners can lead to such benefits as lower insurance costs and may help to reduce canine incidences related in the community. There is no required funding. **Vote 12-1.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 79, relative to the regulation of the installation and servicing of fire suppression systems. **OUGHT TO PASS WITH AMENDMENT**

Rep. John DeJoie for Executive Departments and Administration: This bill amends RSA 153, requiring certification of persons who inspect, install or service fire alarm systems. The fire marshal is instructed to develop certification criteria with assistance of an advisory board. This board will include representatives of fire alarm installers, fire chiefs, fire inspectors and other industry representatives. The amendment clarifies individuals affected by this statute and changes the composition of the advisory board to better reflect professions involved in fire alarm installations. This bill will insure a minimum level of proficiency for all persons installing or servicing fire alarm systems in New Hampshire. **Vote 13-3.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 104-FN, implementing procedures for a hospital to assume care and custody of an abandoned child and creating an exception to the crime of endangering the welfare of a child. **OUGHT TO PASS WITH AMENDMENT**

Rep. Joseph P. Manning for Health, Human Services and Elderly Affairs: This bill aims to save the lives of "Dumpster Babies." It allows the parent to bring the unwanted newborn to a hospital or other safe haven and deliver the child into its care anonymously. There are no penalties and no questions asked in order to save the baby. The bill instructs the hospital and the Department of Health and Human Services on its subsequent duties and responsibilities. A provision is made for law enforcement to determine if the child has been kidnapped. The amendment changes the maximum age of the child in question to 7 days. It also updates the 1907 law, RSA 460:28 regarding penalties for abandonment. It amends the abandonment statute to provide an exception for a parent acting under this proposed law. The effective date has been changed to 30 days after passage. Financial impact is indeterminable. **Vote 17-0.**

JUDICIARY

CACR 3, relating to the nomination and appointment of judicial officers. Providing that the governor shall nominate and by and with the advice and consent of the senate, shall appoint judges of the supreme, superior, and district courts, the chief justice of the supreme court, chief justice of the superior court, and the administrative justice of the district court. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Thomas E.P. Rice for the **Majority** of Judiciary: There were several opinions. "If it ain't broke, don't fix it." There will be no less politics if the confirmation of judges is done by the Senate rather than by the Council. In fact, there likely would be more. The Senate has a heavy workload now. **Vote 11-5.**

Rep. John M. Pratt for the **Minority** of Judiciary: CACR 3 opens the vetting process by which judges are confirmed by transferring that power from the Executive Council to the Senate. This transfer of power would not remove politics from the judicial nominating and confirming process, but would ensure that a vigorous debate on judicial nominees by representatives of both political parties would ensue.

HB 77, establishing a committee to study the process of de novo appeals from the district courts. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bette R. Lasky for the **Majority** of Judiciary: This bill establishes a committee to study the process of de novo appeals from the district courts. "De novo" appeals, if granted, gives, in essence, a new trial to the appellant in a higher court. The committee felt that there may be a more efficient way to handle appeals but the subject needs to be studied to look into all the ramifications of such changes. **Vote 12-4.**

Rep. James E. Wheeler for the **Minority** of Judiciary: This bill would create a study committee to study the process of de novo appeals from the district court. The minority believes that the study is unnecessary because the present scope of de novo appeals

is adequate and its preservation is an absolute necessity. The minority believes that to consider the process with an eye towards eliminating the process with respect to the classes of cases that presently are entitled to de novo appeals, as the sponsor suggested, is dangerous. The minority recommends that this bill be voted inexpedient to legislate.

HB 130, establishing a judicial nominating commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James E. Wheeler for the **Majority** of Judiciary: The committee had some strong concerns as to the constitutionality of this bill. This bill would establish a judicial nominating commission, to recommend persons to the Governor for nominations to judicial appointments. The constitution gives the Governor the right to select whomever he/she chooses and this would violate the separation of powers to say that he/she has to give high priority to the commission's recommendations. Therefore we recommend inexpedient to legislate. Vote 13-4.

Rep. John M. Pratt for the **Minority** of Judiciary: No greater complaint is heard about the judicial nominating process than that judges are selected by "the old boy's network." This bill does not take away one iota of the Governor's constitutional power to nominate judges, but it does provide for a process whereby those who are not a part of the old boy's network can be given serious consideration when judicial openings occur.

HB 193, relative to the right to life. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James W. Craig for the **Majority** of Judiciary: This bill seeks to codify in RSA 132 the following language, "the state of New Hampshire hereby declares that the right to life guaranteed by the Constitution is vested in each human being at fertilization." All members of the Judiciary Committee acknowledged that the beginning of life is a very difficult issue to ascertain, and the majority felt Roe v. Wade is still the law of the land and this bill, while well intentioned, is poorly crafted and is not the way to change that law. Some members felt and indeed one of the sponsors indicated that the intent of the bill would be to make doctors and pregnant women subject to the possibility of criminal sanctions should they terminate a pregnancy at any point after fertilization. **Vote 13-5.**

Rep. Kathleen F. Souza for the **Minority** of Judiciary: This bill states that each human life begins at fertilization. In 1973, when the Supreme Court justices handed down the Roe vs. Wade decision, they stated that they did not know when life begins. Since that time, over 42 million unborn children in this country have been lost to abortion. The justices also said that if it could be established that life began at conception, then the whole case for abortion would collapse. The sponsors of HB 193 believe now is an appropriate time for the State of New Hampshire to recognize what science and medicine have now confirmed- that each human life does indeed begin at fertilization. Elizabeth Louise Brown's conception in a petri dish in London over two decades ago proved this fact in full world view. By stating the obvious and asserting that our government, at all levels, should assure the equal care and protection for the right to life for us all, the sponsors of HB 193 hope to contribute to an increase in the respect for human life. If this country is to continue to prosper, we must halt the growing disregard for life, as evidenced by the discarding of newborns, the abuse of children, the mistreatment of the elderly and the infirm and the increasing trend towards euthanasia.

HB 193 does not have any enforcement powers. It does not provide for any penalties or for any prosecution. It states biological facts and asks for a truly just society, one that respects what our founders proudly proclaimed, the unalienable right to life.

RESOURCES, RECREATION AND DEVELOPMENT

HB 304-A, relative to state acquisition of certain acreage in the Connecticut Lakes headwaters tract and making an appropriation therefor. **OUGHT TO PASS**

Rep. H. Charles Royce for Resources, Recreation and Development: The state of New Hampshire is on the verge of protecting 171,500 acres, this acreage is known as the Connecticut Lakes headwaters tract. Agreements are being worked on with Lyme Timber Company for their acquisition of 146,000 acres of this forest land with easements. It would continue as a working forest for the company. This bill would authorize the state to bond up to 12 million dollars, which is the price being paid by Lyme Timber Company. If for some unforeseen reason that the company does not reach an agreement with the state, the state of New Hampshire will have the funds and be in a position to acquire Lyme Timbers part of the acquisition. **Vote 16-1.**

WAYS AND MEANS

HB 164-FN-A, increasing the gross premiums tax on insurance provided by certain unlicensed companies. **OUGHT TO PASS**

Rep. Vivian R. Clark for Ways and Means: The State of New Hampshire licenses insurance companies and brokers in the state, and charges a tax on premiums. However, certain unusual types of insurance are purchased through brokers from companies which are not normally licensed. This bill increases the rate of the premium tax on those special lines, comparable to the rates charged by neighboring states. **Vote 17-0.**

HB 172, extending the committee to study the exemption from property taxes for not-for-profit hospitals, and including a study of the community benefit law. **OUGHT TO PASS**

Rep. Vivian R. Clark for Ways and Means: The report filed by this study committee last fall indicated that the study had brought to attention more aspects of hospital exemptions and the community benefits law than had been anticipated. They would therefore like to continue their investigations. Ways & Means members generally agreed. **Vote 14-4.**

HB 340, establishing a committee to study implementing keno in the state of New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. Shawn N. Jasper for Ways and Means: Keno is a form of gambling traditionally found in bars and restaurants. While there are several questions relative to potential problems which might be answered by a study committee, the Committee is not in favor of expanding gambling in this manner. The Director of the Lottery was present to answer questions; however, the sponsors provided the only testimony on the bill. **Vote 15-3.**

HOUSE DEADLINES

Friday, December 13, 2002, 3:00 p.m.	Last day to file LSR's with complete information.
Friday, January 17, 2003, 12:00 p.m.	Last day to sign-off on all House bills, including redraft requests.
Thursday, January 30, 2003	Last day to introduce all House bills.
	Last day to amend House Rules by majority vote.
Thursday, March 6, 2003	Last day to report all House bills being referred to a second committee.
Thursday, March 13, 2003	Last day to act on all House bills being referred to a second committee.
Thursday, March 20, 2003	Last day to report all House bills not in a second committee, except budgets.
Thursday, March 27, 2003	Last day to act on all House bills not in a second committee, except budgets.
Thursday, April 3, 2003	Last day to report all remaining House bills.
	Last day to hold public hearings on all House bills retained in committee.
	Last day for committees to report list of retained House bills.
Thursday, April 10, 2003	CROSSOVER -Last day to act on all remaining House bills.
Tuesday, April 22, 2003	Supplemental LSR filing period opens.

