

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 Wednesday, February 26, 2003 No. 17

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

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

The House will meet in session on Thursday, March 6 at 1:00 p.m. Also, please plan on Wednesday, March 12 and Thursday, March 13 as session days.

There will be no legislative business conducted on March 11, Town Meeting Day.

The legislative reception originally planned for last week, has been rescheduled to **Wednesday, March 5 from 4:30-6:30 p.m. at the Courtyard by Marriott in Concord.** I hope you can all be there. Please call my office at 271-3661 to let us know if you can make it.

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

Gene G. Chandler, Speaker

NOTICE

There will be a Republican Caucus on Thursday, **March 6** at 12:30 p.m. in Representatives Hall.

Rep. David W. Hess, Majority Leader

NOTICE

There will be a Democratic Caucus on Thursday, **March 6** at 12:00 p.m. in Rooms 306-308 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

thursday, MARCH 6

consent calendar

CHILDREN AND FAMILY LAW

HB 121, relative to grounds for modification of a permanent child custody order. **OUGHT TO PASS WITH AMENDMENT**

Rep. Margaret D. Hallyburton for Children and Family Law: This bill updates the existing law on modification of permanent custody in two ways. First, it adds language to address the situation when each parent has the children half the time, but neither is satisfied with the situation. The best interest standard is applied. Second, the bill lowers the threshold for intervention by a parent when a child's health or education is jeopardized. The amendment simply fine-tunes the wording. **Vote 15-1.**

HB 153-FN, relative to grounds for termination of parental rights. **OUGHT TO PASS**

Rep. Margaret D. Hallyburton for Children and Family Law: This bill corrects the anomaly in the Termination of Parental Rights statute whereby a parent's rights may be terminated for the murder of a sibling, but may not be terminated for the murder or attempted murder of the other parent. All testimony was in support of the bill. **Vote 14-0.**

HB 214, relative to discovery deposition of minors in criminal cases. **OUGHT TO PASS WITH AMENDMENT**

Rep. Thomas I. Arnold Jr. for Children and Family Law: This bill as amended merely confirms in statute the expression "at the time of the deposition" which is already the Supreme Court's definition of the present language being, "at the time of the alleged offense." **Vote 12-0.**

HB 323, relative to the task force on family law. **OUGHT TO PASS WITH AMENDMENT**

Rep. Mary Stuart Gile for Children and Family Law: This bill proposed removing the requirement that house members on the Task Force on Family Law represent particular legislative committees and further, to extend the reporting date. The committee amended the bill to continue current membership of one member each from the Children and Family Law and Judiciary committees, and voted to extend the date for submitting the Task Force's final report to November 1, 2004. **Vote 14-0.**

HB 496, establishing a committee to study the inclusion of New Hampshire in the Amber Alert program. **INEXPEDIENT TO LEGISLATE**

Rep. Edward P. Moran Jr. for Children and Family Law: There was general agreement that the Amber Alert concept was a good one, but the sponsor of this bill decided that a resolution would be more productive than another study. Procedurally, the committee was advised that it was appropriate to find this bill inexpedient to legislate with a recommendation that the sponsor return in April with a resolution. The sponsor concurs with this. **Vote 14-1.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 512, relative to disability parking enforcement. **INEXPEDIENT TO LEGISLATE**

Rep. James H. Oliver for Criminal Justice and Public Safety: This bill would allow holders of handicapped plates or placards to issue parking citations to persons parking in spaces reserved for those with disabilities. Although the committee agrees with the severity of these violations, it feels current statutes and local police enforcement is the most efficient way to deal with the problem. **Vote 12-0.**

HB 521-FN, relative to requiring treatment for persons convicted of DWI offenses. **OUGHT TO PASS WITH AMENDMENT**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: This bill provides for the carrot and stick approach to entice persons convicted of DWI to enter treatment early. A person convicted of DWI will have the period of revocation extended. If the person enters the required treatment within 45 days of conviction, upon completion the court may suspend the additional portion of the license loss. Under no conditions shall the license loss be less than the loss required under current law. The bill further requires that upon conviction for first offense DWI a person who has been required to attend an Impaired Driver Intervention Program or any similar program in any jurisdiction shall be required to furnish proof of completion of the Multiple Offender Program. The committee felt that early entry into treatment programs offers the best means to prevent reoccurrence and foster rehabilitation. **Vote 13-0.**

HB 633-FN, establishing the interstate compact for adult offender supervision. **OUGHT TO PASS**

Rep. David A. Welch for Criminal Justice and Public Safety: HB 633 establishes the interstate compact for adult offender supervision, it replaces the original compact that was created in 1937 and is seriously outdated. As of this date, all but a handful of states have adopted the compact and the temporary authority of New Hampshire to operate under the compact will expire in November. Should New Hampshire fail to enact this legislation, there will be no mechanism to require that probationers/parolees that are transferred to New Hampshire be returned to their home state should they violate the terms of probation/parole. Conversely, the sending state could just "dump" their problem probationers/parolees with no recourse for the state of New Hampshire. The committee feels that this is an important and necessary piece of legislation to protect the people of the state of New Hampshire. **Vote 13-0.**

HB 766, relative to the information required for a license to carry a pistol or revolver. **OUGHT TO PASS WITH AMENDMENT**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: The purpose of this bill is to clarify the current law as it applies to information required for a license to carry a pistol or revolver. It comes about because some police chiefs require a photograph and/or fingerprints as part of the application process. There is no provision in the law that allows this and there was testimony that the legislative intent of the original bill was not to make such a requirement. Further, the Committee received a copy of a letter from the Attorney General's office rendering the opinion that the statute does not allow the issuing authority to require the photographing or fingerprinting of an applicant. Recognizing that in a rare circumstance, such as an instance of mistaken identity, might cause difficulty for the applicant, a provision is made for the applicant to request that he or she be photographed or fingerprinted to bring a resolution to the question. **Vote 13-0.**

EDUCATION

HB 499, expanding opportunities for teacher certification. **OUGHT TO PASS WITH AMENDMENT**

Rep. John R.M. Alger for Education: This bill will add certification of New Hampshire teachers through the American Board for Certification of Teacher Excellency (ABCTE), a part of the re-enacted Federal Elementary and Secondary School Act entitled "No Child Left Behind". The committee, the school board and the Superintendents' Association, along with the National Educators Association, supported the bill, as does the New Hampshire Department of Education, as amended. The committee heard an outstanding presentation on the program by Dr. Madigan, the President of ABCTE. It is especially aimed at encouraging people of other professions to obtain a teaching certification and offers "passport" certification across the various states. **Vote 17-0.**

ELECTION LAW

HB 165, relative to the text of constitutional amendment questions. **INEXPEDIENT TO LEGISLATE**

Rep. Richard B. Drisko for Election Law: The intent of this bill was to have a proposed constitutional amendment presented on the ballot in both the current and the proposed form for the voter to view prior to voting. The committee felt that currently a pamphlet issued with the ballot provides this information and not only would the bill cause a duplication but also make the ballot itself unnecessarily cumbersome. **Vote 12-1.**

HB 309-L, relative to placement and removal of political advertising. **INEXPEDIENT TO LEGISLATE**

Rep. Andrew L. Dorsett for Election Law: This bill would enable the code enforcement officer as well as a law enforcement officer to remove improper political advertising. However, the committee felt that the current law possesses problems concerning

constitutionality and that these problems should not be added to. **Vote 11-0.**

HB 391, requiring candidates to acknowledge restrictions on political advertising. **INEXPEDIENT TO LEGISLATE**

Rep. Raymond Buckley for Election Law: The committee strongly supports the intent of the sponsor to reinforce the awareness of the prohibition of placing political signs on public property. We feel, although, that adding such language on the form that candidates use to file for office is inappropriate and would most likely encourage many other equally important suggested additions making the form cumbersome. **Vote 11-1.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 66-FN, relative to executive agency rulemaking authority. **OUGHT TO PASS WITH AMENDMENT**

Rep. John DeJoie for Executive Departments and Administration: This bill attempts to refine executive agency rulemaking authority, pursuant to RSA 541-A. The bill, as amended, prohibits agencies from adopting rules by reference to rules and statutes of another state government. Specific exceptions may be filed as a bill for review before a legislative policy committee. The committee reviewed concerns raised by agencies, most notably Department of Environmental Services and Department of Health and Human Services. The agencies stated that the original bill might require them to repeat scientific data gathering and copy accrediting manuals verbatim into their rules. The amendment to HB 66 was offered to address the concerns raised by the agencies. The fiscal note to this bill was issued to address the intent of the original bill. Since the amendment significantly limits the scope of this bill, it is the opinion of the committee that there is no longer a fiscal impact. **Vote 20-0.**

FINANCE

HB 269-FN, relative to claims arising from clinical services provided to the department of health and human services. **OUGHT TO PASS WITH AMENDMENT**

Rep. Beverly T. Rodeschin for Finance: This bill continues a practice that has been in place for fifteen years. Since 1988, the State has contracted with the Dartmouth Medical School to provide psychiatrists and other clinicians to treat patients at New Hampshire Hospital. Under that contract, the State has agreed to indemnify Dartmouth against claims arising from clinical services. In order to save the State the significant cost of malpractice insurance, the Legislature has chosen to assume liability for these claims under RSA 99-D. The legislative Oversight Committee established by RSA 541- B: 23 retains control over these claims. **Vote 15-0.**

HB 671-FN-A, establishing a contributory defined benefit judicial retirement plan. **OUGHT TO PASS**

Rep. Robert L. Wheeler for Finance: After hearing this bill, the Finance Committee recognized the significant policy changes that were required. It therefore voted the bill Ought to Pass in the expectation that, after passage by the House, the Speaker could refer the bill to the Executive Departments and Administration Committee for policy review. Should the House approve the recommendation of ED&A, and if there are fiscal consequences, the Finance Committee would ask the bill be referred to it for a second time. Suspension of certain House rules may be required to allow this to happen. **Vote 15-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 397, permitting towns and cities to deny a planning board application by a vote of the legislative body. **INEXPEDIENT TO LEGISLATE**

Rep. James E. Twombly for Municipal and County Government: This bill would have provided a procedure for towns and cities to disapprove certain applications to the planning board by a vote of the municipality's legislative body. The sponsors of the bill admitted that the bill was flawed and was introduced to begin discussion on the subject. Testimony given supported the belief that the bill would guarantee litigation and concerns with equal protection claims. Also, a mechanism presently existed in law to deal with the concerns this bill addresses. **Vote 18-0.**

PUBLIC WORKS AND HIGHWAYS

HB 110-A, making a capital appropriation for the reconstruction and repair of the Monadnock Mill State Office Building in Claremont. **INEXPEDIENT TO LEGISLATE**

Rep. William E. Leber for Public Works and Highways: This bill proposes a capital project that is now included in the Governor's budget proposal, and will be considered during the Capital Budget deliberations. Therefore, this bill is not necessary. **Vote 15-1.**

HB 590-FN, relative to highway fund budget reporting requirements. **OUGHT TO PASS WITH AMENDMENT**

Rep. John A. Graham for Public Works and Highways: This bill allocates unrestricted revenue from the highway fund and requires any department that receives such funds submit a biennial report of expenditures to the State Treasurer. The amendment sets parameters for this allocation. The committee felt that establishing such parameters will result in a greater percentage of highway funds going to actual road work, and not being eroded by use of other agencies. The bill retains the Highway Block Grant Aid Program intact. **Vote 15-0.**

