

State of
New Hampshire
HOUSE RECORD

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

Vol. 25	Concord N.H.	Friday, May 2, 2003	No. 38
Contains: Reports and Amendments for May 8, Hearings, Work Sessions and Notices			

**HOUSE CALENDAR
NOTICE**

MEMBERS OF THE HOUSE:

The House will meet in session on Thursday, May 8, and Thursday, May 15, at 10:00 a.m. The House will be in session on Thursday, June 5, and Tuesday, June 24, to act on Senate Bills and Committee of Conference reports as required in our rules.

Please reserve Thursday, May 29, and Thursday, June 19, as possible session days. I will try to let members know as much in advance as possible if we need to meet any other days.

Chairmen and Vice Chairmen will meet on Tuesday, May 6, at 9:00 a.m. in Room 201, LOB.

Gene G. Chandler, Speaker

NOTICE

There will be a Republican Caucus on Thursday, **May 8** at 9:15 a.m. in Representatives Hall.
Rep. David W. Hess, Majority Leader

NOTICE

There will be a Democratic Caucus on Thursday, **May 8** at 9:00 a.m. in Rooms 306-308 of the Legislative Office Building.
Rep. Peter H. Burling, Democratic Leader

NOTICE
House Continuing Education

TOPIC:	Committees of Conference
DATE:	Wednesday, May 7, 2003

TIME: 12:30 - 1:00 p.m.

PLACE: Rooms 206-208, LOB

Committees of Conference: What are they? How do they work? Learn the ropes from three veteran legislators.

Rep. Teri Dudley
Rep. Sandra Harris
Rep. Paul Spiess
Coordinators

NOTICE

SERGEANT-AT-ARMS BARBECUE

The Sergeant-at-Arms will host the Annual Barbecue on Thursday, **May 15** at the Bridges House immediately following the House session.

Tickets are \$15 and may be purchased at the Sergeant-at-Arms Office, Room 318, State House (271-3315). Bring your appetite and your sense of adventure – we will be featuring BBQ food, games, (horseshoes, volleyball, etc.) and entertainment (karaoke).

Deborah A. Nielsen, Sergeant-at-Arms

THURSDAY, MAY 8

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

SB 33-FN, establishing a putative fathers' registry in the department of health and human services. **INEXPEDIENT TO LEGISLATE**

Rep. Thomas I. Arnold Jr. for Children and Family Law: The committee found that there is a putative fathers' registry in the Child Support Enforcement Office which can be used for the purposes of SB 33. The bill is therefore unnecessary. **Vote 15-0.**

COMMERCE

SB 48, exempting housing for older persons from certain age discrimination laws. **OUGHT TO PASS**

Rep. Leo W. Fraser, Jr. for Commerce: This proposed legislation clarifies what is a conflict between RSA 354-A: 15 and Human Rights Commission Rule (Hum) 303. The conflict even goes deeper. The Human Rights Commission Rules Hum 302 and Hum 303 are equally in conflict. There is no question that by the terms of RSA 354-A: 15 it was the intent of the General Court that qualified retirement communities would be permitted to exclude children under the age of 18. No provisions in this chapter regarding familial status or age apply with respect to housing for older persons. **Vote 15-0.**

SB 165, relative to the voluntary dissolution of non-depository trust companies. **OUGHT TO PASS**

Rep. Paul D. Spiess for Commerce: The bill establishes a regulatory process, to be administered and supervised by the New Hampshire Banking Department, for the liquidation or conversion of a non-depository trust company. The new procedures, which provide an option to the current judicial process, set forth the application and filing requirements, as well as the requirements for a plan of conversion, written reports of the companies intent, and required capital levels. After review by the banking department, the application, reports and plan must be submitted and approved by the Board of Trust Company Incorporation before the dissolution or conversion can take place. The bill also sets forth reporting and compliance requirements with the Secretary of State. **Vote 15-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 36-FN, relative to protective custody of a person impaired by drugs and establishing a committee to study the issue of the applicability of the administrative license suspension laws to driving while under the influence of controlled drugs and ways to address the speed with which such cases are adjudicated in the district court. **OUGHT TO PASS**

Rep. Douglas K. Fish for Criminal Justice and Public Safety: This bill allows peace officers to take persons into protective custody when they are impaired by drugs, for the same purpose as that already provided for the safety of persons impaired by alcohol. It establishes a committee to study the issue of the applicability of the administrative license suspension laws to

driving while under the influence of controlled drugs and ways to address the speed with which such cases are adjudicated in the district court. **Vote 14-0.**

SB 39, relative to the results of a preliminary breath test as evidence in court. **OUGHT TO PASS**

Rep. John E. Tholl, Jr. for Criminal Justice and Public Safety: This bill allows the use of preliminary breath tests as evidence in court. The test was previously only allowed for use as probable cause. Technology has advanced to a point where the accuracy and reliability of the preliminary breath test instrument is as good as the devices currently utilized for evidentiary breath testing. The preliminary breath test will be admitted as relevant evidence and will be considered along with all other evidence to determine a finding. Taking, or failure to take, a preliminary breath test will not bar the taking of subsequent tests or any additional test if requested. Failure to take a preliminary breath test does not result in any action against the person. **Vote 13-0.**

SB 52, relative to a voluntary certification program for police dogs and handlers. **OUGHT TO PASS**

Rep. Alan B. Bemis for Criminal Justice and Public Safety: This bill is very straightforward and simplistic in its approach. It provides a centralized program of voluntary training and certification at the Police Standards and Training Academy of New Hampshire for K-9 dogs and their handlers. **Vote 13-0.**

SB 79-FN-L, relative to penalties for the exhibition of fighting animals. **OUGHT TO PASS**

Rep. Alan B. Bemis for Criminal Justice and Public Safety: RSA 644:8-9, "Exhibition of Fighting Animals", is amended by this bill to add those who breed dogs intended to become participants in fighting exhibitions to the current statute. It also adds the offspring of such dogs. Under current statute, the training of any bird or other animal to be used in fighting exhibitions is punishable as a misdemeanor, and if the animal is a dog, punishable as a class B felony. The amendment eliminates the misdemeanor penalty and makes the breeding and exhibition and training of any bird, dog, or other animal with the intent that it, or its offspring, be engaged in fighting exhibitions a class B felony. The bill also eliminates a misdemeanor penalty for those persons present at an exhibition where birds or other animals are exhibited and raises the penalty to a class B felony as it is currently for the dog-fighting exhibitions. **Vote 13-0.**

SB 140-FN, establishing an optional renewal period for licenses to carry a pistol or revolver. **OUGHT TO PASS WITH AMENDMENT**

Rep. Elbert I. Bicknell for Criminal Justice and Public Safety: The amendment to this bill changes the term for a pistol/revolver license, RSA 159-6, from "not less than 4 years" to "not more than 5 years." The amendment adds section II which simply gives the applicant the alternative to choose the expiration date of his license to carry a pistol or revolver, as long as it is not issued for more than 5 years. This procedure is for the convenience of the applicant and the issuing authority shall so inform the applicant. **Vote 11-0.**

EDUCATION

SB 145-FN-A, relative to the duties of the board of trustees of the department of regional community-technical colleges. **OUGHT TO PASS**

Rep. Clair A. Snyder for Education: This bill gives the board of trustees of the community-technical colleges the ability to accept and disburse non-general funds such as privately donated funds. They will also have the ability to establish foundations for fund-raising activities. **Vote 16-0.**

SB 166, establishing a committee to study methods for the state to create incentives for school districts to provide mentoring for beginning teachers. **OUGHT TO PASS**

Rep. Nancy Scovner for Education: This bill establishes a study committee to seek ways to expand on the quality mentoring programs currently going on in the state. Mentoring assists novice educators and improves the quality of teaching and has a positive influence on teacher retention and student learning. **Vote 16-0.**

FISH AND GAME

SB 57-FN, relative to certain accounts within the fish and game fund. **OUGHT TO PASS**

Rep. Robert J. L'Heureux for Fish and Game: This bill, requested by the Fish and Game Department, would allow for the use of certain Fish and Game fund accounts for fund raising expenses related to those accounts. This bill also repeals the wildlife protection fund, and the raptor conservation account and clarifies the use of nongame species account. This bill was supported by the Fish and Game Department and the New Hampshire Wildlife Federation. **Vote 12-1.**

SB 171, regulating non-agricultural activities which may cause the introduction and spread of infectious wildlife diseases. **OUGHT TO PASS**

Rep. Robert J. L'Heureux for Fish and Game: In response to Chronic Wasting Disease, this bill would allow the Executive Director and the Fish and Game Commission to adopt rules regulating non-agricultural activities which may cause the introduction and spread of infectious disease in the state's wildlife resources. This bill is supported by the New Hampshire Fish and Game Department, New Hampshire Wildlife Federation New Hampshire Farmers Association, and the state veterinarian. **Vote 13-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 34, relative to independent living retirement communities. **OUGHT TO PASS**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: The committee agreed with the Senate action relative to independent living retirement communities. This legislation had the support of the Department of Health and Human Services, the New England Association of Homes and Services for the Aging, and the Hillcrest Retirement Community. Although there are very few independent living retirement communities in New Hampshire, it was felt that some governmental oversight was needed. This bill adds these facilities under RSA 161-J, which establishes standards as to disclosure of information to consumers regarding the provision costs and the type of services provided. It defines independent living retirement communities. A prospective resident is provided with a standard disclosure summary adopted by the Department of Health and Human Services and is allowed a minimum of 24 hours prior to signing. This bill also requires that the owners of these facilities shall file an annual registration statement with the Department of Justice. This bill provides for a level of oversight without requiring micro-management of these facilities. **Vote 14-0.**

SB 190, relative to community living facilities. **OUGHT TO PASS**

Rep. Carolyn Brown for Health, Human Services and Elderly Affairs: Passage of this bill would authorize the Department of Health and Human Services to certify living facilities in the categories of permanent, temporary or emergency basis. These family and individual homes already exist and already are categorized as described above but this bill makes the categories official. These homes provide a service by keeping our developmentally disabled citizens in local and familiar surroundings whenever possible. This bill also protects the individuals in the facilities by keeping the facility owner in compliance to maintain certification. Consequences of non-compliance could be a fine and loss of certification, as is in current law for similar violations. **Vote 15-0.**

