

State of New Hampshire HOUSE RECORD

Second Year of the 159th General Court Calendar and Journal of the 2006 Session

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Friday, January 13, 2006

No. 6

Contains: Additional Amendments, Reports for January 18, Hearings, Meetings, Notices and Order Form for the
2005 Permanent Journal

HOUSE CALENDAR

MEMBERS OF THE HOUSE

On **Wednesday, January 18th**, the House will meet at 10:00 a.m. and will then proceed to convene in Joint Session with the Senate to hear the State of the State Address from Governor Lynch. Following the Joint Session, the House will meet to continue consideration of retained bills.

This calendar contains four fast track bills, three on a consent calendar and the fourth is our first item of regular business. These are time-sensitive and must be dealt with as quickly as possible.

Please note that the State House Complex is closed on Monday, January 16 in honor of Martin Luther King, Jr. Civil Rights Day.

Chairmen and Vice Chairmen **will not meet** this week.

For your planning purposes, please note that we will take a **break** from legislative business during the week of **February 27th – March 3rd**.

W. Douglas Scamman, Speaker

NOTICE

There will be a Republican Caucus on Tuesday, **January 17** at 9:00 a.m. and Wednesday, **January 18** at 9:15 a.m. in Representatives Hall. It is important that we have a strong turnout.

Rep. Michael O'Neil, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, **January 18** at 8:30 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. James W. Craig, Democratic Leader

NOTICE

LEGISLATIVE ETHICS COMMITTEE

All legislators and legislative officers are required to complete and file the annual “**Financial Disclosure Form**” with the Legislative Ethics Committee no later than **January 31, 2006**.

Rep. Janet G. Wall, Vice Chairman
Legislative Ethics Committee

SHUTTLE SERVICE

For the convenience of members during the winter months once again we will have 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

NOTICE

Please note that the Calendar closes at 3:00 p.m. on Wednesdays for scheduling and notices. It closes at 1:00 p.m. on Thursdays for Committee Reports. 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.

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES FOR 2006 SESSION

January 4 th , Wednesday	Last day to introduce 2006 House Bills
February 9 th , Thursday	Last day to REPORT HBs going to 2 nd committee (noon)
February 15 th , Wednesday	Last day to ACT on HBs going to 2 nd committee
February 23, Thursday	Last day to REPORT all other HBs (noon)
March 16 th , Thursday	Last day to REPORT HBs from 2 nd committee (noon)
March 22 nd , Wednesday	CROSSOVER Last day to ACT on HBs
April 6 th , Thursday	Last day to REPORT SBs going to 2 nd committee (noon)
April 12 th , Wednesday	Last day to ACT on SBs going to 2 nd committee
April 20 th , Thursday	Last day to REPORT all other SBs (noon)
April 27 th , Thursday	Last day to REPORT SBs from 2 nd committee (noon)
May 3 rd , Wednesday	Last day to ACT on SBs
May 11 th , Thursday	Last day to FORM Committees of Conference
May 18 th , Thursday	Last day to SIGN Comm. of Conference Reports (3:00 pm)
May 24 th , Wednesday	Last day to ACT on Comm. of Conference Reports

WEDNESDAY, JANUARY 18

CONSENT CALENDAR

MUNICIPAL AND COUNTY GOVERNMENT

HB 1184, relative to the majority vote required for the use of bond proceeds in certain school districts or municipalities.
OUGHT TO PASS WITH AMENDMENT

Rep. Nancy Johnson for Municipal and County Government: The bill is a technical correction. Currently, an official ballot municipality passes a bond or serial note by a 3/5 vote. If there is a balance, it takes a 2/3 vote to authorize the municipality to use that remaining sum for any other purposes for which bonds or notes would be issued. This bill changes that 2/3 vote to a 3/5 vote in official ballot municipalities. **Vote 15-2.**

HB 1248 FN, relative to the alteration of a portion of the town line between Milford and Amherst. **OUGHT TO PASS**
Rep. Eric G Stohl for Municipal and County Government: This bill changes the boundary line between the towns of Amherst and Milford by transferring a portion of territory from Amherst to Milford. The territory involved is only about 250’ wide on one end and only about 35’ on the other and extending for about 3400’ in length. The present town line divides 15 pieces of property which includes some homes being split in two. Both towns’ governing bodies are in complete agreement with this solution. In addition, the legislative body of each municipality will need to ratify this agreement by a 2/3 majority vote. **Vote 16-0.**
HB 1262, legalizing actions taken at town meeting relative to increasing the board of selectmen from 3 members to 5 members in the town of Pittsfield. **OUGHT TO PASS**
Rep. Eric G. Stohl for Municipal and County Government: This bill legalizes the proceedings, actions, and votes taken on the question of increasing the board of selectmen from 3 members to 5 members at the Pittsfield Town Meeting on March 12, 2005. The committee heard testimony from numerous individuals including past and present selectmen. The petitioners sought advice from the town administrator as to the procedure for having an article to raise the membership of the select board placed on the town warrant. They followed that procedure and submitted the advised number of signatures. The town administrator, the supervisor of the checklist, and the board of selectmen reviewed the petition and placed it on the Town Warrant. The people at the town meeting voted 432-366 in favor of raising the number of selectmen from 3 to 5. Some time later, the vote was ruled invalid due to the fact that the wrong RSA was followed. The committee feels these proceedings, actions and the vote taken should be ratified. **Vote 17-0.**

REGULAR CALENDAR

RESOURCES, RECREATION AND DEVELOPMENT

HB 1402, defining "occupant" for purposes of liability for construction or maintenance of recreational trails. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. David H. Russell for the **Majority** of Resources, Recreation and Development: This bill is extremely critical to the north country and the state as a whole in protecting the billion dollar snowmobile industry. Maintaining and improving trails for public recreational use utilizing volunteers (either paid or not paid) has become essential. This bill addresses the immunity of these volunteers in maintaining and more specifically grooming the large network of snowmobile trails. This bill was requested by the Department of Resources and Economic Development **Vote 9-6.**
Rep. Sandra B. Keans for the **Minority** of Resources, Recreation and Development: The purpose of HB 1402 was originally to address the ruling in Estate of Kenison v. Dubois, et al. The stated goal of the supporters of the bill was to make volunteer trail groomers immune from liability for negligence. During the hearing, the attorney for the New Hampshire Snowmobile Association represented that they will not be immune from liability for GROSS negligence; however, this is not correct. Under both the original version, and the amended version of HB 1402, even gross negligence is protected. If the bill goes forward, it should be changed to clarify that those who are grossly negligent are not protected from liability. However, as the bill stands, it completely flips on its head the phrase “occupant.” With this bill, the common-sense meaning of the work no longer exists, and an artificial meaning is given, making it ambiguous as best. Furthermore, the bill ambiguously removes all legal protections for all snowmobilers (AND ALL OTHERS LISTED IN THE BILL, HIKERS, CAMPERS, ETC.), no matter how poorly constructed, maintained or improved the trail is. Under the confusing language of this bill, the longstanding common law of reasonable care is completely stripped away. None of the persons protected from immunity will have the duty to use “reasonable care,” and because even gross negligence is protected, if the language is enforced by the court, these people will have no duty to use any care at all. There will be absolutely no compensation for medical bills or lost wages to those injured by the gross negligence of those who construct, maintain or improve trails; no accountability whatsoever. The costs for their care, at least where the injuries are substantial, will most likely end up being borne by the taxpayers. There is no problem that needs to be fixed. The mere testimony at the hearing that some groomers are “nervous” based on the Kenison case, should not be sufficient to change longstanding New Hampshire law protecting individuals injured by another’s negligence. The minority intends to offer a floor amendment that will satisfy these concerns.

WEDNESDAY, JANUARY 18
SPECIAL ORDERS FROM JANUARY 4

ENVIRONMENT AND AGRICULTURE

HB 634-FN-A, establishing a state recycling program to provide technical services to municipalities and establishing a fee on disposable and recyclable goods sold at retail. **OUGHT TO PASS WITH AMENDMENT**
Rep. Burton W. Williams for Environment and Agriculture: This state, as a whole, has not obtained the solid waste diversion

goal of 40% established under RSA 149-M:2. Funding and expertise have not been available to our cities and towns to properly address their solid waste issues. Solid waste tonnage at our incinerators and land fills is increasing. This bill addresses the issue before us and directs monies to recycling programs. **Vote 15-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 624-FN, relative to penalties in certain health and health-related professions. **OUGHT TO PASS WITH AMENDMENT** Rep. Ronald J. Nowe for Executive Departments and Administration: Under current law there are no penalties for practicing without a license in 21 professions that are identified in this bill. This bill will establish a uniform penalty for knowingly practicing without a license in these 21 regulated professions. **Vote 16-4.**

HB 685-FN-A, permitting casino gambling. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James M. Fitzgerald for the **Majority** of Executive Departments and Administration: The committee felt that the bill as written was too restrictive in that it designated that a casino be built in the White Mountains. The committee heard conflicting testimony as to the economic benefit that a casino would have in the White Mountains and there was concern about the social impact it might have. The committee felt that if the State should decide that it wants to expand gaming in New Hampshire to include casino gambling, a thorough study should be done to determine what type of casino, the number of casinos and what locations would best serve the needs of the state. Also the committee felt that it is premature to consider expanding gaming in New Hampshire before the committee established in the last legislative session to look into expanded gaming in New Hampshire has made it report. **Vote 18-2.**

Rep. Pamela V. Manney for the **Minority** of Executive Departments and Administration: For decades, the State of New Hampshire has been wrestling with the idea of establishing casino gambling in the State of New Hampshire. Study committees were formed to discuss the impact of expanded gambling in New Hampshire. Proponents, for and against, have had ample opportunity to express their opinions on the matter. It is now time to vote. Are you in favor of establishing a casino in the White Mountain Region or not? Proponents believe to do so would be an economic boon to the local economy and to the local citizens starving for year round employment in that area of New Hampshire. They also believe it would be a boon to the state economy as well.

FINANCE

HB 116, relative to changes in eligibility for state programs. **INEXPEDIENT TO LEGISLATE**

Rep. Elizabeth Hager for Finance: This bill is not necessary. The Legislature has several points of control/information about eligibility for programs; both the Fiscal Committee and the Joint Legislative Committee on Administrative Rules review eligibility standards. This bill would create redundancy. **Vote 16-4.**

HB 191-FN, relative to using school building aid for leased classrooms. **INEXPEDIENT TO LEGISLATE**

Rep. Kenneth Gould for Finance: Part of this bill has been passed in other legislation. The remainder of this bill raises questions about school owned buildings versus leased buildings. It also creates friction between town and school as regards building permit fees. **Vote 19-1.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 110-FN-A, establishing the New Hampshire Rx plus program for prescription drugs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Cindy Rosenwald for the **Majority** of Health, Human Services and Elderly Affairs: Approximately 135,000 citizens of New Hampshire, more than 10% of our population, do not have health insurance or prescription drug benefits and are of lower income. For individuals and families living on low incomes, being able to afford prescription medicines is a significant hardship. Pharmacists report that often customers ask which of their prescriptions they should fill because they cannot afford to fill all of them. Individuals with no health insurance are the people who pay the highest prices for their medicines when they can least afford it. This discount drug program was studied over a period of months beginning last February, with subcommittees meeting a total of nine times. During that period, a number of amendments were considered, and testimony was heard from all interested parties, including pharmacies and pharmaceutical manufacturers. The final amendment, voted OTP 6-1 by subcommittee, is based on a similar bill enacted in Hawaii last year, offering a combination of discounts from both pharmacies and the pharmaceutical industry to individuals up to 300% of federal poverty limit who have no insurance for prescription drugs or have reached the limit of their coverage. Since that time, similar programs have been enacted in Michigan and Montana. The committee amendment has several distinct advantages. Participation for both pharmacies and pharmaceutical manufacturers is completely voluntary. Therefore, no federal Waiver from Medicaid officials is required, and the state Medicaid plan does not need to be amended. The Pharmaceutical industry representatives who attended subcommittee meetings did not oppose the program; nor have they in Hawaii. In addition, the pharmaceutical industry has sponsored a ballot initiative in California that creates a similar voluntary discount program and has collected \$78 million from member drug companies for marketing efforts in support of it. The committee amendment received supportive testimony from

the coordinator of New Hampshire’s program to help low income people obtain free medications from drug companies. We heard testimony that bridge program cannot meet the full need of New Hampshire’s under-insured. The majority of the committee believes that this program will increase retail pharmacy purchases from customers who will pay cash and buy other items when they are in the stores. Members of the retail industry in New Hampshire attended some of the subcommittee meetings, and did not oppose the bill. The majority of the committee felt there was a need in our state for a prescription drug discount program for the lower income under-insured population. **Vote 17-4.**

Rep. Fran Wendelboe for the **Minority** of Health, Human Services and Elderly Affairs: This bill creates a bureaucratic state program with at least a million dollar fiscal note for start up costs and a Health and Human Service Department fiscal note stating that drug company rebates will not cover yearly administrative costs in the first three years of the program. The drug industry currently has a nationwide free/or nearly free program for all ages who are uninsured and under 150-200% of poverty. This is where our efforts should be – supporting outreach and enrollment in the free programs. Additionally, no pharmacies have agreed to participate and it is unlikely they will since this legislation does not provide any reimbursement for discounts the pharmacies are required to provide or any payment of a dispensing fee. Since it is voluntary participation, pharmacies are likely to not participate. Drug companies also have not committed to participate with “rebates” to the state for non medicaid population. BRA 98 requires discount rebates for the “poverty” medicaid program but are under no obligation to give kickback (rebates) for uninsured people who make up to \$65,000 a year. While the minority agrees some people need assistance with their drug costs, there are other ways to get them assistance at little cost to the state.

JUDICIARY

HB 656-FN, relative to medical decision making for those adults without capacity to make health care decisions for themselves and establishing procedures for Do Not Resuscitate Orders. **MAJORITY; OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Maureen C. Mooney for the **Majority** of Judiciary: This is a comprehensive bill that contains long awaited updates to advance directive laws. The bill clarifies the language within Durable Powers of Attorney for Health Care and Living Wills and modernizes the requirements for same. The definitions of terms, such as “near death” and “permanently unconscious,” are specifically crafted to coincide with modern medical practices. This bill, as amended, will make advance directive laws easier to understand and practical for ill people, families, designated agents and health care providers alike. Additionally, this bill institutes guidelines for Do Not Resuscitate Orders in accordance with the wishes of a patient or his/her own designated agent named in an advance directive. Such Orders determine whether or not performing cardiopulmonary resuscitation is in full compliance with the consent of a patient or the patient’s hand-chosen agent. This section of the bill again clarifies the law allowing people to determine their own future medical care. **Vote 15-5.**

Rep. Nancy J. Elliott for the **Minority** of Judiciary: This bill does a disservice to our citizens by expanding the authority of an agent to make healthcare decisions, to withhold or withdraw treatment, which may result in the death of the principal, without having it expressed in a signed document. It also adds the definition of “permanently unconscious” to mean “a lasting condition, indefinitely without improvement, in which thought, awareness of self and environment, and other indicators of consciousness are absent.” This definition is to be used in connection with end of life decisions to withhold or withdraw treatments. Many elderly patients could fit this definition. The advanced directives (living will) in this bill are slanted toward death giving very little option to citizens wishing to choose life. This bill also changes wording of our current law protecting an “unborn child” to fetus.