HB 833-L, relative to Shaker Road and Bay Hill Road in the town of Northfield. **OUGHT TO PASS**

Rep. John A. Graham for Public Works and Highways: This bill reclassifies two roads in the town of Northfield as Class V highways, thereby returning the roads to the town. Both the Department of Transportation and the town agree to this transfer **Vote 17-0.**

HB 834-LOCAL, relative to River Road and Nimble Hill Road in the town of Newington. **OUGHT TO PASS**

Rep. Candace C.W. Bouchard for Public Works and Highways: This bill reclassifies portions of the River Road and Nimble Hill Road by the town of Newington as Class V highways upon completion of reconstruction to be performed by the Department of Transportation. This bill was a request by DOT at the request of the town of Newington. Both Turnpike Funds and Betterment Funds will be used for the improvements to improve safety on these two roads. Class V highways are town maintained. **Vote 16-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 458, establishing a committee to study the health and environmental effects of using industrial-grade silicofluorides and industrial-grade sodium fluoride for water fluoridation in New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. Pierre W. Bruno for Resources, Recreation and Development: This bill is based upon the premise that fluoride in drinking water poses a danger to public health. None of the testimony heard by the committee – including "scientific" testimony offered in support of the bill – actually supported the concerns of the sponsors. The New Hampshire Department of Environmental Services testified that the US Environmental Protection Agency has on-going studies regarding the issues of fluoridation and drinking water quality; hence, the effect of this bill would be an inconclusive literature survey. The committee has continued confidence in the ability of the NHDES and USEPA to oversee drinking water quality. **Vote 14-0.**

HB 818, relative to clearing land before plan approval. **INEXPEDIENT TO LEGISLATE**

Rep. David H. Russell for Resources, Recreation and Development: Along with the Department of Resources and Economic Development, the Associated General Contractors of New Hampshire, and the Association of New Hampshire Conservation Commissions, the committee felt unanimously that there are adequate current laws to regulate cutting of timber and the clearing of land before approval under RSA 227 and RSA 485. It was also agreed that local subdivision regulations and planning board site plan review ensure the protection of adverse impact of land clearing or terrain alteration. **Vote 14-0.**

WAYS AND MEANS

HB 106-FN-LOCAL, implementing an education property tax homestead exemption. **INEXPEDIENT TO LEGISLATE**

Rep. Daniel M. Hughes for Ways and Means: The committee feels that although this particular bill has a worthy goal, there are eight other bills dealing with similar issues that will be considered by the committee. **Vote 12-0.**

HB 173, making technical corrections relative to the exception from the meals and rooms tax for gratuities. **OUGHT TO PASS WITH AMENDMENT**

Rep. Susan W. Almy for Ways and Means: Last year a correction was made to the rooms and meals tax law to ensure the continued exemption of gratuities included in package deals for motor tours. This bill completes the intent of that legislation by

extending the exemption to gratuities in package deals offered by the hotels themselves, and allows the operator to offer a single price, provided that it is clearly stated that the tax is applied only to the rooms and meals portion of the bill. **Vote 17-0.**

HB 576-FN-A, increasing the rate of the meals and rooms tax. **INEXPEDIENT TO LEGISLATE**

Rep. Peyton B. Hinkle for Ways and Means: Testimony showed this bill would have a negative impact on the restaurant business throughout New Hampshire. Restaurants have already been adversely affected by the increase in the business enterprise tax. These businesses operate on a small margin, and any loss of business due to the tax increase would shrink those margins even further. Some surrounding states already have a lower meals tax, and any further increases in the New Hampshire tax would place them in an even more uncompetitive position. The only testimony in favor of the bill was from the sponsor. There was opposition to the bill from the Lakes Region Association, NH Lodging and Restaurant Association, Enterprise Car Rental and other business organizations. **Vote 18-0.**

HB 666-FN-A, expanding the meals and rooms tax to include a tax on admission charges for entertainment. **INEXPEDIENT TO LEGISLATE**

Rep. Robert J. Giuda for Ways and Means: Expansion of existing taxes on business, especially to include entertainment businesses, is inconsistent with the state's efforts to expand tourism and encourage small business entrepreneurs. At the bill's public hearing, only the sponsor spoke in favor of the bill whereas the Dept. of Resources and Economic Development and a number of industry representatives spoke against the expansion of this tax. **Vote 18-0.**

HB 685-FN-A-LOCAL, exempting transfers of real property with conservation, preservation, or development restrictions from the real estate transfer tax. **INEXPEDIENT TO LEGISLATE**

Rep. Daniel M. Hughes for Ways and Means: The committee felt that this bill had good intentions but that its language was too broad and accordingly its fiscal impact could not be determined. One of the sponsors agreed the bill required more clarification and would work on the issues and resubmit legislation in the next session. **Vote 18-0.**

THURSDAY, MARCH 6

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

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. **INEXPEDIENT TO LEGISLATE**

Rep. Gary C. Greenberg for Children and Family Law: The committee feels that this bill is unnecessary because the issue of custody by either parent can be raised in court. With regards to the second part of the bill, the committee agreed that the Supreme Court in *Fillmore v. Fillmore* was correct with respect to a timeframe for protective orders. **Vote 11-1.**

EDUCATION

HB 518-FN-LOCAL, implementing changes to the amount of school building aid for school districts. **INEXPEDIENT TO LEGISLATE**

Rep. John R.M. Alger for Education: The bill would have changed the method of distribution and amount of school building aid so as to greatly increase the amount of general fund aid required in the next few years. While the towns and cities might welcome payment of additional money, raising about \$75 million more annually during the next three years would place an onerous burden on the state in consideration of the current condition of state revenues and expenses. **Vote 17-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 425, establishing the prescription drug cost task force. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Janeen Dalrymple for the **Majority** of Health, Human Services and Elderly Affairs: Although the committee agrees that

this bill was an important piece of legislation, it was found unnecessary because another piece of legislation (HB 735-FN) will include portions of HB 425, which will address a prescription drug cost task force, and will study issues regarding cost of prescription drugs for New Hampshire citizens. **Vote 11-7.**

Rep. Hilda W. Sokol for the **Minority** of Health, Human Services and Elderly Affairs: We do not believe that this bill should have been voted Inexpedient to Legislate because of the uncertainty that prescription drug costs will be subject to continued study. The fate of several bills purported to address the topic of prescription drugs are in question.

HB 581-FN-LOCAL, requiring a death record for an aborted fetus. **INEXPEDIENT TO LEGISLATE**

Rep. Sandra C. Harris for Health, Human Services and Elderly Affairs: The committee felt that fetal death statistics could be collected without the use of a fetal death certificate. Given the information currently asked on a fetal death certificate, the committee felt it was much too invasive. Testimony expressed a concern for the safety of those in the medical profession. Much work was done last session by this committee on this question of fetal statistics. While all agreed that such statistics would be helpful, the committee felt that there were too many questions regarding privacy and anonymity. **Vote 13-3.**

HB 586-FN-A, relative to the infant deafness program and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: This bill would require all hospitals to acquire the appropriate equipment to fully implement infant hearing testing. The prime sponsor, after finding out the hospitals already have the equipment, withdrew his interest in pursuing this bill. **Vote 16-1.**

HB 824-FN-A, relative to services for persons with mental illness and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Pamela G. Price for the **Majority** of Health, Human Services and Elderly Affairs: As a majority, we appreciate the intent of the bill to add and fund services for persons with mental illness. In the new budget, unlike many line items, funding was not cut, which demonstrates the state's concern on this matter. This bill request was not made on behalf of the Department of Health and Human Services, nor did they present any testimony. This bill request was made on behalf of the Community Mental Health Centers, which presented a five-year program. This bill, if passed, would require an additional \$7,168,966 in the 2004-2005 fiscal year budget, according to the sponsor's presentation. The committee received no certification of these figures from the Health and Human Services Department. Significant discussion was centered on the prioritization of the program and how it could conflict with the allocation of their budget, which was presented to the state for approval. As a matter of fact, it appeared that some of the services in this bill may be duplications of the current Health and Human Services budget at some level. The state already recognizes that this is an illness that needs prioritization. We recognize the need, we will continue to monitor our progress, and we will do all we can to address this illness by early intervention methods. Although the committee felt the program appeared worthy, there was reluctance to add a serious new funding bill with a layer of financial implications without an understanding and confidence of how it would fit into the new Health and Human Services list of priority needs. **Vote 11-5.**

Rep. Barbara C. French for the **Minority** of Health, Human Services and Elderly Affairs: We recognize that support and follow-up treatment services for persons with mental illness and their families will enable such persons to further take responsibility for their own recovery from mental illness and to successfully maintain it. We further recognize that the earlier in the illness that treatment and family support is provided, the better the chances of achieving and maintaining recovery and minimizing the costs to individuals, families, and the state. In view of the financial savings that can be achieved by early intervention, we, the minority, strongly support passage of this bill.

HB 826-FN, establishing a limited moratorium on the use of psychotropic drugs and requiring the attorney general to study the use of such drugs. **INEXPEDIENT TO LEGISLATE**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This is one of four bills this session dealing with the use of psychotropic drugs, including Ritalin. This also required a study by the Attorney General of use of psychotropic drugs by New Hampshire school children. The committee felt that issues related to the diagnosis and treatment of medical conditions is the responsibility of physicians. With the informed consent of the patient and his family. In addition, the committee learned that several professional studies of psychotropic medications are ongoing in New Hampshire. It was not felt that it was appropriate to ask the Office of the Attorney General to conduct a highly technical study of the use of psychotropic medications. The committee continues to believe that research into this subject is appropriate and necessary and is supportive of those studies. **Vote 17-0.**

HCR 13, declaring the health rights of the citizens of New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Eric M. Daniels for the **Majority** of Health, Human Services and Elderly Affairs: This resolution proposes the New Hampshire Legislature establish a declaration of Health Rights applicable for all citizens of New Hampshire and offers that all New Hampshire citizens should enjoy the benefits of a healthy life as a "right". The resolution goes on to include the establishment of additional citizen rights, which include, among others; food, housing, clothing, as well as medical care. The idea that all citizens should expect to be cared for by the Government via entitlement programs is not new yet continues to be offered for consideration through various measures and programs. This resolution seeks to do that by asking the New Hampshire House to declare a person's right to public resources to maintain an adequate standard of living, including a goal of universal health care. What that standard might be is undefined. The Committee felt the resolution would open up additional responsibilities and enormous funding demands on government. Even though the committee recognized that no health care system is perfect, we are proud of our ongoing efforts to make health care available, especially to the children of the state and in many circumstances to the people with disabilities and the elderly. In the New Hampshire Constitution, the Bill of Rights (Article 2) provides that each citizen has the natural right, among others, of "seeking and obtaining happiness" for themselves. This freedom is echoed in our country's Declaration of Independence in which it states we have the unalienable right to life, liberty and the pursuit of happiness. The committee felt the resolution proposed was far reaching and not attainable. As a result, the committee concluded this resolution, although well intended was only symbolic in nature. **Vote 12-6.**

Rep. Barbara C. French for the **Minority** of Health, Human Services and Elderly Affairs: This resolution made a statement of caring for our citizens by declaring health rights of the people of NH. The aim of this resolution is to enable people to obtain their optimum health status so that they may enjoy an equal quality of life with others.