JUDICIARY

SB 219, relative to superior court notice to health care regulatory boards of felony convictions of health care providers. **OUGHT TO PASS**

Rep. John M. Pratt for Judiciary: RSA 449:10-a in its present state requires superior court clerks to notify the appropriate health care regulatory board whenever a licensed or registered "health care provider" has been convicted of a felony. This amendment limits these clerks' duty to report to those cases where the clerk "reasonably believes or knows" that the person convicted is a licensed health care provider. The committee felt that this change was reasonable since the definitions of "health care providers" appears in numerous statutes and in various contexts. **Vote 15-0.**

PUBLIC WORKS AND HIGHWAYS

SB 90-FN, increasing the cap for relocation assistance for businesses in eminent domain proceedings. **OUGHT TO PASS**

Rep. Chris S. Malloy for Public Works and Highways: The majority of the committee felt that it has been close to thirty years since the state has made an adjustment to the current \$10,000.00 cap increasing reestablishment costs. Reestablishment fees are paid to businesses when their property is taken during an eminent domain proceeding. The proposed cap increases the current amount to \$100,000 to reflect present day economics. **Vote 12-2.**

SB 91, extending the committee to study eminent domain proceedings and adding certain duties. **OUGHT TO PASS**

Rep. William E. Leber for Public Works and Highways: This study committee established by SB 187, Chapter 68, Laws of 2002, has produced several proposals relative to improving the eminent domain statutes and procedures. However, there are still several issues that need further work. An added duty will be to study the public policy implications of having government entities take property by eminent domain in order to make it available to other private entities. The committee strongly supports further study. **Vote 17-0.**

SB 129, relative to the board of tax and land appeals and eminent domain cases. **OUGHT TO PASS**

Rep. John R. Cloutier for Public Works and Highways: This bill authorizes the Board of Tax and Land Appeals to use its staff appraisers to evaluate an eminent domain case and requires the board to make findings of fact as part of its report. This bill was unanimously recommended by a special joint legislative committee, established in 2002, to study eminent domain proceedings. **Vote 18-0.**

SB 142-FN, relative to advertisements on utility poles and highway signs. **OUGHT TO PASS WITH AMENDMENT**

Rep. Matthew J. Vallone for Public Works and Highways: This bill as amended helps to alleviate the problem of the placement of illegal advertisements. In addition, the bill will help to reduce the safety risk posed by the placement of signs on telephone poles. By clarifying the language in current statutes relevant to the illegal placement of advertisement on public and private property, this bill will clearly grant the owner's of objects defaced by illegal advertisements the right to remove the ads without incurring any cost from the advertisement's owner. This bill provides mechanisms whereby those individuals or organizations that place advertisement illegally will be held responsible for the cost of their removal and destruction. **Vote 16-0.**

SB 161, relative to procedures in eminent domain proceedings. **OUGHT TO PASS WITH AMENDMENT**

Rep. Terri Norelli for Public Works and Highways: This bill was introduced as a result of recommendations made by the committee to study eminent domain procedures. It provides that: 1) a condemnor disclose that it does not represent the rights

of the condemnee; 2) the condemnor provide a copy of its appraisal to the condemnee early in the process, and 3) the condemnee is entitled to reimbursement if the condemnee gets an appraisal. It also clarifies that the abandonment of project statute, RSA 498-A:12, II, applies both to properties taken by condemnation and properties taken by agreement. Because of the potential for significant state cost, the amendment removed a proposed provision that would have allowed a condemnee the option of electing to have the entire property condemned rather than just a portion. **Vote 16-0.**

SB 173, relative to certain historical and recreational facilities. **OUGHT TO PASS**

Rep. William E. Leber for Public Works and Highways: This bill authorizes recreational and cultural interest signs that meet the standards of the federal “Manual on Uniform Traffic Control Devices” for use on primary or secondary highways and roads within the state. Such signs shall be designed to direct the traveling public to recreational facilities for alpine and Nordic ski areas that are recognized by the state in state-sponsored publications. The areas listed on the sign shall pay for all costs associated with signs approved under this bill. The committee finds that ski areas hold a special value to our state and needs such assistance. **Vote 13-0.**

SB 198, relative to a certain highway sign in Concord. **OUGHT TO PASS**

Rep. William E. Leber for Public Works and Highways: This bill permits the placement of a certain sign within 500 feet of Exit 12 on Interstate 93 in Concord. This is an exception to the rule for off-site direction signs to permit a sign that directs the traveler to Exit 15 for the owner’s hotel and conference center. The owner shall be allowed to erect and maintain a sign on the owner’s property easement provided all approvals required by the city of Concord are obtained. This provides for improved traveler information and safety. **Vote 14-0.**

RESOURCES, RECREATION AND DEVELOPMENT

SB 206-FN, relative to the registration of OHRVs used as grooming equipment for cross country ski trails. **OUGHT TO PASS WITH AMENDMENT**

Rep. Pierre W. Bruno for Resources, Recreation and Development: This bill adds OHRVs used to maintain cross country ski trails to the existing definition of “OHRV trails maintenance vehicles” established for OHRV trails maintenance. This bill also clarifies this use when crossing class I, II, and III highways with regard to “trail connectors.” The committee amendment establishes a uniform registration fee for all trails maintenance vehicles. **Vote 15-0.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

SCR 2, urging the United States Congress to act to rectify the science, research funding, and restrictions governing the Northeast multispecies fishing industry and its impact on New Hampshire fishermen. **OUGHT TO PASS WITH AMENDMENT**

Rep. Ken Hawkins for State-Federal Relations and Veterans Affairs: The committee felt that the New Hampshire fishermen have been unfairly penalized for voluntarily reducing their fishing days to help the stocks rebuild. They now are being forced to cut 20% of their 5-year average of days fished. This has resulted in a large number of fishermen being allowed only 10 days or less to fish out of the maximum of 88 days allowed. **Vote 11-0.**

TRANSPORTATION

SB 18-FN, relative to vehicle stops at railroad grade crossings. **INEXPEDIENT TO LEGISLATE**

Rep. Brenda L. Ferland for Transportation: This bill would have required drivers of an empty school bus to stop at all railroad crossings. The committee found this legislation unnecessary, as there has been no noted accidents between a train and an empty bus. Current law requires school buses carrying passengers to stop at these crossings. **Vote 11-2.**

SB 41-FN, relative to the installation of airbags. **OUGHT TO PASS WITH AMENDMENT**

Rep. Brenda L. Ferland for Transportation: This bill would establish a criminal penalty, class A misdemeanor, for any person who knowingly sells, purchases, installs or reinstalls any object which is not a properly operating airbag designed in accordance with federal safety regulations for the make, model and year of a vehicle. Nothing in this law prohibits the installation or reinstallation of a recycled airbag as long as it meets the previously stated criteria. **Vote 15-0.**

SB 44, relative to penalties for vehicle dealers. **OUGHT TO PASS WITH AMENDMENT**

Rep. Sherman A. Packard for Transportation: This bill increases the authority of the Department of Safety to suspend an automotive dealer’s license along with the dealer’s plates for misuse or illegal conduct. It also makes it a misdemeanor to make false statements on an application form when applying for a dealer license. It allows veterans with Purple Heart or Prisoner of War plates to obtain more than one set of said plates, the same as our Veterans plate law reads. It also exempts dealers from having to install an inspection sticker on a new or used vehicle, but requires that all vehicles completely comply with all safety requirements. It also requires dealers to inspect the vehicle upon delivery, with a twenty day plate, to a customer. **Vote 15-0.**

SB 56-FN, relative to parking for persons with disabilities. **OUGHT TO PASS**

Rep. Deanne S. Rollo for Transportation: This bill amends the current disability parking space law to include the striped area next to handicap parking spaces. People who need to use a wheelchair ramp cannot open the doors of vans without using the striped area, which measures about 96 inches, for clearance. The bill also increases and sets up a fine for violators. People in

wheelchairs testified it has become a problem for them in many parking lots. The only opposition was to the fines, but others testifying felt that the fines would be effective in educating the public. **Vote 14-1.**

WAYS AND MEANS

SB 66-FN-A-L, limiting the exemption from the meals and rooms tax for sales of alcoholic beverages by voluntary nonprofit organizations operating under one-day licenses from the liquor commission. **OUGHT TO PASS**

Rep. Jeffrey D. Gilbert for Ways and Means: This bill would exempt non-profit organizations from paying the meals and rooms tax on their beer sales under temporary 1 to 3 day licenses for special events, such as the Hampton Beach Seafood Festival. Promoters of the festival were required for the first time to pay this tax (\$3,700) last year. This festival and similar events generate significant economic benefit for the communities they effect and substantial state tax revenues from commercial activities surrounding the events. Consequently, the committee believes the approval of this exemption will benefit both our charities that sponsor these events and the state. **Vote 12-1.**

SB 138-FN, clarifying the exemption from the interest and dividends tax for distributions from qualified tuition savings programs. **OUGHT TO PASS**

Rep. Lee M. Hammond for Ways and Means: This bill would exempt income and dividends from any IRS qualified tuition savings program from the New Hampshire Interest & Dividends Tax. Currently, interest and dividend income received by New Hampshire residents from a non-New Hampshire college tuition savings plan is taxable. The State Treasurer and the College Savings Advisory Commission strongly endorse this proposal. The fiscal note indicates the decrease in state unrestricted general fund revenues should not exceed \$25,000 per year. **Vote 17-0.**

SB 147, establishing a committee to study alternative strategies to relieve the property tax burden on private educational institutions and to encourage scholarships to New Hampshire students. **INEXPEDIENT TO LEGISLATE**

Rep. Kurt J. Roessner for Ways and Means: This bill is similar in nature to HB 645-FN-A-L which has been retained by the Municipal and County Government Committee. The subject matter of this bill will be considered in connection with deliberations on HB 645. The sponsor agrees with this approach and with the committee's ITL recommendation. **Vote 13-0.**