MUNICIPAL AND COUNTY GOVERNMENT

HB 653-FN-LOCAL, relative to bonds for construction, development, improvement, and acquisition of broadband facilities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert W. Brundige for the **Majority** of Municipal and County Government: This bill allows the issuance of municipal bonds or notes for the purpose of financing the development, construction, reconstruction, renovation, improvement, and acquisition of broadband infrastructure in any area of a municipality that is not served by a wireless or facilities based broadband service or provider. The municipality would be prohibited from bonding unless it first sent out a request for proposals (RFP) to the private sector to see whether any private vendor was willing to build the broadband infrastructure. If no RFPs were positively replied to within two months or if there was not activity on the part of a private vendor within 14 months of the RFP process, then the municipality could undertake its own proposal to bond and build the infrastructure. As with any bond or note in excess of \$100,000, a public hearing is required prior to the vote on the bond or note, along with a super majority to pass the bond question. The amendment only authorizes the bonding for broadband infrastructure, and does not authorize the municipality to become broadband carrier, service, or provider. It is anticipated that with the passage of this bill economic development will be stimulated in those areas not currently served by broadband carriers. **Vote 12-3.**

Rep. Laurie J. Boyce for the **Minority** of Municipal and County Government: The intention of this bill was to give municipalities, with no available broadband service, the opportunity to issue bonds to build the necessary infrastructure to provide broadband. With a last minute amendment, it was expanded so any municipality without 100% broadband coverage

will have the ability to issue bonds that will have to be paid for by the broadband users, not the town, although the town will have issued the bond. What happens if the “town broadband” goes broke? What is the cost for this service going to be that only a few have to pay? Much progress has taken place in getting broadband to the New Hampshire rural areas. Passage of this bill could have a negative effect on future private investments in broadband and put an undue burden on the local taxpayer. Proponents of this bill say they will build networks with public monies so private providers could then use them. We were told at the public hearing that private companies would not want to use infrastructure set up by someone else because of the “unreliability” of their system and the cost. There are just too many unanswered questions that could cost taxpayers money.

HB 695-FN, requiring the university system of New Hampshire to make payments in lieu of taxes for purchased property.

MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. John P. Dowd for the **Majority** of Municipal and County Government: The university system has a statutory tax exemption that has been in effect since the middle of the 1800s along with the tradition of not taxing state, local, county-owned property. The statutory tax exemption actually dates back to 1842 and has not been changed significantly since. There is recognition that the host communities do bear some costs for the university system but also reap many benefits. In order to be partners together in the public arena, the university system requested that the presidents of each university negotiate with their host communities and come up with an agreement or contract that would address the needs of both the community and the university – either in services supplied or payment in lieu of taxes. If there are differences of opinions, there is a permanent Public Higher Education Study Committee in RSA 187-A:28-a that shall examine the goals, purposes, organization, and financing of public higher education in New Hampshire, and shall evaluate and make recommendations on the university of New Hampshire, Plymouth State University, Keene State College, the Granite State College, and the Regional Community-Technical College System. This is the latest in a long line of bills attempting to do away with the tax exemption for Plymouth State University (PSU) properties. It is specific to the town of Plymouth and Plymouth State University. The bill is a ruse to negate a contract between the town of Plymouth and PSU, which was agreed to and unanimously signed by the selectmen of Plymouth in February 2002. The contract is in effect for a period of seven years. This agreement more than doubled the dollars in payment in lieu of taxes (to more than \$800K) that the university system pays the town from the previous contract. This is a local issue that should be settled locally. **Vote 10-5.**

Rep. Mary R. Cooney for the **Minority** of Municipal and County Government: The problem of the university system of New Hampshire buying property and thereby removing it from the tax roles varies in magnitude in different communities. In the small town of Plymouth, whose resident population is less than 3,000, the problem is greater than in a city or larger community. The issue is fairness and loss of local control in all host communities. Since the inception of the University System of New Hampshire, millions of dollars worth of property has been taken off the tax roles. This bill would not affect past property purchased, only future property. Presently, USNH host communities have no control over the university purchasing property, nor over what the university does with that property. The immediate affect is that the host community loses the tax revenue on that property but is still responsible for providing services to that property. Plymouth State University has a \$250 million dollar master plan which will require the purchasing of additional property. The host communities have no control over the taking of property. This bill, as amended, would simply mitigate that impact by requiring the university to make a payment in lieu of taxes for 5 years, reducing the amount by 20% each subsequent year. The citizens of Plymouth at the town meeting have supported efforts to achieve a fairness in reimbursement agreements with the university. The select boards of the towns of Plymouth and Holderness, the city of Keene, along with the New Hampshire Municipal Association, gave written testimony in support of this bill. The state must recognize that the shifting of costs from USNH to local taxpayers has reached an untenable level. The provisions of this bill are reasonable and fair.

RESOURCES, RECREATION AND DEVELOPMENT

HB 317-FN, relative to mooring permits and fees. **OUGHT TO PASS WITH AMENDMENT**

Rep. Donald A. Brueggemann for Resources, Recreation and Development: The original bill set up a process whereby residents in a community could petition the Commissioner of the Department of Safety to have a lake or pond included in the moorings program which currently requires permits for moorings on the six largest lakes. Currently, lakes may be added only through legislative action and the committee felt strongly against delegating this authority. The portion of this bill that provided for increases in the mooring fee for those six lakes in the mooring program is being recommended in an effort to have the program support itself. The initial decal or permit would require a \$125 fee. The initial mooring permit requires a site visit. The annual renewal fee under this bill would be \$50 (up from \$25). The committee felt this increase was more than justified given the time and effort needed to coordinate and monitor the program. These fees are more in line with the actual cost of program to the state. **Vote 20-1.**

SCIENCE, TECHNOLOGY AND ENERGY

SB 128-FN, relative to the establishment of emissions reduction standards as required by the Clean Power Act.

INEXPEDIENT TO LEGISLATE

Rep. Lynne M. Ober for Science, Technology and Energy: This bill, recognizing that no proven technology was currently

available to achieve proposed reduction levels, provided for a cap and trade program as well as a mitigation program. The committee retained the bill until results were available from testing at the PSNH power plant, done under the direction of the Department of Environmental Services (DES). Testing results showed limited mercury reduction. The committee held numerous public hearings. DES, which originally requested this bill, now recommends legislation supporting the installation of scrubber technology by 2013 and legislation has been filed to support this new, revised request. **Vote 9-5.**

TRANSPORTATION

HB 298, relative to consolidating statutes relating to driving while intoxicated. **OUGHT TO PASS WITH AMENDMENT**
Rep. Brenda L. Ferland for Transportation: This bill takes all DWI laws relating to any motor vehicle, boats, and OHRVS from multitude of sections of current statutes and combines them into one section with no major changes, just some language clarification. **Vote 9-0.**

WAYS AND MEANS

HB 645-FN, relative to fire-safe cigarettes. **OUGHT TO PASS WITH AMENDMENT**
Rep. Steve Vaillancourt for Ways and Means: After passing the House by a 199-134 vote on March 9, 2005, this bill was referred to Ways and Means to study any possible fiscal impact should New Hampshire require that all cigarettes sold in the state be "fire safe." These cigarettes are manufactured so as to be more likely to go out if left unintentionally on a chair or sofa and thus reduce the potential for fires. After retaining the bill and studying it over the summer, the committee could find no evidence that there would be a fiscal impact. Cigarettes would not increase in price, and all indications are that these cigarettes would taste the same and smoke the same as cigarettes currently sold in the state. In fact, there is ample evidence that smokers will not even recognize the difference. The committee amendment does three things. While an exploration of the efficacy of these cigarettes in preventing fires was beyond the scope of the committee, it was agreed that "fire safer" would be a more appropriate name than "fire safe" lest anyone think that these cigarettes would be totally fire safe. So that no money will be spent developing standards for such cigarettes, the committee mandated that the New York safety standards be used. Vermont and California have passed legislation using this standard as well. The committee believes that a nationwide standard would be appropriate and that congress could mandate fire safer cigarettes in all 50 states. Since that does not appear likely any time soon, New Hampshire can join an increasing number of states which are passing such legislation. So as to make the transition a smooth one, the amendment gives the Commissioner of Safety, in consultation with the State Fire Marshal, until January 1, 2007 to adopt the standards and does not require that only "fire safer" cigarettes be available in New Hampshire until July 1, 2007. **Vote 17-2.**

WEDNESDAY, JANUARY 18

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

SPECIAL ORDER

HB 397, relative to authority to file an abuse or neglect petition under the Child Protection Act. **OUGHT TO PASS WITH AMENDMENT**

Rep. Sheila A. Foote for Children and Family Law: This bill will preclude private abuse or neglect petitions under RSA 169-C. The Division of Children, Youth and Families will become the sole petitioner in all cases of abuse and neglect. This bill is a consequence of the misuse of the process by individuals which has resulted in a wasteful drain of limited resources that could have been better used by DCYF. This bill does not prevent law enforcement officers from obtaining verbal or written court orders for taking protective custody or protective supervision of children and for the placement of children who are found to be in imminent danger. **Vote 17-0.**

HB 485, relative to the basis for awarding custody to a stepparent or grandparent. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Beth Walz for the **Majority** of Children and Family Law: This bill attempted to make NH statutes consistent with state and federal court decisions. However, the committee believes that further changes are necessary to comport with Supreme Court decisions. Thus, the committee voted to send this bill to Interim Study to allow time to complete the work needed. **Vote 10-3.**

Rep. David J. Bettencourt for the **Minority** of Children and Family Law: The bill originally passed with amendment 17-0, then a week later was reconsidered. The minority strongly felt that the law allowing grandparents and stepparents to take custody away from parents during the parents' custody action is unconstitutional. The minority feels it is unwise to leave unconstitutional laws in statute. The interim study is directed toward an unrelated issue to solve court jurisdiction. We feel that issue should have come under a different bill.

HB 590, excluding stepchildren from the definition of "child" in the context of support orders. **OUGHT TO PASS**

Rep. David A. Bickford for Children and Family Law: This bill removes “stepchild” from the definition of “dependent child.” It also amends RSA 546-A:1, Uniform Civil Liability for Support, that leaves stepchildren liable to support stepparents. **Vote 10-5.**

HB 610-FN, relative to the right to trial by jury in parental rights termination cases. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mary Stuart Gile for the **Majority** of Children and Family Law: This bill proposed that any person, at risk of having parental rights terminated as defined in RSA 170-C:10 shall have the right to a trial by jury upon written request. The committee struggled to address key issues for both parents and children. The majority was concerned that the current process of reaching termination of parental rights decisions which protects the best interest of the child would be materially compromised. A jury trial could considerably lengthen the time before permanency could be achieved and result in additional costs for both state and counties. Also, there was no evidence presented that jury trials would improve outcomes. **Vote 9-6.**

Rep. Daniel C. Itse for the **Minority** of Children and Family Law: The minority believes that this is a clear New Hampshire Constitutional issue. The New Hampshire Supreme Court has held that parenting is an inherent and fundamental right under Part 1, Article 2. The minority believes that both Part 1 Article 15 and Article 20 require that parents have a right to trial by jury in termination of parental rights cases.

**COMMERCE
SPECIAL ORDER**

HB 203-FN, relative to the use of tracking devices in consumer products. **OUGHT TO PASS WITH AMENDMENT**

Rep. Sheila T. Francoeur for Commerce: This bill, as introduced, would have required informing a consumer in either writing or verbally of the presence of a tracking device (RFID) in any consumer article purchased. The committee recognized the privacy concerns with this type of device, but also understood the benefits this technology has for industry. The amendment balances the concern for privacy with future technological development by setting definitions, disclosure requirements and establishing a commission to track the development and implementation of this technology and its effects on the citizens of New Hampshire. **Vote 19-0.**

SPECIAL ORDER

SB 211-FN, relative to pharmaceutical marketers. **REFER FOR INTERIM STUDY**

Rep. Jane S. Langley for Commerce: This bill would require annual reports by the pharmaceutical manufacturers to be filed with the Secretary of State. The committee agreed that this is an important issue, but the bill as proposed would not accomplish a reduction in the cost of prescription drugs. With additional study it is hoped that will be accomplished. **Vote 19-0.**

**CRIMINAL JUSTICE AND PUBLIC SAFETY
SPECIAL ORDER**

HB 459, relative to access to criminal records and enhanced 911 system records and excluding information brokers from private detective licensing. **OUGHT TO PASS WITH AMENDMENT**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This was a housekeeping bill clarifying the access to criminal justice data for proper investigative purposes. It allows access to criminal justice information by persons who maintain the data base. This bill as originally written would have allowed unlimited access to criminal records by information brokers. This provision was removed by the amendment. **Vote 14-0.**

EDUCATION

HB 39, relative to sex education in public schools. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara J. Hagan for the **Majority** of Education: This bill, with amendment, merely allows an additional method for parents to exercise to opt their children out of any courses in human sexuality or family relations which conflict with their religious beliefs. The bill is patterned after current New Hampshire law with respect to the New Hampshire Immunization Program whereby parents sign a Certificate of Religious Exemption and are thereby exempt from having to be immunized. The bill gives an opening to parents where inconsistencies appear in the local districts. **Vote 12-8.**

Rep. Emma L. Rous for the **Minority** of Education: This bill is unnecessary and provides options for parents already in place in rules and practice around the state. By specifying a religious basis for opting out of sex ed, we may actually narrow the basis for opting out. In addition, the bill mistakenly allows parents to opt out of a “course” rather than a “unit.”

HB 76, revising the process of charter school approval by the state board of education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Claire D. Clarke for the **Majority** of Education: The majority of the committee agreed that local school districts should not have to make payments to charter schools from their adequacy dollars and then have to wait two years to be reimbursed by the state. Since New Hampshire law states charter schools are “public schools,” they should be funded accordingly. Since the

state provides for education as a common goal for the benefit of all, the public charter schools, in order to be successful, should be directly funded by the state. **Vote 17-1.**

Rep. Paul C. Ingbertson for the **Minority** of Education: While this bill addresses an important problem confronting charter school funding, a portion of the bill goes well beyond state law by disallowing religious based institutions that serve a secular purpose from ever receiving state funds or becoming charter schools.

HB 258-LOCAL, relative to the terms of a collective bargaining agreement in a school district. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael B. Asselin for the **Majority** of Education: The majority of the committee members believe that this bill will disrupt the school collective bargaining agreements by allowing school administrators to increase the salary/benefits of a teacher to retain them if they have received another offer of employment. Merit pay already addresses the issue of rewarding more qualified teachers. **Vote 11-4.**

Rep. Mark S. Carter for the **Minority** of Education: New Hampshire is experiencing growing teacher shortages. These shortages fall disproportionately on our poorer districts. The minority of the committee feels that something can and should be done about the shortages. The minority will put forward a floor amendment should the ITL recommendation of the committee majority be overturned by the House. The legislature should enable local school districts, so that they have the ability to negotiate to keep their best and most necessary teachers.

HB 278, relative to the alternative budget procedure in school administrative units. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Clifford A. Newton for the **Majority** of Education: This bill will allow communities to adopt the SAU budget at the annual school district elections. The committee feels that with the passage of this bill, towns belonging to multi-district SAU's will have better representation as more people come out to vote at district elections than at district meetings. **Vote 15-1.**

Rep. Michael A. Balboni for the **Minority** of Education: The bill would force towns to vote in SB 2 form even if not an SB 2 town. Why should the state dictate that a town must have a particular form of government when the residents of that town want a different form? This is a very dangerous precedent.

HB 650-FN-LOCAL, revising education funding and distribution and establishing needs-based matching grants. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David W. Hess for the **Majority** of Education: This bill is another education funding bill which was introduced last January and retained by the Education Committee. However, over the fall, the sponsor of the bill proposed an amendment which, if adopted, would have added yet another targeting factor to the five enacted into law in June. By an overwhelming, bi-partisan 3-1 majority, the committee rejected the amendment. The amendment would make an appropriation for education funding in addition to what is already in law commencing in the next biennium – FY 2008-2009, 20 months into the future. For the first four years, that appropriation would come from dedicated funds – the reductions in transition grants. The committee rejected the proposal for a number of reasons. First, the money that will become available from the reduction in transition grants is already intended to fund the increases in education funding automatically build into current law. Thus, this new targeting would require additional funding over increases already built into law, additional appropriations of approximately \$5 million dollars in FY 2008 and FY 2009, and approximately \$17 million in 2010. Second, such appropriations are being proposed almost 2 and 4 years before-the-fact when we don't know the fiscal condition of the state, either available revenue or new needs. Third, because the proposal is prospective only, we won't even know the exact size of the appropriation for 2008 until more than a year from now. Fourth, since the targeting is based on median household income, the data relied on will be 9 years out-of-date when it is first used, as this data is derived from the 2000 census and is not officially updated until the 2010 census. Fifth, there is no public call or outcry for such a formula. No one appeared in support of the amendment except the sponsor, and the overwhelming mood among the general public appears to be a request to, just once, leave the funding formula alone. There appears to be a near-universal feeling among the general public that what is needed now in education funding is stability, continuity and predictability. Sixth, no good reason was given for tinkering with the education funding formula this way this year. Any changes other than technical changes should be considered in the session in which they become effective. Seventh, using median household income will add confusion to education funding as current law already uses median family income in its calculations. Finally, many believe that there are better income criteria available than median household income. For example, the New Hampshire Center for Public Policy uses per capita income and median family income in its wealth formula, but not median household income. For one or more of these reasons, the committee rejected the proposed amendment and then voted by the same margin to recommend Inexpedient to Legislate. **Vote 14-5.**

Rep. Mark S. Carter for the **Minority** of Education: The minority of the committee supported an amendment to the original bill that would improve the existing targeted aid law by incorporating aid based upon community income, which current law fails to adequately accomplish. A floor amendment and vigorous debate will be offered. The House accepted HB 616, as amended by the Senate, last year, in order to avoid a Committee of Conference outcome that could have been less desirable than the Senate version. It is now time to look at necessary enhancements to achieve improved funding equity.

