

State of New Hampshire HOUSE RECORD

First Year of the 160th General Court Calendar and Journal of the 2007 Session

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No. 16

Contains: Reports and Amendments for March 6 and March 7, Hearings, Meetings, Notices and House Emergency Notification System

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

I hope you have all had a restful break from legislative activity and are ready for the remainder of the session.

Please note that the public hearings that have been audio recorded are now posted on the General Court website. I would like to recognize Stan Kelly and the staff of General Court Information Systems for their hard work in helping us further open the legislative process to the public.

The House Finance Committee will be holding regional hearings on the state budget and members are encouraged to attend. The hearing schedule is as follows:

Lebanon:	3/5/07	Monday	DHMC - Auditorium E&F	4:00 p.m.
Keene:	3/6/07	Tuesday	Keene State College – Alumni Recital Hall, Redfern Arts Center	5:00 p.m.
Rochester:	3/8/07	Thursday	Rochester Community Center	4:00 p.m.
Manchester:	3/12/07	Monday	Public Service of NH Auditorium	4:00 p.m.
Whitefield:	3/15/07	Thursday	White Mountain Regional High School Auditorium	4:00 p.m.

Terie Norelli, Speaker

NOTICE

There will be a meeting of Chairmen and Vice Chairmen on Tuesday, **March 6**, at **8:30 a.m.** in Room 201 of the Legislative Office Building.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on Tuesday, **March 6** at **12:15 p.m.** and on Wednesday, **March 7** at **9:00 a.m.** in Representatives Hall.

Rep. Mary Jane Wallner, Majority Leader

NOTICE

There will be a Republican Caucus on Tuesday, **March 6** at **noon** in Rooms 206-208, LOB and on Wednesday, **March 7** at **9:00 a.m.** in Rooms 306-308, LOB.

Rep. Michael D. Whalley, Republican Leader

NOTICE

The Senate and House members of the Adequacy Task Force will hold forums to gather public input on the definition of educational adequacy in New Hampshire. Forums will be held at:

Dover, Dover City Hall Auditorium (268 Central Ave), Monday, **March 5th**, 6:30-8:00 p.m.

Claremont, Maple Avenue Elementary School (210 Maple Ave), Monday, **March 12th**, 6:30-8:00 p.m.

House members of the Task Force are Reps. Kim Casey, James O'Neil, Emma Rous (co-chair), and Nancy Stiles. Senate members are Sens. Iris Estabrook (co-chair), Martha Fuller Clark, Molly Kelly, and Bob Odell.

Terie Norelli, Speaker

NOTICE

All legislators are invited to learn about Drug Court: Why is it Sound Policy for New Hampshire? The speaker is Douglas B. Marlowe, J.D., Ph.D., Director of Law and Ethics Research at the Treatment Research Institute at the University of Pennsylvania. This presentation will be held Thursday, **March 15** from 1:30-3:00 p.m. in Representatives Hall and is sponsored by the Judiciary, Criminal Justice & Public Safety, Health & Human Services, and Children & Family Law Committees.

Terie Norelli, Speaker

NOTICE

Please note that the Calendar will close 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

NOTICE

If you wish to disseminate information to all members via their mail boxes, please bring a sample to Lucy Harrison in the Speaker's office. All such information must be approved and then delivered to the Sergeant-at-Arms office for placement.

Linda T. Foster, Deputy Speaker

NOTICE

We are still in the process of making biennial appointments to statutory committees and other study committees. The remainder of these assignments will be finalized soon and all appointees will receive a letter. In the meantime, if you have any questions in regard to these appointments, please check with Sandy in the Speaker's Office.

Linda T. Foster, Deputy Speaker

TUESDAY, MARCH 6

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 93, relative to use of the child support guidelines worksheet. **OUGHT TO PASS.**

Rep. Jayne E Spaulding for Children and Family Law: This bill requires that the child support guidelines worksheets used to determine the amount of child support be filed with the court and made available to the parties. The committee felt this bill provides an improved level of transparency in the determination of child support. **Vote 17-0.**

HB 94, relative to overpayments of child support. **OUGHT TO PASS.**

Rep. Daniel C Itse for Children and Family Law: This bill modifies the child support statutes to provide for recovery of overpayment of child support by an obligor. It allows judges to provide for repayment in lump sum, or by adjustment of the order, and to prevent undue hardship to the obligee. **Vote 17-1.**

HB 195, relative to the calculation of child support on a per child basis. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel C Itse for Children and Family Law: This bill proposes to make two changes to existing law: First, to change from a calculation that recognizes that additional children progressively require less expense than the first child to one that does not; second, to automatically remove the child support obligation when a child is no longer entitled to child support, without requiring a review of the current financial circumstances. The committee agrees with the concept of graduated child support and does not believe it is wise to attempt such a change without a comprehensive review of the child support statutes. The committee also finds that a hearing for child support modification can be requested whenever there is a substantial change in circumstance and that the hearing must be granted, and that this event is defined as a substantial change in circumstance. The

committee believes that such modifications ought not to occur without a full review of financial circumstance. Finally, the committee believes that any obligor with the opportunity and desire to reduce their child support obligation will have the knowledge of their power to do so. The child support calculation guideline is available from the court online since September and is straightforward; therefore, the modification can be readily executed pro se. **Vote 16-0.**

HB 240, relative to the amount of child support arrearage triggering the denial of a passport. **OUGHT TO PASS.**

Rep. Barbara Hull Richardson for Children and Family Law: This bill authorizes the New Hampshire Department of Health and Human Services to certify to the United States Secretary of Health and Human Services that an obligor who owes child support arrearages in the amount specified by the federal law may be denied a passport. Failure to meet this requirement would result in the possible loss of \$14 million for the State of New Hampshire. **Vote 17-0.**

HB 292, relative to consideration of the preference of a mature minor in the determination of parental rights and responsibilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carolyn M Gargas for Children and Family Law: This bill makes consistent the wording in the statute regarding the ability of the court to consider the wishes of a mature minor. **Vote 15-0.**

COMMERCE

HB 322, establishing a committee to study enhancing training for retail liquor licensees. **INEXPEDIENT TO LEGISLATE.**

Rep. Jill Shaffer Hammond for Commerce: The issues sought to be addressed by this study committee were rolled into the duties of the study committee established by HB 323. **Vote 17-0.**

HB 323, establishing a committee to study the liquor commission and liquor revenues. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James R Martin for Commerce: The committee had three bills to study various issues relating to the Liquor Commission. The committee combined all of the issues raised by the three study committee bills into this bill which will study training of licensees, revenues, enforcement, advertising, age restrictions in drinking establishments, the appeal process and any other pertinent matters. We also included the subject matter included in a liquor study committee bill before Executive Departments and Administration Committee. **Vote 18-0.**

HB 341, establishing a study committee to review current laws and rules enforced by the liquor commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Jill Shaffer Hammond for Commerce: All of the issues sought to be addressed by this study committee were rolled into the duties of the study committee established by HB 323. **Vote 17-0.**

HB 357, relative to disclosure of the sale of revolving credit loans to third parties. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen T DeStefano for Commerce: This bill requires that if a bank sells an account that is in default to a third party, the bank shall provide to the borrower the amount that the third party paid for the account in default upon the written request of the borrower. The committee felt that since many of these loans are bundled together, finding the exact discount amount would be difficult and unrealistic. **Vote 16-0.**

HB 409, relative to liquor licenses for sports recreation facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joel F Winters for Commerce: Liquor licenses for recreation facilities currently make up six of the more than fifty types of licenses: This bill would have created a seventh, a sports recreation facility' liquor license. In order to begin lightening the load of liquor laws, the committee amended the bill to group the six other types of licenses under the new "sports recreation facility" definition and delete the superfluous ones. Vigorously maintaining the status quo, the sports recreation facility license does not change the fees or definitions of any of the deleted licenses, except for striking the word "indoor" from the current description of a qualifying tennis court under the "racquet sports facility" definition. Enabling language is also included to allow the liquor commission to issue rules defining other types of recreation facilities without additional legislation. **Vote 17-0.**

HB 579-FN-A, establishing a health care fund, continually appropriating a special fund, and requiring certain employers to report certain information to the department of health and human services. **INEXPEDIENT TO LEGISLATE.**

Rep. John B Hunt for Commerce: The bill as introduced would have affected only businesses with more than 1500 employees. Federal ERISA rules regulate large employers so the courts have already ruled against this legislation in other states. The sponsor did bring in an amendment that had some reporting requirements of all employers with 50 or more employees. The committee understands the sponsor's underlying concern to insure that all New Hampshire citizens have health insurance. There will be another bill from the committee that will be tasked to help all New Hampshire's citizens find affordable health insurance. **Vote 18-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 97, relative to the recording of audio and video images on private property for security purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. Stanley E Stevens for Criminal Justice and Public Safety: This bill would have allowed any person, without notice, to conduct audio or video recording, or both, on his or her private property and curtilage for security purposes. Current law allows video recording already. Current law on interception of telecommunications requires consent by both parties and is a well-

established principle in New Hampshire law. The proposed legislation radically changes the two party consent and was felt by the committee to be unacceptable as presented. **Vote 14-0.**

HB 171, clarifying the wiretapping and eavesdropping statute. **INEXPEDIENT TO LEGISLATE.**

Rep. James H Oliver for Criminal Justice and Public Safety: This legislation attempted to cover any conversation obtained by audio video recording by a third party, or a home video and be admissible as evidence. After two public hearings it was determined that protecting the two party approval required by current law unless permission is obtained from the Attorney General's office or a county attorney is the safest method to protect all New Hampshire citizens right to privacy. **Vote 16-0.**

HB177-FN, including "unborn child" in the definition of "another" for the purpose of first and second degree murder, manslaughter, and negligent homicide. **INEXPEDIENT TO LEGISLATE.**

Rep. Lori A Movsesian for Criminal Justice and Public Safety: This bill would create the unintended consequence of creating personhood for a fetus. New Hampshire law already imposes an additional penalty for assailants who commit a violent act toward a pregnant woman resulting in miscarriage or stillbirth. In 1991, New Hampshire passed laws that punish an assailant who "purposely, or knowingly causes injury to another resulting in miscarriage, or stillbirth" (RSA 631:1c), or who "recklessly or negligently causes injury to another resulting in miscarriage or stillbirth" (RSA 631:2e). Such heinous crimes are already well defined within our penal code. The committee has had this legislation numerous times. It has been to interim study during 2004 and no legislation was recommended. The committee recognizes the tremendous loss a pregnant woman suffers when she loses her fetus through violent action. However, neither those in support of the bill's intent nor those opposed could craft an amendment that would recognize the loss without bestowing other legal rights to the fetus. **Vote 14-3.**

HB 194, relative to laboratories conducting alcohol concentration tests. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A Welch for Criminal Justice and Public Safety: This bill is a request of the Department of Safety. Currently, RSA 265-A:7 states that a defendant who has had a blood alcohol test has the right to have an independent analysis of the BAC sample at his or her own expense. RSA 265-A:5(e) authorizes the commissioner to adopt rules relative to procedures for certification of any laboratory that conducts tests pursuant to RSA 265-A:7. This amendment to the statute eliminates a conflict of interest that may exist by having the Department of Safety oversee the independent laboratories. The bill, if passed, allows a laboratory to be accredited by a nationally recognized accrediting body instead of the Department of Safety. **Vote 14-0.**

HB 227, relative to identity theft. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P Fontas for Criminal Justice and Public Safety: This bill allows for victims of identity theft to pursue damages in civil court. Damages could be pursued if a person obtains or records personal information of the victim, uses that information to acquire goods or services, obtains personal information in another person's name, or possess personal information and gives it to a third party. Additionally, this bill also allows for victims to submit an order obtained under this chapter as proof to a government entity or private business that financial accounts were fraudulently altered. The amendment changes the word "bank" to "financial institution," adds electronic and digital transactions under the definition of financial device, adds "driver's license" under the definition of personal information and adds the phrase "Unless otherwise permitted by state law or rules or federal statute or regulation," under prohibited conduct. **Vote 14-0.**

HB 419-FN-L, relative to the cost to counties of convicted inmates awaiting sentencing in a county correctional facility. **OUGHT TO PASS.**

Rep. Stanley E Stevens for Criminal Justice and Public Safety: This bill adds a new paragraph III to the current statute 651:4 which addresses pre-sentence investigations. There are instances where individuals are held for several months and, in some cases, for over a year while awaiting a pre-sentence investigation. Currently, the cost for holding these persons is borne by the county. As the person has already been convicted, he or she is the responsibility of the state Department of Corrections. This bill requires that after 30 days of incarceration at a county correctional facility the state will pay those expenses. **Vote 14-0.**

HB 488-FN-A-L, relative to the state chief medical examiner and medico-legal death investigations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lori A Movsesian for Criminal Justice and Public Safety: This bill is a result of a study committee that looked at this issue extensively last fall. Members of the study committee included representatives of the Attorney General's office, Medical Examiner's office, Vital Records, administration, funeral directors, county attorneys, State Representatives and Senators. The bill repeals RSA 611, relative to medical examiners and RSA 611-A, relative to the office of chief medical examiner. The bill recodifies the responsibilities of the office of the chief medical examiner and the procedure for medico-legal death investigations in one new chapter, RSA 611-B. The party responsible for payment is also clarified. **Vote 14-0.**

HB 610-FN-A, requiring the criminal justice and public safety committee to review motor vehicle fines and extending the effective date for certain motor vehicle fine reductions. **OUGHT TO PASS.**

Rep. John E Tholl for Criminal Justice and Public Safety: In 2005, motor vehicle fines were increased without a public hearing. In 2006, legislation was passed that would sunset the increases. This bill extends the sunset provision two years and requires that the Criminal Justice and Public Safety Committee review the fines and report its findings to the Speaker of the House and the Ways and Means Committee. Previously, the fines had been set without public or legislative hearings. Passage of this bill will allow legislative and public input and provide the openness in government that the public and the legislature requires. **Vote 16-0.**

EDUCATION

HB 37, relative to notification requirements for criminal offenders. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara E Shaw for Education: This bill requires a school administrative unit, school district, or charter school to adopt a policy designating certain categories of volunteers as “designated volunteers” who may be required to undergo a background investigation and a criminal history records check and provides limited liability to the school administrative unit, school district, or charter school for permitting certain volunteers to have direct contact with students when this requirement is met. It also allows local law enforcement agencies to notify schools within their jurisdiction of the address of a registered criminal offender. The amendment changes the words “all schools” to “school administrative unit, school district, or charter school.” **Vote 12-0.**

HB 651-L, extending the school building aid grant program to cover kindergarten construction costs. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith E Day for Education: The committee determined that this bill was unnecessary because extending kindergarten aid is addressed in HB 669. **Vote 14-0.**

HB 752-FN, relative to per pupil funding for charter school pupils. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Claire D Clarke for Education: Charter schools have had a considerable amount of problems since their inception. This bill increases the funding for charter schools as they have been receiving only one third of what the average district spends per pupil. This bill raises the charter school per pupil aid for FY2008 (next year) from \$3,708 to \$4,000. The total cost to the state in the first year is \$120,000 additional funding for charter schools. As in current practice, future increases will be determined by the CPI. This bill gives a specific amount that will ensure equalized funds for charter schools. **Vote 12-1.**

ELECTION LAW

HB 120, relative to extending polling hours. **OUGHT TO PASS.**

Rep. Betty B Hall for Election Law: The bill enables the governing body of a town to extend the polling hours. It does not allow the towns to decrease from the current statutory requirement. The committee believes local communities and their governing bodies can make the decision to extend hours if they believe it is necessary **Vote 14-1.**

HB 127, relative to voter registration forms. **INEXPEDIENT TO LEGISLATE.**

Rep. Charles F Weed for Election Law: The majority found that the intent of the sponsor was to remove possibly intimidating language in the form of a “civics lesson” warning legally domiciled voters that they would be treated as legal residents in terms of drivers and motor vehicle licensing. Another bill under consideration by the committee includes removing the “civics lesson” and clarifying the domicile law. **Vote 15-1.**

HB 146, relative to nicknames on ballots. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles F Weed for Election Law: The purpose of this bill was to clarify how one designates his or her name when filing as a candidate. The committee removed language requiring burden of proof and permits nicknames by which the candidate is commonly recognized. The candidates may not imply they are some other person and may not chose a slogan associated with a cause or that is offensive. The designated name may be the given name or its shortened form or a one word nickname. The designation may include a middle initial and shall include his or her surname. The Secretary of State believes this is a great improvement. **Vote 15-0.**

ENVIRONMENT AND AGRICULTURE

HB 163, relative to the definition of "slaughterer." **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy D O'Connell for Environment and Agriculture: The New Hampshire Fish and Game Department testified in opposition to this bill indicating that the Department of Agriculture, Markets, and Food has already, under rulemaking, clearly included propagator to the list of persons defined as slaughterer under RSA 427:33. **Vote 18-0.**

HB 204, relative to the sale of unpasteurized milk. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy D O'Connell for Environment and Agriculture: No one testified in favor of the bill including the prime sponsor who recommended that the bill be Inexpedient to Legislate. The sponsor also indicated that the Department of Health and Human Services had no concerns with the ITL recommendation. **Vote 16-0.**

HB 208, relative to the definition of swine as a nuisance. **OUGHT TO PASS.**

Rep. Burton W Williams for Environment and Agriculture: Removing the definition of Swine as a nuisance from RSA 147:10 would improve the law and have no effect on the duties of local health officers who already have extensive powers in this regard. **Vote 17-1.**

HB 236, relative to the use of "farmer's markets" in trade names. **OUGHT TO PASS.**

Rep. Jane E Beaulieu for Environment and Agriculture: This bill clearly defines what constitutes a “farmers market” and this term has become widely understood to mean exactly what the statutory definition says: a gathering of two or more vendors of agricultural and other commodities that is not held on the property of any of the participating vendors. Some businesses which do not meet the statutory definition of the term use the name farmers markets. This bill does not impinge upon any business enterprise using the term “farmers’ market” in its trade name if that name has already been registered at the time of passage of

this bill. **Vote 15-1.**

HB 585-FN, assessing a fee on all dogs and cats sold at retail that are not sexually sterilized, to be deposited in the companion animal neutering fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steve Vaillancourt for Environment and Agriculture: This bill, as amended, represents an attempt to provide additional funding for the state's neutering program for dogs and cats. Originally, the bill established a \$20 fee on all unneutered dogs and cats sold at retail. The committee believes a better solution came forward from the State Veterinarian who authored the amendment which makes the fee \$40 but then would rebate the entire amount should the new owner of the dog or cat have the animal neutered within a specified time after purchase. Thus, this is not a mandatory fee and this does not represent an attempt to force any animal to be neutered. It does, however, recognize that neutering is beneficial to both animals and our society and provides an incentive to that end. Since the state's spaying and neutering program has gone into effect, the euthanasia rate for dogs and cats has dropped from 45 to 18 percent, one of the lowest in the nation. However, the cost of neutering animals continues to increase, from less than \$100 for a male cat to upwards of \$500 for a female dog, and in recent years the neutering fund has been drained prior to year's end. Estimates are that 40 percent of adult dogs and 20 percent of adult household cats are unneutered. At that rate, the \$40 fee would not be rebated to 20 percent of 1100-1400 cat owners and 40 percent of 3000-3500 dog owners, generating approximately \$65,000 for the fund. If fewer monies are forthcoming, the news is still good since that would mean more animals are being neutered. It's a classic win-win situation with the additional benefit that, unlike in the past when dog owners bore the brunt of the neutering program (through registration fees), cat owners would now pay a share. Monies are also generated without having to resort to a new tax. **Vote 17-1.**

HB 660-FN, relative to an assistant state veterinarian. **OUGHT TO PASS.**

Rep. Richard H Snow for Environment and Agriculture: The committee believes that the addition of a position of assistant state veterinarian will significantly enhance and expand the ability of the Department of Agriculture, Markets and Foods to respond to current concerns about animal health issues and emergency response capabilities. The committee heard and carefully considered testimony about the increasingly complex and time consuming duties and responsibilities of our state veterinarian. The committee carefully considered the scope of these duties and responsibilities and the efforts necessary for one individual to effectively accomplish all of them. The committee heard and considered testimony about the threats to human health posed by animal diseases that are easily transmittable to humans. The committee determined, based on testimony and deliberation, that the establishment of the position of assistant state veterinarian is appropriate at this time. **Vote 15-1.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 135, establishing the second Sunday in October as Firefighters Memorial Day. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Pamela V Manney for Executive Departments and Administration: This bill would designate the second Sunday in October as Firefighters Memorial Day in recognition of the service given by the men and women who have been killed or disabled in the line of duty and those still serving. This date would coincide with New Hampshire Fire Prevention Week held the second week of October. **Vote 16-0.**

HB 160, relative to the appointment of the executive director of the public employee labor relations board. **INEXPEDIENT TO LEGISLATE.**

Rep. Ken Hawkins for Executive Departments and Administration: This bill would have changed the appointment of the director of the public employee labor relations board from the labor relations board to the governor and council. The testimony was mostly against this bill because of the fear it would politicize the position. The governor and council appoint the nine members of the board and it was felt they would best be able to find a director that would fit their needs. There was much testimony to the effect that if it isn't broken, don't fix it. **Vote 14-1.**

HB 170, relative to professional membership on certain occupational regulatory boards. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne E Beauchesne for Executive Departments and Administration: This bill would change the membership on occupational licensing and regulatory boards so that at least one-half of the membership are not persons regulated by the respective boards. The intention of the sponsor was to include more public members on regulatory boards, and the sponsor was the only person to speak in support of the bill. After fifty members, both professional and public members indicated their opposition to the legislation. Public members are already members of boards and finding willing people to serve can be problematic. Additionally these boards are regulatory in nature and involve credentialing, licensing and disciplinary procedures. The committee agreed that public participation is very important but should not outweigh the professional membership. **Vote 14-0.**

HB 249, extending the study committee on the rules process. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ken Hawkins for Executive Departments and Administration: This bill extends the on the administrative rules process study committee until November 1, 2008. We must vote every two years to extend the study committee. We also eliminated some language that was redundant. The Joint legislative Committee on Administrative Rules may send a copy of their objection to a new rule to the appropriate policy committee. **Vote 15-0.**

HB 326, relative to disclosure of the basis for disciplinary proceedings among members of the board of medicine. **INEXPEDIENT TO LEGISLATE.**

Rep. Carl G Robertson for Executive Departments and Administration: This bill would require disciplinary proceedings before the Medical Review Board to be disclosed to all the members of the review committee and the Board of Medicine. The committee, after listening to the testimony, felt that the proceedings asked for in the bill were already in practice. It was also disclosed that any problems of communication would be cited in the ongoing performance audit that is being conducted by the Legislative Budget Office. The audit will review all processes of the Medical Review Board and make recommendations, including future legislation. **Vote 17-0.**

HB 362, relative to the director of the division of vital records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. A Laurie Harding for Executive Departments and Administration: This bill, as amended, fine tunes a section of the Vital Records statute, (RSA 126:24-g and h) that was passed two years ago that established an Advisory Committee on Quality of Vital Records Information. The purpose of the committee is to provide some quality assurance oversight for the two departments involved with the utilization of the vital record data: the Secretary of State's office and the Department of Public Health. The amendment adds the Secretary of State or designee to the membership and clarifies how the chair is selected **Vote 16-0.**

HB 388-FN-A, establishing the position of fire protection engineer and requiring the commissioner of safety to establish fees for building, life safety, and fire protection system plan review by the state fire marshal. **INEXPEDIENT TO LEGISLATE.**

Rep. John Reagan for Executive Departments and Administration: Testimony supported the requirement to have building plans reviewed by a fire protection engineer. The review requirement is a good practice to ensure life safety and building integrity under the stress of a fire or other calamity. However, the expansion of the Department of Safety would be the most expensive method for the New Hampshire taxpayer and fails to guarantee timely plan review. Timeliness of plan review is a current and persistent complaint of builders, developers and inspectors across the state. By requiring the developer to have the plans reviewed by a licensed professional engineer certified as a fire protection engineer firm would guarantee the timeliness of review. By leaving the plans review to the private sector, New Hampshire avoids adding to the public payroll. The private plan review would leave the cost with the developer where all other plans reviews are paid for now. **Vote 13-2.**

HB 439, relative to certain rulemaking authority of the commissioner of environmental services. **OUGHT TO PASS.**

Rep. Ken Hawkins for Executive Departments and Administration: This bill came about from a performance audit conducted by the Legislative Budget Office. There were a number of areas where Administrative rules were not adopted as required in the statutes. Testimony was given that in some cases the rules were put in as statutes and in other cases the federal law mandated the rules. Therefore, we are removing the rulemaking authority from eight RSAs. **Vote 17-0.**

HB 482, adding the song "Live Free or Die" as an official state song. **OUGHT TO PASS.**

Rep. Catriona D Beck for Executive Departments and Administration: Fourth grade students from Birch Hill Elementary School in Nashua appeared before the committee and sang a song, "Live Free or Die," which upon passage would be added as another official state song. This song speaks to the history and patriotism of New Hampshire, unlike all other state songs which address the beauty of our fine state. The testimony given by the students compelled the committee to pass this bill. **Vote 14-1.**

HB 489-FN, changing the salary grade of certain department of safety positions. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell C Day for Executive Departments and Administration: This bill would affect four positions in the Department of Safety. The committee opposed this bill as there already exist methods of achieving equity in salary for supervisory personnel to receive a higher salary than a subordinate. The bill would be in conflict with the system-wide New Hampshire personnel structure, the Hay Group Report and negate the efficacy that currently exists **Vote 16-0.**

HB 580-FN, relative to certain accidental disability retirement allowances payable to surviving spouses of retired members. **INEXPEDIENT TO LEGISLATE.**

Rep. Ken Hawkins for Executive Departments and Administration: Testimony was given that a number of persons (20 to be exact) were harmed by the RSA that limits the surviving spouse to collect 50% of the retirement benefit after the death of the retired member. This bill would have changed that to 100% of the benefit. This goes against the entire retirement system option of receiving payments. When a member retires, they have the option of taking larger monthly benefits that end upon their death or to take smaller checks that will continue until both the spouse and member die. This bill could have an impact upon the retirement system by changing the 50% to 100% for anyone becoming disabled in the future. **Vote 16-0.**

HB 704-FN-A, relative to the commission on the status of men and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Carl G Robertson for Executive Departments and Administration: This bill will eliminate the repeal of the Commission on the Status of Men and make an appropriation. It will allow the commission to continue its work bringing forward issues that currently negatively affect the male gender. The committee felt that the Commission on the Status of Men should be on a level playing field with the Commission on the Status of Women. Recent information has shed light on certain issues that put men at a distinct disadvantage culturally. A higher suicide rate, higher mortality rate, lower literacy, reading and test scores, as well as legal and family issues are areas where men are struggling. In order to be effective in bringing these issues forward and to search for solutions, the commission needs to be given support. **Vote 15-1.**

HB 834-FN-A, relative to sales of tobacco products in state liquor stores. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela V Manney for Executive Departments and Administration: This bill's intent was to take all retail sales of tobacco products out of the hands of retail merchants to be exclusively sold in liquor stores. This bill imposes an 80 cent tax on each

pack of cigarettes and a 17% tax on wholesale tobacco products other than cigarettes. This bill would exempt one portion of the populace, New Hampshire Veterans' Home residents, from paying the tax, with a limit of two cartons each a week. The committee could not support this bill for several reasons. The Liquor Commission testified against it citing lack of space, time, desire and cost to implement. The negative impact on state revenue and the unintended consequence of this bill regarding the damage the passage of this bill would cause to the livelihood of retail business owners, especially small business owners and those border business owners, was of concern to the committee **Vote 15-0.**

FISH AND GAME

HB 59, relative to crossbow hunting by a person with a disability. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jesse J Martineau for Fish and Game: The purpose of this bill is to allow persons with a disability who are issued crossbow permits to take any species permitted to be taken by bow and arrow, pursuant to RSA 208:5. Currently, persons who have permanent physical disabilities are restricted to taking only deer during bow and arrow season, bear during the specified season, wild turkey and carp from Mascoma Lake. This bill has the support of the Fish and Game Department. **Vote 17-0.**

HB 248, eliminating a separate dedicated account for the fish and game department trapping education program and transferring the sum into the fish and game fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert J L'Heureux for Fish and Game: This bill eliminates certain dedicated accounts, derived from illegal taking or possessing, that were dedicated to the Fish and Game Department trapping education program, and transfers the sum into the Fish and Game Department general fund. This legislation, which has the support of the Fish and Game Department, is the result of an ad hoc committee recommendation, which reviewed all of the department dedicated funds. The amendment simply returns a provision of the law that was inadvertently omitted. **Vote 17-0.**

HB 411, establishing a committee to study the absorption of the fish and game department by other state agencies. **INEXPEDIENT TO LEGISLATE.**

Rep. James E Kennedy for Fish and Game: The committee feels that establishing a committee to study the absorption of Fish and Game Department is not necessary and the conduct of the Fish and Game performance audit will answer a lot of questions. We recommend waiting and act at the end of the audit to correct problems and propose changes at that time. **Vote 14-1.**

HB 433-FN-A, relative to funding of fish and game department search and rescue operations. **OUGHT TO PASS.**

Rep. Carla M Skinder for Fish and Game: The committee unanimously agreed to fund \$200,000 from the general fund. New Hampshire is the only state that performs search and rescue without money from the general fund. As everyone knows, Fish and Game has financial difficulties and currently has a deficit of \$32,538 in search and rescue. Fish and Game is able to utilize the National Guard helicopter for search and rescue at \$500/search to pay the helicrew. There are over 400 well trained and equipped volunteers that assist Fish and Game in Rescues. Between the National Guard and volunteers, Fish and Game saves a lot more than \$200,000, the amount requested. The Attorney General allows for Fish and Game to seek reimbursement for search and rescue. However, to date, only \$14,989 out of a potential \$20,893 has been collected. **Vote 17-0.**

HB 453, establishing a committee to study the feasibility of merging marine patrol and fish and game department law enforcement staffing and resources. **INEXPEDIENT TO LEGISLATE.**

Rep. Vincent E Greco for Fish and Game: It was the feeling of the committee initiating a study committee for such a merger would not be of benefit at this time, especially with a performance audit in the making. Such an audit could answer these needs. **Vote 16-0.**

HB 570-FN-A, increasing the fee for a wild turkey hunting license. **OUGHT TO PASS.**

Rep. Richard E Fletcher for Fish and Game: This bill increases the fee for turkey hunting licenses from \$5 in the spring and \$5 in the fall to \$15 to cover both turkey hunting seasons. This bill brings the permit fee in line with neighboring states but does not raise it above the two states. This bill also eliminates a fee to hunt with a shotgun in the fall for turkey in those parts of the states where it is legal. Fish and Game estimates a revenue increase of \$134,470 in 2008. This bill is to take effect on January 1, 2008. **Vote 11-0.**

HB 576-FN-A, increasing certain fish and game nonresident license or permit fees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert J L'Heureux for Fish and Game: This legislation would increase the non-resident moose permit fee to a minimum of \$450.00 and the non-resident turkey fee to \$30.00 to bring these fees more in line with our neighboring states. There has not been a moose permit fee increase since the moose lottery was instituted in 1988. The amendment removes the proposed increase in non-resident bear tags and duplicate license fees for both resident and non-residents. The amendment also changes the effective date to January 1, 2008. This bill as amended has the support of the Fish and Game Department. **Vote 11-0.**

HB 623-FN, establishing a game management account in the fish and game fund and transferring certain other fish and game accounts into the game management account. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dennis F Abbott for Fish and Game: This bill, as amended, removes separate dedicated funds for moose, bear, wild turkey and waterfowl licenses or permits, and transfers the balances in those accounts into a new game management account. The game management fund will allow the Fish and Game Department to expend funds in the best interests of the resource and to the best benefit of all our citizens. The consolidation of the dedicated funds will also reduce administration costs amounting to over \$50,000 per year. **Vote 16-0.**

HB 846, transferring certain land in the town of Stoddard from the Trust for Public Land to the fish and game department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Margaret E Porter for Fish and Game: This bill authorizes the Fish and Game Department to acquire, maintain, and make available for public recreational use an area in and around the dam of Robb Reservoir, a 110 acre shallow water body in Stoddard. The Reservoir abuts a large tract of protected wetland and forest land. The amendment defines the area to be transferred to Fish and Game as a 2.5 acre (car-top boat launch) access site. **Vote 11-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 517, establishing a commission to investigate cost drivers in providing health care. **OUGHT TO PASS.**

Rep. Evalyn S Merrick for Health, Human Services and Elderly Affairs: This commission will establish a forum to review and study health care costs and the issues that drive those costs to rise unnecessarily. These issues include, but are not limited to, cost shifts associated with federal and state reimbursements and medical malpractice insurance, and regional issues that may affect costs of providing health care. The Business and Industry Association of America supports this bill. The committee believes that only evaluation and analyzing what drives the cost of medical care can effect change in a positive direction.