SB 172-FN, increasing certain fees charged by the secretary of state. **INEXPEDIENT TO LEGISLATE**

Rep. John M. Gibson for Ways and Means: This bill raises fees the Secretary of State charges for apostilles (an "apostille" is a form of authentication issued to documents for use in countries that participate in the Hague Convention of 1961) and certificates for notaries public and justices of the peace by \$5, establishes a new fee for expedited service of certain documents and increases the fee charged for a marriage permit. All of these fee increases which cover the cost of services provided by the Secretary of State are included in HB-2, the trailer bill. SB 172 no longer is needed as the vehicle to increase the above-mentioned fees to cover the state costs. The sponsor of this legislation agreed with the committee recommendation of ITL. **Vote 16-0.**

THURSDAY, MAY 8

REGULAR CALENDAR

EDUCATION

SB 85-FN, making certain revisions to the special education laws. **OUGHT TO PASS WITH AMENDMENT**

Rep. John R.M. Alger for Education: This bill was a request of the Department of Education because of an audit that pointed out discrepancies with federal law. This bill corrects these discrepancies. **Vote 12-3.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 94-FN, requiring criminal conviction record checks for employees working in long-term care facilities and in home health care and for applicants for a license from the board of nursing. **OUGHT TO PASS WITH AMENDMENT**

Rep. Sandra C. Harris for Health, Human Services and Elderly Affairs: This bill is a product of a joint study committee which met last summer. It requires that criminal background checks be done on workers in long-term care businesses like nursing homes and home care agencies. This bill mandates that the checks, costing ten dollars, be done through the New Hampshire State Police and not require fingerprints. Temporary staffing agencies supplying long-term care workers are required to perform the check on those employees, whereas the checks on workers licensed by the Board of Nursing are to be performed by the Board. The cost of the checks is intended to be a medicaid reimbursable expense for facilities with medicaid residents. The checks are required to be done on applicants who apply on or after July 1, 2003. The committee felt that this is an important safety measure for our elderly and disabled citizens. **Vote 15-1.**

SB 96-FN, establishing a pharmacy discount program for seniors and disabled persons and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This bill was amended by the Senate. The extensive

fiscal note was also amended. Originally, the state costs for prescriptions for FY 2005 would have been \$44,437,620; the new fiscal note appropriated ten dollars. Obviously, ten dollars per year was not designed to fund a pharmacy discount program for seniors and disabled persons. This bill also required a Federal Medicaid waiver. Testimony was provided from several sources that the model utilized in the bill (based on the Maine model) and the lack of an appropriate appropriation would likely make the waiver unacceptable to the Center for Medicare-Medicaid Services. The committee agreed that a pharmacy discount program is a credible goal, but recommends that this bill as written should not pass. However, because it is believed that further study is in order, an ad hoc committee has been formed to investigate the possibilities of a prescription drug program, either alone or combined in other legislation currently in the study phases. This bill offered nothing new that would be workable to assist eligible seniors. The ad hoc committee will come back by November 1, 2003 with a recommended course of action. **Vote 15-0.**

TRANSPORTATION

SB 222-FN-A, relative to motor vehicle fees. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. George N. Katsakiores for the **Majority** of Transportation: This bill accomplishes two important related functions concerning vehicle emissions and safety inspections. First, it funds the start-up cost through a very modest registration increase (.20 per month) for the Municipal Agent Automated Program (MAAP). This program will allow every town and city in New Hampshire to be online with the Department of Safety; additionally, this would also allow citizens to be able to register their vehicles from their homes or office online. This bill also begins a new safety and emission program for automobiles and light trucks, 1996 and newer, to bring NH into compliance with the Clean Air Act, something the state had already agreed to do in 2003, by an agreement with the federal Environmental Protection Agency. This is the development of a state-of-the-art electronic on-board diagnostics system that would be performed by your local inspection station and hooked directly in the Department of Safety (DOS) computers. The systems would be leased to each dealer and would be provided by a vendor selected by the DOS through a bidding process. Failure to adopt this legislation would take us out of compliance with the Clean Air Act and leave us open to massive sanctions to our federal highway funding, leaving us open to the loss of millions of dollars and delay in highway construction projects. Further, failure of this legislation most likely would lead to erroneous tail pipe emission testing. The committee amended this bill with committee concerns on the fiscal impact this bill has on vehicle registrations. Testimony revealed that the added registration fees would only be needed to implement the MAAP program for two years. The committee amendment sunsets the increased fees in 2005. The committee also amended the bill to include fiscal oversight on vendor fees for the On Board Diagnostic II (OBD) testing program. **Vote 11-4.**

Rep. Lawrence A. Artz for **Minority** of Transportation: This bill is the proverbial gun that is pointed to our heads by the Environmental Protection Agency and the minority also realizes the sanctions that the EPA could impose on us. The main element of this bill is to establish an on-board diagnostic requirement for vehicle emissions inspection for all 1996 and newer passenger cars and light trucks, as well as to increase registration fees to implement a Municipal Agent Automation Program. A 1996 and newer vehicle will fail inspection merely because the "Check Engine" light is lit on the dashboard and an error code is set in the vehicle's on-board computer under On Board Diagnostic II (OBD). Testimony in committee also indicated that inspection stations could also increase their inspection fees as well. The minority is convinced that this OBD program will have no measurable impact on air quality. We could conduct onerous emissions tests on motor vehicles as stringent as California, and include every vehicle made going back to the 1968 model year as was originally mandated by the EPA back in 1992, and still there will be no measurable effect on air quality. Currently, California is still having air quality problems despite their really tough ongoing automobile emissions program, and they are considering un-exempting motor vehicles that are 1973 models and going back 45 years. We are being forced to just 'play the game' that the EPA is demanding based on some theoretical air quality model that was created years ago. New Hampshire's air pollution is due to the fact that we are located right at the end of the jet stream. We cannot change that fact. All pollutants are carried over from as far away as California. In reality, NH has relatively few emission sources to cut, and all the emissions testing in the world will not change the air quality in any significant way.

WAYS AND MEANS

SB 115, increasing the fees for review of subdivisions and waste disposal systems by the department of environmental services and making an appropriation for implementing information technology and regulatory process improvements. **OUGHT TO PASS**

Rep. Kurt J. Roessner for Ways and Means: This legislation increases the Department of Environmental Services fees for review of subdivisions and waste disposal systems and applies the increased revenue to establish a system for electronic permitting for waste disposal systems, subdivision plans, and for permits and approvals. The Ways and Means Committee recommendation, along with favorable endorsements from the DES, Granite State Designers and Installers Association, and the Business and Industry Association of New Hampshire, are predicated on the appropriation of the increased revenues for the development of the electronic permitting system. **Vote 14-3.**

SB 223-FN-A, relative to fees for copies of motor vehicle records and relative to the fire standards and training and emergency medical services fund. **OUGHT TO PASS**

Rep. Jeffrey D. Gilbert for Ways and Means: This bill expands the activities of the Fire Standards and Training and Emergency Medical Services Fund to include the division of Fire Safety and Emergency Management and raises the fees that are its funding source by 12.5%. Currently, this fund is running an annual surplus of approximately \$900,000. The budget for the Division of Fire Safety and Emergency Management is approximately \$1.5 million per year and is paid from the general fund. The transfer of these activities to the Fire Standards fund will absorb its surplus and coupled with the fee increase will save the general fund \$1.5 million per year. The fee increase provided for in the bill would raise the current charge to insurance companies for copies of records from \$7 per page to \$8 per page. The Deputy Commissioner of Safety testified that the insurance companies who paid these fees approved of the increase. No testimony was offered in opposition to the bill. **Vote 14-0.**

LAID ON TABLE

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

HR 12, affirming revenue estimates for fiscal years 2003, 2004 and 2005. (Pending question is third reading.)

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.
Thursday, March 6, 2003	Last day to amend House Rules by majority vote.
Thursday, March 13, 2003	Last day to report all House bills being referred to a second committee.
Thursday, March 20, 2003	Last day to act on all House bills being referred to a second committee.
Thursday, March 27, 2003	Last day to report all House bills not in a second committee, except budgets.
Thursday, April 3, 2003	Last day to act on all House bills not in a second committee, except budgets.
	Last day to report all remaining House bills.
	Last day to hold public hearings on all House bills retained in committee.
	Last day for committees to report list of retained House bills.
Thursday, April 10, 2003	CROSSOVER -Last day to act on all remaining House bills.
Tuesday, April 22, 2003	Supplemental LSR filing period opens.
Thursday, April 24, 2003, 3:00 p.m.	Last day to file supplemental LSRs with complete information.
Thursday, May 8, 2003	Last day to report Senate bills being referred to a second committee.
Thursday, May 15, 2003	Last day to act on Senate bills being referred to a second committee.
Thursday, May 29, 2003	Last day to report all Senate bills for action in the first-year session.
	Last day to hold public hearings on all Senate bills retained in committee.
	Last day for committees to report list of retained Senate bills.
Thursday, June 5, 2003	Last day to act on all Senate bills in the first-year session.
Wednesday, June 11, 2003	Last day to form committees of conference.

Friday, June 13, 2003, 3:00 p.m.

Last day to sign-off all supplemental bills, including redrafts.

Wednesday, June 18, 2003, 3:00 p.m.

Last day to sign committee of conference reports.

Tuesday, June 24, 2003

Last day to act on committee of conference reports.

Last day to introduce supplemental bills.