HB 664-FN-LOCAL, mandating open enrollment in all school districts. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. W. Packy Campbell for the **Majority** of Education: This bill creates communication between students, parents and school boards by allowing reasons for wanting to leave a school and reasons why a student would want to attend a school to be discussed as a real outcome by removing residency requirements. This bill maintains local control by authorizing local school boards to adopt procedures for open enrollment. **Vote 14-6.**

Rep. Emma L. Rous for the **Minority** of Education: School districts currently have the option to choose open enrollment, but this bill would make it a requirement. The bill repeals residency requirements for school attendance (RSA 193:12, I), repeals a district's option to vote for open enrollment (RSA 194 B:2, I), and repeals the assurance that no public school shall be required to be open enrollment (RSA B:2, III). The bill places an unreasonable burden on local districts and will lead to greater inequities between districts.

ELECTION LAW SPECIAL ORDER

HB 249, relative to delivery of absentee ballots to city or town clerks. **INEXPEDIENT TO LEGISLATE**

Rep. Keith D. Hirschmann for Election Law: This bill was an attempt to make it more convenient to return a ballot to a town or city clerk by allowing a family member to hand-deliver the ballot. Testimony from the New Hampshire City and Town Clerks Association, opposing the bill, raised questions about proper identification and appropriate safeguards to maintain the integrity of the ballot. The Secretary of State was also concerned and opposed the bill. **Vote 15-3.**

HB 309-FN-A, establishing a commission to recodify laws relating to financial contributions and disclosures and conflicts of interest and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Richard B. Drisko for Election Law: This bill would have established a commission to revise, clarify, simplify and recodify laws relating to financial contribution and disclosure and conflicts of interest and create funding for same. The committee recommended ITL as SB 206 would pre-empt the work of such a commission by providing omnibus ethical legislation to fulfill this need. **Vote 10-4.**

HB 345, requiring photo identification to obtain a ballot. **MAJORITY: OUGHT TO PASS WITH AMENDMENT.**
MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. William L. O'Brien for the **Majority** Election Law: Subsequent to the filing of this bill, two important developments occurred relative to the issue of requiring photo IDs in order to vote. The first was that on May 11, 2005 the Congress passed the REAL ID Act of 2005, which established minimum requirements for information displayed on state driver's licenses and for information that must be obtained in order to issue such a license if it was going to be accepted by a federal agency. The second development was that in September the Commission on Federal Election Reform, co-chaired by President Jimmy Carter and Secretary James Baker and including as commission members Senator Tom Daschle and Representatives Lee Hamilton, Bob Michel and Susan Molinari, as well as many others who have similarly distinguished themselves in service to our nation, issued a comprehensive report on needed election reforms. In that report the commission made the following observation: "The electoral system cannot inspire public confidence if no safeguards exist to deter or detect fraud or to confirm the identity of voters. Photo IDs currently are needed to board a plane, enter federal buildings, and cash a check. Voting is equally important." Following this observation, the Carter/Baker commission noted further that the trend nationally is to require voter IDs, starting with 11 states in 2001, 24 states now and 12 additional states considering adding the requirements to their laws. Based on these observations, the commission recommended first "that the states use REAL ID cards for voting purposes." In addition, the commission recommended that one additional requirement be added to REAL ID cards if they are to be used for voting purposes: the cards should indicate citizen. Based on testimony received, the majority of the committee believes that requiring photo IDs to vote in New Hampshire would inspire greater confidence in our electoral process and thereby promote participation in voting. In recommending passage of this bill as amended, the majority was fully aware that some individuals may not have such an ID in effect. The bill therefore allows such voters to sign an affidavit claiming that has occurred and go forward and vote. The majority recommends this important measure that will address a perennial concern of many that our voting system does not have sufficient safeguards. **Vote 10-7.**

Rep. Charles F. Weed for the **Minority** of Election Law: This bill will create more harm than good. Some citizens who have lost or forgotten their picture identification cards will be denied their constitutionally protected right to vote. This bill tries to solve a problem which does not exist. No charge of voter fraud has been proven even though there have been many careful investigations by both the Secretary of State and the Attorney General.

HB 347, requiring proof of identity for voter registration. **MAJORITY: OUGHT TO PASS WITH AMENDMENT.**
MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. William O'Brien for the **Majority** of Election Law: This bill relates to HB 345, which would establish a photo ID requirement for voting with an affidavit exception. The September 2005 Report of the Commission on Federal Elections (the Carter/Baker report) recommended that the citizenship information that state agencies are required under the REAL ID Act of 2005 to collect to issue driver's license should be placed on those IDs so they can be used for voting purposes. This bill will implement that recommendation. Testimony was given that the Department of Safety already collects information and issues IDs in compliance with the REAL ID Act of 2005 and is considering a license redesign in which citizenship could be displayed

with no additional cost. Licenses already indicate lack of U.S. Citizenship for some individuals through shorter effective dates and testimony also was received that although law enforcement officials are aware of this indication there never have been complaints of discrimination by law enforcement personnel. The majority of the committee was unpersuaded by concerns expressed that discrimination by police officers would result from citizenship being shown on licenses. The bill, as amended, will ease voter registration and voting, as well as add to the integrity of our electoral process. **Vote 10-5.**

Rep. Charles F. Weed for the **Minority** of Election Law: This bill goes well beyond the requirements of the Federal REAL ID Act. We feel that the requirement of inclusion of national citizenship on the New Hampshire driver's license could lead to discrimination against innocent individuals during times of national stress.

HB 391, relative to voter registration forms for students. **OUGHT TO PASS WITH AMENDMENT**

Rep. William O'Brien for Election Law: There are some individuals who wish to register to vote in New Hampshire and appear, sometimes on election days, sometimes earlier, without sufficient evidence that they are U.S. citizens or that they are domiciled in New Hampshire or otherwise. In such circumstances, they are offered the opportunity to sign citizenship and domicile affidavits whereby on their word alone they are established as U.S. citizens with a New Hampshire domicile sufficient for voting purposes. Under present law, however, those affidavits become secret documents, hidden from public scrutiny by those who might know or be interested in the truthfulness of claims they make and information they provide. As Justice Oliver Wendell Holmes observed, and this legislature when it enacted RSA 91-A, the New Hampshire Right to Know Law, affirmed, "Sunshine is the best disinfectant." This bill allows the light of public attention to shine on such affidavits by making citizenship and domicile affidavits subject to RSA 91-A. It allows those who are interested in confirming the integrity of voter registration by affidavits to have access to the information needed for such a review. The committee views this opening of public records as an important reform that will strengthen the New Hampshire electoral process. **Vote 12-6.**

HB 403, limiting permissible gifts to elected officials. **INEXPEDIENT TO LEGISLATE**

Rep. Richard B. Drisko for Election Law: This bill would have limited permissible gifts to elected officials to meals, tickets, and other non-cash items with a value of less than \$250. By incorporating this bill into SB 206, this action will yield a uniform omnibus ethics bill. **Vote 10-4.**

HB 589, establishing a committee to study gifts and political contributions. **INEXPEDIENT TO LEGISLATE**

Rep. Richard B. Drisko for Election Law: This bill would have established a committee to study gifts and political contributions and would duplicate the efforts on SB 206 that produced an omnibus ethics bill. **Vote 11-3.**

HB 607-FN, relative to gifts to elected officials. **INEXPEDIENT TO LEGISLATE**

Rep. Richard B. Drisko for Election Law: This bill would have placed certain restrictions on gifts to elected officials. Its content was similar to HB 403 and is covered by SB 206. **Vote 11-3.**

HB 621-FN, requiring disclosure of gifts and campaign contributions by lobbyists. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard B. Drisko for the **Majority** of Election Law: This bill would have required lobbyists to report all gifts and campaign contributions to the Secretary of State. In addition, it would have required a candidate to disclose donations from registered lobbyists. Both of these issues are covered in SB 206. **Vote 9-5.**

Rep. James R. Splaine for the **Minority** of Election Law: We as a legislature should stand behind the highest standards of honesty and disclosure for lobbyists. Our amendment accomplishes that goal.

HB 639-FN, relative to voter registration. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William L. O'Brien for the **Majority** of the Election Law: During testimony many witnesses raised concerns over the integrity of election day registrations in which the registrants use one or both of the citizenship and domicile affidavits that are available when no other evidence of citizenship or domicile is brought to the attention of the election official handling the registration. We allow individuals who first appear on election day to vote based on their word alone that they are United States citizens and residents of New Hampshire. The committee's concerns over the integrity of this process have grown as we have become aware that investigation and prosecution of all election law is handled by a single assistant attorney general who handles those election law duties on very much a part time basis as he has other, and often more pressing, duties to perform. These concerns have not been abated when we have heard that few problems have appeared, because we know that these affidavits are withheld from the public, including candidates and those promoting or opposing ballot measures, so they cannot be challenged for accuracy and because – and this we have considered quite important – there is no incentive to find and challenge the false affidavit because there will be no way to identify and remove the improperly cast ballot from a count. Considering these concerns and limitations, the majority of the committee has fashioned what it submits is the least intrusive, most straight-forward method to allow these wrongful votes to be retrieved and discarded when they have influenced the results of an election. Using the existing election recount procedure, and not in any way extending the deadlines or changing the approach for such recounts, HB 639 would allow these affidavits to be challenged in a recount and, if the challenge is successful, the wrongful vote to be removed from the count. The procedure for how the challenge would proceed will be established by the Secretary of State, as would the mechanism for marking ballots given only to election day registrants using citizenship as domicile affidavits so those ballots can be associated with the affidavits. The only requirement for marking such ballots is that

it be done in a manner that will promote voter privacy. Methods were discussed that would reach that result, but the final determination was to allow the Secretary of State to choose and implement the best method. The only ballots that need to be associated with particular affidavits and therefore particular voters will be those ballots that resulted from materially false affidavits. **Vote 9-5.**

Rep. Charles F. Weed for the **Minority** of Election Law: Voters have a right to expect that they are casting a secret ballot. When they hear that challenged ballots will be marked and tracked it will lead to less trust and confidence in the election process, and will discourage transitional, homeless, and minority voters. More harm than good is caused by this bill which is strongly opposed by the people who conduct state, local, and federal elections, the city and town clerks association.

ENVIRONMENT AND AGRICULTURE

HB 722, relative to the spreading of biosolids in certain designated areas. **WITHOUT RECOMMENDATION**

FINANCE

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. **INEXPEDIENT TO LEGISLATE**

Rep. Elizabeth Hager for Finance: The juvenile diversion money is some of the most effective state money in New Hampshire. It is administered through the counties so there is some local control and we know it keeps children out of our expensive institutions. This bill asked for an increase in the funds which a majority of the committee does not believe we can do right now. It also called for a study of the various programs and the committee is committed to working with DHHS to look at the effectiveness of diversion services. **Vote 13-7.**

HB 638-FN, relative to county liability for payment of nursing home costs. **OUGHT TO PASS WITH AMENDMENT**

Rep. Neal M. Kurk for Finance: This bill deals with the county-state financial relationship. The counties have expressed a variety of concerns on this subject ever since the most recent major overhaul of the relationship in the 1990s. (SB 409, Ch. 388, Laws of 1998). As introduced, the bill returned the cost-sharing on non-federal Medicaid nursing home care from the current 50%-50% to the pre-1998 61% counties – 31% state, and it eliminated any cost-sharing by the counties for the home- and community-based care program. A subcommittee carefully examined these and other programs in which costs were shared between the counties and the state and considered a wide variety of options to change them in ways that were “revenue neutral.” Several options were presented to the full Finance Committee. However, none was satisfactory to a majority of the committee or to a majority of the counties. The committee amendment makes no change in the current county-state financial cost-sharing relationship. However, in addition to extending the current moratorium on new nursing home and rehabilitation beds until June 30, 2009, it provides two significant benefits to the counties. First, it requires the Department of Health and Human Services to seek a federal match for un-reimbursed nursing home costs paid by the counties and to pay such revenue, if obtained, to the counties. Second, it reversed the downshifting to the counties of certain costs imposed by the 2005-06 budget. These costs related to recipients of old age assistance and aid to the permanently and totally disabled, and would have cost county taxpayers approximately \$5.4 million from the anticipated biennium surplus to pay for the change. It is the committee’s understanding that work on the county-state financial relationship will continue in the next session through a variety of legislative vehicles. **Vote 14-2.**

HB 670-FN-A, relative to the land and community heritage investment program. **INEXPEDIENT TO LEGISLATE**

Rep. Kenneth Weyler for Finance: This bill was retained so that the budget process could be completed. It appropriated \$4 million in FY ‘06 and \$6 million in FY ‘07. In the budget, the Senate came up with the novel idea of dedicating the highway mitigation funds of \$3.5 million each year plus \$1.5 million or the same \$10 million. Highway fund monies are to be used to buy open space in the highway corridor towns or nearby. Most proponents of LCHIP do not acknowledge this \$3.5 million and insist that our appropriation is only \$1.5 million. This new idea has not had a fair demonstration. We should wait to see its effect before we change the funding sources. **Vote 12-7.**

JUDICIARY

HB 541, relative to repealing the incorporation of the New Hampshire Bar Association. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. Stephen J. Shurtleff for the **Majority** of Judiciary: This bill seeks to revoke the corporate charter of the New Hampshire Bar Association and confiscate its assets due to the sponsor’s erroneous belief that the association is an illegal monopoly. However, extensive testimony and legal research refuted this notion, and in fact, case law in New Hampshire and in most, if not all, jurisdictions affirm that mandatory bar associations are not illegal monopolies within the meaning of the law. Additionally, the minority mistakenly believes that the Bar Association regulates the practice of law. This is simply not correct. The Supreme Court, through rules and court committees, regulates the practice of law in this state. The majority of the committee could find no justification of revoking the charter, let alone confiscating its assets, without giving the association the benefit of due process of law. It is simply not the New Hampshire way. **Vote 13-7.**

Rep. Robert D. Mead for the **Minority** of Judiciary: This bill seeks to repeal the corporate charter granted to the New

Hampshire Bar Association by the Legislature in 1873 on the basis of some very valid concerns. The legal system and the courts established by our Constitution are intended to protect the public and private rights of our citizens by providing remedies and redress when those rights have been violated. Over time, however, our legal system has come under the indirect control of a private fraternal organization through mandatory membership in, and regulation of those who practice law by that private organization. This obligatory membership and regulation has extended to including the very judges presiding over the courts established to protect and administer justice for our citizens. Originally founded as and chartered on the basis of its being – an independent fraternal corporation organized to pursue improvement of the administration of justice as determined by its membership, the Association has become a monopoly in violation of Article 83, Part Second. This has occurred because, the Supreme Court, which already regulated admission of attorneys to the practice of law, some 35 years ago made membership in the Association mandatory for all attorneys. The monopoly power illegally conferred on the Association has led to a situation in which the legal system established by the New Hampshire Constitution to protect the rights of, and to provide remedies and redress for, its citizens has come in no small part under the indirect control of this corporation, whose officers are neither employees of the state, nor elected to their position by the citizens of New Hampshire. Slowly, over time and through various legislative actions and administrative rulings by the Supreme Court, controlling influences in some judicial and executive branch policies and practices have been granted to this private organization. Unique among professional organizations, it has become an authorized licensing board along with the other state and municipal agencies (RSA 161-B:2 X). This private organization determines who is qualified to satisfy some “members only” appointments by Governor and Executive Council (RSA 494:1 VIII, IX) and contracts issued for public defenders are subject to approval by its board of governors, to whose deliberations the public has no right of access (RSA 604-B:4). To further protect their unique position, New Hampshire Bar Association members are exempt from the state licensing required of members of other professions, such as physicians, dentists, insurance agents, realtors, and the skilled trades. The administrative controls that have been woven into the fabric of our state government by this private fraternal organization strike at the very heart of a free, open and representative government and the legal system and set New Hampshire apart from our neighboring New England states of Maine, Vermont, Connecticut, and Massachusetts.