Vote 18-0.

HB 597-FN, relative to expenditure caps for institutional health facilities under the certificate of need law. **OUGHT TO PASS.**

Rep. Robert G Bridgham for Health, Human Services and Elderly Affairs: This bill resets the expenditure caps above which the certificate of need process is activated for improvements in acute care facilities, nursing homes, and other health care facilities. The new cap will be \$2.1 million, adjusted annually by an appropriate inflation index. The bill increases the cap, especially for nursing homes and other health care facilities, enabling them to undertake ordinary refurbishment or minor improvements without the expense of seeking CON approval. **Vote 18-0.**

HB 644-FN, relative to differential pay of direct care employees at state institutions. **INEXPEDIENT TO LEGISLATE.**

Rep. Joan H Schulze for Health, Human Services and Elderly Affairs: This bill was brought on behalf of persons who work at the New Hampshire Hospital, Laconia Developmental Services, Glencliff Home for the Elderly, New Hampshire Veterans' Home and the Youth Development Center. They have requested a weekly salary differential increase from \$5 to \$25. The employees are caring for persons who are at times difficult to cope with because of obstreperous behaviors. They believe the pay differential is warranted because of possible hazardous situations for themselves. While the committee was sympathetic, This is a policy committee and does not deal with specific financial requests. **Vote 18-1.**

HB 723, extending the moratoriums on nursing home beds and rehabilitation. **OUGHT TO PASS.**

Rep. Jennifer Daler for Health, Human Services and Elderly Affairs: This bill extends the moratorium on nursing home beds and rehabilitation until June 30, 2009 unless sooner authorized by the General Court. The testimony presented during the hearing indicated that there is no present need for more nursing home beds. The committee as well as the Department of Health and Human Services would like to provide more home and community based care for people who need these or similar services. The moratorium would also assist in keeping the cost of nursing home care down. **Vote 18-0.**

HB 858-FN, relative to a discount medical plan organization. **OUGHT TO PASS.**

Rep. Trinka Russell for Health, Human Services and Elderly Affairs: This bill would enable the Department of Insurance to oversee discount medical plans to ensure that the plans are not advertised in a way that would mislead consumers to think of the plans as insurance. It also contains other consumer protections, requiring, for example, that the plans list their provider network clearly on their web site. **Vote 15-1.**

HB 862-FN, establishing an incapacitated adult fatality review committee. **OUGHT TO PASS.**

Rep. Joan H Schulze for Health, Human Services and Elderly Affairs: This bill follows an ad hoc committee regarding abuse, neglect and fatalities of incapacitated adults. New Hampshire's most vulnerable citizens, the incapacitated and elderly, may not be receiving the services necessary to provide for their safety. The purpose of this bill is to promote prevention of deaths and serious injuries of incapacitated adults. The intent is to improve services and protect, not to prosecute or find fault. The Attorney General's office supports and will house this initiative. It will be a volunteer committee and, thus, at no cost like the Child Fatality Review Committee and the Domestic Violence Fatality Committee. The disabled and elderly are valuable members of the community and have a right to be respected. We can learn a lot from studies of death that can be applied to other situations and prevention. **Vote 18-0.**

JUDICIARY

HB 67, relative to liens filed with public servants. **INEXPEDIENT TO LEGISLATE.**

Representative Gregory M. Sorg for Judiciary: This bill would prohibit Registers of Deeds from recording federal tax liens not showing evidence that they had been issued by a judge. Currently, such liens are filed by the Secretary of the Treasury or his or her designee, subject to the requirement of simultaneous notice to the taxpayer both of the filing and of his or her right to a prompt administrative appeal. The basis of this bill is a 2005 ruling of the United States Court of Appeals for the Second Circuit holding that certain IRS summonses have no legal standing until judicial enforcement proceedings have been initiated. The

committee's research has satisfied it that the 2005 ruling was on a narrow legal issue, and does not apply to other IRS procedures, in particular to those pertaining to administrative distraint and levy. Moreover, a Second Circuit ruling is not authority in New Hampshire unless accepted by the First Circuit – of which New Hampshire is a part – or affirmed by the United States Supreme Court. **Vote 17-0.**

HB 526-FN-A, requiring district court judges to annually attend an educational program offered by the National Judicial College and establishing a surcharge on fines collected in the district court to pay for the costs of such attendance. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert H Rowe for Judiciary: District judges are highly trained and highly skilled, and continuing training is required by the Judicial Branch. The committee believes the judiciary is doing its job well on a continuing basis. **Vote 11-0.**

LEGISLATIVE ADMINISTRATION

CACR 10, relating to sessions of the legislature. Providing that the legislature meet biennially and meet after June 30 in odd-numbered years only in special session called by the governor or by 2/3 vote of the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Betsy McKinney for Legislative Administration: This CACR would change the constitution back to the pre-1984 situation of meeting biennially. The sponsor hoped that this would reduce the number of bills that come up year after year, and encourage more people to run for office. The committee felt that this would not solve the problem, wouldn't cut down the work or encourage more people to be involved in the process and would be disadvantageous to freshmen. **Vote 10-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 218, relative to chief firewards, engineers, or fire chiefs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie J Boyce for Municipal and County Government: To ensure parity and due process when a fire chief has been suspended, the bill was amended to change the number of days to notify the clerk of the superior court from 10 days to 45 days. The bill was also amended to change the effective date from 60 days to upon passage. **Vote 17-0.**

HB 226, relative to the investment of trust funds. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bennett F Moore for Municipal and County Government: The bill, as amended, expands allowable investments to include closed ended in addition to open ended mutual funds and reorganizes the language in RSA 31:25 which sets forth the procedure that a collateral trust may be required from a fiduciary. The bill also clarifies the requirements for investment policies for trust funds in RSAs 31:25, 31:5 and 31:9 and stipulates that a copy of such policies be filed annually with the Attorney General's office. **Vote 16-0.**

HB 274, relative to income and asset limits and amount of the elderly property tax exemption. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric G Stohl for Municipal and County Government: The intent of the bill is two-fold. First, it seeks to increase income and asset limits for the elderly property tax exemption. The income limit would be raised \$13,400 to \$35,000 for a single person and from \$20,400 to \$50,000 for married persons. The asset limit would be raised from \$35,000 to \$150,000 excluding the value of the residence. Secondly, it establishes a minimum amount of the exemption in each age category. The minimum exemption presently in law is \$5,000 for all age groups. This bill would create a minimum exemption of \$50,000 for a person 65 years of age up to 75 years of age, \$90,000 for a person 75 years of age to 80 years of age, and \$100,000 for a person 80 years of age and older. If this legislation were to pass, it would raise the minimum income and asset limits in most municipalities which already have the ability to change these exemption levels. **Vote 17-0.**

HB 391, establishing a committee to study the implementation of a circuit breaker on property tax liability. **INEXPEDIENT TO LEGISLATE.**

Rep. Jessie L Osborne for Municipal and County Government: The committee agrees that there are problems regarding the ability of some property owners to pay taxes. However the committee fully realizes that the subject has been studied in depth and that currently there exist solutions such as reverse mortgages and special tax liens which can be arranged, after demonstration to local officials that hardships exist. Unfortunately this circuit breaker concept would shift the burden to an increasingly smaller and smaller number of taxpayers and create a domino effect regarding the ability to absorb more increases in taxes. **Vote 13-0.**

HB 398, establishing a committee to study implementing a bedroom tax on residential dwellings. **INEXPEDIENT TO LEGISLATE.**

Rep. Bennett F Moore for Municipal and County Government: The committee did not believe that a study of a bedroom tax as a substitute for the statewide property tax would be worthwhile. Such a tax would create another administrative burden on an assessing department. More importantly, if enacted, a bedroom tax would shift a portion of property taxes from commercial and industrial property to residential property, thereby increasing housing costs across the entire state. **Vote 17-0.**

HB 422, authorizing the granting of abatements to persons whose children are enrolled in schools other than the local public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Jessie L Osborne for Municipal and County Government: The committee believes that this bill is unconstitutional and

violates Part I article 6 and Part II, article 83 of the New Hampshire Constitution. This bill would impose user fees for public education and possibly create a new type of tax abatement. The New Hampshire Constitution clearly forbids the funding of religious, private schools. **Vote 17-0.**

HB 496, relative to a property tax exemption for portable docks, piers, and wharves. **INEXPEDIENT TO LEGISLATE.**
Rep. Eric G Stohl for Municipal and County Government: This bill requires that portable docks, piers, and wharves shall be exempt from taxation as real property. The committee heard testimony as to how this would add complexity and ambiguity to the assessment of real estate for tax purposes. The existence of a dock, pier, or wharf will affect the value of the real estate more or less depending on the portability of such structure, including its size, location, condition, and relative permanence. Since the portability of such structure may already be taken into consideration, the committee believes the proposed exemption will unnecessarily complicate the assessment of waterfront property. The committee expects there would be significant differences of opinion about whether something is “capable of being removed seasonally,” depending on the ease with which it can be removed. In addition, if this bill were to pass it would immediately call into question the status of any such structure that is not permanently affixed to the ground. **Vote 17-0.**

HB 851-FN-A-L, relative to the determination of county payments for nursing home services. **INEXPEDIENT TO LEGISLATE.**
Rep. Bennett F Moore for Municipal and County Government: Currently the cost of nursing home services is paid by the usage of these nursing home services within each county. This legislation would have changed the county’s share of service costs to a percentage based on the equalized assessed valuation in a county compared to the statewide equalized assessed valuation. If enacted, this bill would have created “donor” and “receiver” counties for the cost of the nursing home services. The purpose of this bill was to have a vehicle to address the sunset provision currently in place in RSA 167:18-b and RSA 167:18-f, which determines the counties liability for these nursing home services that is due to expire. This bill could also lessen the financial incentive for any county to effectively manage the costs of nursing home services. The bill was viewed by the committee as being an unfunded mandate by shifting the costs statewide without any vote of the legislative bodies. In order to find a comprehensive resolution to funding health care costs at the county level, all stakeholders need to sit at the table to give their input. A task force to study the effectiveness of county government is already in place and will continue that study through November, 2008. The latter is the venue for finding an agreed upon resolution. **Vote 14-0.**

HB 852-FN-A-L, changing the rate and distribution of the excavation tax. **INEXPEDIENT TO LEGISLATE.**
Rep. Betsey L Patten for Municipal and County Government: The original intent of the excavation tax in 1997 was to provide a solution regarding property appraisal for real estate purposes for sand and gravel operations. The tax was enacted after many years of study and agreement between the sand and gravel industry and the municipalities. The excavation tax is a mechanism designed to supplement and complement the property tax associated with the commercial activity. This legislation would change the amount paid from \$.02/cubic yard of earth excavated and distributed to the municipalities general fund to \$.50/cubic yard with fifty percent of the amount received distributed to the state for the general fund. The intent of this large increase and change in distribution targets a specific industry to fill the coffers of the general fund. The unintended consequences of this increase are the higher costs for our home construction industry, along with the increased cost for our municipalities and department of transportation in the construction of our roadways. The committee strongly believes the excavation tax should not be used outside of its original intent. **Vote 13-0.**

PUBLIC WORKS AND HIGHWAYS

HB 157, establishing a committee to determine a permanent location for the old state house. **INEXPEDIENT TO LEGISLATE.**
Rep. John A Graham for Public Works and Highways: The committee heard testimony from the Division of Historical Resources that it is already conducting a grant-funded study on the condition and future of the old state house. This study will not be completed until late 2008. With knowledge of this on-going project the committee felt that another study was not needed at this time. **Vote 14-0.**

HB 297, relative to signs for the Souhegan Valley. **INEXPEDIENT TO LEGISLATE.**
Rep. Kevin K Waterhouse for Public Works and Highways: While the committee sympathizes with the sponsors’ desire to help a local Chamber of Commerce in its efforts to welcome travelers, we feel that the Department of Transportation right-of-way should have very limited access to signage. The committee will work with the Commissioner of Transportation to set policy regarding directional and welcome signs within the state right-of-way. This bill was unanimously seen as requiring an excessive number of signs to be placed within the right-of-way and would be a bad precedent for the legislature to set. **Vote 14-0.**

HB 313, establishing a committee to study reimbursing towns for emergency services on interstate highways. **INEXPEDIENT TO LEGISLATE.**
Rep. James B Rausch for Public Works and Highways: The committee recognized the concerns of the sponsors in seeking reimbursement for emergency services. However, the committee acknowledged that a study committee would not be able to find an equitable solution because all communities have benefits and liabilities that can not be proportionally delineated for

equitable state funded reimbursement. The reimbursements should continue to reside in receiving compensation from the responsible parties and their insurance companies. **Vote 13-1.**

HB 317, requiring improvements to state highways by developers to meet the same standards as federally or state funded improvements. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin T Tilton for Public Works and Highways: The committee determined that sufficient controls currently exist within the permitting process, both at local planning boards and at the Department of Transportation, to require developers to meet appropriate standards, and that these controls are being used regularly and successfully. **Vote 16-0.**

HB 403, establishing the Interstate 93 widening commission. **INEXPEDIENT TO LEGISLATE.**

Rep. John A Graham for Public Works and Highways: This bill would have established a commission to “inform the legislature on the progress and problems in widening Interstate 93.” The General Court (in 2005, HB 304, Chapter 58, Laws of 2005) required the Department of Transportation to submit progress reports on I-93 to the Capital Budget Overview Committee at least every 6 months. In 2006 HB 2006, Chapter 240, Laws of 2006, (The Ten-Year Transportation Plan) requires the DOT to report every 3 months to this oversight committee. The Public Works and Highways Committee feels that at present there is sufficient oversight of this critical project. The chair of the Capital Budget Oversight Committee has pledged to ensure that all meetings of this committee with the DOT will be announced well in advance to all members of the legislature and the public. This will enable all citizens the opportunity to hear from the DOT, without establishing yet another reporting requirement on the DOT. **Vote 18-0.**

HB 418, relative to RV friendly highway signs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B Campbell for Public Works and Highways: This bill allows the NHDOT to affix “recreational vehicle friendly” markers or decals to the corner of business directional signs (such as fast food and other restaurants) to indicate that the business establishment can accommodate RV vehicles. The committee overwhelmingly believes this bill promotes tourism and makes New Hampshire a more RV and motor home “friendly” state. The amendment clarifies that the cost of the “RV friendly” markers will be solely borne by the business establishment and better defines what constitutes a “hard surface” able to support Recreational vehicles **Vote 17-1.**

HB 466-L, relative to removal of vehicles from state park and ride lots. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James B Rausch for Public Works and Highways: The amendment clarifies the original wording of the bill and allows for the removal of abandoned vehicles as described in RSA 262:30 from state owned park and ride lots. **Vote 17-0.**

HB 796, relative to civil liability for damaging highway protective barriers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Alfred C Lerandau for Public Works and Highways: This bill adds protective barriers (guardrails) and clarifies the language of RSA 236:39. At the request of the Attorney General’s office the amendment replaced the word “negligence” for “without authority.” The amendment also includes Municipal Highway Agents (towns) which was part of RSA 236:39 but omitted in this bill. **Vote 13-0.**

HB 845-FN-A, making an appropriation to the town of Dorchester to rebuild the Province road bridge. **INEXPEDIENT TO LEGISLATE.**

Rep. Edmond D Gionet for Public Works and Highways: Even though the committee sympathizes with the bill sponsors and having considered the facts, the referenced bridge is only used seasonally serving a recreation area on a Class V road. This bill requires a general fund appropriation of \$1,000,000. The bridge was destroyed in a flood. To do what this bill requires would not be fair to the other towns in the state. **Vote 18-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 144, relative to operation of boats on Spectacle Pond. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Pamela J Hubbard for Resources, Recreation and Development: The bill was written at the request of the owner of properties around Spectacle Pond, in Groton and Hebron. It removes a sunset clause set in 1985 that would prevent newer landowners from getting a permit to operate 7.5 horse power petroleum powered motors on Spectacle Pond. This permit is issued only to property owners with no other access to the town landing. The permit issued will last for the duration of ownership of the property and the boat. The bill as amended removes the necessity for re-applying for this permit annually, and instates a limitation to trips only to and from the pond’s landing. **Vote 15-1.**

HB 189, relative to swim lines in public waters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Christopher J Ahlgren for Resources, Recreation and Development: This bill prohibits the placing of a swim line on a public body of water without a permit. The permitting authority is placed with the Department of Safety. The bill also prohibits the operation of a boat within the designated swim area without permission of the permittee. The commissioner is given authority to place a reasonable fee for the application and renewal of the permits with legislative guidance. **Vote 16-0.**

HB 216, establishing a commission to study the causes, effects, and remediation of siltation in the Great Bay Estuary. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Elisabeth N Sanders for Resources, Recreation and Development: This bill would establish a 21 member commission to determine the many causes of the increasing deposit of sediments in the bottom of the Great Bay and its five tributary rivers. This sediment has had a negative impact on oyster beds, eelgrass cover and water depths. The formation of a diverse member

commission would provide a broad scientific assessment of the siltation process and recommend possible long term management solutions to a complex situation. The amendment made minor changes in the commission membership. Sediment has also reduced the navigability of the bay and rivers, restricting recreational use. **Vote 18-0.**

HB 440-FN, relative to the authority to quarantine to prevent dissemination of forest pests, relative to police training for forest rangers, and relative to forest resources and timber harvesting. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Marcia G Moody for Resources, Recreation and Development: This legislation addresses three forestry problems. The first section requires all forest rangers hired after January 1, 2005 to complete the preparatory training for full-time police officers, and to then be certified as full-time police officers. Forest rangers are often called upon to do law enforcement functions and often in remote locations. Many forest rangers have already attended police training, but by mandating it, we will help secure more slots in training programs. Secondly, the bill authorizes the Director of the Division of Forests and Lands to regulate the movement within the state of any wood product which may introduce or spread dangerous insects or diseases. Third, the bill requires a written contract for the purchase or sale of forestry products, with a penalty for failure to provide such a contract. This will prevent deceptive forestry business practices. The amendment made technical corrections. **Vote 17-1.**

HB 458, relative to the exemption of replacement or redundant wells from the large groundwater withdrawal permitting process. **OUGHT TO PASS.**

Rep. Donald A Brueggemann for Resources, Recreation and Development: This bill allows for the exemption of replacement or redundant wells from the large groundwater withdrawal permitting process. Applications submitted to DES for these wells must include hydrologic information to assure that the effects will be substantially the same as the well being replaced. The committee agreed that this would be adequate to allow for maintaining older wells without placing an undue burden on well owners. **Vote 20-0.**

HB 464, relative to Silver Lake in Belmont and Tilton. **INEXPEDIENT TO LEGISLATE.**

Rep. Lawrence M Kappler for Resources, Recreation and Development: This bill would have declared a certain height of water in Silver Lake in Belmont and Tilton as its "full lake level" and required that when the water rose two feet above that level, a no-wake zone would be instituted for the whole water body. The attorney general attested that this cannot be legislated, but must be established scientifically, which the Department of Environmental Services (DES) is in the process of doing. Further, the committee felt that establishing a no-wake area for certain sporadic time periods may be unworkable, but needs to be addressed with marine safety. Further research revealed that the problems of flooding of the lake can be addressed by property owner petition to DES via the Winnepesaukee River Watershed Advisory Committee. **Vote 18-0.**

HB 468, relative to establishing the freedom's way heritage area and commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judith T Spang for Resources, Recreation and Development: The purpose of this bill is to recognize, protect, promote and interpret the significant historic, cultural and natural resources of nine towns proposed for a NH freedom's way heritage area. An advisory commission would be established that would solicit, accept and manage gifts, grants and federal funds, coordinate activities and prepare annual study reports. The heritage area would complement a similar area in nearby Massachusetts. The amendment added a member of the Resources, Recreation and Development Committee to the commission, added Merrimack to the area, and included historic dams and bridges to the resources eligible for funding. **Vote 17-0.**

HB 498-FN-A, dedicating certain OHRV and snowmobile unrefunded road tolls to the fish and game department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald A Brueggemann for Resources, Recreation and Development: This bill dedicates certain OHRV and small snowmobile unrefunded road tolls to the Fish and Game Department. In addition to providing badly needed funds to Fish and Game, the Department of Resources and Economic Development (DRED) trails bureau asserts that it needs to keep its share for repair of damage to trails crossing state roads. These funds are the tax that has been applied to gas purchased for OHRV's, but which are entitled to a refund since they are not for on-road use. Most OHRV users do not apply for this refund. Currently that amount is dedicated to the Bureau of Trails based on an annual average estimated purchase of 50 gallons per registered OHRV and snowmobile. The bill would have increased the estimated average to 150 gallons to be equally split between Fish and Game and the Bureau of Trails. The committee questioned the estimate and therefore amended it to a more reasonable 100 gallons per registered OHRV and snowmobile. The net effect is that the amount of funds dedicated to the Bureau of Trails is unchanged and Fish and Game would receive an equal amount. The amendment also reaffirms that the funds shall be non-lapsing. **Vote 14-3.**

HB 531, establishing a tourism radio sign program. **INEXPEDIENT TO LEGISLATE.**

Rep. Sid Lovett for Resources, Recreation and Development: This bill would have established a tourist radio station program within the Department of Resources and Economic Development (DRED), such as that used in the Mt. Washington Valley. The bill focused on the roadside signs which would have been able to exceed the state's maximum sign size by a significant amount. The committee did not wish to use legislation to regulate the design of signs or the content of radio station broadcasts. **Vote 17-1.**

HB 664-FN, relative to annual dam registration and permit application fees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald A Brueggemann for Resources, Recreation and Development: This bill was initiated at the request of the Department of Environmental Services (DES) dam bureau to pay the cost of permitting and inspecting dams. It increases the

application fee for new dam permits and the annual registration fee for all dams. The filing fee was increased significantly, but the committee was presented with documentation showing it was justified for the bureau's expenses for permitting and classifying new dams. The increase in annual fees is needed to increase the bureau's ability to inspect more of the state's dams to identify those in danger of failure. The importance of these inspections was highlighted by last year's floods. The amendment removed a funding mechanism for the maintenance of state owned dams based on a per-foot fee on shore land properties. There is a very urgent need to fund dam maintenance, but the committee felt this was not the most workable method. **Vote 18-0.**

HB 837, relative to easements and the land and community heritage investment program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judith T Spang for Resources, Recreation and Development This bill clarifies language in the statute establishing term easements for farms by specifying that such an easement shall be available only to farms participating in an established farm viability program with the department of agriculture, markets and food. It further provides that when such a program ends, the easement shall also expire. The amendment replaces the original bill. **Vote 15-0.**

HB 899-FN-A, assessing a fee on water withdrawn for sale or resale from water supply sources in the state. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank A Tupper for Resources, Recreation and Development This bill established a fee of \$.10 per gallon of water withdrawn in excess of 50,000 gallons per day for sale or resale. The bill would have created many inequities for municipalities and private companies that supply water to local residents. The fee would also be too costly for in-state manufacturers of beer and soda and unidentified other users. SB 155, Chapter 305:1, Laws of 2003, the ground water study commission, will be studying this very complex concept in depth. **Vote 14-1.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 119, relative to the sunset provision of the system benefits charge. **OUGHT TO PASS.**

Rep. James M Garrity for Science, Technology and Energy: The system benefits charge is that portion of electric utility bills which is used to fund both energy efficiency and low-income electrical assistance programs. This bill eliminates the sunset provision of the low-income electrical assistance program; the sunset date was scheduled for June 30, 2008. The committee feels that the low-income electrical assistance program is a very effective program which helps many of our neediest fellow citizens with their electrical energy costs. The program is well run and is reviewed at least annually by the Public Utilities Commission and several legislative oversight committees. This beneficial program should be continued at current levels. **Vote 10-0.**

HB 415-FN, establishing a geothermal assessment project. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John H Thomas for Science, Technology and Energy: The committee feels the issue of renewable energy is very important and any discovery or exploration of source is part of the overall issue. The state geologist brought forth a concern with the reporting date. The amendment takes care of that issue. **Vote 14-0.**

HB 751-FN-A, relative to biodiesel road toll revenue. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas R Fargo for Science, Technology and Energy: This bill requires the road toll administrator to estimate the road toll paid on biodiesel used for off-road purposes and pay that amount into a biodiesel development fund. The committee unanimously agreed that insufficient data are available to accurately estimate the amount of biodiesel used off-road, although estimates suggested that the fund would receive less than \$10,000 annually. In addition, the bill lacked clarity on how the biodiesel development fund would be used. While the intent of the bill was to promote a greater use of biodiesel for environmental benefits, the committee recognized that existing incentive programs could be enhanced to serve that purpose.