Thursday, April 24, 2003, 3:00 p.m.	Last day to file supplemental LSRs with complete information.
Thursday, May 8, 2003	Last day to report Senate bills being referred to a second committee.
Thursday, May 15, 2003	Last day to act on Senate bills being referred to a second committee.
Thursday, May 29, 2003	Last day to report all Senate bills for action in the first-year session.
	Last day to hold public hearings on all Senate bills retained in committee.
	Last day for committees to report list of retained Senate bills.
Thursday, June 5, 2003	Last day to act on all Senate bills in the first-year session.
Wednesday, June 11, 2003	Last day to form committees of conference.
Friday, June 13, 2003, 3:00 p.m.	Last day to sign-off all supplemental bills, including redrafts.
Wednesday, June 18, 2003, 3:00 p.m.	Last day to sign committee of conference reports.
Tuesday, June 24, 2003	Last day to act on committee of conference reports.
	Last day to introduce supplemental bills.

COMMITTEE MEETINGS

MONDAY, FEBRUARY 3

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE, (RSA 126-A:13), Room 205, LOB

1:00 p.m. Regular meeting.

TUESDAY, FEBRUARY 4

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

10:15 a.m. Organizational meeting.

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. **HB 298**, relative to the award of joint physical custody of children.

10:45 a.m. **HB 323**, relative to the task force on family law.

11:00 a.m. **HB 310**, establishing a commission to study child support issues.

1:30 p.m. **HB 299**, removing judicial discretion to order a divorced parent to contribute to an adult child’s college expenses.

2:30 p.m. **HB 214**, relative to discovery deposition of minors in criminal cases.

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

COMMERCE, Room 302, LOB

10:00 a.m. **HB 334**, establishing an international trade commission to investigate and report on the effects of international trade agreements on New Hampshire self-governance.

11:00 a.m. **HB 342**, restricting the use and display of social security numbers and establishing a private right of action under the right to privacy act.

1:15 p.m. **HB 384**, relative to financial affidavits in domestic relations cases, and establishing a private right of action under the right to privacy act.

2:00 p.m. **HB 545**, requiring building contractors to disclose the name of any subcontractors involved in the project.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on **HB 278-FN**, relative to certain acts of sexual assault.

10:00 a.m. **HB 355-FN**, relative to the permissible fireworks review committee, the fireworks license fee, and the authority of the permissible fireworks inspector.

10:30 a.m. **HB 333**, relative to sentences for first time offenders.

11:00 a.m. **HB 522-FN**, relative to penalties for child pornography.

11:15 a.m. Subcommittee work session on **HB 146-FN**, relative to criminal penalties for child pornography offenses.

11:30 a.m. Subcommittee work session on **HB 208**, relative to name changes for inmates and parolees.

12:30 p.m. **HB 521-FN**, relative to requiring treatment for persons convicted of DWI offenses.

1:15 p.m. **HB 415**, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors.

1:45 p.m. **HB 418**, relative to annulment of arrest records for defendants whose cases result in acquittal, dismissal, or failure to prosecute.

2:15 p.m. **HB 483**, relative to expungement of records of protective orders.

2:30 p.m. **HB 512**, relative to disability parking enforcement.

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

EDUCATION, Room 207, LOB

1:00 p.m. Orientation meeting.

ELECTION LAW, Room 308, LOB

10:00 a.m. **HB 364-FN**, relative to the use of automatic telephone dialing systems for political advocacy.

10:30 a.m. **HB 408**, relative to the definition of political "party."

11:00 a.m. **HB 358-FN-LOCAL**, relative to recount fees in local elections.

11:30 a.m. **HB 359**, establishing a procedure for apportioning state senate and representative districts.

Noon Continued public hearing on **HB 332-FN**, relative to the use of prerecorded telephone messages by candidates and political committees.

1:15 p.m. **HB 836**, certifying that John Coughlin was elected as county attorney for Hillsborough county at the 2002 general election.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. **HB 503**, relative to septic system construction permits.

11:00 a.m. **HB 529**, relative to the New Hampshire seed law.

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

1:00 p.m. Subcommittee work session on **HB 128**, relative to the treatment of horses.

1:30 p.m. Subcommittee work session on **HB 72**, granting authority to impose administrative fines for the violation of certain laws or rules of the department of agriculture, markets and food.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:00 a.m. Subcommittee work session on **HB 116-FN**, granting group II retirement system status to certain positions in the department of corrections.

10:00 a.m. Subcommittee work session on **HB 90-FN**, relative to the costs incurred by the retirement system in evaluating proposed legislation.

10:30 a.m. **HB 166**, relative to employees of the New Hampshire retirement system.

11:00 a.m. **HB 154-FN**, establishing a department of financial services.

1:00 p.m. **HB 227**, establishing a committee to study the feasibility of consolidating the administrative functions of regulatory boards and commissions into a single agency.

1:30 p.m. **HB 479-FN**, directing the department of administrative services to develop a plan for implementing an electronic purchasing system for the state.

2:00 p.m. **HB 480-FN**, requiring the use of state credit cards for reimbursable expenses.

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

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

10:00 a.m. **HB 375**, establishing a committee to study the prescription and use of psychotropic drugs, including Ritalin, in preschools, primary grades, and childcare centers.

11:30 a.m. **HB 393**, extending the reporting dates for certain study committees.

1:15 p.m. **HB 376**, establishing a committee to study the feasibility of performing eye examinations or eye screenings on children prior to enrollment in a public elementary school, public preschool

program, or Head Start program.

2:30 p.m. **HB 457**, establishing a committee to study the transportation needs of certain of the state's citizens.

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

HOUSE FINANCE JOINT WITH SENATE FINANCE, Rooms 210-211, LOB

10:00 a.m. DCYF: Issues and Solutions.

11:00 a.m. Prescription Drug Costs.

1:00 p.m. Debt Capacity.

2:30 p.m. State Prison Site Visit.

JUDICIARY, Room 208, LOB

10:00 a.m. **HB 134-FN**, relative to recommendations, appointments, and qualifications of marital masters and procedures for cases heard by marital masters.

11:00 a.m. **HB 249**, limiting the liability of manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others.

2:00 p.m. **HB 224**, granting immunity from liability to law enforcement officers executing involuntary emergency mental health admissions.

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. Subcommittee work session on **HB 111-FN**, prohibiting employee polygraph examinations.

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

11:00 a.m. Organizational meeting.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 361-LOCAL**, permitting municipalities to form regional water districts.

10:45 a.m. **HB 354-FN**, relative to dog license fees.

11:15 a.m. **HB 434-LOCAL**, relative to junkyards and motor vehicle recycling yards.

1:30 p.m. **HB 452**, relative to political advertising on public property.

2:00 p.m. **HB 438-LOCAL**, relative to charging a disposal fee for temporary signs.

2:30 p.m. **HB 345**, relative to qualifications of elected town officers.

3:00 p.m. **HB 476**, relative to incompatibility of municipal offices.

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

1:15 p.m. **HB 326**, relative to establishing a 6-year capital budget.

1:45 p.m. **HJR 1**, urging the department of transportation to provide sufficient time to resolve a dispute regarding certain portions of the Conway bypass project.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. **HB 429**, relative to processing excavating and dredging permits.

11:00 a.m. **HB 539**, relative to dredging and filling in wetlands.

1:30 p.m. **HB 516-LOCAL**, relative to the standard of review for requests for excavating and dredging permits.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Public utilities subcommittee work session on **HB 239**, prohibiting the disclosure of certain information by a public utility.

1:00 p.m. Electric subcommittee work session on **HB 96**, relative to eligibility as a customer-generator.

2:30 p.m. Public utilities subcommittee work session on **HB 233**, relative to the nuclear planning and response program.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:30 a.m. **HCR 8**, urging the United States Congress to improve the prescription drug program provided to veterans.

11:00 a.m. **HCR 9**, urging the President and the Joint Chiefs of Staff to abandon the Total Information Awareness Initiative.