HB 626-FN-LOCAL, relative to the right-to-know law. **OUGHT TO PASS WITH AMENDMENT**

Rep. Cynthia J. Dokmo for Judiciary: This bill updates the Right to Know law to reflect new types of communications created by advancements in technology, such as the Internet and sophisticated phone systems. It neither broadens nor narrows the reach of existing law, but simply acknowledges these new forms of communications and clarifies when they are subject to the law. The update was the product of a two year study by a commission formed specifically by the legislature to address modern technology. The commission continues to meet with the object of updating other provisions of the Right to Know Law, such as copy costs and penalties. It expects to file additional legislation in the next term. However, all parties agree that it was essential to make the changes proposed in the current bill, to clarify issues related to new types of communications. **Vote 20-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 506, including employees of charitable organizations under the protection of the state law against discrimination. **OUGHT TO PASS WITH AMENDMENT**

Rep. Mary J. Gorman for Labor, Industrial and Rehabilitative Services: This bill includes employees of non-profit charitable organizations under the protection of the state’s anti-discrimination employment law so claims can be investigated and resolved by the New Hampshire Commission for Human Rights, just like employees of for-profit employers. Exempt are clubs exclusively social, or fraternal or religious association, or corporation, if such club, association, or corporation is not organized for private profit, as evidenced by declarations filed with the Internal Revenue Service, nor does it include any employer with fewer than six persons in its employ, but shall include the state and all political subdivisions, boards, departments, and commissions thereof. **Vote 8-2.**

SPECIAL ORDER

HB 524, relative to outsourcing of jobs. **INEXPEDIENT TO LEGISLATE**

Rep. William J. Infantine for Labor, Industrial and Rehabilitative Services: While the intent is laudable, the bill as proposed would in fact be grossly punitive and contrary to the accepted reality globalization which in fact can result in substantial cost savings and job savings if offshore sourcing is managed rather than repudiated. This bill’s provisions would not prevent large companies from dropping New Hampshire as a market, and could cause greater loss of jobs if passed. **Vote 10-0.**

MUNICIPAL AND COUNTY GOVERNMENT

SPECIAL ORDER

HB 642-FN-LOCAL, relative to the regulation of home inspectors. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert W. Brundige for Municipal and County Government: The intent of this bill is to require the licensing of home inspectors to assure that New Hampshire consumers of home inspection services can rely on the competence of the home inspector. Currently there is no accountability for the home inspection industry except through the court system. The amendment to license home inspectors was mirrored after the plumbing and electrical licensing statutes. The committee does

not routinely address licensing issues, but voted to support the concept of licensure. During our executive session the committee noted that this bill needs to go to the Executive Departments and Administration Committee to be sure that all the licensure requirement for home inspectors comply with the committee accepted standards. **Vote 15-0.**

SPECIAL ORDER

HB 657-FN-LOCAL, relative to promoting community revitalization. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert L. Theberge for Municipal and County Government: The intent of this bill is to enable a municipality to grant short-term property tax relief as another economic tool to enhance the downtown areas. This bill allows municipalities to grant an owner of a building in a designated village center area of the municipality to apply for tax relief while improving the structure. The cost of the improvement must be at least \$75,000. The initial tax relief will be in the form of freezing the property assessment at its current value for the duration of the improvement, not to exceed five years. At the expiration of the relief period, the building will then be assessed at the improved value. If the improvement results in new residential units or has historical or cultural features, the tax relief may be extended after the initial five years. Once the governing body of the municipality receives the application, it shall hold a public hearing on the matter. Tax relief for a qualifying structure shall be effective when the governing body finds that the structure in question will be (1) a public benefit, (2) the property owner agrees to a covenant granted to the municipality, and (3) the proposed use of the structure after rehabilitation is consistent with the master plan of the municipality. The covenant shall include precise terms and duration of the tax relief as well as those requirements of the owner to maintain the building at a certain level for a set timeframe. If the owner of the building fails to follow the terms of the covenant or other requirements, the governing body of the municipality shall assess all taxes to the owner as though no tax relief was granted. **Vote 15-0.**

SB 104-FN, relative to the tax exemption for water and air pollution control facilities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Eric G. Stohl for the **Majority** of Municipal and County Government: Currently there is an exemption from the local property tax for any treatment facility, device, appliance or installation that has the effect of reducing, controlling or eliminating any source of water and air pollution. This property tax exemption is granted in RSA 72:12-a. Originally, this exemption was granted in 1971, prior to the Federal clean air and water acts, and was for a specific time of 25 years. This enabled the industry, if a by-product of the facility created pollutants that might affect water or air, to use pollution control devices to help make our water and air cleaner. The application process for this exemption was made to the Department of Environmental Services (DES). A thorough review of the device and the amount of pollution that was controlled was done by DES and a percentage of the value of the device that was eligible for the tax exemption was determined. Then the applicant and the municipality were notified. The statute requires that the local assessor shall appraise the device every year and report that assessment to the Department of Revenue Administration (DRA). In 1996, there was a change in the time period that this exemption would be valid – forever or as long as the pollution control device was reducing, controlling or eliminating pollution. This amendment changes the time period to “until reimbursement for the investments costs are recovered by accumulation of value through this property tax exemption.” A further restriction on this tax exemption was adopted that the exemption “shall not exceed 25 percent of the applicant’s total assessed value of the facility at the time of the exemption.” We all know that air and water pollution is part of our everyday lives and cleaning up that pollution is a duty and obligation that we all share. That is why we encourage everyone to recycle, reduce and reuse. As with any tax exemption, the other taxpayers in the community pick up the cost of the exemption – whether it is for elderly, veterans or pollution control devices. The difference here is that the municipality has no vote in granting or denying the pollution control device tax exemption. We also all agree that clean air and water benefit everyone in the state, not just the municipality where the device is located. This amendment is intended to bring a balance to the need for clean air and water, businesses and our local taxpayer. The amendment also shifts the requirement for assessing these pollution control devices from the local municipality to the DRA, so that the information gathered is correct and available when decisions regarding the pollution control device tax exemption are needed. The committee is aware that balance is necessary in order to have continued support for businesses to grow and prosper in New Hampshire. **Vote 13-3.**

Rep. Robert L. Theberge for the **Minority** of Municipal and County Government: The intent of this legislation was to resolve the on-going dispute which exists between the town of Bethlehem and a privately owned landfill. Although this bill aimed to help municipalities facing fiscal problems by dramatically reducing the amount of tax exemptions from which businesses currently benefit through the investment and installation of pollution control devices, the bill undermines years of good business working relationships between the state and industry. The minority believes that New Hampshire would lose its competitive advantage. By the reduction of tax exemptions, businesses may be forced either to downsize which would create a loss of jobs, increase the number of weeks of downtime, and/or locate to another state having a better tax exemption structure. In essence, any short-term gain will be offset by and or all of the above. The minority is gravely concerned that changes to RSA 72:12-a would negatively impact economic development, jobs and the environment. It was unclear on how the amendment is to be interpreted. As a consequence this bill may lead to unnecessary litigation.

RESOURCES, RECREATION AND DEVELOPMENT

HB 162, establishing boating speed limits for Lake Winnepesaukee. **MAJORITY: OUGHT TO PASS WITH AMENDMENT.**

MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Dennis F. Abbott for the **Majority** of Resource, Recreation and Development: This bill, as amended, establishes a speed limit on all state waters, provides for violations to be included in a person's driving record, and provides for enforcement of a "reasonable and prudent" standard of boat operation. This bill was introduced relative to Lake Winnepesaukee but it was agreed by most of the committee that applying it only to that lake could have the unintended consequence of unfairly diverting the speed problem to other public waters in the state. The bill also allows for public safety exceptions and approved and sanctioned races. Furthermore, a recent survey indicated a vast majority of New Hampshire residents favor a speed limit on all the state's waterways. In addition to the initial hearing, the committee held three public hearings in the Lakes Region over the summer, attended by upwards of a thousand individuals. In addition, the committee received hundreds of letters and petitions from citizens. The committee then conducted four additional meetings, solicited additional testimony and discussed and debated the issue in an attempt to reach the consensus that has been the hallmark of the committee during the past year. There was unanimous agreement that there is a serious problem on our public waters with real or perceived threats to the safety and enjoyment of a large number of individuals and families. The committee explored and debated various solutions including further education, better enforcement, a variety of speed limits, more discretion for marine patrol officers, and limiting high speeds to specific areas or times. The majority of the committee rejected the idea of merely applying a "reasonable and prudent" standard to speed enforcement because it would be confusing and unenforceable without a specific speed limit. Further, it would have little or no effect on boating safety. Expert testimony indicated that speed limits are enforceable, while the very low number of citations for "reckless operation" provide evidence that standards based on officer discretion are seldom used. In RSA 270:1 (II) the legislature states "...it is hereby declared that the public waters of New Hampshire shall be maintained and regulated in such a way as to provide for the safe and mutual enjoyment of a variety of uses, both from the shore and from water-borne conveyances." The testimony of hundreds of residents, visitors, businesses and camp directors indicated that many do not feel this policy is being carried out satisfactorily. This is gradually undermining the desirability of New Hampshire as a safe place for individuals and especially families to recreate. Our public waters are reaching the point where there are just too many recreationists of all types to safely accommodate high speeds. In order to effectively enact the legislative policy, the time has come for New Hampshire to impose a reasonable speed limit on our waters. **Vote 11-10.**

Rep. D. L. Chris Christensen for the **Minority** of Resources, Recreation and Development: The key difference between the majority amendment and the minority amendment is that the majority wants an arbitrary 45mph day/25mph night speed limit on all New Hampshire waterways. The minority finds that the arbitrary speed limits is the wrong solution to a perceived problem. Consider this. Tourism is up. Boat registrations are up. Boating accidents have gone down over the last five years since mandatory safety education was introduced. No evidence was presented to the committee showing that speed limits have improved water safety records anywhere. Law enforcement officials testified that speed limits will be difficult to enforce and the public opinion was split. State Police and Marine Patrol. We have two separate and distinct organizations because they face different tasks and operate in different environments. Traffic on the highway travels in one direction, mostly at similar speeds, in similar vehicles. Boats travel in all directions with a variety of speeds. Motor vehicle right-of-way is controlled by signs and traffic lanes. Boat right-of-way is controlled by navigation rules. There is no comparison. The minority looks to the Coast Guard for unbiased expertise. Speed should be reasonable and prudent for existing conditions, without using an arbitrary number. This is the approach used by the United State Coast Guard for inland waters. Other states reference Coast Guard regulations as their benchmark. The minority is sensitive to those who testified that they are scared to go out on the lakes. New Hampshire's waterways should be open to everyone. However, none of the incidents described would have been eliminated by the majority's proposed speed limit. Better enforcement of current laws and stricter penalties for violators are the solutions that the minority of the committee, most of whom are avid and experienced boaters, bring forward in the minority amendment.

SPECIAL ORDER

SB 140, relative to the acceptance of in-lieu payments for the restoration or creation of wetlands and the preservation of upland areas adjacent to wetland areas. **OUGHT TO PASS WITH AMENDMENT**

Rep. Judith T. Spang for Resources, Recreation and Development: This bill establishes a mechanism for more meaningful mitigation for wetland disturbances of less than one acre or 200 feet of stream. Mitigation through very small scale wetland restoration or land conservation projects is ineffective ecologically and difficult for developers. By collecting and pooling fees from a number of small projects, larger wetland areas can be restored or conserved. The committee retained this bill to establish safeguards to assure the program would be carried out properly. **Vote 21-0.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

SPECIAL ORDER

HR 13, condemning the genocide in the Darfur region of the Sudan and urging Congress, with the support of the President, to pass the Darfur Accountability Act (S. 495) and the Darfur Genocide Accountability Act (H.R. 1424). **INEXPEDIENT TO LEGISLATE**

Rep. Richard Marple for State-Federal Relations and Veterans Affairs: The committee is not insensitive to the plight of the people of Darfur but the language of the resolution would commit 10,000 U.S. forces to the mission that the committee did not

feel appropriate. **Vote 11-0.**

TRANSPORTATION

HB 588, relative to suspension of drivers' licenses after a motor vehicle accident. **OUGHT TO PASS**

Rep. Brenda L. Ferland for Transportation: The current law for suspension of license after a report of an accident reads that the director shall suspend the license of the driver. The committee has added one line saying that after a receipt of the report of an accident and notice that there has been an adjudication by a court that the driver was at fault, then the director shall suspend the license. **Vote 9-0.**

WAYS AND MEANS

HB 91-FN, repealing the local property tax exemption for wooden poles and conduits. **INEXPEDIENT TO LEGISLATE**

Rep. Susan W. Almy for Ways and Means: This bill is the exact opposite of SB 11 which was thoroughly agreed and passed last year. The majority of the committee agreed that the issue should only be raised once in a term, at most. **Vote 11-5.**

HB 553-FN-A, relative to a state tax on large lottery winnings. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Howie Lund for the **Majority** of Ways and Means: The majority of the committee felt that a 10% state tax on lottery winnings of \$5,000 and higher would be double taxation for some and triple taxation for others. A state resident must pay a federal income tax on all winnings over \$599. The passage of this bill would cause our state resident to pay a double tax on all winnings of \$5,000 and over. Our "out of state" residents who purchase lottery tickets and have a winnings of \$5,000 or more would face a triple tax. They would first pay the federal income tax, second the New Hampshire 10% tax and third their home state income tax. The other concern was the fiscal note, which was incomplete. It was based on one year's numbers. When you look back six years, you see very erratic revenue streams. Those revenue streams are good in years when there are large power ball winnings and are poor in years without the big power ball winnings. **Vote 11-7.**

Rep. William Butynski for the **Minority** of Ways and Means: Many of the members who did not support the ITL motion felt that this bill would provide some additional necessary revenue to both the Land and Community Heritage Investment Trust Program (LCHIP) fund and the general fund. Also, since the bill would tax only large lottery winners (i.e. \$5,000 and above), most lottery players and winners would not feel any negative impact from the bill, while the additional revenue generated would provide substantial support for LCHIP, as well as some additional revenue for necessary state services supported by the general fund. Large lottery winners should not be excluded from paying taxes that businesses and individual consultants must pay.