HOUSE BILLS AMENDED BY THE SENATE

HB 64, establishing a commission to study the creation of an integrated criminal justice information system and any issues related to the privacy, security, and dissemination of such criminal justice information. (House Concurred 4/10/03)

HB 77, establishing a committee to study the process of de novo appeals from the district courts. (SJ 4/24/03)

HB 101, relative to qualifications for state offices. (House Concurred 4/10/03)

HB 104-FN, implementing procedures for a hospital or safe haven to assume temporary care and control of an abandoned child and creating an exception to the crime of endangering the welfare of a child. (House Concurred 4/10/03)

HB 127, establishing a committee to study the effectiveness and fairness of county government. (SJ 4/10/03)

HB 151, authorizing the county convention to contract and fund performance audits of county departments. (House Concurred 4/17/03)

HB 179, establishing a committee to study enhancement of laws relating to vehicle pursuits. (SJ 4/17/03)

HB 185, relative to pretermitted heirs. (SJ 4/24/03)

HB 212, defining "terrorize" for the purpose of criminal threatening. (SJ 4/24/03)

HB 244, establishing a committee to study landowner liability for owners providing public access to snowmobile trails. (SJ 4/24/03)

HB 253, relative to the design build concept for certain projects. (SJ 4/10/03)

HB 310, establishing a commission to study child support issues. (SJ 4/10/03)

HB 361-L, permitting municipalities to form regional water districts. (SJ 4/10/03)

HB 418, relative to annulment of arrest records for defendants whose cases result in acquittal, dismissal, or failure to prosecute. (SJ 4/24/03)

HB 434-L, relative to junkyards and motor vehicle recycling yards. (SJ 4/24/03)

HB 436, relative to the acquisition of Connecticut Valley Electric Company and electric utility restructuring. (SJ 4/17/03)

HB 502, establishing a committee to study options for reducing the impact of exhaust emissions from diesel engines in New Hampshire. (House Concurred 4/10/03)

HB 517-L, relative to Keene Road and Main Street in the town of Hillsborough. (House Concurred 3/13/03)

HB 732-FN, relative to fines for forestry law violations, relative to deceptive forestry business practices, establishing a commission to study setback requirements for land application of septage, biosolids, and short paper fiber by certain persons. (House Concurred 4/17/03)

HB 831, establishing a New Hampshire end-of-life care study commission. (SJ 4/17/03)

COMMITTEE MEETINGS

MONDAY, MAY 5

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 202-204, LOB

9:00 a.m. Special meeting. The special meeting shall address (1) responses to committee objections on wetlands and instream flow rules from the Department of Environmental Services and (2) discussion items and responses to committee petitions postponed from the regular meeting on April 21, 2003.

BREATH ANALYZER COMMITTEE (RSA 106-G:1), Department of Safety, 3rd Floor Operations Bureau Conference Room

10:00 a.m. Regular meeting.

COMMISSION TO ASSESS THE OPERATING EFFICIENCY OF STATE GOVERNMENT (HB 171, Chapter 1:1, Laws of 2003), Room 100, State House

8:00 a.m. Regular meeting.

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

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

TUESDAY, MAY 6

CHILDREN AND FAMILY LAW, Room 206, LOB

- 9:30 a.m. Subcommittee work session on retained **HB 532**, relative to notice and filing of divorce petitions.
- 10:00 a.m. Executive session on **SB 86-FN**, relative to disclosure of certain information about child fatalities and near fatalities resulting from abuse and neglect, and relative to accreditation of the department of health and human services by the Council on Accreditation for Children and Family Services.
- 11:00 a.m. Committee briefing at the Division of Child Support Services, 61 South Spring Street, Concord.
- 1:30 p.m. Committee briefing at the New Hampshire Technical Institute, Child and Family Development Center, 31 College Drive , Concord.

COMMERCE, Room 302, LOB

- 9:30 a.m. Subcommittee work session on **SB 72**, relative to the regulation of small loans, title loans, and payday loans.
- 10:00 a.m. Subcommittee work session on **SB 135**, relative to hotel keeper liability for personal care services.
- 10:30 a.m. Subcommittee work session on **SB 121-FN**, relative to mortgage originator registration.
- 11:00 a.m. Subcommittee work session on **SB 122**, relative to the regulation of first mortgage brokers.
- 11:30 a.m. Subcommittee work session on **SB 164**, relative to the unauthorized use of a financial institution’s name.
- 1:15 p.m. Subcommittee work session on **SB 110**, relative to small group health insurance coverage.

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. Subcommittee work session on **SB 107-FN-A-L**, establishing a statewide education accountability system.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 9:45 a.m. Subcommittee work session on **SB 87**, establishing a committee to study setback requirements for septage, biosolids, and short paper fibers, and extending the temporary use of septage, biosolids, and short paper fiber by certain persons.
- 10:00 a.m. Subcommittee work session on retained **HB 503**, relative to septic system construction permits.
- 11:00 a.m. Executive session on pending legislation.
- 12:00 p.m. Subcommittee work session on retained **HB 220**, creating a committee to study amending the constitution to require that government decisions affecting the environment reflect consideration of the welfare of future generations.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

- 9:00 a.m. Subcommittee work session on **SB 23-FN**, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces and **SB 199**, revising the nurse practice act.
- 10:00 a.m. Executive session on pending legislation.

JUDICIARY, Room 208, LOB

- 9:30 a.m. Continued public hearing on **SB 168**, allowing school boards to adjourn to nonpublic session to consider pupil disciplinary matters.
- 10:00 a.m. **SB 119**, relative to medical and hospital liability insurance.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 1:30 p.m. Subcommittee work session on retained **HB 716-FN**, repealing the procedures for administration of small estates.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. Subcommittee work session on retained **HB 618-FN-A**, establishing a property tax cap for persons over 65 years of age and **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.
- 1:00 p.m. Subcommittee work session on retained **HB 493**, relative to the municipal budget act.

Room 307, LOB

- 1:00 p.m. Subcommittee work session on retained **HB 713-FN**, relative to the penalty for violating a zoning ordinance.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, LOB Lobby

- 9:00 a.m. Meet in LOB lobby for visit to the State Veterans Home and the State Veterans Cemetery.

WEDNESDAY, MAY 7

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

9:30 a.m. Regular meeting.

COMMERCE, Room 302, LOB

- 9:15 a.m. Subcommittee work session on **SB 42**, relative to charitable contributions by insurance agents.
- 10:00 a.m. Subcommittee work session on retained **HB 342**, restricting the use and display of social security numbers and establishing a private right of action under the right to privacy act.
- 10:30 a.m. Executive session on pending legislation.
- 1:00 p.m. Subcommittee work session on **SB 152**, relative to health insurance coverage for prosthetic devices.

EDUCATION, Room 207, LOB

- 10:00 a.m. Public hearing on proposed amendment to **SB 229**, making reference changes to the school building aid statutes. (The proposed amendment is authorizing the Conway school district to hold a special meeting. Copies of the amendment will be available at the Sergeant-at-Arms office).
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, State House

- 9:00 a.m. Subcommittee work session on **SB 210**, relative to the administrative procedures of the real estate commission, **SB 134**, relative to the regulation of real estate brokers by the real estate commission and **SB 60-FN**, relative to voluntary certification of persons installing or servicing propane gas or heating oil equipment.

Room 203, LOB

- 9:00 a.m. Subcommittee work session on **SB 128-FN**, transferring the bureau of vital records and health statistics from the department of health and human services to the department of state

Room 100, State House

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

- 9:00 a.m. Subcommittee work session on **SB 174**, relative to scheduled permanent impairment awards and remedial care under workers' compensation.
- 9:30 a.m. Subcommittee work session on **SB 146**, relative to eligible costs for training grants in the job training program for economic growth.
- 10:00 a.m. Executive session on pending legislation.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:30 a.m. Executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. **SB 70**, establishing a commission to study implementing a recommendation of the New Hampshire estuaries project management plan.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 11:00 a.m. Subcommittee work session on **SB 155**, establishing a commission to study issues relative to water withdrawals, **SB 162**, establishing a committee to study water resources and **SB 67**, relative to a report on municipal water needs.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:00 a.m. **SCR 4**, urging the New Hampshire congressional delegation to take appropriate action against modification of the Clean Air Act if the result jeopardizes New Hampshire's ability to safeguard public health and protect environmental quality.
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.
- 11:00 a.m. Ad hoc subcommittee work session to review the benefits of extending or making permanent the current Communication Services Tax at seven percent and extending the property tax exemption for certain wooden poles and conduits.

THURSDAY, MAY 8

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

Subcommittee work session on ***SB 59-FN***, relative to administrative license suspension hearings and ***SB 149-FN***, establishing criminal penalties for the use of a credit card scanning device or reencoder to defraud., immediately following the House session.

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

Executive session on pending legislation immediately following the House session, if needed.

FRIDAY, MAY 9

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), New Hampshire Department of Revenue Administration, Community Services Division, Training Room

9:30 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

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

3:00 p.m. Regular meeting.

MONDAY, MAY 12

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

1:00 p.m. Regular meeting.

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

10:00 a.m. Regular meeting.

TUESDAY, MAY 13

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Subcommittee work session on retained ***HB 755***, relative to the burden of proof in child abuse and neglect proceedings.

STATE VETERANS' ADVISORY COMMITTEE (RSA 115-A:2), American Legion Post 79, Manchester

5:00 p.m. Regular meeting.

WEDNESDAY, MAY 14

MEDICAID PRESCRIPTION DRUG BENEFITS MANAGEMENT PROGRAM OVERSIGHT COMMITTEE (HB 1218, Chapter 281:9, Laws of 2002), Room 205, LOB

3:30 p.m. Regular meeting.

THURSDAY, MAY 15

ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION (RSA 282-A:128), NH Employment Security's Administrative Office, 32 South Main Street, Concord

1:30 p.m. Regular meeting.

FRIDAY, MAY 16

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

9:00 a.m. Regular meeting.

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3), Room 205, LOB

9:00 a.m. Regular meeting.

MONDAY, MAY 19

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

9:00 a.m. Regular meeting.

TUESDAY, MAY 20

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Subcommittee work session on retained **HB 563**, relative to the emancipation of minors.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

12:00 p.m. Subcommittee work session on retained **HB 220**, creating a committee to study amending the constitution to require that government decisions affecting the environment reflect consideration of the welfare of future generations.

WEDNESDAY, MAY 21

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

9:00 a.m. Regular business.

9:30 a.m. Audits: State of New Hampshire State Treasury financial and compliance audit report for the year ended June 30, 2002

State of New Hampshire Department of Health and Human Services medicaid program for financial and compliance audit report for the year ended June 30, 2002

MONDAY, JUNE 2

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

4:00 p.m. Regular meeting.