11:45 a.m. **HCR 16**, urging increased diplomacy to achieve a just, peaceful, and rapid resolution of the conflict between India and Pakistan relative to the state of Jammu and Kashmir.

1:00 p.m. **HCR 7**, opposing unfunded and under-funded federal education mandates.

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

TRANSPORTATION, Room 203, LOB

10:00 a.m. **HB 346**, establishing a commission to study the impact of traffic law violations on public health and safety and state and municipal resources.

10:45 a.m. **HB 349**, relative to establishment and enforcement of speed limits.

11:30 a.m. **HB 435**, relative to certificates of registration upon transfer of a vehicle.

1:00 p.m. **HB 477**, establishing a 55 mile per hour speed limit on New Hampshire Route 9 from the Stoddard/Nelson town line to the Apple Hill road intersection in the town of Sullivan.

1:30 p.m. **HB 497**, relative to inactive status licenses.

2:00 p.m. **HB 498**, relative to 20-day vehicle registrations.

2:30 p.m. **HB 530**, prohibiting the sale of motor vehicles equipped with certain automatic door locks.

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

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Revenue estimates (agency).

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

WEDNESDAY, FEBRUARY 5

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. **HB 351**, requiring completion of a child impact seminar prior to filing for divorce.

10:30 a.m. **HB 357-FN**, relative to child support insurance settlement intercept.

11:00 a.m. **HB 268**, relative to motions for contempt of court orders regarding custody, visitation, or nonpayment of child support.

1:00 p.m. **HB 445**, relative to consideration of domestic violence in child custody and visitation decisions and relative to the time period in which a motion for protective order from domestic violence may be filed.

2:30 p.m. **HB 447**, limiting retroactive child support awards under the uniform act on paternity.

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

COMMERCE, Room 302, LOB

10:00 a.m. **HB 430**, relative to the scope of family health insurance policies.

11:00 a.m. **HB 544**, relative to the insurance cap on durable medical equipment.

1:15 p.m. **HB 472**, relative to health insurance terminology.

2:00 p.m. **HB 471**, relative to cost containment practices and establishing an insurance review and advisory board.

2:30 p.m. **HB 470**, relative to health insurance providers.

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. Department of Corrections quarterly report by Commissioner Phil Stanley.

11:30 a.m. NH Center for Public Policy Studies presentation, Part II, report on drug use and treatment for offenders.

2:00 p.m. **HB 374**, relative to a petition by an inmate for a suspended sentence.

2:30 p.m. **HB 433**, establishing a committee to study the feasibility of implementing the Second Chance drug rehabilitation program in the New Hampshire prison system.

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

EDUCATION, Room 207, LOB

9:00 a.m. Subcommittee work session on **HB 139**, establishing a committee to study the collection and reporting of school drop-out, suspension, and expulsion data.

10:00 a.m. **CACR 6**, relating to the encouragement of literature. Providing that it shall be the duty of the legislators and magistrates to not hinder, impede or obstruct the interest of literature and the sciences.

11:00 a.m. **HB 336-LOCAL**, relative to the development and adoption of the school administrative unit budget.

1:00 p.m. **HB 124**, relative to the membership on the regional community-technical college board of trustees.

2:00 p.m. **HB 363-LOCAL**, relative to the funding formula for cooperative school districts.

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

ELECTION LAW, Room 308, LOB

10:00 a.m. **HB 391**, requiring candidates to acknowledge restrictions on political advertising.

11:30 a.m. **HB 456**, relative to the supreme court's authority to appoint a member to the ballot law commission.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Current Use presentation.

11:15 a.m. **HB 482**, establishing a committee to study certification of organic products.

1:00 p.m. **HB 520-FN**, relative to maintaining records of greyhounds used in pari-mutuel racing.

1:30 p.m. **HB 367**, relative to cats and dogs.

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

9:00 a.m. Subcommittee work session on **HB 117-FN**, relative to the purchase of permissive service credit in the retirement system and **HB 241**, establishing a committee to study the creation of a separate board to regulate barbers.

9:15 a.m. Subcommittee work session on **HB 148-FN**, requiring the notification of renewal prior to expiration to holders of professional licenses issued by state agencies.

9:30 a.m. **HB 201**, relative to the definition of the practice of dentistry.

10:30 a.m. **HB 258**, relative to the community-technical college system.

11:15 a.m. **HB 279**, relative to the licensure of emergency medical dispatchers.

1:00 p.m. **HB 281-FN**, relative to regulation of irrigation system electricians by the electrician's board.

1:45 p.m. **HB 473**, relative to the board of mental health practice.

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

time the committee is initially convened.

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

9:00 a.m. **HB 465**, relative to the rulemaking authority of the department of health and human services and relative to licensing rules for health facilities.

10:45 a.m. **HB 463**, adding certain health care providers to certain statutes.

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

HOUSE FINANCE JOINT WITH SENATE FINANCE, Rooms 210-211, LOB

9:30 a.m. Natural Resources.

1:00 p.m. Department of Safety Site Visit.

JUDICIARY, Room 208, LOB

9:30 a.m. **HB 244**, relative to landowner liability for snowmobile accidents.

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

1:00 p.m. Subcommittee work session on **HB 122**, relative to an informed jury.

LEGISLATIVE ADMINISTRATION, Room 307, LOB

2:00 p.m. **HB 344**, relative to a supplemental veteran designation for legislative license plates.

2:30 p.m. **HB 381-FN**, requiring proposed bills and rules to include an analysis of their impact on personal privacy.

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 432**, relative to nonbinding municipal referendums.

10:45 a.m. **HB 371**, relative to warrant article recommendations in towns which have adopted the official ballot referendum form of meeting.

11:15 a.m. **HB 494-LOCAL**, allowing the amendment of default budgets by municipal legislative bodies.

12:30 p.m. Presentation on the Municipal Budget Act from the Department of Revenue Administration.

1:30 p.m. **HB 493**, relative to the municipal budget act.

2:15 p.m. **HB 527**, relative to the transfer of appropriations for certain expenditures under the municipal budget law.

3:00 p.m. **HB 453**, relative to recommendations of certain municipal boards.

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

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

4:00 p.m. Organizational meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. **HB 419**, establishing a committee to study issues related to the management of railroads operating with leases on state property.

10:30 a.m. **HB 517-LOCAL**, relative to Keene Road and Main Street in the town of Hillsborough.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. **HB 519-FN-A**, relative to the conservation number plate trust fund.

11:00 a.m. **HB 485**, relative to the membership on the invasive species committee.

1:00 p.m. **HB 353-FN-A**, making an appropriation for the pilot program to study and establish protected instream flows and water management plans on the Lamprey River and the Souhegan River.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. **HB 442**, relative to emission control equipment.

11:00 a.m. **HB 502**, establishing a committee to study options for reducing the impact of exhaust emissions from diesel engines in New Hampshire.

1:00 p.m. **HB 547**, establishing a committee to study public access television.

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. Subcommittee work session on **HB 228**, relative to conduct after an accident.

WAYS AND MEANS, Room 202, LOB

9:00 a.m. Revenue Estimates.

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

THURSDAY, FEBRUARY 6

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

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

EDUCATION, Room 207, LOB

1:00 p.m. Or immediately following the House session, executive session on pending legislation.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

Thirty minutes after the House session, executive session on pending legislation.

FINANCE, Rooms 210-211, LOB

1:00 p.m. Continued public hearing on **HB 210-FN-A**, making an appropriation for the purpose of

hiring a recreational ride and lift inspector.

1:15 p.m. Continued public hearing on **CACR 4**, relating to use of revenues for educational purposes. Providing that all moneys from the education trust fund be used exclusively for state aid to education.

1:30 p.m. **HB 360-FN-A-L**, relative to a New Hampshire Legal Assistance office in Nashua and making an appropriation therefor.

2:00 p.m. **HB 380**, requiring legislative approval of any settlement of certain lawsuits against the state.

2:30 p.m. **HB 386**, establishing a committee to study individual development accounts.

3:00 p.m. **HB 421-FN-A**, relative to the waiting list for services for people with developmental disabilities and making an appropriation therefor.

Executive session on pending legislation may take place, time permitting, throughout the day, from the time the Committee is initially convened.

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

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

JUDICIARY, Room 208, LOB

Immediately following the House session executive session on pending legislation.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

Immediately following the House session executive session on pending legislation.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

Immediately following the House session executive session on pending legislation.

TRANSPORTATION, Room 203, LOB

Immediately following the House session executive session on pending legislation.

WAYS AND MEANS, Room 202, LOB

Immediately following the House session Revenue Estimates and executive session on pending legislation.

