

State of New Hampshire HOUSE RECORD

First Year of the 159th General Court Calendar and Journal of the 2005 Session

Vol. 27

Concord N.H.

Friday, February 4, 2005

No. 13

Contains: Reports and Amendments for February 9, Hearings, Meetings and Notices

HOUSE CALENDAR

NOTICE

The House will meet on **Wednesday, February 9th** at 1:00 p.m.

The House will meet in Joint Session with the Senate on **Tuesday, February 15th** at 10:00 a.m. to hear the budget message from Governor Lynch as required by law.

Chairmen and Vice Chairmen will meet on **Tuesday, February 8th** at 9:00 a.m. in Rooms 201-203, LOB.

W.
Douglas
Scamman,
Speaker

NOTICE

There will be a Republican Caucus on Wednesday, **February 9** at **8:45 a.m.** and **12:15 p.m.** in Representatives Hall.

Rep.
Michael
O'Neil,
Majority
Leader

NOTICE

There will be a Democratic Caucus on Wednesday, **February 9** at **noon** in Rooms 205-207 of the Legislative Office Building.

Rep.
James W.
Craig,
Democratic
Leader

NOTICE OF RECONSIDERATION

This date, January 27, 2005 at 8:17 a.m., Representative Russell Albert, having voted on the prevailing side, served notice of reconsideration of the vote taken January 26, 2005 whereby the House passed an amendment to House Rules.

Karen O. Wadsworth, Clerk of the House

NOTICE

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

CLOSES NOON

THURSDAY

February 10

TO BE

MAILED

FRIDAY

February

11

Karen O.
Wadsworth,
Clerk of the
House

SHUTTLE SERVICE

For the convenience of members during the winter months I have instituted a shuttle service from the Storrs Street parking garage to the State House complex.

The shuttle will operate **Tuesdays, Wednesdays and Thursdays from 8:00 a.m. to 10:00 a.m. and again from 2:00 p.m. until 4:00 p.m.** or until session is over. The van will drop-off and pickup on North State Street between the State House and LOB. If you have any questions or need any assistance please feel free to call my office or Protective Services at 271-3321.

W. Douglas Scamman, Speaker

HOUSE DEADLINES

Friday, January 21, 2005, 12:00 p.m.	Last day to sign-off all House bills, including re-draft requests.
Thursday, February 3	Last day to introduce House bills. Last day to amend House rules by majority vote.

WEDNESDAY, FEBRUARY 9

CONSENT CALENDAR

COMMERCE

HB 35, relative to bank reserve and lending procedures. **INEXPEDIENT TO LEGISLATE**
Rep. Stephen B. Stepanek for Commerce: This bill would require that all state chartered banks maintain 100% reserves for all loans which means that for every dollar deposited in the bank, the bank would have to keep on hand that dollar. Therefore the only money available to loan would be the money invested by the stockholders. This would have a number of consequences. First, depositors would not be able to be paid interest on their deposits. Second, depositors for both

savings and checking accounts would see their fees increase dramatically. Third, the banks would be forced to call in for immediate payment most of their mortgages, car loans, personal loans, business loans, etc. This legislation would not impact any of the federally chartered banks such as Bank of America, Citizen Bank of New Hampshire, Ocean National Bank, etc. The committee heard additional testimony that all state chartered banks would have to convert to federally chartered banks or go out of business. The committee heard no credible evidence as to any advantage to be gained for New Hampshire citizens. **Vote 21-0.**

HB 63, establishing a committee to study the feasibility of requiring that liquor brought into the state of New Hampshire be brought in through the port of Portsmouth. **INEXPEDIENT TO LEGISLATE**

Rep. Charles L. Clark for Commerce: The intent of this bill was to establish a study committee to explore the feasibility of requiring that liquor brought into the state of New Hampshire be brought in through the Port of Portsmouth. The committee found that, although the idea is well intended, it would be counter productive as the liquor commission's present distribution is much more effective and financially viable than the alternative proposed to be studied. **Vote 21-0.**

HB 67, prohibiting excessive overpricing of essential commodities during a declared state of emergency. **INEXPEDIENT TO LEGISLATE**

Rep. Stella Scamman for Commerce: The subcommittee met twice and reviewed the laws of several other states. The Attorney General's Office had received no complaints with regard to any price gouging. Only two states of emergency have been declared in the state of New Hampshire in limited areas since 1998, an ice storm in the higher elevations in 1998, and flooding in the western part. The Attorney General stated that New Hampshire businesses generally do not face such problems with respect to price gouging. **Vote 18-3.**

HB 143, relative to real estate appraisals. **INEXPEDIENT TO LEGISLATE**

Rep. Donald H. Flanders for Commerce: This bill requires a real estate appraiser to provide a certified copy of the appraisal to the mortgage applicant as well as the lending institution, whereas current law permits the applicant to make a written request to the lender and receive a copy of the appraisal from them. The committee felt that the present plan was working efficiently and did not need to be changed. The lender has the necessary information in its files to provide a copy promptly, whereas the appraiser frequently does not know who the borrower is or how to contact him. **Vote 21-0.**

ELECTION LAW

CACR 6, relating to state representative and state senate districts. Providing that there shall be 36 senate districts and 4 house districts within each senate district. **INEXPEDIENT TO LEGISLATE**

Rep. Richard B. Drisko for Election Law: The intent of this bill is to restructure the General Court to increase the senate districts to 36, each to contain four house districts. Each four districts will have a single representative. The four districts will have equalized populations that will not deviate more than 5% of each other. The General Court would be constitutionally reduced from 424 to 180. Further the bill repeals current constitutional provisions for redistricting and promotes increased compensation for the legislators. The committee felt that the redistricting controversy could eventually be resolved in a constitutional convention. The changes offered in CACR 6 would not satisfactorily solve the need for an increase in the senate. The committee was in favor of retaining the "citizen legislature" of 400 members assuring more districts and smaller districts for strong constituent contact. In addition, a reduction in size would tend towards a "professional legislature" at greatly increased cost to the state and to candidates' campaign costs while weakening constituent contact. **Vote 14-4.**

HB 95, relative to delegates to state party conventions. **OUGHT TO PASS**

Rep. Michael G. Biundo for Election Law: The intent of this bill is to cultivate more grassroots participation in state party conventions. Often a person will run for both an elected office as well as a delegate to the state party convention. The possibility exists that a person will win both seats, therefore, qualifying twice to serve as a delegate to a state party convention. This bill will simply allow the next highest eligible vote getter running for delegate to take the spot of a party nominee who is already entitled to serve due to being nominated to an office. The committee voted unanimously "ought to pass" because it feels this will open up and encourage more people to get involved in the political process. **Vote 18-0.**

HB 154, relative to changes of party registration on primary day. **OUGHT TO PASS WITH AMENDMENT**

Rep. William L. O'Brien for Election Law: Under current law, previously undeclared voters voting in a primary and thereby affiliating with a party may return to undeclared status on primary day. Previously declared voters voting in a primary have no such right. In order to address this disparity and because the choice to participate in a party's primary should signify allegiance to a party (adherence to a party's philosophy), the original bill that would allow all primary voters to change registrations on primary day was amended to provide all primary voters will remain affiliated with his or her party of choice for at least 90 days following the primary. The period of 90 days is believed appropriate because it approximately relates to the period before primaries that declared voters are not allowed to change their party registrations. **Vote 16-0.**

HB 171, relative to nicknames on ballots. **OUGHT TO PASS WITH AMENDMENT**

Rep. William L. O'Brien for Election Law: This bill amends RSA 655:14-b in order to clarify what nicknames are allowed on the ballot and the process for obtaining approval of contested nicknames. The original bill would allow any nicknames that a candidate can show by three affidavits he or she has been known by for five years in the community. Based on review by a subcommittee, the bill was amended to limit nicknames to one word, unless it is a common derivative of a candidate's name, and to prohibit offensive or profane nicknames, as well as those that imply the candidate is someone else, constitute a slogan or associate a candidate with a cause or issue. The amendment also requires that the demonstration of the use of the nickname for five years in the community has to be by clear and convincing evidence, which may include three affidavits. **Vote 15-1.**

HB 201, establishing a study committee to consider amending voter identification and public assistance requirements as a means of discouraging illegal voting and illegal access to public assistance. **INEXPEDIENT TO LEGISLATE**

Rep. Charles F. Weed for Election Law: This bill would establish a committee to study the potential for amending voter identification and public assistance requirements to discourage illegal voting and access to public assistance associated with immigration. Having heard that the requested study committee would include several complex issues associated with immigration, public assistance, and voter identification, the committee believes that these subjects may need to be separated. Some of the issues relate to granted privileges and others to fundamental rights. At present, the committee is not convinced that the **Vote 18-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 33, establishing retainage procedures for public contracts. **OUGHT TO PASS WITH AMENDMENT**

Rep. Nelson S. Allan for Executive Departments and Administration: The amendment of the bill directs the commissioner of administrative services to study retainage practices relative to state construction and highway contracts. The study, conducted with the commissioner of the department of transportation and director of public works, reviews the rules governing retainage practices culminating in a written report containing findings and observations of eight specific issues. The study report will contain recommended guidelines, rules or legislation for subcontractors' retainage practices in the state. **Vote 19-0.**

HB 42, establishing a statutory joint committee to review and propose changes to state unclassified officers' salaries. **OUGHT TO PASS**

Rep. Judson K. Dexter for Executive Departments and Administration: The purpose of this legislation is to establish a statutory committee which will have the responsibility of reviewing and recommending to the legislature the approval of the appropriate salary grade for unclassified state employee positions. The bill contains language explaining the process for setting the salary grade for any new unclassified position as well as for the upgrade or downgrade of existing unclassified positions. The acting director or administrative head of any agency or department shall submit a recommendation to the commissioner of administrative services. The commissioner shall submit the recommendation to an outside consultant retained for the purpose of assessing the appropriate letter grade of unclassified state officers. The consultant shall assess the recommendation and report to the joint committee on compensation of state officers. The committee shall set a temporary letter grade allocation for each position referred. The committee shall subsequently propose to the general court legislation recommending permanent salary levels. This is the second time this bill has come to this committee. The bill passed 16-0 last year on the consent calendar. The bill went to study in the senate and was defeated. This was a good idea last year and is still a good idea. **Vote 16-2.**

HB 65, allowing licensed barbers and cosmetologists to employ shampoo assistants. **INEXPEDIENT TO LEGISLATE**

Rep. Maurice L. Pilotte for Executive Departments and Administration: The committee heard testimony on two bills dealing with shampoo assistants (HB 65 and HB 239) and recognizes the advisability of accepting the provisions of HB 239, as amended, for a shampoo assistant apprentice program rather than the exemption provision in this bill. **Vote 18-0.**

HB 168, relative to the licensure of electrologists and establishing an electrology advisory committee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. A. Laurie Harding for Executive Departments and Administration: The Department of Health and Human Services is requesting legislative intent to formalize a process which is currently used for the inspection of offices where electrology is practiced. **Vote 16-2.**

HB 181, establishing a committee to study the special account in the New Hampshire retirement system. **OUGHT TO PASS WITH AMENDMENT**

Rep. James M. Fitzgerald for Executive Departments and Administration: There was unanimous bipartisan support to establish this important committee to study the special accounts of the New Hampshire Retirement System. The special accounts are running low and could have an adverse effect on member benefits. The amendment changes the reporting date from December 1 to September 1, 2005. **Vote 18-0.**

HB 216-FN, relative to the authority of the New Hampshire retirement system to purchase supplies and services. **OUGHT TO PASS WITH AMENDMENT**

Rep. William R. Zolla for Executive Departments and Administration: This bill exempts the retirement system from provisions on the purchase of supplies by the department of administrative services. Exemptions of this sort are fairly common and are contained in RSA 21-I:18,I. The amendment to this bill also allows the retirement system to purchase through the director of plant and property management when it wishes to do so to employ the states purchasing power when appropriate. When making such purchases, the retirement system shall be required to follow the provisions of this chapter and shall make purchases under competitive bidding requirements except when waived by the executive director or his or her authorized agent upon written justification. **Vote 17-1.**

HB 222-FN, relative to payment of medical benefits costs for disabled group II members of the retirement system. **OUGHT TO PASS**

Rep. William R. Zolla for Executive Departments and Administration: This bill extends the year of eligibility of group II members who become disabled for the payment of benefit costs by the retirement system. This benefit is terminally funded each year for new members employed after July 1, 2005 thru June 30, 2006. Without this bill, there would be no medical benefit for the employee other than workman's compensation. **Vote 18-0.**

HB 239-FN, relative to certification of shampoo assistants by the board of barbering, cosmetology and esthetics. **OUGHT TO PASS WITH AMENDMENT**