Vote 14-0.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 832-FN, relative to financial relief for members of the military reserve or national guard called to active duty. **INEXPEDIENT TO LEGISLATE.**

Rep. Alfred P Baldasaro for State-Federal Relations and Veterans Affairs: It was very clear that the purpose of this bill was to address serious financial problems that sometimes occur as the result of long term federal deployment. However, it was determined that the Service members Civil Relief Act of 2003 (SCRA) formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940 (SSCRA) and RSA 110-C: 2 (National Guard Rights and Protective Act) provide a very high level of protection for our men and women who go in harm's way. Additionally it was determined that some parts of HB 832-FN could cause serious and unintentional legal problems and wouldn't be in the best interest of our citizen soldiers. **Vote 11-0.**

TRANSPORTATION

HB 110, relative to commercial driver licenses when the license holder fails a drug or alcohol test. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael B O'Brien for Transportation: The bill attempted to put into place additional requirements or penalties for commercial drivers who fail drug or alcohol tests. The goals of the sponsor and the interest of the sponsor in safety is

compelling. Nevertheless, as ably demonstrated by the NH Motor Transport Association, federal regulation in this area is comprehensive and the addition of further requirements at the state level would not measurably increase the public safety. Correspondingly, the bill is inexpedient to legislate. **Vote 12-0.**

HB 176, relative to the return of replaced parts by a motor vehicle repair facility. **INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer M Brown for Transportation: The bill attempts to alter the process of alerting customers to the return of parts after auto repair. Current law adequately covers the return of parts to consumers and the proposed legislation would not demonstrably add to the limited interest in the motoring public in having parts returned. Correspondingly, the bill is inexpedient to legislate at this time, but the committee will keep a vigilant eye on future legislation relating to old parts consistent with ongoing efforts around the State to carefully manage waste. **Vote 12-0.**

HB 182-FN, relative to indicating the branch of service on special number plates for veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter F Bergin for Transportation: The committee appreciated the intent of the sponsor to recognize branch of service on special number plates for veterans. However, the Department of Safety presently does not have the computer system to handle tracking the different branch of service decal. In addition it would add additional cost to implement such a system. It was suggested that the American Legion implement this program, but the committee was never presented a plan. In addition the committee felt that if we made an exception to the veteran plate we would then be inundated with other groups for special plates. **Vote 17-0.**

HB 202, relative to a point system for automobile dealer and inspection station violations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherman A Packard for Transportation: This bill, as amended, sets a point system in place for licensed automobile dealers and licensed inspection stations. The New Hampshire Automobile Dealer's Association has requested this legislation so a fairer, unified system be put in place when an infraction occurs. Now, whether it is a small or large infraction a dealer license or inspection station license can be revoked because of the lack of any uniformity or predictability. The point system clearly outlines prohibited conduct and penalties and removes the chance of unfair results. This bill would also protect a dealer from being severely punished because of the unknown actions of a bad employee. **Vote 17-0.**

HB 209, relative to eligibility for farm plates. **OUGHT TO PASS.**

Rep. Brenda L Ferland for Transportation: This bill will require the use of a specific form. The form will establish the eligibility for farm plates when registering vehicles with the town clerks. There is a difference between agricultural plates that cost less, the miles to be traveled are restricted and vehicles have some inspection requirements compared to farm plates that cost more and have restrictions of 16,000 pounds and 74 cents a pound thereafter. The Department of Safety and Commissioner of Agriculture support this bill. This bill was a recommendation of the recent farm study. **Vote 17-0.**

HB 449-FN, relative to motor vehicle inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Jim Ryan for Transportation: The bill seeks to alter the current requirement of annual inspections of motor vehicles to a biennial requirement. The annual requirement is rooted in the state's interest in safety and to assure that at least once a year as part of the registration process that a qualified and competent person examines the motor vehicle to assure compliance with our motor vehicle laws and to assure that fundamental systems such as brakes, tires and the like are examined to assure that the public safety on our highways is valued. The bill was opposed by the Department of Environmental Services as inconsistent with current emission control laws that require an annual inspection. The bill was opposed by the division of motor vehicles which flatly noted the change would harm safety. The bill was opposed by NH Automobile Association that referred the committee to findings by the National Highway Traffic Safety Administration (NHTSA) in a recent report that found that states with annual inspection requirements had accident rates that were 20% lower than in states that did not. The clear and convincing message from the testimony was to retain the annual inspection requirement. **Vote 12-0.**

HB 714-FN, relative to motorized watercraft rental agencies. **OUGHT TO PASS.**

Rep. Jim Ryan for Transportation: Interest in safety along the state waterways has intensified in recent years as the popularity of recreational boating along our lakes has increased. This bill increases the state's interest in safety on our lakes and waterways by requiring those who rent boats to provide the rental agent with clear certification that the renter understands safety regulations and is conversant with the state's interest in boating safety. NH boat owners and recreational users are obliged by a variety of regulations and laws to promote and insure boating safety. Current law only requires an all-too-brief declaration by a renter that he or she is familiar with our law. The committee believes that renters should come under the same regulatory oversight as local residents. **Vote 12-0.**

WAYS AND MEANS

HB 347, establishing a committee to study establishing classes of property to be taxed at different rates under the statewide enhanced education tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Peyton B Hinkle for Ways and Means: If established, this committee was to consider classes of property including "primary residential," "second homes," "business and commercial," and "resident and non-resident." The committee was concerned that this could lead to business and commercial properties being taxed at a higher rate, which would be regressive to

economic development. On the other hand, if residential property was taxed at a higher rate, an undue tax burden would be placed on the individual home owner. There was also a concern over establishing tax rates for mixed use properties which could lead to ambiguities in taxation. **Vote 16-0.**

HB 351, clarifying that the definition of "overseas business organization" includes all foreign incorporated business organizations and all 80/20 business organizations, and redefining "business activity" for purposes of the business profits tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Norman L Major for Ways and Means: This bill was requested by the Department of Revenue Administration and Section 1 of this bill is a technical correction, which is very important to Business Profits Tax statutory clarity. Laws must evolve to fit today's economic systems. The Business Profits Tax was formulated in 1970; 2007 is not the same economic world. This change follows a national trend to clearly define who should file and what their tax is based on. A number of other states have adopted these economic nexus statutes. You do not have to have a physical presence here to have economic nexus. If business organizations are availing themselves of the benefits of the NH economic markets, including such factors as our well educated workforce, our court system, and our banking and consumer and protection laws, then they have economic nexus. This correction places language in the statute to tell out-of-state headquartered businesses they must file if they do business in NH. This does not change how we tax or what we tax. However, those that perceive there is a tax planning opportunity if you don't use the common language may attempt to avoid NH tax. Sections 2 and 3 are true housekeeping sections. They make it clear as to who can be a member of a "water's edge combined group." The "water's edge" we talk about is the Atlantic and Pacific oceans – the bounds of the US. The changes in the four definitions used for 1) "Water's edge Combined Group," 2) "Foreign dividends," 3) "Foreign property, payroll and sales," and 4) "Overseas business organizations," will bring the language the state uses in agreement with the language used by the Internal Revenue Code. The amendment corrects statute references in section 1 and 2 of the bill to read "RSA 77-A:1." **Vote 17-0.**

HB 354, establishing a committee to study the feasibility of establishing ecological consumption taxes as a source of revenue for the state. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael G Marsh for Ways and Means: This legislation would have established a joint study committee to determine whether or not to establish one or more taxes on the sources of pollution in the state, including carbon dioxide. Without passing judgment on the merits of the bill, the committee noted that there is a similar bill, HB 165, establishing a committee to study carbon reduction incentives, already before the Science, Technology, and Energy Committee. There is no need to establish two study committees, and the specifics of this bill will be considered as part of HB 165. **Vote 16-0.**

HB 372-FN-A, exempting motor vehicles equipped and used for transporting disabled persons from the tax on rental of motor vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ron J Mack for Ways and Means: The purpose of the bill is to relieve disabled persons and their families of the car rental tax burden. After hearing testimony from various parties including companies specializing in the rental of handicap equipped vehicles, the committee believes that the existing rental tax imposes an undue financial hardship on the majority of users and their families. The Department of Revenue Administration indicates this bill will decrease state education trust fund revenue by an insignificant amount in FY 2008 and each year thereafter. The department states it can absorb the cost of administering this bill within its existing budget. **Vote 16-0.**

HB 452-FN, dedicating a percentage of liquor, wine, and beer revenues to the education trust fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael D Brunelle for Ways and Means: This bill would have taken 3% of liquor, beer, and wine revenues from the general fund and dedicated them to the education trust fund. Although the committee appreciates the sponsor's desire to address our state's education funding predicament, we believe the redistribution of revenue would not only fail to adequately address the issue, but also result in cuts in programs that rely on the dollars removed from the general fund. In addition, the committee felt that the passage of this legislation could lead to the habitual dedication of future general funds, and ultimately set a precedent that jeopardizes the long-term stability of other state services. **Vote 16-0.**

HB 843-FN, requiring excess revenue stabilization reserve account funds to be used to make payments to all homeowners of primary residences in this state. **INEXPEDIENT TO LEGISLATE.**

Rep. Norman L Major for Ways and Means: This bill required excess revenue stabilization reserve account funds to be deposited in a new "Homeownership Incentive Account" to be used to make equal payments to all homeowners of primary residences in this state to provide an incentive for continued homeownership in the future. The sponsors did not know how much it would cost to implement or how to accomplish the payments to all homeowners. Part of the cost is to identify and update the list of eligible homeowners in the state and their address. The cost for sending payments out to homeowners could exceed the costs of the excess reserves since only a few dollars could trigger this mechanism. The committee felt if there were excess revenues it would be better to reduce tax rates, thereby benefiting all tax payers. **Vote 16-0.**

TUESDAY, MARCH 6

REGULAR CALENDAR

COMMERCE

HB 77, prohibiting cancellation of property and liability insurance on the basis of certain political activities. **INEXPEDIENT TO LEGISLATE.**

Rep. James R Martin for Commerce: This bill applies to excess coverage or umbrella coverage which is generally sold with limits of one million to five million dollars. The testimony from the insurance department and others was that excess coverage is widely available. Some excess carriers, based upon their own business judgments, exclude coverage for sports figures, radio and TV broadcasters, entertainers, politicians, editors and other high profile people. Some excess carriers exclude some of these risks, others cover them. Coverage is available at reasonable rates. This bill would harm small insurance companies in the state who do not have the resources to underwrite one to five million dollar risks. They have to reinsure those risks with reinsurers, all of whom are domiciled out of state. Those reinsurance companies make their own underwriting decisions. The bottom line is that the insurance is generally available. **Vote 12-4.**

HB 102, relative to requirements for restaurants operating cocktail lounges. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John B Hunt for Commerce: The original bill was an attempt to address the problems the city of Manchester has had with several "restaurant" establishments. Under current law, every restaurant with sales less than \$75,000 must have food sales equal to liquor sales. The problem seems to be that non-alcohol drinks are considered food. The amendment defines food as a "solid nutritive material as distinguished from drink." The majority of the committee felt this was a necessary clarification of the current law. **Vote 12-5.**

HB 599-FN, requiring restaurant operators to produce a meals and rentals licenses in order to obtain a liquor license and establishing an annual renewal fee for meals and rentals licenses and a penalty for failure to renew such license. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James R Martin for Commerce: This bill was introduced at the request of the Department of Revenue Administration (DRA) to enable DRA to keep track of restaurant and restaurant licensees, many of whom change hands without notifying DRA thus making the collection of the meals and rentals tax difficult. In years past, restaurants and rental licenses expired every two years but the statute was amended to make the licenses of indefinite term. As a result of that experiment, DRA has found it difficult to track the current owner of some facilities in order to collect the tax. This bill solves that problem at minimum cost and inconvenience to the owners. **Vote 16-2.**

HB 874-FN-A, establishing a New Hampshire health access corporation, continually appropriating a special fund, and allowing the healthy kids corporation to cover certain adults. **INEXPEDIENT TO LEGISLATE.**

Rep. John B Hunt for Commerce: Although this bill calls for an appropriation, there was no dollar amount in the bill. The committee is working on another bill that will have a similar task to broaden affordable insurance options in New Hampshire. **Vote 17-1.**

EDUCATION

HB 661-FN-A, establishing an executive planning commission on special education. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Nancy F Stiles for the **Majority** of Education: This bill is the first of six and the only early bill coming forth this session from a committee charged to review New Hampshire's special education statutes. HB661-FN-A repeals RSA 189-C:21 and 189-C:22 and replaces them with a planning commission to be established for one year to identify the personnel shortages that affect the capacity of schools to provide educational services to children with highly challenging needs or low-incidence (uncommon) disabilities. There is nothing in the current RSA 186-C:21 that isn't covered in federal law so there will be no negative effect on students or the local districts. The commission is to address opportunities and resources to support the local school districts in developing scientifically based student specific supports to assist the schools in eliminating out of district private or public placements, all of which have high human and financial costs. The commission will also address the pre-service and in-service educational opportunities for professionals, paraprofessionals and administrative personnel in our college and university system and identify how they might identify the emerging special education needs and provide support to the local districts in evaluating or plan design. The strategic plan is to be reported to the General Court and the Governor by October 1, 2008. The study committee that worked over the past ten months with five subcommittees and came to consensus on the final draft of this bill included representation from six legislators, three having a background in special education, the Department of Education, the Special Education Directors Association as well as active directors, consultants, parents, homeschools, charter schools, Disabilities Rights Center, school board members, legal representation of students and parents of students with disabilities, Parent Information Center, members of the State Advisory Committee (SAC) and presentations from the Dept. of Health and Human Services, the Dept. of Corrections and South Eastern Regional Education Service Center (SERESC). **Vote 11-4.**

Rep. Paul Ingbretson for the **Minority** of Education: Though presented as a bill to create a commission, this bill actually of itself changes five points of New Hampshire law related to developmentally disabled children. The removed statutes are

actually part of federal requirements, yet reasons for their removal were not forthcoming.

HB 669-FN-A-L, relative to kindergarten aid and kindergarten construction aid. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Judith E Day for the **Majority** of Education: This bill extends policy of 1997 to provide school districts \$1200 per pupil in aid for new kindergarten students until said students are counted in the average daily membership for kindergarten. It also extends aid for construction of kindergartens. This aid provides an incentive for districts to establish public kindergarten programs where none currently exist. The chance to participate in kindergarten provides an added opportunity for an equitable education for all New Hampshire students. This bill could cost the state \$14 million only if 66 classrooms were built in all of the districts currently without kindergarten and 15 children were in each of these classrooms. **Vote 11-3.**

Rep. Paul Ingbretson for the **Minority** of Education: Department of Education numbers indicate this bill would cost, even as amended, an additional \$14 million. It would increase pressures on districts that have repeatedly opposed such programs and construction. The money does not follow the child.

HB 693-FN-A-L, establishing a school choice certificate program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kimberley S Casey for the **Majority** of Education: This legislation, which establishes a school choice certificate (voucher) program, is identical to HB 1707 of 2006 which was voted down by a sizable margin. Nothing new has been added to this bill to address the concerns that led to its defeat last year. Those same concerns were not addressed to the satisfaction of the majority of the committee during its most recent hearing. The bill as it stands continues to violate the New Hampshire Constitution (Part 1, Article 6, and Part 2, Article 83), which specifically and unequivocally forbids public monies to be used for sectarian schools. The US Supreme Court finding regarding the Cleveland School District does not in this case apply, as it was a very narrow finding and does not trump New Hampshire Constitutional law. Additionally, as education policy, the majority of the committee felt that school choice programs should be implemented through school districts, and existing laws already provide for that. As written, the law would drain scarce revenues away from public education. When districts already face federal cuts, NCLB unfunded mandates, escalating special education costs and tighter state resources, draining another 17.9 million dollars in state aid to public education, as this bill provides, was considered ill advised. This bill will not help children by draining money from the public system, and draining this money could feasibly force local districts to make up this money leading to higher local school taxes. The bill as written disallows eligible families who already have their children in private school, at their own expense, to participate in the program. This bill, as written, allows private schools to accept only those students it chooses, and the sponsor was unable to address the areas of concern that private schools may, in fact, not accept children with special needs. Worse, if a special needs child is accepted, it is up to the local PUBLIC school to provide those services. **Vote 8-4.**

Rep. Pamela G Price for the **Minority** of Education: The minority believes that we must offer choice in education for our students who don't succeed in the public schools. This bill proposes to provide a certificate to the parents for the child's tuition at an approved non-public school. The certificates are distributed by lottery to students whose family income does not exceed 200 percent of the federal poverty level. This may be raised to 300 percent if there are unused certificates. The value of the certificate is less than the state aid. The bill addresses the constitutional issues by making the voucher payable to the parents. This is essentially the same bill which passed the Education Committee last term. The minority believes that this is about helping our children achieve an education. There are some children, for whatever reason, who don't succeed in the public school system. We must provide alternatives for these students. This bill provides some options for low income students which they might not have otherwise. For these reasons, the minority supports ought to pass.

HB 861-FN, allowing certain members of the United States armed forces and their dependents to attend public postsecondary institutions at the in-state resident tuition rate. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sharon M Carson for Education: This bill recognizes the service of our active duty members of our armed forces and their dependents. It allows those active duty members and their dependents stationed in New Hampshire or living in New Hampshire with duty stations in contiguous states to attend New Hampshire post secondary institutions at the in-state tuition rate. **Vote 7-4.**

HB 870-FN-A-L, relative to the calculation and disbursement of adequate education grants. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Ingbretson for Education: At the public hearing, both sponsors testified that the bill as it was before the committee was intended to be only the starting point for a major and comprehensive revision. It represented a current version of what had first been enacted in 1999 and remained in law with only minor changes for more than four years. As the two sponsors strongly believe that all four issues concerning an adequate education should be addressed simultaneously and comprehensively this year, they expressly asked the committee not to retain this bill. **Vote 11-2.**

ELECTION LAW

HB 112, relative to the method of depositing a ballot. **INEXPEDIENT TO LEGISLATE.**

Rep. Janet F Allen for Election Law: This bill deals only with towns that hand count their ballots and would require the voters to deposit their ballots into the ballot box without any assistance from the moderator. The secretary of state's office testified in

opposition to this bill. They believe that it would be too easy to duplicate the ballot. If we are going to question the integrity of ballot counting machines and the possibility of election fraud, then we should look at all aspects of election fraud including voter fraud. The purpose of the moderator touching the ballot is to insure that there is only one ballot. The majority of our committee did not believe that there is a problem with the process that is now in effect. **Vote 8-7.**

HB 136, relative to approval of voting machines. **INEXPEDIENT TO LEGISLATE.**

Rep. David M Pierce for Election Law: The majority of the committee voted against this bill as a matter of process, not necessarily as a substantive objection to the bill's subject matter. Other legislation dealing with issue related to this bill are forthcoming and the committee will retain some of those bills for further study. It is contemplated that portions of this bill will be consolidated with those retained bills. In this way, the committee can study and report out a comprehensive bill dealing with all aspects of the subject of electronic vote counting machines used in New Hampshire elections. **Vote 13-4.**

HB 138, relative to disclosure of voting machine information. **INEXPEDIENT TO LEGISLATE.**

Rep. Claudia A Chase for Election Law: The majority of the committee voted against this bill as a matter of process, not necessarily as the substantative objections to the bill's subject matter. Other legislation dealing with issues related to this bill are forthcoming and the committee will retain some of those bills for further study. It is contemplated that portions of this bill will be consolidated with those retained bills. In this way, the committee can study and report out a comprehensive bill dealing with all aspects of the subject of electronic vote counting machines used in New Hampshire elections. **Vote 15-2.**

ENVIRONMENT AND AGRICULTURE

HB 239-FN-A, appropriating funds to the barn preservation fund matching grants program. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TOT LEGISLATE.**

Rep. Jane E Beaulieu for the **Majority** of Environment and Agriculture: Locating financial resources to do repairs and updates has led to many barns demise in recent years. Some are dismantled and sold to other states. Funding this bill would assist maintaining a valuable New Hampshire resource – agricultural heritage. **Vote 15-1.**

Rep. Steve Vaillancourt for the **Minority** of Environment and Agriculture: Like the bill calling for state support for educating a “large animal” veterinarian, this bill provides special funding for a purpose far from vital to our society or our state. As such, even though the bill will have to go to the Finance Committee for final adjudication, the minority feels obligated to express opposition at this time. The Governor, in his budget, called for a \$12 million appropriation for LCHIP. This bill would commit another \$75,000 per year (\$150,000 for the biennium) to the barn preservation fund which has not been previously funded. At a time when we are uncertain about education funding; at a time when the developmental disability waiting list totals 150 or more individuals; at a time when so many vital state services will go unfunded, the minority cannot in good conscience recommend barn preservation as a priority. Even if this type of thing were to be a priority, monies should certainly come from the LCHIP monies even if an amendment to the LCHIP bill is needed to achieve that. Truly, government cannot be all things to all people, but we must put people ahead of barns whose owners already got a potential windfall with the bill passed earlier this session.

HB 472-FN, increasing fees for hazardous waste management and contaminated site cleanup, establishing rulemaking authority to set future fees, and changing reporting requirements. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jane E Beaulieu for the **Majority** of Environment and Agriculture: This bill would increase fees for hazardous waste management and contaminated site clean up and changes reporting requirements for various waste activities. This legislation does not overly burden one segment of the economy and funds current programs. This is New Hampshire's superfund. The amendment restricts fee increases to those on existing fees specified in the legislation by removing language in the original bill that would have established new fees and allowed for future increases of existing fees through rulemaking. **Vote 17-1.**

Rep. Steve Vaillancourt for the **Minority** of Environment and Agriculture: These fee increases are in the range of 50 to 100 percent. The majority argues that such a hefty boost is okay because the fees haven't been increased in years. The minority responds that such an argument would be laughed at if we suggested doubling the rooms and meals tax, the business profits tax, the telecommunications tax, the gasoline tax or any other tax simply because it hasn't been increased in years. With fee increases, the increase is even worse because fees are supposed to represent the cost of providing the service rendered. In a sense, we are already overcharging with fees if we consider a fee based on the cost of processing applications. This bill would increase the amount of one application from \$5000 to \$7500. Assuming that an employee is paid \$30 an hour (and even allowing for departmental overhead of 10%), simple math leads us to believe that 225 hours would be taken for such processing (\$7500 less 10% = \$6750 divided by \$30 = 225 hours). Clearly, these fees are being used to accomplish other goals which should be funded out of the general fund (if such programs are necessary at all). Until such a time, we should not be increasing fees, all the more so when DES acknowledged that the fund to accomplish these programs is currently at a \$3 million surplus. The minority believes that, if anything, we should be reducing these fees. The minority, however, believes the amended version is somewhat better than the original which would have allowed DES to set fees in the future without coming to the Legislature for a full-blown hearing and vote.

HB 897-FN-A, relative to the salary of the state veterinarian. **MAJORITY: OUGHT TO PASS. MINORITY:**

INEXPEDIENT TO LEGISLATE.

Rep. Richard H Snow for the **Majority** of Environment and Agriculture While members of the committee, and indeed, the full House, may or may not support a change in salary for the current state veterinarian, this bill is not intended to address that question. The majority of the committee reached a consensus that there is a need to increase the salary range applicable to the state veterinarian position in order to ensure that our state will be able to attract and retain competent and qualified people to fill this vital position. The committee heard and carefully considered testimony about the duties and responsibilities of our state veterinarian. The committee heard and considered testimony relative to salaries for state veterinarians in neighboring states. The committee considered the fact that the search for our current state veterinarian went on for over a year. The committee determined, based on testimony and deliberation, that the current salary range for the state veterinarian position is inadequate and recommends reclassifying it to a higher range. **Vote 12-3.**

Rep. Steve Vaillancourt for the **Minority** of Environment and Agriculture The minority does not believe that policy committees which come into contact with department heads and other state officials on a regular basis should be in the business of suggesting increased pay grades for any individual or individual positions. In the past, special blue ribbon commissions have properly considered pay grades. These commissions could look at the overall state picture and not make recommendations due to any personal consideration. In other words, personal favorites should not influence personnel. Clearly, that is what the majority did since much of the discussion regarding this pay classification centered on an individual and not on the position. The amount of money involved here is small, a difference of some \$20,000 at the maximum level of the two pay grades, but the principle of abandoning the long-standing way of evaluating state job classifications and leaving it up to a policy committee with its natural biases in favor of those it deals with is of tremendous concern to the minority.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

CACR 11, relating to the term of office for governor. Providing that beginning with the 2010 general election, there shall be a 4-year term of office for governor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. A Laurie Harding for the **Majority** of Executive Departments and Administration: The majority of the committee felt that it was, once again, important to put this issue before the voters in the form of a constitutional amendment. The four year term was last presented to the voters in 1984. 63.61% voted in favor of a four year term, narrowly missing the required 66.67% needed for adoption. Recent polls indicate that 58% of the individuals polled would support such a change. New Hampshire is one of the only two states that has a two year term for governor. The other is Vermont. New Hampshire is a very different state than it was in 1984. Our demographics have changed. Health care delivery, the economy, the environment are presenting us with more complex problems. Our relationship with the federal government is becoming more challenging. A four year gubernatorial term would give the individual in our primary leadership position an opportunity to govern instead of running for office. Governors need a chance to establish and carry out their agendas. The passage of CACR 11 is about strengthening the future of our state **Vote 9-8.**

Rep. Hector M Velez for the **Minority** of Executive Departments and Administration The minority firmly believes in the people's right to be heard every two years in the election of governor. We elect our federal congressional representatives, state representatives, state senators, and executive councilors every two years. By changing the governor's term to four years, it removes the people's right to express their opinion on how the governor's policies are being received. We heard that one of the reasons this bill was brought forward was because New Hampshire and Vermont were the only two states without a four year term. We believe that we should remain independent in having a two year term. Historically, the governor has been elected to a second term in office. This has happened because we have no term limits, and the people of our state, by voting every two years, have made the decision of who will lead us. This bill takes away the New Hampshire advantage. We were also told the governor has to think too much about re-election, and we believe that this is a good idea.

HB 155, relative to membership of the state building code review board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. A Laurie Harding for Executive Departments and Administration: This bill would add a 17th member to the Building Code Review Board. This individual, nominated by the Fire Prevention Society, would bring an additional level of technical expertise to the board. The bill was amended, at the request of the fire chiefs, to replace one chief's position with an "active fire prevention officer" nominated by the New Hampshire fire chiefs leaving the number on the board at 16. **Vote 14-3.**

FISH AND GAME

HB 871-FN-A, allowing the fish and game department to conduct an annual auction of moose hunting permits.

INEXPEDIENT TO LEGISLATE.

Rep. John W Henson for Fish and Game: This bill would have permitted auctioning of three moose permits to the highest bidder, resident or non-resident, for a minimum of \$5000. The committee voted not to support this bill for the following reasons: the amount of money raised would not alleviate the funding crisis in the Fish and Game Department, and the wildlife belongs to the general public and should not be auctioned to the highest bidder for short term gain. **Vote 6-5.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 628-FN-A, establishing the New Hampshire Rx advantage program and continually appropriating a special fund.

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

Rep. James R MacKay for the **Majority** of Health, Human Services and Elderly Affairs: This bill establishes the New Hampshire Rx Plus Program. The intent is to make drugs more affordable for those who are low income, uninsured individuals. It is an attempt to deal with one aspect of the delivery of health care services to those who are disadvantaged. The bill calls for a prescription discount card to be used in pharmacies, and, in addition, it directs DHHS to enter into rebate agreements with pharmaceutical companies. This bill has been many years in the making. It is supported by AARP and the New Hampshire Independent Pharmacy Association. It is patterned after a successful similar bill in the State of Maine that has led to discounts of 15-60 percent to low income, uninsured individuals for drugs from pharmaceutical companies who participate in the Medicaid program. This program has been upheld all the way to the United States Supreme Court as being constitutional and being consistent with the goals of Medicaid. The amendment to this bill is designed to help pharmacies from inadvertently being in conflict with the state's "most favored nation" law; while participating with this plan, they are exempted from the penalties of RSA 126, IV. The committee strongly supports this legislation. **Vote 18-1.**

Rep. Susan Emerson for the **Minority** of Health, Human Services and Elderly Affairs: The major point of the controversy in this bill is a provision that is referred to as "The Hammer." "The Hammer" clause says that if a particular drug company chooses not to provide discounts under this program then the state may make it harder for New Hampshire citizens to obtain that company's drugs under the Medicaid program by implementing prior authorization. The bill gives the state the option to leverage the Medicaid program to obtain discounts for others and it could backfire on the poorest of the poor. The State of Maine enacted a law with "The Hammer" clause; however, that state has told the United States District Court that Maine would request a waiver if it planned to implement "The Hammer." So far, there has been no indication in Maine that "The Hammer" will be used. Since Maine has made this commitment to the court and has not, to anyone's knowledge, begun the process of seeking federal CMS (Center for Medicare and Medicaid Services) approval, it is reasonable to believe that drug companies are choosing to participate or not to participate in Maine based on other business considerations. Other states, such as Ohio, have not included "The Hammer" in their statutes. "The Hammer" is the minority's primary opposition to this bill and, unless it is removed, the minority thinks the bill should be ITL. There are also concerns about the fiscal note.

HB 721, relative to the appropriation to the department of health and human services for rates paid for nursing services. **OUGHT TO PASS.**

Rep. Thomas E Donovan for Health, Human Services and Elderly Affairs: This bill pertains to the so called "budget neutrality factor" in both county and private nursing homes. The "budget neutrality factor" is a flat percentage cut in Medicaid reimbursement rates which the Department Of health and Human Services makes semi-annually when it sets the nursing home rates. The "budget neutrality factor" was created because the complex system which the Department uses to determine rates routinely shows that county and private nursing homes should be paid more than what the Legislature has appropriated in the state budget. However, it turns out that since 2002, the Department has actually been lapsing millions of dollars at the end of the fiscal year out of the nursing home line item in the budget. Just out of fairness, the Department should not on the one hand be telling nursing homes that rates have to be cut because there is not enough money in the budget, and then on the other hand be lapsing millions of dollars because the Department says that there is a surplus in the nursing home appropriation. **Vote 14-2.**

JUDICIARY

HB 184, repealing the parental notification law. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Bette R Lasky for the **Majority** of Judiciary: This bill seeks to repeal RSA 132:24-28 first enacted by HB 763, Chapter 173, Laws of 2003 and scheduled to become effective December 31, 2003. Before the effective date, Planned Parenthood of Northern New England and 3 other plaintiffs brought suit in the United States District Court for the District of New Hampshire to have the new law declared unconstitutional and prevent it from being enforced. Since then, three courts, the United States Supreme Court, the First Circuit Court of Appeals and the Federal District Court for the District of New Hampshire have all found that RSA 132:24-28 is unconstitutional. The law has never been in effect because the State has been permanently enjoined from implementing it. The Judiciary Committee feels that this legislature should repeal this law and that no more legal or judicial resources should be expended. An unconstitutional law should not be the foundation for any further legislative action. The committee believes that the best course now is to repeal the existing law and allow this legislature, if it should so desire, to bring forth a new bill that is built on consensus, rather than demands from the courts, and that will protect a woman's right to safe and sound reproductive health. **Vote 12-5.**

Rep. David J Bettencourt for the **Minority** of Judiciary: Proponents of the repeal cited two reasons to repeal the parental notification statute: 1. The constitutional question raised by the U.S. Supreme Court in the case of a "health emergency" when there is no time to notify a parent; and 2. If it is not repealed, it is wrong for a judge to write language to address the constitutional amendment. The Supreme Court ruled that the lower courts erred in ruling N.H.'s parental notification law wholly unconstitutional. The Court upheld the N.H. statute, but remanded the question on an emergency health exception back

to the lower court. Emergency health exceptions in states required to keep data account for less than 1% of teen abortions. An amendment was presented that addressed both of these concerns. The language defining an “emergency health exception” in the amendment has already been tested by the U.S. Supreme Court in *Planned Parenthood v. Casey*, 505 U.S. 833, 112 S.Ct. 2791 (1992) – a challenge of the Pennsylvania law. The Court, in upholding Casey’s “emergency health exception” observed “the Pennsylvania legislature in crafting this language clearly demonstrates they know how to define an emergency health exception.” There is a judicial bypass in the N.H. statute for mature teens or those in abusive situations. The proposed amendment also clarifies 24/7 access to a judge in the bypass process as well as assures confidentiality.

MUNICIPAL AND COUNTY GOVERNMENT

HB 222, relative to residency requirements for members appointed to historic district or heritage commissions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Larry Brown for the **Majority** of Municipal and County Government: The committee was appreciative of the goal and purpose of the bill and of the willingness of non-residents to serve on historic commissions in communities where they have a “demonstrated interest and ability.” However, it was the opinion of the majority that the rights of the residents of a municipality should not be diluted by extending any voting privileges to non residents. The bill, as presented, does not provide for a permissive enabling vote of the local legislative body prior to its implementation. **Vote 13-4.**

Rep. Mary R Cooney for the **Minority** of Municipal and County Government: This bill was brought forward with the simple intent of allowing one non-resident to be appointed to an historic district or heritage commission as long as that person had interest in serving and owned property in that municipality. The argument that this would be heading down a slippery slope seemed somewhat over blown, considering the limited power of one vote on one commission.