FRIDAY, FEBRUARY 7

EMERGENCY MANAGEMENT SYSTEM OVERSIGHT COMMITTEE (RSA 21-P:51), Room 205, LOB

10:00 a.m. Regular meeting.

EXAMINE AND ACCESS THE STATUS OF CIVIC EDUCATION IN NEW HAMPSHIRE (HB 1151, Chapter 188:2, Laws of 2002), Room 207, LOB

10:00 a.m. Regular meeting.

HAVA STATE PLANNING COMMITTEE, Room 308, LOB

2:00 p.m. Special committee organizational meeting.

MONDAY, FEBRUARY 10

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Subcommittee work session on **HB 205**, relative to the use of criminal records and reports.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:30 a.m. **CACR 8**, relating to the attorney general. Providing that the attorney general be elected for the same term as the governor.

10:30 a.m. **HB 322**, relative to the commission on the status of men.

10:35 p.m. **HB 669-FN**, relative to dental care insurance for state employees and retired state employees.

11:15 a.m. **HB 679-FN**, relative to medical savings accounts.

1:00 p.m. **HB 341**, relative to performance budgeting of state programs and agencies.

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

GUARDIAN AD LITEM BOARD (RSA 490-C:1), Room 102, LOB

1:00 p.m. Regular meeting.

JUDICIARY, Room 208, LOB

10:00 a.m. **HB 390**, relative to liability of nonprofit organizations.

11:00 a.m. **HB 428**, relative to limiting liability of vendors and property owners during the operation of a farmers' market.

1:00 p.m. **HB 449**, relative to disclosure of the amount of property taxes paid by a tenant's rent.

2:00 p.m. **HB 484**, providing immunity for law enforcement officers who participate in state mentoring programs.

3:00 p.m. **HB 490**, relative to the application of statutes, and rules or ordinances authorized by statutes.

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

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

10:00 a.m. Regular meeting.

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), Room 206, LOB

10:30 a.m. Regular meeting.

TUESDAY, FEBRUARY 11

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Continued public hearing on **HB 245**, relative to child custody decisions.

11:00 a.m. **HB 626-FN**, relative to notification, custody rights, and right to counsel of parents in child abuse and neglect cases.

1:00 p.m. **HB 587-FN**, relative to reimbursement for services provided in delinquency, children in

need of services, and abuse and neglect proceedings.

2:00 p.m. **HB 541**, relative to the obligation of religious leaders to report child abuse.

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

COMMERCE, Room 302, LOB

10:00 a.m. **HB 404**, relative to common trust funds.

10:30 a.m. **HB 423**, relative to safe deposit boxes.

11:00 a.m. **HB 504**, relative to refinancing home mortgages.

1:15 p.m. **HB 459**, relative to market conduct examinations.

2:00 p.m. **HB 460-FN**, relative to property and casualty insurance.

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 524-FN**, relative to the annulment of certain domestic violence offenses and offenses committed with a firearm.

10:30 a.m. **HB 403**, requiring persons who are acquitted of certain sexual assaults by reason of insanity to register as sexual offenders.

11:00 a.m. **HB 410**, relative to disclosure of information for purposes of background investigations by criminal justice agencies of applicants for police, corrections, and security employment.

1:30 p.m. **HB 487**, relative to protective custody of a person impaired by drugs.

2:00 p.m. **HB 389**, relative to victim impact statements.

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

EDUCATION, Room 207, LOB

10:00 a.m. **HB 378**, prohibiting employees of any government agency from recommending the administration of psychotropic drugs for school children.

11:00 a.m. **HB 492**, establishing a statement of parental rights relative to school disciplinary measures, the content of educational materials and surveys, and the use of psychological testing and psychiatric drugs in schools.

1:00 p.m. **HB 448**, implementing a reasonableness standard for individualized education plans.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. **HB 593-FN-LOCAL**, relative to solid waste facilities in small towns.

11:00 a.m. **HB 599-FN-LOCAL**, relative to hazardous waste liability.

1:00 p.m. **HB 578-FN-A**, establishing a program for self-certification by small quantity hazardous waste generators and making an appropriation therefor.

2:00 p.m. **HB 653-FN-A**, authorizing the production of industrial hemp.

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

10:30 a.m. **HB 320**, relative to permitting additional contributions in the city of Manchester employees contributory retirement system.

11:15 a.m. **HB 321**, relative to ordinary and accidental death benefits in the city of Manchester employees contributory retirement system.

11:45 a.m. **HB 651-FN**, relative to portability of retirement plan funds into the New Hampshire retirement system and the purchase of prior service.

1:00 p.m. **HB 302-FN**, relative to disability retirement benefits for group II members injured in the performance of duty.

1:45 p.m. **HB 356-FN**, relative to including medical benefits costs in the purchase of creditable service in the retirement system.

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

10:00 a.m. **HB 575-FN**, relative to students at state colleges and universities who are registered to vote in New Hampshire.

10:30 a.m. **HB 597-FN**, appropriating funds to the barn preservation fund matching grants program.

11:15 a.m. **HB 642-FN**, relative to police patrolling of the Pleasant Street campus access path in the town of Plymouth.

1:00 p.m. **HB 566-FN-A**, making an appropriation for Welfare-to-Work state matching grants.

1:45 p.m. **HB 598-FN-A**, relative to the agriculture nutrient management program and making an appropriation therefor.

2:15 p.m. **HB 614-FN-L**, requiring the state to pay the total expense of fighting forest and brush fires on any state-owned park or forest land.

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:

3:00 p.m. Rescheduled work session on **HB 327**, establishing a committee to study the use of state vehicles.

4:00 p.m. Rescheduled work session on **HB 337-FN-A-L**, relative to state funding of county correctional facilities.

FINANCE - (DIVISION II), ROOM 212, LOB

Work and executive session on the following bill:

3:00 p.m. **HB 575-FN**, relative to students at state colleges and universities who are registered to vote in New Hampshire.

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

Work and executive session on the following bills:

3:00 p.m. **HB 421-FN-A**, relative to the waiting list for services for people with developmental disabilities and making an appropriation therefor.

HB 269-FN, relative to claims arising from clinical services provided to the department of health and human services.

HB 566-FN-A, making an appropriation for Welfare-to-Work state matching grants.

FISH AND GAME, Room 307, LOB

10:05 a.m. **HB 372**, relative to exceptions for unauthorized use of firearms and firecrackers in cities and towns.

10:30 a.m. **HB 440**, relative to the discharge of firearms on or across highways in pursuit of wild birds or animals.

11:00 a.m. **HB 469**, relative to areas of the state for hunting by crossbow.

11:30 a.m. **HB 510**, relative to public inspection of fish and game information on landowner permissions for hunting.

1:00 p.m. **HB 515**, exempting a landowner's written permission for the setting of traps from the right to know law.

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

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

10:00 a.m. **HB 425**, establishing the prescription drug cost task force.

11:15 a.m. **HB 475**, establishing a committee to study possible oversight of alternative health care practitioners.

1:15 p.m. **HB 461**, establishing a commission to study financial exploitation of the elderly and persons with disabilities.

2:30 p.m. **HB 677-FN**, increasing the number of reserved student slots in medical programs, and establishing a loan forgiveness program for physicians who practice in underserved areas, 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.

JUDICIARY, Room 208, LOB

10:00 a.m. **HB 308**, adopting the uniform mediation act.

1:00 p.m. **HB 338**, requiring the suspension of attorneys who do not abide by a client's decision whether to accept an offer of settlement.

2:00 p.m. **CACR 9**, relating to 7-year terms for state judges. Providing that all state judges appointed on or after January 1, 2005 be commissioned for 7-year terms, which may be renewed.

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 556**, establishing a committee to study highway safety issues on New Hampshire Route 101 from Bedford to Keene.

10:45 a.m. **HB 560**, making technical corrections to the New Hampshire Aeronautics Act.

11:15 a.m. **HB 561**, repealing the Uniform Aircraft Financial Responsibility Act.

1:30 p.m. **HB 607-FN**, relative to the determination of just compensation in eminent domain proceedings.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. **HB 289**, relative to outdoor automatic sprinkler systems.

11:00 a.m. **HB 352**, establishing a committee to study the feasibility of a desalinization plant in the New Hampshire seacoast region.

1:00 p.m. **HB 454**, relative to property rights and large groundwater withdrawals.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. **HB 436**, relative to the acquisition of Connecticut Valley Electric Company and electric utility restructuring.

11:00 a.m. **HB 537**, establishing a 211 commission.

1:00 p.m. **HB 562**, establishing a committee to study air quality monitoring by the department of environmental services.

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:30 a.m. **HB 387-FN**, allowing free admission to the state park system for active duty members of the armed services and certain members of the national guard and reserves.