Rep. Judson K. Dexter for Executive Departments and Administration: This bill was brought forward at the request of Joint Legislative Committee on Administrative Rules to clarify the responsibilities and qualification of shampoo assistants. The bill is crafted so it does not impede anyone from becoming a shampoo assistant. The bill establishes registration requirement, direct supervision and fees. The board of barbering, cosmetology and esthetics approves of this solution. **Vote 18-0.**

FISH AND GAME

HB 107, relative to the use of artificial light to view moose in Coos County. **OUGHT TO PASS**

Rep. Renney E. Morneau for Fish and Game: This bill would extend the permissible hours from 9:00 to 11:00 p.m. to allow for moose tours to bring tourists on excursions late enough to see moose in their habitat, benefiting not only the local economy, but also providing tourists with a social activity. **Vote 12-0.**

HB 179-FN, permitting certain hunting activities on one's own land without a license. **INEXPEDIENT TO LEGISLATE**

Rep. Vincent E. Greco for Fish and Game: This bill would have exempted property owners from purchasing special hunting stamps for a variety of wildlife such as turkey, pheasant, bear, etc. This would have resulted in an undeterminable loss of revenue for the year 2005 and beyond. It was the committees' opinion that wildlife is a state resource and everyone should pay their share to help manage the resource. **Vote 10-1.**

HB 199, relative to fish and game department expenditures for marine fisheries. **OUGHT TO PASS**

Rep. Stephanie Eaton for Fish and Game: The committee voted unanimously to support this Fish and Game Department's request. Efficiency of process promotes that the Fish and Game Executive Director may adopt marine fisheries' rules as provided by statute. This bill also repeals provisions directing marine fisheries funds, leaving that responsibility to the Director. **Vote 12-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 206, relative to alcohol education and abuse prevention and treatment programs. **OUGHT TO PASS WITH AMENDMENT**

Rep. Thomas Donovan for Health, Human Services and Elderly Affairs: In 2000, the legislature created the Governor's Commission on Alcohol and Drug Abuse Prevention, Intervention and Treatment. The commission has received various levels of funding using monies determined through a formula from profits from the sale of liquor. The purpose of these monies was to provide for alcohol and drug abuse education and prevention.

This bill will insure that the formula for the distribution of designated profits will be used as the previous legislation calls for, primarily used for alcohol and other drug abuse prevention, **Vote 17-0.**

HB 224-FN, relative to the collection of data on hospital-acquired infection rates. **INEXPEDIENT TO LEGISLATE**

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: This bill relative to the collection of data on hospital acquired infections is a subject matter of good intentions. After the bill was entered, the prime sponsor and the co-sponsors requested that the bill be withdrawn from consideration due to the fact that late information became available that this data is currently being monitored and recorded by the Medicaid Commission and currently by the New Hampshire hospitals. **Vote 19-0.**

HB 247, extending the law regarding receivership of care facilities for a certain length of time. **OUGHT TO PASS**

Rep. James MacKay for Health, Human Services and Elderly Affairs: This bill was introduced at the request of the long term care ombudsman. Two years ago the legislature passed and the governor signed a law regarding health care facilities going into receivership. That law was scheduled to sunset in July 2005. The legislature was concerned that in the event a health care facility ceased to function that the residents be protected. Any change in nursing, particularly for elderly in institutional care, can lead to psychological trauma and severe reactions. The legislation, in part, was based on a 2002 national A.A.R.P. study of nursing home closures. That legislation, if anything, is needed even more so today. There is considerable concern over the future of nursing home beds as the Granite Care Plan is studied. In addition, it was announced that many nursing homes have waiting lists, further complicating the ability of individuals to relocate if closure occurs. This bill has the unanimous support of the committee. In addition, it was supported by the Long Term Care ombudsman and his advisory committee. No one spoke in opposition. **Vote 19-0.**

HB 269, establishing a statutory committee for the protection of human research subjects. **OUGHT TO PASS**

Rep. James Mac Kay for Health, Human Services and Elderly Affairs: This bill was initiated at the request of the Department of Health and Human Services. The D.H.H.S., for several years, has had an existing committee for the protection of human subjects. This practice is common, particularly to agencies who carry on research utilizing federal research funds. This bill covers research in the areas of mental health, developmental disabilities, or any other dependence disorders or addictions. The bill was unanimously supported by the committee. It is an essential ingredient for the state to participate in competition for federal funding for research in mental health and addiction. This bill fulfills a federal and scientific requirement to protect consumers participating in research studies. The committee agrees that this is required to receive federal funding. **Vote 15-0.**

JUDICIARY

HB 41, relative to the right-to-know study commission. **OUGHT TO PASS WITH AMENDMENT**

Rep. Gregory M. Sorg for Judiciary: This bill would transform the right-to-know commission into a permanent oversight commission that would report annually on findings and recommendations for proposed legislation considered necessary to keep the right-to-know law, RSA 91-A, current and consistent with its purposes in light of on-going advances in information technology. The

amendment changed the number of House members on the commission from three to four. **Vote 15-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 44, allowing municipalities to require certain current use landowners to file a bond for the payment of the land use change tax. **INEXPEDIENT TO LEGISLATE**

Rep. Eric G. Stohl for Municipal and County Government: The committee felt that even though this was enabling legislation, there was potential for complications and confusion. One issue that was raised was the added expense burden onto the property owner for obtaining and maintaining a bond. According to the bill, the reason for this bond was because sometime during ownership of the property, the owner had been in arrears on the property taxes. Another issue that was of concern to the committee was that the owner would be guilty of a misdemeanor if HE OR SHE failed to provide the bond within 30 days of a notice to do so from the local assessing official. We feel that the sponsor has good intentions to address this issue, but this bill is not the best method to achieve the results that are sought. **Vote 18-0.**

HB 53, repealing a 1901 law relating to the apportionment of library funds in the town of Haverhill. **OUGHT TO PASS**

Rep David L. Buhlman for Municipal and County Government: In the 1880's, three libraries were founded in the town of Haverhill. Due to a local conflict, the Legislature settled the dispute in 1904 when it passed Act 180: "An Act to prevent the Misappropriation of Funds Raised by Taxation for Public Libraries in the Town of Haverhill," which allocated a specific percentage of funds to one of those libraries. At the town meeting in 2004, Article 17 of the warrant requested that the legislature repeal 1901, 180 relative to the apportionment of library funds in the town of Haverhill. The committee received a signed confirmation of that article from the three Town Library Trustees. The warrant article passed with a showing of strong local support and the committee voted to recommend repeal of 1901, 180. **Vote 18-0.**

HB 64, establishing a committee to study assessing local education costs on a county-wide basis. **INEXPEDIENT TO LEGISLATE**

Rep. Eric G. Stohl for Municipal and County Government: The committee received limited testimony in reference to this bill. We unanimously feel that this bill raises the possibility of establishing the foundation of county-wide donor towns with respect to educational funding. The bill also raised questions with regard to education costs in school districts that expand beyond county boundaries that could not be accurately determined. **Vote 17-0.**

HB 84, relative to compensation of Rockingham county convention members for county business. **OUGHT TO PASS WITH AMENDMENT**

Rep. Nancy K. Johnson for Municipal and County Government: The current law allows only delegation members of county committees to be eligible for compensation for any mileage and time. This bill started out as a Rockingham County bill only but in looking at the issue, the committee amended RSA 24:9 to allow all county conventions to decide if and when any member of the convention would be compensated for mileage and time when attending to, discharging, or participating in county business at the county complex or other locations, as authorized by the county convention. **Vote 17-0.**

HB 87, relative to the authority of the Carroll county public water system. **OUGHT TO PASS**

Rep. Robert Brundige for Municipal and County Government: The county of Carroll was authorized to have jurisdiction over, operate and maintain a public water system within the borders of the town of Ossipee and on their own land in 2002. There are 51 private users, besides the county, which receive water from this public water system. In the process of setting up the accounting of this system, it was discovered that the county did not have the authority to keep the funds separate from the general funds of the county itself. This bill is the correction to that situation where the funds received from the collection of water rates shall be kept as a separate and distinct fund. The revenues and expenditures will still be a part of the county budget which shall be within the amounts appropriated by the county convention. **Vote 18-0.**

HB 122-FN-L, relative to airing general court sessions on local government access channels. **INEXPEDIENT TO LEGISLATE**

Rep. Harry Gale for Municipal and County Government: This bill would require municipalities operating a local government cable access channel to air sessions of the General Court provided to it on tapes delivered by State Representatives. During testimony, the committee was able to determine that this would amount to a sufficient cost to the cable access channels that would need to

be absorbed by the local access channel. There was considerable question within the committee as to whether this was a Part 1 Article, 28-a of the NH Constitution issue due to the requiring of the transmission of the submitted tape. The only remedy to the situation would be to pass along the expense of the transmission to the state representative. Further testimony indicated that if time allowed, the airing of session tapes was presently allowed. **Vote 18-0.**

HB 142, establishing a commission to study changing the local property tax abatement procedures. **INEXPEDIENT TO LEGISLATE**

Rep. Nancy K. Johnson for Municipal and County Government: The committee agreed that the form for an abatement may be confusing but the Board of Tax and Land Appeal entertains ideas to change forms. The committee agreed that a study commission is not necessary at this time. **Vote 18-0.**

HB-163, establishing a committee to study the provision of education through the county government system. **INEXPEDIENT TO LEGISLATE**

Rep. Robert L. Theberge for Municipal and County Government: Since 1962 the legislature has undertaken 12 (twelve) separate School Administrative Unit (SAU) studies which indicated that the comprehensive studies of SAU's is almost as extensive as the structure itself. In order to establish a study committee that could entail shifting the control and funding of public education from the local communities to the ten counties, the duties of the study committee need to be more specific than to "study the provision of education through the county government system and the committee may solicit advice and expertise which it deems necessary". There was also acknowledgement that current SAU boundaries cross county and, in some instances, state boundaries and there was no detailed charge to address that issue either. The committee also thought that this idea would be shifting the obligation of public education to the counties who are dealing with supplying costly services already. **Vote 18-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 193, relative to efficient renewable energy programs. **INEXPEDIENT TO LEGISLATE**

Rep. Lee G. Slocum for Science, Technology and Energy: The committee has received three bills including HB 185 relating to the use of renewable energy and intends to combine them into one study bill which will make a comprehensive study of renewable energy sources for New Hampshire people. The option to purchase renewable energy is available now as part of transition service. The committee does not support mandating use of a portion of the systems benefits charge for renewables. Sponsors can apply now to the PUC for this purpose. The purpose of the study will be to maximize incentives to use renewables without mandates. **Vote 10-1**

HB 194, establishing a study committee to examine regulatory practices pertaining to the telecommunications industry. **OUGHT TO PASS WITH AMENDMENT**

Rep. Jim Ryan for Science, Technology and Energy: The committee conducted a hearing on the bill and conducted a subcommittee review with the prime sponsor. The bill, as amended by committee action, creates a study committee to review regulatory or deregulatory action and makes recommendations to the PUC with a view towards allowing traditional phone service providers to become more competitive, while assuring affordable basic telephone service. **Vote 11-0.**

TRANSPORTATION

HB 40, relative to inspection dates for certain vehicles. **OUGHT TO PASS**

Rep. Stephen H. Nedeau for Transportation: The committee felt that motor homes should be included in this bill, in order to protect the so called "snowbirds" who are either in the south or cover for the season. In reading the RSA, recreational vehicles as defined in RSA 259:84-a does cover this class of vehicles. This requirement of inspection shall be annually by July 1st for all motor homes without regard to the owner's birth date or registration month. **Vote 9-0.**

HB 93-FN, relative to farm plates for motor vehicles. **INEXPEDIENT TO LEGISLATE**

Rep. Brenda L. Ferland for Transportation: This bill if passed would have allowed vans to have farm plates so that any vehicle would be permitted to haul farm workers around. The Department of Safety receives more complaints on the abuse of farm and agricultural plates than any other plates. A van with these plates would end up being used to transport groceries, go to the movies, teens dating and just about anything else that isn't farm related. This would be a loss of revenue for the local municipalities and the Department of Safety. Based on years of testimony the committee chooses not to continue or help this abuse of plates and lost revenue. **Vote 10-0.**

HB 149-FN, prohibiting the use or installation of radar scrambler devices in motor vehicles. **INEXPEDIENT TO LEGISLATE**

Rep. Brenda L. Ferland for Transportation: This bill would prohibit the use of a radar scrambler device in motor vehicles. Unlike the bill we passed last year on traffic signal preemptive devices, this radar scrambler is not a hazard to the motoring public. As a matter of fact, the state police have only seen two of these devices and they were in the cars of the drivers who were stopped for speeding. Obviously they don't work. Buyer beware would be a better enforcement than this law. The committee expects that someone has found a way to sell another gadget to the motoring public. The only prohibiting here should be for the consumer not to purchase a radar scrambling device.