HB 456, limiting liability for town health officers when acting in the course of their official duties. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betsey L Patten for Municipal and County Government: Health officers are appointed by the Commissioner of the Department of Health and Human Services as recommended by the town selectmen per RSA 128. However, if the selectmen do not recommend a health officer the commissioner may appoint without recommendation. The health officer serves as a liaison between state officials and the local community. Some of their duties are to inspect daycare/foster homes, septic system failures, drinking water facilities, swimming places, along with inspection of schools, homes, slaughterhouses and tattoo parlors. The committee heard testimony that a health officer was sued in Dublin because of a septic system failure. Neither the town nor the state supported the health inspector in the court case. The health officer is currently waiting for a ruling from the Attorney General. In our litigious society, if there is any question about indemnification for our local officials or employees the statute should be explicit. The amendment includes the overseers of public welfare to those who are indemnified. **Vote 14-3.**

HB 868-FN, relative to a surcharge on recording documents with the register of deeds to fund the land and community heritage investment program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Betsey L Patten for the **Majority** of Municipal and County Government The Land and Community Heritage Investment Program, LCHIP, is a well-established program supported by many New Hampshire citizens. HB 2, the budget trailer bill, has included budgeted funds for LCHIP for the last three years. The Governor, in his budget addresses included funding for LCHIP in the amount of \$12 million. Now, this bill is seeking funding for LCHIP through a new \$40 surcharge for each recording (or page) at the Registry of Deeds. For example, a person who goes through a real estate transaction with a three-page deed may expect to pay at least \$120 for the deed. New Hampshire has the highest real estate transfer tax in the country, and this would be an additional tax above and beyond the already high fees our citizens pay. This is a guaranteed and dedicated cash flow for LCHIP. The majority of County Registrars of Deeds are opposed to this legislation, adding that it would be an unworkable system to administer, both cost and time-wise. While taking no direct position on the bill, the Department of Revenue Administration had several questions relating to how this tax could be implemented, including but not limited to the use of public money going to private funds with no oversight and loopholes such as transfers to spouses. While many of the majority support the goals of LCHIP, they do not agree with a dedicated funding source in our state where our constituents have many needs, including but not limited to such areas as housing and health care costs, which are also partially funded by the state but with no dedicated revenue stream. The budget process should consider all priorities and needs of our constituents and this bill is proposing to remove LCHIP from that process with a dedicated funding revenue stream. **Vote 9-8.**

Rep. Anthony F Simon for the **Minority** of Municipal and County Government: LCHIP, as originally enacted, represents a partnership among the state, municipalities and other entities to protect priority natural, cultural and historic resources. For every dollar of state funding made available through LCHIP, on average, approximately six additional dollars have been leveraged for projects protected to date. The minority feels that LCHIP serves as a great catalyst for projects which help to preserve local identity through community master planning and the work of municipal planning boards, conservation commissions and others. LCHIP has the support of many New Hampshire residents. Despite having been in existence for merely eight years, LCHIP has had a significant impact on efforts to protect our treasured land and cultural resources. The minority believes that, although \$12 million dollars has been allocated in the governor's budget, this line item has the potential to be greatly reduced, owing to revenue predictions as well as the need to fund other critical state programs. HB 868 proposes a

dedicated funding source that will provide LCHIP with a relatively consistent level of funding. HB 868 proposes generating revenues for LCHIP through a surcharge on recording documents with the register of deeds. The minority acknowledges that there are other ideas being put forward to fund the program. However, the surcharge proposed in HB 868 represents an appropriate source of funding considering the intent and purpose of LCHIP. The minority recognizes that this bill needs to be amended to address several outstanding technical issues - all of which fall within the purview of another committee. These include clarification of appropriate procedures for handling and tracking the funds that are raised, authorization of appropriate officials and offices to receive and disburse these funds and clarification that the charges to be made are based on entire documents and *not* on individual pages within a document. Further discussion among registers of deeds, Department of Revenue Administration officials and legislators are already underway to address the concerns raised. The minority strongly believes in the approach of this bill and is confident that it can be modified in a timely fashion to accomplish its objective. HB 868 is the long-term solution needed to identify a funding source, which has been sought in recent years, for this important program.

PUBLIC WORKS AND HIGHWAYS

HB 412-FN-A, relative to a new bridge connecting Hampton and Seabrook and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. John A Graham for Public Works and Highways: This bill would have authorized the design and building of a bridge outside of the normal ten-year planning process. Additionally, the bill would have bonded the \$8,000,000 state share of the cost of the bridge, with repayment of the bond to come from the state’s general fund. The committee was unanimous in rejecting this proposal for two reasons. One, we believe that all highway projects should be part of the 10-Year Plan and not as special legislation. Two, bonding for highway projects should be repaid from either the highway fund or the turnpike fund. The Department of Transportation stated that they were already in discussions with the concerned parties on the need and design of this bridge. **Vote 18-0.**

HCR 4, endorsing the placement of a New Hampshire Air Force Memorial at the veterans cemetery in Boscawen. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin T Tilton for Public Works and Highways: The resolution as originally drafted is unnecessary and inappropriate as the Adjutant General already has the authority to approve the placement of a New Hampshire Air Force Memorial at the Veterans Cemetery in Boscawen, and he is very supportive of the ongoing efforts to do so. The amendment provides a formal recognition and expresses appreciation to New Hampshire Air Force veterans on the 60th anniversary of the United States Air Force. **Vote 18-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 52, relative to leasing the Cannon Mountain ski area. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Donald A Brueggemann for the **Majority** of Resources, Recreation and Development This bill would establish a commission to draw up a request for proposals for the leasing of Cannon Mountain ski area. The majority believes that this is unnecessary. The Commissioner of the Dept. of Resources and Economic Development (DRED), which has jurisdiction over state parks, has made a commitment to the Resources, Recreation & Development committee to complete a business plan, with a time table for regular reports to the committee. In addition, SB 74—legislation resulting from the recent state parks study commission—calls for a master plan to be developed for all the state parks, including Franconia Notch State Park, of which Cannon is a part. A large number of New Hampshire residents expressed opposition to leasing the mountain and the committee was impressed with the dedication of employees and the mountain’s manager to making necessary improvements. For these reasons, the majority felt it was therefore premature to jump into leasing Cannon. **Vote 11-8.**

Rep. Chris Christensen for the **Minority** of Resources, Recreation and Development: The minority appreciates the commitment of the Department of Resources and Economic Development (DRED) to present a new business plan for Cannon Mountain and to bring the operation to profitability. However, we note that this approach has led to short term actions in the past, but not long term solutions. We further note that hundreds of petitioners from the Franconia area supported dramatic action for Cannon Mountain. Retaining the bill would have allowed study and amendment within a public process. It would have allowed the legislature to work in partnership with the executive branch to better resolve this problem to the benefit of the citizens of New Hampshire.

HB 183-FN-A-L, relative to the acquisition of a certain tract of land in the towns of Peterborough, Sharon, and Temple as a state reservation, and making an appropriation therefor. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan R Kepner for the **Majority** of Resources, Recreation and Development: This bill provides for the acquisition by the Department of Resources and Economic Development of Temple Mountain as a state reservation. The state is being asked to bond \$535,000, or 31% of the \$1.6 million value, with the landowner donating 37% and the towns of Peterborough, Sharon and Temple and private individuals also contributing. The large number of individuals who came to support the bill underscored the

commitment of the local communities to protect this gateway to the Monadnock region and a critical link in the Wapack Trail. The amendment, developed with the department, formalizes an agreement negotiated over the past three years between the department and the landowners, putting agreed-upon conditions in formal deed restrictions. There were two such conditions. First, because the mountain is a valuable hiking area and has terrain ill-suited for vehicular use, motorized vehicles would be prohibited. Second, there would be no additional cell towers. However, the landowner agreed to retain the existing one to meet communication needs for the region. The amendment also assures that this new acquisition will not impact the department's budget by stipulating that DRED cannot be required to expend money on Temple without the necessary funds being provided by any of a variety of possible sources. **Vote 14-6.**

Rep. Chris Christensen for the **Minority** of Resources, Recreation and Development: The minority fully appreciates the value of open space and conservation land. There were concerns that citizens from the three towns involved negotiated the sale, but that the town meetings had not yet approved their participation or appropriation. The amendment puts restrictions on the use of the land that are unlike those practiced on adjacent Miller State Park. Particular sore points included prohibiting motorized recreational vehicles and cell towers. We note that the owner retained that income bearing portion of the property which currently has an operating cell tower. It is difficult to justify additional purchases in the face of significant losses extant in the NH parks system.

HB 392, relative to the use of property held by the state of New Hampshire under an easement specifying low impact recreational use only. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne H Gottling for the **Majority** of Resources, Recreation and Development: This bill addresses the problem of confusion around the use of the term "low impact recreational use." Under this bill, on any property or easement held by the state of New Hampshire which uses this term, it shall specifically mean "non-motorized recreation only." The amendment was included to assure that motorized vehicles may be used by the landowner or easement holder for an emergency or for property management. In addition, any easement in place prior to enactment of this bill remains unaffected. **Vote 10-6.**

Rep. Harry C Merrow for the **Minority** of Resources, Recreation and Development: This bill as amended prevents the use of OHRV's as defined in RSA 215-A:1 on newly acquired property held by the state of New Hampshire or any agency of the state under an easement specifying low impact recreational use only. Currently, any restriction requested is defined by the land owner. This would put the requirement of removing an obstacle on the owner and also prevent him or her from riding on logging roads and other trails on his own property unless he or she thought to include this in the easement. This could also cut down on the number of landowners willing to give the state an easement. Although not part of this bill, what is really needed is to determine the definition of low impact.

HB 505-FN-A, relative to enhanced water quality monitoring for lakes and beaches. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan R Kepner for the **Majority** of Resources, Recreation and Development: This bill defines "public bathing place and public beach," creates a management program and establishes a program coordinator and funding for that person. This will enable the Department of Environmental Services (DES) to monitor more beaches for e-coli and other water borne diseases. The majority supports this bill in the interests of public health and keeping our tourism economy vibrant. **Vote 11-7.**

Rep. Harry C Merrow for the **Minority** of Resources, Recreation and Development: This bill establishes a full time position of public beach program coordinator and makes an annual appropriation of \$100,000 for the administration of it. We believe that water quality monitoring for the lakes and beaches is important. However, we believe it is currently being adequately handled by the towns and volunteer groups. If this were needed it would be better handled by part-time positions in the beach season only.

HB 663-FN-A, making an appropriation to implement the comprehensive shoreland protection act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sid Lovett for Resources, Recreation and Development: The committee, in support of the recommendations of the commission studying the Comprehensive Shoreland Protection Act, chose to recommend a permit fee process to fund the needed additional staff to manage the shoreland protection program. This is similar to the DES fee program for wetland protection. Enforcement and outreach is difficult with the current staff of only 2 persons. A permit program would also provide the landowner with notice of what actions can be taken within the 250 foot shoreland zone. **Vote 14-3.**

HB 815-FN-A, requiring the display of boater education decals. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Frank A Tupper for the **Majority** of Resources, Recreation and Development: This bill provides an opportunity to educate out-of-state boaters regarding NH boating laws and provides urgently needed funds to three programs. With a \$20 decal, boaters receive education materials. Funds generated are distributed to the lake restoration and preservation fund, Fish and Game public access, dam maintenance fund and the navigation safety fund. The decal is required for boats normally requiring registrations in NH, which excludes canoes and kayaks. Out-of-state boaters reported as "reasonable" a parallel law in Maine requiring a \$20 fee. The amendment evenly distributes the funds raised among the three programs. **Vote 16-4.**

Rep. James D Aguiar for the **Minority** of Resources, Recreation and Development: This bill is another example of the "nickel

and dime" approach to funding an important agency of the state. Members of the minority feel that the necessary fund should come from the general fund and not this stop-gap measure. It is also noted that there are no provisions for additional staff and/or equipment to enforce this new requirement. Marine Patrol officers would be called upon to cite those out-of-state boaters for a violation. Testimony before the committee noted that the department is having a difficult time recruiting an adequate number of officers and an even more difficult time retaining them. In the opinion of the minority it is highly unlikely that this bill will produce the anticipated income.

SCIENCE, TECHNOLOGY AND ENERGY

HB 310, allowing municipalities to regulate wind turbines used for home energy production. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William V Chase for Science, Technology and Energy: This bill creates a framework for zoning and planning boards of municipalities to address issues regarding the installation of renewable wind energy facilities in their communities. As amended, the bill states that municipalities shall not unreasonably restrict wind tower height or system height through the application of generic ordinances or regulations that do not specifically address small wind energy systems. The "Declaration of Purpose" section of the Planning and Zoning Statute, RSA 672:1 will be amended to read "the installation of solar, wind, or other renewable energy systems or the building of structures that facilitate the collection of renewable energy shall not be unreasonably limited by the use of municipal zoning powers or by the unreasonable interpretation of such powers, except where necessary to protect the public health, safety, and welfare." The bill directs the Office of Energy and Planning to develop a technical bulletin relative to model municipal ordinances for the construction of small wind energy systems. **Vote 14-2.**

HB 476, relative to membership on the public utilities commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Gene F Andersen for Science, Technology and Energy: Current law states that of the three commissioners to the public utility commission, one shall be an attorney and member of the New Hampshire bar and one shall have background or experience in one or more of the following: engineering, economics, accounting or finance. This bill would require that the commissioners be composed of: one attorney and member of the NH bar (no experiences noted for attorney), one engineer with experience with a public utility and one accountant (no experience noted for accountant). The bill's sponsors felt that these disciplines were necessary to do the job. The majority of the committee felt that it was experience and not just education that was the essential element for membership on the PUC and that staff will provide information required for educational disciplines. The majority feels strongly that we do not want to limit the field of candidates based on an educational requirement unrelated to a lifetime of experience and achievement. **Vote 11-5.**

HB 528-FN, expanding the enhanced 911 system surcharge to providers of devices and services capable of accessing enhanced 911 service in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. James M Garrity for Science, Technology and Energy: This bill was requested by the NH Dept. of Safety's Division of Emergency Services, Communications and Management This is the division which operates the enhanced 911, or E-911, system. The division realizes that telephone and communications technologies are changing rapidly. It fears that the traditional land-line telephone population will increasingly be replaced by telephone services using VoIP (Voice over Internet Protocol) technologies. It must be remembered that the E-911 system is primarily financed by a monthly surcharge on each telephone (currently 64 cents). As more NH customers switch to VoIP, the division feels that the VoIP telephony providers may not pay the surcharge, and, eventually, the E-911 revenue would decline year-on-year. The committee majority understood the issue, but felt that this bill was not the correct way to address it at this time. The reasons for the ITL were as follows: 1) The VoIP market and technologies are still developing and we want to wait for it to become more mature in order to assess the potential impact on the E-911 fund; 2) Currently, the leading VoIP telephony providers in NH are either negotiating with the division to pay the E-911 surcharge (in the case of Vonage), or already doing so (in the case of proprietary cable-broadband-VoIP companies). 3) Although the number of land-lines in NH continues to decrease, the number of cell phones continues to increase. According to the division, the E-911 surcharge is being collected from 800,000 land lines and 600,000 cellular-wireless lines. 4) the bill also tried to assess the E-911 surcharge on pre-paid calling cards and "each device or service capable of providing access to 911". The committee felt that was too broad and identification and collection from non-traditional providers would be difficult to enforce. 5) No specific financial forecast numbers could be provided. To quote the Fiscal Note, "The Department states it cannot estimate the increase in state restricted revenue to the enhanced 911 system fund because it does not know how many entities supply devices or services capable of contacting 911 but are not paying the surcharge, or how many entities might be created in the future that would have this capability." 6) Public policy dealing with funding sources should be based on solid financial estimates, not on hunches. 7) Finally, the committee majority feels that the perceived problem is not imminent, and there is time to observe the changing communications market and make policy adjustments in the future. **Vote 14-2.**

TRANSPORTATION

HB 221, removing the requirement that the department of transportation report certain information relative to highway activity to the department of administrative services. **OUGHT TO PASS.**

Rep. Robert W Williams for Transportation: This bill amends RSA 9:4-d simply by adding the words, "except the department of

transportation.” The Department of Administrative Services already has the required information. It would take the Department of Transportation another day to fill out the report form required by RSA 9:4-d. This bill has nothing to do with the audit. **Vote 14-3.**

WAYS AND MEANS

HB 90, establishing a committee to study the feasibility of imposing a luxury sales tax and an amusements tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael D Brunelle for Ways and Means: Although not opposed to examining the issue, the committee felt that the feasibility of imposing a luxury sales tax and an amusements tax should not be studied exclusively, but in conjunction with an education funding study committee established by HB 145. This bill, which was retained by the committee, will explore unexploited revenue sources for the purpose of funding education, including this one **Vote 16-2.**

HB 376-FN-A, distributing certain meals and rooms tax revenues to the fish and game fund. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael G Marsh for the **Majority** of Ways and Means: This legislation would have permanently assigned 4% of the general fund’s meals and rooms tax revenue to the Fish and Game fund. The committee heard extensive testimony from sporting groups, conservationists, and search-and-rescue organizations about the fine work that Fish and Games does and its importance to our state’s quality of life, and we support additional revenue for the department. Nevertheless, the committee believed the funding approach in this bill is inappropriate. If Fish and Game needs money from the general fund, it should seek it from the Governor and the Finance Committee, as all other departments do. The Ways and Means Committee is not in a position to judge the merits of each department’s funding request. We believe permanently segregating money from the general fund is not good fiscal policy, and have resisted this in the past. Finally, the amount requested in the bill was designed to meet this biennium’s deficit, and there is no reasons to be believe it would be the appropriate amount in future years. **Vote 15-2.**

Rep. Dennis P Vachon for the **Minority** of Ways and Means: There is a serious problem with a lack of sufficient funding at the N.H. Fish and Game Department. It has arisen because the agency has been self-funded since its creation in 1935, receiving just \$50,000 a year in state funds in recent years for the nongame and endangered wildlife program. We have enjoyed the services of the Fish and Game Department without cost to the state all these years because it was paid for by fees paid by hunters and anglers and some federal funds. Now our fish and wildlife agency is in trouble, because fewer people are hunting and fishing, yet we need the department’s services more than ever to meet a broad range of needs. This is no time to be dismantling our first line of defense against animal-borne diseases like avian flu. The minority believes that it is the duty of the New Hampshire Legislature to keep the agencies strong that protect and serve the citizens of the state. It would be irresponsible of us to ignore this serious situation. This bill proposes a rational, sensible solution. It allocates 4% of the state’s 60% of the rooms and meals tax to the Fish and Game Department, keeping an agency strong that serves all our citizens and supports activities that bring in large amounts of rooms and meals tax and other economic activity to the state. Hunters, anglers and wildlife watchers contribute 7.4% of the rooms and meals tax – over \$14 million last year – according to the U.S. Fish and Wildlife Service. The bill would provide \$4.7 million to the Fish and Game fund each year to address the looming shortfall at the department. The bill was overwhelmingly supported at the public hearing by a standing-room-only crowd from the hunting and angling and conservation communities. Testimony went on for hours. We have all received many letters and phone calls urging us to support funding for Fish and Game, a department people care deeply about and value the services of. Allocating a portion of the rooms and meals tax is the most logical way to provide the funding that Fish and Game needs.

HB 510-FN-A-L, establishing authority for construction and regulation of casinos. **INEXPEDIENT TO LEGISLATE.**

Rep. William A Hatch for Ways and Means: While the committee recognizes the sponsors for their efforts and commitment put into this bill to resolve a serious issue, the committee is retaining two other casino bills with many aspects of this bill in them. One bill being retained calls for a state run casino while the other considers a privately run casino. **Vote 14-4.**

HOUSE DEADLINES

Wednesday, March 7, 2007	Last day to act on House bills going to a second committee
Thursday, March 22, 2007, noon	Last day to report all House bills not in a second committee, except budgets
Wednesday, March 28, 2007	Last day to act on all House bills not in a second committee, except budgets
Thursday, April 5, 2007, noon	Last day to report all remaining House bills for action in the first year session Last day to report list of retained House bills
Thursday, April 12, 2007	Last day to act on House bills: CROSSOVER
Thursday, May 10, 2007, noon	Last day to report Senate bills going to a second committee
Wednesday, May 16, 2007	Last day to act on Senate bills going to a second committee
Thursday, May 31, 2007, noon	Last day to report all remaining Senate bills for action in the first year session Last day to report list of retained Senate bills
Wednesday, June 6, 2007	Last day to act on Senate bills

Wednesday, June 13, 2007	Last day to form Committees of Conference
Thursday, June 21, 2007, noon	Last day to sign Committee of Conference reports
Wednesday, June 27, 2007	Last day to act on Committee of Conference reports

COMMITTEE MEETINGS

MONDAY, MARCH 5

COMMERCE, Room 302, LOB

- 10:00 a.m. **HB 696**, reclassifying certain positions in the insurance department.
- 10:30 a.m. **HB 782-FN**, relative to reinsurance intermediaries and conduct of examinations.
- 11:00 a.m. **HB 921-FN**, making technical changes in the insurance laws.
- 1:00 p.m. **HB 790-FN**, relative to dependent coverage under the healthy kids program and establishing the joint legislative oversight committee on insurance expansion initiatives.
- 1:30 p.m. **HB 767**, relative to insurance for volunteer drivers.
- 2:00 p.m. **HB 894-FN**, requiring insurance coverage for bariatric surgery for diabetics.
- 2:30 p.m. **HB 738**, requiring insurance coverage for infertility treatments.

EDUCATION, Rooms 205-207, LOB

- 10:00 a.m. **HB 678-FN**, revising the special education program approval and monitoring process.
- 1:00 p.m. **HB 677-FN**, relative to special education procedural safeguards and the dispute resolution process.
- 2:00 p.m. **HB 679-FN-LOCAL**, relative to delivery of special education services.

FINANCE, Rooms 210-211, LOB

Agency Budget Presentations:

- 10:00 a.m. Department of Transportation
- 10:30 a.m. Department of Fish and Game.
- 11:00 a.m. Adjutant General.
- 11:30 a.m. University System of NH.

Budget Hearing

- 4:00 p.m. Budget hearing in Lebanon DHMC Auditorium E&F.

FINANCE – (DIVISION III), Room 209, LOB

- 9:30 a.m. Budget work session – Veteran’s Home

HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:2), 3rd Floor Conference Room, State House

- 9:30 a.m. Regular meeting.

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

- 10:00 a.m. Regular meeting.

JUDICIARY, Rooms 206 208, LOB

- 9:00 a.m. **CACR 15**, relating to citizen review retention elections for judges. Providing that a judge shall be subject to a citizen review retention election at the biennial election next occurring after he or she has served for 2 years and subsequently at regular intervals which depend on the court in which the judge serves.
- 10:00 a.m. **HB 235**, relative to the recognition of out-of-state marriages.
- 11:00 a.m. **HB 437-FN-LOCAL**, permitting same gender couples to enter spousal unions and have the same rights, responsibilities, and obligations as married couples.
- 2:00 p.m. **HB 670**, relative to repealing the incorporation of the New Hampshire Bar Association.
- 2:30 p.m. **HB 621-FN**, relative to speedy trial time frames.
- 3:00 p.m. **HB 615-FN**, relative to the locations of the superior courts, district courts, and the judicial branch family division.
- 4:00 p.m. Executive session on **HB 506**, relative to references to “United States citizen” in the New Hampshire statutes, **HB 507**, relative to the rights of citizens, **HB 508**, relative to the unlawful adoption of part 2, article 72-a of the New Hampshire constitution, **HB 509**, relative to constitutionality of law, **HB 246**, relative to identifying legislative enactments as public policy.

TUESDAY, MARCH 6

CHILDREN AND FAMILY LAW, Room 206, LOB

9:00 a.m. Subcommittee work session on **HB 51**, permitting adoption by 2 unmarried adults in a familial relationship.

Room 208, LOB

9:00 a.m. Subcommittee work session on **HB 289**, relative to joint agreements for the payment of postsecondary education expenses.

9:15 a.m. Subcommittee work session on **HB 348**, relative to the payment of college or postsecondary education expenses as part of a child support agreement.

Room 206, LOB

10:00 a.m. **HB 584-FN**, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age.

11:00 a.m. **HB 682**, relative to the court's authority to award parental rights and responsibilities to a "psychological parent."

11:45 a.m. **Continued** executive session on **HB 495-FN**, relative to criminal record and central registry checks of prospective foster and adoptive parents.

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 36**, relative to the reporting of municipal liens in consumer reports.

9:30 a.m. Subcommittee work session on **HB 232**, prohibiting retaliatory rent increases in manufactured housing parks.

10:00 a.m. **HB 889-FN**, relative to securities regulation.

11:00 a.m. **HB 759-FN**, relative to administration and enforcement of banking laws.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on **HB 404-LOCAL**, prohibiting state and local law enforcement agencies from enforcing federal immigration laws.

10:00 a.m. **HB 587-FN**, relative to the duties of probation and parole officers.

10:30 a.m. **HB 581-FN**, relative to the penalty for purposely mistreating service dogs.

11:00 a.m. **HB 591-FN**, relative to an affirmative defense to certain felonious sexual assault offenses.

EDUCATION, Room 207, LOB

10:00 a.m. **HB 60**, relative to the definition of an adequate education.

10:15 a.m. **HB 68**, relative to the terminology used to describe public education.

10:30 a.m. **HB 698**, relative to the policy and purpose of an adequate education.

10:45 a.m. **HB 521**, relative to the definition of an adequate education.

11:15 a.m. **HB 578-FN**, providing a definition of an adequate education and establishing an adequacy board.

3:00 p.m. Or at the end of session, defining educational adequacy subcommittee

ELECTION LAW, Room 308, LOB

10:00 a.m. **HB 548**, relative to political expenditures and contributions.

10:30 a.m. **CACR 7**, relating to county officers. Providing that certain county officers shall be appointed rather than elected.

10:45 a.m. **CACR 8**, relating to the term of office of the governor and the election of the attorney general. Providing that the governor's term of office shall be 4 years and that the attorney general shall be elected by the house of representatives and the senate.

11:00 a.m. **HB 609-FN**, relative to disclosure of campaign contributions in local elections.

11:30 a.m. **HB 156**, relative to the membership of the ballot law commission.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:00 a.m. **HB 424-FN-A**, relative to industrial hemp and establishing an industrial hemp special program fund.

10:30 a.m. **HB 924-FN**, relative to the deconstruction of buildings.

11:00 a.m. Executive session on **HB 62**, relative to limiting the number of balloons released into the atmosphere, **HB 207**, establishing a commission to study and make recommendations on the expansion of the New Hampshire Agricultural Innovation Program, **HB 142**, relative to the sale of out-of-state animals.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:00 a.m. Subcommittee work session on **HB 307**, relative to examinations of electricians by the electricians' board.

9:30 a.m. Subcommittee work session on **HB 308**, relative to continuing education for licensed electricians and **HB 329**, relative to the fire equipment servicing certification program.

10:00 a.m. **Rescheduled** public hearing on **HB 561-FN**, relative to pharmacy benefit managers.

11:00 a.m. **Rescheduled** public hearing on **HB 543**, establishing a commission to study the licensing process for licensed alcohol and drug counselors.

FINANCE, Rooms 210-211, LOB

Agency Budget Presentations:

10:00 a.m. Department of Corrections.

10:30 a.m. Department of Resources and Economic Development.
11:00 a.m. Office of Information Technology
11:30 a.m. Liquor Commission.
12:00 p.m. LCHIP.

Budget Hearing

5:00 p.m. Budget hearing in Keene, KSC Hall, Alumni Recital Hall, Redfern Arts Center.

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

8:30 a.m. Subcommittee work session on **HB 408**, establishing a council for the homeless.
9:30 a.m. **Rescheduled continued** public hearing on **HB 299**, relative to the sale of hypodermic syringes.
10:00 a.m. **HB 740-FN**, relative to mental health services.
10:30 a.m. Executive session on **HB 139**, requiring the reporting of burn injuries, **HB 327**, relative to pharmacy-based immunization delivery, **HB 345**, relative to certification of death certificates, **HB 483-FN**, relative to mosquito control districts.

JUDICIARY, Room 208, LOB

11:00 a.m. Subcommittee work session on **HB 82**, relative to communications outside meetings under the right-to-know law and **HB 83**, relative to the deliberations of certain state agencies under the right-to-know law.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

8:00 a.m. Subcommittee work session on **HB 471-FN-A**, relative to workers' compensation compliance in the construction sector and continually appropriating a special fund.
8:30 a.m. Subcommittee work session on **HB 337**, relative to penalties for failure to have workers' compensation coverage.
9:00 a.m. Subcommittee work session on **HB 203**, relative to protections for temporary workers.
10:00 a.m. **HB 436**, expanding employee freedom of expression to all public employees.
11:00 a.m. **HB 533**, relative to Occupational Safety and Health Administration certification requirements for state contracts.

LEGISLATIVE ADMINISTRATION, Room 104, LOB

10:00 a.m. Subcommittee work session on **HB 91-FN**, relative to registration fees for lobbyists and requiring registration of employers of lobbyists and **HB 523**, relative to lobbyist registration and statements.
11:00 a.m. **HB 715**, combining the state heritage collections committee and the joint legislative historical committee.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:30 a.m. **HB 624-FN**, imposing a temporary moratorium on property reassessments and statistical adjustments for all municipalities which have been reassessed at least once since 2003 and establishing a committee to study the rapidly increasing property taxes in New Hampshire.
10:30 a.m. **HB 645-FN-LOCAL**, requiring notice to the public of a change in land use subject to the assessment of the land use change tax.
11:00 a.m. **HB 646-FN-LOCAL**, establishing a fee for copies of police and fire reports.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. Executive session on **HB 486-FN**, requiring that the effect of turnpike tolls on towns be proportional and reasonable, **HB 627-FN**, relative to uniform main line toll rates for the New Hampshire turnpike system, **HB 626-FN**, relative to the establishment and removal of certain toll booths, **HB 512-FN**, relative to commercial advertising on toll booths, **HB 477-FN**, relative to redeeming tokens., **HB 638-FN**, relative to lease agreements entered into by the department of transportation.
10:15 a.m. **HB 731**, relative to the use of vehicle information or location tracked by an electronic toll collection system.
10:45 a.m. **HB 753-FN-A**, relative to the electronic toll collection transponder inventory fund.
11:15 a.m. **HB 754-FN**, repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. **HB 722**, relative to the rivers management protection program.
10:15 a.m. **HB 321**, relative to river protection and restoration.
11:00 a.m. **HB 648**, establishing a commission to develop a comprehensive flood management plan.
11:45 a.m. Executive session on **HB 284**, relative to the repair of septic systems prior to the sale of waterfront property.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Public hearing on proposed amendment to **HB 361**, relative to technical changes in certain laws governing public utilities. The amendment is regarding a special assessment against Verizon and Fairpoint to support the work of the office of consumer advocate in the pending acquisition docket. Copies of the amendment are available

from the Sergeant-at-Arms office.