MUNICIPAL AND COUNTY GOVERNMENT

HB 127, establishing a committee to study the effectiveness and fairness of county government. **OUGHT TO PASS WITH AMENDMENT**

Rep. Eric G. Stohl for Municipal and County Government: The concept of this bill has been before this committee in the past. The bill presented this time included two sections that dealt with assessments and equalization issues that are currently being addressed by the Assessing Standards Board and HB 681 relative to the allocation of a municipality's share of county taxes. The amendment simply removes these two sections from the bill. The bill lists the duties of the study committee as being 1) compare current functions originally intended in this state; 2) determine whether some county government tasks can be better accomplished by the state or vice-versa; and 3) analyze county government services for any duplication of services available elsewhere. **Vote 10-6.**

HB 284, relative to the issuance of bonds in school districts and municipalities using the official ballot. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Nancy K. Johnson for the **Majority** of Municipal and County Government: The bill would change the 3/5 vote now required for the issuance of bonds in the official ballot form of governments, also known as Senate Bill 2 (SB 2) back to 2/3. The bipartisan vote reflects the committee's understanding of the substantial differences in the voting methods between the official ballot towns and school districts (SB 2) and towns and school districts governed by a traditional town meeting form of government. In 1999, the General Court voted to lower the percentage required for bond approval for SB 2 towns and a recent study by the New Hampshire Center for Public Policy confirms that SB 2 towns and school districts are not passing bonds more than the traditional town meetings. The bill would allow even a smaller minority to thwart the will of a vast majority, creating minority rule. The majority recognized that a 3/5 vote is still a super majority and finds no valid reason to change the status quo. **Vote 11-7.**

Rep. David L. Buhlman for the **Minority** of Municipal and County Government: When the official ballot form of government, also known as Senate Bill 2 (SB 2 passed in 1995), the margin of approval to issue bonds in school districts and municipalities was 2/3 (66.7%). In 1999, the margin necessary for approval was decreased to 3/5 (60%) via HB 487. The percentage for approving bonds in traditional municipalities was unaffected and remains at 2/3. According to data in the New Hampshire Public Policy's March 2002 publication, SB 2 @ 5: Bonds, Ballots, and the Deliberative Session, the decrease from 2/3 to 3/5 for bond approval in SB 2 communities has resulted in a total average property tax increase in the years 2000 and 2001 of nearly \$230 per capita. This is an additional burden on taxpayers that passing HB 284 would reduce or eliminate. If a project is truly worthwhile, and the project's proponents get the word out, 2/3 of the voters will approve spending their hard-earned money for it.

WAYS AND MEANS

HB 569-FN-A-L, relative to the dollar value of an adequate education. **INEXPEDIENT TO LEGISLATE**

Rep. Tom F. McCormick for Ways and Means: Funding the state’s obligation to provide an adequate education requires a certain dollar amount. Since this bill calls for zero dollars for that purpose, it is clear the bill cannot meet the state’s obligation. The sponsor was the only one to testify in favor of this bill. The New Hampshire School Board Association and the New Hampshire School Administrators’ Association testified against the proposed legislation. **Vote 16-1.**

HB 623-FN-A, repealing RSA 77, relative to taxation of incomes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jeffrey D. Gilbert for the **Majority** of Ways and Means: This bill would repeal the dividends and interest tax which is anticipated to generate revenues over \$70 million in FY 2004 and nearly \$75 million in FY 2005. Since no new source has been identified to replace these monies and the state must maintain its present revenues, the committee could not consider this proposal. **Vote 14-4.**

Rep. Lee M. Hammond for the **Minority** of Ways and Means: The basic bill recognized the fundamental inequity of taxing interest and dividends: it is an income tax. Although a few wealthy may pay this tax, so do many more senior citizens of modest means and parents saving for their children’s college education. The tax is discriminatory. Only one class of taxpayers is targeted: only 63,000 of the more than 600,000 who pay federal income tax.

HB 628-FN-A-L, modifying the funding and distribution of moneys for an adequate education. **INEXPEDIENT TO LEGISLATE**

Rep. Jeffrey D. Gilbert for Ways and Means: There are a number of bills before the committee addressing education funding and the statewide property tax. Since the committee will consider the concepts contained in this bill in its deliberations of the remaining proposals, the committee believes that it is more appropriate to proceed with one of the other bills to address the statewide property tax and education funding. **Vote 16-2.**

LAID ON TABLE

HB 836, certifying that John Coughlin was elected as county attorney for Hillsborough county at the 2002 general election. (Adoption of the majority committee report of ought to pass.)

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 withcomplete 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, MARCH 3

COMMERCE, Room 302, LOB

8:45 a.m. Subcommittee work session on ***HB 739-FN-A***, relative to the medicaid provider reimbursement system; and business and enterprise tax deductions for employers that offer long term care policies; study of the nursing leveraged scholarship program; development of a plan to establish nursing programs at the community technical colleges; the information and referral network for elderly and chronically ill adults and making an appropriation therefor.

9:15 a.m. ***HB 684-FN***, relative to the insurance rating law.

10:00 a.m. ***HB 601***, relative to the long-term care insurance act.

11:00 a.m. ***HB 652-FN***, relative to qualified wellness or disease management programs.

1:15 p.m. ***HB 744***, relative to motor vehicle accidents involving uninsured motorists.

2:00 p.m. ***HB 725***, relative to fraternal benefit societies.

2:30 p.m. ***HB 827***, establishing a committee to study the costs and benefits to the state of a state-level community reinvestment act for credit unions and non-bank mortgage lenders doing business in this state.

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

3:00 p.m. Subcommittee work session on ***HB 796-FN-LOCAL***, relative to the taxation of manufactured housing.

3:15 p.m. Subcommittee work session on ***HB 303***, relative to life, accident, and health technicals.

3:30 p.m. Subcommittee work session on ***HB 460-FN***, relative to property and casualty insurance.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Subcommittee work session on ***HB 749***, relative to the statute of limitations in criminal cases where a defendant is identified by a DNA profile.

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

EDUCATION, Rooms 205-207, LOB

10:00 a.m. ***HB 751-FN-LOCAL***, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants.

11:00 a.m. ***HB 621-FN-A-LOCAL***, establishing an early childhood literacy program.

1:15 p.m. ***HB 619-FN-A***, expanding opportunities for dropout prevention and dropout recovery and making an appropriation therefor.

2:00 p.m. ***HB 754-FN-LOCAL***, establishing an education certificate program to allow parental choice in the selection of schools for children.

3:00 p.m. Rescheduled public hearing on ***HB 641-FN-A-LOCAL***, targeting aid for education to certain school districts.

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

ELECTION LAW, Room 308, LOB

10:00 a.m. Rescheduled public hearing on ***HB 648-FN***, relative to paid political phone calls.

10:30 a.m. Rescheduled public hearing on ***HB 658-FN***, relative to impersonation of candidates.

11:00 a.m. Rescheduled public hearing on ***HB 627-FN***, relative to domicile for voting purposes and penalties for voter fraud.

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

1:00 p.m. Ad hoc subcommittee work session on the use of pesticides and herbicides.

2:00 p.m. Subcommittee work session on ***HB 728-FN-A***, establishing a dedicated fund for organic certification inspections.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:00 a.m. Rescheduled subcommittee work session on ***HB 302-FN***, relative to disability retirement benefits for group II members injured in the performance of duty.

9:15 a.m. Rescheduled subcommittee work session on ***HB 356-FN***, relative to including medical benefits costs in the purchase of creditable service in the retirement system.

9:30 a.m. Rescheduled subcommittee work session on ***HB 281-FN***, relative to regulation of irrigation system electricians by the electrician's board and ***HB 591-FN***, allowing a certain former state employee to apply for accidental disability benefits.

10:00 a.m. Rescheduled public hearing on ***HB 791-FN-A***, relative to the sale of state merchandise and gift items in state liquor stores and staffed rest areas.

10:30 a.m. Rescheduled public hearing on ***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. Rescheduled public hearing on ***HB 594-FN-LOCAL***, relative to the return of employer contributions for retirement system members who terminate employment prior to vesting.

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

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

2:00 p.m. Rescheduled public hearing on ***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.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 206, LOB

9:00 a.m. Rescheduled public hearing on ***HB 788-FN-A***, repealing the certificate of need law.

11:15 a.m. Rescheduled public hearing on ***HB 758-FN***, relative to the criteria for medicaid eligibility.

1:30 p.m. Rescheduled public hearing on ***HB 831***, establishing a New Hampshire end-of-life care study commission.

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

Agency Budget Presentations on the Governor’s Proposed Budget:

HEALTH AND HUMAN SERVICES

9:00 a.m. Health and Human Services

TRANSPORTATION

1:00 p.m. Department of Transportation

FISH AND GAME

1:30 p.m. Fish and Game

ADMINISTRATION OF JUSTICE AND PUBLIC PROTECTION

2:00 p.m. Rescheduled presentation by the Department of Corrections

2:30 p.m. Emergency Management

JUDICIARY, Room 208, LOB

10:00 a.m. Rescheduled public hearing on **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. Rescheduled public hearing on **HB 437**, establishing a committee to study the feasibility of implementing common law grand juries in New Hampshire.

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

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. Rescheduled public hearing on **HB 365**, relative to governmental land uses.

9:30 a.m. Rescheduled public hearing on **HB 489**, relative to innovative land use controls.

10:00 a.m. **HB 778-LOCAL**, relative to the city of Manchester school district.

10:30 a.m. **HB 774-LOCAL**, enabling municipalities to expend funds to plow private roads.

11:15 a.m. **HB 782**, establishing a committee to study voting membership of municipal boards and commissions.

1:15 p.m. **HB 706-FN-LOCAL**, relative to the definition of net indebtedness under the municipal finance act.

2:00 p.m. **HB 740-FN-LOCAL**, relative to the process for adopting a default budget in official ballot towns, and applying the default budget provisions in school districts having adopted the official ballot method.

2:30 p.m. **HB 673-FN-LOCAL**, relative to municipal water system connection fees.

3:00 p.m. Rescheduled public hearing on **HB 713-FN**, relative to the penalty for violating a zoning ordinance.

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 794**, allowing the department of transportation to lease space for the provision of food service at state highway and turnpike rest stops.

10:30 a.m. **HB 812**, relative to state acquisition of privately-owned airports.

11:15 a.m. **HB 835-FN**, relative to federal highway grant anticipation bonds.

1:15 p.m. Rescheduled public hearing on **HB 631-FN-A**, relative to emergency access to Interstate 95 in the towns of Hampton and Hampton Falls and making an appropriation therefor.

1:45 p.m. Rescheduled public hearing on **HB 708-FN-LOCAL**, permitting certain village districts to become eligible for state highway aid apportionment.

2:15 p.m. Rescheduled public hearing on **HB 661-FN-LOCAL**, relative to Westport Village Road in the town of Swanzey.

2:45 p.m. Rescheduled public hearing on **HB 667-FN-A**, relative to exit tolls and increasing the gasoline tax.

3:30 p.m. Rescheduled public hearing on **HB 769**, relative to the lighting of certain advertising devices along highways.

4:00 p.m. Rescheduled public hearing on **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.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. Rescheduled public hearing on **HB 660-FN**, relative to the fee for excavating and dredging permits.

11:00 a.m. Rescheduled public hearing on **HB 810-FN-A**, relative to processing excavating and dredging and terrain alteration permits, changing the fees for permits, establishing 2 new positions, and making an appropriation therefor.

1:30 p.m. Rescheduled public hearing on **HB 738-FN-A-LOCAL**, permitting aid to public water systems to be used for forming or improving regional water systems and making an appropriation therefor.