Vote 10-0.

HB 165, relative to cellular telephone use during motor vehicle operation. **INEXPEDIENT TO LEGISLATE**

Rep. Brenda L. Ferland for Transportation: Today's youth are just as responsible as today's adults when it comes to cell phone use while operating a motor vehicle. Law enforcement would prefer that people would just drive. Today's driving public has somehow gotten the mind set that it is okay to do anything but drive. In the past the committee has dealt with the issue by passing the negligent driving law. The new statute went into effect on January 1, 2002 and has been working. People have to start driving and that is all they should be doing as they travel on the highways. Negligent driving addresses all kinds of distractions that cause a vehicle to be driven negligently, that endangers or is likely to endanger any person or property. Based on this law the committee voted to ITL this bill. There is no need to single out one group or one distraction at this time. **Vote 11-2.**

HB 166, relative to notice of driver's license suspension or revocation. **INEXPEDIENT TO LEGISLATE**

Rep. Stephen H. Nedeau for Transportation: This bill would require the Department of Safety to send a letter by certified mail when a person's driver's license is going to be suspended. Currently the letter is sent by registered mail. Most people that have their licenses suspended either have had a court or motor vehicle hearing. The committee felt that you should be responsible to make sure that any ticket you receive is paid or contested in court. **Vote 13-0.**

HB 212, requiring any driver to have headlights on when continuously operating windshield wipers during inclement weather. **INEXPEDIENT TO LEGISLATE**

Rep. Stephen H. Nedeau for Transportation: Current law states that your headlights shall be on thirty minutes after sunset to thirty minutes before sunrise and any time when rain, snow or fog shall interfere with the proper view of the road or visibility is under 1000 feet. With daytime running lights being offered as standard equipment on more new vehicles, the committee felt that this bill was unnecessary. The Federal Law in 2008 makes this mandatory for all vehicles. **Vote 14-0.**

WEDNESDAY, FEBRUARY 9

REGULAR CALENDAR

COMMERCE

HB 145, relative to the healthy kids corporation. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE**

Rep. Stephen B. Stepanek for the **Majority** of Commerce: The committee heard a great deal of testimony on this bill. Everyone was in unanimous agreement that the Healthy Kids program was one of the most successful programs of its kind in the country. In fact it is being held up as a national model on how to do it right. The Healthy Kids Corporation was created by the legislature. The Speaker of the House appoints a board member, the Senate President appoints a board member, the insurance department appoints a board member and the Governor appoints a board member. In total the state appoints approximately 40% of the Healthy Kids board. Currently, Healthy Kids puts out to bid, every 3 years, the contract for health insurance. In addition, they solicit both federal money and private donations all of which are used to provide health insurance to uninsured kids. Healthy Kids has reduced the number of uninsured children in New Hampshire by over 50%. Health and Human Services has attempted to not only bid out the insurance for Healthy Kids but also the administrative services which Healthy Kids provides. Healthy Kids was created by the legislature and has legislative oversight through its appointments to the Board of Directors. By

putting the administrative portion of Healthy Kids out to bid, Healthy Kids as it was created by the legislature would cease to exist. This bill insures that Healthy Kids continues as envisioned by the legislature, to be the highly successful model program it is today. **Vote 19-2.**

Rep. Marshall Lee Quandt for the **Minority** of Commerce: The minority of the committee agrees with the majority that the Healthy Kids Program has done a good job at what they have done and what they do. The minority disagrees on two issues. This bill appears to be putting the legislature in the middle of a dogfight between Healthy Kids and Health and Human Services; we believe we do not belong there. The second issue is of sole source contracting where we are guaranteeing a contract with Healthy Kids to administer the program without putting the management of the program out to bid. We believe that competitive bidding is a good tool to insure a program continues to re-evaluate itself for the best service to our children and the taxpayers.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 32, establishing a committee to study the feasibility of implementing the Second Chance drug rehabilitation program in the New Hampshire prison system. **OUGHT TO PASS WITH AMENDMENT**

Rep. Gene P. Charron for Criminal Justice and Public Safety: "Second Chance" is a prison based rehabilitation program that assists government in addressing criminal behavior and substance abuse. Four key modules are utilized: (1.) Drug Rehab Module, (2.) Education Module, (3.) Self-Respect Module and (4.) Life Skills Module. Currently the program has been implemented successfully in the prisons of Ensenada and Tijuana, Mexico and in Puerto Rico. The majority of the committee voted to study *HOW* and *IF* this program might assist our state in positively reducing recidivism. The amendment changes line 23 to read: Senate Clerk, the Governor and the State Library on or before November 1, 2005. The purpose of the extension of time was to be able to provide enough time to conduct research into the pros and cons of the program, and for those state agencies to provide their input into this progressive program. **Vote 12-7.**

ELECTION LAW

HB 49, establishing an independent legislative redistricting commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT**

Rep. Richard B. Drisko the **Majority** of for Election Law: This bill would establish an independent legislative redistricting commission to prepare a redistricting plan for both the house and senate which would then be considered by the legislature. This the third time in as many years that this proposal has been considered. The majority believes once again that it is the responsibility of the legislature to develop and propose redistricting plans. The majority of the committee also believes that passage of this bill would add another layer to the already complicated process of redistricting and that it would be inappropriate for the legislature to bind a future legislature when redistricting will be considered. **Vote 12-4.**

Rep. Charles F. Weed for the **Minority** of Election Law: The minority of the committee believed that insulating the next decennial redistricting from partisan sitting legislators would serve to increase both the appearance and reality of fairness in the redistricting process. The advisory board would provide a carefully drafted model which could be adjusted by the legislature. The appearance of fairness is supremely important to democracy and maintaining the position of New Hampshire as an exemplar for the rest of the nation. The minority believes that the experience in the previous two decennial redistricting efforts created unnecessary divisiveness and rancor between the major parties and an unfortunate Supreme Court intervention. This would be a better way.

HB 82, relative to defining political committees of political parties. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. William L. O'Brien for the **Majority** of Election Law: The bill expands the definition of "political committee of a political party" under the statute concerning political expenditures and contributions. The existing definition is limited to state, county, city, ward and town party committees. The sponsors sought to allow a single party committee to cover any combination of towns, cities or counties. By amendment, the definition of a political committee of a political party would be expanded to allow a contiguous area within a county so long as it does not include more than one city or include an area covered by a current political committee of a political party. Multi-county committees were found not to be desirable because they would be disruptive of the hierarchal organization of the parties. It was also found to be important that existing town and ward committees should not be superseded by regional committees unless the parties want a regional

committee to take over. The amendment also accommodates a request of the secretary of state's office that each political committee of a political party be incorporated into the by-laws of the party as filed with the secretary of state and makes explicit a requirement that all political communities are required to make certain financial disclosure filing with the secretary of state. **Vote 12-6.**

Rep. James R. Splaine for the **Minority** of Election Law: The minority believes that by expanding the definition of a "political committee of a political party" in RSA 664:2 V, the sponsors of HB 82 clearly intended the bill to enable political parties to create regional committees made up of contiguous towns/cities with some commonality of interests whether within one or more counties. It is also the intent of the sponsors to maintain and reinforce existing town and county committees. Their purpose is to broaden citizen participation in the political process by offering multi-levels of political organization: town, regional, county and state. The amendment to the bill impedes these objectives and inhibits the formation of new town committees. The amendment even implies that existing town committees would have to dissolve if they chose to participate in a multi-town group. This is clearly not in the interest of either state party nor is it the intent of the sponsors. The minority supports the original bill.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 210-FN, relative to the determination of absence and return of contributions of members of the retirement system. **OUGHT TO PASS WITH AMENDMENT**

Rep. William R. Zolla for Executive Departments and Administration: This bill reduces the time a member can be absent from service from 7 years to 2 years. A majority of the committee felt two years was more than sufficient for maternity leave and/or education purposes. In addition the accumulated contributions of a member shall be returned after a 2 year period of absence rather than holding them for 7 years. After such a long period it is difficult to locate the member or in most cases his or her beneficiary. The member may request these contributions be returned any time within the two-year period. This change was an audit observation of the 2003 audit report. The amendment to this bill simply changes the time of implementation from passage to June 30, 2006 to give the system time to incorporate the change. **Vote 12-6.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 238-FN, relative to the use of marijuana for medicinal purposes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Charles E. McMahon for the **Majority** of Health, Human Services and Elderly Affairs: This bill asks that the state of New Hampshire allow the use of marijuana in its plant form for personal use in the treatment of pain and other diseases once a patient obtains written certification from the patient's physician. Further, it specifies that an "adequate" supply of marijuana be allowed for this use by the patient, which includes 3 mature plants, 4 immature plants, and 1 ounce of useable marijuana per each plant. The committee heard testimony from citizens in support of the medical use of smoked marijuana for pain. However, it was significant that no physicians, of which there are over 4,000 in the state, testified in support of this bill and no evidence was offered to prove that smoked marijuana did in fact alleviate pain. In contrast however, the F.D.A. has approved the use of a component of marijuana called "T.H.C.", in synthetic form which is available as Marinol. Taken orally as a pill, it has been found effective for cancer and AIDS patients in the treatment of nausea and vomiting and stimulating weight gain. The position that smoking marijuana would reduce pain was offered via anecdotal testimony by those in support of the bill. However, upon review of the information provided for consideration, virtually no data via scientific studies or other empirical resources were provided to support this claim. Law enforcement also expressed deep concern with this measure on grounds of the inherent enforcement conflicts that would arise, documentation fraud, doctor shopping, and that it would clearly promote illegal drug use. As a Schedule 1 controlled drug, the use of herbal marijuana is placed in the category with the highest potential of abuse and with no accepted medical benefit. Its use remains prohibited under state and federal law and, as stated in information supplied to the committee in hearings, the advocacy of its use for medical purposes could be but a part of a larger strategy to win broader legalization.

Information was also reviewed from organizations of the medical community such as the A.M.A., the New Hampshire Medical Society, and the Institute of Medicine. The consensus of the current research has shown that smoked marijuana is not helpful as medicine and in fact, by its use increases the chance of cancer, lung damage, and poor pregnancy outcomes. There is support for

research on developing additional synthetic compounds for medical use from marijuana based on controlled studies in the treatment of disease and pain and it is here that efforts should be focused. The committee recognizes the need and has compassion for people searching for additional choices in the relief of pain. But, marijuana in its smoked form has never been shown in controlled scientific studies to be safe and effective. Therefore, it is the belief of the committee that responsible public policy relative to drugs and their effectiveness be based on demonstrated research to ensure the safety of all New Hampshire citizens. That is not the case here and the committee voted accordingly in a non-partisan manner. **Vote 14-5.**

Rep. Barbara C. French for **Minority** of Health, Human Services and Elderly Affairs: We support the medicinal use of marijuana for the purpose of relieving chronic, severe pain, critical or terminal medical conditions in order to insure that these individuals have the best possible quality of life. Ten states have already approved marijuana for this purpose; it was legal in the state of New Hampshire in the 1980's. The bill will ensure extremely tight procedures for its use.

MUNICIPAL AND COUNTY GOVERNMENT

HB 70, repealing the law requiring town selectmen to perambulate borders of towns. **INEXPEDIENT TO LEGISLATE**

Rep. Peter Schmidt for Municipal and County Government: This bill would repeal RSA 51:2, relative to required perambulation of the town borders. The committee heard convincing testimony that the maintenance of communities' borders is a vital function, specifically by attending to the condition, position and visibility of marker monuments, with necessary repair or replacement of damaged or lost monuments. This requires perambulation by the selectmen or their designee, not merely some type of GPS involvement. Whether these functions are currently being faithfully executed or dishonored in the breach, elected officials can not neglect or disregard their sworn duty to protect and maintain their towns' borders **Vote 14-2.**

HB 89, relative to establishing non-amendable articles by voter petition. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. Jessie L. Osborne for the **Majority** of Municipal and County Government: The majority feels that this bill will limit choice in the deliberative session by making petitioned warrant articles non-amendable in an official ballot referenda town or school district. Not allowing a petitioned warrant article to be amended limits the voter to only one choice thus not allowing for different solutions and full discussion of the subject by the participants in the deliberative session. This disenfranchises the voter who attends the deliberative session believing that changes could be made to warrant articles and would actually prohibit corrections to petitioned warrant articles by the sponsor. Official ballot referenda towns and school districts were created to have a deliberative session which mirrors the traditional town meeting process that encourages discussion and possible amending of petitioned warrant articles. The ability to amend petition warrant articles is necessary because it fulfills the intention of the legislature. **Vote 11-5.**

Rep. David L. Buhlman for the **Minority** of Municipal and County Government: This bill is intended to prevent an abuse of the democratic process that has been occurring all over the state with petitioned articles presented to towns and school districts in an official ballot referenda jurisdiction. The first session meeting, also known as the deliberative session, is often controlled by the school board or the board of selectmen due to poor attendance by the electorate. As a result, petitioned articles are often amended to mean the exact opposite of the original petition in the first session. This bill creates a new class of petitioned articles which are nonamendable. It requires a minimum of 100 signatures or 5% of the voters in the previous election, whichever is less. Without this bill, the constitutional guarantee that citizens have to petition government is not available to citizens living in these jurisdictions. It does not replace the current petitioning mechanism, it simply adds to it in order to provide more enthusiastic and fruitful participation by citizens in their local government.