11:15 a.m. Executive session on **HB 361**, relative to technical changes in certain laws governing public utilities, **HB 427**, relative to construction and demolition debris, **HB 428**, relative to prohibiting the combustion of construction and demolition waste, **HB 447**, relative to net energy metering.

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

5:00 p.m. Regular meeting.

TRANSPORTATION, Room 203, LOB

9:30 a.m. **HB 726-FN-A**, establishing land and community heritage investment program number plates.

10:00 a.m. **HB 290**, relative to safe operation of vessels on New Hampshire waters.

10:30 a.m. **HB 559**, relative to seat belts on school buses.

11:00 a.m. **HB 515-FN**, relative to combat veteran stickers on number plates.

11:30 a.m. **HB 547-FN**, relative to the inspection of trucks.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Executive session on **HB 478-FN-A**, decreasing the rate of the business profits tax, **HB 493-FN-A**, expanding the meals and rooms tax on rentals to include motorized recreational vehicles, **HB 564-FN-A**, decreasing the rate of the business enterprise tax, **HB 598-FN-A**, repealing certain foreign dividend deductions under the business profits tax and repealing an exemption to the real estate transfer tax.

WEDNESDAY, MARCH 7

JUDICIARY, Room 208, LOB

3:00 p.m. Or fifteen minutes after the House session, subcommittee work session on **HB 212**, relative to possessory actions against tenants.

3:15 p.m. Or one half hour after the House session, subcommittee work session on **HB 359-FN**, relative to recovery of medical assistance from an estate.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

8:00 a.m. Subcommittee work session on **HB 426**, relative to workers' compensation rates and resolution of disputes relative to classification of employees or independent contractors.

THURSDAY, MARCH 8

CHILDREN AND FAMILY LAW, Room 206, LOB

9:00 a.m. Subcommittee work session on **HB 47**, exempting inheritances from marital assets for purposes of divorce settlements.

10:00 a.m. **HB 702**, relative to the court's jurisdiction over persons between the ages of 18 and 21 in abuse and neglect cases.

10:45 a.m. **HB 827-FN**, relative to the reasonable cost of medical support for dependent children.

11:30 a.m. **HB 841**, relative to the appointment of parenting coordinators.

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 158**, requiring insurance companies to allow covered persons to purchase an up-to-90-day supply of life-sustaining drugs.

9:30 a.m. Subcommittee work session on **HB 215**, relative to fees for hearing care providers.

10:00 a.m. Subcommittee work session on **HB 281**, relative to the cancellation of buying club memberships.

10:30 a.m. **HB 745**, relative to the use of secret databases.

11:00 a.m. **HB 686-FN**, relative to the regulation of tracking devices.

1:15 p.m. **HB 695**, relative to regulation of wireless telephone service providers for consumer protection.

1:30 p.m. **Continued** public hearing on **HB 492**, relative to consumer protection in telecommunication contracts.

1:45 p.m. **HB 728**, relative to access to wireless telephone records.

2:30 p.m. Executive session on **HB 36**, relative to the reporting of municipal liens in consumer reports, **HB 88**, establishing a committee to study single payer health care, **HB 158**, requiring insurance companies to allow covered persons to purchase an up-to-90-day supply of life-sustaining drugs, **HB 169**, relative to penalties for insurance adjusters, appraisers, or companies purposefully underestimating the value of an insurance claim, **HB 215**, relative to fees for hearing care providers, **HB 232**, prohibiting retaliatory rent increases in manufactured housing parks, **HB 281**, relative to the cancellation of buying club memberships, **HB 298**, relative to the healthy

kids corporation, **HB 365**, establishing a commission to study foreclosures of home mortgages and the foreclosure rescue scam industry, **HB 386-FN**, relative to advertisement of prescription drugs, **HB 481**, relative to suspensions of liquor licenses, **HB 532**, relative to insurance fraud.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 9:00 a.m. Subcommittee work session on **HB 64-FN**, establishing a criminal penalty for driving a commercial motor vehicle while violating an out-of-service order.
- 9:15 a.m. Subcommittee work session on **HB 92**, decriminalizing marijuana.
- 10:00 a.m. **HB 707**, relative to the time frames for hearings in domestic violence cases.
- 10:30 a.m. **HB 632-FN**, relative to the penalty for death resulting from the trafficking of controlled drugs.
- 11:00 a.m. **HB 539-FN**, relative to manslaughter.
- 1:00 p.m. **HB 589-FN**, relative to the calculation of concurrent and consecutive terms of imprisonment.
- 1:30 p.m. **HB 595-FN**, establishing a sentence reduction method for state prisoners.
- 2:00 p.m. **HB 572-FN**, prohibiting the use of false documentation for employment, government services, or permits.

EDUCATION, Room 207, LOB

- 10:00 a.m. **HB 766-FN**, making changes to the laws relating to special education.
- 12:30 p.m. **HB 865-FN**, relative to an adequate education and state education grants.
- 2:00 p.m. **HB 927-FN**, relative to the specific criteria and substantive educational program that define an adequate education.

ELECTION LAW, Room 308, LOB

- 10:00 a.m. **Continued** public hearing on **HB 272**, relative to scheduling the presidential primary election.
- 10:30 a.m. **HB 746**, relative to listing candidates on election ballots.
- 11:00 a.m. **HB 683**, relative to nominations by party committees.
- 11:30 a.m. Executive session on **HB 132**, relative to domicile for voting purposes and **HB 133**, relative to voter registration forms.
- 1:00 p.m. Executive session on **HB 364**, requiring that the order of names on ballots be determined by lottery, **HB 358**, relative to the procedure for listing candidates on state election ballots, **HB 367**, relative to incompatible offices, **HB 242**, relative to the declaration of candidacy form, **HB 353-LOCAL**, relative to public access to ballots prior to their destruction and **HB 285**, prohibiting municipalities and state and local officials from entering into nondisclosure agreements with vendors of voting machines with respect to the purchase or lease of voting machines.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 9:00 a.m. **HB 384**, relative to repealing the authority of the department of environmental services regarding sludge and biosolids and establishing a committee to study new sludge legislation.
- 10:00 a.m. **HB 414**, relative to the sale of class A sludge in bulk agricultural fertilizer bags.
- 10:30 a.m. **HB 699**, establishing a commission to study methods and costs of sewage, sludge, and septage disposal.
- 11:00 a.m. **HB 836**, prohibiting wastewater treatment plants from excluding towns for septage treatment and disposal services.
- 1:00 p.m. **HB 812**, relative to making permanent certain exceptions to limits on land application of septage and sludge.
- 2:00 p.m. **HB 666-FN**, establishing a license fee for the sale of animal vaccines.
- 2:30 p.m. Executive session on **HB 234**, establishing a committee to study state environmental laboratory fees and services.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. **HB 718-FN**, regulating privatization contracts for public service.
- 9:45 a.m. **HB 763-FN**, establishing the licensure and regulation of residential and building inspectors.
- 10:30 a.m. **HB 593-FN**, relative to penalties for violations of licensing requirements for certain regulated professions.
- 11:15 a.m. **HB 818**, establishing a committee to study reestablishing the port authority as an independent agency.
- 1:00 p.m. **HB 562-FN**, excluding extra or special duty pay from earnable compensation in the retirement system.
- 1:45 p.m. **HB 673**, allowing advanced registered nurse practitioners to certify walking disabilities.
- 2:30 p.m. Executive session on **HB 38**, relative to terms of appointment for certain state officers, **HB 307**, relative to examinations of electricians by the electricians' board, **HB 308**, relative to continuing education for licensed electricians, **HB 546**, establishing a commission to study liquor commission procedures and policies and **HB 573-FN**, relative to the collection of judgments.
- 3:15 p.m. Subcommittee work session on **HB 65**, relative to the appointment of the director of the division of ports and harbors, **HB 312-FN**, relative to alternative providers for certain health services and **HB 818**, establishing a

committee to study reestablishing the port authority as an independent agency.

3:45 p.m. Subcommittee work session on **HB 174-FN**, relative to regulating residential building and remodeling contractors.

FINANCE, Rooms 210-211, LOB

10:00 a.m. Department of Education.

11:00 a.m. Community Technical College System.

12:00 p.m. Lottery Commission

Budget Hearing

4:00 p.m. Budget hearing in Rochester, Rochester Community Center.

FINANCE – (DIVISION III), Room 209, LOB

9:30 a.m. Budget work session – Department of Health and Human Services, Office of the Commissioner.

1:15 p.m. Budget work session – Office of Medicaid and Business Policy

FISH AND GAME, Room 307, LOB

10:00 a.m. **HB 604-FN**, prohibiting the taking of deer from baited areas.

10:45 a.m. **HB 640-FN**, relative to requiring reimbursement of search and rescue costs of the fish and game department.

1:00 p.m. **HB 658**, prohibiting the taking of game by use of a tranquilizer.

1:30 p.m. **HB 657**, authorizing the executive director of fish and game to issue moose hunting adventure permits.

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

9:00 a.m. Subcommittee work session on **HB 491**, establishing the public health improvement services council.

10:00 a.m. **HB 727-FN**, relative to certain disclosures during the certificate of need process.

10:30 a.m. **HB 490-FN**, requiring hospitals to make the price of certain common procedures available to the public.

11:00 a.m. **HB 688**, establishing the council on the relationship between public health and the environment.

1:00 p.m. **HB 630-FN**, relative to an electronic controlled drug prescription monitoring program.

2:00 p.m. **HB 286-FN**, relative to a Medicaid waiver for family planning services.

JUDICIARY, Room 208, LOB

9:00 a.m. **HB 786-FN**, relative to compensation for retired full-time justices for service after retirement.

9:30 a.m. **HB 814-FN**, relative to the judicial retirement plan.

10:00 a.m. **HR 8**, requesting an opinion from the New Hampshire supreme court on certain questions regarding education funding.

11:00 a.m. **HB 849**, relative to rent payments by voucher issued by a state or municipal agency.

11:30 a.m. **HB 866**, relative to the right-to-know law application to board of tax and land appeals and public utilities commission matters.

1:30 p.m. **HB 882-FN**, relative to limitations on tort liability of government units.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. **HB 393**, relative to information filed by utilities paying the utility property tax.

9:30 a.m. **HB 566-FN-LOCAL**, relative to the housing of inmates in county correctional facilities.

10:00 a.m. Executive session on **HB 256**, relative to the duties and powers of town treasurers, **HB 257**, allowing towns to appoint or elect a town treasurer, **HB 262**, allowing municipalities to exclude certain retirement assets from consideration in qualifying for the elderly property tax exemption, **HB 315**, relative to criminal background checks of municipal employees through the New Hampshire state police, **HB 316**, relative to the 5-year assessment review by the department of revenue administration, **HB 320**, relative to the tax exemption for solar energy systems, **HB 261**, prohibiting the Carroll county attorney from engaging in the private practice of law, **HB 237**, establishing a committee to study the relationship between land use regulation and the cost of housing, **HB 356**, relative to requiring a comprehensive impact report before a municipality approves or disapproves a proposed development project, **HB 524**, relative to the submission of minutes of the county convention adopting the budget to the department of revenue administration, **HB 457**, allowing municipalities to restrict lawn watering during declared droughts, **HB 551**, allowing cities to use capital reserve funds for debt replacement, **HB 487**, granting a property tax credit to persons aged 65 and older who have been residents for at least 10 years and not been convicted of a felony, **HB 270**, allowing municipalities to adopt a homestead exemption for property tax assessments on a person's principal place of residence, **HB 557-LOCAL**, relative to free parking in designated handicapped zones, **CACR 12**, relating to county personnel. Providing that county treasurers, registers of probate, county attorneys, sheriffs, and registers of deeds shall be appointed by the county commissioners, **CACR 9**, relating to registers of probate. Providing that the requirement that registers of probate be elected be removed.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:00 a.m. Executive session on **HB 282**, relative to administration of road tolls, **HB 283**, allocating a portion of unrefunded road tolls to the dam maintenance fund, **HB 582-FN-A**, relative to the bridge over the Merrimack River, **HB 588-FN-LOCAL**, relative to Cates Hill Road and Jericho Lake Road in the city of Berlin, **HB 631-FN-A**, relative to the elimination of certain tolls, **HB 684**, establishing a rest area and state liquor store retail opportunities commission.
- 11:00 a.m. **HB 805-FN-LOCAL**, relative to a crosswalk in the town of Seabrook.
- 11:30 a.m. **HB 806-FN-LOCAL**, relative to a traffic light in the town of Seabrook.
- 1:15 p.m. **HB 883-FN-A**, relative to tolls.
- 1:45 p.m. **HB 705**, relative to the disposal of highway or turnpike funded real estate.
- 2:15 p.m. **HB 739**, relative to contractor accountability and disclosure in the public works construction procurement process.
- 3:30 p.m. **HB 538-FN-A**, making an appropriation for the renovation of the state park system.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 9:00 a.m. **HB 898**, relative to the use of sled dogs and the training of sled dogs on state trails.
- 9:30 a.m. **HB 383**, relative to waterfront buffer and woodland buffer requirements in the comprehensive shoreland protection act.
- 11:00 a.m. **HB 665-FN**, relative to the comprehensive shoreland protection act.
- 1:00 p.m. **Continued** public hearing on **HB 485**, exempting tidal waters from the general rules for vessels operating on water.
- 2:30 p.m. **HB 777-FN-A**, imposing a fee and a fine for certain changes to terrain alteration permits.
- 3:15 p.m. **HB 813-FN**, expanding the definition of income of the land conservation investment program monitoring endowment.
- 3:45 p.m. **HB 903-FN**, prohibiting delivery of oil to non-compliant underground storage facilities.

SCIENCE, TECHNOLOGY AND ENERGY, Representatives Hall

- 9:00 a.m. **HB 873-FN-LOCAL**, establishing minimum renewable standards for energy portfolios.

STATE ENERGY POLICY COMMISSION (HB 1146, Chapter 257:1, Laws of 2006), Representatives Hall

- 8:15 a.m. Re-organizational meeting.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

- 9:00 a.m. Executive session on **HB 49**, relative to eligibility for admittance to the New Hampshire veterans' home, **HCR 3**, urging that New Hampshire members and veterans of the armed forces and national guard and their dependents receive health screening for depleted uranium exposure, **HCR 6**, urging Congress to prevent the implementation of the North American Free Trade Agreement superhighway system and **HCR 5**, endorsing the National Health Insurance Act.
- 11:00 a.m. Subcommittee work session on **HB 287**, requiring the seller to provide notice to the buyer of privately owned land or property known, or in an area historically known, to have been inhabited by Native Americans.
- 1:00 p.m. **Rescheduled** public hearing on **HB 856**, relative to the definition of veteran.
- 2:00 p.m. **Rescheduled** public hearing on **HCR 8**, urging Congress to rename the Veterans Administration Hospital the Styles Bridges Veterans Administration Hospital.
- 3:00 p.m. **Rescheduled** public hearing on **HJR 1**, urging that more veterans' mental health counseling centers be established in New Hampshire.

WAYS AND MEANS, Room 202, LOB

- 9:00 a.m. **Continued** public hearing on **HB 511**, increasing the total prize value of a bingo game or series of games and establishing a study committee on increasing the price of lucky 7 tickets.
- 9:30 a.m. **HB 501-FN-A**, relative to keno and using keno revenues for college scholarships.
- 10:00 a.m. **HB 757-FN-A**, relative to the beer tax.
- 10:30 a.m. **HB 891-FN-A**, establishing a beverage fee to be paid by beverage manufacturers and distributors.
- 11:00 a.m. **HB 820-FN-A**, establishing a tax on candy.
- 1:00 p.m. **HB 637-FN-A-LOCAL**, establishing a gaming oversight authority and video lottery gaming.
- 1:30 p.m. **HB 884-FN-A**, increasing the rate of the tobacco tax.
- 2:00 p.m. **CACR 16**, relating to an income and a sales tax. Providing that there shall be a state referendum prior to the legislature's adoption of an income tax or sales tax.
- 2:30 p.m. **HB 622-FN-A-LOCAL**, establishing an income tax and repealing all state and local taxes, with the exception of the tobacco tax, beginning in 2012.

3:00 p.m. Full committee work session on ***HB 637-FN-A-LOCAL***, establishing a gaming oversight authority and video lottery gaming, ***HB 757-FN-A***, relative to the beer tax, ***HB 820-FN-A***, establishing a tax on candy, ***HB 884-FN-A***, increasing the rate of the tobacco tax and ***HB 891-FN-A***, establishing a beverage fee to be paid by beverage manufacturers and distributors, ***CACR 16***, relating to an income and a sales tax. Providing that there shall be a state referendum prior to the legislature's adoption of an income tax or sales tax, ***HB 185-FN***, extending the duration of the CROP zone tax credits program and expanding the state jobs grant fund, ***HB 494-FN-A***, relative to keno in New Hampshire, ***HB 501-FN-A***, relative to keno and using keno revenues for college scholarships, ***HB 511***, increasing the total prize value of a bingo game or series of games and establishing a study committee on increasing the price of lucky 7 tickets, ***HB 622-FN-A-LOCAL***, establishing an income tax and repealing all state and local taxes, with the exception of the tobacco tax, beginning in 2012.

FRIDAY, MARCH 9

ELECTION LAW, Room 308, LOB

9:30 a.m. ***HB 233-FN-A***, specifying compensation for ballot law commissioners.
 10:00 a.m. ***HB 756-FN***, relative to centralized voter registration database information.
 10:30 a.m. ***HB 541***, relative to polling places for wards.
 11:00 a.m. ***HB 748***, requiring disclosure of gifts and campaign contributions by lobbyists and political committees, and requiring lobbyist statements to include certain information.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:30 a.m. ***HB 137***, relative to food safety in restaurants.
 10:15 a.m. ***HB 821***, establishing a committee to study establishing a permanent Latino affairs commission.
 10:30 a.m. ***HB 828-FN***, relative to a state ethics officer.
 11:00 a.m. ***HB 885-FN***, relative to the deputy commissioner of the department of employment security.
 11:30 a.m. ***HB 571-FN***, relative to full-time seasonal state employees.

FINANCE, Rooms 210-211, LOB

9:30 a.m. ***CACR 17***, relating to funding for education. Providing that revenue from lotteries and games of chance may only be used for educational purposes.
 10:00 a.m. ***HB 801***, establishing a committee to study the feasibility of the state assuming responsibility for fully funding special education costs for children receiving special education services in the state.
 10:30 a.m. ***HB 824-FN***, establishing a death benefit to be paid to the family of a police officer, firefighter, or highway worker killed in the line of duty.
 11:00 a.m. ***HB 835-FN***, relative to funding the modular building program.
 11:30 a.m. ***HB 910-FN***, relative to state reimbursement to sheriffs' departments for the costs associated with court bailiffs.

FINANCE – (DIVISION I), Room 212, LOB

1:00 p.m. **Rescheduled** work session on ***HB 553-FN-A***, requiring the state to pay legal fees for certain supreme court justices.
 2:00 p.m. **Rescheduled** work session on ***HB 887-FN***, allowing certain members of the United States armed forces, including the reserve component, and veterans who qualify for the Montgomery GI Bill, to take courses tuition free at public postsecondary institutions.
 3:00 p.m. Work session on ***HB 910-FN***, relative to state reimbursement to sheriffs' departments for the costs associated with court bailiffs.

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

1:00 p.m. **Rescheduled** work session on ***HB 451-FN***, increasing the state's portion of special education funding.
 2:00 p.m. **Rescheduled** work session on ***HB 558***, requiring any education trust fund surplus to be transferred to the revenue stabilization reserve account.
 2:45 p.m. Work session on ***HB 801***, establishing a committee to study the feasibility of the state assuming responsibility for fully funding special education costs for children receiving special education services in the state.
 3:30 p.m. Work session on ***CACR 17***, relating to funding for education. Providing that revenue from lotteries and games of chance may only be used for educational purposes.

FINANCE – (DIVISION III), Room 209, LOB

1:00 p.m. Budget work session – Bureau of Elderly and Adult Services.
 2:00 p.m. Budget work session – Division of Public Health Services

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 9:00 a.m. Executive session on **HB 420**, relative to the procedures for approving, reviewing, and transferring appropriations in county budgets, **HB 379**, relative to the adoption, revision, and amendment of municipal charters, **HB 624-FN**, imposing a temporary moratorium on property reassessments and statistical adjustments for all municipalities which have been reassessed at least once since 2003 and establishing a committee to study the rapidly increasing property taxes in New Hampshire, **HB 645-FN-LOCAL**, requiring notice to the public of a change in land use subject to the assessment of the land use change tax, **HB 646-FN-LOCAL**, establishing a fee for copies of police and fire reports, **HB 393**, relative to information filed by utilities paying the utility property tax, **HB 566-FN-LOCAL**, relative to the housing of inmates in county correctional facilities.
- 1:00 p.m. **HB 331**, relative to the withholding of building permits in certain cases.
- 1:30 p.m. **HB 335**, defining “unnecessary hardship” for purposes of zoning variances
- 2:00 p.m. **HB 462**, relative to site plan review of agricultural operations.
- 2:30 p.m. **HB 390**, relative to review of developments of regional impact.
- 3:00 p.m. **HB 343**, relative to religious organization property tax exemption requirements.

RIGHT-TO-KNOW OVERSIGHT COMMISSION (RSA 91-A:11), Room 304, LOB

10:00 a.m. Regular meeting.

SCIENCE, TECHNOLOGY AND ENERGY, Representatives Hall

- 1:00 p.m. Informational presentation on economic impact of NH Renewable Portfolio Standards by Ross Gittell, PhD, University of New Hampshire

MONDAY, MARCH 12

EDUCATION, Room 104, LOB (Please note room change.)

10:00 a.m. Defining educational adequacy subcommittee.

ELECTION LAW, Room 308, LOB

- 10:00 a.m. **HB 809**, relative to restrictions on political advertising.
- 10:30 a.m. **HB 794-FN**, relative to campaign contributions and expenditures.
- 11:00 a.m. **HB 687**, requiring the redistricting of the house of representatives for the 2008 elections.
- 11:15 a.m. **HB 735**, relative to the form of the presidential primary election ballot.
- 11:45 a.m. **HB 109**, eliminating straight ticket voting.
- 12:00 p.m. **SB 36**, eliminating straight ticket voting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. **HB 733-FN**, relative to certain authority and procedures of the department of revenue administration.
- 9:45 a.m. **HB 787-FN**, relative to procedures for and requirements applicable to municipal appraisers for property tax purposes.
- 10:30 a.m. **HB 788-FN**, relative to games of chance.
- 11:15 a.m. **HB 922-FN**, relative to licensing for games of chance.
- 1:00 p.m. **HB 923**, prohibiting dog racing in New Hampshire and establishing a committee to make recommendations for mitigating the impacts of prohibiting dog racing.
- 1:45 p.m. **HB 761-FN**, establishing the licensure and regulation of municipal real estate appraisers.
- 2:30 p.m. **HB 776-FN**, establishing the licensure and regulation of private investigators.
- 3:15 p.m. **HB 749**, changing the position of forensic toxicologist within the department of safety from an unclassified to a classified position.

FINANCE, Rooms 210-211, LOB

Budget Hearing

4:00 p.m. Budget hearing in Manchester PSNH Auditorium.

FINANCE – (DIVISION I), Room 212, LOB

- 9:00 a.m. Budget work session – Treasury.
- 10:00 a.m. Budget work session – LCHIP.
- 10:30 a.m. Budget work session - Pari-mutuel.
- 11:00 a.m. Budget work session – Liquor Commission.

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

- 10:00 a.m. Budget work session – Department of Safety.
- 11:00 a.m. Budget work session – Fish and Game.
- 1:00 p.m. Budget work session – Department of Transportation.

FINANCE – (DIVISION III), Room 209, LOB

- 9:30 a.m. Budget work session - Department of Health and Human Services – Operation Support and Program Integrity.
- 10:15 a.m. Budget work session – Bureau of Behavioral Health.
- 1:00 p.m. Budget work session – Bureau of Developmental Services.
- 2:00 p.m. Budget work session – Division of Child Support Services

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

- 9:00 a.m. **HB 273-FN**, relative to special needs trusts.
- 10:00 a.m. **HB 826-FN**, relative to coverage of medically necessary services and items under the medical assistance program.
- 11:00 a.m. **HB 774-FN**, relative to the use of marijuana for medicinal purposes.

JUDICIARY, Representatives Hall

- 10:00 a.m. **HB 612-FN**, relative to coercion of abortion on a minor.
- 11:00 a.m. **HB 744-FN**, relative to informed consent before abortion.

Room 208, LOB

- 3:00 p.m. Executive session on **HB 71**, excluding a municipality’s list of owners of registered dogs from the right-to-know law and **HB 152**, relative to public access to meeting minutes.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 9:30 a.m. **HB 880-FN**, requiring the department of resources and economic development to implement a feasibility study for the production of alternative forms of energy using natural resources of the state of New Hampshire and making an appropriation therefor.
- 10:15 a.m. **HB 768**, relative to voluntary registration with the Eastern Climate Registry.
- 11:00 a.m. **HB 855**, relative to renewable energy generation incentive payments.
- 12:45 p.m. **HB 917**, establishing a commission to study implementing a statewide emergency communications system.
- 1:30 p.m. **HB 689**, establishing a commission to study production and distribution of biodiesel fuel in New Hampshire.
- 2:30 p.m. Subcommittee work session on **HB 873-FN-LOCAL**, establishing minimum renewable standards for energy portfolios.

TUESDAY, MARCH 13

COMMERCE, Room 302, LOB

- 9:00 a.m. Subcommittee work session on **HB 264**, relative to a time period for declaring a person to be cancer free.
- 9:30 a.m. Subcommittee work session on **HB 263-FN**, relative to health insurance riders.
- 10:30 a.m. Subcommittee work session on **HB 151**, relative to provider contracts under the managed care law.
- 11:00 a.m. Subcommittee work session on **HB 529**, relative to disclaimers of municipal services in real estate contracts.
- 11:15 a.m. Subcommittee work session on **HB 371**, establishing accessibility requirements for new residential home construction.
- 12:00 p.m. Subcommittee work session on **HB 339**, establishing a commission to study the processing and denial of health insurance claims.
- 12:15 p.m. Subcommittee work session on **HB 305**, establishing a task force to develop legislation for expanding access to affordable health insurance for the 2008 legislative session and **HB 266**, establishing a commission to study affordable and accessible health care for New Hampshire citizens.
- 1:00 p.m. Subcommittee work session on **HB 324**, prohibiting the use of artificial trans fats in the preparation of food.
- 1:15 p.m. Subcommittee work session on **HB 360**, relative to commercial construction contracts.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. Subcommittee work session on **HB 338**, requiring the plumbers’ board to report on the feasibility of reestablishing reciprocity with neighboring states in licensing of plumbers, **HB 193**, relative to liquor and wine representative licenses.
- 9:45 a.m. Subcommittee work session on **HB 328**, relative to the regulation of electrical installation of alarms.
- 10:30 a.m. Subcommittee work session on **HB 545**, relative to the definition of recreational therapy.

LEGISLATIVE ADMINISTRATION, Room 104, LOB

- 2:00 p.m. Subcommittee work session on **HB 223-FN**, requiring the general court to hold sessions in the evening or on Saturday.

WEDNESDAY, MARCH 14

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Executive session on **HB 47**, exempting inheritances from marital assets for purposes of divorce settlements, **HB 51**, permitting adoption by 2 unmarried adults in a familial relationship, **HB 406**, relative to access to state child support enforcement records, **HB 519**, requiring children 12 years of age or under to wear personal flotation devices, **HB 410**, establishing a commission on child support issues, **HB 444**, relative to parental rights in abuse and neglect cases, **HB 463**, relative to the awarding parental rights and responsibilities to a stepparent or grandparent, **HB 537**, establishing a task force on homeless teenagers.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on **HB 214**, relative to discovery in criminal matters.

EDUCATION, Room 207, LOB

10:00 a.m. Executive session on **HB 95-LOCAL**, including charter school pupils in the average daily membership in residence in the pupil's district of residence, **HB 131**, revising the role of the commissioner of the department of education in the approval of home education programs, **HB 147**, relative to counting kindergarten pupils in charter school attendance, **HB 164**, relative to medicating pupils to enhance learning abilities, **HB 178-FN**, relative to the procedure for withdrawing from a cooperative school district, **HB 205**, relative to procedures for certain court ordered out-of-district placements, **HB 213**, relative to the availability of school nutrition program funds for charter school and nonpublic schools, **HB 238**, establishing a committee to study limited liability for school teachers, **HB 302**, requiring notice of construction or expansion of a public school, **HB 314**, authorizing the Pelham school board to transfer funds for the purpose of renting portable classrooms, **HB 330**, establishing a task force to study the feasibility of supplying laptop computers to all 7th grade children in the state, **HB 352-LOCAL**, relative to trust funds for public school educational enhancement, **HB 431**, establishing a commission to study academic and financial requirements for recipients of Pell grants, **HB 473-FN**, relative to reimbursement for members of the council for teacher education.

1:00 p.m. **HB 765-FN**, relative to procedures for determination of special education costs, payment liability, and rate setting.

2:30 p.m. Defining educational adequacy subcommittee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:00 a.m. **HB 346-FN-LOCAL**, establishing a defined contribution retirement option in the New Hampshire retirement system.

9:45 a.m. **HB 594-FN**, granting group II retirement system status to certain positions in the department of corrections.

10:30 a.m. **HB 653**, relative to the membership of the New Hampshire retirement system board of trustees.

11:15 a.m. **HB 758-FN**, establishing a new state defined contribution retirement plan for new state employees and establishing a committee to study the transition of current employees into the new plan and administration of the new plan.