2:30 p.m. Rescheduled public hearing on **HB 742**, establishing a committee to study the relationship between groundwater withdrawals and the ownership of watershed land.

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 280-FN**, relative to the poison information center.

1:00 p.m. Subcommittee work session on **HB 609-FN-A**, relative to public interest payphones.

2:00 p.m. Continued public hearing on **HB 613-FN-LOCAL**, relative to incineration and air quality.

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

TRANSPORTATION, Room 203, LOB

- 9:00 a.m. Rescheduled subcommittee work session on **HB 228**, relative to conduct after an accident.
- 10:00 a.m. Rescheduled public hearing on **HB 534**, relative to properties with 2 or more unregistered motor vehicles.
- 10:45 a.m. Rescheduled public hearing on **HB 570-FN**, relative to motor vehicle records of persons involved in accidents.
- 11:30 a.m. Rescheduled public hearing on **HB 379**, relative to penalties for OHRV violations by underage operators.
- 1:15 p.m. Rescheduled public hearing on **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. Rescheduled public hearing on **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.

WATER WITHDRAWALS ON INSTREAM FLOWS STUDY (SB 330, Chapter 242:2, Laws of 2000), Room 305, LOB

- 8:30 a.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

- 9:00 a.m. Rescheduled continued public hearing on **HB 717-FN-LOCAL**, relative to targeted aid to education.
- 10:00 a.m. Rescheduled public hearing on **HB 760-FN-A**, establishing the New Hampshire healthy families trust fund, increasing the tobacco tax, and making an appropriation therefor.
- 11:00 a.m. Rescheduled public hearing on **HB 714-FN-A**, excluding cable Internet services from the communications services tax.
- 11:30 a.m. Rescheduled public hearing on **HB 743-FN-A**, establishing a disposal tax on disposable diapers.
- 1:00 p.m. Rescheduled public hearing on **HB 830-FN-A**, creating enterprise zones in which qualifying businesses are eligible for tax credits.
- 2:00 p.m. Rescheduled public hearing on **HB 828-FN-A-LOCAL**, relative to alternative fuel vehicles.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TUESDAY, MARCH 4

CHILDREN AND FAMILY LAW, Room 206, LOB

- 9:00 a.m. Subcommittee work session on **HB 620-FN**, providing a right to counsel for indigent parents and other protections in cases involving the guardianship of minors, **HB 626-FN**, relative to notification, custody rights, and right to counsel of parents in child abuse and neglect cases and **HB 674-FN**, relative to legal representation for indigent parties under the Child Protection Act.
- 10:00 a.m. Rescheduled public hearing on **HB 563**, relative to the emancipation of minors.
- 11:00 a.m. Rescheduled public hearing on **HB 572-FN**, relative to criminal non-support.

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

2:00 p.m. Rescheduled public hearing on **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

9:15 a.m. Subcommittee work session on **HB 544**, relative to the insurance cap on durable medical equipment.

10:00 a.m. **HB 807-FN**, increasing the filing fees for a fund raising counsel and a paid solicitor of a charitable trust.

10:30 a.m. **HB 817**, relative to the regulation of first and second mortgage brokers and mortgage servicers.

11:00 a.m. **HB 798**, relative to gifts by fiduciaries.

1:15 p.m. **HB 759**, relative to personal health and financial information privacy.

2:00 p.m. **HB 832-FN**, relative to the privacy of medical records.

2:30 p.m. **HB 762**, relative to the transmission of unsolicited material via facsimile transmission.

3:00 p.m. Continued public hearing on **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.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:15 a.m. Subcommittee work session on **HB 580-FN-A**, establishing a task force for the promotion of firearm safety and environmental awareness.

10:00 a.m. **HB 718-FN**, relative to endangering the welfare of a minor and amending the statute of limitations for sexual assault of a child.

10:30 a.m. **HB 715-FN**, requiring persons found incompetent to stand trial to be placed in the secure psychiatric unit.

11:00 a.m. **HB 783-FN**, relative to penalties for simple assault, reckless conduct, and unsworn falsification.

1:00 p.m. **HB 731-FN**, relative to penalties for intoxication and under the influence of drug offenses.

2:00 p.m. **HB 825**, establishing a committee to study methods of safely reducing the prison population in the state.

2:30 p.m. **HB 138-FN**, relative to interpreters for the deaf in certain governmental or public proceedings.

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

EDUCATION, Room 207, LOB

8:30 a.m. Subcommittee work session on **CACR 2**, relating to the standard for judicial review of all legislative determinations concerning the content, extent, beneficiaries, and level of funding of public

education. Providing that judicial review of all legislative determinations concerning the content, extent, beneficiaries, and level of funding of public education shall be limited to whether or not they have a rational basis.

10:00 a.m. **HB 568-LOCAL**, relative to legal residency for the purpose of public school education.

11:00 a.m. **HB 548**, relative to the notice period for teachers who are not rehired.

1:00 p.m. **HB 780**, relative to the operation of school administrative units.

2:00 p.m. Rescheduled public hearing on **HB 786-FN-LOCAL**, relative to the participation of the state and its political subdivisions in the federal No Child Left Behind Act of 2001.

3:00 p.m. Rescheduled public hearing on **HB 785-FN**, requiring the commissioner of the department of education to establish a public school choice initiative.

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 829**, relative to ward boundaries in Manchester and Nashua to be used in state elections.

10:30 a.m. **HB 820-FN-LOCAL**, relative to armed services and overseas voting.

11:00 a.m. **HB 745**, relative to voters presenting identification to obtain a ballot.

11:30 a.m. **HB 767-FN**, relative to political advertising not authorized by the candidate.

Noon Continued public hearing on **HB 359**, establishing a procedure for apportioning state senate and representative districts.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Presentation by Finance

10:15 a.m. Executive session on pending legislation.

1:30 p.m. Subcommittee work session on **HB 503**, relative to septic system construction permits.

2:30 p.m. Subcommittee work session on **HB 529**, relative to the New Hampshire seed law.

ETHICS COMMITTEE (RSA 14-B:2), Room 105A, State House

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:00 a.m. Subcommittee work session on **HB 669-FN**, relative to dental care insurance for state employees and retired state employees.

Room 103, State House

9:00 a.m. Subcommittee work session on **HB 443**, granting prescriptive authority to qualified psychologists..

Room 100, State House

9:15 a.m. Subcommittee work session on **HB 679-FN**, relative to medical savings accounts.

9:30 a.m. Subcommittee work session on ***HB 704-FN***, relative to the retirement system classification for the director of field services, department of corrections.

10:00 a.m. ***HB 737-FN-A***, relative to the state conservation committee and making an appropriation therefor.

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.

2:00 p.m. ***HB 670-FN***, establishing a procedure for release by a state agency of statistical information for research purposes.

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

FISH AND GAME, Room 307, LOB

10:10 a.m. Rescheduled public hearing on ***HB 329-FN***, establishing a pilot program for the introduction of Grass Carp into Flints Pond in the town of Hollis.

10:45 a.m. Rescheduled public hearing on ***HB 808***, relative to proof of residency and resident tax payment for receiving resident fish and game licenses.

1:00 p.m. Rescheduled public hearing on ***HB 736***, relative to duties of the fish and game commission and complaints against fish and game commissioners.

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. Executive session on pending legislation.

HISTORICAL COMMITTEE (RSA 17-I), Room 204, LOB

3:30 p.m. Regular meeting.

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

Agency Budget Presentations on the Governor’s Proposed Budget:

ADMINISTRATION OF JUSTICE AND PUBLIC PROTECTION

10:00 a.m. Judicial Council

10:30 a.m. Insurance Department

11:00 a.m. Labor Department

11:30 a.m. Banking Commission

1:00 p.m. Agriculture, Markets and Food

RESOURCE PROTECTION AND DEVELOPMENT

1:30 p.m. Resources and Economic Development

2:15 p.m. Pease Development Authority

3:00 p.m. Department of Environmental Services

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.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:30 a.m. Rescheduled public hearing on **HB 722-FN**, relative to land use changes.

10:00 a.m. **HB 639-FN-LOCAL**, relative to receiving voter approval through warrant articles before a municipality may continue a program initiated under a grant.

10:30 a.m. **HB 625-FN-LOCAL**, relative to the interest rate on delinquent property taxes in property redemptions.

11:00 a.m. **HB 645-FN-A-LOCAL**, establishing a pilot program for partial tax abatements on new construction of private schools.

11:30 a.m. **HB 668-FN-A-LOCAL**, permitting municipalities to adopt a local addition to the real estate transfer tax dedicated to conservation purposes.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

Capital Budget Hearings HB 25-FN-A, making appropriations for capital improvements.

9:00 a.m. Adjutant General.

9:30 a.m. Liquor Commission.

1:15 p.m. Administrative Services.

2:45 p.m. Department of Education.

3:30 p.m. Christa McAuliffe Planetarium.

4:00 p.m. University System of New Hampshire

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:00 a.m. Subcommittee work session on **HB 454**, relative to property rights and large groundwater withdrawals.

10:00 a.m. **HB 401**, relative to approvals under the groundwater protection act.

11:30 a.m. **HB 768**, establishing a committee to study the flow in the Connecticut River and the impact of the flow on water levels in Lake Francis and the Connecticut Lakes.

1:30 p.m. **HB 540**, establishing a committee to study a fee on withdrawals of water for commercial purposes.

2:30 p.m. **HB 797**, establishing a committee to study methods for the legislature to protect New Hampshire groundwater aquifers.

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

3:00 p.m. Subcommittee work session on **HB 516-LOCAL**, relative to the standard of review for requests for excavating and dredging permits.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. **HB 366**, relative to mercury reduction.

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. Air subcommittee work session on **HB 442**, relative to emission control equipment.

2:00 p.m. Telephone subcommittee work session on **HB 675-FN**, relative to enhanced 911 reimbursements to commercial mobile radio service providers.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:00 a.m. Subcommittee work session on **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.

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.

1:00 p.m. **HCR 17**, urging the posthumous promotion of Colonel Edward Ephraim Cross to brigadier general.

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 582-FN**, increasing the penalty for abandoning a motor vehicle, **HB 699-FN**, relative to abandoned vehicles and **HB 822**, relative to abandoned vehicles.

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

WAYS AND MEANS, Room 202, LOB

9:00 a.m. Rescheduled public hearing on **HB 752**, relative to the distribution of business tax revenues to the education trust fund.

9:15 a.m. Rescheduled public hearing on **HB 770-FN-A**, establishing a credit against the business enterprise tax for compensation paid to disabled employees.

10:00 a.m. **HB 634-FN-LOCAL**, establishing a limit on the applicable tax rate for local school district taxes.

10:30 a.m. **HB 813-FN-A**, establishing a deduction from the business profits tax for investments made in New Hampshire companies.

11:00 a.m. **HB 814-FN-A**, establishing a credit against the business profits tax for certain insurance, financial services, and health care business organizations.

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 589-FN-A-LOCAL**, establishing a tax on purchases of bulk paper stock and establishing a bulk newsprint recycling fund, **HB 595-FN-A**, establishing an exemption from the electricity consumption tax, **HB 638-FN**, increasing the oil import license fee, changing the rate of interest assessed on overdue oil import fees, and repealing underground storage facility permit fees, **HB 644-FN-A**, relative to selling advertising space on state paychecks, vendor checks, and websites, **HB 714-FN-A**, excluding cable Internet services from the communications services tax, **HB 743-FN-A**, establishing a disposal tax on disposable diapers and **HB 760-FN-A**, establishing the New Hampshire healthy families trust fund, increasing the tobacco tax, and making an appropriation therefor.