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

9:30 a.m. Regular meeting.

TUESDAY, JUNE 3

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on retained **HB 138-FN**, relative to interpreters for the deaf in certain governmental or public proceedings.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

12:00 p.m. Subcommittee work session on retained **HB 220**, creating a committee to study amending the constitution to require that government decisions affecting the environment reflect consideration of the welfare of future generations.

MONDAY, JUNE 9

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

1:00 p.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION MEETING

Cheshire County Executive Committee will meet to review the first quarter budget on Monday, **May 12** at 9:00 a.m. in the basement of the Commissioner's Office.

Rep. John B. Hunt, Chairman

Cheshire County Executive Committee

COUNTY DELEGATION NOTICE

The Hillsborough County Executive Committee will hold a public hearing on Wednesday, **May 7** at 7:00 p.m. in the Hillsborough County Superior Court Building, 300 Chestnut Street, Manchester to consider approval of the proposed Collective

Bargaining Agreement between Hillsborough County Nursing Home and AFSCME Local 2715 and the sale of County Land in Goffstown, NH.

Rep. Robert S. Mercer, Vice Chairman
Hillsborough County Executive Committee

COUNTY DELEGATION NOTICE

The Hillsborough County Delegation will meet in convention on Wednesday, **May 7** at 7:30 p.m. in the Hillsborough County Superior Court Building, 300 Chestnut Street, Manchester to consider approval of the proposed Collective Bargaining Agreement between Hillsborough County Nursing Home and AFSCME Local 2715 and to consider the approval of the sale of County Land in Goffstown, NH.

Rep. Robert S. Mercer, Vice Chairman
Hillsborough County Delegation

COUNTY DELEGATION NOTICE

Merrimack County Executive Committee will meet on Monday, **May 12th**, at 9:00 a.m. in the Lower Level Conference Room of the McDonnell Building, 4 Court Street, Concord. The purpose of this meeting is to review and approve the 1st Quarter Financial Report and any other business.

Rep. J.D. Colcord, Chairman
Merrimack County Executive Committee

COUNTY DELEGATION NOTICE

There will be a public hearing for Merrimack County before the County Delegation at 9:30 a.m. on Monday, **May 12th**, at the County Administration Building, Lower Level Conference Room, 4 Court Street, Concord. The purpose of this meeting is Supplemental Appropriations to the 2003 County Budget.

Immediately following the public hearing, there will be a Delegation meeting to approve Supplemental Appropriations to the 2003 County Budget and any other business.

Rep. William E. Leber, Chairman
Merrimack County Delegation

COUNTY DELEGATION NOTICE

The members of the Rockingham County Delegation will meet on Wednesday, **May 28** at 6:00 p.m. in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood. The purpose of the meeting is to conduct an election to fill a vacancy in the Office of Rockingham County Commissioner, District 3 (RSA 661:9-I, II). A quorum is required to conduct the election.

Rep. David A. Welch, Clerk
Rockingham County Delegation

The bound volumes of the 2002 Session Laws are now available on a first come, first served basis in the Office of Legislative Services, Room 109, State House, for those members who are interested.

Carol J. Holahan, Director, Legislative Services

REVISED FISCAL NOTES

The following HBs and SBs have revised fiscal notes: HBs 25, 65, 66, 69, 79, 91, 104, 109, 177, 205, 210, 258, 274, 280, 302, 311, 316, 353, 360, 387, 447, 483, 528, 533, 577, 578, 593, 598, 603, 605, 607, 608, 609, 610, 611, 612, 613, 614, 615, 617, 618, 619, 621, 622, 623, 624, 626, 627, 628, 629, 630, 631, 632, 633, 634, 636, 637, 638, 639, 640, 644, 645, 646, 649, 659, 661, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 687, 688, 689, 690, 691, 693, 694, 695, 696, 697, 698, 699, 701, 703, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 716, 717, 718, 719, 720, 721, 722, 723, 728, 730, 732, 733, 735, 737, 738, 739, 741, 743, 746, 751, 758, 760, 770, 772, 783, 784, 785, 787, 788, 791, 796, 802, 803, 807, 810, 813, 814, 816, 823, 824, 826, 828 and 830. SBs 14, 29, 33, 34, 35, 36, 46, 47, 69, 70, 71, 78, 94, 95, 96, 97, 98, 101, 115, 161, 169, 197, 210, 215 and 222.

Karen O. Wadsworth, Clerk of the House

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

Natalie S. Flanagan, PO Box 959, Atkinson, New Hampshire 03811-0959.

Robert J. Laflam, 173 Brook Road, Sanbornton, New Hampshire 03269-2210

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

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

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

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

Reports most recently received include:

NH Supreme Court: Proposed Amendments to Supreme Court Rules

Gene G. Chandler, Speaker

A secure and encrypted wireless access point has been installed in the House Chamber Anteroom. Members that wish to use this service for wireless Internet access need to go to Room 31, State House to have their laptop configured

Gene G. Chandler, Speaker

The new online home of the grassroots NH Republican Caucus on Government Interventions is <http://groups.msn.com/TheNHRepublicanCaucusonGovernmentInterventions> This is an advocacy forum for both conservatives and liberals addressing areas where the government should be more or less involved. Issues concerning the exercise of government authority, privacy, government social programs, the expansion of constitutional law and the judiciary will be discussed. For more information, contact me at nhcongressman@aol.com or 750-5177.

Rep. J. Edward Kerns

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

The Legislative Caucus for Young Children (LCYC) will hold a panel discussion on current legislation and issues affecting young children and their families on Monday, **May 5** at 1:30 p.m. in Room 206, LOB. Panelists include representatives of the Governor's Office, NH Women's Lobby, the Wellness Council and others to be confirmed. Members of the House and Senate are welcome.

Rep. Mary Stuart Gile

The Osteoporosis Education and Prevention Council invites all legislators and staff to our annual osteoporosis education event on **May 8th**. Stop by Room 105A in the State House between 11:00 a.m. and 2:00 p.m. for yogurt and other healthy snacks that will make a great lunch!

Rep. Barbara C. French

Former Speaker Donna Sytek will host one of her famous ice cream socials on Thursday, **May 8** at St. Paul's Church, during the session break, to announce the release of *Further Ado*, her book on political etiquette and protocol. All members and staff are invited.

Gene G. Chandler, Speaker

Friends of the College for Lifelong Learning, President Tom Rocco of CLL and Chancellor Stephen Reno of the University System of New Hampshire cordially invite all members of the General Court to a legislative gathering. This event will be held at 4:00 p.m. at the Barley House (across from the State House) on Thursday, **May 8**.

Reps. G. Michael Gilman and Anne C. Grassie

In recognition of your support, the NH Law Enforcement Officers' Memorial Committee cordially invites you to the 11th Annual NH Law Enforcement Officers' Memorial Ceremony. The ceremony will be held on Friday, **May 9**, 2003, beginning promptly at 10:00 a.m. on the memorial site in front of the LOB. The ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please contact Captain Timothy J. Acerno of NH Fish & Game at 271-3129 if you have any questions.

Gene G. Chandler, Speaker

The Cheshire County Lincoln Day Dinner will be held on Friday, **May 9** at the Best Western in Keene. Social hour is at 6:00 p.m. with dinner at 7:00 p.m. US Senator Chuck Hagel from Nebraska will be the guest speaker. Anyone wanting tickets at \$30 each, please contact Rep. Ed Smith at 256-6133.

Rep. Edwin O. Smith

The final session of "Supporting Older Adults and Individuals with Disabilities in Your Community: An Educational Series for Legislators", sponsored by the Real Choice Advisory Council and entitled "Workforce Issues in a Changing Society" will be held at St. Paul's Church, Park Street, Concord on Tuesday, **May 13th**. Two presentations, one with breakfast from 7:30 to 9:00 a.m. and one with luncheon from noon until 1:30 p.m. will give members a choice of times to attend. The presenter is Dr. Robyn Stone, Executive Director of the Institute for the Future of Aging Services at the American Association of Homes and Services for the Aging.

Rep. Peter L. Batula

The New Hampshire Straight Chiropractic Society invites legislators to a breakfast reception on Thursday, **May 15** from 8:00 to 10:00 a.m. Please join them at St. Paul's Church Hall on Park Street, across from the State House.

Rep. Sheila T. Francoeur

The New Hampshire Order of Women Legislators invite you for a reception during the lunch break from session in the Governor and Council Chambers on **May 15**. Join in seeing old friends when we honor former women legislators and greet Governor Benson who has been invited to install new officers.

Rep. Sandra C. Harris

On **May 18**, NAMI, the National Alliance for the Mentally Ill, will sponsor a 5k walk to help erase the stigma of mental illness. The walk will take place at Veterans’ Park in Manchester starting at 1:00 p.m. with check-in time at noon. All representatives are encouraged to participate on a legislative team. For further information, please contact Rep. Joe Manning.

Rep. Joseph P. Manning

Sen. Clifton Below and Rep. Gloria Seldin will be presented with Meritorious Service Awards by the NH Women’s Lobby and the NH Women’s Policy Institute on Wednesday, **May 21**, 4:30 to 6:30 p.m., at the Concord City Auditorium. The Annual Spring Celebs Awards Celebration honors legislators and citizens making a difference for women and families in NH and this year will also recognize political cartoonist Mike Marland (Media Award) and longtime labor activist Eva Sartwell (Citizen Award). Requested donation is \$10 for Lobby members, \$15 for non-members. Tickets are available from Sen. Sylvia Larsen, Reps. Bette Lasky, Deanna Rush and Marjorie Smith, by reservation from NHWL/WPI office (224-9105), and at the door.

Rep. Deanna P. Rush

In honor of Mother’s Day, members of the House Pro Life Caucus cordially invite all colleagues to a special baby shower on **May 29** at 2:00 p.m. at the Upham Walker House. All gifts and proceeds will be used to benefit needy mothers here in New Hampshire. Suggested items include: baby diapers, onezys, baby wipes, baby bath items, bootie socks, gift certificates for formula and baby food, layettes, baby blankets, etc. Cake, ice cream and light refreshments will be served.