1:00 p.m. Executive session on **HB 363**, relative to certain notification for emergency contraception, **HB 174-FN**, relative to regulating residential building and remodeling contractors, **HB 229**, relative to licensing requirements for operators of games of chance, **HB 312-FN**, relative to alternative providers for certain health services, **HB 328**, relative to the regulation of electrical installation of alarms, **HB 329**, relative to the fire equipment servicing certification program, **HB 338**, requiring the plumbers' board to report on the feasibility of reestablishing reciprocity with neighboring states in licensing of plumbers, **HB 543**, establishing a commission to study the licensing process for licensed alcohol and drug counselors, **HB 545**, relative to the definition of recreational therapy, **HB 571-FN**, relative to full-time seasonal state employees. **HB 763-FN**, establishing the licensure and regulation of residential and building inspectors.

FINANCE – (DIVISION I), Room 212, LOB

9:00 a.m. Budget work session – Department of Resources and Economic Development.

10:00 a.m. Budget work session – Department of Environmental Services.

11:00 a.m. Budget work session – Pease Development Authority.

1:00 p.m. Budget work session – Department of Administrative Services.

2:00 p.m. Budget work session – Office of Information Technology.

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

10:00 a.m. Budget work session – NH Lottery Commission.

10:30 a.m. Budget work session – Postsecondary Education Commission.

11:00 a.m. Budget work session – Department of Education.

1:00 p.m. Budget work session – Community Technical College System.

2:00 p.m. Budget work session – University System of New Hampshire.

FINANCE – (DIVISION III), Room 209, LOB

9:30 a.m. Budget work session – Division of Children Youth and Family

10:45 a.m. Budget work session - Juvenile Justice Services.

1:00 p.m. Budget work session – Division of Family Assistance.

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

9:30 a.m. **HB 893-FN**, relative to long-term care.

1:00 p.m. **HB 864-FN**, requiring licensing of outpatient abortion facilities.

2:00 p.m. **HB 563**, relative to obtaining birth certificates for stillborn children.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

9:00 a.m. **HB 720**, establishing a council on families and employment.

10:00 a.m. **Rescheduled** public hearing on **HB 605**, relative to employment eligibility verification by employers.

11:00 a.m. **HB 366-FN**, relative to work on Thanksgiving and Christmas Day.

1:00 p.m. Executive session on **HB 81**, relative to required pay for employees called into work, **HB 123**, relative to the time required between mandatory shifts or other work periods, **HB 129**, relative to outsourcing of jobs, **HB 342-FN**, relative to workers' compensation coverage for certain independent contractors, **HB 514-FN-LOCAL**, relative to the applicable minimum wage for hourly employees.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. **HB 380**, relative to the forms of government under town charters.

9:30 a.m. **HB 474**, excluding septic and sewage treatment facilities from the tax exemption for water and air pollution control facilities.

10:00 a.m. **HB 616-FN-LOCAL**, exempting certain persons age 65 and older from 25 percent of the state and local education portion of property taxes.

10:30 a.m. **HB 617-FN-LOCAL**, establishing a property tax relief program and fund and making an appropriation therefor.

11:00 a.m. **HB 662-FN-A-LOCAL**, exempting vehicles adapted for use by persons with disabilities from motor vehicle registration fees.

1:00 p.m. **HB 692**, allowing municipalities to adopt a property tax exemption for industrial construction.

1:30 p.m. **HB 423**, allowing municipalities to adopt a business incentive property tax credit.

2:00 p.m. **Continued** public hearing on **HB 294-FN**, relative to current use taxation of certain farm buildings.

2:30 p.m. Executive session on **HB 331**, relative to the withholding of building permits in certain cases, **HB 335**, defining “unnecessary hardship” for purposes of zoning variances, **HB 462**, relative to site plan review of agricultural operations, **HB 390**, relative to review of developments of regional impact, **HB 343**, relative to religious organization property tax exemption requirements.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. Executive session on **HB 805-FN-LOCAL**, relative to a crosswalk in the town of Seabrook, **HB 806-FN-LOCAL**, relative to a traffic light in the town of Seabrook, **HB 883-FN-A**, relative to tolls, **HB 705**, relative to the disposal of highway or turnpike funded real estate, **HB 739**, relative to contractor accountability and disclosure in the public works construction procurement process, **HB 538-FN-A**, making an appropriation for the renovation of the state park system.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

9:00 a.m. Subcommittee work session on **HB 694**, establishing a commission to study the feasibility of tidal power generation under the Little Bay and General Sullivan Bridges, in Dover.

10:00 a.m. Subcommittee work session on **HB 467**, requiring the department of environmental services to develop a climate action plan and to report on global warming issues, **HB 165**, establishing a committee to study the feasibility of carbon reduction incentives.

12:45 p.m. Subcommittee work session on **HB 873-FN-LOCAL**, establishing minimum renewable standards for energy portfolios.

TRANSPORTATION, Room 203, LOB

9:00 a.m. **HB 634-FN-A**, establishing a dropout prevention number plate.

9:30 a.m. **HB 647**, relative to indicating citizenship on drivers' licenses and nondrivers' identification cards.

10:00 a.m. **HB 729**, relative to prohibitions on reproducing drivers' licenses and identification cards and copying information in motor vehicle records.

10:30 a.m. **HB 755-FN**, relative to transfers of motor vehicle registration.

11:00 a.m. **HB 772**, relative to suspension or revocation of original drivers' licenses.

- 11:30 a.m. **HB 781-FN**, relative to the duties of the department of safety.
- 3:00 p.m. **HB 807**, requiring headlight use when windshield wipers are in use.
- 4:00 p.m. **HB 878-FN**, relative to drivers' licenses issued to persons 70 years of age and older and relative to the medical/vision advisory board.
- 4:30 p.m. **HB 918-FN**, relative to motor vehicle registrations for manufacturers.

WAYS AND MEANS, Room 202, LOB

- 9:00 a.m. **HB 619-FN-A**, establishing an additional exemption from the interest and dividends tax for individuals who are 70 years of age or older.
- 9:20 a.m. **HB 793-FN-A**, establishing an exemption from the interest and dividends tax for individuals who are 62 years of age or older.
- 9:40 a.m. **HB 635-FN-A**, removing exemptions under the interest and dividends tax.
- 10:00 a.m. **HB 784-FN-A**, requiring excess revenue stabilization reserve account funds to be used for a credit against business enterprise and business profits taxes.
- 10:20 a.m. **HB 844-FN**, authorizing the commissioner of revenue administration to issue demands for records for purposes of interest and dividends tax audits and to seize and destroy unstamped and invalidly stamped tobacco products.
- 10:40 a.m. **HB 618-FN-A**, establishing a research and development credit against the business profits tax and the business enterprise tax.
- 11:00 a.m. Full committee work session on **HB 618-FN-A**, establishing a research and development credit against the business profits tax and the business enterprise tax, **HB 619-FN-A**, establishing an additional exemption from the interest and dividends tax for individuals who are 70 years of age or older, **HB 635-FN-A**, removing exemptions under the interest and dividends tax, **HB 784-FN-A**, requiring excess revenue stabilization reserve account funds to be used for a credit against business enterprise and business profits taxes, **HB 793-FN-A**, establishing an exemption from the interest and dividends tax for individuals who are 62 years of age or older, **HB 844-FN**, authorizing the commissioner of revenue administration to issue demands for records for purposes of interest and dividends tax audits and to seize and destroy unstamped and invalidly stamped tobacco products.

THURSDAY, MARCH 15

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 9:00 a.m. Subcommittee work session on **HB 504-FN**, relative to registration requirements for certain criminal offenders under age 21.

EDUCATION, Room 207, LOB

- 9:30 a.m. Executive session on **HB 677-FN**, relative to special education procedural safeguards and the dispute resolution process, **HB 678-FN**, revising the special education program approval and monitoring process, **HB 679-FN-LOCAL**, relative to delivery of special education services, **HB 765-FN**, relative to procedures for determination of special education costs, payment liability, and rate setting, **HB 766-FN**, making changes to the laws relating to special education.
- 1:00 p.m. **HB 601-FN-A-LOCAL**, transferring the portion of special education costs directly related to health issues to the department of health and human services.
- 2:00 p.m. **HB 642-FN**, relative to educational accountability programs.
- 2:30 p.m. **HB 701**, relative to the definition of a school district in the case of unincorporated towns or unorganized places.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. **HB 876-FN-LOCAL**, relative to eliminating the special account, changing the definition of earnable compensation, and revising the calculation of employee and employer contribution rates and cost-of-living adjustments in the retirement system, and assigning all new employees to group I.
- 9:45 a.m. **HB 596-FN**, relative to a retirement system calculation exemption for certain retired teachers of the Concord school district.
- 10:30 a.m. **HB 629-FN**, relative to authorizing continued membership in the Manchester employees' contributory retirement system.
- 11:15 a.m. **HB 652-FN**, relative to the collection of debts owed to the state.
- 1:00 p.m. **HB 568-FN**, repealing the option to purchase nonqualified service credit in the New Hampshire retirement system.
- 1:30 p.m. **HB 569-FN**, relative to the retirement age for retirement system group II members.
- 2:15 p.m. Subcommittee work session on **HB 346-FN-LOCAL**, establishing a defined contribution retirement option in the

New Hampshire retirement system, **HB 594-FN**, granting group II retirement system status to certain positions in the department of corrections, **HB 653**, relative to the membership of the New Hampshire retirement system board of trustees, **HB 758-FN**, establishing a new state defined contribution retirement plan for new state employees and establishing a committee to study the transition of current employees into the new plan and administration of the new plan, **HB 596-FN**, relative to a retirement system calculation exemption for certain retired teachers of the Concord school district, **HB 629-FN**, relative to authorizing continued membership in the Manchester employees' contributory retirement system, **HB 562-FN**, excluding extra or special duty pay from earnable compensation in the retirement system, **HB 568-FN**, repealing the option to purchase nonqualified service credit in the New Hampshire retirement system and **HB 569-FN**, relative to the retirement age for retirement system group II members, **HB 876-FN-LOCAL**, relative to eliminating the special account, changing the definition of earnable compensation, and revising the calculation of employee and employer contribution rates and cost-of-living adjustments in the retirement system, and assigning all new employees to group I.

2:45 p.m. **HB 895-FN**, relative to licensure of court reporters.

3:15 p.m. **HB 881-FN**, relative to the licensure and regulation of interior designers.

FINANCE, Rooms 210-211, LOB

10:00 a.m. **HB 667-FN-A**, making an appropriation for the purposes of the catastrophic illness program.

10:30 a.m. **HB 643-FN**, relative to the distribution of tobacco settlement funds.

Budget Hearing

4:00 p.m. Budget hearing in Lancaster, White Mountain Regional High School Auditorium.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

9:15 a.m. Subcommittee work session on **HB 254**, relative to mandatory employer meetings about political and religious beliefs, including beliefs about joining a union.

Representatives Hall

10:00 a.m. **HB 819**, establishing a right to work act which provides for freedom of choice on whether to join a labor union.

Room 307, LOB

2:00 p.m. **Continued** public hearing on **HB 819**, establishing a right to work act which provides for freedom of choice on whether to join a labor union.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. **HB 691**, excluding the value of a view from property tax assessments on working farms.

9:30 a.m. **HB 479**, relative to the default budget in official ballot towns.

10:00 a.m. **HB 709**, making various changes to department of revenue administration authority concerning property tax administration.

11:00 a.m. **HB 649**, relative to the disposition of real estate given, devised, or bequeathed to a town for charitable or community purposes.

1:00 p.m. Executive session on **HB 474**, excluding septic and sewage treatment facilities from the tax exemption for water and air pollution control facilities, **HB 616-FN-LOCAL**, exempting certain persons age 65 and older from 25 percent of the state and local education portion of property taxes, **HB 617-FN-LOCAL**, establishing a property tax relief program and fund and making an appropriation therefor, **HB 662-FN-A-LOCAL**, exempting vehicles adapted for use by persons with disabilities from motor vehicle registration fees, **HB 692**, allowing municipalities to adopt a property tax exemption for industrial construction, **HB 423**, allowing municipalities to adopt a business incentive property tax credit, **HB 380**, relative to the forms of government under town charters, **HB 445-FN-LOCAL**, relative to the assessment of open space land.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. **HB 823-FN**, relative to state and municipal contracting practices for public works.

11:00 a.m. **Continued** public hearing on **HB 681-FN-A**, relative to full cent gas pricing and road tolls.

11:30 a.m. Executive session on **HB 731**, relative to the use of vehicle information or location tracked by an electronic toll collection system, **HB 753-FN-A**, relative to the electronic toll collection transponder inventory fund, **HB 754-FN**, repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

9:00 a.m. Subcommittee work session on **HB 880-FN**, requiring the department of resources and economic development to implement a feasibility study for the production of alternative forms of energy using natural resources of the state of New Hampshire and making an appropriation therefor.

9:30 a.m. Subcommittee work session on **HB 768**, relative to voluntary registration with the Eastern Climate Registry.

10:30 a.m. Subcommittee work session on **HB 855**, relative to renewable energy generation incentive payments.

- 11:30 a.m. Subcommittee work session on **HB 917**, establishing a commission to study implementing a statewide emergency communications system.
- 1:00 p.m. Subcommittee work session on **HB 689**, establishing a commission to study production and distribution of biodiesel fuel in New Hampshire.
- 2:00 p.m. Subcommittee work session on **HB 873-FN-LOCAL**, establishing minimum renewable standards for energy portfolios.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

- 9:00 a.m. Executive session on **HB 856**, relative to the definition of veteran, **HCR 8**, urging Congress to rename the Veterans Administration Hospital the Styles Bridges Veterans Administration Hospital, **HJR 1**, urging that more veterans’ mental health counseling centers be established in New Hampshire.
- 12:30 p.m. **HCR 7**, urging federal action on the earned income tax credit and other tax benefits related to child custody.
- 2:00 p.m. **HR 9**, supporting the U.S. Mayors Climate Protection Agreement.
- 3:00 p.m. Executive session on **HB 287**, requiring the seller to provide notice to the buyer of privately owned land or property known, or in an area historically known, to have been inhabited by Native Americans.

TRANSPORTATION, Room 203, LOB

- 3:00 p.m. **HB 685**, prohibiting New Hampshire from participating in a national identification card system.

WAYS AND MEANS, Room 202, LOB

- 9:00 a.m. Full committee work and executive session on revenues.
- 1:00 p.m. **HB 925-FN-A**, relative to state and local taxes.

FRIDAY, MARCH 16

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

- 9:00 a.m. Regular meeting.

FINANCE – (DIVISION III), Room 209, LOB

- 9:30 a.m. **HB 43**, relative to the procedure for establishing medicaid reimbursement rates.
- 10:30 a.m. Work session on **HB 43**, relative to the procedure for establishing medicaid reimbursement rates.

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

- 9:00 a.m. Regular business.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 9:00 a.m. **HB 674**, extending the veterans’ property tax credit to all honorably discharged veterans.
- 9:30 a.m. **HB 680**, allowing municipalities to determine the hours for the Saturday session for correction of the checklist.
- 10:00 a.m. **HB 706**, relative to requirements for highway agents.
- 10:30 a.m. **HB 785-FN**, relative to user charges for excessive consumption of police and nuisance enforcement services.
- 11:00 a.m. **HB 798**, allowing municipalities to adopt a property tax freeze for persons aged 65 and older.
- 1:00 p.m. **HB 803**, relative to the sale of tax-deeded property.
- 1:30 p.m. **HB 734**, establishing a committee to study requiring certain nonresidential property owners to submit income and expense information for determining property value for tax purposes.
- 2:00 p.m. **HB 717**, allowing municipalities to establish local community services and care planning boards.
- 2:30 p.m. **HB 736**, relative to administrative enforcement of certain violations of municipal ordinances.
- 3:00 p.m. **HB 741**, relative to the zoning requirement for child day care providers.
- 3:30 p.m. **HB 742**, relative to the issuance of building permits on class VI roads.

TASK FORCE TO STUDY COUNTY GOVERNMENT (SB 319, Chapter 221:1, Laws of 2006), Merrimack County Commissioners’ Office, 4 Court Street, Concord

- 10:00 a.m. Regular meeting.

TRANSPORTATION, Representatives Hall

- 10:00 a.m. **HB 847**, relative to general rules for vessels operating on water.

MONDAY, MARCH 19

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

- 1:00 p.m. Complaint hearing.

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691-FN-L, Chapter

175:15, Laws of 2005), Room 205, LOB

2:00 p.m. Subcommittee on mental health and corrections.

FINANCE – (DIVISION I), Room 212, LOB

1:00 p.m. Budget work session – Department of Revenue Administration.

2:00 p.m. Budget work session – Retirement.

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE, (RSA 126-A:13), Room 100, State House

10:00 a.m. Regular meeting.

TUESDAY, MARCH 20

EDUCATION, Room 207, LOB

10:00 a.m. **HB 556**, relative to school emergency response plans.

10:30 a.m. **HB 916**, relative to nonpublic or private schools receiving public funds.

11:00 a.m. **HB 919**, relative to the high school curriculum for New Hampshire history.

11:30 a.m. **HB 822**, relative to enrollment of students in regional vocational schools.

1:00 p.m. **HB 639**, relative to limitations on withdrawal from a cooperative school district.

2:00 p.m. **HB 914-LOCAL**, relative to the procedure for withdrawal from certain cooperative school districts and establishing a commission to study the procedures for withdrawal from a cooperative school district.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:30 a.m. **HB 908-FN**, relative to the licensure and regulation of massage therapists and registration of somatic and bodywork practitioners.

10:30 a.m. Executive session on **HB 788-FN**, relative to games of chance, **HB 922-FN**, relative to licensing for games of chance, **HB 923**, prohibiting dog racing in New Hampshire and establishing a committee to make recommendations for mitigating the impacts of prohibiting dog racing, **HB 749**, changing the position of forensic toxicologist within the department of safety from an unclassified to a classified position, **HB 821**, establishing a committee to study establishing a permanent Latino affairs commission, **HB 828-FN**, relative to a state ethics officer, **HB 65**, relative to the appointment of the director of the division of ports and harbors, **HB 818**, establishing a committee to study reestablishing the port authority as an independent agency, **HB 718-FN**, regulating privatization contracts for public service, **HB 761-FN**, establishing the licensure and regulation of municipal real estate appraisers, **HB 776-FN**, establishing the licensure and regulation of private investigators, **HB 137**, relative to food safety in restaurants, **HB 885-FN**, relative to the deputy commissioner of the department of employment security, **HB 895-FN**, relative to licensure of court reporters, **HB 881-FN**, relative to the licensure and regulation of interior designers, **HB 908-FN**, relative to the licensure and regulation of massage therapists and registration of somatic and bodywork practitioners, **HB 544**, relative to exemptions from auctioneering for Internet sales, **HB 593-FN**, relative to penalties for violations of licensing requirements for certain regulated professions, **HB 818**, establishing a committee to study reestablishing the port authority as an independent agency, **HB 652-FN**, relative to the collection of debts owed to the state, **HB 673**, allowing advanced registered nurse practitioners to certify walking disabilities, **HB 733-FN**, relative to certain authority and procedures of the department of revenue administration, **HB 787-FN**, relative to procedures for and requirements applicable to municipal appraisers for property tax purposes,

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. Executive session on **HB 823-FN**, relative to state and municipal contracting practices for public works, **HB 681-FN-A**, relative to full cent gas pricing and road tolls.

TRANSPORTATION, Room 203, LOB

10:00 a.m. **HB 802**, relative to passenger restraints.

2:00 p.m. **HB 795**, relative to restricting usage of cellular phones while driving.

3:00 p.m. **HB 901**, relative to requirements for non-driver identification cards.

THURSDAY, MARCH 22

EDUCATION, Room 207, LOB

9:00 a.m. Executive session on **HB 556**, relative to school emergency response plans, **HB 601-FN-A-LOCAL**, transferring the portion of special education costs directly related to health issues to the department of health and human services, **HB 639**, relative to limitations on withdrawal from a cooperative school district, **HB 642-FN**, relative to educational accountability programs, **HB 701**, relative to the definition of a school district in the case of

unincorporated towns or unorganized places, **HB 822**, relative to enrollment of students in regional vocational schools, **HB 914-LOCAL**, relative to the procedure for withdrawal from certain cooperative school districts and establishing a commission to study the procedures for withdrawal from a cooperative school district, **HB 916**, relative to nonpublic or private schools receiving public funds, **HB 919**, relative to the high school curriculum for New Hampshire history, **HB 927-FN**, relative to the specific criteria and substantive educational program that define an adequate education.

FRIDAY, MARCH 23

FINANCE – (DIVISION I), Room 212, LOB

9:00 a.m. Budget work session – Department of Justice.
10:00 a.m. Budget work session – Judicial Branch.
11:00 a.m. Budget work session – Judicial Council.
1:00 p.m. Budget work session – Corrections.

RIGHT-TO-KNOW OVERSIGHT COMMISSION (RSA 91-A:11), Room 304, LOB

10:00 a.m. Regular meeting.

MONDAY, MARCH 26

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c), Room 100, State House

9:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION MEETING

Belknap County Delegation will hold a public meeting on Monday, **March 5** beginning at 7:00 p.m. The meeting will be held at the Belknap County Complex in the multi-purpose room, 34 County Drive, Laconia. 1. The purpose of this meeting is to approve and pass the 2007 Belknap County Budget. 2. Other County business as necessary.

Rep. Stephen H. Nedeau, Chairman
Belknap County Delegation

COUNTY DELEGATION NOTICE

Merrimack County Executive Committee will meet on Monday, **March 5** at the McDonnell Building, Lower Level Conference Room, 4 Court Street, Concord at 9:00 a.m. Lunch will be provided. The purpose of this meeting is to review and approve the 2007 budget for all departments.

Rep. Jessie Osborne, Chairman
Merrimack County Executive Committee

Merrimack County Delegation will hold a public hearing on Tuesday, **March 20th**, 2007 at 6:00 p.m. at the County Administration Building, 4 Court Street, Lower Level Conference Room in Concord. The purpose of the meeting is: To consider 2007 budget appropriations for Merrimack County. Consider any other business. At this meeting, any member of the public may present oral or written testimony regarding the 2007 budget estimates as proposed by the Merrimack County Board of Commissioners. Following the public hearing a Delegation meeting will be held and the purpose of the meeting is: Withdrawal of funds from the Capital Reserve Account. Approval of the 2007 Merrimack County proposed budget. Consider any other business.

Rep. Candace Bouchard, Chairman
Merrimack County Delegation

COUNTY DELEGATION MEETING

Strafford County Executive Committee will meet on Friday, **March 9** at 9:00 a.m. in the Commissioners Conference Room, County Administration Building, to review subcommittee budgets.

Rep. Michael S. Rollo, Chairman
Strafford County Executive Committee

Strafford County Delegation will meet on Saturday, **March 17** at 9:00 a.m. in Courtroom 1, Grimes Justice and Administration Building, Dover, to adopt the 2007 budget. Light lunch will be provided.

Rep. Michael S. Rollo, Chairman
Strafford County Delegation

The Internal Revenue Service has set the standard mileage rate for transportation expenses for 2007 at forty-eight and one half cents (\$0.485) per mile. The federal mileage reimbursement rate for members of the NH House of Representatives increases from forty-four and one-half cents (\$0.445) per mile to forty-eight and one-half cents (\$0.485) per mile for all miles incurred on or after January 1, 2007.

Joyce Phinney, Manager
Office of Legislative Accounting

Pursuant to RSA 326-B:10-a,IV, the Joint Health Council will meet at the NH Board of Nursing Office, Walker Building, 21 South Fruit Street, Concord, on Monday, **March 5** at 6:00 p.m.

Karen O. Wadsworth, Clerk of the House

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.

Terie Norelli, Speaker

REVISED FISCAL NOTES

The following HBs have revised fiscal notes: HBs. 74, 493, 501, 502, 504, 571, 572, 579, 580, 582, 588, 590, 592, 598, 599, 602, 613, 614, 615, 616, 619, 624, 627, 629, 631, 635, 642, 643, 644, 677, 678, 679, 726, 740, 760, 771, 777, 778, 784, 785, 786, 787, 788, 789, 793, 805, 824, 843, 861, 865, 867, 873, 874, 877, 878, 879, 880, 884, 887, 889, 891, 892, 895, 903, 913, 922, 924.

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.

On Tuesday, **March 6** The Community Association Institute of NH will be hosting a Legislative Breakfast for all legislators and staff from 8:30 a.m. to 10:00 a.m. in the State House Cafeteria.

Reps. Mary Jane Wallner and Michael D. Whalley

The New Hampshire Humane Society invites you to a gourmet luncheon at St. Paul's Episcopal Church, 21 Centre Street, Concord on Tuesday, **March 6** at 11:30 a.m. Executive Director Claudia Abdinoor will be joined by former representative Paul LaFlamme, Tom Grey of the National Coalition Against Gambling Expansion and others to discuss the Dog Protection Act, a measure to phase out dog racing by 2009. See www.voteforthedogs.org.

Rep. Peter B. Schmidt

All members are invited to come and hear Scott Ritter, who served as Chief Weapons Inspector for the United Nations Special Commission in Iraq, speak on "The Case for Engagement with Iran" at the Common Man Restaurant, Senate Chamber, Tuesday, **March 6**, from 4:00 to 6:00 p.m. This event is sponsored by NH Peace Action. Complimentary wine and appetizers will be served. Because of limited space, please RSVP to anne@nhpeaceaction.org. or call Rep. Mary Cooney 536-1141.

Rep. Mary R. Cooney

The good times will continue! Please join us at the Barley House (across from the State House) from 4:00 to 5:30 p.m. on the following **Tuesdays: March 6 and 20**. Come and enjoy light edibles (with cash bar) and take advantage of this opportunity for legislators to become better acquainted as we enter a new session. All are welcome. Hope to see you there.

Reps. Cynthia J. Dokmo and Bette R. Lasky

On Wednesday, **March 7** the New Hampshire Water Pollution Control Association and the New England Water Environment Association are sponsoring a Legislative Breakfast at the Holiday Inn, Main Street, Concord. There is an education presentation, with a continuous breakfast buffet from 7:30 to 9:00 a.m. All legislators are invited to attend this portion of the program. To continue education regarding wastewater treatment facilities (WWTF), septage and biosolids there will be an open house and tour of the WWTFs in your community. These statewide tours will be held locally on Friday, **March 9** from 8:30 to 11:00 a.m. Any questions please contact Reps. Phinizy or Patten (blpatten@worldpath.net).

Reps. James G. Phinizy and Betsey L. Patten

There will be a meeting to discuss the formation of a Travel & Tourism Caucus at the New Hampshire State Library in Concord on Wednesday, **March 7** from 7:30 to 9:00 a.m. The presentation will include tourism up-dates and planned new initiatives. A light breakfast will be served. All Legislators and interested parties are invited to attend. Please RSVP to Donna McLelland at 271-1403 or email at donna.mclelland@leg.state.nh.us

Rep. Lyle Bulis

The Order of Women Legislators wish to invite you to a brown bag lunch on **March 7th** at the Upham Walker House. One of the NH OWLS prime missions is to provide a scholarship for a non-traditional student pursuing higher education. If anyone knows of a student who might be interested in applying please pick up an application on the 4th floor in the LOB. The deadline for return of the completed application is April 1st. We would also like to invite all members of the legislature to join the OWLS. The dues are \$10 and are tax deductible. If we can get enough participation we may be able to award a second scholarship. Please help us. Make your check out to the OWLS and mail it to the OWLS, Room 405, Legislative Office Building, 33 North Main Street, Concord, NH 03301.

Rep. Jacqueline A. Cali-Pitts

Council 112, Concord is sponsoring a chicken cordon bleu dinner for House members of the Knights of Columbus **March 7** at 6:00 p.m. Please contact Rep. Jordan Ulery.

Rep. Jordan G. Ulery

The New Hampshire Preservation Alliance invites all legislators to a reception on Thursday, **March 8** from 8:00 to 9:30 a.m. at the Tuck Library, 30 Park Street, Concord. Brief remarks by Michael Vlachich, Director, Division of Economic Development, Department of Resources and Economic Development and updates from other community leaders. Light breakfast will be served. Please RSVP to 224-2281 or admin@nhpreservation.org.

Reps. Mary Jane Wallner and David W. Hess

On Thursday, **March 8** the NH Ambulance Association will be hosting a Legislative Breakfast for all legislators and staff from 8:30 a.m. to 10:00 a.m. in the State House Cafeteria.

Reps. Mary Jane Wallner and Michael D. Whalley

All legislators are invited for lunch on Thursday, **March 8** from 11:30 a.m. to 1:00 p.m. at St. Paul's Church. Members of the American Cancer Society, American Heart Association, American Lung Association of NH and the Campaign for Tobacco Free Kids will provide information about secondhand smoke and the health threat to workers exposed while on the job. RSVP to Nancy Pederzini by phone: 603 518 1555 or by email: nancy.pederzini@heart.org.

Rep. Marjorie Smith

The Legislative Caucus for Young Children (LCYC) will meet Thursday, **March 8** in Room 206, LOB at 1:30 p.m. Attorney Jack Lightfoot and Gordon Allen will present an overview of the Governor's budget, highlighting specific proposals for programs and services aimed at helping NH children, youth and families. Members of the House and Senate are welcome to attend.

Rep. Mary Stuart Gile

The rescheduled meeting for the Voluntary Retirement Security Project will be on Friday, **March 9** in Room 307, LOB. An RSVP would be helpful to Rep. Laurie Harding, 603-448-5206 or lharding@valley.net.

Rep. A. Laurie Harding

All legislators and staff are invited to the 5th Annual New Hampshire Capital St. Patrick's Day Breakfast and Roast to benefit events at Children's Hospital at Dartmouth on Wednesday, **March 14** at 7:00 a.m. at the Marriott Courtyard in Concord. Guest roasters include Governor John Lynch and the House and Senate leadership. Free tickets are limited. Please RSVP by March 7 by emailing James.Demers@TheDemersGroup.com.

Linda T. Foster, Deputy Speaker

All legislators are invited to breakfast at St. Paul's Church in Concord on Thursday, **March 15** from 7:30 to 9:30 a.m. Breakfast is sponsored by Citizens for Sludge-Free-Land, Clean Water Action, Toxics Action Center, Souhegan Watershed Association, Northeast Organic Farming Association-NH, Save Our Groundwater and other organizations working to promote sustainable agriculture and groundwater protection. We will be showing the 2006 Canadian film "Sludge Diet." "Sludge Diet" takes viewers to Canada, New Hampshire, Pennsylvania, France and Switzerland to meet with victims, farmers, activists, scientists, and government officials who talk about the environmental and health problems that result when sewage sludge or "biosolids" is spread on farmland as fertilizer. "Sludge Diet" has been nominated by the American Library Association for Notable Video of the Year. For more information and RSVP please call 783-9372 or email rcrlobby@totalnetnh.net.