HB 180, relative to appeals of decisions relating to current use taxation. **MAJORITY: INEXPEDIENT TO LEGISLATE MINORITY: OUGHT TO PASS.**

Rep. Dan Dumaine for the **Majority** of Municipal and County Government: At the present time, statutes give a citizen the option of taking a current use appeal before the Superior Court or the Board of Tax and Land Appeals (BTLA). The majority agrees that the BTLA has knowledge and expertise when it comes to land and tax issues. There was testimony that approximately eighty percent of these types of appeals go before the BTLA and roughly twenty percent go before the

Superior Court of jurisdiction. However, to remove the Superior Court option will limit the due process of those twenty percent who for whatever reason choose the Superior **Vote 10-5.**

Rep. Peter B. Schmidt for the **Minority** of Municipal and County Government: In the view of the minority, this bill would produce a more uniform and expert handling of appeals of decisions relating to current use taxation. Under present statutes, aggrieved parties may elect to bring such appeals either before the Board of Tax and Land

Appeals (BTLA) or before the Superior Court. This bill would remove the Superior Court as an option. The minority strongly believes that aggrieved parties stand to receive substantially more experienced and consistent handling of their cases before the BTLA. An additional advantage arises from the fact that the BTLA is composed of five members, all bringing their expertise, their intellect and their insight to achieving a fair and accurate decision

SCIENCE, TECHNOLOGY AND ENERGY

HB 58, relative to the effective date for the elimination of certain substances from gasoline supplies. **OUGHT TO PASS WITH AMENDMENT**

Rep. Roy D. Maxfield for Science, Technology and Energy: This bill, as amended, establishes a date certain effective date (1-1-2007) for the elimination of certain substances, including methyl-tertiary-butyl ether (MtBE), from gasoline supplies and removes the requirement relative to opting out of the federal reformulated gasoline program. **Vote 16-0.**

TRANSPORTATION

HB 54, relative to responsibility for child passenger restraints. **INEXPEDIENT TO LEGISLATE**

Rep. Stephen H. Nedeau for Transportation: This bill allows police to ticket 16 or 17-year-olds who are passengers in a motor vehicle, not just the operator, when they fail to wear a seat belt. The committee felt that this abrogated the responsibility of the operator of the vehicle and sends the wrong message about being responsible. We want to commend the "Youth to Youth" students from Dover for getting involved in the political process. The students' goals are to increase seat belt use among kids under 18 as required by law. The committee did not feel that telling the operator that he or she is no longer responsible for the actions of others in the vehicle was the right thing to do. **Vote 11-3.**

WAYS AND MEANS

CACR 3, relating to state income tax revenue. Providing that all state income tax revenue shall be dedicated to the funding of public education. **INEXPEDIENT TO LEGISLATE**

Rep. Steve Vaillancourt for Ways and Means: The sponsor of this CACR acknowledged that he is a proponent of an income tax and this amendment is intended to make such a tax more palatable to the general public. In other words, if an income tax were limited to funding public education, people might be more willing to accept it. The sponsor, under questioning, farther acknowledged that should an income tax pass in the wake of this amendment and should a future legislature decide the tax should be applied to things other than education an effort could be made to repeal the amendment. The majority of the committee holds our Constitution sacred and does not believe the amendment process should be used as a referendum or to push interests on any particular issue. Rather, our constitution is the basic law of the state and its formulations should stand the test of time. We should not change it today with the thought of removing the change tomorrow. The committee respects the sponsor's devotion to education funding but is convinced that funding in all areas of government is essential. If a future majority ever deems it wise to move for the implementation of an income tax, the committee believes a legislature should not be hamstrung by the Constitution to use that tax for any particular purpose. **Vote 17-2.**

CACR 4, relating to taxation. Providing that a 3/5 vote is required to pass a new tax or to increase a tax after it is levied. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Shawn N. Jasper for the **Majority** of Ways and Means: The majority of the committee believes that the "one man one vote" rule should apply to the taxation policy of the state. Recommending a constitutional amendment such as this is tantamount to saying that we do not trust ourselves to be responsible with our tax policy. No evidence was presented which would show that the legislature has been reckless in setting tax rates. Quite to the contrary, evidence shows that New Hampshire

has the lowest per capita taxes of any state, with the exception of Alaska, which pays royalties to its citizens from the sale of oil. **Vote 16-3.**

Rep. Kevin L. Camm for the **Minority** Ways and Means: The CACR, if ratified, would require 3/5 approval by members of the house and senate present and voting to institute or raise any tax, tariff or fee. This is a component of the taxpayer's bill of rights initiative (TABOR). Since the ability to tax is the ability to extract our hard earned money, the minority believes that the citizens should have the opportunity to require the legislature to do so by super majority.

CACR 9, relating to taxation. Providing that a 2/3 vote is required to pass a new tax or to increase a tax after it is levied and that the maximum increase in any budget bill shall be limited by the rates of inflation and population growth. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peyton B. Hinkle for the **Majority** of Ways and Means: The committee was told by the sponsor that the 2/3 vote is to be based on the total number of representatives. Thus, the number of representatives absent on the day a vote was taken, on a new tax or increase in the budget, would automatically represent a no vote. As a result, the requirement would be greater than 2/3 vote of those attending. This would make it even more difficult for the house to make changes as might be needed by circumstances. Setting the spending limit to the rates of inflation and population growth can easily be viewed as a standard. It makes it easier to justify an increase as long as it remains within the rate increases. Connecting any increases in spending to inflation could create another problem. A big increase in inflation would justify a corresponding increase in spending. At the same time, the increase in inflation would tend to depress business and state revenues, requiring a larger increase in taxes and creating an even bigger burden on businesses. **Vote 17-2.**

Rep. John M. Gibson for the **Minority** Ways and Means: Since 1995 New Hampshire has witnessed a near doubling of state spending while population has increased by a factor of less than 12 percent. This legislation is a much needed tool in protecting the New Hampshire Advantage by getting state spending under and requiring a super majority in passage of new taxes.

COMMITTEE MEETINGS

MONDAY, FEBRUARY 7

BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2), 205, LOB

2:00 p.m. Regular meeting.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 207, LOB

9:00 a.m. Subcommittee on GraniteCare.

TUESDAY, FEBRUARY 8

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. **HB 280**, relative to acceptance of service of process of divorce petitions and requests for modification.

10:30 a.m. **HB 316**, relative to neutral evaluations in child custody cases.

1:30 p.m. **HB 456-FN**, relative to admissions to the state hospital for certain substance abusers.

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

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 117**, requiring automobile insurance to register a vehicle.

1:00 p.m. **HB 296**, relative to bonding requirements for private detectives.

1:30 p.m. **HB 299**, relative to mechanics' liens.

2:00 p.m. **HB 469**, regulating disputes between homeowners and contractors relative to residential construction defects.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 9:00 a.m. Subcommittee work session on **HB 204-FN**, relative to unauthorized video surveillance.
- 10:00 a.m. **HB 285**, relative to carrying a concealed weapon without a license.
- 11:00 a.m. **HB 303-FN**, relative to the fire standards and training and emergency medical services commission.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 1:00 p.m. Presentation on Homeland Security Issues
- 1:30 p.m. Presentation on HHS response.

EDUCATION, Room 207, LOB

- 10:00 a.m. **HB 616-FN**, revising the calculation and distribution of adequate education grants.
- 1:00 p.m. **HB 308**, relative to the special education payment distribution schedule and relative to alternative dispute resolution proceedings in special education.
- 2:00 p.m. **HB 451-FN-LOCAL**, requiring the separate preparation and approval process for the special education budget.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ELECTION LAW, Room 308, LOB

- 10:00 a.m. **HB 458**, allowing towns to permit limited youth voting in municipal elections.
- 10:30 a.m. **HB 516**, relative to general qualifications for elective office.
- 11:15 a.m. **HB 402**, relative to filling certain vacancies in multi-member representative districts.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 10:00 a.m. Orientation by the Department of Agriculture.
- 1:00 p.m. **HB 275**, defining farmers' market.
- 2:00 p.m. **HB 477-FN**, increasing registration fees for pesticides and commercial feeds.
- 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 306, LOB

- 10:00 a.m. **HB 319-FN-LOCAL**, requiring the department of environmental services to arbitrate certain disputes between municipalities.
- 11:00 a.m. **HB 335**, relative to the review of final proposed rules by the joint legislative committee on administrative rules.
- 1:00 p.m. **HB 354**, relative to the review, approval, and adoption of agency rules.
- 2:00 p.m. **HB 426**, establishing a committee to study the transfer of a certain employee of the department of environmental services.
- 2:30 p.m. **HB 434-FN**, requiring state agencies using automated answering systems to provide a method of access to a human being.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE – (DIVISION I)

- 9:00 a.m. Corrections tour, including Goffstown, Laconia and Concord

FINANCE – (DIVISION II), Room 212, LOB

- 10:00 a.m. Budget orientation.

FISH AND GAME, Room 307, LOB

- 10:00 a.m. **HB 444**, relative to the surrender of diseased or injured game animals to the fish and game department.
- 10:30 a.m. **HB 445**, relative to the taking of certain game birds and fur-bearing animals.
- 11:00 a.m. **HB 446**, relative to applications for resident hunting or fishing licenses.
- 1:00 p.m. **HB 306**, relative to mandatory education for crossbow hunters.
- 1:30 p.m. **HB 447-FN**, relative to black bear license and tag fees.

2:00 p.m. **HB 449-FN**, relative to special wild turkey seasons and permits.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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

10:00 a.m. **HB 399-FN**, relative to the Informed Consent for Abortion Act.
12:30 p.m. **HB 514**, establishing the New Hampshire health care quality assurance commission.
1:15 p.m. **HB 494**, establishing a commission to study creating a controlled substance prescription monitoring program.
2:00 p.m. **Continued** public hearing on **HB 257**, relative to emergency medical and trauma service protocols and quality assurance program.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

JOINT LEGISLATIVE FACILITIES (RSA 17-E:2), Room 103, State House

3:00 p.m. Regular meeting.

JUDICIARY, Room 208, LOB

10:00 a.m. **HB 452**, relative to champerty in actions to quiet title and to extinguish mineral rights.
10:30 a.m. **HB 427**, repealing common law marriage.
1:00 p.m. **HB 324-FN**, relative to requirements for legal marriages.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
3:00 p.m. Subcommittee work session on **HB 79**, relative to protective orders in domestic violence cases.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 370**, establishing a committee to study the Land Sales Full Disclosure Act and the Condominium Act.
10:30 a.m. **HB 407-FN-LOCAL**, relative to licensing of dogs.
11:00 a.m. **HB 512**, establishing a commission to study the feasibility of empowering the New Hampshire housing finance authority to give reverse mortgage loans.
1:30 p.m. **HB 284**, excluding the value of a view from property tax assessments.
2:00 p.m. **HB 377**, relative to property assessment records posted on the Internet.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. **HB 340**, renaming Jones Brook Wildlife Management Area in Strafford County for former commissioner of fish and game Ellis Hatch, Jr., and naming a building at the Sandy Point Discovery Center in Stratham for former governor Hugh Gregg.
10:45 a.m. **HB 376**, establishing a statutory joint committee on legislative parking facilities.
11:15 a.m. **HB 314-FN**, requiring public restrooms in the division of motor vehicles.
1:15 p.m. **HB 428**, relative to clarifying the authority of the Pease development authority and the division of ports and harbors.
2:15 p.m. **HB 304-FN-A**, relative to federal highway grant anticipation bonds.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. **HB 279**, relative to the classification of Spofford Lake in Chesterfield, New Hampshire.
10:15 a.m. **HB 322-FN**, relative to the registration fees and requirements for snow traveling vehicles.
11:00 a.m. **HB 317-FN**, relative to mooring permits and fees.
1:00 p.m. **HB 342**, establishing a commission to study the barriers to the establishment of all-terrain vehicle trails.
2:00 p.m. **HB 355**, establishing a committee to study the environmental impact and damage mitigation of ATV use on public and private trails.
Executive session on pending legislation may be held throughout the day, time