Rep. Barbara J. Hagan

The New Hampshire Federation of Republican Women’s Lilac Luncheon will be held on Monday, **June 2** at 11:00 a.m. at the Center of New Hampshire. Featured guest is Lynn Cheney. Tickets are \$35. Please contact Reps. J. Gail Barry or Stella Scamman.

Rep. J. Gail Barry

The Department of Transportation will hold the following meeting:
May 5 – Windham Town Hall, 3 N. Lowell Road, Windham, 7:00 p.m. Selectmen’s meeting, Windham, NH 111 bypass, Salem-Manchester I-93 widening. Brief selectmen on issues and project schedules.
May 8 – New Hampton Town Hall, 6 Pinnacle Hill Road, New Hampton, 7:00 p.m. Public information meeting, New Hampton, Winona Road, review and discuss the removal or rehabilitation of the NHRR bridge over Winona Road.
May 8 – Amherst Town Hall, 2 Main Street, Amherst, 7:00 p.m. Public information meeting, Amherst, NH 122 and Old NH 101 Boston Post Road review and discuss upgrade of existing signals.
May 28 – Landaff Town Hall, 12 Center Hill Road, Landaff, 7:00 p.m. Public officials/informational meeting, Landaff, removal of bypassed bridge Old US 302/former NHRR.
June 4 – Shelburne Town Hall, 74 Village Road, Shelburne, 7:00 p.m. Public officials/informational meeting, Shelburne, removal of bypassed bridge Old Meadow Road/Androscoggin River.

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

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

Kenneth Leidner, Director

DATE	TIME	GROUP	CLASS/Size
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May 5	9:00	New Hampton Community School	4/31
May 5	10:30 & 12:30	Hampstead Central School	4/66
May 6	9:00	Bow Elementary School	4/25
May 6	9:30	Mount Saint Mary School	4/15
May 6	11:00 & 12:30	Chesterfield Elementary School	4/50
May 7	9:00 & 12:30	Bow Elementary School	4/50
May 7	10:00	Gilmanton Elementary School	4/40
May 7	1:00	Georgians	20
May 7	11:00	Peterborough Elementary School	4/22
May 8	9:30 & 11:00	Marston Elementary School _ Hampton	4/85
May 9	10:00	St. Elizabeth Seton School- Rochester	4/27
May 9	11:00 & 12:00	Peterborough Elementary School	4/45
May 9	11:00	Salem Christian School	4/14
May 12	9:00	Bow Elementary School	4/25
May 12	10:30 & 12:30	Hampstead Central School	4/44
May 12	10:30	The Well School –Peterborough	4/7
May 13	9:00 & 12:30	Bow Elementary School	4/50
May 13	10:00 & 11:00	Little Harbor School – Portsmouth	4/54
May 14	9:00	Bow Elementary School	4/25
May 14	11:00 & 1:00	Antrim Elementary School	4/50
May 15	9:30 & 11:00	Marston Elementary School – Hampton	4/85
May 16	10:00	Linwood Elementary – Lincoln	4/28
May 16	10:00	Cornish Elementary School	4/10
May 19	9:30 & 11:00	Maple Ave. School – Claremont	4/58
May 19	10:30	Hampstead Central School	4/44
May 20	9:00	Henniker Elementary School	4/18
May 20	10:00 & 11:30	Thornton Ferry School – Merrimack	4/50
May 21	10:00 & 11:30	Thornton Ferry School – Merrimack	4/50
May 21	1:00	Pierce Elementary School – Bennington	4/20
May 22	10:00 & 11:00	Rindge Memorial School – Rindge	4/61
May 23	10:00 & 11:30	Thornton Ferry School – Merrimack	4/50
May 23	11:00	Westmoreland Elementary School	4&5/40
May 27	9:30 & 11:00	Green Acres School – Manchester	4/80
May 27	12:30	St. Mary’s School - Claremont	4 &5/30
May 28	9:30	South Merrimack Christian	4/22
May 28	9:30 & 11:00	Green Acres School – Manchester	4/80
May 28	12:30	Mason Elementary School	4/16
May 29	11:00	Campton Elementary School	4/40
May 29	12:30	Hampstead Academy – Atkinson	4/30
May 30	9:30	Holderness Central School – Plymouth	4/32
May 30	11:00	Ed Fenn School – Gorham	4/45
May 30	12:30	Lafayette Regional School – Franconia	4/19
May 30	12:30	Bethlehem Elementary School	4/17

THURSDAY, MAY 8
AMENDMENTS
(LISTED IN NUMERICAL ORDER)

2003-1218h

Amendment to SB 41
Proposed by the Committee on Transportation - C

Amend the bill by replacing section 1 with the following:

☐ New Sections; Sale, Purchase, and Installation of Airbags. Amend RSA 358-D by inserting after 11 the following new sections:

358-D:11-a Sale, Purchase, and Installation of Airbags; Criminal Penalty Established. Any person who knowingly sells, purchases, installs, or reinstalls any object which is not a properly operating airbag that was designed in accordance with federal safety regulations for the make, model, and year of the vehicle, as part of a vehicle inflatable restraint system, shall be guilty of a class A misdemeanor.

358-D:11-b Installation of Recycled Airbag. Nothing in RSA 358-D:11-a shall prohibit the installation or reinstallation of a recycled airbag that was designed in accordance with federal safety regulations for the make, model, and year of the vehicle, as part of a vehicle inflatable restraint system.

Amend the bill by replacing section 3 with the following:

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

AMENDED ANALYSIS

This bill establishes a criminal penalty for any person who knowingly sells, purchases, or installs an inoperative airbag or one that was not designed in accordance with federal safety regulations for the make, model, and year of the vehicle.

2003-1297h

Amendment to SB 44

Proposed by the Committee on Transportation - C

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

AN ACT relative to penalties for vehicle dealers, relative to the applicability of motor vehicle inspection requirements, and relative to special number plates for certain veterans.

Amend RSA 261:177 as inserted by section 2 of the bill by inserting after paragraph IV the following new paragraph:

V. Any dealer, utility dealer, automotive recycling dealer, transporter, or repairer who knowingly makes a false or misleading statement in any application or form required by the director pursuant to this chapter, with the purpose of obtaining any registration, license, or privilege, shall be guilty of a misdemeanor.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 6:

3 Special Number Plates for Certain Veterans; Limitation Deleted. Amend RSA 261:86, II to read as follows:

II. Plates furnished pursuant to subparagraphs I(a)-(c) shall be issued without charge. Plates furnished pursuant to subparagraphs I(d) and (e) shall be issued upon payment of the regular registration and number plate fees. Notwithstanding RSA 265:73 or any other law, any person who is issued a plate pursuant to subparagraphs I(c)-(e) shall not be entitled to free parking privileges provided for disabled veterans. ~~[Individuals who qualify for special plates for certain veterans shall only be issued one set of plates pursuant to this section, except that a person who qualifies for special plates pursuant to subparagraph I(d) may be issued an additional special plate for a motorcycle.]~~

4 Motor Vehicle Inspections; Newly Registered and Transferred Vehicles. Amend RSA 266:1, IV to read as follows:

IV. Notwithstanding paragraphs II and III, newly registered vehicles, other than OHRV's, snow traveling vehicles, and mopeds, and vehicles, other than OHRV's, snow traveling vehicles, and mopeds, the ownership of which has been transferred, shall be inspected not later than 10 days after the registration or transfer of ownership of said vehicle. ~~[However, if a vehicle is purchased at retail from a licensed dealer, as defined in RSA 259:18, II, the vehicle shall be inspected not later than 30 days after the date of transfer.]~~ ***Any vehicle that may be operated under a dealer registration pursuant to RSA 261:111 shall meet vehicle safety requirements.*** A vehicle for which a dealer has issued a 20-day plate pursuant to RSA 261:109 shall be ~~[presumed to be capable of meeting the vehicle inspection requirements]~~ ***inspected upon delivery to the retail customer.***

5 Motor Vehicle Inspections; Exemption. Amend RSA 266:1, VIII to read as follows:

VIII. A new vehicle which has been delivered in this state with a certificate of origin in the form prescribed by the director ***and any vehicle that may be operated under a dealer registration pursuant to RSA 261:111*** is exempt from the inspection requirements contained in this section until it is sold at retail. ~~[Upon retail sale of such a vehicle, the owner shall be required to have the vehicle inspected pursuant to paragraph IV and as provided in this section and the rules adopted under this chapter.]~~

AMENDED ANALYSIS

This bill:

I. Establishes additional penalties for dealers, utility dealers, auto recycling dealers, transporters, and repairers who violate RSA 261 and orders made pursuant to RSA 261.

II. Deletes the limitation on the number of sets of special number plates for certain veterans that may be issued to an individual.

III. Requires that a vehicle for which a dealer has issued a 20-day plate be inspected upon delivery to the retail customer.

IV. Exempts vehicles that may be operated under a retail vehicle dealer registration from inspection requirements, but requires that such vehicles meet vehicle safety requirements.

2003-1316h

Amendment to SB 85-FN

Proposed by the Committee on Education - R

Amend RSA 186-C:2, I as inserted by section 1 of the bill by replacing it with the following:

I. “Educationally disabled child” means any person 3 years of age or older but less than 21 years of age who has been identified and evaluated by a school district according to the provisions of RSA 186-C:7 and determined to be mentally retarded, hearing impaired, speech or language impaired or both, visually impaired including blindness, seriously emotionally disturbed, orthopedically impaired, otherwise severely health impaired, deaf-blind, multi-disabled, traumatic brain injured, autistic, or as having specific learning disabilities, who because of such impairment, needs special education or special education and educationally related services. “Educationally disabled child” shall ~~[not] include a child [aged] ages 18 [through] to 21, [who, in the educational placement prior to his or her incarceration in an adult correctional facility was not actually identified as being a child with a disability or did not have an individualized education program]~~ **who was identified as an educationally disabled child and received services in accordance with an individualized education plan but who left school prior to his or her incarceration, or was identified as an educationally disabled child but did not have an individualized education plan in his or her last educational institution.**

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Special Education; Policy and Purpose. Amend RSA 186-C:1 to read as follows:

186-C:1 Policy and Purpose. It is hereby declared to be the policy of the state that all children in New Hampshire be provided with equal educational opportunities. **It is the purpose of this chapter to ensure that the state board of education and the school districts of the state provide a free and appropriate public education for all educationally disabled children.**

2003-1312h

Amendment to SB 94-FN

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

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

1 New Section; Home Health Care Providers; Criminal Record Check Required. Amend RSA 151 by inserting after section 2-c the following new section:

151:2-d Criminal Record Check Required.