WEDNESDAY, MARCH 5

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. **HB 710-FN-LOCAL**, relative to the confidentiality of library user records.

11:00 a.m. **HB 726-FN**, relative to enforcement of spousal support orders by the department of health and human services.

1:00 p.m. **HB 755**, relative to the burden of proof in child abuse and neglect proceedings.

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

8:45 a.m. Subcommittee work session on **HB 545**, requiring building contractors to disclose the name of any subcontractors involved in the project.

9:15 a.m. **HB 604**, relative to the filing of federal liens under the uniform federal lien registration act.

10:00 a.m. **HB 837-FN**, relative to the release of real estate liens.

11:00 a.m. **HB 347**, limiting access to certain business records.

1:15 p.m. **HB 680-FN**, relative to services contracts.

2:00 p.m. **HB 573-FN**, relative to motor vehicle insurance.

2:30 p.m. **HB 636-FN**, relative to mandatory automobile insurance.

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

3:00 p.m. Subcommittee work session on **HB 316-FN**, relative to insurance coverage for anesthesia for child dental care.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on ***HB 208***, relative to name changes for inmates and parolees.

9:30 a.m. Subcommittee work session on ***HB 524-FN***, relative to the annulment of certain domestic violence offenses and offenses committed with a firearm.

10:00 a.m. Rescheduled public hearing on ***HB 630-FN***, relative to penalties for assault on law enforcement officers, firefighters, emergency medical care providers, and national guard members.

10:30 a.m. Rescheduled public hearing on ***HB 615-FN***, relative to the requirements for registration of sexual offenders.

11:00 a.m. Rescheduled public hearing on ***HB 640-FN***, relative to post-conviction DNA testing.

11:30 a.m. Rescheduled public hearing on ***HB 464-FN***, establishing a criminal penalty for facilitating a drug or underage alcohol house party.

1:00 p.m. Subcommittee work session on ***HB 418***, relative to annulment of arrest records for defendants whose cases result in acquittal, dismissal, or failure to prosecute.

1:30 p.m. Rescheduled public hearing on ***HB 690-FN***, relative to agricultural crop damage.

2:00 p.m. Rescheduled public hearing on ***HB 659-FN***, relative to penalties for failure to obey a subpoena or summons.

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. Executive session on pending legislation.

ELECTION LAW, Room 308, LOB

10:30 a.m. ***HB 779***, relative to appeals from recounts of legislative elections.

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. Subcommittee work session on ***HB 653-FN-A***, authorizing the production of industrial hemp.

1:00 p.m. Subcommittee work session on ***HB 162***, relative to remedies and penalties for injuries to domestic animals caused by dogs.

1:30 p.m. Subcommittee work session on ***HB 367***, relative to cats and dogs.

2:00 p.m. Subcommittee work session on ***HB 520-FN***, relative to maintaining records of greyhounds used in pari-mutuel racing.

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.

11:15 a.m. ***HB 635-FN-A-LOCAL***, creating a legislative committee to review rules and propose legislation for the repeal of RSA 541-A, and instituting a moratorium on the filing of rules by state agencies.

11:45 a.m. ***HB 665-FN-LOCAL***, relative to municipal and county audits.

1:00 p.m. ***HB 686-FN***, relative to health insurance provided through the state.

1:45 p.m. ***HB 657-FN***, relative to creditable service in the retirement system for the time that teachers were required to take pregnancy and maternity leave.

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

2:30 p.m. Continued public hearing on ***HB 380***, requiring legislative approval of any settlement of certain lawsuits against the state.

2:45 p.m. Continued public hearing on ***HB 575-FN***, relative to students at state colleges and universities who are registered to vote in New Hampshire.

3:15 p.m. ***HB 610-FN-LOCAL***, relative to reimbursement of public safety expenditures made by the town of Plymouth on behalf of Plymouth state college.

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

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

9:30 a.m. Executive session on pending legislation, if needed.

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

Agency Budget Presentations on the Governor's Proposed Budget:

GENERAL GOVERNMENT

Executive Office

9:30 a.m. Office of the Governor

9:45 a.m. Energy and Community Services

10:00 a.m. State Planning Office

10:30 a.m. Cultural Resources

11:00 a.m. NH Retirement System

11:30 a.m. Secretary of State

1:00 p.m. Administrative Services

1:30 p.m. Sweepstakes Commission

2:00 p.m. Revenue Administration

JOINT COMMITTEE ON EMPLOYEE RELATIONS (RSA 273-A:9,V), Room 103, State House

3:30 p.m. Regular meeting.

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.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES JOINT WITH SENATE EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Representatives Hall

10:00 a.m. Continued public hearing on **HB 821**, establishing a right to work act which provides for freedom of choice on whether to join a labor union.

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

LEGISLATIVE ADMINISTRATION, Room 307, LOB

1:00 p.m. Subcommittee work session on **HB 230**, establishing a committee to study procedures for the joint legislative committee on administrative rules to introduce legislative changes.

1:30 p.m. Full committee work session.

2:30 p.m. Executive session on pending legislation.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. Continued public hearing on **HB 335**, relative to the regulation of the operation of OHRVs.

9:30 a.m. Continued public hearing on **HB 588-LOCAL**, relative to nonconforming residential uses.

10:00 a.m. **HB 688-FN-LOCAL**, relative to taxation of property within village districts by municipalities.

10:30 a.m. **HB 756-LOCAL**, promoting parental choice in education and providing for an abatement from the education taxes for parents of children not enrolled in the public school system.

11:00 a.m. **HB 411**, allowing municipalities to adopt a property tax exemption for owners who permit snowmobile use.

11:30 a.m. **HB 424**, relative to a net asset qualification and age qualifications for the elderly property tax exemption, and clarifying certain references in property tax exemptions.

1:15 p.m. **HB 455**, relative to residency requirements for disabled persons applying for a tax deferral of property taxes.

2:00 p.m. **HB 466**, relative to the adoption procedure for property tax exemptions and credits.

2:30 p.m. **HB 467**, allowing towns or cities to increase the property tax credit for service-connected total disability, and to adopt an optional date for filing exemptions.

3:00 p.m. **HB 691-FN-LOCAL**, creating a credit against property tax liability for a portion of the cost of home-educated pupils and pupils attending nonpublic schools.

3:30 p.m. Continued public hearing on **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

Capital Budget Hearings *HB 25-FN-A*, making appropriations for capital improvements.

9:00 a.m. Community Technical College System.

10:00 a.m. Fish and Game.

1:00 p.m. Health and Human Services

3:00 p.m. 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.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 676-FN***, relative to lake level investigations.

11:00 a.m. ***HB 795***, establishing a committee to study deaths and injuries caused by OHRV use by minors.

1:00 p.m. ***HB 748***, making changes to the laws governing off highway recreational vehicles.

2:00 p.m. ***HB 339***, establishing a committee to study the use of certain state-owned property along the Baker 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. Cable subcommittee work session on ***HB 547***, establishing a committee to study public access television.

1:00 p.m. ***HB 787-FN-A***, relative to renewable energy promotion.

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:00 a.m. Rescheduled public hearing on ***HR 10***, urging the department of defense to establish a military presence in the state of New Hampshire for purposes of domestic security.

10:30 a.m. Rescheduled public hearing on ***HCR 10*** recognizing New Hampshire’s ratification of the original Thirteenth Amendment to the United States Constitution.

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

1:00 p.m. Rescheduled public hearing on ***HR 9***, urging the federal government to extend the Internet Tax Freedom Act moratorium.

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

WAYS AND MEANS, Room 202, LOB

9:00 a.m. ***HB 701-FN***, relative to fees for low-digit number plates.

9:30 a.m. ***HB 805***, establishing a consensus revenue estimating panel.

10:00 a.m. **HB 789**, relative to a nonbinding referendum to measure voter support for casino gambling in New Hampshire.

10:30 a.m. **HB 705**, establishing a committee to study eliminating the application of the communications services tax to the provision of Internet services.

11:00 a.m. **HB 773**, establishing a committee to study a tuition tax credit program.

1:00 p.m. **HB 809**, establishing a committee to study implementing a consumption tax.

2:00 p.m. **HCR 14**, declaring it to be wrongful for the judiciary, either directly or indirectly, to define an adequate education or the cost of an adequate education.

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

THURSDAY, MARCH 6

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

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

EDUCATION, Room 207, LOB

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

9:00 a.m. Work and executive session on pending legislation.

FINANCE, Rooms 210-211, LOB

11:00 a.m. Executive session on pending legislation, if necessary.

FINANCE - (DIVISION I), Room 209, LOB

Work and executive session on the following bills:

9:00 a.m. **HB 210-FN-A**, making an appropriation for the purpose of hiring a recreational ride and lift inspector.

9:15 a.m. **HB 598-FN-A**, relative to the agriculture nutrient management program and making an appropriation therefor.

9:45 a.m. **HB 360-FN-A-L**, relative to a New Hampshire Legal Assistance office in Nashua and making an appropriation therefor.

10:15 a.m. **HB 642-FN**, relative to police patrolling of the Pleasant Street campus access path in the town of Plymouth.

10:45 a.m. **HB 597-FN-A**, appropriating funds to the barn preservation fund matching grants program.

11:15 a.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.

11:30 a.m. **HB 213**, relative to reporting requirements for dedicated funds.

Immediately following the House session work and executive session on pending legislation.

FINANCE - (DIVISION II), ROOM 212, LOB

Work and executive session on the budget.

9:00 a.m. Fish and Game.

11:00 a.m. NH Sweepstakes Commission

Immediately following the House session work and executive session on pending legislation.

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

Work and executive session on the budget.

11:00 a.m. Veterans Home.

11:30 a.m. Veterans Council.

Immediately following the House session work and executive session on pending legislation.

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

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

JUDICIARY, Room 208, LOB

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

LEGISLATIVE ADMINISTRATION, Room 307, LOB

10:00 a.m. Work and executive session on pending legislation.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

Capital Budget Hearings *HB 25-FN-A*, making appropriations for capital improvements.

9:00 a.m. Secretary of State.

9:30 a.m. Veterans Home.

9:50 a.m. Department of Safety.

10:30 a.m. Resources and Economic Development.

11:00 a.m. Department of Transportation.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

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

WAYS AND MEANS, Room 202, LOB

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

FRIDAY, MARCH 7

COMMERCE, Room 302, LOB

- 9:15 a.m. **HB 815**, relative to the duties of corporate directors and the procedure for shareholder inspection of records under the New Hampshire Business Corporation Act.
- 10:00 a.m. **HB 816**, making technical corrections to the securities laws.
- 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 **HCR 4**, urging adoption and implementation of a national do-not-call list for telemarketers, **HB 141**, prohibiting the use of automatic dialing systems for telephone solicitation, **HB 115**, relative to nonrenewal of homeowner's insurance policies and **HB 174**, relative to homeowner's insurance and the ownership of certain breeds of dogs.
- 2:00 p.m. Subcommittee work session on **HB 404**, relative to common trust funds, **HB 423**, relative to safe deposit boxes and **HB 504**, relative to refinancing home mortgages.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

- 9:00 a.m. Work and executive session on pending legislation.

FINANCE, Rooms 210-211, LOB

- 2:00 p.m. Executive session on pending legislation.