Rep. Jane E. Beaulieu

The Board of Nursing will host a meet and greet legislators on Thursday, **March 15** at the New Hampshire Board of Nursing office building, located in the Walker Building, 21 South Fruit Street, Room 100, Concord from 8:00 to 9:00 a.m. A light breakfast will be served.

Rep. A. Laurie Harding

On **March 17th** at 5:00 p.m. Bobby Stephens' 29th Annual St. Patrick's Day Bash to benefit scholarships will be held at The Yard, 1211 South Mammoth Road, Manchester. Come one, come all. Tickets \$35.

Rep. John Thomas

NH League of Investigators invites all to a breakfast in the cafeteria on **March 21** from 7:00 to 9:00 a.m. A brief power point presentation by former NHSP Lt. John Healy (past president of NHLI) will be presented at 8:00 a.m. Come and meet the professional investigators of the Granite State.

Reps. Jordan Ulery and Dudley D. Dumaine

The Citizen's Health Initiative will host a breakfast and presentation on healthcare issues, at the Tuck Library on Wednesday, **March 21st**. Breakfast will be available at 7:30 a.m. and the program will begin at 8:00 a.m. and conclude by 9:15 a.m. The program will include a summary of the Initiative's efforts over the past eighteen months and a prospective of current projects. Topics to be discussed include: The State of Healthcare in NH, Health Information Technology, Public Health Concerns; Wellness and Disease Management, www.healthinfo.org;; Access to Health Information. All members of the legislature are invited to attend.

Rep. Mary Jane Wallner

In celebration of the YMCA Youth in Government Program and Legislative Awareness Day, all legislators are cordially invited to a luncheon at St. Paul's Church basement on Thursday, **March 22**, from noon to 1:00 p.m. sponsored by the New Hampshire Alliance of YMCAs. Sandwiches, hot and cold drinks and dessert will be provided.

Rep. Larry A. Emerton

Aviation enthusiasts, and book collectors: The State House Visitors' Center, Room 119, has a few copies of Jean Batchelder's History and Heroes of New Hampshire Aviation published in 1995. The book is signed by the author and is available for \$19.95. The book describes the aviation situation in New Hampshire, and has over 50 biographies. One of the biographies is of eight term Representative Ralph Rosen. Ralph was a fighter "ace" in World War II as a Naval aviator. After one of his dogfights he returned to base with 130 bullet holes in his F6F Hellcat. He had 6 kills plus some probables and some 8 destroyed on the ground. Ralph would love to sign the book for you. Pay for the book, and leave it at the Visitors' Center with your name on it. He will get to it shortly.

Rep. Kenneth L. Weyler

The components of the NH Dental Society will be inviting legislators to events in their area in order to educate legislators regarding oral health issues in New Hampshire. Events are being scheduled for March. Please watch for invitations in the mail.

Rep. James R. MacKay

The House Republican Alliance will meet each **Tuesday** morning at 8:30 a.m. at the Upham Walker House.

Rep. David J. Bettencourt

Main Street Republicans will meet each **Tuesday** morning at 9:00 a.m. in Room 104, LOB. All Republicans are welcome to discuss pertinent issues. Join us for some lively and informative debate.

Rep. David H. Kidder

State House Visitation Schedule 2007

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in **Feb. & Mar. 2007**. These listings are to ensure all members be notified in a timely manner of visitors from their district. **Please note that schools may schedule and reschedule, therefore you may contact the Visitors' Center to check on updates.** Our schedule is tightly booked for the remainder of the school year. Please contact the Visitors' Center concerning school tour booking information. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director

Caitlin A. Daniuk, Public Information Administrator

<u>DATE</u>	<u>TIME</u>	<u>GROUP</u>	<u>Grade/Size</u>
Mar. 5	9:30-11:00 SH/SC	New Boston Elementary School	4/75
Mar. 6	9:30/11:00 SH/HM	Bartlett Elementary School – Goffstown	4/60
Mar. 7	10:00	K. A. Brett School – Tamworth	4/26
Mar. 7	11:00	Gilmanton Elementary School	4/45
Mar. 8	9:30	Bristol Elementary School – Bristol	4/45
Mar. 8	11:00/12:00	Winchester School	(7/8)/110
Mar. 9	9:30/11:00 SH/SC	Symonds Elementary School – Keene	4/60
Mar. 9	12:30	Tuftonboro Central School	4/17
Mar. 12	9:30/11:00 SH/HM	Webster Elementary School – Manchester	4/86
Mar. 13	9:45/11:00 SH/HM	Lancaster Memorial School – Salem	4/55
Mar. 14	9:00	Sacred Heart School – Hampton	4/32
Mar. 14	10:00	Washington Elementary School	(3-5)/44
Mar. 14	11:30	Leadership of Greater Concord	Adult/25
Mar. 15	9:30/11:00 SH/HM	Barnstead Elementary School	4/55
Mar. 16	9:30/11:00 SH/SC/HM	Jaffrey Grade School	
Mar. 19	9:00	Bow Elementary School	4/50
Mar. 19	11:00	Thornton Ferry School – Merrimack	4/50
Mar. 19	1:00	Burnham Brook Middle School – Canterbury	(6-8)/15
Mar. 20	9:00	Bow Elementary School	4/50
Mar. 20	10:30	Friends of the Bartlett Library – Red Hat Society	Adults/36
Mar. 20	11:00	Thornton Ferry School – Merrimack	4/50
Mar. 20	12:30	Maplewood Elementary School – Somersworth	4/40
Mar. 21	9:00	Bow Elementary School	4/50
Mar. 21	10:30	Sant Bani School – Sanbornton	4/11
Mar. 21	11:30/1:00 SH/HM	DJ Bakie School – Kingston	4/75
Mar. 22	9:30	John Fuller School – North Conway	4/35
Mar. 22	11:00	Thornton Ferry School – Merrimack	4/50
Mar. 23	8:45	Dunbarton Elementary School	4/31
Mar. 23	9:45/11:00 SH/SC	Lincoln Street School – Exeter	4/75
Mar. 26	10:00	South Merrimack Christian School	4/18
Mar. 26	10:00	Milford Christian Academy	4/5
Mar. 26	11:00	Sarah Porter School – Langdon	3&4/16
Mar. 27	9:30	East Kingston Elementary School	4/36
Mar. 27	11:00	Greenland Central Elementary School	4/40
Mar. 28	9:30/11:00 SH/HM	Smyth Road School – Manchester	4/75
Mar. 29	10:00/11:30 SH/HM	Newmarket Elementary School	4/90-100
Mar. 30	9:30	Epsom Central School	4/41
Mar. 30	11:00/12:30 SH/HM	Appleton Elementary School – New Ipswich	4/60

-----Clip and Post-----

NOTICE

HOUSE EMERGENCY NOTIFICATION SYSTEM

In past sessions, a plan was developed for the House Leadership to communicate with members of the House at night and at such other times as the members are at home.

In most emergencies the individual member will be aware that an emergency exists, though may be in doubt as to its extent. The following procedure has been developed:

- 1. Notice of an emergency message will be given to State Police Headquarters in Concord and commercial wire services.
- 2. State Police Headquarters will send the message via computer to the stations listed.
- 3. Reliance will be placed on each individual legislator to call the terminal station nearest his or her home and inquire for any emergency message to legislators in times of emergency or suspected emergency. This will include, but not be limited to

cancellation of sessions due to severe weather conditions.

Gilford	Police Station	527-4737
Laconia	Police Station	524-5252
Keene	Police Station	352-2222
Lebanon	Police Station	448-1212
Manchester	Police Station	668-8711
Nashua	Police Station	594-3500
Concord	Police Station	225-8600
Rockingham County	County Sheriff	679-2225
Portsmouth	Police Station	427-1500
Dover	Police Station	742-4646
Claremont	Police Station	542-9538
Newport	Police Station	863-3232
Merrimack	Police Station	424-2222
Salem	Police Station	893-1911
Ossipee	County Sheriff	539-2284
Derry	Police Station	432-6111

In addition to the above listed numbers you can also call the numbers listed below nearest you.

State Police Headquarters

Department of Safety
10 Hazen Drive
Concord, NH 03305
Tel: 271-3636

Rockingham & Strafford Counties

Troop - A
Route 125
Epping, NH 03042
Tel: 679-3333

Hillsborough County

Troop - B
4 Meadowbrook Drive
Milford, NH 03055
Tel: 672-3333

Cheshire & Sullivan Counties

Troop - C
Box 272
Keene, NH 03431
Tel: 358-3333

Merrimack County

Department of Safety
10 Hazen Drive
Concord, NH 03305
Tel: 271-3636

Belknap & Carroll Counties

Troop - E
Box 235
W. Ossipee, NH 03890
Tel: 323-3333

Coos & Grafton Counties

Troop - F
Box 440
Twin Mountain, NH 03595
Tel: 846-3333

Also in the event members wish to obtain road or weather conditions during periods of inclement weather they should call the nearest Troop Station to their residence or Headquarters Communications in Concord. When calling Headquarters Communications, they should ask to speak with the Communications Supervisor. When calling a Troop Station, inquiries will be handled by the Communications Specialist on duty at the time.

The caller should specify the information he or she wishes to obtain. This information should be readily available to communications personnel and every effort will be made to accommodate these requests in a timely manner.

Please be advised when calling State Police Headquarters to call **271-3636** and not any of the 800 lines, which are used for emergency purposes only.

A toll-free 24-hour weather and traffic hotline is now available by dialing 511.

TUESDAY, MARCH 6
AMENDMENTS
(LISTED IN NUMERICAL ORDER)

2007-0300h

Amendment to HB 37

Proposed by the Committee on Education - C

Amend RSA 651-B:3, I-II as inserted by section 3 of the bill by replacing it with the following:

651-B:3 Release of Certain Sexual Offenders Into the Community; Duties.

I. Upon release of any sexual offender or offender against children required to register, whether on probation, parole, conditional or unconditional release, completion of sentence, release from secure psychiatric care, release into the community after involuntary commitment, release from a juvenile detention facility, or for any other reason, the official in charge of such release shall notify the offender of the offender's duty to report under this chapter. The offender shall acknowledge in writing that he has received such notice. The official shall obtain the address at which the offender expects to reside upon release and shall report such address to the department. The department shall inform the local law enforcement agency *in the city or town* where the offender expects to reside. *The local law enforcement agency in the city or town where the offender expects to reside may notify the superintendent of the school administrative unit and the principal of any school within its jurisdiction of the address at which the offender expects to reside. If such notification occurs, the local law enforcement agency shall also notify the superintendent of the school administrative unit and the principal of any school within its jurisdiction of any changes to the offender's information made pursuant to RSA 651-B:5.* The division shall enter the information concerning the offender's release and notification in the LENS system.

II. Upon receipt from any out-of-state law enforcement agency of information that a sex offender or offender against children has moved to New Hampshire, the department shall obtain the address at which the offender expects to reside and shall inform the local law enforcement agency. *The local law enforcement agency in the city or town where the offender expects to reside may notify the superintendent of the school administrative unit and the principal of any school within its jurisdiction of the address at which the offender expects to reside.* The department shall locate and shall serve notice upon such offender of the offender's duty to report under this chapter. Service by the department is not required if the offender has already registered with the local law enforcement agency in which the offender resides or is located as required by this chapter. At the time of the initial registration, the offender shall acknowledge in writing that the offender has received notice of the duty to report. The division shall enter the information concerning the offender's location in New Hampshire and notification in the LENS system. This paragraph shall not apply to a sexual offender or offender against children who has moved to New Hampshire and has registered with a local law enforcement agency.

Amend RSA 651-B:5, II as inserted by section 4 of the bill by replacing it with the following:

II. The local law enforcement agency in the city or town where the offender resides may notify the superintendent of the school administrative unit and the principal of any school within its jurisdiction of a new place of residence, a change of name, or a change of an alias, of a person required to be registered under this chapter.

AMENDED ANALYSIS

This bill:

- I. Requires a school administrative unit, school district, or charter school to adopt a policy designating certain categories of volunteers as "designated volunteers" who may be required to undergo a background investigation and a criminal history records check.
- II. Allows local law enforcement agencies to notify the superintendent of the school administrative unit and the principal of any school within its jurisdiction of the address of a registered criminal offender.
- III. Provides limited liability to a school administrative unit, school district, or charter school for permitting certain volunteers to have direct contact with students.

2007-0055h

Amendment to HB 59

Proposed by the Committee on Fish and Game - C

Amend the bill by replacing section 1 with the following:

☐ Crossbow Hunting by Persons With a Disability. Amend RSA 207:10-c, I to read as follows:

I. Notwithstanding the provisions of RSA 207:10, a crossbow permit may be issued to a person who has a permanent physical disability and as a result of that disability the person cannot operate a conventional longbow or compound bow safely. Such permit shall allow that person to take ~~[deer during bow and arrow hunting season, bear during the specified season, wild turkey, and carp from Mascoma lake pursuant to RSA 211:2.]~~ *any species permitted to be taken by bow and arrow*

pursuant to RSA 208:5, provided that the **bow and arrow license under RSA 208:5 and the** necessary licenses under RSA 208, RSA 209, and RSA 214 have been acquired each year. The permit applicant may be required to appear before the executive director, the director's designee or designated medical consultant or consultants to substantiate the presence of the disability and demonstrate the ability to safely use a crossbow. The applicant shall be responsible for submitting medical documentation as required by the executive director. The executive director may require a second medical opinion from a medical consultant or physician designated by the executive director to verify the disability. Any costs associated with obtaining the medical documentation, re-evaluation of the information or a second medical opinion, upon recommendation of the medical consultant or consultants, are the responsibility of the applicant. The executive director shall determine the eligibility of the applicant, and the executive director's decision shall be final.

AMENDED ANALYSIS

This bill allows persons with disabilities who are issued crossbow permits to take any species permitted to be taken by bow and arrow.

2007-0336h

Amendment to HB 102
Proposed by the Committee on Commerce - R

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

AN ACT defining "food" for purposes of the alcoholic beverages laws.

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

1 New Paragraph; Alcoholic Beverages; Definitions; Food. Amend RSA 175:1 by inserting after paragraph XXXI-a the following new paragraph:

XXXI-aa. "Food" means solid nutritive material as distinguished from drink.

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

AMENDED ANALYSIS

This bill defines "food" for purposes of the alcoholic beverages laws.

2007-0166h

Amendment to HB 135
Proposed by the Committee on Executive Departments and Administration - C

Amend RSA 4:13-m as inserted by section 1 of the bill by replacing it with the following:

4:13-m Firefighters Memorial Day. In recognition of the service given by the men and women who, night and day, serve the people of this state as firefighters, and inviting the governments, communities, and people of this state to observe such day with appropriate ceremonies and activities, the governor shall proclaim the second Sunday in October of each year as Firefighters Memorial Day in honor of the firefighters who have been killed or disabled in the line of duty and those still serving.

2007-0060h

Amendment to HB 144
Proposed by the Committee on Resources, Recreation and Development - C

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

1 Spectacle Pond. Amend RSA 270:96, I to read as follows:

I. No person shall use or operate any powerboat equipped with any petroleum-powered motor upon the waters of Spectacle Pond in the towns of Groton and Hebron; provided, however, that ~~on July 1, 1986,~~ the contiguous property owners of the pond who own and operate petroleum-powered motors not in excess of 7.5 horsepower on said pond may continue to do so **for the duration of their ownership of the property and the boat** upon application and demonstration of hardship to the department of safety as provided in paragraph II. **The use of these permitted petroleum-powered motor boats shall be limited to travel to and from the public landing and the owner's property.**

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

AMENDED ANALYSIS

This bill removes a date restriction on and clarifies the permissible use of petroleum-powered boats by contiguous property owners on Spectacle Pond.

2007-0122h

Amendment to HB 146
Proposed by the Committee on Election Law - C

Amend the bill by replacing section 1 with the following:

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

I. Every candidate for state or federal office who intends to have his or her name printed upon the ballot of any party for

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

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

AMENDED ANALYSIS

This bill limits the names that a candidate may designate for printing on ballots and eliminates requirements for the use of nicknames not related to the candidate's given name.

2007-0063h

Amendment to HB 155

Proposed by the Committee on Executive Departments and Administration - R

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

- 1 State Building Code Review Board; Active Fire Prevention Officer. Amend RSA 155-A:10, I(h) to read as follows:
(h) One ~~[municipal volunteer fire chief]~~ ***active fire prevention officer***, nominated by the New Hampshire Association of Fire Chiefs.
- 2 State Building Code Review Board; Appointments. Amend RSA 155-A:10, II to read as follows:
II. The term of each member shall be 3 years ~~[except that persons initially appointed under subparagraphs I(a), (d), (g), (j) and (m) shall serve one-year terms, and persons initially appointed under subparagraphs I(b), (e), (h), (k) and (n) shall serve 2-year terms]~~. The chair shall be appointed by the commissioner of safety. Board members shall be appointed for no more than 2 consecutive 3-year terms.
- 3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires the New Hampshire Association of Fire Chiefs to appoint an active fire prevention officer to the state building code review board. The bill also removes the provision that staggered the terms of the first appointees to the state building code review board.

2007-0396h

Floor Amendment to HB 171
Proposed by Rep. Ulery

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

AN ACT relative to the wiretapping and eavesdropping statute.

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

1 Wiretapping and Eavesdropping; Definitions. Amend RSA 570-A:1, II-III to read as follows:

II. "Oral communication" means any oral communication uttered by a person exhibiting ~~[an]~~ **a justifiable** expectation **of privacy** that such communication is not subject to interception ~~[under circumstances justifying such expectation]~~.

III. "Intercept" means the aural or other acquisition of, or the recording of, the contents of any telecommunication or oral communication **uttered by a person exhibiting a justifiable expectation of privacy that such communication is not subject to interception**, through the use of any **hidden** electronic, mechanical, or other device.

2 New Paragraph; Wiretapping and Eavesdropping; Interception and Disclosure. Amend RSA 570-A:2 by inserting after paragraph II the following new paragraph:

III. No expectation of privacy exists under any circumstances for any public servant while in the course of his or her official duties and while in a public place.

3 Effective Date. This act shall take effect January 1, 2008.

AMENDED ANALYSIS

This bill amends the definition of "oral communication" and "intercept" under the wiretapping and eavesdropping statute. The bill also permits the audio or video recording of a public servant while in the course of his or her official duties and while in a public place.

2007-0299h

Amendment to HB 183-FN-A-LOCAL

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

Amend paragraph III of section 2 of the bill by replacing it with the following:

III. The department of resources and economic development shall not be required to develop, operate, or maintain any recreational facilities on the property unless funding for such development, operation, or maintenance is provided through state, federal, or municipal sources, private contributions, or other sources, nor shall the department be required to use any state park fund money for the purposes of development, operation, or maintenance of the Temple Mountain property.

IV. The department of resources and economic development shall not purchase the property unless it is subject to deed restrictions which prohibit the installation of telecommunications or similar towers and associated facilities on the property and which prohibit any off-road motorized vehicular recreational activities, including motorized recreational trail use.

2007-0400h

Floor Amendment to HB 184

Proposed by Reps. Wendelboe, Emerson, L. Ober, Stepanek and Mooney

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

AN ACT relative to the parental notification law.

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

1 New Paragraph; Definition Added. Amend RSA 132:24 by inserting after paragraph V the following new paragraph:

V-a. "Medical emergency" means that condition which, on the basis of the physician's good faith clinical judgment, so complicates the medical condition of a pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible impairment of major bodily function.

2 Medical Emergency Provision Added. RSA 132:26, I(a) is repealed and reenacted to read as follows:

(a) The attending abortion provider certifies in the pregnant minor's medical record that there exists a medical emergency, as defined in RSA 132:24, V-a; or

3 Waiver of Notice; 24-Hour Access. Amend RSA 132:26, II to read as follows:

II. If such a pregnant minor elects not to allow the notification of her parent or guardian or conservator, any judge of a court of competent jurisdiction shall, upon petition, or motion, and after an appropriate hearing, authorize an abortion provider to perform the abortion if said judge determines that the pregnant minor is mature and capable of giving informed consent to the proposed abortion. If said judge determines that the pregnant minor is not mature, or if the pregnant minor does not claim to be mature, the judge shall determine whether the performance of an abortion upon her without notification of her parent, guardian, or conservator would be in her best interests and shall authorize an abortion provider to perform the abortion without such notification if said judge concludes that the pregnant minor's best interests would be served thereby. **Access to a judge for the purposes of this paragraph shall be afforded such a pregnant minor 24 hours a day, 7 days a week. All proceedings conducted pursuant to this section shall be confidential.**

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

AMENDED ANALYSIS

This bill adds a medical emergency exception to the parental notification prior to abortion law. This bill also affords the pregnant minor 24-hour access to a judge for waiver of notification purposes.

2007-0292h

Amendment to HB 189

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

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

1 New Paragraph; Navigation; Definitions; Swim Line. Amend RSA 270:2 by inserting after paragraph IX the following new paragraph:

X. "Swim line" means a combination of ropes, cables, and floats which encompass an area abutting the shore line, for the use of swimmers.

2 New Paragraph; Interference with Navigation; Placing Obstructions; Swim Lines. Amend RSA 270:26 by inserting after paragraph III the following new paragraph:

IV.(a) Any person who knowingly places a swim line in any public body of water without first obtaining a permit issued by the director of safety services shall be guilty of a violation.

(b) Any person who operates a boat within any permitted swim line on any public body of water without the permission of the permittee shall be guilty of a violation.

(c) The commissioner is authorized to establish fees and expiration periods for permits issued under subparagraph (a). The fee for a permit shall not be greater than \$50 and all permits shall expire no later than 5 years after the date of issuance. All fees collected under this paragraph shall be deposited in the navigation safety fund established under RSA 270-E:6-a.

3 Effective Date. This act shall take effect January 1, 2008.

AMENDED ANALYSIS

This bill prohibits placing a swim line in a public body of water without a permit and prohibits operating a boat within a permitted swim line.

2007-0121h

Amendment to HB 194

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

Amend the bill by replacing section 1 with the following:

1 Administration of Alcohol Concentration Tests; Rules; Laboratories. Amend RSA 265-A:5, V(e) to read as follows:

(e) ~~[Procedures for certification of]~~ **A requirement that** any laboratory that conducts tests pursuant to RSA 265-A:7 **be accredited by any nationally recognized accrediting body;** and

AMENDED ANALYSIS

This bill requires that laboratories conducting alcohol concentration tests be accredited by any nationally recognized accrediting body.

This bill is a request of the department of safety.

2007-0192h

Amendment to HB 202

Proposed by the Committee on Transportation - C

Amend the bill by replacing section 1 with the following:

1 New Section; Administration of Motor Vehicle Laws; Point System for Automobile Dealer and Inspection Station Violations. Amend RSA 260 by inserting after section 6-a the following new section:

260:6-b Point System for Automobile Dealer and Inspection Station Violations.

I. The director of motor vehicles may adopt rules pursuant to RSA 260:5 to establish 2 different uniform point systems for separately identifying automobile dealers and inspection stations which have violated the provisions of this title or rules adopted under this title. The rules shall include a designated level of point accumulation which so identifies automobile dealers and inspection stations.

II. The director may assess points for violations of this title or rules adopted pursuant to this title which have been found by a court of law or a hearing officer to have been violated. Notice of the assessment of points shall be given in accordance with the rules adopted by the director.

III. In the case of a conviction or finding against a dealer or inspection station of 2 or more violations committed on a single occasion, such dealer or inspection station shall be assessed points for one offense only, under each separate point system if the same entity holds both a dealer's registration, license, or privileges, and inspection station privileges. If the offenses have

different point values, the dealer or inspection station shall be assessed for the offense having the greater point value.

IV. The director may suspend or revoke the dealer's registration, license or privileges, or in the case of an inspection station the inspection station privileges, in accordance with the rules adopted under this section. The rules shall provide a mechanism for reduction of points for a dealer or inspection station that has completed a training course approved by the director.

V. The director may distinguish between larger and smaller dealers and inspection stations in establishing the point system. For the purposes of the point system established under this section, an inspection station may not be liable for violations committed by an individual mechanic if the mechanic deliberately commits an action that is contrary to the law, the rules of the department, or the policies and procedures of the station.

VI. Both point systems authorized under this section shall only count points for violations committed within the 3 most recent calendar years and shall only count violations that are committed on or after the effective date of the rules adopted under this section.

2007-0074h

Amendment to HB 216

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

Amend paragraph I of section 2 of the bill by replacing it with the following:

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

- (a) Three members of the house of representatives, at least one of whom is a member of the resources, recreation and development committee, appointed by the speaker of the house of representatives.
- (b) Two members of the senate, appointed by the president of the senate.
- (c) The director of the division of ports and harbors, Pease development authority, or designee.
- (d) Two professionals in marine studies from the university of New Hampshire, at least one from the Jackson estuarine laboratory, appointed by the president of the university of New Hampshire.
- (e) One representative of the Nature Conservancy, appointed by that organization.
- (f) One representative from the department of environmental services, appointed by the commissioner.
- (g) One representative of the Strafford regional planning commission, appointed by that commission.
- (h) One representative of the Rockingham regional planning commission, appointed by that commission.
- (i) Two representatives from conservation commissions in estuarine towns, appointed by the governor.
- (j) The manager of the Great Bay Estuarine Research Reserve, or designee.
- (k) The commissioner of the department of fish and game, or designee.
- (l) One representative from the New Hampshire estuaries project, appointed by the director.
- (m) Two representatives of water-related recreational interests, appointed by the governor.
- (n) Two representatives of water-dependent commercial interests, appointed by the governor.

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

I. Seek the assistance of the Environmental Protection Agency, National Oceanic and Atmospheric Administration, United States Fish and Wildlife Service, National Marine Fisheries Service, the United States Army Corps of Engineers, and the United States Geological Survey, as appropriate.

Amend the bill by replacing section 5 with the following:

5 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library in an interim report filed on or before November 30, 2008 and in a final report filed on or before November 30, 2009.

2007-0154h

Amendment to HB 218

Proposed by the Committee on Municipal and County Government - C

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

☐ Chief Fireward, Engineer, or Fire Chief. Amend RSA 154:5, II to read as follows:

II. Subject to such written formal policies as may be adopted by the appointing authority, each chief fireward, engineer, or fire chief of any city or town who is appointed rather than elected, shall have authority to direct and control all employees of his or her department in their normal course of duty and shall be responsible for the efficient and economical use of all department equipment. Such chief fireward, engineer, or fire chief shall be subject to suspension without pay or dismissal only for cause, and after he or she has been presented with a written specification of the reasons. Upon such suspension or dismissal, the chief fireward, engineer, or fire chief shall be entitled to a hearing, on the merits and reasonableness of the action, in superior court in the county in which the municipality is located, provided that the chief fireward, engineer, or fire chief petitions the clerk of the superior court for such a hearing within ~~[+10]~~ 45 days of suspension or dismissal. The court shall have the power to affirm, modify or negate such suspension or dismissal, based upon its findings.

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

AMENDED ANALYSIS

This bill increases the time a chief fireward, engineer, or fire chief has to petition the court for a hearing following suspension or dismissal.

2007-0118h

Amendment to HB 222

Proposed by the Minority of the Committee on Municipal and County Government - R

Amend RSA 673:4, V as inserted by section 2 of the bill by replacing it with the following:

IV. One person who is not a resident of the municipality may be appointed to the commission if he or she is a property owner within the district, lives within the state of New Hampshire, operates a business on that property, and demonstrates active support for the community as determined by the appointing authority.

2007-0132h

Amendment to HB 226

Proposed by the Committee on Municipal and County Government - C

Amend the bill by replacing section 1 with the following:

□ Investment Policy. Amend RSA 31:25 to read as follows:

31:25 Custody; Investment. The trustees shall have the custody of all trust funds held by their town. ***Any person who directly or indirectly receives any such trust funds for deposit or for investment in securities of any kind shall, prior to acceptance of such funds, make available at the time of such deposit or investment an option to have such funds secured by collateral having value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive benefit of the town depositing or investing such funds. Only securities defined by the bank commissioner, as provided by rules adopted pursuant to RSA 386:57, shall be eligible to be pledged as collateral.***

The funds shall be invested only in deposits in any federally or state-chartered bank or association authorized to engage in a banking business in this state, or in deposits in any credit union in this state, or in bonds, notes or other obligations of the United States government, or in state, county, town, city, school district, water and sewer district bonds and the notes of towns or cities in this state; and such stocks and bonds as are legal for investment by any bank or association chartered by this state to engage in a banking business; and in participation units in the public deposit investment pool established pursuant to RSA 383:22. Deposits in a federally or state-chartered bank or association or credit union shall be made in the name of the town which holds the same as a trust, and it shall appear upon the books thereof as a trust fund. ~~[Any person who directly or indirectly receives any such trust funds for deposit or for investment in securities of any kind shall, prior to acceptance of such funds, make available at the time of such deposit or investment an option to have such funds secured by collateral having value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive benefit of the town depositing or investing such funds. Only securities defined by the bank commissioner, as provided by rules adopted pursuant to RSA 386:57, shall be eligible to be pledged as collateral.]~~ Shares of [open-ended] mutual funds are also permitted if they are registered with the Securities and Exchange Commission, qualified for sale in the state of New Hampshire in accordance with the New Hampshire uniform securities act of the New Hampshire secretary of state's office, and which have in their prospectus a stated investment policy which is consistent with the investment policy adopted by the trustees of trust funds in accordance with ~~[RSA 35:9]~~ ***this chapter***, and when so invested, the trustees shall not be liable for the loss thereof. The trustees may retain investments as received from donors, until the maturity thereof. The trustees shall formally adopt an investment policy for all investments made by them or by their agents for any trust funds in their custody ***in conformance with the provisions of applicable statutes***. Such investment policy shall be reviewed and confirmed at least annually. ***A copy of the investment policy shall be filed with the attorney general.***

2007-0127h

Amendment to HB 227

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

Amend RSA 359-I as inserted by section 1 of the bill by replacing it with the following:

CHAPTER 359-I IDENTITY THEFT

359-I:1 Definitions. In this chapter:

I. "Financial device" means any instrument or device that can be used to obtain cash, credit, property, services, or any other thing of value or to make financial payments, including but not limited to any of the following:

- (a) A credit card, banking card, debit card, electronic fund transfer card, or guaranteed check card.
- (b) A check.
- (c) A negotiable order of withdrawal.