SPECIAL ORDER

HB 669-FN, setting the laboratory fee schedule for certain environmental samples. **INEXPEDIENT TO LEGISLATE.**

Rep. Philip G. Osgood for Ways and Means: The Department of Environmental Services (DES) favored a rise in fees because they have not been adjusted since 1999. They also wanted the fees to be compatible with private labs and to add specific tests that were not on the 1999 list. After hearing testimony on three occasions and two committee members taking a trip to the state laboratory, the committee had these concerns. One concern was about the amount of funds that would be available to this department without legislative oversight. The equipment fund at DES is managed at the discretion of the department. The current balance in the fund is over \$900,000. The capital budget has appropriated \$497,000 for the conversion of approximately 2000 square feet of vacant space into a new "clean room" at the DES lab. This new clean room will be established primarily for testing of water samples from sewage treatment plants, rivers, lakes and streams. It was not clear if these unrestricted funds (that are generated mainly by drinking water testing fees) would be used for equipment directly connected to other purposes. Others questioned fees as high as independent laboratories, while receiving operating funds from the state. Concerns about fees for one test on equipment that automatically runs multiple tests and gives these results raised the questions as to whether the fee structure should be tailored to compensate for this group testing. The committee felt that some adjustments should be made to the fee schedule. However, an increase to the amount proposed would have a significant impact on municipalities, water systems and individuals that rely on the lab. The new laboratory at DES is spacious, impressive, well run and staffed. The fund is in good shape. To that end the committee felt this request needs more work and it was best to leave the fees as they are and work with the department for a more palatable fee schedule in the future. **Vote 19-0.**

LAID ON TABLE

HB 646-FN-LOCAL, proposing a definition of an adequate education. (Pending question adoption of committee report of Ought to Pass with Amendment)

COMMITTEE MEETINGS

TUESDAY, JANUARY 17

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. *HB 1580*, relative to the child support formula.
 - 11:00 a.m. *HB 1583*, relative to grounds for modification of parental rights and responsibilities.
 - 1:00 p.m. *HB 1585*, relative to enforcement of orders regarding parenting plans.
 - 2:00 p.m. *HB 1586*, prohibiting enforcement of support orders for college or other postsecondary education expenses.
- 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 1454-FN*, relative to delivery sales of cigarettes.
 - 10:00 a.m. *HB 1177*, prohibiting smoking in restaurants and cocktail lounges.
 - 11:00 a.m. *HB 1606-FN*, relative to coupons and rebates used to purchase alcohol.
 - 11:30 a.m. *HB 1533*, relative to services provided by manufacturers and distributors of beer to beer retailers.
 - 1:15 p.m. *HB 1668*, relative to providing bank account balance information.
 - 2:00 p.m. *HB 1447*, requiring a New Hampshire bank to credit a customer’s account within 24 hours of notification that a check is good.
 - 3:00 p.m. *HB 1218*, relative to the unauthorized use of the name of a financial institution.
- 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 1669-FN-LOCAL*, increasing the penalties for littering.
- 9:30 a.m. Subcommittee work session on *HB 1607-FN*, relative to reckless endangerment of roadway workers.
- 10:00 a.m. *HB 1476*, relative to electronic tracking and monitoring of sexual offenders.
- 10:30 a.m. *HB 1149*, regarding public notification of sexual offender information and establishing a committee to study the creation of a sexual offender classification system.
- 11:00 a.m. *HB 1180*, relative to distributing sexual offender registry information.
- 11:30 a.m. *HB 1480*, amending the provisions relative to registration of criminal offenders.

Representatives Hall

- 2:00 p.m. *HB 1692-FN*, establishing the New Hampshire sexual predators act.
 - 6:00 p.m. *HB 1692-FN*, establishing the New Hampshire sexual predators act.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

- 9:00 a.m. Subcommittee work session on *HB 1408-FN*, allowing reserve and national guard members returning to New Hampshire after full-time active duty to take courses tuition free at any community-technical institute or college.
 - 10:00 a.m. *HB 1159*, relative to procedures for certain court ordered out-of-district placements.
 - 10:45 a.m. *HB 1368*, requiring elementary school instruction in proverbs.
 - 1:00 p.m. *HB 1306*, relative to threats made by pupils against a school.
 - 2:00 p.m. *HB 1314*, relative to an adult roles and responsibilities curriculum.
- 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 1173*, relative to designating the clerk in municipalities with multiple polling places the chief elections officer for the municipality.
 - 11:00 a.m. *HB 1118*, requiring paper ballots at all elections.
 - 11:45 a.m. Subcommittee work session on *HB 1238-FN*, relative to centralized voter registration database information.
 - 1:00 p.m. *HB 1122*, relative to special elections.
- 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. Subcommittee work session on *HB 1347*, relative to licensure, registration, or certification of regulated professions.
- 9:30 a.m. Subcommittee work session on *HB 1458-FN*, relative to the regulation of landscape architects.
- 10:00 a.m. *HB 1110*, relative to exemptions from licensing requirements for athletic trainers.

11:00 a.m. **HB 1503**, relative to financial programs administered by the postsecondary education commission.

1:00 p.m. **HB 1498**, establishing a risk management unit within the department of administrative services.

2:00 p.m. **HB 1415-FN-A**, establishing the office of corrections ombudsman.

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

FINANCE, Rooms 210-211, LOB

10:00 a.m. **HB 1608-FN-A**, making an appropriation to reimburse certain health and human services providers for the increased cost of utilities, heating, and mileage.

11:00 a.m. **Rescheduled** public hearing on **HB 1626-FN-A**, making an appropriation to the office of energy and planning for the fuel assistance program.

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

FINANCE – (DIVISION I), Room 212, LOB

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

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

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

FINANCE – (DIVISION III), Room 209, LOB

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

FISH AND GAME, Room 307, LOB

9:00 a.m. Subcommittee work session on **HB 1423-FN**, relative to prorating the initial registration fee for off highway recreational vehicles.

10:00 a.m. **HB 1269**, relative to the taking of red deer or elk.

11:30 a.m. **HB 1115**, relative to the definition of resident for purposes of fish and game laws.

1:30 p.m. **HB 1659**, relative to the use of certain small caliber firearms in taking wildlife.

2:00 p.m. **HB 1524**, relative to regulation of dog training by the fish and game department.

2:30 p.m. **HB 1348**, requiring hunters to wear hunter orange.

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 1657**, relative to uses of charitable donations for fish and wildlife conservation programs.

4:00 p.m. Subcommittee work session on **HB 1658**, relative to the use by the fish and game department of charitable donations for the general administration of the department.

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

10:00 a.m. **HB 1409-FN**, relative to organ and tissue donation.

11:30 a.m. **HB 1499**, relative to the oversight committee on health and human services.

1:00 p.m. **HB 1281**, establishing a committee to study the effectiveness of the department of health and human services.

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

JUDICIARY, Room 208, LOB

10:00 a.m. **HB 1256**, establishing a committee to study the feasibility of creating an independent administrative office of the courts.

10:45 a.m. **HB 1721-FN**, relative to changes in the use of weighted caseload statistics in the calculation of the salaries of part-time district court justices.

11:30 a.m. **HB 1677-FN**, relative to the annulment of the arrest record of a person found not guilty by a jury.

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

1:30 p.m. Subcommittee work session on **HB 1411-FN**, reducing certain fines for motor vehicle violations and repealing the surcharge on entry fees for small claims actions and the district court mediation fund and **HB 1654-FN**, relative to the probate court mediation fund and fee.

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

3:30 p.m. Special meeting. Department of Resources and Economic Development, Division of Parks and Recreation – Briefing on Monadnock State Park Development and Acquisition Plan.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. **HB 1632**, relative to qualifications for the elderly property tax exemption.
- 11:00 a.m. **HB 1734-FN-A-LOCAL**, establishing a homestead exemption for seniors against the statewide enhanced education tax and a tax cap credit for seniors against local and state property taxes.
- 1:00 p.m. **Continued** public hearing on **HB 1212-FN**, relative to the relocation of manufactured housing having delinquent property taxes.
- 1:30 p.m. **HB 1321**, relative to qualifications for police chiefs in towns with populations of more than 3,000.
- 2:15 p.m. **HB 1743-FN**, relative to reimbursing towns for the operating expenses of certain railroad passenger facilities.
- 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 1228-FN**, relative to the sale or lease of state-owned real estate.
- 11:00 a.m. **HB 1536**, relative to bonds required from persons excavating or disturbing certain highways.
- 1:00 p.m. **HB 1589**, establishing a committee to study the feasibility of using certain state-owned buildings as transition housing for 17-year-olds and 18-year-olds who are ready to leave foster care or the youth development center.
- 2:00 p.m. **HB 1655-FN-A**, making rail system development a complement to the Interstate Route 93 highway expansion project.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 9:30 a.m. **HB 1259**, relative to the classification of wetlands as contributing or noncontributing.
- 10:45 a.m. **HB 1289**, relative to Pennichuck Brook and its watershed.
- 2:00 p.m. **HB 1315**, relative to the definition and classification of dams.
- 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 1443**, relative to priorities for development of all terrain
- 3:30 p.m. Subcommittee work session on **HB 1401**, exempting certain all terrain vehicle

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:00 a.m. **HB 1383-LOCAL**, defining deconstruction for purposes of solid waste management.
- 11:00 a.m. **HB 1531**, establishing a commission to study implementing the Regional Greenhouse Gas Initiative
- 1:00 p.m. **HB 1507**, requiring the department of environmental services to report on and make recommendations on global warming issues in New Hampshire.
- 2:00 p.m. **HB 1568**, establishing a committee to study the siting and construction of industrial wind energy facilities.
- 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 1211**, relative to tinted glass on motor vehicles.
- 10:45 a.m. **HB 1271**, relative to speed limits on municipal ways.
- 11:15 a.m. **HB 1154-FN**, relative to eligibility for special number plates for veterans.
- 1:00 p.m. **HB 1176**, establishing a committee to study statutes relating to railroads.
- 1:45 p.m. **HB 1398**, relative to titles for motor vehicles of a certain age.
- 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. **HB 1179**, repealing a requirement that the department of transportation spend a certain amount for litter removal that is determined based on fees paid to the liquor commission.
- 10:30 a.m. **HB 1319-FN-A**, decreasing the rate of the tobacco tax.
- 1:00 p.m. **HB 1515-FN-A**, increasing the tobacco tax and dedicating certain tobacco tax revenues to the tobacco use prevention fund.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

THURSDAY, JANUARY 19

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. **HB 1610-FN**, relative to a determination of incompetence under the CHINS statute.

11:00 a.m. **HB 1720-FN**, relative to notice of parent liability in CHINS proceedings.

1:00 p.m. **HB 1725-FN**, extending the pilot project relative to abuse and neglect hearings and relative to confidentiality in abuse and neglect cases.

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

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 1621-FN**, prohibiting overpricing of fuel.

10:00 a.m. **HB 1112**, relative to disclosure of appeals processes under insurance policies.

10:30 a.m. **HB 1488**, establishing a committee to study regulation of employers' self-insured group health plans.

11:00 a.m. **HB 1452-FN**, requiring insurance coverage for the cost of testing for bone marrow donation.

1:15 p.m. **HB 1325**, relative to state regulation of martial arts schools.

2:00 p.m. **HB 1413-FN**, relative to daylight saving time.

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 1369**, relative to the posting of signs restricting the bearing of arms.

10:30 a.m. **HB 1377**, relative to certain mandatory minimum sentences.

11:45 a.m. **HB 1386**, relative to exceptions to the prohibition on carrying and selling knives.

1:30 p.m. **HB 1389**, relative to firearms in locked vehicles.

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

EDUCATION, Room 207, LOB

9:00 a.m. Subcommittee work session on **HB 1203-FN-LOCAL**, relative to school building costs for athletic fields and **HB 1593-FN-LOCAL**, relative to the construction of high school athletic fields in the town of Bedford.

10:00 a.m. **HB 1497-LOCAL**, assessing a fine against a school superintendent for late filings of school enrollment information.

11:00 a.m. **HB 1502**, relative to the use of surplus funds from the education trust fund.

1:00 p.m. **HB 1601-FN-LOCAL**, relative to the funding of catastrophic special education aid.

2:00 p.m. **HB 1525**, relative to the safety of school bus stops.

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 1166**, relative to electronic ballot counting machines.

10:30 a.m. **HB 1147**, relative to the conduct of recounts.

11:30 a.m. **HB 1286**, authorizing the secretary of state to initiate recounts.

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 1123**, requiring equestrian helmets for first-time riders.

10:30 a.m. **HB 1393**, requiring horse owners to inoculate horses against eastern equine encephalitis.

11:15 a.m. **HB 1479**, relative to debris and solid waste removal at manufactured housing parks.

1:00 p.m. **HB 1455-FN-A**, relative to the recovery, reuse, and recycling of used electronic devices.

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

8:15 a.m. Subcommittee work session on **HB 1521**, requiring the appointment of alternate members to the juvenile parole board.

9:00 a.m. **Rescheduled** public hearing on **HB 1128-FN**, relative to definition of teacher in the New Hampshire retirement system.

10:00 a.m. **HB 1181**, establishing a committee to study the composition of the retirement system board of trustees.

11:00 a.m. **HB 1572**, establishing a commission to study the mission and organization of the fish and game department.

1:00 p.m. **HB 1264**, establishing an advisory committee to study the information practices act and establishing a temporary moratorium on reports filed under the information practices act.

2:00 p.m. **Rescheduled** public hearing on **HB 1634-FN**, making technical changes to the law governing the New

Hampshire retirement system.

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

FINANCE, Rooms 210-211, LOB

9:30 a.m. Full committee work and executive session on pending legislation.

1:00 p.m. **Rescheduled** public hearing on **HB 1726-FN**, requiring the state to pay legal fees for certain supreme court justices.

FISH AND GAME, Room 307, LOB

10:00 a.m. Subcommittee work session on **HB 1420-FN**, prohibiting remote control and Internet hunting.

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

9:30 a.m. **HB 1742-FN**, relative to disclosing infections in hospitals and nursing homes.

11:00 a.m. **HB 1741-FN**, relative to reporting requirements concerning infections in hospitals.

1:30 p.m. **HB 1220**, establishing a committee to study a statewide review of all unanticipated fatalities and serious injury involving incapacitated adults and individuals 60 years of age or older.

2:45 p.m. **HB 1359-FN**, establishing a committee to study case management responsibility for certain elderly and adult services.

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. **CACR 36**, relating to the rulemaking authority of the supreme court. Providing that the supreme court may adopt rules, that the general court may regulate these matters by statute, and that in the event of a conflict between a statute and a rule, the statute, if otherwise valid, shall prevail over the rule.

11:00 a.m. **CACR 39**, relating to the administration of the supreme court. Providing that supreme court rules shall no longer have the force and effect of law.

11:30 a.m. **HB 1193-FN**, directing the secretary of state to remove certain language from the text of Part II, Article 73-a of the New Hampshire constitution.

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

1:30 p.m. Subcommittee work session on **HB 1411-FN**, reducing certain fines for motor vehicle violations and repealing the surcharge on entry fees for small claims actions and the district court mediation fund and **HB 1654-FN**, relative to the probate court mediation fund and fee.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

1:00 p.m. **HB 1748**, prohibiting candidates who did not get elected from serving as alternate members of the planning board or zoning board of adjustment.

1:30 p.m. **HB 1694-FN-LOCAL**, relative to a spending cap on municipal and school district budgets.

2:30 p.m. **Rescheduled** public hearing on **HB 1698-FN-A-LOCAL**, relative to determination of town's share on county taxes.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. **HB 1407-FN-A**, relative to funding exotic aquatic weeds eradication and control.

10:45 a.m. **HB 1317**, relative to the eradication of exotic aquatic weeds.

1:15 p.m. **HB 1737-FN-A**, establishing a beverage fee to be paid by beverage manufacturers and distributors.

2:30 p.m. **HB 1491**, establishing a committee to study the publicly owned treatment plant needs of New Hampshire.

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 1120-FN-LOCAL**, relative to Internet access in public libraries.

WAYS AND MEANS, Room 202, LOB

9:30 a.m. **HB 1628**, relative to expenses of operating bingo games.

- 10:00 a.m. **HB 1699-FN-A-LOCAL**, establishing a tax on fees charged by railroad companies for transiting of cargo over, under, or across railroad rights-of-way.
 - 10:45 a.m. **HB 1638-FN-A**, reducing the rate of the communications services tax.
 - 1:00 p.m. **HB 1693-FN-A-LOCAL**, relative to funding an adequate education.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, JANUARY 20

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

- 9:00 a.m. Regular meeting.

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

- 9:30 a.m. **HB 1318**, relative to prohibiting services for illegal immigrants.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3), Room 206, LOB

- 9:30 a.m. Regular meeting.

RIGHT-TO-KNOW OVERSIGHT COMMISSION (RSA 91-A:11), Room 202, LOB

- 10:00 a.m. Regular meeting.

MONDAY, JANUARY 23

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

- 1:00 p.m. Complaint hearing.