FINANCE - (DIVISION I), Room 209, LOB

- Work and executive session on the following bills:
- 9:00 a.m. **HB 164-FN-A**, increasing the gross premiums tax on insurance provided by certain unlicensed companies.
- 9:30 a.m. **HB 304-A**, relative to state acquisition of certain acreage in the Connecticut Lakes headwaters tract and making an appropriation therefor.
- 10:00 a.m. **HB 647-FN-L**, relative to payment of autopsy expenses.
- 10:30 a.m. **HB 671-FN-A**, establishing a contributory defined benefit judicial retirement plan.
- 11:00 a.m. **HB 380**, requiring legislative approval of any settlement of certain lawsuits against the state.
- 11:30 a.m. **HB 167**, relative to complaints against judges.
- 1:00 p.m. **HB 519-FN-A**, relative to the conservation number plate trust fund.

FINANCE - (DIVISION II), ROOM 212, LOB

- Work and executive session on the following bills:
- 9:30 a.m. **HB 720-FN-L**, extending the kindergarten aid program.
- HB 81-FN-A**, setting the rate for the medicaid enhancement tax for the biennium ending June 30, 2005.
- HB 575-FN**, relative to students at state colleges and universities who are registered to vote in New Hampshire.
- HB 610-FN-L**, relative to reimbursement of public safety expenditures made by the town of Plymouth on behalf of Plymouth state college.

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

Work and executive session on the following bills:

9:30 a.m. **HB 386**, establishing a committee to study individual development accounts.

HB 757, relative to health care fund grant awards.

HB 793-FN-A, relative to reimbursement rates for home health services and making an appropriation therefor.

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

HB 421-FN-A, relative to the waiting list for services for people with developmental disabilities and making an appropriation therefor.

JUDICIARY, Rooms 206-208, LOB

9:30 a.m. **HB 763-FN**, requiring parental notification before abortions may be performed on unemancipated minors.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 806**, enabling municipalities to adopt a property tax exemption for deaf or severely hearing impaired persons.

10:30 a.m. **HB 407**, allowing municipalities the option of appraising property based on assigned values reflecting the current use of property, and requiring the current use board to adopt criteria for such appraisal.

11:00 a.m. **HB 413-LOCAL**, relative to awarding attorneys' fees and costs in abatement and certain appeals proceedings when the taxpayer prevails.

11:30 a.m. **HB 426**, relative to the monitoring and approval of appraisers by the commissioner of revenue administration.

1:30 p.m. **HB 723-FN-LOCAL**, relative to the definition of residences in an industrial or commercial zone.

2:00 p.m. **HB 439**, allowing municipalities the option to tax land values at a different rate than buildings and improvements.

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

WAYS AND MEANS, Room 202, LOB

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

MONDAY, MARCH 10

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

1:00 p.m. Complaint hearing.

COMMERCE, Room 302, LOB

9:15 a.m. Subcommittee work session on **HB 470**, relative to health insurance providers, **HB 471**, relative to cost containment practices and establishing an insurance review and advisory board and

HB 472, relative to health insurance terminology.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

10:00 a.m. **HB 712-FN**, relative to long-term care.

10:45 a.m. **HB 729-FN**, relative to the regulation of tanning facilities.

11:15 a.m. **HB 753**, establishing the fourth Monday in April as General John Stark Day.

1:00 p.m. **HB 823-FN-LOCAL**, relative to eligibility of retired teachers for payment of medical benefits.

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

9:30 a.m. Work session on the budget.

FINANCE - (DIVISION II), ROOM 212, LOB

9:30 a.m. Work session on the budget.

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

9:30 a.m. Work session on the budget.

HOUSE FINANCE JOINT WITH SENATE FINANCE, Representatives Hall

1:30-5:00 p.m. **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004 and June 30, 2005.

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures. (Copies of proposed amendment will be available at the Sergeant-at-Arms counter.)

6:30-8:30 p.m. **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004 and June 30, 2005.

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures. (Copies of proposed amendment will be available at the Sergeant-at-Arms counter.)

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.

1:00 p.m. **HB 716-FN**, repealing the procedures for administration of small estates.

2:00 p.m. **HB 672-FN**, relative to the notice of appointment of an administrator or executor of an estate in probate court proceedings.

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.

PERINATAL ALCOHOL TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19), Room 102, LOB

9:30 a.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

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

WEDNESDAY, MARCH 12

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.

LEGISLATIVE ADMINISTRATION, Room 307, LOB

Thirty minutes after the House session work and executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

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

WAYS AND MEANS, Room 202, LOB

Immediately following the House session executive session on pending legislation.

THURSDAY, MARCH 13

COMMERCE, Room 302, LOB

Immediately following the House session subcommittee work session on **HB 265**, relative to the health care delivery system and **HB 207**, relative to information required in articles of incorporation.

WAYS AND MEANS, Room 202, LOB

Immediately following the House session executive session on pending legislation.

FRIDAY, MARCH 14

BOARD OF CLAIMS (RSA 541-B:3), Room 100, State House

9:00 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

JUDICIARY, Room 208, LOB

9:30 a.m. **HB 811**, relative to the exclusive authority of the state over the regulation of firearms, ammunition, and components thereof, and relative to limiting the liability of manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from misuse.

10:30 a.m. **HB 776**, relative to emergency medical care for pregnant women.

1:00 p.m. **HB 707-FN**, relative to the statute of limitations in sexual assault cases.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

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

WAYS AND MEANS, Room 202, LOB

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

MONDAY, MARCH 17

JUDICIARY, Room 208, LOB

10:00 a.m. **CACR 12**, relating to citizen review retention elections for judges. Providing that a judge shall be subject to a citizen review retention election at the biennial election next occurring after he or she has served for 2 years and subsequently at regular intervals which depend on the court in which the judge serves.

11:00 a.m. **CACR 11**, relating to: legislative acts as expressions of the sovereign will of the people. Providing that every act of the legislature enacted in accordance with the procedures of the constitution shall be conclusively presumed to be constitutional as the expressed will of the people.

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

TUESDAY, MARCH 18

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Subcommittee work session on **HB 268**, relative to motions for contempt of court orders regarding custody, visitation, or nonpayment of child support.

EDUCATION, Room 207, LOB

- 10:00 a.m. **HB 801**, establishing a committee to study the implementation of effective student assistance programs in all schools.
- 11:00 a.m. **HB 804**, establishing a committee to study the certification of New Hampshire public schools in accordance with International Organization of Standards 9001 guidelines.
- 1:00 p.m. Rescheduled continued public hearing on **HB 133-LOCAL**, relative to amending certain articles of agreement in the Fall Mountain regional cooperative school district.
- 2:00 p.m. Rescheduled public hearing on **HB 362-LOCAL**, relative to approval of certain capital and operating costs in the Fall Mountain regional school district.
- 3:00 p.m. Rescheduled public hearing on **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.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:15 a.m. Executive session on **HB 25-FN-A**, making appropriations for capital improvements and pending legislation.

WEDNESDAY, MARCH 19

COMMERCE, Room 302, LOB

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

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

9:00 a.m. Regular business.

9:30 a.m. Audits: Management letter for the State of New Hampshire for the year ended June 30, 2002.

State of New Hampshire single audit of Federal Financial Assistance Programs for the year ended June 30, 2002.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. Executive session on *HB 25-FN-A*, making appropriations for capital improvements and pending legislation.

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

Belknap County Delegation will meet on **March 3** at 7:00 p.m. at the County Complex for meeting with the Commissioners from Gunstock.

The Delegation will also meet on **March 10** at 7:00 p.m. at the County Complex for a final hearing on the budget.

Rep. Gordon E. Bartlett, Chairman

Belknap County Delegation

COUNTY DELEGATION NOTICE

Merrimack County Executive Committee will meet on **March 3** at 9:00 a.m. at the McDonnell Administration Building, 4 Court

Street, Concord to review the 2003 Merrimack County Budget.

Rep. J.D. Colcord, Chairman

Merrimack County Executive Committee

COUNTY DELEGATION NOTICE

The members of the Rockingham County Delegation will meet on Wednesday, **March 19** at 6:00 p.m. in the Hilton Auditorium at the Rockingham County Complex in Brentwood to approve the 2003 County Budget.

Rep. David A. Welch, Clerk

Rockingham County Delegation

REVISED FISCAL NOTES

The following HBs have revised fiscal notes: HBs 69, 91, 177, 258, 447, 483, 603, 607, 608, 609, 610, 612, 613, 614, 617, 619, 621, 622, 623, 626, 627, 630, 633, 637, 638, 644, 646, 659, 661, 664, 669, 670, 672, 673, 674, 676, 678, 679, 680, 681, 682, 683, 684, 685, 688, 693, 695, 696, 698, 699, 707, 709, 710, 712, 716, 719, 722, 735, 738, 739, 743, 758, 772, 784, 788, 810, 814, 823, 824 and 826. SB 14.

Karen O. Wadsworth, Clerk of the House

Pursuant to RSA 326-B:12, the Joint Health Council will meet at the NH Board of Nursing, Room 17, 78 Regional Drive, Building 2, Concord, on Monday, **March 10** at 6:00 p.m.

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:

NH Dept. of Transportation’s Bridge and Program Status Report

Department of Environmental Services’ 2002 Solid Waste Report

Report of the Certificate of Need Task Force dated January 2003

Gene G. Chandler, Speaker

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

Gene G. Chandler, Speaker

The 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 Main Street Republicans will meet every Thursday at 8:30 a.m. at the Upham Walker House, Park Street (across from the State House).

Rep. Paul D. Spiess

On Monday, **March 3**, the National Education Association will celebrate *Read Across America*. This annual celebration is a reminder that daily reading with children is important. You can join this celebration by contacting your local school or community library and volunteer to be a part of their celebration. For more information about the program, call Rick Trombley at 224-7751.

Gene G. Chandler, Speaker

There will be a Pro-Life Caucus meeting on Tuesday, **March 4** at noon in Room 303, LOB. All pro-life representatives are encouraged to attend.

Rep. Phyllis L. Woods

The Progressive Task Force will be holding its bi-monthly meeting on **March 4** from noon to 1:00 p.m. at NHCA in Room 403 of the Patriot Building, 4 Park Street (Corner of Park and Main). BYO Brown Bag Lunch. Let's talk about legislation that's important to us as progressives.

Rep. Dennis P. Vachon

The Personal Privacy Caucus will meet on Tuesday, **March 4** at noon in Room 212, LOB. We will review status of pending bills and discuss future plans. Interested House members are welcome.

Reps. Neal M. Kurk and Marjorie K. Smith

The NH Association of Counties have rescheduled their lunch meeting for County Delegation, Chairs, Vice Chairs and Clerks to discuss the effects of the Governor's proposed budget on County budgets, as well as HB 663 which addresses issues related to the sunset of SB 409 (1998 State-County Medicaid long term care). The meeting will take place Tuesday, **March 4th** at 12:00 p.m. in the Upham Walker House.

Rep. Betsey L. Patten

There will be a meeting of the New Hampshire Order of Women Legislators on **March 6** at lunch time in Room 206, LOB. The OWLs are selling their book on the History of New Hampshire Women Legislators. Hardcover \$25. Copies can be purchased from Janet Pelley at 332-5400 or the Visitors' Center or any OWLs officer.

Rep. Julie M. Brown

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

All legislators are invited to the 1st Annual St. Patrick's Day Capital Breakfast and Roast hosted by The Demers Group on Wednesday, **March 12** at 7:30 a.m. at The Event Center at C.R. Sparks in Bedford. Please wear your green and join Governor Craig Benson, Senate President Thomas Eaton, Senate Minority Leader Sylvia Larsen, House Speaker Gene Chandler, House

Minority Leader Peter Burling and WMUR-TV's Scott Spradling as they roast each other. Please RSVP by calling 228-1498 or e-mail James.Demers@TheDemersGroup.com.