11:00 a.m. **HCR 15**, relative to relaxing air quality standards by the United States Environmental Protection Agency.

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

TRANSPORTATION, Room 203, LOB

10:00 a.m. **HB 602-FN**, relative to vehicles with plow attachments.

10:30 a.m. **HB 582-FN**, increasing the penalty for abandoning a motor vehicle.

11:30 a.m. **HB 579-FN**, abolishing all requirements for certificates of title for motor vehicles.

1:00 p.m. **HB 574-FN**, relative to retail vehicle dealer registrations.

1:30 p.m. **HB 402**, relative to child passenger restraints.

3:00 p.m. **HB 509**, relative to access to motor vehicle records.

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

WEDNESDAY, FEBRUARY 12

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. **HB 486**, relative to access to child support enforcement records.

10:15 a.m. **HB 532**, relative to notice and filing of divorce petitions.

11:00 a.m. **HB 620-FN**, providing a right to counsel for indigent parents and other protections in cases involving the guardianship of minors.

1:00 p.m. **HB 674-FN**, relative to legal representation for indigent parties under the Child Protection Act.

2:00 p.m. **HB 551**, relative to the effect of parental refusal to administer psychotropic drugs to their children.

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

COMMERCE, Room 302, LOB

10:00 a.m. **HB 382**, relative to state-funded health insurance.

11:00 a.m. **HB 398**, establishing a committee to study the establishment of a healthy adults corporation.

1:15 p.m. **HB 412**, establishing a committee to study insurance coverage for alternative medical treatment.

2:00 p.m. **HB 546**, relative to uniform prescription drug information cards.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 396-FN**, relative to penalties for tampering with or desecrating a burial site.

10:15 a.m. **HB 416**, requiring reciprocal discovery in criminal cases.

10:30 a.m. **HB 495**, relative to unauthorized access to a wireless computer network.

11:00 a.m. **HB 409**, relative to the accountability of public officials.

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

EDUCATION, Room 207, LOB

10:00 a.m. **HB 499**, expanding opportunities for teacher certification.

1:00 p.m. **HB 518-FN-LOCAL**, implementing changes to the amount of school building aid for school districts.

2:00 p.m. **HB 427**, making the position of "treasurer" optional for school districts.

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

ELECTION LAW, Room 308, LOB

- 10:00 a.m. **HB 394**, relative to incompatible offices.
 - 10:30 a.m. **HB 395**, relative to proof of qualifications for voter registration.
 - 11:00 a.m. **HB 577-FN-A-LOCAL**, relative to implementing the Help America Vote Act of 2002.
 - 1:30 p.m. **HB 605-FN**, relative to prohibited election day activity.
 - 2:00 p.m. **HB 583-FN**, requiring training for election officials.
- 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

- 9:00 a.m. **HB 591-FN**, allowing a certain former state employee to apply for accidental disability benefits.
 - 9:30 a.m. **HB 443**, granting prescriptive authority to qualified psychologists.
 - 2:00 p.m. **HB 536**, relative to the name of the department of resources and economic development.
- 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:
- 1:00 p.m. Continued hearing on **HB 210-FN-A**, making an appropriation for the purpose of hiring a recreational ride and lift inspector.
 - 2:00 p.m. **HB 360-FN-A-L**, relative to a New Hampshire Legal Assistance office in Nashua and making an appropriation therefor.
 - 3:00 p.m. **HB 380**, requiring legislative approval of any settlement of certain lawsuits against the state.
 - 4:00 p.m. **HB 598-FN-A**, relative to the agriculture nutrient management program and making an appropriation therefor.
- Executive session on pending legislation may take place, time permitting, throughout the day ,from the time the committee is initially convened.

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

- 9:30 a.m. **HB 533**, relative to health carrier disclosure for medical child support enforcement.
 - 10:45 a.m. **HB 549**, relative to parking for disabled persons.
 - 1:00 p.m. **HCR 13**, declaring the health rights of the citizens of New Hampshire.
- 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

- 1:15 p.m. **HB 324**, relative to the Jaffrey-Peterborough district court and the Henniker-Hillsborough district court.

1:30 p.m. **HB 369**, relative to the Henniker and Hillsborough district courts.

1:45 p.m. **HB 325**, relative to the Henniker-Hillsborough district court and the New London district court.

2:15 p.m. **HB 328**, relative to the allocation of costs in court actions.

3:00 p.m. **HB 348-FN**, relative to the compensation of jurors.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. **HB 565-FN-A**, establishing a commission to implement the Hampton Beach Master Plan.

10:15 a.m. **HB 567-FN-LOCAL**, relative to telecommunications infrastructure in state-owned rights-of-way.

11:00 a.m. **HB 571-FN-LOCAL**, relative to Old Newport Road and the end of Main Street in the town of Marlow.

1:30 p.m. **HB 590-FN**, relative to highway fund budget reporting requirements.

2:30 p.m. **HB 624-FN-A**, relative to appropriations to and revenues from the division of ports and harbors.

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

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

9:30 a.m. **HB 385**, requiring compliance with local ordinances in the establishment of public ATV and trail bike trails on private lands.

11:00 a.m. **HB 420**, relative to state-owned trails and parking lots in the town of Windham.

1:30 p.m. **HB 462**, relative to the operation of ski craft within navigation channels.

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

THURSDAY, FEBRUARY 13

COMMERCE, Room 302, LOB

1:45 p.m. **HB 451**, relative to terminating rights to business names when transferring ownership of historic buildings.

2:30 p.m. Continued public hearing on **HB 259**, relative to the regulation of gift certificates under 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.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

Thirty minutes following the House session, executive session on pending legislation.

friday, february 14

**ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Training Room, NH Department of Revenue Administration,
Community Services Division, 57 Regional Drive, Concord**

9:30 a.m. Regular meeting.

**NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4),
LCHIP 10 Dixon Ave., Concord**

9:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 18

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. **HB 563**, relative to the emancipation of minors.

11:00 a.m. **HB 572-FN**, relative to criminal non-support.

1:00 p.m. **HB 682-FN**, relative to dual sentencing of certain juveniles.

2:00 p.m. **HB 683-FN**, relative to escape or attempted escape from a juvenile facility.

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

COMMERCE, Room 302, LOB

10:00 a.m. **HB 507**, relative to certain statutes that set minimum requirements for employee benefit plan procedures pertaining to the filing of benefit claims, notification of benefit determinations, and appeal of adverse benefit determinations.

11:00 a.m. **HB 431**, eliminating application of the rule against perpetuities to instruments that contain safeguards relative to the continued alienability of property.

1:15 p.m. **HB 506**, establishing a committee to study the retention of membership fees in health clubs.

2:00 p.m. **HB 481**, prohibiting unfair trade practices in the production and sale of milk and dairy products.

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

EDUCATION, Room 207, LOB

10:00 a.m. Continued public hearing on **HB 133-LOCAL**, relative to amending certain articles of agreement in the Fall Mountain regional cooperative school district.

10:30 a.m. **HB 362-LOCAL**, relative to approval of certain capital and operating costs in the Fall Mountain regional school district.

1:00 p.m. **HB 542**, establishing a committee to study replacing the New Hampshire statewide improvement and assessment test with testing which complies with the requirements of the federal No Child Left Behind Act of 2001.

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

10:30 a.m. **HB 525-FN**, relative to use of certain out-of-state creditable service for eligibility for

payment of medical benefits cost.

11:15 a.m. ***HB 594-FN-LOCAL***, relative to the return of employer contributions for retirement system members who terminate employment prior to vesting.

Noon ***HB 543***, relative to alternate members of the board of accountancy and appeals of board decisions.

1:30 p.m. ***HB 585-FN***, allowing teachers of private academies which provide public education to be included in the retirement system.

2:00 p.m. ***HB 511***, requiring New Hampshire Hospital security officers to be full-time certified police officers.

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 373***, establishing a committee to study the intent of legislative language and the canons of statutory construction and their conformity with constitutional authority.

10:30 a.m. ***HB 437***, establishing a committee to study the feasibility of implementing common law grand juries in New Hampshire.

11:00 a.m. ***HB 441***, establishing a committee to study adoption of the Uniform Probate Code.

1:00 p.m. ***HB 444***, relative to summoning witnesses from another state.

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 631-FN-A***, relative to emergency access to Interstate 95 in the towns of Hampton and Hampton Falls and making an appropriation therefor.

11:00 a.m. ***HB 667-FN-A***, relative to exit tolls and increasing the gasoline tax.

1:15 p.m. ***HB 661-FN-LOCAL***, relative to Westport Village Road in the town of Swanzeey.