I. Every applicant selected for employment with a home health care provider licensed under RSA 151:2, I(b), including those which provide only homemaker services, shall submit to the employer a notarized criminal conviction record release authorization form, as provided by the division of state police, which authorizes the release of his or her criminal conviction record to the facility pursuant to RSA 106-B:14; provided, that the scope of employment includes the provision of services in a client’s home or otherwise involves direct contact with a client.

II. A home health care provider shall submit the notarized criminal conviction record release authorization form to the division of state police after an applicant accepts a conditional offer of employment. The licensed home health care provider shall review the results of the criminal conviction record check before making a final offer of employment. An employee shall not begin work before the final offer of employment is made.

III.(a) Upon receipt of a notarized criminal conviction record release authorization form from a home health care provider, the division of state police shall conduct a criminal conviction record check pursuant to RSA 106-B:14 and provide the results to the home health care provider. The home health care provider shall maintain the confidentiality of all criminal conviction records received pursuant to this section.

(b) The cost of criminal conviction record checks for such applicants shall be borne by the home health care provider; provided, that the home health care provider may require an applicant to pay the actual cost of the criminal conviction record check.

IV.(a) Any agency providing temporary or per diem staff to a home health care provider shall conduct a criminal conviction record check pursuant to this section. The agency shall not offer the services of any person until the agency has reviewed the criminal history of the employee.

(b) The cost of criminal history record check for such temporary or per diem staff shall be borne by the agency providing temporary or per diem staff to a home health care provider, provided that the agency providing per diem staffing may require the selected applicant for employment to pay the actual costs of the criminal conviction record check.

V. The provisions of this section shall not apply to any person who is licensed by the board of nursing pursuant to RSA 326-B.

2 New Section; Other Qualified Agencies; Criminal Record Check Required. Amend RSA 161-I by inserting after section 6 the following new section:

161-I:6-a Criminal Record Check Required.

I. Every applicant selected for employment with an other qualified agency, as defined in RSA 161-I:2, IX, shall submit to the employer a notarized criminal conviction record release authorization form, as provided by the division of state police, which authorizes the release of his or her criminal conviction record to the facility pursuant to RSA 106-B:14; provided, that the scope of employment includes the provision of services in a client’s home or otherwise involves direct contact with a client.

II. The other qualified agency shall submit the notarized criminal conviction record release authorization form to the

division of state police after an applicant accepts a conditional offer of employment. The other qualified agency shall review the results of the criminal conviction record check before making a final offer of employment. An employee shall not begin work before the final offer of employment is made.

III.(a) Upon receipt of a notarized criminal conviction record release authorization form from an other qualified agency, the division of state police shall conduct a criminal conviction record check pursuant to RSA 106-B:14 and provide the results to the other qualified agency. The other qualified agency shall maintain the confidentiality of all criminal conviction records received pursuant to this section.

(b) The cost of criminal conviction record checks for such applicants shall be borne by the other qualified agency provided that the other qualified agency may require an applicant to pay the actual costs of the criminal conviction record check.

IV.(a) The provisions of this section shall apply to any agency providing temporary or per diem staff to an other qualified agency. The agency shall not offer the services of any person until the agency has reviewed the criminal history of the employee.

(b) The cost of criminal history record checks for such temporary or per diem staff shall be borne by the agency providing temporary or per diem staff to an other qualified agency, provided that the agency providing per diem staffing may require the selected applicant for employment to pay the actual costs of the criminal conviction record check.

V. The provisions of this chapter shall not apply to any person who is licensed by the board of nursing pursuant to RSA 326-B.

3 New Section; Residential Care Facilities; Employees; Criminal Record Check Required. Amend RSA 151 by inserting after section 3-b the following new section:

151:3-c Criminal Record Check Required.

I. Every applicant selected for employment with a residential care facility licensed under RSA 151:2, I(e), including a nursing home, shall submit to the employer a notarized criminal conviction record release authorization form, as provided by the division of state police, which authorizes the release of his or her criminal conviction record to the facility pursuant to RSA 106-B:14.

II. The residential care facility shall submit the notarized criminal conviction record release form to the division of state police after an applicant accepts a conditional offer of employment. The residential care facility shall review the results of the criminal conviction record check before making a final offer of employment. An employee shall not begin work before the final offer of employment is made.

III.(a) Upon receipt of a notarized criminal conviction record release authorization form from a residential care facility licensed under RSA 151:2, I(e), the division of state police shall conduct a criminal conviction record check pursuant to RSA 106-B:14 and provide the results to the residential care facility. The residential care facility shall maintain the confidentiality of all criminal conviction records received pursuant to this section.

(b) The cost of criminal conviction record checks for such applicants shall be borne by the residential care facility; provided, that the residential care facility may require an applicant to pay the actual costs of the criminal conviction record check.

IV.(a) The provisions of this section shall apply to any agency providing temporary or per diem staff to a residential care facility. The agency shall not offer the services of any person until the agency has reviewed the criminal history of the employee.

(b) The cost of criminal history record checks for such temporary or per diem staff shall be borne by the agency providing temporary or per diem staff to a residential care facility, provided that the agency providing per diem staffing may require the selected applicant for employment to pay the actual costs of the criminal conviction record check.

V. The provisions of this chapter shall not apply to any person who is licensed by the board of nursing pursuant to RSA 326-B.

4 New Section; Nursing; Criminal Record Checks. Amend RSA 326-B by inserting after section 4-b the following new section:

326-B:4-c Criminal Record Checks.

I. Every new applicant and every renewal applicant for a license under this chapter shall submit to the board a notarized criminal conviction record release authorization form, as provided by the division of state police, which authorizes the release of his or her criminal conviction record to the board pursuant to RSA 106-B:14.

II. Upon receipt of a notarized criminal conviction record release authorization form from the board, the division of state police shall conduct a criminal conviction record check pursuant to RSA 106-B:14 and provide the results to the board.

III. The board shall review the criminal record information prior to making a licensing decision and shall maintain the confidentiality of all criminal conviction records received pursuant to this section.

IV. The board may require the applicant to pay the actual costs of the criminal conviction record check.

5 Effective Date. This act shall take effect July 1, 2003.

AMENDED ANALYSIS

This bill requires criminal conviction record checks for all applicants for a license from the board of nursing and all

employees working in long-term care facilities, home health care, residential care, and certain personal care services.
2003-1431h

Amendment to SB 140-FN
Proposed by the Committee on Criminal Justice and Public Safety - C

Amend the bill by replacing section 1 with the following:

- ☐ Pistols and Revolvers; License to Carry. Amend RSA 159:6 to read as follows:
159:6 License to Carry.

I. The selectmen of a town or the mayor or chief of police of a city or some full-time police officer designated by them respectively, upon application of any resident of such town or city, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not ~~less~~ **more** than ~~[4]~~ **5** years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, and that the applicant is a suitable person to be licensed. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued. The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for **not more than** ~~[4]~~ **5** years. When required, license renewal shall take place within the month of the ~~[fourth]~~ **fifth** anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the law enforcement department of the town granting said licenses; the fee for licenses granted to out-of-state residents shall be \$20, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

II. As an alternative to the application procedure in paragraph I, an applicant may choose any license expiration date within 5 years of the date of application. Issuing authorities shall inform applicants that this choice is provided for their convenience.

AMENDED ANALYSIS

This bill allows qualified residents to elect an optional renewal period for a license to carry a pistol or revolver.
2003-1453h

Amendment to SB 142-FN
Proposed by the Committee on Public Works and Highways - C

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

- ☐ Advertisements Prohibited; Removal; Compensation. Amend RSA 236:75 to read as follows:

236:75 No Advertisements of any Kind Upon Certain Objects. Notwithstanding any provisions of the law to the contrary, it shall be unlawful to affix, attach or display any advertisement upon any object of nature, utility pole, telephone booth, or highway sign, directly in such a manner that the object of nature, utility pole, telephone booth, or highway sign, is utilized as an integral part of the sign's support as distinguished from being only incidentally a support to the sign, such as the earth or ground upon which a sign is affixed. This prohibition shall extend to all primary and secondary highways and roads of and within the state without exception for any type of advertising. ***The owner of an object upon which an advertisement is placed in violation of this section shall be entitled to remove and destroy the advertisement and the advertisement owner shall not be entitled to damages or compensation therefor. The object owner shall be entitled to collect the costs associated with the removal and destruction from the advertisement owner or the person who is responsible for placing the advertisement on the object in violation of this section.***

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

AMENDED ANALYSIS

This bill allows the owner of certain objects upon which a person has unlawfully posted an advertisement to remove the advertisement and recover the costs of removal from the advertisement owner or the person who is responsible for posting it.
2003-1451h

Amendment to SB 161
Proposed by the Committee on Public Works and Highways - C

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

- ☐ Preliminary Steps to Initiating Action. RSA 498-A:4 is repealed and reenacted to read as follows:
498-A:4 Preliminary Steps to Initiating Action.

I. DISCLOSURE. At the initial contact with a property owner, the condemnor shall provide to the condemnee information regarding acquisition and relocation. Such information shall include a disclosure, conspicuously located, which

states that the condemnor does not represent the rights of the condemnee and that the condemnee may want to obtain independent advice or unbiased counsel.

II. APPRAISAL.

(a) The condemnor shall have an impartial, qualified appraiser make at least one appraisal of all property proposed to be acquired. The appraiser shall make reasonable efforts to confer with the condemnees or their personal representatives.