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), NH Higher Education Assistance Foundation, 4 Barrell Court, Concord

- 9:00 a.m. Investment meeting.
- 10:00 a.m. Regular meeting.

COMMERCE, Room 302, LOB

- 10:00 a.m. Subcommittee work session on **HB 1660-FN**, regulating identity theft, **HB 1404**, relative to breach of security of computerized personal information, **HB 1414-FN**, relative to the protection of personal information by mandatory notice of security breach and **HB 1374**, establishing a committee to require personal information holders to disclose a security breach.

EDUCATION, Room 207, LOB

- 10:00 a.m. House Education joint with Senate Education for a briefing from the United States Department of Education on No Child Left Behind.
 - 1:00 p.m. **Continued** public hearing on **HB 1685-FN**, establishing a special needs scholarship program.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ENERGY PLANNING ADVISORY BOARD (SB 443, Chapter 164:2, Laws of 2004), Room 304, LOB

- 1:00 p.m. Regular meeting.

EQUALIZATION STANDARDS BOARD (RSA 21-J:14-c), NH Department of Revenue Administration Training Room, 45 Chenell Drive, Concord

- 1:00 p.m. Regular meeting.

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

- 9:00 a.m. Regular business.
- 9:30 a.m. Audits: State of New Hampshire Enhanced 911 System performance audit report January 2006
New Hampshire Lottery Commission Comprehensive Annual Financial Report for the fiscal year ended June 30, 2005.

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

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

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

9:00 a.m. Regular meeting.

PERMISSIBLE FIREWORKS REVIEW COMMITTEE (RSA 160-C:13), Room 204, LOB

10:00 a.m. Regular meeting.

TUESDAY, JANUARY 24

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Subcommittee work session on ***HB 1419-FN***, relative to mandatory mediation in divorce proceedings.

1:00 p.m. Subcommittee work session on ***HB 1127***, relative to the obligation of religious leaders to report child abuse.

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1355***, permitting the use of certain campers or recreational vehicles in manufactured housing parks.

10:30 a.m. ***HB 1327***, requiring a vote by the tenants who are owners of manufactured housing park units prior to purchase of the manufactured housing park by the tenant or tenants' association.

11:00 a.m. ***HB 1188***, relative to notice before entry into a condominium unit.

1:15 p.m. ***HB 1107***, relative to requirements for commercial construction contracts.

2:00 p.m. ***HB 1537***, relative to the procedure for resolving disputes regarding construction defects between homeowners and contractors.

3:00 p.m. ***HB 1233-FN***, including public officials under the real estate practice 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

10:00 a.m. ***HB 1645-FN***, relative to fireworks permit fees and the position of permissible fireworks inspector.

10:30 a.m. ***HB 1453-FN***, relative to fireworks.

11:00 a.m. ***HB 1620-FN***, relative to hunting restrictions of certain convicted felons.

1:30 p.m. ***HB 1639-FN***, prohibiting the confiscation of lawfully owned and lawfully carried firearms during a state of emergency.

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

CURRENT USE BOARD (RSA 79-A:3), , NH Department of Revenue Administration Training Room, 45 Chenell Drive, Concord

1:00 p.m. Regular meeting.

EDUCATION, Room 207, LOB

9:00 a.m. Subcommittee work session on ***HB 1241-FN-LOCAL***, mandating the inclusion of kindergarten as part of an elementary school.

10:00 a.m. ***HB 1323***, relative to the statement of purpose in the statewide education improvement and assessment program.

11:00 a.m. ***HB 1362***, relative to permitting audio and video recording on school buses.

1:00 p.m. ***HB 1378***, establishing a committee to study the financial implications on local school districts when special education students attend charter schools.

2:00 p.m. ***HB 1489***, relative to school emergency response plans.

3:00 p.m. **Rescheduled** public hearing on ***HJR 21***, urging the university of New Hampshire to restore intercollegiate baseball and softball.

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 1509***, relative to campaign expenditures for the office of governor.

11:00 a.m. ***HB 1165***, relative to absentee voting.

1:00 p.m. **Continued** public hearing on ***CACR 41***, relating to representative districts. Providing that representative districts shall be apportioned according to specified standards.

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. Subcommittee work session on ***HB 1144***, allowing dental hygienists to engage in independent practice.

10:00 a.m. Subcommittee work session on ***HB 1240-FN***, establishing the position of state ethics officer.

11:00 a.m. Subcommittee work session on ***HB 1501***, making various changes to the lottery commission.

- 1:00 p.m. Subcommittee work session on **HB 1744-FN-A**, authorizing the pari-mutuel commission to regulate games of chance conducted by charitable organizations and relative to tournaments conducted by charitable organizations where chips have no monetary face value.
- 1:30 p.m. Subcommittee work session on **HB 1590-FN**, relative to the pari-mutuel commission.
- 2:00 p.m. Subcommittee work session on **HB 1197**, establishing a committee to study requiring state government to consider using open source software when acquiring new software.

FINANCE, Rooms 210-211, LOB

- 10:00 a.m. **HB 1288**, requiring an audit of federal funds received by the department of education.
- 10:30 a.m. **Rescheduled** public hearing on **HB 1591-FN-A**, requiring tobacco tax revenue attributable to tobacco sales to minors and tobacco consumption by minors to be deposited in the tobacco use prevention fund for youth tobacco use prevention programs and purposes.
- 1:00 p.m. **HB 1167-FN-A**, making an appropriation to the land and community heritage investment program.
Executive session and work session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FISH AND GAME, Room 307, LOB

- 10:00 a.m. **HB 1302**, relative to hunting in the town of Bow.
- 11:00 a.m. **HB 1140**, establishing a committee to study the establishment and enforcement of protection zones for nesting loons.
- 1:30 p.m. **HB 1341**, relative to the use of land for hunting.
- 2:30 p.m. **HB 1182-FN**, relative to the recreational taking of lobster by scuba divers.
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. **Rescheduled** Fish and Game briefing relative to lobstering permits.

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

- 10:00 a.m. **HB 1346**, requiring certain persons to keep the contents of prescriptions confidential.
- 11:00 a.m. **HB 1331**, establishing a committee to study the Temporary Assistance to Needy Families
- 1:00 p.m. **HB 1427**, relative to the principles for developmentally disabled services.
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 1277**, providing limited immunity to mental health care providers caring for voluntarily admitted patients.
- 11:00 a.m. **HB 1512**, relative to civil liability for volunteers.
- 1:00 p.m. **HB 1224-FN**, establishing reciprocity for liability limitations on claims against the state and against foreign jurisdictions.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. **HB 1106-LOCAL**, relative to charter commissions.
- 10:30 a.m. **HB 1441**, relative to the procedure for amending a municipal charter.
- 11:00 a.m. **HB 1290**, requiring the attorney general to enforce city and town charters and to prosecute suspected violations of city and town charters.
- 11:30 a.m. **HB 1405**, relative to the schedule for the adoption, revision, and amendment of municipal charters.
- 1:30 p.m. **HB 1508**, relative to acceptance of applications by planning boards.
- 2:00 p.m. **HB 1320**, relative to penalties for planning and zoning violations.
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 1186**, relative to the location of the Cheshire county superior court.
- 11:00 a.m. **HB 1426**, granting a right-of-way over and a license to use certain parcels of state-owned land.
- 1:00 p.m. **HB 1653-FN**, requiring handrails on stairways in public buildings.
- 1:45 p.m. **HB 1530**, naming the road to the supreme court and the administrative office of the courts Charles Doe Drive and naming the campus of the supreme court and the administrative office of the courts Charles Doe Place.
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

- 10:45 a.m. **HB 1523**, relative to certain rulemaking authority of the commissioner of environmental services.
1:15 p.m. **HB 1495**, relative to setback requirements for landfills located near rivers.
2:30 p.m. **HB 1462-FN-LOCAL**, placing a temporary moratorium on the issue of certain water permits.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:00 a.m. **HB 1690**, relative to renewable energy.
11:00 a.m. **HB 1431**, relative to air permit applications.
1:00 p.m. **HB 1425**, establishing a commission to study the efficacy of current laws in reducing exposure of children to lead hazards.
2:00 p.m. **HB 1535**, relative to best available control technology rules.
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

- 10:00 a.m. **HB 1477**, implementing the federal Law Enforcement Officers Safety Act of 2004.
10:30 a.m. **HR 22**, urging Congress to promote and publicize the report to the Congress of the United States entitled "A Review of the Restrictions on Persons of Italian Ancestry During World War II."
11:30 a.m. **HB 1666-FN-A**, authorizing a memorandum of understanding between state and local law enforcement and the United States Department of Homeland Security regarding immigration enforcement 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.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 1244-FN**, relative to eligibility to receive moneys from the driver training fund.
11:00 a.m. **HB 1353**, relative to addresses on motor vehicle registrations.
1:00 p.m. **HB 1417-FN**, establishing gold star number plates.
2:00 p.m. **HB 1582**, prohibiting New Hampshire from participating in a national identification card system.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WEDNESDAY, JANUARY 25

CHILDREN AND FAMILY LAW, Room 206, LOB

- 9:00 a.m. Subcommittee work session on **HB 1648-FN**, relative to legal residency and financial liability for children in certain residential placements.

COMMERCE, Room 302, LOB

- 10:00 a.m. **HB 1555**, establishing a commission to investigate cost drivers in providing health care.
10:30 a.m. **HB 1570**, relative to health insurance coverage for part-time college students.
11:30 a.m. **HB 1562**, relative to fertility insurance coverage for out-of-state coverage holders who are living in New Hampshire.
1:15 p.m. **HB 1485**, establishing a commission to study the feasibility of forming self-insurance groups for medical malpractice.
2:00 p.m. **HB 1338**, relative to medical malpractice insurance rates.
3:00 p.m. **HB 1299**, establishing a medical malpractice insurance study commission.
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 1171**, relative to the violation of protective orders.
11:00 a.m. **HB 1643-FN**, relative to enhanced penalties for committing an assault in the presence of a minor.
1:30 p.m. **HB 1745-FN**, relative to methamphetamine-related crimes involving children and incapacitated adults.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

- 9:00 a.m. Subcommittee work session on **HB 1113**, adding a definition of “public academy” to New Hampshire law.
- 10:00 a.m. **Continued** public hearing on **HB 1157**, relative to the definition of a sending district.
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. Informational session from USNH.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 10:00 a.m. **HB 1394**, relative to determination of value of property in current use.
- 10:30 a.m. **HB 1630-LOCAL**, relative to land use change taxes imposed for certain road construction on rights-of-way.
- 11:00 a.m. **HB 1571**, relative to reports of legislative standing committees on environmental legislation and relative to the adoption of rules concerning environmental regulation.
- 1:00 p.m. **HB 1534**, relative to maintaining construction and demolition debris as a solid waste.
- 2:00 p.m. **HB 1551**, establishing a committee to study incentives for reducing consumer solid waste for disposal in landfills and incinerators.
- 2:45 p.m. **HB 1689**, relative to the New Hampshire-Vermont interstate waste compact.
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 1247-FN**, relative to licensure of pharmacy benefit managers.
- 10:00 a.m. **HB 1351**, relative to the rulemaking process.
- 11:00 a.m. **HB 1287**, requiring legislative approval of any rules proposed by the state board of education.
- 1:00 p.m. **HB 1191**, making technical corrections to the chapter governing vital records.
- 2:00 p.m. **HB 1595-FN**, relative to voluntary certification of electronic systems technicians.
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 1459-FN-A**, relative to the department of regional community-technical colleges and making an appropriation therefor.
- 11:00 a.m. **HB 1656-FN-A**, establishing an electronic toll collection transponder inventory fund.
- 11:30 a.m. **HB 1697-FN**, relative to certain state salaries.
- 1:00 p.m. **HB 254-FN**, establishing lifetime licenses for bow and arrow, muzzle loading firearm, and crossbow and bolt licenses.
- 1:30 p.m. **HB 688-FN**, relative to the regulation of mental health practitioners and the procedures of the board of mental health.
- 2:00 p.m. **HB 690-FN**, relative to aid to the needy blind and relative to undue hardship for public assistance.
Executive session and work session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FISH AND GAME, Room 307, LOB

- 9:30 a.m. Subcommittee work session on **HB 1294**, relative to antique snowmobiles.
- 10:00 a.m. Executive session on pending legislation.

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

- 9:00 a.m. **HB 1546**, establishing a committee to study the application of the patients’ bill of rights to all licensed health practitioners and their facilities.
- 10:30 a.m. **HB 1563**, establishing a committee to study the effects of immigration on the social services system.
- 1:00 p.m. **HB 1578**, to provide enhanced awareness of and education on methamphetamine to the citizens of New Hampshire.
- 2:00 p.m. **HB 1576**, implementing a voluntary Meth Watch program in New Hampshire.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

JUDICIARY, Room 208, LOB

- 10:00 a.m. **HB 1336**, relative to administrators of estates.
- 10:30 a.m. **HB 1556**, relative to the disclosure of certain financial documents filed with the probate court.
- 11:00 a.m. **HB 1569**, relative to trust protectors, trust advisors, and directed trusts.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. **Rescheduled** public hearing on ***HB 1679-FN-LOCAL***, relative to the taxation of nongovernmental uses of university system property.
- 11:00 a.m. **Rescheduled** public hearing on ***HB 1345***, establishing a commission to study community relations between the town of Plymouth and Plymouth state university.
- 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. ***HJR 23***, designating a Purple Heart Trail spur to the New Hampshire state veterans cemetery and providing additional signs for the Purple Heart Trail.
- 11:00 a.m. ***HB 1119***, relative to naming the Richard Monahan Bridge in the town of Carroll.
- 11:30 a.m. ***HB 1143***, renaming the bridge located on Main Street in Enfield, New Hampshire and crossing the Mascoma River as the Enfield Ladies' Bridge.
- 1:00 p.m. ***HB 1152***, naming a certain bridge over the Merrimack River.
- 1:30 p.m. ***HB 1313***, naming a bridge between the towns of Newfields and Stratham the United States Submarine Veterans of World War II Memorial Bridge.
- 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. Executive session on pending legislation.
- 1:15 p.m. ***HB 1603-FN***, relative to administration and enforcement by the division of forests and lands over forest resources and timber harvesting.
- 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. Executive session on pending legislation.

THURSDAY, JANUARY 26

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. Subcommittee work session on ***HB 1127***, relative to the obligation of religious leaders to report child abuse.

COMMERCE, Room 302, LOB

- 10:00 a.m. ***HB 1399***, relative to the compensation paid to directors or officers of a charitable trust.
- 10:30 a.m. ***HB 1513***, requiring legislative approval for changes to the purpose of a special corporation.
- 11:00 a.m. ***HB 1469-FN***, requiring hospitals to make the price of certain common procedures available to the public.
- 1:15 p.m. ***HB 1365***, relative to public pooled risk management.
- 2:00 p.m. ***HB 1126***, relative to licenses for first mortgage bankers and brokers.
- 2:30 p.m. ***HB 1652-FN***, relative to certain insurance claims.
- 3:00 p.m. ***HB 1192***, relative to property and casualty insurance.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. ***HB 1105***, relative to eyewitness identification procedures.
- 10:30 a.m. ***HB 1209***, relative to notification requirements for criminal offenders.
- 11:00 a.m. ***HB 1335***, relative to the authority of law enforcement officers during a state of emergency.
- 11:30 a.m. ***HB 1380***, establishing the New Hampshire forensic science oversight commission.
- 1:30 p.m. ***HB 1667-FN***, establishing penalties for methamphetamine manufacturing and possession of substances with intent to manufacture methamphetamine.
- 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 1308***, establishing a committee to study revising the New Hampshire special education statutes.
- 11:00 a.m. ***HB 1384***, relative to standardizing the format for special education budgets.
- 1:00 p.m. ***HB 1532***, revising the special education statutes.