Gene G. Chandler, Speaker

All Legislators are invited to join the New Hampshire Timberland Owners Association and NH Sustainable Forestry Initiative's State Implementation Committee at the Tuck Library on Wednesday, **March 12** during the lunch break for an informal luncheon reception and presentation. Sandwiches and all the fixings will be provided by Durgin Lane Deli.

Gene G. Chandler, Speaker

The New Hampshire School Food Service Association will again host a breakfast for state legislators in celebration of National School Breakfast Week. Please join us in the State House dining room on Thursday, **March 13th** between 8:00 and 10:00 a.m. We will focus on how the local school district programs utilize the government commodities issued to us by USDA. We look forward to seeing you for a nutritious breakfast before you start your busy day's schedule.

Rep. Russell D. Bridle

The American Red Cross cordially invites legislative members and staff to a Second Annual State House Blood Drive. The blood drive will take place on Thursday, **March 13th** from 9:00 a.m. to 3:00 p.m. The American Red Cross self-contained coach will be parked out in front of the State House for this event.

Appointments are strongly encouraged. To schedule an appointment, please call the State House Health Services, 271-2757. Every 2 seconds somebody needs blood. The only source for this most precious medicine is from volunteer blood donors. From each pint of blood donated, 2-3 patients of all ages and medical conditions can be treated. These patients and their families will be extremely grateful that you took the time to give the "Gift of Life". For more information, please contact the American Red Cross at 1-800 GIVE LIFE.

Gene G. Chandler, Speaker

Bobby Stephen's 25th Annual St. Patrick's Day Celebration benefiting Jobs for NH Graduates will be held Monday, **March 17** at the Executive Court Banquet Facility in Manchester beginning at 4:30 p.m. Tickets for dinner and dancing can be purchased at the door for \$30.00.

Gene G. Chandler, Speaker

The American Red Cross in New Hampshire cordially invites all legislators and staff to its annual breakfast on Thursday, **March 27**, 8:00 to 9:30 a.m. in the State House cafeteria.

Rep. Elizabeth S. Hager



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 **March** 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
March 3	9:30	Bartlett Elementary School - Goffstown	4/21
March 3	11:00 & 12:30	Mastway Elementary School – Lee	4/40
March 4	9:30 & 11:00	Smyth Road School – Manchester	4/60
March 5	11:00 & 12:30	Mastway Elementary School – Lee	4/40
March 6	10:00 & 11:30	Elm St. School – Laconia	4/62
March 7	9:30, 11:00 & 12:30	Jaffrey Grade School	4/40
March 7	10:00	St Francis Assisi-Litchfield	3&4/32
March 10	9:30 & 11:00	Peter Woodbury Elementary School – Bedford	4/46
March 11	11:00 & 12:30	Barrington Elementary School	4/44
March 11	9:45	Pollard Elementary School-Plaistow	4&5/50
March 12	11:00 & 12:30	Barrington Elementary School	4/64
March 13	9:30 & 11:00	Northwood Elementary School	4/60
March 13	1:00	Forever Young- Concord Seniors	20
March 14	9:30 & 11:00	Peter Woodbury Elementary School – Bedford	4/46
March 14	12:30	Tuftonboro Central School	4/16
March 17	9:30	Peter Woodbury Elementary School – Bedford	4/23
March 17	11:00	East Kingston Elementary School	4/30
March 18	9:30 & 11:00	Maple Avenue Elementary School - Goffstown	4/50
March 18	12:30	Henniker Elementary School	4/18
March 19	9:30 & 11:00	Maple Avenue Elementary School – Goffstown	4/50
March 19	10:00 & 11:30		

		Moultonborough Central	4/60
March 20	9:30 & 11:00	Maple Avenue Elementary School - Goffstown	4/50
March 20	12:30	Maplewood Elementary School-Somersworth	3&4/40
March 21	9:30, 11:00 & 12:30	Jaffrey Grade School	4/40
March 21	11:00	Sarah Porter School – Langdon	3&4/19
March 24	10:30	Charlestown Primary School	4/40
March 24	12:30 & 1:45	Stratham Memorial School	4/64
March 25	9:30 & 11:00	Seabrook Elementary School	4/50
March 25	1:00	Hearts For Home Homeschool- Concord	4-8/20
March 26	9:30 & 11:00	Seabrook Elementary School	4/40
March 26	12:30 & 1:30	Paul School – Sanbornville	4/66
March 27	9:30 & 11:00	Symonds Elementary School – Keene	4/57
March 28	9:00 & 10:15	Conant Elementary School – Concord	4/60
March 28	12:30 & 1:45	Stratham Memorial School	4/44
March 31	9:30 & 11:00	Hillsboro Deering Elementary School	4/44
March 31	10:00 & 11:15	Bakersville Elementary School – Manchester	4/46
March 31	12:30 & 1:30	Cutler School – West Swanzey	4/60

THURSDAY, MARCH 6

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2003-0263h

Amendment to HB 66-FN

Proposed by the Committee on Executive Departments and Administration - C

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

- 1 New Section; Administrative Procedure Act; Restriction on Rules Incorporating Documents by Reference. Amend RSA 541-A by inserting after section 3-a the following new section:
- 541-A:3-b Restriction on Rules Incorporating Documents by Reference. No agency may propose or adopt a rule under RSA 541-A:3 or RSA 541-A:19 that incorporates by reference any code, rule, or document from another state government without specific legislative approval for such a rule.
- 2 Applicability. RSA 541-A:3-b, as inserted by section 1 of this act, shall apply to rules adopted on or after January 1, 2004.

3 Effective Date. This act shall take effect January 1, 2004.

AMENDED ANALYSIS

This bill prohibits administrative agencies from adopting rules that incorporate by reference any code, rule, or document from another state without specific legislative approval.

2003-0320h

Amendment to HB 121

Proposed by the Committee on Children and Family Law – C

Amend RSA 458:17, V(a)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) ~~[The circumstances affecting the welfare of the child have been so greatly altered that there is a strong possibility that the child will be harmed if the child continues to live under the present arrangement; or]~~ ***The child's present environment is detrimental to the child's physical, mental, or emotional health, or impedes the child's education under applicable law, and the advantage to the child outweighs the harm likely to be caused by a change in environment;***

2003-0244h

Amendment to HB 127

Proposed by the Committee on Municipal and County Government - R

Amend section 3 of the bill by deleting paragraphs IV and V.

2003-0225h

Amendment to HB 173

Proposed by the Committee on Ways and Means - C

Amend the bill by replacing section 1 with the following:

1 Exception from Meals and Rooms Tax; Gratuities. RSA 78-A:6-a, II-VI are repealed and reenacted to read as follows:

II. Gratuity charges added to the charge for a taxable meal or taxable room shall not be taxed under this chapter if:

(a) The gratuity is not used by the operator as a supplement to or in lieu of wages, or as a pool from which bonuses are paid to managerial personnel;

(b) The gratuity is paid to the service personnel providing the service for which the gratuity is charged;

(c) The amount of the gratuity does not exceed 18 percent of the charge for the taxable meal and/or rent imposed on each occupancy. If the amount of the gratuity is not separately stated, the purchaser's or occupant's contract or receipt shall include the following language:

"The 8 percent tax on meals and rooms is included for the costs of meals and lodging only;"

(d) If the gratuity exceeds the percentage specified in subparagraph (c) and the amount is not separately stated, the exception from tax shall be limited to the percentage enumerated and the additional gratuity shall be subject to tax. If the amount of the gratuity is not separately stated, the purchaser's or occupant's contract or receipt shall include the following language:

"The 8 percent tax on meals and rooms is included for the costs of meals and lodging only and the amount of any surplus gratuity above 18 percent;" and

(e) The payroll or other business records of the operator substantiate the distribution of the gratuity to the service employees as a payment that does not supplement wages or is not in lieu of wages.

III. Gratuity charges arranged by written contract between operators and motorcoach service providers or other businesses making group purchases on behalf of purchasers or occupants shall not be taxed under this chapter if the requirements of RSA

78-A:6-a, II are met.

IV. Gratuity charges included in package arrangements offered by hotels to purchasers or occupants, which are not arranged by written contract between operators and motorcoach service providers or other businesses making group purchases on behalf of purchasers or occupants, shall not be taxed under this chapter if the requirements of RSA 78-A:6-a, II are met.

V. The amount of any gratuity charge excepted from tax by RSA 78-A:6-a, II, III, or IV shall be limited to that amount actually received by the service personnel providing the service for which such gratuity is charged.

VI. Any auxiliary charges, not including gratuity charges, such as, but not limited to, service charges, house charges, management fees, or housekeeping charges, added to the charge for a taxable meal or taxable room, shall not be taxed under this chapter if:

- (a) The taxable meal or taxable room rental may be purchased without such auxiliary charges at the option of the purchaser or occupant; and
- (b) The amount of the auxiliary charge is separately stated on the contract or receipt.

VII. The portion of a single aggregate charge allocated to items which are not customarily associated with the purchase of a taxable room or taxable meal, including but not limited to ski lift tickets, boat ride fees, amusement park admission tickets, theater tickets, or other similarly packaged items shall not be taxable if:

- (a) The packaged item or service is not part of the operator's standard room rental or meal and the allocated cost of the package item or service is equal to the amount paid to an outside vendor or the allocated cost of the package item or service is the amount over and above the amount which a consumer would be ordinarily charged for the room rental and/or meal had the consumer purchased the room or meal without the packaged item or service;
- (b) The allocated cost of the package for gratuities meets the requirements of RSA 78-A:6-a, II; and
- (c) The operator's business records provide the documentation necessary for the department to determine the allocation of costs and the proper application of the tax.

2003-0180h

Amendment to HB 214

Proposed by the Committee on Children and Family Law - C

Amend RSA 517:13, V as inserted by section 1 of the bill by replacing it with the following:

- I. Notwithstanding this section, no party in a criminal case shall take the discovery deposition of a victim ~~[who was 16 years of age or under at the time of the alleged offense or of any witness who was 16 years of age or under at the time of the alleged offense]~~ **or witness who has not achieved the age of 17 years at the time of the deposition.**

2003-0266h

Amendment to HB 269-FN

Proposed by the Committee on Finance - C

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

2 Claims Against the State; Claims Arising From the Clinical Services Provided to the Department of Health and Human Services. Amend RSA 541-B:21, III to read as follows:

- III. This section shall apply only to claims arising out of incidents occurring on or after July 1, 1988~~[and prior to July 1, 2004]~~.

2003-0331h

Amendment to HB 323

Proposed by the Committee on Children and Family Law - C

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

AMENDED ANALYSIS

This bill extends the task force on family law established in 2002, 250, to November 1, 2004.

2003-0227h

Amendment to HB 499

Proposed by the Committee on Education - C

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

2 New Paragraph; Master Teacher Certification. Amend RSA 189:14-f by inserting after paragraph III the following new paragraph:

IV. Any person possessing a valid certification from the American Board for Certification of Teacher Excellence as a master teacher shall be deemed to have fulfilled the requirements for the master teacher credential set forth in this section.

AMENDED ANALYSIS

This bill requires the state board of education to adopt rules:

I. Recognizing certification by the American Board for Certification of Teacher Excellence as equivalent to a credential issued by the department of education.