permitting, from the time the committee is initially convened.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 9:00 a.m. Subcommittee work session on **HB 185**, establishing a committee to study the unique nature of geothermal properties capable of supporting energy for production.
- 10:00 a.m. Electric restructuring review – Part II
- 1:00 p.m. **HB 152-FN**, requiring heating oil sellers to purchase biodiesel.
- 2:00 p.m. **HB 414**, relative to regulation of municipal waste combustors.
- 2:30 p.m. **HB 438**, relative to emissions requirements for municipal waste combustion units.
- 3:00 p.m. **HB 460-FN**, relative to the reimbursement to certain providers by the bureau of emergency communications.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 286**, prohibiting the operation of pocket bikes and motorized scooters upon ways.
- 10:30 a.m. **HB 352**, relative to speed limits.
- 11:00 a.m. **HB 357**, relative to negligent driving.
- 11:20 a.m. **HB 378**, relative to indicating citizenship on drivers' licenses.
- 1:00 p.m. **HB 461-FN**, establishing number plates supporting New Hampshire public higher education.
- 1:45 p.m. **HB 493**, relative to noncommercial antique motor vehicle restoration activities.
- 2:15 p.m. **HB 507**, establishing a commission to study noise and hours of operation of motor vehicle racetracks.
- 2:35 p.m. **HB 518-FN**, relative to eligibility for youth operators' licenses.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. **CACR 15**, relating to the use of certain revenues. Providing that revenues raised by a statewide property tax, income tax, or general sales tax be used exclusively to support local public schools.
- 11:00 a.m. **CACR 13**, relating to prohibiting an income tax. Providing that no tax on personal income shall be levied by the state of New Hampshire
- 1:00 p.m. **HB 344**, relative to the consensus revenue estimating panel.
- 1:45 p.m. **HB 453-FN**, relative to boat launch access and parking without charge at Hampton and Rye harbors for persons 65 years of age or older.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WEDNESDAY, FEBRUARY 9

COMMERCE, Room 302, LOB

- 10:00 a.m. **HB 313-FN**, relative to registration of business entities.
- 11:00 a.m. **HB 374**, establishing a commission on economic independence.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. **HB 332**, relative to harassment by telephone.
- 10:30 a.m. **HB 372**, relative to notification of interested parties in medical parole cases.
- 11:00 a.m. **HB 373**, relative to eligibility for parole for nonviolent offenders with Immigration and Naturalization Service detainers or deportation orders, or a federal prison sentence.
- 11:30 a.m. **HB 379**, establishing a committee to study funding for the multiple offender program.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

8:30 a.m. Career and Technical School Program (CTSO)
10:00 a.m. **HB 650-FN-LOCAL**, revising education funding and distribution and establishing needs-based matching grants.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ELECTION LAW, Room 308, LOB

9:30 a.m. **HB 380**, relative to absentee voting.
10:00 a.m. **HB 351**, relative to the time for counting absentee ballots.
10:45 a.m. **HB 482-FN**, relative to the application form for absentee ballots.
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 306, LOB

10:00 a.m. **HB 464**, relative to the construction of a substance abuse treatment facility in Unity, New Hampshire.
11:00 a.m. **HB 472**, relative to the definition of recreational program.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE – (DIVISION III)

9:30 p.m. Visit NH Hospital, Philbrook Center and State Public Health Labs.

FISH AND GAME, Room 307, LOB

10:00 a.m. **HB 353**, relative to consent to inspect lobster and crab gear of license holders.
11:00 a.m. **HB 409**, requiring identification on tree stands, pit blinds, and observation blinds used for hunting.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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

9:30 a.m. **HB 488**, establishing a task force on mental health costs.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

JUDICIARY, Room 208, LOB

10:00 a.m. 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

9:30 a.m. **HB 603-FN-A**, relative to the state's purchase of the Laconia district courthouse building and making an appropriation therefor.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:30 a.m. **HB 343**, establishing a commission to study accessibility for New Hampshire citizens to the water bodies in the state.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Subcommittee work session on **HB 57**, relative to the burning of construction and demolition debris.
11:00 a.m. **HB 315**, relative to best available technology for air pollution control.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

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

WAYS AND MEANS, Room 202, LOB

9:30 a.m. **HB 462**, prohibiting road toll refunds for idling time.
 10:15 a.m. **HB 523-FN-LOCAL**, increasing the marriage license fee.
 11:00 a.m. **HB 503-FN-A-LOCAL**, relative to distribution of tobacco settlement funds.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

THURSDAY, FEBRUARY 10

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. **HB 312**, relative to the appointment of parenting coordinators in child custody cases.
 10:45 a.m. **HB 397**, relative to authority to file an abuse or neglect petition under the Child Protection Act.
 1:30 p.m. **HB 450-FN-A**, extending the commission to study child support and related child custody issues and relative to hiring economists to assist in revising the child support guidelines and making an appropriation therefor.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

COMMERCE, Room 302, LOB

10:00 a.m. **HB 364**, establishing a committee to study adopting the uniform securities act.
 11:00 a.m. **HB 348**, relative to mortgages held by parties to a divorce.
 1:15 p.m. **HB 423**, relative to insurance premiums for medical malpractice liability insurance.
 2:00 p.m. **HB 422**, relative to exemptions from the consumer protection act.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on **HB 252**, requiring bail hearings for persons arrested for probation violations.
 10:00 a.m. **HB 382**, establishing a commission to develop a strategic capital plan for department of corrections' facilities.
 10:45 a.m. **HB 385**, establishing a committee to study the repeal of the felony count for fourth and subsequent DWI offenders.
 11:15 a.m. **HB 439**, relative to registration requirements for criminal offenders.
 1:30 p.m. **HB 440**, relative to hearing ear dogs, guide dogs, and service dogs.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

10:00 a.m. **HB 606-FN-A-LOCAL**, revising the calculation and distribution of education funding and special education funding.
 1:00 p.m. **HB 448-FN**, relative to the collection of certain fees by the postsecondary education commission.
 1:30 p.m. **HB 646-FN-LOCAL**, proposing a definition of an adequate education.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ELECTION LAW, Room 308, LOB

9:30 a.m. **HB 362**, relative to statutes to be posted at polling places.
 10:15 a.m. **HB 363**, relative to parking at polling places.
 11:00 a.m. **HB 365**, relative to recount fees.
 1:00 p.m. **HB 483**, relative to instructions to be placed on the general election ballot.
 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 306, LOB

9:00 a.m. **HB 388**, establishing a commission to study the retirement system medical benefits subsidy for retired teachers.
 10:00 a.m. **HB 499**, relative to participation in and administration of the Manchester employees' contributory retirement system.

- 11:00 a.m. **HB 502-FN**, allowing certain surviving spouses to receive a retirement system death benefit.
- 1:00 p.m. **HB 521**, relative to medical insurance coverage for members of the Manchester employees' contributory retirement system.
- 2:00 p.m. **HB 481**, establishing a commission to study the location of the secure psychiatric unit and places to which persons are committed under RSA 651: 8-b, RSA 135-C, and RSA 171-B.
- 2:30 p.m. **HB 465-FN**, authorizing the board of medicine to take non-disciplinary remedial action against physicians.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE, Rooms 210-211, LOB

- 9:30 a.m. **HB 478-FN-A**, making an appropriation for "Newslines for the Blind."
- 10:00 a.m. **HB 401-FN-A**, making an appropriation to the Seacoast Shipyard Association.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE – (DIVISION II), Rooms 210-211, LOB

- 10:30 a.m. Briefing by Michael Sentence's, Secretary's Regional Representative, US Department of Education, Region I, Boston, Massachusetts. Discussion on Federal Education Policy, on current law, and how it may interact with state initiatives to improve schools. No Child Left Behind.

FINANCE – (DIVISION III), Room 209, LOB

- 10:00 a.m. Briefing on Glencliff.
- 11:00 a.m. Follow-up briefing by Director Nancy Rollins of DCYF.

FISH AND GAME, Room 307, LOB

- 10:00 a.m. **HB 430-FN-A**, establishing a one-day resident fishing license.
- 11:00 a.m. **HB 254-FN**, establishing additions to lifetime hunting and fishing licenses for certain activities.
- 1:00 p.m. **HB 484**, allowing deer hunting with a primitive flintlock muzzleloader.
- 1:30 p.m. **HB 310**, relative to requirements of the fish and game department before a coastal area may be closed to fishing of marine species.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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

- 9:30 a.m. **HB 474**, establishing a commission to study the accessible housing needs and available financial assistance resources for individuals with disabilities.
- 11:15 a.m. **HB 492**, relative to health standards for food service handlers.
- 1:00 p.m. **HB 574-FN**, requiring the reporting of burn injuries.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

JUDICIARY, Room 208, LOB

- 10:00 a.m. **HB 334**, relative to consistency of notices in court proceedings.
- 10:30 a.m. **HB 368**, relative to limiting the sworn testimony of witnesses.
- 11:15 a.m. **HB 508**, relative to ex parte hearings.
- 1:00 p.m. **HB 413**, relative to the appointment of the chief justice of the superior court.
- 2:00 p.m. **CACR 12**, relating to judicial conduct. Providing that the people of New Hampshire, in a manner established by law, shall be responsible for investigating and evaluating the conduct of members of the judicial branch.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 9:30 a.m. **HB 359**, relative to hardship variances.
- 10:15 a.m. **HB 369**, relative to notice requirements for public hearings on zoning amendments.
- 11:00 a.m. **HB 412**, relative to the authority of zoning boards of adjustment to grant variances.

- 1:00 p.m. **HB 436**, relative to the appointment of representatives to regional planning commissions.
- 1:45 p.m. **HB 480**, relative to innovative land use controls.
- 2:30 p.m. **HB 287**, ratifying the purchase of a certain property by the town of Canaan. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 9:30 a.m. **HB 528-FN-LOCAL**, relative to acquisitions of state surplus real property by municipalities.
- 10:15 a.m. **HB 540-FN**, relative to the disposal of real property purchased with highway or turnpike funds.
- 11:15 a.m. **HB 559-FN**, establishing a preference for New Hampshire vendors in state procurement contracts.
- 1:15 p.m. **HB 604-FN**, relative to discounts in electronic toll collection and discontinuing the use of tokens.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. Subcommittee work session on **HB 215-FN**, relative to water management.
- 1:00 p.m. Public hearing on proposed amendment to **HB 69**, relative to property rights and large groundwater withdrawals. The proposed amendment is relative to groundwater withdrawals. (Copies of the proposed amendment are available from 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.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

- 9:30 a.m. **HCR 3**, urging Congress to require the Department of Justice to conduct a review and release information to the public regarding mistreatment and restrictions placed on Italian-American citizens of the United States during World War II.
- 10:30 a.m. **HB 520**, relative to the USA Patriot Act.
- 11:30 a.m. **HCR 4**, urging Congress to find that the Piscataqua River and Portsmouth Harbor lie within the state of New Hampshire.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

- 9:00 a.m. **HB 298**, relative to consolidating statutes relating to driving while intoxicated.
- 10:00 a.m. **HB 326**, relative to motorcycle noise levels.
- 11:30 a.m. **HB 513**, relative to motor vehicle inspection stations.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WAYS AND MEANS, Room 202, LOB

- 9:30 a.m. **HB 522**, establishing a committee to study gaming options for New Hampshire.
- 10:30 a.m. **HB 466-FN-A**, establishing a research and development tax credit against the business profits tax and the business enterprise tax.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 1:00 p.m. Subcommittee work session on **HB 91-FN**, repealing the local property tax exemption for wooden poles and conduits.

FRIDAY, FEBRUARY 11

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

- 9:00 a.m. Regular meeting.

NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), CDFA Board Room, 10 Dixon Avenue, Concord
9:00 a.m. Regular meeting.

MONDAY, FEBRUARY 14

EDUCATION, Room 207, LOB

10:00 a.m. Subcommittee on education funding.

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

1:30 p.m. Regular meeting.

FINANCE – (DIVISION II)

9:00 a.m. Meet at the flagpole in the LOB for a tour of UNH. Any member of Finance is invited to attend.

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

1:00 p.m. Regular meeting.

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), Room 205, LOB

10:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 15

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

1:00 p.m. **HB 197**, decriminalizing marijuana.

2:00 p.m. **HB 147**, relative to the death penalty.

6:00 p.m. **Continued** public hearing on **HB 147**, relative to the death penalty.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

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

ELECTION LAW, Room 308, LOB

1:15 p.m. **HB 339**, relative to electioneering at polling places.

2:00 p.m. **HB 349**, relative to placement and removal of political advertising.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

1:00 p.m. **HB 255**, establishing a committee to study the pricing of milk.