- 2:00 p.m. **HB 1432**, establishing a commission on special education funding.
- 3:00 p.m. **HB 1428**, relative to the duties of the advisory committee on the education of children/students with disabilities.
- 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 1237-FN-LOCAL**, requiring matching expenditures when public money is paid for purposes of electioneering.
- 10:30 a.m. **HB 1236-FN-LOCAL**, relative to disclosure of public expenditures related to lobbying and electioneering.
- 11:30 a.m. **HB 1219**, prohibiting the use of public funds to advocate for the success or defeat of a candidate or ballot question.
- 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 1333**, relative to solid waste reduction goals.
- 10:45 a.m. **HB 1373**, establishing a commission to study ways to encourage the proper recycling and disposal of grease trap wastes and to determine ways to develop additional disposal capacity.
- 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 1526**, relative to the composition of the medical review subcommittee of the medical review board.
- 10:00 a.m. **HB 1517-FN**, relative to membership on the board of medicine and the medical review subcommittee.
- 11:00 a.m. **HB 1298**, establishing a commission to evaluate disciplinary procedures of the board of medicine.
- 1:00 p.m. **HB 1337**, relative to the regulation of carnival and amusement ride operators.
- 2:00 p.m. **HB 1616-FN**, establishing a performance measurement system for state agencies.
- 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. **Continued** public hearing on **HB 1284-FN-A**, increasing the appropriation to the firemen's relief fund.
- 10:30 a.m. **HB 627-FN**, relative to including persons 17 years old in the juvenile justice system.
- Executive session and work session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE – (DIVISION I), Room 212, LOB

- 1:00 p.m. Work session on pending legislation.

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

- 1:00 p.m. Work session on pending legislation.

FINANCE – (DIVISION III), Room 209, LOB

- 1:00 p.m. Work session on pending legislation.

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

- 9:00 a.m. Executive session on pending legislation.
- 11:15 p.m. **HB 1731-FN**, making pseudoephedrine products available only by prescription.
- 1:00 p.m. **HB 1681-FN**, establishing the unused prescription drug program.
- 2:30 p.m. **HB 1263**, requiring certain notification before a person with a mental illness may be discharged from a state mental health services facility.
- 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 1116**, relative to service of the notice to quit and writ of possession in landlord tenant actions.
- 10:45 a.m. **HB 1388**, relative to tenant security deposits and termination of tenancy.
- 11:30 a.m. **HB 1548**, relative to termination of tenancy.
- 1:30 p.m. **HB 1565**, relative to evictions in cases involving incidents of domestic violence.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 10:00 a.m. *HB 1474-FN*, relative to unemployment compensation contribution rates and benefits.
- 1:00 p.m. **Rescheduled** public hearing on *HB 1703-FN*, requiring certain employers to report on the percentage of payroll which is being spent on health insurance premiums for employees.
- 2:00 p.m. *HB 1138*, relative to required pay for employees called into work.
- 3:00 p.m. *HB 1139*, relative to the time required between mandatory shifts or other work periods.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 3:30 p.m. Subcommittee work session on *HB 1588*, relative to unemployment compensation requirements for governmental and non-profit employers.

LEGISLATIVE ADMINISTRATION, Room 104, LOB

- 10:00 a.m. *CACR 37*, relating to the legislature. Providing that compensation shall be based on present value
- 11:00 a.m. *HB 1326*, relative to donation of compensation by members of the general court.
- 11:30 a.m. *HB 1687*, extending certain studies.
- 1:15 p.m. *HB 1357*, changing the name of the joint committee on legislative facilities and codifying the powers and duties of the committee.
- 2:00 p.m. *HB 1442*, relative to identifying legislative enactments as public policy.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. *HB 1301-LOCAL*, relative to the purchase of conservation, preservation, and agricultural preservation restrictions.
- 10:45 a.m. *HB 1584*, relative to cemetery setbacks and septic systems.
- 11:30 a.m. *HB 1436-LOCAL*, authorizing municipal and county biennial budgets for a 24-month period.
- 1:30 p.m. *HB 1195*, relative to salary and compensation increases included in a default budget.
- 2:15 p.m. *HB 1391*, relative to the default budget in official ballot towns.
- 2:45 p.m. *HB 1445*, relative to including “none of the above” on official ballot budgetary questions.
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 1343*, establishing a committee to study the administration and jurisdiction of the council on resources and development.
- 10:30 a.m. *HB 1684-FN*, establishing a commission to study the effects of leasing state-owned waterfront property and placing a moratorium on the leasing of state-owned waterfront property.
- 1:30 p.m. *HB 1215*, relative to the winter maintenance of Diamond Pond Road in the towns of Colebrook and Stewartstown.
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 1395*, relative to public drinking water protection.
- 10:45 a.m. *HB 1493*, declaring that groundwater is part of the public trust.
- 1:15 p.m. *HB 1494*, relative to public use of groundwater.
- 2:30 p.m. *HB 1541*, requiring applicants for large groundwater withdrawal permits to comply with local ordinances.
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. Executive session on pending legislation.

FRIDAY, JANUARY 27

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration Training Room, 45 Chenell Drive, Concord

- 9:30 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

ISSUES RELATIVE TO CONSTRUCTION AND DEMOLITION WASTE STUDY (HB 517, Chapter 205:1, Laws of 2005), Room 304, LOB

1:00 p.m. Regular meeting.

LOW INCOME ELECTRIC ASSISTANCE PROGRAM REVIEW COMMITTEE (SB 228, Chapter 298:4, Laws of 2005), Room 209, LOB

10:00 a.m. Regular meeting.

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

9:00 a.m. **Rescheduled** regular meeting.

MONDAY, JANUARY 30

ETHICS COMMITTEE (RSA 14-B:2), Room 100, State House

1:00 p.m. Regular meeting.

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

11:30 a.m. Regular meeting.

TUESDAY, JANUARY 31

COMMERCE, Room 302, LOB

10:00 a.m. **HB 1483**, authorizing vehicle licensing, title, and registration recovery fees by motor vehicle rental companies.

10:30 a.m. **HB 1295**, requiring disclosure regarding brake shift interlock by automobile dealers.

1:15 p.m. **HB 1274**, relative to certain disclosures to the department of health and human services.

2:00 p.m. **HB 1372**, establishing a committee to study affordable and accessible health care services for all uninsured citizens of New Hampshire.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 1387**, relative to emergency management powers of the governor concerning medical and health care professionals from other jurisdictions.

10:30 a.m. **HB 1435**, relative to the emergency plan for service dogs and other animals.

11:00 a.m. **HB 1522**, relative to extended authority for law enforcement assistance.

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 1412-FN**, establishing a remedy for failing to file a copy of the annual town report with the department of education.

11:00 a.m. **HB 1518**, relative to the joint board of a school administrative unit.

1:00 p.m. **HB 1640-FN-LOCAL**, requiring school boards to disclose financial costs of contracts to the voters.

2:00 p.m. **HB 1695-FN**, defining an adequate education and relative to calculating the cost of an adequate education and adequate education 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

10:00 a.m. **HB 1217**, requiring the secretary of state to publish certain information on campaign contributions.

11:00 a.m. **HB 1172-FN**, relative to registration of political committees.

1:00 p.m. **HB 1385**, relative to nomination papers and the definition of "party."

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 1661-FN**, relative to the practice of real estate sales and eliminating the real estate commission.

11:00 a.m. **HB 1696-FN**, relative to the cremation of human remains.

1:00 p.m. **HB 1683-FN**, establishing a homestead food license for residential, non-commercial kitchens.

2:00 p.m. **HB 1711-FN**, relative to the regulation of fuel gas fitters.

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

FISH AND GAME, Room 307, LOB

10:00 a.m. **HB 1646-FN**, relative to the use of a leashed tracking dog in the recovery of a wounded deer, moose, or bear.

11:30 a.m. **HB 1747-FN**, establishing a New Hampshire healthy tidal waters and shellfish protection program and fund and establishing fees.

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 1465-FN**, relative to food stamp overpayments.

11:30 a.m. **HB 1708-FN**, relative to Temporary Assistance to Needy Families

1:30 p.m. **HB 1709-FN**, establishing an autism registry in the department of health and human services.

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

JUDICIARY, Room 208, LOB

10:00 a.m. **HB 1382**, regulating the disclosure of personal information.

10:45 a.m. **HB 1505**, relative to private actions under the consumer protection act.

11:15 a.m. **HB 1316**, exempting records of the National Animal Identification System from the right-to-know law.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 1162**, relative to village districts.

10:30 a.m. **HB 1257**, relative to conflicts of interest of municipal officials.

11:00 a.m. **HB 1273**, relative to the disposition of municipal records.

1:00 p.m. **HB 1330**, clarifying the laws relative to municipal enrollment in the National Flood Insurance Program and relative to adopting flood insurance rate map amendments.

1:30 p.m. **HB 1430**, allowing cities, towns, and counties to adopt an October 1 fiscal year.

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 1324**, relative to leasing the Cannon Mountain ski area.

1:15 p.m. **HB 1609-FN**, requiring an impact study before a large groundwater withdrawal permit may be issued.

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

10:00 a.m. **HB 1132**, relative to qualifications for the Global War on Terrorism operations service bonus payment.

11:00 a.m. **HCR 21**, urging the Department of Homeland Security to study New Hampshire's northern border and protection for our dam network.

11:30 a.m. **HCR 22**, relative to the right to pursue a livelihood in natural resources industries.

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

WEDNESDAY, FEBRUARY 1

EDUCATION OF CHILDREN WITH DISABILITIES ADVISORY (RSA 186-C:3-b), Department of Education, Room 15, 101, Pleasant Street, Concord

4:00 p.m. Regular meeting.

THURSDAY, FEBRUARY 2

COMMERCE, Room 302, LOB

10:00 a.m. **HB 1592-FN**, making certain changes in the insurance laws.

11:00 a.m. **HB 1190**, establishing a committee to study refunds of insurance premiums overcharged under SB 110.

1:15 p.m. **HB 1276**, relative to automobile insurance.

2:00 p.m. **HB 1291**, relative to automobile insurance coverage for drivers in the same household as the policyholder.
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 1729-FN**, implementing a “good time” sentence reduction system for inmates in the state prison system.

11:00 a.m. **HB 1674-FN**, requiring emergency care providers to report information on certain sexual assault crimes to law enforcement officials.

1:30 p.m. **HB 1706-FN**, requiring certain persons to have Transportation Security Administration training and certification to provide airport security support in emergency situations.

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 1715-FN**, relative to funding of the professional assistance program of dentists.

10:00 a.m. **HB 1739-FN**, relative to body art practitioners.

11:00 a.m. **HB 1671-FN**, relative to the regulation of dentists and dental hygienists by the board of dental examiners.

1:00 p.m. **HB 1670-FN**, relative to membership on certain professional regulatory boards.

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

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

9:00 a.m. **HB 1717-FN**, requiring certain direct care services in nursing homes.

10:15 a.m. **HB 1718-FN**, relative to the provision of medical services at nursing facilities.

1:00 p.m. **HB 1672-FN**, relative to a registry for founded cases of abuse, neglect, or exploitation of incapacitated adults.

2:30 p.m. **HB 1722-FN**, relative to the New Hampshire council on developmental disabilities.

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

10:00 a.m. **HB 1751**, relative to penalties for failure to have workers’ compensation coverage.

11:00 a.m. **HB 1752**, requiring notice regarding the classifications of employee and independent contractor.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 1527**, allowing municipalities to establish local community services and care planning boards.

11:00 a.m. **HB 1597-FN-LOCAL**, relative to municipal obligations for indigent medical expenses.

1:30 p.m. **HB 1558**, relative to regulation of smoking by cities and towns.

2:30 p.m. **HB 1379**, relative to the investment of trust funds.

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 1446**, establishing requirements for the development of a regional all terrain vehicle

FRIDAY, FEBRUARY 3

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

9:00 a.m. **Continued** regular meeting.

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

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

TUESDAY, FEBRUARY 7

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 1354**, relative to physical force in defense of a person.

11:00 a.m. **HB 1538**, relative to penalties for toll evasion.

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. Executive session on pending legislation.

ELECTION LAW, Room 308, LOB

10:00 a.m. **HB 1547**, clarifying what constitutes physical presence for purposes of establishing domicile under the election laws.

11:00 a.m. **HB 1577**, relative to the eligibility of persons with nontraditional domicile to vote.

1:00 p.m. **HB 1566**, relative to the definitions of resident for motor vehicle law purposes and domicile for voting purposes.

2:00 p.m. **HB 1544**, establishing a committee to study the propriety of a university of New Hampshire employee working in and being paid by the governor's office.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

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

FISH AND GAME, Room 307, LOB

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

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

10:00 a.m. **HB 1714-FN**, relative to an electronic controlled drug prescription monitoring program.

11:30 a.m. **HB 1727-FN-LOCAL**, relative to transfer or discharge of patients in residential care facilities.

1:30 p.m. **HJR 20**, supporting stem cell research.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

10:00 a.m. **HCR 23**, urging the President to find it necessary to drawdown the strategic petroleum reserve.

10:30 a.m. **HCR 25**, urging the United States to withdraw funding for the United Nations if the United Nations adopts a resolution in violation of the United States Constitution.

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

STATE VETERANS' ADVISORY COMMITTEE (RSA 115-A:2), American Legion, Post 79, 35 West Brook Street, Manchester

5:00 p.m. Regular meeting.

WEDNESDAY, FEBRUARY 8

EDUCATION, Room 207, LOB

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:00 a.m. **HB 1381**, requiring the department of environmental services to do a criminal background check on any applicant for a permit.

10:00 a.m. **HB 1258-FN-A**, establishing a sunset review process for executive agency and judicial programs and making an appropriation therefor.

10:30 a.m. **Rescheduled** public hearing on **HB 1574**, relative to membership on the public employees deferred compensation commission.

11:00 a.m. **HB 1602-FN**, eliminating the reduction of a New Hampshire retirement system annuity at age 65.

1:00 p.m. **HB 1633-FN**, relative to membership, eligibility, and financing of the New Hampshire retirement system.

2:00 p.m. **Rescheduled** public hearing on **HB 1156**, changing the notification for public hearings on ski area passenger tramway rules from registered mail to first class mail.

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

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

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 1206**, relative to the assessing standards board.

10:45 a.m. **HB 1449-FN-LOCAL**, requiring a reduced property assessment when a building is damaged.

1:00 p.m. **HB 1451-FN-LOCAL**, requiring a prorated assessment of new construction in the year completed.

1:30 p.m. **HB 1631-FN-LOCAL**, relative to property taxation of certain property of the Appalachian Mountain Club.

2:30 p.m. **HB 1627**, relative to the assessment of open space land.

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

THURSDAY, FEBRUARY 9

ELECTION LAW, Room 308, LOB

9:30 a.m. **HB 1567**, relative to removing names from the checklist.

10:15 a.m. **HB 1613-FN-LOCAL**, relative to polling place arrangement and accessibility.

11:15 a.m. **HB 1312**, relative to the definition of gift as it applies to elected officials.

1:15 p.m. **HB 1635-FN-LOCAL**, relative to direct recall elections.

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

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

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

10:00 a.m. **HB 1194**, relative to job protection for volunteer firefighters, rescue workers, and emergency medical personnel.

11:00 a.m. **HB 1310**, relative to strikes by public employees.

1:00 p.m. **HB 1510**, relative to leave of absences to serve as a legislator.

2:00 p.m. **HB 1543**, relative to protections for temporary workers.

3:00 p.m. **HB 1564**, prohibiting mandatory tip charges for small parties.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 1629-FN-LOCAL**, relative to property revaluation schedules in towns and cities and review by the department of revenue administration.

10:30 a.m. **HB 1439**, relative to petitioned zoning ordinance amendments.

11:00 a.m. **HB 1529**, establishing a committee to study the implementation and use of growth management ordinances.

1:30 p.m. **HB 1614-FN-LOCAL**, relative to bonding requirements for certain roads.

2:00 p.m. **HB 1282**, establishing a committee to study the reasons why the economically disadvantaged are relocating to rural communities.

2:30 p.m. **HB 1637-FN-LOCAL**, reducing the rate of the timber tax.

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

FRIDAY, FEBRUARY 10

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration Training Room, 45 Chenell Drive, Concord

9:30 a.m. Regular meeting.

MONDAY, FEBRUARY 13

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

1:00 p.m. Regular meeting.