1:45 p.m. ***HB 697-FN***, relative to the sale of motor fuel.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. ***HB 613-FN-LOCAL***, relative to incineration and air quality.

11:00 a.m. ***HB 609-FN-A***, relative to public interest payphones.

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:30 a.m. ***HCR 10*** recognizing New Hampshire's ratification of the original Thirteenth Amendment to the United States Constitution.

11:30 a.m. ***HCR 11***, relative to state and federal government relations.

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

time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

10:00 a.m. **HB 534**, relative to properties with 2 or more unregistered motor vehicles.

10:45 a.m. **HB 570-FN**, relative to motor vehicle records of persons involved in accidents.

11:30 a.m. **HB 379**, relative to penalties for OHRV violations by underage operators.

1:15 p.m. **HB 388**, permitting the reduction of the speed limit within a business or urban residence district or within the compact part of cities or towns to 15 miles per hour.

2:15 p.m. **HB 406**, establishing a speed limit for powerboats on Lake Winnepesaukee.

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

WEDNESDAY, FEBRUARY 19

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. **HB 496**, establishing a committee to study the inclusion of New Hampshire in the Amber Alert program.

10:00 a.m. **HB 553**, relative to same-sex civil unions contracted outside of the state of New Hampshire.

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

COMMERCE, Room 302, LOB

10:00 a.m. **HB 535**, relative to the definition of billiards/pool hall for purposes of liquor licenses.

10:30 a.m. **HB 414**, requiring liquor liability insurance for state liquor licensees.

1:15 p.m. **HB 557**, banning cancellation of or rate increases in homeowner's insurance based on the number of claims and prohibiting motor vehicle insurers from using credit information for underwriting purposes.

2:15 p.m. **HB 555**, requiring condominiums to comply with the Fair Housing Amendments Act and to provide accessible parking.

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

EDUCATION, Room 207, LOB

10:00 a.m. **HB 528**, establishing a commission to study computer standards used in public schools in New Hampshire.

11:00 a.m. **HB 405**, authorizing school districts to authorize a period of time for silent individual reflection in public schools.

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

9:00 a.m. **HB 513**, relative to background checks of law enforcement agency employees.

9:30 a.m. **HB 554**, relative to the procedure for assignment of juvenile probation and parole officers.

10:15 a.m. **HB 505**, relative to the membership of the liquor commission when conducting hearings.

11:00 a.m. **HB 377**, relative to discipline of state employees or officers making willful false statements.

1:00 p.m. **HB 584-FN-A**, establishing the position of citizens' advocate in the department of environmental services 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.

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

9:00 a.m. Regular business.

9:30 a.m. Audits: State of New Hampshire Department of Safety revenues collected by the Criminal Records and Permits and Licensing Unit financial and compliance audit for the nine months ended March 31, 2002

JUDICIARY, Room 208, LOB

9:30 a.m. **HB 287**, establishing a professional malpractice claims study commission.

10:30 a.m. **HB 296**, relative to settlement agreements in medical malpractice suits.

1:00 p.m. **HB 290**, relative to the burden of proof in medical injury cases.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Subcommittee work session on **HB 609-FN-A**, relative to public interest payphones.

TRANSPORTATION, Rooms 201-203, LOB

9:00 a.m. **HB 611-FN-A**, establishing a choose life number plate trust fund, and a special motor vehicle license plate and associated fees, to support and promote New Hampshire adoptions.

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

FRIDAY, FEBRUARY 21

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

9:00 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

friday, february 28

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Training Room, NH Department of Revenue Administration, Community Services Division, 57 Regional Drive, Concord

9:30 a.m. Regular meeting.

MONDAY, MARCH 3

**PROBLEMS RELATED TO THE DELIVERY OF LOCAL ASSISTANCE (HB 1109, Chapter 184:1, Laws of 2002),
Room 301, LOB**

10:00 a.m. Regular meeting

TUESDAY, MARCH 4

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:30 a.m. **HB 417**, encouraging all state departments to improve efficiencies with the goal of a 25 percent budget reduction, adjusted for inflation, by 2007, and establishing a state government reorganization task force.

11:15 a.m. **HB 526**, requiring the governor to provide the legislature with a biennial strategic economic development plan.

1:15 p.m. **HB 383**, limiting the disclosure of personal information on government Internet sites and amending the information practices act.

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 478**, establishing a committee to study methods of evaluating judges.

10:30 a.m. **HB 422**, relative to the selection of replacement justices for supreme court justices who are disqualified to hear cases.

1:00 p.m. **CACR 10**, relating to gender neutral language in the constitution. Providing that all references to persons in part 2 of the constitution shall be gender neutral.

2:00 p.m. **HB 508**, relative to participation of insured defendants in superior court mediations.

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:30 a.m. Continued public hearing on **HB 65**, relative to educational assistance for national guard members.

11:30 a.m. Continued public hearing on **HCR 6**, urging the creation of a free and independent Palestinian state.

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

WEDNESDAY, MARCH 5

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:30 a.m. **HB 617-FN**, relative to the licensure of dentists and regulation by the board of dental examiners.

10:30 a.m. **HB 392-LOCAL**, requiring a study by the office of state planning of ways to improve the delivery of information and training to planning board and zoning board members.

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

JUDICIARY, Room 208, LOB

9:30 a.m. **HB 523-FN**, reducing the number of superior court justices.

10:30 a.m. **HB 564-FN**, relative to access to information in proceedings of the judicial conduct commission.

1:00 p.m. **HB 606**, establishing a right-to-know study commission.

1:30 p.m. **HB 622-FN**, excluding tax abatement sessions from nonpublic sessions and including costs for non-attorney representatives under the right-to-know law.

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

MONDAY, MARCH 10

JUDICIARY, Room 208, LOB

10:00 a.m. **HB 491**, relative to unlawful discriminatory practices in public accommodations.

11:00 a.m. **HR 8**, urging the governor and executive council to consider appointing a non-lawyer to the supreme court.

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

NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), LCHIP Office, 10 Dixon Avenue, Concord

9:00 a.m. Regular meeting.

MONDAY, MARCH 24

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

9:00 a.m. Regular meeting.

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

9:00 a.m. Regular meeting and hearing.

PROBLEMS RELATED TO THE DELIVERY OF LOCAL ASSISTANCE (HB 1109, Chapter 184:1, Laws of 2002), Room 301, LOB

10:00 a.m. Regular meeting

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Carroll County Delegation will hold a budget hearing on the department’s and regional appropriation’s requests Monday, **February 3**, 2003 at the Administration Building in Ossipee from 9:00 a.m. to 3:00 p.m. Lunch will be provided. Please RSVP whether or not you will be able to attend to the office at 539-7751.

Rep. Betsey L. Patten, Chairman

Carroll County Delegation

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.

Peter R. Goyette, Jr., 6 Linda Street, Hudson, New Hampshire 03051-5208.

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 the Speaker receives 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 report that are received in the Speaker's office and available for viewing.

Reports most recently received include:

State Treasurer's Annual Report for FY ended June 30, 2002

NH Housing Finance Authority Annual Report FY 2002

Biennial Report of the Legislative Budget Assistant for CY's 2001 and 2002

Gene G. Chandler, Speaker

The House Republican Alliance will meet each Wednesday at 8:30 a.m. at the Upham Walker House, Park Street (across from the State House).

Rep. Michael A. Balboni

The New Hampshire Reproductive Rights Coalition invites pro-choice legislators to discuss reproductive health and freedom issues with guest speaker Jodi Michael, Director, Proactive Reproductive Health Policy Institute, Tuesday, **February 4th** from 11:30 a.m. to 1:00 p.m. at St. Paul's Church. RSVP to Ellen at 228-1224 (appreciated but not required).

Reps. Sandra B. Keans and Terie Norelli

All members of the "Under 40 Caucus" are encouraged to attend an important organizational meeting scheduled for Thursday, **February 6th** at noon in the Upham Walker House (across from the State House). A Caucus Council election will be on the agenda. Because lunch will be provided, please RSVP to Rep. Larry Elliott at 464-6798 or Rep. Kimberley Dionne at 588-2743 no later than Tuesday, February 4th.

Rep. Larry G. Elliott

On Thursday, **February 6th**, the New Hampshire Young Republicans will be conducting the third annual Gipper Award presentation. The award, named for former President Ronald Reagan, recognizes a member of the YR organization who has made a truly notable effort in advancing the mission of the New Hampshire Young Republicans. This year the YRs will honor two recipients: Kerry Marsh of Keene, and Chuck McGee of Concord. The ceremony will be held at Noon in the lobby of the Legislative Office Building in Concord and all members are invited to join the YRs in

celebrating a very successful year.