(b) Every condemnee who is the subject of a property acquisition shall have a reasonable opportunity to have his or her property appraised by an independent, qualified appraiser, employed by the condemnor. The condemnor shall reimburse the usual and customary cost of the appraisal up to \$1,000.

(c) Before making the offer provided for in paragraph III, the condemnor shall make reasonable efforts to negotiate with the condemnees or their personal representatives for the purchase of the property, but failure to confer or negotiate shall not be a defense to condemnation of a property. Any sum of money or other consideration discussed by either the condemnor or the condemnee during any such negotiations shall not be admissible in evidence and shall not be referred to in any proceedings for the determination of just compensation.

(d) Within 10 days of receipt of a notice of offer provided for in paragraph III of this section a municipal condemnee shall, at the request of the condemnor, furnish the condemnor with the estimated amount of unpaid taxes, fees and interest for which notice has not been recorded at the registry of deeds for the county in which the property is located. Failure to timely provide such estimate shall not affect any right of a municipal condemnee under this chapter.

(e) When the condemnor is the department of transportation, the condemnor shall review any independent appraisals for accuracy before formulating a notice of offer.

(f) The condemnor shall provide a copy of the appraisal, and if requested, any official appraisal review notes upon which the negotiations are based, to the condemnee at the time of negotiation or at least 45 days prior to making the notice of offer, whichever comes first.

III. NOTICE OF OFFER.

(a) The condemnor shall make its notice of offer within a reasonable time after it publicly announces its plans to take a property.

(b) No property shall be taken unless the condemnor shall serve upon the condemnee a written notice of offer to purchase, which shall set forth:

(1) The purpose for which the property will be taken.

(2) A description of the property to be taken sufficient for the identification thereof, including sources of title, if ascertainable.

(3) The amount of compensation offered and whether the offer is based on the appraisal required by RSA 498-A:4, II(a), or on some other basis.

(4) The effective date of the appraisal.

(5) That an action to condemn the property in the manner provided by this chapter will be commenced if the offer is not accepted within 30 days after service of the notice, or that the condemnee may reject the offer within 20 days and request a notice of offer based on the value of the property at the time the taking was announced or at the time of the notice of offer.

(c) Any offer shall remain outstanding and may be accepted by the condemnee until such time as either the condemnor or the condemnee files a petition in the superior court to have the damages reassessed under RSA 498-A:27.

(d) The condemnor shall make public a complete list of such offers showing the name of each condemnee and the amount of the offer in each case, including the value of the property before and after the taking, if different, and the amount of damages.

IV. SERVICE OF NOTICE.

(a) The giving of the notice of offer is a jurisdictional prerequisite to instituting condemnation proceedings. The notice may be served by certified mail and service shall be complete on the date of mailing. If the condemnee is a minor, an incompetent person, unknown, or is one whose whereabouts are unknown, the condemnor shall serve such notice upon the legal guardian of the condemnee. If there is no such guardian, the condemnor shall petition the board and request that a guardian ad litem be appointed to represent such condemnee. If the condemnee is unknown or one whose whereabouts are unknown, such notice shall also be published once in a newspaper of general circulation in the county where the property is located.

(b) If the offer is accepted, the transfer of title shall be accomplished within 30 days after acceptance, including payment of the considerations set forth in the offer or as agreed upon between the parties, unless such time is extended by mutual written consent by the condemnor and condemnee. In the event the condemnee fails to convey the property within the specified time, the condemnor may commence condemnation proceedings.

(c) If the offer is not accepted within 30 days after the service of the notice, the condemnor shall commence condemnation proceedings within 90 days after the expiration of such 30-day period.

2) Abandonment of Project; First Offer to Original Landowner. Amend RSA 498-A:12, II to read as follows:

II. If a condemnor has ~~[condemned]~~ **acquired** a fee and thereafter abandons the property, after the purpose is served for which the property was ~~[condemned]~~ **acquired**, or abandons the property for any reason within 10 years of ~~[condemnation]~~

acquisition, the property may not be disposed of without first being offered to the [condemnee] **landowner**, his heirs and assigns at a price equal to the current appraised value of the property including any improvements made thereon. The [condemnee] **landowner**, his heirs and assigns shall be served notice pursuant to RSA 498-A:12, I. ***This provision shall not apply to those properties purchased as early or total acquisitions at the landowner's request***

3 Effective Date. This act shall take effect July 1, 2003
2003-1277h

Amendment to SB 206-FN

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

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

- 2 Trail Connector; Cross Country Ski Trails. Amend RSA 215-A:1, XVII to read as follows:
XVII. "Trail connector" means that specific portion of an OHRV trail ***or cross country ski trail on which an OHRV trail maintenance vehicle may operate*** authorized within a state highway right-of-way by the department of transportation.
- 3 Bureau Responsibilities; Cross Country Ski Trail Maintenance. Amend RSA 215-A:3, VI to read as follows:
VI. The supervisor of the bureau shall receive all written requests from persons applying for permission to establish a highway trail crossing or trail connector on any class I, class II or class III highway for any OHRV trail ***or cross country ski trail on which an OHRV trail maintenance vehicle may operate***. The requests shall be submitted by the supervisor to the commissioner of the department of transportation or the commissioner's representative for the department's approval or disapproval. If approval is granted, the commissioner of the department of transportation may post the area with appropriate signs designating the location of the trail crossing or trail connector and providing signs for both sides of the highway at an appropriate distance from the crossing or trail connector to warn the motoring public of said crossing or trail connector.

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

AMENDED ANALYSIS

This bill adds cross country ski trail maintenance OHRVs to the term "OHRV trails maintenance vehicles" for purposes of OHRV registration.

The bill also includes cross country ski trail connectors in the supervision of highway right-of-way crossings.

2003-1429h

Amendment to SB 222-FN-A

Proposed by the Majority of the Committee on Transportation - R

Amend the bill by replacing section 1 with the following:

- 1 Fees to be Collected; Prorated Fees for Motor Vehicles for Biennium Ending June 30, 2005. For the period beginning July 1, 2003 and ending June 30, 2005, the department of safety shall collect, in place of the fees required by RSA 261:141, III(g), the following prorated fees for all motor vehicles other than those in RSA 261:141, I:
- | | |
|------------------|---------------------------------------|
| 0-3000 lbs. | \$27.60 (\$2.30 per month) |
| 3001-5000 lbs. | \$39.60 (\$3.30 per month) |
| 5001-8000 lbs. | \$51.60 (\$4.30 per month) |
| 8001-73,280 lbs. | \$.84 per hundred lbs. gross weight. |

Amend RSA 266:59-b,V(b) as inserted by section 1 of the bill by replacing it with the following:

- (b) Reasonable fees, as approved by the fiscal committee of the general court, to cover the operation of an approved electronic on-board diagnostic and vehicle safety inspection program. All fees collected pursuant to this subparagraph shall be deposited in the highway fund.

AMENDED ANALYSIS

- This bill:
- I. Inserts provisions for the administration of the electronic on-board diagnostic and vehicle safety inspection program.
 - II. Increases registration fees for motor vehicles for the biennium ending June 30, 2005.

2003-1285h

Amendment to SCR 2

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

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

- Whereas, the New England fishing industry, including New Hampshire fishermen, have worked tirelessly over the last decade to rebuild the fishing stocks off New England and have increased their community effort to work towards better conservation practices and sustainability; and
- Whereas, the new federal fishing restrictions imposed by the National Marine Fisheries Service have severely curtailed fishing opportunities available to New Hampshire fishermen and may well put these small commercial fishermen in financial jeopardy in the present and in the future; and
- Whereas, the methodology for estimating fish populations, which became the basis for these new federal fishing restrictions, might be based on faulty science due to the fact that the federal government's research vessel used uncalibrated scientific fishing equipment for more than 2 years, possibly painting a more dire picture of fish stocks than might exist; and

Whereas, a recent federal court ruling required the Secretary of Commerce to publish an interim rule to be in compliance with the overfishing, rebuilding, and by catch provisions of the Sustainable Fisheries Act; and

Whereas, the proposed interim rule proposed additional restrictions to include a freeze on days at sea at the highest annual level used from fishing years 1996 to 2000 and a 20 percent cut from that level; and

Whereas, the use of days at sea from the fishing years 1996 to 2000 as a vessel's new "baseline" fails to take into account a number of factors, including participation in formerly "exempted fisheries," creates inequitable results and thereby unfairly penalizes fisherman who were encouraged to enter these "exempt fisheries"; and

Whereas, the head of stock assessment for the National Marine Fisheries Service has stated faulty gear on a trawler used to collect data about groundfish stocks may have led to inaccurate findings and New Hampshire fishermen have suspected the federal fisheries stock assessments were seriously flawed; and

Whereas, New England fishermen, including New Hampshire fishermen, have readily complied with voluntary conservation measures only to be penalized by this "good faith" compliance; and

Whereas, the goals to allow the regeneration of groundfish stocks in the waters off the New England coast while protecting those individuals and their significant investments who bring that resource to the public are not mutually exclusive; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring:

That the United States Senate and House of Representatives seek legislation requiring the Secretary of Commerce not to implement any new federal restrictions on the New England multispecies fishery until the following conditions have been met, and not before May 1, 2006:

I. All regulations now and in the future must be adjusted based on fairness and equity, and social and economic needs of communities in accordance with the national standards;

II. All collection and analysis of scientific information must be sound and apply the best methods and technology available;

III. All National Oceanic and Atmospheric Administration trawl survey vessels should be independently reviewed for stock status reference points, definitions for all stocks should be implemented, the incorporation of state-of-the-art survey devices should be made on these research vessels, and a independent review made of trawl survey protocol; and

That the Secretary of Commerce be allowed to relax federal regulations on an emergency basis as appropriate to address issues of fairness and equity within the Interim Final Rule; and

That greater federal funding be made for cooperative research within the fishing industry and the scientific community; and

That copies of this resolution be forwarded by the senate clerk to the governor, the executive director of the fish and game department, the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Secretary of Commerce, the administrator of the National Oceanic and Atmospheric Administration, and the members of the New Hampshire congressional delegation.