ISSUES RELATIVE TO THE COMPREHENSIVE SHORELAND PROTECTION ACT (SB 83, Chapter 209:1, Laws of 2005), Room 305, LOB

10:00 a.m. Regular meeting.

**NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4),
CDFA Board Room 14 Dixon Avenue, Concord**
9:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 14

EDUCATION, Room 207, LOB

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

ELECTION LAW, Room 308, LOB

10:00 a.m. **HB 1421-FN**, relative to campaign contributions and expenditures.
11:00 a.m. **HB 1481**, establishing a moratorium period for lobbying by certain state officers.
1:00 p.m. **HB 1403**, relative to explanations of proposed constitutional amendments appearing on the ballot.
2:00 p.m. **HB 1553**, relative to electioneering.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 1141**, relative to innovative land use controls.
10:30 a.m. **HB 1339**, relative to voting procedures for local land use boards.
11:00 a.m. **HB 1342**, relative to the development of land and cutting of trees on land surrounding burial grounds and cemeteries.
1:00 p.m. **HB 1272**, relative to the authority of elected police chiefs in towns with populations of more than 3,000.
1:30 p.m. **HB 1253**, authorizing contracts and probationary periods for the hiring of appointed police chiefs.
2:00 p.m. **HB 1117**, relative to the economic development section of a master plan.
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

10:00 a.m. **HJR 25**, encouraging the United States Congress to propose an amendment to the Constitution concerning eminent domain.
11:00 a.m. **HJR 26**, urging Congress to reevaluate Title IX.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

THURSDAY, FEBRUARY 16

ELECTION LAW, Room 308, LOB

9:30 a.m. **HB 1304-FN**, relative to the scope of registration of lobbyists and statements of lobbying activities.
10:15 a.m. **HB 1490**, relative to procedures on ethics violations by legislators.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Rooms 305-307, LOB

10:00 a.m. **Rescheduled** public hearing on **HB 1133**, establishing the employee civic duty act.
11:00 a.m. **HB 1496**, establishing a right to work act which provides for freedom of choice on whether to join a labor union.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 1124**, relative to the wording of ballot questions and specifying that a simple majority is required to pass a ballot question, unless a supermajority vote is otherwise required.
10:30 a.m. **HB 1174**, requiring that voters who request a secret ballot be present at the town meeting.
11:00 a.m. **HB 1196**, relative to cost items submitted to the town meeting.
1:30 p.m. **HB 1487**, relative to marriage licenses.
2:00 p.m. **HB 1392**, relative to school budget committee membership.
2:30 p.m. **HB 1366**, relative to a planning board's authority to require public access to open space as a condition of subdivision approval.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, FEBRUARY 17

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

9:00 a.m. Regular meeting.

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

1:00 p.m. Regular meeting.

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

10:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 21

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

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

WEDNESDAY, FEBRUARY 22

EDUCATION, Room 207, 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.

FRIDAY, FEBRUARY 24

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration Training Room, 45 Chenell Drive, Concord

9:30 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Hillsborough County Executive Committee will meet on Friday, **January 27** at 9:00 a.m. at the County Complex Bouchard Building in Goffstown. Please call Marcia at 627-5631 if you cannot attend.

Rep. Nelson S. Allan, Chairman
Hillsborough County Executive Committee

NOTICE

Reservations for the use of the Upham Walker House are now being made with Doug Dolcino, Director of Operations for the General Court, at 271-3324.

W. Douglas Scamman, Speaker

REVISED FISCAL NOTES

The following HBs have revised fiscal notes: HBs 489, 649, 1474, 1661, 1671, 1676, 1677, 1691, 1694, 1697, 1698, 1701, 1704, 1708, 1711, 1713, 1714, 1716, 1717, 1718, 1720, 1722, 1723, 1725, 1727, 1730, 1731, 1732, 1734, 1735, 1741, 1742, 1745.

Karen O. Wadsworth, Clerk of the House

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

Ed M. Putnam, II, 12 Wakefield Drive. Hampstead. NH 03841-2611

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

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or 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.

The Internal Revenue Service has set the standard mileage rate for transportation expenses for 2006 at forty-four and one half cents (\$0.445) per mile. The federal mileage reimbursement rate for members of the House of Representatives decreases from forty-eight and one-half cents (\$0.485) per mile to forty-four and one-half cents (\$0.445) per mile for all miles incurred on or after January 1, 2006.

W. Douglas Scamman, Speaker

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. (Lift tickets are to be picked up at Guest Services at the Peabody Base Lodge or the Tramway Window at Cannon).

W. Douglas Scamman, Speaker

The House Republican Alliance will meet every Tuesday at 8:00 a.m. at the Upham Walker House, Park Street, Concord.

Rep. Michael A. Balboni

The Main Street Republican Caucus will meet every Tuesday at noon at the Upham Walker House. All Republicans are welcome.

Rep. Kenneth H. Gould

The Targeted Aid Caucus has scheduled a series of four one-half hour long meetings in Room 104, LOB on Tuesday, **January 17th** beginning at noon and continuing each half hour on the half hour (12:00, 12:30, 1:00, 1:30) to review the particulars of a floor amendment to HB 650 (median income based targeted aid) that is scheduled for House action on the 18th of January and to discuss the associated issues. All legislators are invited to attend.

Rep. Mark S. Carter

The University of New Hampshire Cooperative Extension invites all legislators to a panel discussion on nutrition and well-being in Merrimack County with special guest, UNH President Ann Weaver Hart, on Tuesday, **January 17**, at 5:00 p.m. at Rundlett Middle School, 144 South Street, Concord. The event is co-hosted by President Hart, along with the Merrimack County Delegation, the Merrimack County Board of Commissioners, and the UNHCE Merrimack County Advisory Council. Please RSVP by January 12 to Gillian Hodges at 603-225-5505 or gillian.hodges@unh.edu.

Rep. Christine C. Hamm

The New Hampshire Lakes Association invites all legislators to attend a breakfast forum on Wednesday, **January 18th** from 8:00 to 9:30 a.m. at the Tuck Library, NH Historical Society, 30 Park Street, Concord.

Rep. Alida I. Millham

All legislators are invited to attend a breakfast forum sponsored by the NH Coalition for Oral Health Action on Thursday, **January 19th** from 7:30 to 8:45 a.m. at the Tuck Library, NH Historical Society, 30 Park Street, Concord. Keynote speakers will be James Squires, MD, Endowment for Health and Susan Fichera, MS, NCSN, NP-C, School Nurse, Timberlane District. They will introduce “Watch Your Mouth,” a campaign to raise awareness of the importance of children’s oral health to their overall health. Please RSVP to Peg LePage at 228-2448.

Rep. James R. MacKay

The Legislative Caucus for Young Children (LCYC) will meet Monday, **January 23rd** at 1:15 p.m. in Room 206, LOB. The agenda will include long range planning and continuing discussion on 2006 legislation.

Rep. Mary Stuart Gile

All legislators are invited to attend a lunch sponsored by the Clean Air Works for NH campaign on Tuesday, **January 24** from 11:45 a.m. to 1:00 p.m. at the downstairs room of St. Paul’s Church, Ordway Hall. Members of the American Cancer Society, American Heart Association, American Lung Association of NH and the Campaign for Tobacco Free Kids will be on hand to share information about secondhand smoke and its impact on NH families, employees, tourists and restaurant patrons. All are welcome.

Rep Sheila Francoeur

The Department of Transportation will hold the following meeting:

- Jan 17** Portsmouth High School, 50 Alumni Circle, Portsmouth, NH, 7:00 p.m. Public officials/public informational meeting, Portsmouth, NH-Kittery, ME rehabilitation options for Memorial Bridge and replacement/rehabilitation options for Scott Avenue Bridge
- Jan 18** Portsmouth Public Works, 680 Peverly Hill Road, Portsmouth, NH, 10:00 a.m. Advisory Committee meeting, Portsmouth, US Route 1 Bypass Study
- Jan 18** Albany Town Hall, 1972 NH Route 16, Albany, NH, 7:00 p.m. Public officials/public informational meeting, Albany, rehabilitation of NH 112 from 1 mile east of Rocky Gorge Parking area, east 1.2 miles to west end of Lower Falls.
- Jan 25** NHDOT Highway Design Conference Room, 7 Hazen Drive, Concord, NH, 2:00 p.m. Advisory Committee Meeting, Congestion Mitigation and Air Quality (CMAQ).
- Feb 8** Windham Middle School, 112A Lowell Road, Windham, NH, 7:00 p.m. Public hearing commission, Windham, Lowell Road from NH Route 111 to NH Route 111A.

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

STATE HOUSE VISITATION SCHEDULE 2005 & 2006 SCHOOL YEAR

Virginia Drew, Public Information Administrator Kenneth Leidner, Director

<u>DATE</u>	<u>TIME</u>	<u>GROUP</u>	<u>Grade/Size</u>
Jan. 17	9:00	Beaver Meadow School – Concord	4/45
Jan. 17	10:30	Hills Garrison School- Hudson	4/50
Jan. 17	1:00	Hillsboro Christian School	1-5/23
Jan. 18	9:30/11:00 SH/CC	Penacook Elementary School	4/60
Jan. 19	10:00	Portsmouth Christian School- Dover	6/50
Jan. 20	9:30/11:00 SH/HM	Pembroke Hill Elementary School	4/100
Jan. 20	1:00	Rochester Home School Group	14 + ages unknown
Jan. 23	10:00/11:30 SH/HM	Charlotte Avenue Elementary School-Nashua	4/50
Jan. 24	10:00/11:30 SH/HM	New Searles Elementary – Nashua	4/40

Jan. 25	9:00	Penacock Seniors	14-20
Jan. 26	9:45/11:00 SH only	Auburn Village School	4/80
Jan. 27	9:30/11:00 SH/SC	New Franklin School – Portsmouth	4/54
Jan. 30	10:00/11:30 SH/HM	Charlotte Avenue Elementary School-Nashua	4/50
Jan 31	10:30	Hills Garrison School – Hudson	4/50

NOTICE

The House Clerk's Office is now accepting orders for the **2005** hardcover Permanent House Journals. Work on the journal is awaiting final adjournment from the 2005 session.

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WEDNESDAY, JANUARY 18
ADDITIONAL AMENDMENTS

2006-0401h

Floor Amendment to HB 76
Proposed by Rep. Ingbreton

Amend RSA 194-B:11, I(d) as inserted by section 1 of the bill by replacing it with the following:
(d) The source of funds for payments under this section shall be from moneys specifically set aside for charter schools *from the education trust fund established in RSA 198:39.*
Amend the bill by replacing section 2 with the following:

2 State Aid; Education Trust Fund. Amend the introductory paragraph to RSA 198:39, I to read as follows:

I. The state treasurer shall establish an education trust fund in the treasury. Moneys in such fund shall not be used for any purpose other than to distribute adequate education grants to municipalities' school districts ***and to approved charter schools*** pursuant to RSA 198:42, and to provide low and moderate income homeowners property tax relief under RSA 198:56-198:61. The state treasurer shall deposit into this fund immediately upon receipt:

AMENDED ANALYSIS

This bill requires the state to pay education aid directly to a charter school approved by the state board of education and requires any member of a charter school board of trustees who also serves as an employee, agent, or board member of any for-profit entity with whom the charter school contracts for goods or services to make public disclosure of such fact and to recuse oneself from any business the charter school may have with the for-profit entity.

2006-0352h

Floor Amendment to HB 685-FN-A Proposed by Rep. Gionet

Amend the bill by inserting after the resolving clause the following new section and renumbering sections 1-4 of the bill to read as 2-5, respectively:

1 Purpose. The general court finds that a resort and casino complex would contribute to the economic growth of the state, including increased jobs, increased income for local businesses, and increased tax revenue for the state. The general court also finds that such a complex is best suited for the White Mountain region, the seacoast region, or the lakes region as indicated by the New Hampshire Visitor Survey prepared by the Institute for New Hampshire Studies at Plymouth state university. Amend the section heading of section 2 of the bill and the chapter heading of RSA 284 as inserted by section 2 of the bill by replacing them with the following:

2 New Chapter; Resort and Casino. Amend RSA by inserting after chapter 284 the following new chapter:

CHAPTER 284-A RESORT AND CASINO

2006-0375h

Amendment to HB 1402

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

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

1 New Paragraph; Liability of Landowners; Duty of Care. Amend RSA 212:34 by inserting after paragraph IV the following new paragraph:

V. In this section, "occupant of premises" means an association, corporation, or other legal entity which is nonprofit, or an individual who performs services for a nonprofit entity that constructs, maintains, or improves trails for public recreational use.

2 Off Highway Recreational Vehicles and Trails; Inherent Dangers of OHRV Operation. Amend RSA 215-A:5-c to read as follows:

215-A:5-c Inherent Dangers of OHRV Operation.

I. It is recognized that OHRV operation may be hazardous. Therefore, each person who drives or rides an OHRV accepts, as a matter of law, the dangers inherent in the sport, and shall not maintain an action against an owner, occupant, or lessee of land for any injuries which result from such inherent risks, dangers, or hazards. The categories of such risks, hazards, or dangers which the OHRV user assumes as a matter of law include, but are not limited to, the following: variations in terrain, trails, paths, or roads, surface or subsurface snow or ice conditions, bare spots, rocks, trees, stumps, and other forms of forest growth or debris, structures on the land, equipment not in use, pole lines, fences, and collisions with other operators or persons.

II. In this section, "occupant" means an association, corporation, or other legal entity which is nonprofit, or an individual who performs services for a nonprofit entity that constructs, maintains, or improves trails for public recreational use.

3 New Paragraph; Snowmobiles; Posted Land. Amend RSA 215-C:55 by inserting after paragraph II the following new paragraph:

III. In this section, "occupant" means an association, corporation, or other legal entity which is nonprofit, or an individual who performs services for a nonprofit entity that constructs, maintains, or improves trails for public recreational use.

4 New Paragraph; Limitation of Actions; Landowner Liability Limited. Amend RSA 508:14 by inserting after paragraph II the following new paragraph:

III. In this section, "occupant" means an association, corporation, or other legal entity which is nonprofit, or an individual who performs services for a nonprofit entity that constructs, maintains, or improves trails for public recreational use.

5 Effective Date.

- I. Section 3 of this act shall take effect July 1, 2006 at 12:01 a.m.
- II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill defines “occupant” and “occupant of premises” for purposes of landowner liability.
This bill is a request of the department of resources and economic development.

2006-0354h

Floor Amendment to SB 140
Proposed by Rep. Spang

Amend RSA 482-A:28 as inserted by section 1 of the bill by replacing it with the following:

482-A:28 Aquatic Resource Compensatory Mitigation. In lieu of other forms of compensatory mitigation, the department may accept payment for an unavoidable loss of aquatic resource functions and values from a proposed activity which at a minimum:

- I. Impacts less than one acre of wetlands and meets the criteria for a United States Army Corps of Engineers state programmatic general permit.
- II. Exceeds one acre of impact for a public roadway or a public utility project and meets the criteria for a United States Army Corps of Engineers state programmatic general permit

Amend RSA 482-A:29, II-IV as inserted by section 1 of the bill by replacing it with the following:

- II. The fund may not be used to pay state personnel costs except, upon approval of the fiscal committee, to support up to one full-time position for administration of the fund and related projects. Only money from the 5 percent administrative assessment collected under RSA 482-A:30, III shall be used for this purpose.
 - III. The state treasurer shall invest the fund as provided by law. Interest received on such investment shall be credited to the fund.
 - IV. The wetlands council, established by RSA 21-O:5-a, shall approve disbursements of the aquatic resource compensatory mitigation fund based on recommendations provided by the site selection committee established under RSA 482-A:32, and in accordance with rules adopted by the commissioner.
- Amend section 1 of the bill by deleting RSA 482-A:31 and renumbering the original RSA 482-A:32 – RSA 482-A:34 to read as RSA 482-A:31 – RSA 482-A:33, respectively.

AMENDED ANALYSIS

This bill allows the department of environmental services to accept monetary payments in lieu of other forms of compensatory mitigation for wetlands for certain small projects. It establishes a mitigation fund for the payments and establishes a committee to select projects that will compensate for the loss of wetlands and which may be funded from the mitigation fund.