Rep. Ryan N. Hansen

The Carroll County Republican Committee will host their annual Lincoln Day Dinner on Saturday, **February 8** at the Red Jacket Mountain View, North Conway from 6:30 to 9:00 p.m. For tickets, contact Rep. Carolyn Brown, 356-2768 or Rep. Betsey Patten, 253-6927.

Rep. Betsey L. Patten

All legislators are invited to attend a presentation at 12:00 noon on Monday, **February 10** in the LOB lobby for the purpose of a presentation to Mr. Bruce Lorden of Hanover. In the spirit of patriotism, Mr. Lorden takes the time every morning at 8:00 a.m. to lead the students of the Frances C. Richmond Middle School of Hanover in the Pledge of Allegiance. He has undertaken on his own to instill in those students an appreciation for the Flag and dedication to those veterans who have served and continue to serve selflessly in service to the United States Armed Forces in the name of freedom for our citizens.

Rep. Joseph E. Stone

Representatives Elizabeth Hager and Deanna Rush and Senator Sylvia Larsen invite all legislators to learn about the NH Women's Lobby at an afternoon tea on Tuesday, **February 11th** from 4:00 to 6:00 p.m. at the Upham Walker House. This is an opportunity to learn about public policy initiatives that are important to women and families in New Hampshire.

Reps. Deanna P. Rush and Elizabeth S. Hager

Drop in for lunch with sponsors and supporters of the High School Drop-Out Prevention Program on Wednesday, **February 12th** from 11:00 a.m. to 1:30 p.m. at the Upham Walker House. Meet the people, teachers and students who organize, teach and participate in successful programs such as "Jobs for New Hampshire Graduates" that give at-risk students an opportunity to graduate high school and find a successful career.

Rep. William E. Leber

All legislators are invited to join the NH ServiceLink Network for a luncheon on Thursday, **February 13** from 11:30 a.m. to 1:00 p.m. at the Capital Grille. During the lunch you will have the opportunity to meet your local ServiceLink representatives and discuss the role of ServiceLink within New Hampshire's long term care system. Learn how ServiceLink can help you to help your constituents.

Rep. Rogers J. Johnson

The New Hampshire Chapter of the National Association of Insurance and Financial Advisors cordially invites all members of the House of Representatives and State Senate to a reception at the Barley House in Concord on Thursday, **February 13th** from 3:00 p.m. to 6:00 p.m. Please join us.

Rep. Michael D. Whalley

The members and staff of the Retail Merchants Association of New Hampshire invite all legislators and staff to their annual Legislator of the Year award reception on Thursday, **February 13th** at 4:30 p.m. at the Holiday Inn in Concord. RMANH will recognize the legislator who has best fostered the policies of retailing in New Hampshire in the past year. RSVP to 225-9748 or sheila@rmanh.org.

Rep. David W. Hess

Citizens for New Hampshire Land and Community Heritage is a coalition of 140 community, historic, environmental and business groups whose mission is to build support for conservation and preservation of New Hampshire's historic, cultural and natural resources. Citizens is hosting a legislative lunch on Thursday, **February 20** at noon in the NH Historical Society's Tuck Library across from the LOB in support of the Land and Community Heritage Investment Program (LCHIP). Lunch will be catered by the Common Man Restaurant.

Rep. David W. Hess

The 11th Annual Legislative Ski Day will be at The Balsams Wilderness Ski Area on Sunday, **March 9th** and Monday, **March 10th**. The event will feature a reception on Sunday evening and a Legislative Ski Race on Monday morning, followed by an awards luncheon. Free downhill skiing, cross-country skiing, skating, snow-shoeing and other planned activities will be available both days.

There will be a special room rate at the Balsams of \$99 per person, per night on Sunday, March 9th and Monday, March 10th. (The rate for Saturday, March 8th is \$180 per person). The Balsams' American plan hospitality includes private guest room accommodations and gold medal table d'hote breakfast and dinner. **Please make your room reservation directly with The Balsams (1-800-255-0600) and be sure to identify yourself as being with the "Ski NH's Legislative Ski Day" when you call to receive the special rate.** Please contact Kim at Ski NH (1-800-887-5464 ext. 82) to sign-up for Legislative Ski Day activities.

Ski New Hampshire looks forward to hosting legislators again and to raising funds for the NH Automobile Dealers Association Charitable Foundation's KEEP KIDS SAFE Program.

Gene. G. Chandler, Speaker

The Department of Transportation will hold the following meeting:

- Feb 6** – Bedford Meeting Room, 10 Meetinghouse Road, Bedford, 7:00 p.m. Combined public officials/public informational meeting, Bedford, expansion of Bedford Toll Plaza, adding one toll lane with booth and canopy extension for both north and southbound directions.
- Feb 10** – Aldermanic Chambers, City Hall, Manchester, 6:00 p.m. Public hearing, Manchester, Granite Street widening city project.
- Feb 11** – Department of Transportation, 1 Hazen Drive, Room 112, Concord, 10:00 a.m. Commission meeting, Lebanon, NH 4A.
- Feb 20** - Bedford Meeting Room, 10 Meetinghouse Road, Bedford, 7:00 p.m. Combined public officials/public informational meeting, Bedford-Goffstown, pavement overlay and guardrail replacement beginning at NH Route 101 and proceeding north 3.8 miles. Also intersection upgrades and added turn lanes at New Boston Road.

Rep. Edwin O. Smith, Chairman
Public Works and Highways Committee

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in **February** 2003. 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
Feb. 3	9:00	Broken Ground Elementary School-Concord	4/23
Feb. 3	9:30 & 11:00	Pembroke Hill School	4/35
Feb. 3	10:30	Wells Memorial School – Harrisville	4&5/26
Feb. 4	9:00	Broken Ground Elementary School-Concord	4/23
Feb. 4	10:00 & 11:30	Moultonborough Central School	4/60

Feb. 5	9:00	Broken Ground Elementary School-Concord	4/23
Feb. 5	9:30 & 11:00	Henry Wilson School – Farmington	4/62
Feb. 6	9:30 & 11:00	Henry Wilson School – Farmington	4/62
Feb. 7	9:30 & 11:00	Pembroke Hill School	4/35
Feb. 10	9:00	Broken Ground Elementary School- Concord	4/23
Feb. 10	9:30 & 11:00	Pembroke Hill School	4/35
Feb. 10	12:30	Sant Bani School – Sanborton	4/14
Feb. 11	9:30 & 11:00	Crescent Lake School – Wolfeboro	4/50
Feb. 12	9:30 & 11:00	Crescent Lake School – Wolfeboro	4/50
Feb. 13	9:45 & 11:00	Loudon Elementary School	4/65
Feb. 13	9:45 & 11:15	Merrimack Valley High School – Penacook	HS/48
Feb. 14	9:00	Broken Ground Elementary School – Concord	4/23
Feb. 14	9:30 & 11:00	Charlotte Avenue School – Nashua	4/72
Feb. 14	1:00	Faith Christian Academy - Belmont	3 & 4/14
Feb. 18	9:00	Broken Ground Elementary School – Concord	4/23
Feb. 18	9:30 & 11:00	South Londonderry School	4/75
Feb. 19	9:30 & 11:00	South Londonderry School	4/75
Feb. 20	9:45 & 11:00	Newmarket Elementary School	4/79
Feb. 21	9:30 & 11:00	Charlotte Avenue School – Nashua	4/75

THURSDAY, FEBRUARY 6

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2003-0090h

Amendment to HB 79

Proposed by the Committee on Executive Departments and Administration - R

Amend the bill by replacing section 1 with the following:

- 1 New Sections; Fire Suppression System Regulation; Advisory Committee. Amend RSA 153 by inserting after section 5 the following new sections:
- 153:5-a Fire Suppression System Regulation.
- I. The state fire marshal, in consultation with the advisory committee established in RSA 153:5-b, shall adopt rules pursuant to RSA 153:5, as the fire marshal deems suitable for the regulation of persons engaged in the inspection, installation, and servicing of fire suppression, fire extinguishing, and fire alarm systems in this state, but not including water sprinkler systems. Such

rules may include the issuance of various types and classes of certificates, and any reasonable fee for such issuance, for the following:

- (a) An individual or an employee of a firm engaged in the business of servicing portable fire extinguishers or inspecting, installing, and servicing fixed fire extinguishing systems.
- (b) An individual or firm performing hydrostatic testing of fire extinguishers.
- (c) An individual or firm engaged in the installation or servicing of fire alarm systems.