2:30 p.m. **HB 386**, relative to agricultural best management practices.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

1:30 p.m. **HB 504**, relative to the assessment or refund of real estate transfer taxes, and the recording of plans with the register of deeds.

2:15 p.m. **HB 505**, relative to recording mailing addresses on property deeds.

2:45 p.m. **HB 509**, relative to election of police chiefs.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

1:30 p.m. **HB 419**, relative to the Mount Sunapee ski area boundary and lease terms.

2:30 p.m. **HB 525**, establishing a committee to study the leasing of state-owned conservation land to private entities and relative to a temporary prohibition on the leasing of such

lands.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

1:00 p.m. Executive session on pending legislation, if needed.

WEDNESDAY, FEBRUARY 16

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. **HB 470-FN-A**, relative to the annual funding of placement costs for juvenile diversion and alternative disposition programs and relative to an effectiveness study of such programs.

11:00 a.m. **HB 325**, relative to the burden of proof in child abuse and neglect proceedings. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Rooms 202-204, LOB

9:00 a.m. Workshop on the regulation of low ignition power cigarettes.

1:00 p.m. **HB 527**, relative to protective orders and possession of firearms.

2:00 p.m. **HB 454**, relative to carrying a concealed weapon without a license. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

10:00 a.m. **HB 614-FN-A-LOCAL**, providing for state funding of the statewide average education cost per pupil.

1:00 p.m. **CACR 14**, relating to tax money and religious schools or institutions. Providing that the language in article 83 of the second part of the New Hampshire constitution which states that “: *Provided, nevertheless*, that no money raised by taxation shall ever be granted or applied for the use of the schools or institutions of any religious sect or denomination” shall be deleted from the article. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ELECTION LAW, Room 308, LOB

9:30 a.m. **HB 366**, relative to maintenance of voter checklists.

10:15 a.m. **HB 361**, relative to filling vacancies on a party ticket in cases of disqualification or death.

11:00 a.m. **HB 381-FN**, relative to special elections, voter lists, and conduct of elections. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:30 a.m. **HB 305**, relative to amended warrant articles on official ballots.

10:15 a.m. **HB 336**, relative to the use of secret ballots at town meetings.

11:00 a.m. **HB 360**, relative to the amendability of warrant articles requesting appropriations in official ballot towns.

1:00 p.m. **HB 431-FN-LOCAL**, requiring run-offs in certain local elections.

1:45 p.m. **HB 417**, relative to petitions for municipal charter revisions.

2:30 p.m. **HB 418**, allowing towns with town charters to have wards. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. **HB 565-FN-A**, relative to the demolition of a certain building to provide access for a public boat ramp for Winnisquam Lake and making an appropriation therefor. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. **HB 433-FN-A**, relative to planning for public access, recreation, and road management in the Connecticut Lakes headwaters working forest and making an appropriation therefor.
- 11:00 a.m. **HB 457**, relative to excavating and dredging permit exemptions for water conveyance systems.
- 1:00 p.m. **HB 487-FN**, establishing a volunteer lake assessment program in the department of environmental services.
- 2:00 p.m. **HB 571-FN**, relative to moorings on Bow Lake.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:00 a.m. **HB 330**, establishing a commission to study the feasibility of establishing a statewide non-emergency 311 telephone system.
- 11:00 a.m. Executive session on pending legislation, if needed.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

- 9:30 a.m. **HB 687-FN**, relative to tuition waivers for children and spouses of members of the armed forces who die while on active duty.
- 10:30 a.m. **HB 333**, relative to the rights of citizens.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

THURSDAY, FEBRUARY 17

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. **HB 510**, relative to financial affidavits in domestic relations cases.
- 11:00 a.m. **HB 511**, relative to the confidentiality of records pertaining to the support of dependent children.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 8:30 a.m. Subcommittee work session on **HB 228-FN**, prohibiting cellular telephone directories in New Hampshire.
- 9:00 a.m. Subcommittee work session on **HB 208-FN**, relative to criminal penalties for possession of a firearm in a safe school zone.
- 10:00 a.m. **HB 486**, establishing a committee to study firearms confiscation practices in domestic violence matters.
- 10:30 a.m. **HB 526**, relative to temporary hearings on domestic violence petitions.
- 11:00 a.m. **HB 498**, establishing a study committee relative to the sale of fire-safe cigarettes.
- 11:30 a.m. **HB 443**, relative to the statute of limitations for fire code violations.
- 1:30 p.m. **HB 459**, relative to access to criminal records and enhanced 911 system records and excluding information brokers from private detective licensing.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

- 10:00 a.m. **HB 635-FN-LOCAL**, relative to education funding.
- 1:00 p.m. **CACR 17**, relating to the encouragement of literature. Providing that the importance of education to a prosperous and democratic society be considered when allocating the resources of the state.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ELECTION LAW, Room 308, LOB

- 9:30 a.m. **HB 345**, requiring photo identification to obtain a ballot.
- 10:15 a.m. **HB 347**, requiring proof of identity for voter registration.
- 11:00 a.m. **HB 391**, relative to voter registration forms for students.
- 1:00 p.m. **HB 501**, relative to proving qualifications to vote, requiring identification to obtain a

ballot, and relative to citizenship on New Hampshire identifications.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 9:00 a.m. **HB 331**, establishing a committee to study stock and working dogs for agricultural purposes.
- 10:00 a.m. **HB 517**, establishing a committee to study certain issues relative to construction and demolition waste and establishing a moratorium on the incineration of any construction and demolition waste.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, FEBRUARY 18

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

- 12:30 p.m. Organizational and regular meeting.

EDUCATION, Room 207, LOB

- 10:00 a.m. Subcommittee on education funding.

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

- 2:00 p.m. Organizational and regular meeting.

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

- 10:00 a.m. Organizational and regular meeting.

TUESDAY, FEBRUARY 22

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. **HB 485**, relative to the basis for awarding custody to a stepparent or grandparent.
- 10:30 a.m. **HB 398**, removing judicial discretion to include life insurance in a child support order.
- 11:15 a.m. **HB 327**, relative to enforcement of support orders.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. **HB 468**, relative to provisions for permissible contact between the agent of the defendant subject to a protective order and a plaintiff.
- 11:00 a.m. **HB 475**, relative to access to certain criminal records.
- 1:30 p.m. **HB 497**, relative to stolen checks.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 10:00 a.m. **HB 293**, establishing a commission to study the development of a materials resource and recovery facility in Sullivan County.
- 11:00 a.m. **HB 371**, relative to mercury reduction.
- 1:00 p.m. **HB 432-FN**, relative to the septage handling and treatment facilities grant program.
- 2:00 p.m. **HB 479**, relative to tax bills for land use change taxes.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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

- 1:00 p.m. Regular business.

LEGISLATIVE ADMINISTRATION, Room 307, LOB

1:15 p.m. **HB 288-FN**, establishing a commission to effect the process for the town of Killington, Vermont to become part of the state of New Hampshire.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WEDNESDAY, FEBRUARY 23

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 558**, relative to the circumstances constituting sexual assault.
10:30 a.m. **HB 533-FN**, relative to penalties for aggravated felonious sexual assault.
11:00 a.m. **HB 556-FN**, requiring registration of drug offenders.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

THURSDAY, FEBRUARY 24

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. **HB 476**, revising the definition of adultery.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 609-FN**, establishing the protection of liberty act.
10:30 a.m. **HB 531**, relative to application for a writ of habeas corpus.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, FEBRUARY 25

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 105A, State House

10:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICES

Rockingham County Executive Committee will also meet on Friday, **February 11** at 9:30 a.m. to vote on the budget to be presented to the full Delegation, and on Tuesday, **February 22** at 5:30 p.m. to finalize any unfinished business prior to the Delegation meeting.

Rep. David
A. Welch,
Clerk
Rockingham
County
Executive
Committee

COUNTY DELEGATION NOTICES

Rockingham County Delegation will meet to adopt the County Budget for 2005 on Tuesday, **February 22** (storm date February 24) at 6:00 p.m. at the Hilton Auditorium, Rockingham County Nursing Home.

Rep. David
A. Welch,
Clerk
Rockingham
County
Delegation

Several boxes of House Journals from the late 70's and early 80's have recently been discovered. These are available in the House Clerk's office for a limited time on a first-come, first served basis to anyone who would like to have them.

Those available are: 1977 Session, Volume I, softbound; 1977 Session, Volumes I and II, hardbound; 1977-78 Special Session, softbound; 1979 Session, Volumes I and II, softbound; 1980 Recall Session and 1981 Session, hardbound; and 1981-82 Special Session, hardbound.

Karen O.
Wadsworth,
Clerk of the
House

REVISED FISCAL NOTES

The following HBs have revised fiscal notes: HBs 47, 72, 104, 116, 153, 159 and 477.

Karen O.
Wadsworth,
Clerk of the
House

Lucy Harrison in the Speaker's Office keeps a schedule of House events. To avoid conflicts, anyone wishing to hold an event should check with Lucy at 271-3661 for available dates and times.

Rep.
Michael
O'Neil,
Majority
Leader

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 legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

Upon presentation of proper credentials at the ticket window, NH Senators and Representatives may receive a lift ticket for their personal use and one for a guest. The elected official must be present to personally present the credentials, unless prior arrangement is made with Commissioner O'Kane. Any exceptions to this policy will be made in writing by the Commissioner and/or Division Director. (*Lift tickets are to be picked up at Guest Services at the Peabody Base Lodge or the Tramway Ticket Window at Cannon*).

W.
Douglas
Scamman,
Speaker

The next meeting of the Targeted Aid Caucus will be open to all members of the legislature. Education funding proposals will be presented in detail in 30 minute segments on Monday, **February 7** beginning at 12:30 p.m. in Representatives Hall. A member of the Governor's team is expected. Presentations are scheduled to conclude at 4:00 p.m. A Targeted Aid Caucus meeting will be held immediately after.

Rep.
Mark

Carter

The House Republican Alliance will meet at 8:30 a.m. on Tuesday, **February 8** at the Upham Walker House, Park Street, Concord.

Rep.
Paul
Mirski

Rep. Betty Hall will meet with any interested legislators for a conversation about House Rules on Tuesday, **February 8** at 8:30 a.m. in the State House Cafeteria.

Rep.
Betty
B.
Hall

The forum on Slots in NH by the Granite State Coalition Against the Expansion of Gambling has been postponed to **Tuesday, February 8**, also at 11:30 a.m. to 1:00 p.m. in the basement of St. Paul's Church. All legislators are welcome, of whatever persuasion, to hear our case for why legal slot machines should not be permitted in our state. Please contact Reps. Almy, Carew or Hager for more information.

Rep.
Susan
W.
Almy

The Concord House Democrats will meet on Wednesday, **February 9** at 8:00 a.m. in the State House Cafeteria. For further information please contact Rep. Stephen Shurtleff at 753-4563.

Rep.
Stephen
Shurtleff

Main Street Republican Caucus will meet at 11:30 a.m. on Wednesday, **February 9** at the Upham Walker House. Please bring a bag lunch. Coffee will be provided. All Republican legislators are welcome.

Rep.
Cynthia
J.
Dokmo

The New Hampshire State Building and Construction Trades Council is hosting a reception for all members and staff of the General Court on Tuesday, **February 15** at the newly renovated IBEW Local 490 Training and Safety Facility located at 48 Airport Road, Concord. Cocktails and hors d'oeuvres from 4:00 to 6:00 p.m. Governor John Lynch will be a special guest.

Rep.
Terie
N.
Norelli

Northeast Delta Dental cordially invites all members and staff of the New Hampshire Legislature to its Sixth Annual Legislative Reception to be held on Wednesday, **February 16** from 4:00 to 6:30 p.m. at its corporate office at One Delta Drive in Concord.

Rep.
Frederick
W. King

President Don Wharton would like to invite all members of the General Court and staff to a Cocktail Reception hosted by Plymouth State University on Wednesday, **February 16th**. The event will be held at the New Hampshire Historical Society, Tuck Library, 30 Park Street, Concord from 4:00 to 5:30 p.m.

Rep.
Mary
R.
Cooney

The officers and 900+ member companies of the Retail Merchants Association of New Hampshire invite all legislators and staff to their 39th Annual Legislative Reception on Thursday, **February 17th** from 4:30 to 6:30 p.m. in the Bartlett Room at the Concord Holiday Inn.

Rep.
Kenneth
L.
Weyler

Legislative Caucus for Young Children will meet on **February 18** at 10:00 a.m. in Room 206, LOB

Rep.
Anne
Grassie

Greater Concord Chamber of Commerce invites the members of the House to a Legislative Breakfast Reception on Wednesday, **February 23** from 8:00 to 9:00 a.m. at the Barley House, North Main Street, Concord.