II. Allowing school districts to elect to follow the guidelines of the American Board for certification of Teacher Excellence in the hiring of school district staff and administrative personnel.

III. Recognizes master teacher certification issued by the American Board for Certification of Teacher Excellence as equivalent to the master teacher credential in this state.

2003-0370h

Amendment to HB 521-FN

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

Amend the bill by replacing section 2 with the following:

2 Penalties for Intoxication or Under Influence of Drugs Offenses; Impaired Driver Intervention Program. Amend RSA 265:82-b, I to read as follows:

I. Except as otherwise provided in this section:

(a) Any person who is convicted of any offense under RSA 215-A:11, I or RSA 265:82 shall be:

(1) Guilty of a violation;

(2) Fined not less than \$350;

(3) Required to furnish proof of successful completion of an impaired driver intervention program prior to the restoration of the person's driver's license or privilege to drive, provided that, if the person has previously completed, or been required by a court or motor vehicle bureau to complete, an impaired driver intervention program or any similar program in any jurisdiction, the person shall be required to furnish proof of successful completion of the multiple DWI offender intervention detention center program or an equivalent 7-day residential intervention program approved by the commissioner of health and human services; and

~~[(3)]~~ ***(4) The person's driver's license or privilege to drive shall be revoked for not less than [90 days] 9 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. The court may suspend up to 6***

months of this sentence, provided that the person has entered into the relevant driver intervention program required by subparagraph (3) within 45 days after conviction, or as soon thereafter as any extenuating circumstances approved by the department of health and human services allow.

(b) Any person who is convicted of any aggravated DWI offense under RSA 215-A:11, II, or RSA 265:82-a, except as provided in subparagraph (c), shall be:

(1) Guilty of a misdemeanor;

(2) Fined not less than \$500;

(3) Required to furnish proof of successful completion of an impaired driver intervention program prior to the restoration of the person's driver's license or privilege to drive, provided that, if the person has previously completed, or been required by a court or motor vehicle bureau to complete, an impaired driver intervention program or any similar program in any jurisdiction, the person shall be required to furnish proof of successful completion of the multiple DWI offender intervention detention center program or an equivalent 7-day residential intervention program approved by the commissioner of health and human services; and

~~[(3)]~~ ***(4) The person's driver's license or privilege to drive shall be revoked for not less than ~~[1-year]~~ 18 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. Except for good cause found by the court and noted in writing, the court may suspend up to 6 months of this sentence, provided that the person has entered into the relevant driver intervention program required by subparagraph (3) within 45 days after conviction, or as soon thereafter as any circumstances approved by the department of health of human services allow.***

(c) Any person who is convicted of aggravated DWI under RSA 215-A:11, II(a)(1) or II(b)(1), or RSA 265:82-a, I(b) or II(b), shall be:

(1) Guilty of a class B felony;

(2) Fined not less than \$1,000;

(3) Required to furnish proof of successful completion of an impaired driver intervention program prior to the restoration of the person's driver's license or privilege to drive, provided that, if the person has previously completed, or been required by a court or motor vehicle bureau to complete, an impaired driver intervention program or any similar program in any jurisdiction, the person shall be required to furnish proof of successful completion of the multiple DWI offender intervention detention center program; and

~~[(3)]~~ ***(4) The person's driver's license or privilege to drive shall be revoked for not less than ~~[1-year]~~ 18 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. Except for good cause found by the court and noted in writing, the court may suspend up to 6 months of this sentence, provided that the person has entered into the relevant driver intervention program required by subparagraph (3) within 45 days after conviction, or as soon thereafter as any extenuating circumstances approved by the department of health and human services allow.***

Amend the bill by replacing section 6 with the following:

6 Penalties for Intoxication or Under Influence of Drugs Offenses; Persons With Prior Convictions. Amend RSA 265:82-b, III to read as follows:

III. If any person is convicted of a violation of RSA 215-A:11, RSA 265:82, or RSA 265:82-a, and the conviction is not based upon a complaint which alleges prior convictions as provided in RSA 265:82-b, II, but the person is found to have had one or more such prior convictions in this state or in an out-of-state jurisdiction within 10 years preceding the date of the offense, the person's driver's license or privilege to drive shall be revoked for not less than ~~[180 days]~~ ***one year*** nor more than 3 years. ~~[The license shall not be restored until the person has successfully completed a]~~ ***Except for good cause found by the court and noted in writing, the court may suspend up to 6 months of this sentence, provided that within 45 days after conviction the person has entered the 7-day program at the state-operated multiple DWI offender intervention detention center program or an equivalent 7-day residential intervention program approved by the [director of the office of alcohol and drug abuse prevention], commissioner of health and human services; as provided in RSA 172-B:2-b and RSA 263:65-a[-at the person's own expense]. The person's license shall not be restored until the person has successfully completed the program.*** The court may ***further*** order attendance at a residential treatment center, for a period not to exceed 30 days, at the

person's own expense.

2003-0330h

Amendment to HB 590-FN

Proposed by the Committee on Public Works and Highways - C

Amend 9:9-a as inserted by section 1 of the bill by replacing it with the following:

9:9-a Allocation of Unrestricted Revenue from Highway Fund. In each biennium, all unrestricted revenue from the highway fund, including any surplus but excluding any betterment funds, as estimated by the commissioner of the department of administrative services in RSA 9:6, and subject to the requirements of RSA 9:4-d, shall be allocated in the operating budget as follows:

I. Department of transportation: Not less than 67 percent of unrestricted revenue.

II. Department of safety: Not to exceed 18 percent of unrestricted revenue.

III. Highway block grant aid: 12 percent of unrestricted revenue.

IV. Other projects that comply with the New Hampshire constitution, part 2, article 6-a, relative to the use of highway funds: Not to exceed 3 percent of unrestricted revenue.

2003-0399h

Floor Amendment to HB 623-FN-A

Proposed by Rep. Hammond - R

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

AN ACT relative to a 10-year phase-out of the annual tax on incomes and increasing the rate of the tobacco tax.

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

1 Intent. The general court recognizes the fundamental inequity of taxing interest and dividends. While some wealthy persons pay this tax, so do many more senior citizens of modest means and parents saving for their children's college education. This act reduces the rate of the interest and dividends tax over a 10-year period and repeals the tax in 2012.

2 Taxation of Income; Rate Reductions; Phase-out. RSA 77:1 is repealed and reenacted to read as follows:

77:1 Rate.

I. For the taxable period ending June 30, 2003, the annual tax upon incomes shall be levied at the rate of 5 percent.

II. For the taxable period beginning July 1, 2003 and ending June 30, 2004, the annual tax upon incomes shall be levied at the rate of 4 ½ percent.

III. For the taxable period beginning July 1, 2004 and ending June 30, 2005, the annual tax upon incomes shall be levied at the rate of 4 percent.

IV. For the taxable period beginning July 1, 2005 and ending June 30, 2006, the annual tax upon incomes shall be levied at the rate of 3 ½ percent.

V. For the taxable period beginning July 1, 2006 and ending June 30, 2007, the annual tax upon incomes shall be levied at the rate of 3 percent.

VI. For the taxable period beginning July 1, 2007 and ending June 30, 2008, the annual tax upon incomes shall be levied at the rate of 2 ½ percent.

VII. For the taxable period beginning July 1, 2008 and ending June 30, 2009, the annual tax upon incomes shall be levied at the rate of 2 percent.

- VIII. For the taxable period beginning July 1, 2009 and ending June 30, 2010, the annual tax upon incomes shall be levied at the rate of 1 ½ percent.
- IX. For the taxable period beginning July 1, 2010 and ending June 30, 2011, the annual tax upon incomes shall be levied at the rate of one percent.
- X. For the taxable period beginning July 1, 2011 and ending June 30, 2012, the annual tax upon incomes shall be levied at the rate of ½ percent.

3 Reference Deleted. Amend RSA 21-J:31 to read as follows:

21-J:31 Penalty for Failure to File. Any taxpayer who fails to file a return when due, unless an extension has been granted by the department, shall pay a penalty equal to 5 percent of the amount of the tax due or \$10, whichever is greater, for each month or part of a month during which the return remains unfiled. The total amount of any penalty shall not, however, exceed 25 percent of the amount of the tax due or \$50, whichever is greater. This penalty shall not be applied in any case in which a return is filed within the extended filing period as provided in ~~[RSA 77:18-b]~~ RSA 77-A:9, RSA 77-E:8, RSA 83-C:6, RSA 83-E:5 or RSA 84-A:7, or the failure to file was due to reasonable cause and not willful neglect of the taxpayer. The amount of the penalty is determined by applying the percentages specified to the net amount of any tax due after crediting any timely payments made through estimating or other means.

4 Reference Deleted. Amend RSA 21-J:33-a, I to read as follows:

I. If there is a substantial understatement of tax imposed under ~~[RSA 77]~~ RSA 77-A, RSA 77-E, RSA 78-A, RSA 78-C, RSA 82-A or RSA 83-C, or RSA 83-E, for any taxable period, there shall be added to the tax an amount equal to 25 percent of the amount of any underpayment attributable to such understatement.

5 Repeal. The following are repealed:

- I. RSA 77, relative to taxation of incomes.
- II. RSA 195-H:10, relative to the exemption from the interest and dividends tax for funds invested in college tuition saving plans.
- III. RSA 261:52-a, relative to notice that the interest and dividends tax may be due.
- IV. RSA 369-B:5, VI, relative to taxability of rate reduction bonds under RSA 77.
- V. RSA 391:3, relative to the taxation of common trust funds under RSA 77.

6 Tobacco Tax; Ten Cent Increase. Amend RSA 78:7 to read as follows:

78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of ~~[52]~~ **62** cents for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all tobacco products sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the tobacco products in which such products usually are sold at retail. The word "package" as used in this section shall not include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.

7 Tobacco Tax; Distribution of Funds. Amend RSA 78:32, I to read as follows:

I. The commissioner shall determine the additional amount of revenue produced by any additional tax in excess of 37 cents **and less than 53 cents** for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all tobacco products sold at retail in this state imposed by RSA 78:7 and shall certify such amount to the state treasurer by October 1 of each year for deposit in the education trust fund established by RSA 198:39.

8 Applicability.

- I. Sections 3-5 of this act shall apply for taxable periods ending on or after July 1, 2012.
- II. Section 6 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco products in their possession and file a report of such inventory with the department of revenue administration on a form

prescribed by the commissioner within 20 days after the effective date of this act. The tax rate effective July 1, 2003 shall apply to such inventory and the difference, if any, in the amount paid previously on such inventory and the current effective rate of tax shall be paid with the inventory form. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

9 Effective Date.

I. Sections 1, 2, 6, 7, and paragraph II of section 8 of this act shall take effect July 1, 2003.

II. The remainder of this act shall take effect July 1, 2012.

AMENDED ANALYSIS

This bill phases out the state tax on incomes, under RSA 77, by reducing the rate of the tax by 10 percent each year over a 10-year period and repealing the tax on July 1, 2012.

The bill also increases the rate of the tobacco tax.

2003-0285h

Amendment to HB 766

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

Amend RSA 159:6, II as inserted by section 1 of the bill by replacing it with the following:

II. No photograph or fingerprint shall be required or used as a basis to grant, deny, or renew a license to carry for a resident or nonresident, unless requested by the applicant.

AMENDED ANALYSIS

This bill prohibits the use of photographs or fingerprints as a basis for granting, denying, or renewing a license to carry for a resident or nonresident, unless requested by the applicant.