II. The provisions of this section shall not apply to the following:

- (a) The filling or charging of a portable fire extinguisher by the manufacturer prior to its initial sale.
- (b) The servicing by a firm of its own portable fire extinguishers or fixed fire extinguishing systems by its own personnel specially trained for such servicing.
- (c) Firms engaged in the selling at wholesale or retail of portable fire extinguishers, but not engaged in the installation or recharging of them.
- (d) Fire departments recharging portable fire extinguishers as a public service; provided, however, that the member of the fire department is trained in the proper filling and recharging of the fire extinguishers.

153:5-b Advisory Committee on Fire Suppression System Regulation. The state advisory board of fire control established in RSA 153:2 shall establish a committee to advise and assist the board and the state fire marshal on the rulemaking requirements and implementation of the certification of persons provided for in RSA 153:5-a. Notwithstanding RSA 21-G:11-a, the state advisory board of fire control shall appoint the members of the advisory committee, with the state fire marshal or designee serving as a member, as follows:

- I. A sprinkler installer.
- II. Two representatives of the portable fire extinguisher industry.
- III. One person experienced in the design of fixed fire extinguishing systems.
- IV. One representative of the New Hampshire Association of Fire Chiefs, nominated by the association.
- V. One representative of the New Hampshire Fire Prevention Society, nominated by the society.
- VI. Two representatives of the New Hampshire Alarm Installers Association, nominated by the association.

2003-0077h

Amendment to HB 104-FN

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

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

AN ACT implementing procedures for a hospital or safe haven to assume temporary care and control of an abandoned child and creating an exception to the crime of endangering the welfare of a child.

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

1 New Chapter; Temporary Care and Control of Children at a Hospital or Safe Haven. Amend RSA by inserting after chapter 132 the following new chapter:

CHAPTER 132-A

TEMPORARY Care and CONTROL of Children at a Hospital OR SAFE HAVEN

132-A:1 Definition. In this chapter:

- I. "Department" means the department of health and human services.
- II. "Hospital" means a public or private institution which is required to be licensed under RSA 151, and which is engaged in providing to patients, under supervision of physicians, diagnostic and therapeutic services for medical diagnosis, treatment and care of injured, disabled, or sick persons, or rehabilitative services for the rehabilitation of such persons.
- III. "Safe haven" means a church which is attended by a person, or a police or fire station which is attended by a person, or a 911 responder at an agreed transfer location.

132-A:2 Temporary Care and Control of Children at a Hospital or Safe Haven.

- I. A hospital or safe haven, without a court order, shall take temporary care and control of a child who is not more than 7 days old, provided that the child is handed to a person at the hospital or safe haven by the child’s parent or parents, and the parent or parents did not express an intent to return for the child. The child’s parent or parents shall not be required to reveal personally identifiable information.
- II. A hospital or safe haven which takes temporary care and control of a child under this chapter shall ensure the provision of any medical services necessary to protect the physical health or safety of the child.

132-A:3 Notice to Department.

- I. Within 24 hours after a hospital or safe haven assumes temporary care and control of a child under RSA 132-A:2, the hospital or safe haven shall notify the department and law enforcement officials that the hospital or safe haven has assumed temporary care and control of the child.
- II. Upon receipt of notice by the hospital or safe haven, the department shall assume the temporary care and control of the child and shall be responsible for all necessary medical and other costs incurred by the hospital or safe haven related to the temporary care and control of the child. The department shall reimburse the hospital or safe haven for any necessary costs incurred prior to the child’s placement in the temporary care and control of the department.
- III. Within 24 hours of receiving a report under this paragraph, the department shall request law enforcement officials to investigate the incident using all resources available, including the National Crime Information Center database, to determine if the child is a missing child.

132-A:4 Liability. No person or entity subject to the provisions of this chapter shall be liable for any claim at law or in equity as a result of action taken pursuant to the requirements of this chapter.

132-A:5 Rulemaking. The commissioner of the department of health and human Services shall adopt rules, pursuant to RSA 541-A, to implement the provisions of this chapter.

2 Husband and Wife; Support of Wife and Children; Abandonment by Wife. Amend RSA 460:28 to read as follows:

460:28 Abandonment by ~~[Wife]~~ **Parent**.

- I.** If any ~~[wife or mother]~~ **parent** shall separate **himself or** herself from **his or** her ~~[husband]~~ **child or children** without cause~~[-, or from her children,]~~ **he or** she shall be guilty of a misdemeanor. The fine, if any, shall be applied in the discretion of the court to the benefit of the deserted ~~[husband or]~~ **child or** children ~~[or both]~~.
- II. A parent who separates himself or herself from his or her child or children, pursuant to RSA 132-A, shall not be guilty of an offense or subject to a fine under this section.**

3 New Paragraph; Offenses Against the Family; Endangering the Welfare of Child or Incompetent; Exception. Amend RSA 639:3 by inserting after paragraph V the following new paragraph:

VI. No person acting in accordance with the provisions of RSA 132-A shall be guilty of an offense under this section.

4 Effective Date. This act shall take effect 30 days after its passage.

AMENDED ANALYSIS

This bill declares that a hospital or safe haven shall assume temporary care and control of an abandoned child and shall notify the department of health and human services which shall then notify law enforcement officials. This bill also creates an

exception to the crime of endangering the welfare of a child where a parent delivers the child to a hospital or safe haven and the parent does not express an intent to return for the child.

2003-0024h

Amendment to HB 126

Proposed by the Committee on Election Law - C

Amend the bill by replacing section 1 with the following:

1 Election Day Morning Procedures; Statutes Posted. Amend RSA 658:29 to read as follows:

658:29 Statutes Posted. The secretary of state shall prepare and distribute copies of the following RSA sections which the selectmen shall post or cause to be posted outside the guardrail in the polling place: RSA ~~654:7-a, RSA 654:7-b, RSA 654:38, [39] RSA 654:39;~~ RSA 658:29; RSA 659:27, ~~[30, 31, 32, 103]~~ ***RSA 659:30, RSA 659:31, RSA 659:32, RSA 659:103;*** ~~[RSA 665:15;]~~ RSA 666:4, ~~[5, 8, 9, 10, 11, 12]~~ ***RSA 666:5, RSA 666:8, RSA 666:12. In addition, the secretary of state shall include any other statutes or regulations that are required to be posted by state or federal law. The secretary of state may also include statutes or regulations that, in the secretary of state’s judgment, would aid a voter in casting a vote or in contacting the appropriate official if the voter believes that his or her voting rights are being violated.***

AMENDED ANALYSIS

This bill modifies and corrects references to the statutes that must be posted outside the guardrail in the polling place. This bill also authorizes the secretary of state to include additional statues and regulations for posting.

2003-0103h

Amendment to HB 180

Proposed by the Committee on Children and Family Law - C

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Termination of Parental Rights; Decree; Proceedings in Which Termination of the Parent-Child Relationship Is Not in the Best Interest of the Child. Amend RSA 170-C:11 by inserting after paragraph III the following new paragraph:

III-a. If the court finds grounds for the termination of the parent-child relationship but determines that termination of the parent-child relationship is not in the child’s best interest, the court order shall so state. In a subsequent proceeding for termination of the same parent-child relationship commenced within 2 years of the court order, the prior finding that grounds for termination of the parent-child relationship exist shall be conclusive, absent a substantial change in circumstances. At the initial hearing in a subsequent proceeding, the court shall accept offers of proof to substantiate a substantial change in circumstances. If, in the court’s sound discretion, a substantial change in circumstances exists, the prior court order finding grounds for termination of the parent-child relationship shall not be conclusive, and the court shall proceed with a full evidentiary hearing on the matter. If the court does not find a substantial change in circumstances, the court’s inquiry in the second proceeding shall be limited to a determination of whether termination of the parent-child relationship is in the child’s best interest.

AMENDED ANALYSIS

This bill declares that, in cases where the court finds grounds for termination of the parent-child relationship but determines termination is not in the child’s best interest, the court order denying the request shall specifically state this finding.

The bill also declares that, if a second petition to terminate parental rights is brought within the next 2 years and there has been no substantial change in circumstances, the original finding that grounds for termination exist shall be conclusive, and the hearing shall be limited to whether termination of the parent-child relationship is in the child’s best interest.

2003-0088h

Amendment to HB 204

Proposed by the Committee on Children and Family Law - C

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

1 Delinquent Children; Venue. Amend RSA 169-B:5, I to read as follows:

I. Proceedings under this chapter may be originated in any judicial district in which the minor is found or resides, ***or where the offense is alleged to have occurred.***

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

AMENDED ANALYSIS

This bill provides that juvenile proceedings may be initiated in any judicial district where the offense is alleged to have occurred.

This bill was requested by the department of justice.