Rep. Eric
Anderson

Celebrate Winter in NH! March 6 & 7

Ski NH's 13th annual invitational charitable event will be held at The Mount Washington Resort at Bretton Woods on Sunday, **March 6** and Monday, **March 7**. Entitled ***Celebrate Winter in NH***, this event is not just for skiers! Downhill skiing, cross country skiing, skating, snowshoeing, and other planned activities will be available both days. Some may prefer to take a sleigh ride, take the train up and down (*or ski down!*) the Mount Washington Cog railway on Monday, or sit in front of a fire and enjoy the scenery. Other activities will include a reception on Sunday evening, and on Monday: a luncheon, a Legislative Ski Race and an après-ski awards reception. Come for a day or come and stay. There will be special room rates for Sunday night, March 6, at The Mount Washington Resort of \$119 per person and \$179 double (plus tax). The rate includes a superior four-course dinner, full breakfast, complimentary "rentals" for many outdoor activities, use

of the indoor and outdoor heated swimming pools, sauna, Jacuzzi, and a lot more!
 Ski New Hampshire has partnered with the New Hampshire Automobile Dealers Association to sponsor this event, and both groups look forward to hosting legislators again and to raising funds for NHADA's, KEEP KIDS S.A.F.E. Program.
 Detailed invitations and registration forms for this charitable event are being sent. If you have any questions, please contact Kim at Ski NH (1-800-887-5464 Ext. 0).

Rep.
 John H.
 Thomas

The Department of Transportation will hold the following meetings:

Feb 15 – Keene Public Library, Kay Fox Meeting Room, Keene, 7:00 p.m. Meeting with City Council, Keene-Swanzey.

Feb 16 – Pillsbury Memorial Hall, 93 Main Street, Sutton Mills, 7:00 p.m. Public officials/public informational meeting, Sutton, remedial work to address unstable rock cut immediately adjacent to both sides of the I-89 NB and SB lanes approximately 0.75 miles south of Exit 10.

Rep. Gene
 G.
 Chandler,
 Chairman
 Public
 Works and
 Highways
 Committee

State House Visitation Schedule 2004 & 2005 School Year

Virginia Drew, Public Information Administrator Kenneth Leidner, Director

DATE	TIME	GROUP	Grade/Size
M Feb 7	9:30 (11:00 SC)	New Franklin School – Portsmouth	4/40
M Feb 7	11:00 & 12:30 SH/HM	Bicentennial Elementary School – Nashua	4/70
Tu Feb 8	9:30 & 10:30 & 12:00 SH/SC/ Planet	Rochester Middle School SH & Supreme Crt & Planet	8/105
W Feb 9	9:45 & 11:00 SH/HM	D J Bakie- Kingston	4/67
Th Feb 10	9:45 & 11:00 SH/HM	Auburn Village School	4/90
F Feb 11	9:30 SH/SC & 11:00 SH/HM (12:30 HM/SC)	Pembroke Hill School	4/66
M Feb 14	10:00 & 11:30 SH/SC	Moultonboro Central School	4/60
T Feb 15	9:00 & 11:00 SH/Planet	Raymond Middle School	5/50
T Feb 15	10:30 & 12:00 SH/HM	Appleton Elementary School – New Ipswich (ReScheduled)	4/73
W Feb 16	9:00 & 11:00 SH/Planet	Raymond Middle School	5/50

Th Feb 17	10:00 & 11:00 SH/HM	Danville Elementary School	4/60
F Feb 18	10:00 & 11:15 SH/SC	Bakersville Elementary – Manchester	4/55
F Feb 18	10:00	Acworth Elementary School	4/13
M Feb 21		President's Day State House Closed	
Tu Feb 22	10:00/11:30 SH/HM	Southwick Elementary School – Northfield	4/36
W Feb 23	10:00/11:30S H/HM	Southwick Elementary School - Northfield	4/46
Th Feb 24	10:00 & 11:30 SH/HM	New Searles School-Nashua	4/60
F Feb 25	10:00 & 11:30 SH/HM	Chester Academy	4/90
M Feb 28		History Museum Closed	
M Feb 28	10:30	KA Brett School – Tamworth	4/28

WEDNESDAY, FEBRUARY 9

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2005-0029h

Amendment to HB 32

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

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2006.

2005-0088h

Amendment to HB 33

Proposed by the Committee on Executive Departments and Administration - C

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

AN ACT relative to the study of state retainage practices.

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

1 Study of State Retainage Practices by Department of Administrative Services.

I. The commissioner of administrative services, shall study, in consultation with the commissioner of the department of transportation and the director of public works, retainage practices relative to state construction and highway contracts. The study shall include a review of rules governing retainage practices and the extent to which the following issues are addressed by rule or other agency procedures:

(a) Retainage by state agencies from payment to contractors and retainage by contractors to subcontractors.

(b) Retainage from periodic payments and final payments including a maximum allowable amount of retainage.

(c) A time certain for an owner's release of retainage based upon the owner's occupancy, substantial completion of work, or the owner's use of the improvements.

(d) A time certain for the contractor's release of retainage to a subcontractor.

(e) Conditions permitting withholding of retention beyond the date of release and limitations on the amount of retainage for a condition permitting withholding.

(f) Conditions permitting interest on wrongfully withheld retainage.

(g) Reimbursement of attorney fees incurred to recover wrongfully withheld retainage.

(h) The line item release of retainage for specified work that has been completed and approved by the owner.

II. On or before September 1, 2005, the commissioner of administrative services shall submit a written report of findings and recommendations relative to retainage practices, including

any recommendations for subcontractor guidelines, rules, or legislation, to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library.

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

AMENDED ANALYSIS

This bill directs the commissioner of administrative services, in consultation with the commissioner of department of transportation and director of public works, to study retainage practices on state construction and highway contracts.

2005-0044h

Amendment to HB 41

Proposed by the Committee on Judiciary - C

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

AN ACT relative to the right-to-know oversight commission.

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

1 New Subdivision; Right-to-Know Oversight Commission. Amend RSA 91-A by inserting after section 10 the following new subdivision:

Right-to-Know Oversight Commission

91-A:11 Oversight Commission Established. There is established an oversight commission to study and oversee the right-to-know law in light of the supreme court's decision in *Hawkins v. N.H. Department of Health and Human Services* and increasing use of electronic communications in the transaction of governmental business.

91-A:12 Membership and Compensation.

I. The members of the oversight commission shall be as follows:

(a) Four members of the house of representatives, one from the science, technology and energy committee, one from the municipal and county government committee, one from the judiciary committee, and one other member, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the president of the senate.

(c) Three municipal officials, appointed by the New Hampshire Municipal Association.

(d) One school board member, appointed by the New Hampshire School Boards Association.

(e) One school administrator, appointed by the New Hampshire School Administrators Association.

(f) Two county officials, appointed by the New Hampshire Association of Counties.

(g) Four members of the public, one of whom shall be an attorney who has knowledge of and experience with the right-to-know law, one of whom shall be an information technology professional, and one of whom shall be a telecommunications professional, all appointed by the governor with the consent of the council.

(h) The attorney general, or designee.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

91-A:13 Duties. The commission shall study:

I. The need for disclosure requirements or guidelines for email and other electronic communication occurring between and among state, county, and local government appointed and elected officials and employees of governmental entities.

II. The need for disclosure requirements or guidelines for electronic communications with constituents of state, county, and local government appointed and elected officials and employees of governmental entities.

III. Archival requirements for electronic documents.

IV. The status of proprietary data within the definitions of the right-to-know law.

V. The ability to recover costs relative to the retrieval of electronic files and communications.

VI. Issues relative to public records posted to web sites of governmental entities.

VII. Whether a member of a body subject to the right-to-know law may participate in a meeting by teleconference or other electronic means.

VIII. The extent to which the public will be provided access to stored computer data under the right-to-know law.

IX. Any other matter deemed relevant by the commission.

91-A:14 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. Nine members of the commission shall constitute a quorum.

91-A:15 Report. The commission shall make an annual report beginning on November 1, 2005, together with its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, and the governor.

2 Repeal. RSA 91-A:11 – RSA 91-A:15, relative to the right-to-know oversight commission, are repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2010.

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

AMENDED ANALYSIS

This bill changes the name of the right-to-know study commission to the right-to-know oversight commission, and extends the commission for 5 years.

This bill is a request of the right-to-know study commission established in 2003, 287.

2005-0027h

Amendment to HB 49

Proposed by the Minority of the Committee on Election Law - R

Amend RSA 662-B:2, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) One member appointed by the secretary of state.

Amend RSA 662-B:3, I as inserted by section 1 of the bill by replacing it with the following:

I. The commission shall develop a plan for the apportionment of representative and senatorial districts based on the most recent decennial census. The plan shall conform to the requirements of part I, article 11 and part II, articles 9, 11, 11-a, 26, and 26-a of the New Hampshire constitution. The commission shall forward the plan to the speaker of the house of representatives and the president of the senate, and shall include proposals for legislation necessary to effectuate the plan.

2005-0048h

Amendment to HB 58

Proposed by the Committee on Science, Technology and Energy - R

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

AN ACT relative to the effective date for the elimination of certain substances from gasoline supplies and removing a certain requirement relative to opting out of the reformulated gasoline program.

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

2 Repeal. 2004, 175:1, II, relative to opting out of the reformulated gasoline program is repealed.

3 Construction. Nothing in this act shall abrogate, limit, or restrict any right to recover damages or other legal, equitable, or administrative relief under any theory of liability that the state or any other entity or person may have under federal or state statutes or common law with respect to methyl tertiary-butyl ether.

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

AMENDED ANALYSIS

This bill:

I. Deletes a contingency provision from 2004, 175 and requires the elimination of gasoline ethers and TBA from gasoline supplies.

II. Deletes the requirement that the department of environmental services seek federal approval to opt out of the reformulated gasoline program.

2005-0160h

Floor Amendment to HB 67

Proposed by Rep. Osborne

Amend RSA 359-G:1 and 359-G:2 as inserted by section 1 of the bill by replacing them with the following:

359-G:1 Definition of Commodity. In this chapter, “commodity” means any goods, services, materials, merchandise, supplies, equipment, resources, or other article of commerce, including food,

water, ice, medicine, chemicals, petroleum products, and lumber, necessary for consumption or use as a direct result of a declared state of emergency and essential for public health or safety.

359-G:2 Excessive Overpricing. It is prima facie evidence that a price is excessive if:

I. The amount charged represents an increase of 10 percent or more of the price of the commodity or rental or lease of any dwelling unit or self-storage facility that is the subject of the offer or transaction and the average price at which that commodity or dwelling unit or self-storage facility was rented, leased, sold, or offered for rent or sale in the usual course of business during the 30 days immediately prior to a declaration of a state of emergency, and the increase in the amount charged is not attributable to additional costs incurred in connection with the rental or sale of the commodity or rental or lease of any dwelling unit or self-storage facility, or national or international market trends; or

II. The amount charged by a selling agent exceeds by 10 percent or more the average price at which the same or similar commodity was readily obtainable in the trade area or routinely offered for sale by the selling merchant during the 30 days immediately prior to a declaration of a state of emergency, and the increase in the amount charged is not attributable to additional costs incurred in connection with the rental or sale of the commodity or rental or lease of any dwelling unit or self-storage facility, or national or international market trends.

2005-0040h

Amendment to HB 82

Proposed by the Majority of the Committee on Election Law - R

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

AN ACT relative to political committees of political parties.

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

1 Political Expenditures and Contributions; Definitions; Political Committee of a Political Party.

Amend RSA 664:2, V to read as follows:

V. "Political committee of a political party" means:

(a) A ~~the~~ state, county, city, ward, or town committee of a political party ***that has been approved by and incorporated into the by-laws of a political party, as filed with the secretary of state before the first Wednesday in June of that year; or***

(b) A committee that:

(1) ***Covers any contiguous area within a county which does not include more than one city and which does not include a city, ward, or town with its own political committee of a political party; and***

(2) ***Has been approved by and incorporated into the by-laws of a political party, as filed with the secretary of state before the first Wednesday in June of that year.***

2 Reporting by Political Committee. Amend RSA 664:6, II-III to read as follows:

II. ***A political committee shall file*** an itemized statement in the same form as in paragraph I ~~[shall be filed]~~ with the secretary of state not later than the Wednesday 3 weeks immediately preceding a primary and a general election, before 5 o'clock in the afternoon. The statement shall summarize the period under paragraph I if a statement is filed and shall itemize all receipts and expenditures since the cutoff of that statement up until the Monday preceding the filing of the statement under this paragraph.

II-a. ***A political committee shall file a*** statement in the same form as in paragraph I ~~[shall be filed]~~ with the secretary of state not later than the Wednesday immediately preceding a primary and a general election, before 5 o'clock in the afternoon. The statement shall summarize the statements under paragraphs I and II if such statements are filed and itemize all receipts and expenditures since the cutoff of the statement under paragraph II up until the Monday preceding the filing of the statement under this paragraph. In addition to the reporting requirements contained in this section, the secretary of state shall be notified by the fiscal agent within 24 hours of any contribution exceeding \$500 which is received after the statement under this paragraph is filed and prior to the day of election.

III. ***A political committee shall file*** an itemized statement in the same form as in paragraph I summarizing the previous statements if such statements are filed and itemizing all receipts and expenditures since the cutoff of the previous report and ending on the day of the primary or the general election ~~[shall be filed]~~ with the secretary of state not later than the second Wednesday after the election, before 5 o'clock in the afternoon.

3 Reporting by Political Committee; Reference Corrected. Amend RSA 664:6, VI to read as follows:

VI. Copies of the statements required by paragraphs [I] **II** through V of the state committee of a political party shall be filed with the secretary of state in sufficient numbers so as to provide a copy for the state committee of each party on the ballot, which they may obtain by application to the secretary of state.

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

AMENDED ANALYSIS

This bill changes the definition of “political committee of a political party” to include certain committees covering areas within a county. This bill also clarifies certain reporting requirements for political committees.

2005-0032h

Amendment to HB 84

Proposed by the Committee on Municipal and County Government - C

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

AN ACT relative to compensation of county convention members for county business.

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

1 County Conventions; Compensation For County Business. RSA 24:9-e is repealed and reenacted to read as follows:

24:9-e Compensation for County Conventions. Members of each county convention may receive from the county treasury a sum not to exceed \$25 per day for actual attendance at meetings of their respective conventions and an allowance for travel expenses to and from the place of meeting at a rate per mile not in excess of the rate allowed by the United States Internal Revenue Service to be set by a vote of the respective county convention. In addition, the county convention chair may approve compensation for members attending to, discharging, or participating in other official county business, as provided in RSA 24:9-f. The members are not entitled to receive any compensation or mileage for attending such meetings when county meetings are held at the state house in Concord on a legislative day.

2 Meetings; Official Business. Amend RSA 24:9-f to read as follows:

24:9-f Meetings of Committees; **Official Business**. Either the chairperson of the convention or the chairperson of the executive committee may call meetings of the executive committee to be held at any time either at the state house in Concord or at any place within the respective county. The members of the executive committee shall be entitled to the same compensation and travel expenses for actual attendance at such meetings as is provided for attendance at meetings of the convention of said county [~~members of subcommittees, study committees and committees of investigation~~]. **In addition, any member of the convention** may receive such compensation as determined by [~~their~~] **his or her** respective county [~~conventions~~] **convention and appointed by the county convention chairperson** for the discharge of [~~their~~] official business plus an allowance for travel expenses at the rate set for attendance at meetings of the convention of said county for travel to and from the place of meetings **or official business**; said sums to be paid from the county treasury, provided that no such compensation and expenses shall be allowed when such meeting **or business** is held at the state house in Concord.

3 Repeal. RSA 24:9-ee, relative to compensation for county conventions, is repealed.

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

AMENDED ANALYSIS

This bill allows county convention members to receive compensation for attending to, discharging, or participating in county business, as approved by the county chair and authorized by the county convention.

2005-0149h

Amendment to HB 154

Proposed by the Committee on Election Law -C

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

1 Elections; Voters and Checklists; Provisions for Primary Elections; Change of Registration.

Amend RSA 654:34, II-IV to read as follows:

II. Change of registration of a voter who has been registered as an undeclared voter.

(a) Any legal voter who has been registered as an undeclared voter may register as a member of the party of the voter's choice by appearing before the supervisors of the checklist for the voter's town or ward any time they meet, except as prohibited by paragraph IV, and stating to them, under oath or affirmation, if required, that the voter intends to affiliate with and generally supports the candidates of the party with which the voter offers to register, in which case the voter shall be registered as a member of such party.

(b) A voter may also register as a member of a party at any primary by requesting to be registered as a member and voting the ballot of the party of the voter's choice. ~~[A voter may also register once again as an undeclared voter after voting in a primary as a registered member of a party by returning the card provided for in paragraph V to the person at the polls designated by the town or city clerk to accept the card. All such cards shall be in the possession of the supervisors of the checklist at the close of the polls on election day.]~~

III. Notwithstanding any provision of paragraphs I and II to the contrary, no person who has voted in a primary may thereafter on the day of said primary change the person's party registration~~[- unless, prior to voting in the primary, the person was registered as an undeclared voter, in which case the person may once again register as an undeclared voter, as provided in subparagraph II(b)].~~

IV. No person, who is already registered to vote, whether his *or her* party membership has been previously registered or not, shall affiliate with a party or disaffiliate from a party between the first Wednesday in June and the day before the state primary election. ***No person shall disaffiliate from a party during the 90 days following a state or presidential primary election.***

2 Repeal. RSA 654:34, V, relative to change of registration cards for undeclared voters, is repealed.

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

AMENDED ANALYSIS

This bill:

I. Eliminates the special provisions permitting undeclared voters to revert to undeclared status after voting in a primary election.

II. Requires undeclared voters to follow the same procedures for change of registration as voters whose party affiliations were declared prior to voting in the primary election.

III. Prohibits disaffiliation from a party during the 90 days following a state or presidential primary election.

2005-0042h

Amendment to HB 168

Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing section 1 with the following:

1 Powers of the Commissioner; Inspections. Amend RSA 314:2, V to read as follows:

V. Conducting ~~[inspections and]~~ investigations ***and directing inspections of each office identified by a licensee***, in accordance with RSA 314:9.

2005-0096h

Amendment to HB 171

Proposed by the Committee on Election Law - C

Amend the bill by replacing section 1 with the following:

1 Form of Candidate's Name on Ballot; Nicknames. Amend RSA 655:14-b, I-II to read as follows:

I. Every candidate for state or federal office who intends to have his *or her* name printed upon the ballot of any party for a primary shall designate in ~~[his]~~ ***the*** declaration of candidacy, or on ~~[his]~~ ***the*** primary petitions and assents to candidacy, the form in which ~~[his]~~ ***the candidate's*** name shall be printed on the ballot. The candidate may designate his *or her* given, first, and middle name, the initials of his *or her* given, first, and middle name, a nickname, or any combination thereof as the form in which ~~[his]~~ ***the candidate's*** name shall be printed on the ballot, but ~~[he]~~ ***the candidate*** shall not designate a deceptive name. If the candidate designates a nickname in place of or in combination with ~~[his]~~ ***the candidate's*** given name or the initials thereof, the nickname shall be set off with quotation marks and shall be placed immediately before his *or her* surname. If the candidate designates a nickname, the nickname shall be customarily related to the candidate's given

name, *or, if the nickname is not customarily related to the candidate's given name, the candidate shall submit clear and convincing evidence that the candidate has been known by the nickname for at least the 5 years immediately preceding the time of filing. If deemed sufficient by the appropriate official, 3 affidavits from voters in the district who are not related to the candidate stating that the candidate has been known by the nickname for at least 5 years may constitute clear and convincing evidence. Nicknames shall be limited to one word, except for 2-word nicknames customarily related to the candidate's given name. No candidate may designate a nickname that implies that the candidate is some other person, that constitutes a slogan or otherwise associates the candidate with a cause or issue, or that has an offensive or profane meaning.* A candidate shall include his *or her* surname in ~~his~~ **the** designation of the form in which ~~his~~ **the candidate's** name shall be printed on the ballot.

II. Every candidate for state or federal office who intends to have his *or her* name placed on the ballot for the state general election by means other than nomination by party primary shall designate in ~~his~~ **the** declaration of intent the form in which ~~his~~ **the candidate's** name shall be printed on the ballot. The candidate may designate his *or her* given, first, and middle name, the initials of his *or her* given, first, and middle name, a nickname, or any combination thereof as the form in which ~~his~~ **the candidate's** name shall be printed on the ballot, but ~~he~~ **the candidate** shall not designate a deceptive name. If the candidate designates a nickname in place of or in combination with ~~his~~ **the candidate's** given name or the initials thereof, the nickname shall be set off with quotation marks and shall be placed immediately before his *or her* surname. If the candidate designates a nickname, the nickname shall be customarily related to the candidate's given name, *or, if the nickname is not customarily related to the candidate's given name, the candidate shall submit clear and convincing evidence that the candidate has been known by the nickname for at least the 5 years immediately preceding the time of filing. If deemed sufficient by the appropriate official, 3 affidavits from voters in the district who are not related to the candidate stating that the candidate has been known by the nickname for at least 5 years may constitute clear and convincing evidence. Nicknames shall be limited to one word, except for 2-word nicknames customarily related to the candidate's given name. No candidate may designate a nickname that implies that the candidate is some other person, that constitutes a slogan or otherwise associates the candidate with a cause or issue, or that has an offensive or profane meaning.* A candidate shall include his *or her* surname in ~~his~~ **the** designation of the form in which ~~his~~ **the candidate's** name shall be printed on the ballot.

AMENDED ANALYSIS

This bill establishes limitations on nicknames that may be used by candidates for state or federal office and permits a candidate to use a nickname that is not customarily related to his or her given name if the candidate has been known by that nickname for at least 5 years.

2005-0073h

Amendment to HB 181

Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before September 1, 2005.

2005-0111h

Amendment to HB 194

Proposed by the Committee on Science, Technology and Energy - C

Amend the bill by replacing section 1 with the following:

1 Committee Established. Since incumbent local exchange carriers face competition from services that are not regulated, a committee is established to study regulatory practices pertaining to the telecommunications industry.

Amend paragraph III of section 3 of the bill by replacing it with the following:

III. Innovative regulatory approaches, which have been implemented in other jurisdictions, which lessen business restrictions of the companies in return for price stability.

IV. The impact of competition and the potential for alternatives other than the typical rate of return regulation that will provide incentives for infrastructure investment and the offering of new and innovative services while preserving universal access to affordable basic telephone services.

2005-0125h

Amendment to HB 206

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

Amend RSA 176-A:1, III as inserted by section 1 of the bill by replacing it with the following:

III. Moneys shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment established pursuant to RSA 12-J:1. ~~[At least ½ of the money]~~ **Funds** disbursed ~~[from the fund]~~ shall be used ~~[primarily]~~ for alcohol ~~[education]~~ and **other drug** abuse prevention ~~[activities]~~, **intervention, and treatment services, and other purposes related to the duties of the commission under RSA 12-J:3.**

2005-0060h

Amendment to HB 210-FN

Proposed by the Committee on Executive Departments and Administration - R

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect June 30, 2006.

2005-0061h

Amendment to HB 216-FN

Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Administrative Services; Purchase of Supplies; Exemptions; Retirement System Added. Amend RSA 21-I:18, I by inserting after subparagraph (n) the following new subparagraph:

(o) The New Hampshire retirement system shall not be required to make any purchases through the director of plant and property management, unless it wishes to do so. If it does, the executive director shall be required to follow the provisions of this chapter. The retirement system shall make purchases under competitive bidding requirements except when waived by the executive director or his or her authorized agent upon written justification.

AMENDED ANALYSIS

This bill allows the retirement system to be exempt from provisions on purchases of supplies administered by the department of administrative services.

2005-0126h

Amendment to HB 239-FN

Proposed by the Committee on Executive Departments and Administration - C

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

AN ACT relative to registration of shampoo assistants by the board of barbering, cosmetology and esthetics.

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

1 New Paragraph; Definition; Shampoo Assistant. Amend RSA 313-A:1 by inserting after paragraph XIII the following new paragraph:

XIII-a. "Shampoo assistant" means any person registered with the board as an assistant who performs any of the following functions:

- (a) Shampooing.
- (b) Rinsing and pulling rods.
- (c) Rinsing treated or untreated hair.
- (d) Other cleaning or sink-related functions as determined by the board.

2 New Paragraph; Rulemaking; Shampoo Assistants. Amend RSA 313-A:8 by inserting after paragraph XIII:

XIII-a. The application, qualification, and fees for registration of shampoo assistants.

3 New Section; Qualifications; Shampoo Assistants. Amend RSA 313-A by inserting after section 13 the following new section:

313-A:13-a Qualifications; Shampoo Assistants. In order to be registered as a shampoo assistant by the board, a person shall:

- I. Be at least 16 years of age or have successfully completed the eighth grade or equivalent.
 - II. Work under the direct supervision of a licensed barber or cosmetologist.
 - III. Pay a fee as established by the board.
- 4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires shampoo assistants to be registered with the board of barbering, cosmetology and esthetics, and requires the board to adopt rules for the registration.