- (d) A share draft.
- (e) A money order.
- (f) An Automated Clearing House ("ACH") or other electronic transaction.
- (g) Any device or process, whether based on a binary or digital code used to transfer value from one person or entity to another.

II. "Personal information" shall include any one or more of the following, whether the information is owned by or assigned to the person it relates to:

- (a) A first and last name of a user, whether given at birth or adoption, assumed, or legally changed.
- (b) A home or physical address.
- (c) An electronic mail address.
- (d) A telephone number.
- (e) A social security number.
- (f) Any personal identification number.
- (g) A credit or debit card number.
- (h) Any access code associated with a credit or debit card.
- (i) A date of birth, birth certificate number, or place of birth.
- (j) A password or access code.
- (k) A financial institution account number.
- (l) A driver's license or other governmental identification.

III. "Victim" means any person whose personal information or financial device has been obtained, accessed, possessed, or recorded in violation of this chapter or any person that provided money, credit, goods, services, or anything of value and has suffered financial loss as a direct result of the commission or attempted commission of a violation of this chapter.

IV. "Person" means an individual, corporation, trust, partnership, incorporated or unincorporated association, limited liability company, or other form of entity, or any agency, authority, board, court, department, division, commission, institution, bureau, or other state governmental entity, or any political subdivision of the state.

359-I:2 Prohibited Conduct.

I. Unless otherwise permitted by state law or rules or federal statute or regulation, no person shall, without the authorization, consent, or permission of the other person, do any of the following:

- (a) Obtain, record, or access personal information or a financial device that would assist the person in accessing financial resources or obtaining personal information owned by the other person other than that which is necessary to process a transaction for the benefit of the other person.
- (b) Obtain goods, services, or some other benefit through the use of personal information or a financial device of the other person.
- (c) Obtain personal information or financial device documents in the other person's name.
- (d) Possess the personal information or a financial device of the other person without permission or lawful authority, with the intent to use or to aid or permit some third person to use such information or device to obtain cash, credit, property, services, or any other thing of value or to make a financial payment.
- (e) Use or possess personal information or a financial device of the other person without permission or lawful authority with the intent to obtain, or to aid or permit some third person to obtain, a government-issued document.
- (f) Falsely make, complete, or alter a written instrument containing any personal information of the other person.
- (g) Make or convey a materially false statement, without permission or lawful authority, with the intent to obtain, record, or access the personal information or financial device of the other person.

II. This section shall not apply when a person obtains the identity of another person to misrepresent his or her age for the sole purpose of obtaining alcoholic beverages, tobacco, or another privilege denied to minors.

359-I:3 Liability. In addition to any other remedies provided by law, a victim may bring an action in his or her county of residence or any county in which any part of the act took place, regardless of whether the person who committed the violation was ever actually present in that county, against the person who violated this chapter to recover the following:

I. \$5,000 for each incident, or 3 times the actual damages, whichever is greater.

II. Reasonable attorney's fees and court costs.

359-I:4 Correction of Public and Private Records.

I. Any order obtained under this chapter, or any conviction under RSA 638:26, may be submitted in any civil proceeding to set aside a judgment against the victim.

II. The victim may submit the order obtained under this chapter, or any conviction under RSA 638:26, to any governmental entity or private business as proof that any financial accounts therein created or altered in violation of this chapter, RSA 638:26, or RSA 638:5 and were not the actions of the victim.

Amendment to HB 248
Proposed by the Committee on Fish and Game - C

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

AN ACT eliminating separate dedicated accounts in the fish and game department and transferring the sums into the fish and game fund.

Amend the bill by replacing all after section 2 with the following:

3 Restitution for Illegal Taking or Possessing; Funds. Amend RSA 207:55, III to read as follows:

III. Courts ordering such reimbursement damages shall remit such monies as prescribed in RSA 206:34. Monies collected from such reimbursement damages shall be ~~[used for game management activities within the fish and game department and such funds shall be nonlapsing]~~ **deposited in the fish and game fund.**

4 Transfer. All sums dedicated for the fish and game department trapping education program or for restitution for illegal taking or possessing held in account by the state treasurer on the effective date of this act shall be deposited into the fish and game fund for the use of the fish and game department.

5 Repeal. The following are repealed:

I. RSA 6:12, I(b)(214) relative to funds in the trapping education program.

II. RSA 6:12, I(b)(216) relative to funds from restitution for illegal taking.

6 Effective Date. This act shall take effect July 1, 2007.

AMENDED ANALYSIS

This bill removes requirements that certain revenues of the fish and game department be dedicated to the trapping education program. The bill also removes a dedicated fund for restitution for illegal taking or possessing.

This bill is a request of the fish and game department.

2007-0155h

Amendment to HB 249
Proposed by the Committee on Executive Departments and Administration - C

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

AN ACT relative to preliminary objections to rules made by the joint legislative committee on administrative rules, and relative to extending the study committee on the rules process.

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

1 Rulemaking; Preliminary Objections by the Joint Legislative Committee on Administrative Rules; Policy Committee Review. Amend RSA 541-A:13, V(b) to read as follows:

(b) If the committee objects to the final proposal as filed or as amended pursuant to paragraph II, the committee shall send the agency a preliminary written objection stating the basis for the objection. A preliminary objection or conditional approval shall require the assent of a majority of the votes cast, a quorum being present. If a preliminary objection is made ~~[to a rule proposed to implement a new or newly amended state statute]~~, the committee may send a copy of the preliminary objection to the appropriate standing policy committees and, if so, shall give notice to the agency. Within 30 days of the date the preliminary objection was entered, the standing policy committee may review the proposed rules and the preliminary objection and may advise the committee relative to the basis for the preliminary objection.

2 Study Committee of the Rules Process Extended. Amend 2006, 145:10, VI to read as follows:

VI. The committee shall report its findings, any recommendations for proposed legislation, and any specific recommendations for implementing procedures designed to improve rulemaking that do not require statutory changes. Such report shall be submitted to the appropriate policy committees of the house of representatives and the senate, the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, ~~[2006]~~ **2008**.

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

AMENDED ANALYSIS

This bill clarifies the procedure for the joint legislative committee on administrative rules to make a preliminary objection and send the proposed rule to the standing policy committees for review. This bill also extends the study committee on the rules process established in 2006, 145:10.

2007-0375h

Amendment to HB 292
Proposed by the Committee on Children and Family Law - C

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

AN ACT relative to consideration of the preference of a mature minor in the modification of parental rights and responsibilities.

Amend the bill by replacing section 2 with the following:

1 Modification of Parental Rights and Responsibilities; Preference of Mature Minor. Amend RSA 461-A:11, I(e) to read as follows:

(e) If the court finds by clear and convincing evidence that a minor child is of sufficient maturity to make a sound judgment ~~[about his or her proper custody]~~, the court may give substantial weight to the preference of the mature minor child as to the ~~[parent with whom he or she wants to live]~~ **determination of parental rights and responsibilities**. Under these circumstances, the court shall also give due consideration to other factors which may have affected the minor child's preference, including whether the minor child's preference was based on undesirable or improper influences.

2007-0268h

Amendment to HB 310

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

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

AN ACT allowing municipalities to regulate small wind energy systems.

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

1 New Subdivision; Small Wind Energy Systems. Amend RSA 674 by inserting after section 57 the following new subdivision:

Small Wind Energy Systems

674:58 Definitions. In this subdivision:

I. "Small wind energy system" means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity consistent with the net metering specifications of RSA 362-A:9 and which will be used primarily for onsite consumption.

II. "System height" means the height above grade of the tower plus the wind generator.

III. "Tower height" means the height above grade of the fixed portion of the tower, excluding the wind generator.

IV. "Wind generator" means blades and associated mechanical and electrical conversion components mounted on top of the tower.

674:59 Municipal Regulations of Small Wind Energy Systems. Ordinances or regulations adopted by municipalities to regulate the installation and operation of small wind energy systems shall not unreasonably limit such installations or unreasonably hinder the performance of such installations. Unreasonable limits or hindrances to performance shall include the following:

I. Restricting tower height or system height through application of a generic ordinance or regulation on height that does not specifically address allowable tower height or system height of a small wind energy system.

II. Requiring a setback from property boundaries for a tower greater than 110 percent of the system height, or greater than 220 percent of the system height if any abutting landowner disapproves of the system's installation.

III. Setting a noise level limit lower than 60 decibels, as measured at the closest neighboring inhabited dwelling, or not allowing for limit overages during short-term events such as utility outages and severe wind storms.

IV. Setting electrical or structural design criteria that exceed applicable state, federal or international building or electrical codes or laws.

674:60 Aviation Requirements. Small wind energy systems shall be built to comply with all applicable Federal Aviation Administration requirements, including 14 C.F.R. part 77, subpart B regarding installations close to airports, and the airport zoning regulations adopted under RSA 424:5.

674:61 Abandonment. A small wind energy system that is out-of-service for a continuous 12-month period shall be deemed abandoned. The planning board administrator may issue a notice of abandonment to the owner of an abandoned small wind energy system. The owner shall have the right to respond to the notice of abandonment within 30 days from the receipt date. The planning board shall withdraw the notice of abandonment and notify the owner that the notice has been withdrawn if the owner provides the planning board with information demonstrating the small wind energy system has not been abandoned. If the small wind energy system is determined to be abandoned, the owner of the small wind energy system shall remove the wind generator from the tower at the owner's sole expense within 3 months of receipt of notice of abandonment. If the owner fails to remove the wind generator from the tower, the administrator may pursue a legal action to have the wind generator removed at the owner's expense.

2 Renewable Energy; Zoning. Amend RSA 672:1, III-a to read as follows:

III-a. Proper regulations encourage energy efficient patterns of development, the use of solar energy, including adequate access to direct sunlight for solar energy uses, and the use of other renewable forms of energy, and energy conservation.

Therefore, ~~[zoning ordinances should not unreasonably limit]~~ the installation of solar, wind, or other renewable energy systems or the building of structures that facilitate the collection of renewable energy **shall not be unreasonably limited by use of municipal zoning powers or by the unreasonable interpretation of such powers** except where necessary to protect the public health, safety, and welfare;

3 Renewable Energy; Zoning. Amend RSA 672:1, III-d to read as follows:

III-d. For purposes of paragraphs *III-a*, III-b, III-c, and III-e, “unreasonable interpretation” includes the failure of local land use authorities to recognize that agriculture, forestry, *renewable energy systems*, and commercial and recreational fisheries, when practiced in accordance with applicable laws and regulations, are traditional, fundamental and accessory uses of land throughout New Hampshire, and that a prohibition upon these uses cannot necessarily be inferred from the failure of an ordinance or regulation to address them;

4 New Section; Model Ordinance. Amend RSA 4-C by inserting after section 5 the following new section:

4-C:5-a Model Ordinance. The director of the office of energy and planning shall develop a technical bulletin relative to model municipal ordinances for the construction of small wind energy systems. Prior to development, the director shall hold one or more public hearings and solicit comments from interested parties. The office shall provide a copy of the technical bulletin to any New Hampshire municipality that requests it.

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

AMENDED ANALYSIS

This bill allows municipalities to regulate small wind energy systems.

2007-0270h

Amendment to HB 323
Proposed by the Committee on Commerce - C

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

AN ACT establishing a committee to study liquor commission revenues, enforcement, and training.

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

1 Committee Established. There is established a committee to study liquor commission revenues, enforcement, and training.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Three members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties.

I. The committee shall study enhancing training by the liquor commission for retail liquor licensees. The committee’s study shall include an examination of liquor commission rules on training and the current status of licensee training in other states. The committee shall solicit testimony from retail license holders and from alcoholism problem prevention, treatment, and rehabilitation professionals.

II. The committee shall study operations and policies of the liquor commission. The committee shall examine the revenues of the liquor commission and assess whether the liquor commission is adequately maximizing revenue sources. The committee’s study shall include whether there are liquor-related sources of revenue that are not currently fulfilled by the liquor commission.

III. The committee shall review current laws and rules enforced by the liquor commission and any other matters that the committee deems necessary. The laws and rules reviewed by the committee shall include those relating to:

- (a) Advertising.
- (b) Age restrictions for admittance to certain establishments.
- (c) Enforcement.
- (d) The appeal process for violations and fines levied by the commission.
- (e) Licensing.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2007.

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

AMENDED ANALYSIS

This bill establishes a committee to study liquor commission revenues, enforcement, and training.

2007-0191h

Amendment to HB 351
Proposed by the Committee on Ways and Means - C

Amend the bill by replacing sections 1-2 with the following:

1 Definitions; Business Activity. Amend RSA 77-A:1, XII to read as follows:

XII. "Business activity" means *a substantial economic presence evidenced by a purposeful direction of business toward the state examined in light of the frequency, quantity, and systematic nature of a business organization's economic contacts with the state. "Business activity" includes, but is not limited to,* a group of actions performed by a business organization for the purpose of earning income or profit from such actions and includes every operation which forms a part of, or a step in, the process of earning income or profit from such group of actions. The actions ordinarily include, but are not limited to, *the employment of business assets,* the receipt of money, property, or other items of value and the incurring or payment of expenses. Notwithstanding any other provision of this paragraph, a holder of an ownership interest in a qualified investment company as defined in RSA 77-A:1, XXI, shall not be deemed to be carrying on any business activity within this state due solely to its holding an ownership interest in such qualified investment company.

2 Definitions; Water's Edge Combined Group. Amend RSA 77-A:1, XV to read as follows:

XV. "Water's edge combined group" means a group of business organizations as defined in RSA 77-A:1, I operating a unitary business, except for overseas business organizations, as defined in paragraph XIX; provided, however, ~~[overseas]~~ **80/20** business organizations shall only be excluded from the definition of "water's edge combined group" if the following criteria are met:

2007-0160h

Amendment to HB 362

Proposed by the Committee on Executive Departments and Administration - C

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

AN ACT relative to the advisory committee on quality of vital records information.

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

1 Report by Advisory Committee on Quality of Vital Records Information. Amend RSA 126:24-g to read as follows:

126:24-g Report. Annually, on or after April 30 for birth data, and on or after August 31 for death data, the committee **established in RSA 126:24-h** shall produce a report on the quality of the prior year's vital records data based on the final data year reports received from the National Center for Health Statistics for natality and mortality demographic files. The report shall include a statement on the quality and completeness of each element recorded on the statistical forms as they are maintained electronically. The report shall be submitted to the commissioner, or designee, the secretary of state, the registrar of vital records, the speaker of the house of representatives, and the president of the senate.

2 New Subparagraph; Membership of Advisory Committee on Quality of Vital Records Information; Secretary of State Added. Amend RSA 126:24-h, I by inserting after subparagraph (i) the following new subparagraph:

(j) The secretary of state, or designee.

3 Advisory Committee on Quality of Vital Records Information; Terms. Amend RSA 126:24-h, II to read as follows:

II. The members of the committee shall choose a chairperson by majority vote. Members of the advisory committee shall serve 2-year terms and no member shall serve more than 2 consecutive terms. The members under subparagraphs I(e) through ~~(f)~~ **(j)** shall serve terms coterminous with their terms of office.

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

AMENDED ANALYSIS

The bill clarifies the reporting requirement for the advisory committee on quality of vital records information and adds the secretary of state, or the secretary of state's designee, to the committee.

2007-0252h

Amendment to HB 372-FN-A

Proposed by the Committee on Ways and Means - C

Amend the bill by replacing section 1 with the following:

1 Tax on Rental of Motor Vehicles; Application for Exemption. Amend RSA 78-A:8-a to read as follows:

78-A:8-a Application for Exemption.

I. Application for an exemption from payment of the tax imposed by this chapter based upon the definition of "rent" under RSA 78-A:3, VIII shall be made in writing to the commissioner.

II. Application for an exemption from payment of the tax imposed by this chapter based upon the definition of "motor vehicle" under RSA 78-A:3, XIV shall be made in writing to the commissioner. The application shall be made for each motor vehicle for which an exemption is sought. A motor vehicle eligible for exemption shall be one that possesses modifications suitable for the transport of passengers with physical disabilities that require a wheelchair or other special adaptations. An application for exemption shall be approved upon submission of such evidence as required by and acceptable to the commissioner pursuant to rules adopted under RSA 541-A.

AMENDED ANALYSIS

This bill allows for exempting motor vehicles possessing modifications suitable for transporting persons with physical

disabilities from the tax on rental of motor vehicles.

2007-0379h

Amendment to HB 392

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

Amend the bill by replacing section 1 with the following:

□ New Section; Recreation Easements. Amend RSA 216-A by inserting after section 13 the following new section:
216-A:13-a Motorized Vehicles Prohibited. No off highway recreational vehicles as defined in RSA 215-A:1, VI shall be allowed on any property held by the state of New Hampshire or any agency of the state under an easement specifying low impact recreational use only. Nothing in this section shall prohibit the use of such vehicles by the landowner or easement holder for emergency purposes or purposes of managing the property. This section shall not apply to any such easement in existence prior to the effective date of this section.

AMENDED ANALYSIS

This bill prohibits the use of certain motorized vehicles on property held by the state of New Hampshire under an easement specifying low impact use only, except by the landowner or easement holder for emergency or management purposes.

2007-0235h

Amendment to HB 409

Proposed by the Committee on Commerce - C

Amend the bill by replacing section 1 with the following:

□ New Paragraph; Definitions; Sports Recreation Facility; Defined. Amend RSA 175:1 by inserting after paragraph LXIV-b the following new paragraph:

LXIV-c “Sports recreation facility” means a facility that is primarily established for general sports, fitness, and recreation services. Recreation facilities include the following types: alpine slide facility, bowling facility, golf facility, racquet sports facility, ski facility, billiards/pool hall, or any similar recreation facility approved by the commission in rules.

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

③ Racquet sports facility; Definition. Amend RSA 175:1, LVII to read as follows:
LVII. “Racquet sport facility” means a facility which has at least one [indoor] regulation size tennis or regulation racquetball court, or 2 regulation size curling links, which are kept in proper condition.
④ On-Premises Liquor Licenses; Fees. Amend RSA 178:29, I to read as follows:
I. On-premises licensees shall pay the following applicable fees annually:

	Supplemental Only	Beverages and Wine	Beverages and Liquor	Cocktail Lounge
Airport				\$ 1,200
~~[Alpine Slide~~				~~\$ 1,200]~~
Ballroom	\$ 45			\$ 1,200
Bed and Breakfast		\$ 480	\$ 840	
Beer Festival				
One-day	\$ 250			
Two-day	\$ 300			
Three-day	\$ 350			
~~[Billiards/Pool Hall~~				~~\$ 1,200~~
~~Bowling Facility~~				~~\$ 1,200]~~
Catering (all)				\$ 1,200
Catering (off-site only)				\$ 840
Catering (on-site only)				
18 events-	\$ 5			
36 events-	\$ 5			
52 events-	\$ 5			
Club Military				\$ 100
Club Social				
9 event	\$ 250			
18 events	\$ 450			
36 events	\$ 750			
52 events	\$1,200			
Club Private				\$ 1,200
Club Veterans				

9 events	\$ 250		
18 events	\$ 450		
36 events	\$ 750		
52 events	\$1,200		
College Club			\$ 1,200
Convention Center			\$ 2,400
Dining Car	\$ 480		\$ 840
Fairs	\$ 112		
~~Golf Facility~~			~~\$ 1,200]~~
Hotel	\$ 840		\$ 1,200
One day License			\$ 100
Performing Arts			\$ 360
Racetrack/Motor Vehicle			\$ 1,800
Racetrack/Pari-Mutuel			\$ 3,000
~~Racquet Sports~~			~~\$ 1,200]~~
Rail Cars			\$ 1,200
Restaurant	\$ 480	\$ 840	\$ 1,200
~~Ski Facility~~			~~\$ 1,200]~~
Special License		\$ 25	
Sports/Entertainment Complex			\$ 1,800
9 events	\$ 250		
18 events	\$ 450		
36 events	\$ 750		
52 events	\$1,200		
Sports Recreation Facility			\$ 1,200
Vessel	\$ 480	\$ 840	\$ 1,200

- 5) Repeal. The following are repealed:
- I. RSA 178:22, V(b), relative to alpine slides.
 - II. RSA 178:22, V(d), relative to bowling facilities.
 - III. RSA 178:22, V(j), relative to golf facilities.
 - IV. RSA 178:22, V(o), relative to racquet sports facilities.
 - V. RSA 178:22, V(r), relative to ski areas.
 - VI. RSA 178:22, V(t), relative to billiards/pool halls.

AMENDED ANALYSIS

This bill establishes a cocktail lounge license for sports recreation facilities and eliminates the separate licenses for facilities that are eligible for the sports recreation facility license.

2007-0257h

Amendment to HB 415-FN

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

Amend paragraph II of section 1 of the bill by replacing it with the following:

II. The state geologist shall make a preliminary report of the results of the geothermal assessment project to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before July 1, 2008. The state geologist shall make a final report of the results of the geothermal assessment project to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before July 1, 2009.

2007-0247h

Amendment to HB 418

Proposed by the Committee on Public Works and Highways - C

Amend RSA 236:73-a as inserted by section 1 of the bill by replacing it with the following:

236:73-a “RV Friendly” Markers.

I. Subject to the prior approval of the Federal Highway Administration, the department of transportation shall incorporate the use of “RV friendly” markers on specific business directional signs for business establishments that cater to the needs of persons driving recreational vehicles. A business establishment that qualifies for a business directional sign and that also qualifies as “RV friendly” may request that an “RV friendly” marker be displayed immediately adjacent to such establishment’s business logo sign on the appropriate background sign panel. The business applicant shall pay all costs of the

“RV friendly” marker. For purposes of this section, the “RV friendly” marker to be displayed shall be such marker as may be approved by the Federal Highway Administration in the Manual on Uniform Traffic Control Devices.

II. In accordance with the provisions of RSA 21-L:12, and subject to the approval of the Federal Highway Administration, the department shall adopt rules, pursuant to RSA 541-A, necessary to implement the provisions of this section, including rules setting forth the minimum requirements for business establishments to qualify as “RV friendly.” Such requirements shall include, but shall not be limited to:

- (a) Roadways shall be hard surface, such as gravel, compacted stone dust, pavement, or other firm surface, and at least 12 feet wide with a minimum swing radius of 50 feet for entering and exiting the facility.
- (b) Roadway access and parking facilities shall be free of any obstructions up to 14 feet above the surface.
- (c) Facilities requiring short-term parking shall have 2 or more spaces that are 12 feet wide and 65 feet long with a swing radius of 50 feet to enter and exit the spaces.
- (d) Fueling facilities with canopies shall have a 14-foot clearance and facilities selling diesel fuel shall have pumps with non-commercial nozzles.
- (e) Fueling facilities shall allow for pull-through with a swing radius of 50 feet.
- (f) Campgrounds shall have 2 or more spaces that are 18 feet wide and 45 feet long.

2007-0156h

Amendment to HB 440-FN

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

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

1 Forestry; Definitions. Amend RSA 227-G:2, XIV-XVII to read as follows:

XIV. “Primary wood processing mill” means any permanent or portable mill, *or any off-site log yard operated by a primary wood processing mill*, wherever located, sawing or otherwise processing logs, bolts, pulpwood, or other primary forest products into secondary forest products.

XV. “Quarantine” means a legal restriction duly imposed or enacted as a means for preventing or delaying the spread of a forest pest.

~~[XV]~~ XVI. “Reservation” means public land under the jurisdiction of the department including, but not limited to: state forest, state park, natural area, historic site, geological site, recreation trail, memorial area, fire tower, wayside area, heritage park, resource center, agricultural area, state forest nursery, fish pier, administrative facility, information center, demonstration forest, certain islands, and lands under lease to the department.

~~[XVI]~~ XVII. “Special purpose” means the management of reservations and state-owned forestlands which have been excluded from forest management due to environmental, public safety, or other reasons unique to the reservation or state-owned forestland as determined by the agency responsible for the reservation or state-owned forestland.

XVIII. “Wood concentration yard” means any site established and used for the purchase and resale of primary forest products from off-site locations and which is not a primary wood processing mill. Any site used primarily to process or store bark mulch shall not be a wood concentration yard.

~~[XVII]~~ XIX. “Woodland” includes cut-over land, slash, and such other land as bears a sufficient amount of wood growth, wood, weeds, grass, or other growth as to be likely to be burned

2 New Paragraphs; Administration; Rulemaking. Amend RSA 227-G:4 by inserting after paragraph VIII the following new paragraphs:

VIII-a. Quarantine measures that may be taken when forest pests are found in any geographic area pursuant to RSA 227-K.

VIII-b. The issuing of orders and permits pursuant to RSA 227-K:15.

3 New Paragraph; Forestry; Fines; Penalties. Amend RSA 227-G:5-a, by inserting after paragraph II the following new paragraph:

III. Unless otherwise provided by law, any person who violates any rule adopted under RSA 227-G:4 shall be guilty of a violation.

4 Forestry; Validity of Prosecutions. Amend RSA 227-G:8 to read as follows:

227-G:8 Validity of Prosecutions. Forest rangers and officials of the division appointed to enforce this title and other laws provided for in RSA 227-G:7 are authorized, upon successful completion of the preparatory training programs for *full-time or* part-time police officers established by the police standards and training council under RSA 188-F and their subsequent certification as *full-time or* part-time police officers, to prosecute these laws within the jurisdiction of municipal and district courts, unless the prosecutorial jurisdiction over a particular case or class of cases is preempted by the county attorney or the attorney general. Prosecutions for violations of any provisions of this title are declared to be valid and proper, notwithstanding the existence of any law of this state dealing with matters that may be the same as or similar to those covered by this title.

5 Forestry; Training of Forest Rangers. Amend RSA 227-G:9 to read as follows:

227-G:9 Training of Forest Rangers.

I. Any forest ranger of the division appointed to enforce the provisions of this title and other laws provided for in RSA 227-G:7, shall successfully complete the preparatory training for part-time police officers established by the police standards and training council pursuant to RSA 188-F no later than one year from the date of hire. Upon successful completion of the training program, such forest ranger shall be certified as a part-time police officer.

II. Any forest ranger of the division hired after January 1, 2005 appointed to enforce the provisions of this title and other laws provided for in RSA 227-G:7, shall successfully complete the preparatory training for full-time police officers established by the police standards and training council pursuant to RSA 188-F no later than one year from the date of hire. Upon successful completion of the training program, such forest ranger shall be certified as a full-time police officer.

III. Any forest ranger of the division hired before January 1, 2005 shall be certified as a full-time police officer upon successful completion of the preparatory training for full-time police officers established by the police standards and training council pursuant to RSA 188-F.

6 New Paragraphs; Forest Health; Duties of the Director. Amend RSA 227-K:2 by inserting after paragraph II the following new paragraphs:

III. The director, in consultation with the commissioner and under the direction of the commissioner of agriculture, markets, and food, or designee, may establish quarantines as specified in the law or under the rules to prevent dissemination of forest pests within the state or into the state that have the potential to cause serious damage to forests.

IV. The director, with the approval of the commissioner and after notice and hearing pursuant to RSA 541-A, may impose an administrative fine not to exceed \$2,000 for each offense upon any person who violates any provision of this chapter. Rehearings and appeals from a decision of the director under this paragraph shall be in accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the imposition of further penalties under this chapter. The commissioner shall adopt rules, under RSA 541-A, relative to:

- (a) A schedule of administrative fines which may be imposed under this paragraph for violation of this chapter.
- (b) Procedures for notice and hearing prior to the imposition of the administrative fine.

V. The proceeds of administrative fines levied pursuant to paragraph IV shall be deposited by the director into the forest management and protection fund established under RSA 227-G:5, I.

7 Nursery Inspection; Regulation of Entry. RSA 227-K:14 is repealed and reenacted to read as follows:

227-K:14 Regulation of Entry. The director's authorized agents, under the direction of the director, may prohibit or regulate the entry into the state, or the movement within the state, of any tree, timber, log, wood, pole, underwood, or bark, or the products thereof, which in the agent's judgment may cause the introduction or spread of a dangerous insect or disease. This authority shall not extend to agricultural crops, nurseries, or nursery stock as regulated under RSA 433.

8 Nursery Inspection; Orders. Amend RSA 227-K:15 to read as follows:

227-K:15 Orders. ~~[The state nursery inspector and the commissioner of agriculture, markets, and food]~~ **The director and the commissioner of resources and economic development** may issue such orders, notifications, and permits as may be necessary to carry out the provisions of RSA 227-K:14.

9 Forest Health; Penalties. RSA 227-K:17 is repealed and reenacted to read as follows:

227-K:1 Prohibitions; Penalty.

I. The following actions are prohibited:

- (a) Violating any provisions of a quarantine issued under RSA 227-K:2, III.
- (b) Violating any order or failing to obtain a permit issued under RSA 227-K:15.
- (c) Selling, offering for sale, giving away, moving or shipping any tree, timber, log, wood, pole, underwood, or bark, or the products thereof into this state, or within this state, knowing or having reason to believe that they may be harboring a forest pest declared as a dangerous insect or disease, or have been exposed to any such pest. This authority shall not extend to agricultural crops, nurseries, or nursery stock as regulated under RSA 433.

II. Any person, or employee or agent of that person, who violates any provision of this section or rule adopted under this chapter shall be guilty of a violation. For any subsequent offense, a person shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

10 Forest Resource Information; Primary Wood Processing Mills. Amend RSA 227-I:9 to read as follows:

227-I:9 Primary Wood Processing Mills; **Wood Concentration Yards**; Registration; Penalty.

I. In order to ~~[provide for the safety of woodlands from fire in relation to primary wood processing mills, and to protect and develop the state's forest resources, information as to location, owner, type of mill, operating capacity, species and volumes of wood and timber being processed, and output of wood and timber products shall be required]~~ **protect and develop the state's forest resources, provide for the safety of woodlands from fire in relation to primary wood processing mills, and to respond to forest health threats, such mills and wood concentration yards shall be registered by the director. Primary wood processing mills shall provide the director with information on the locations, owner, type of mill, operating capacity, species, volumes, and state of origin of wood harvested and timber processed, purchased, and sold, and the output of wood and timber products.**

- II.(a) No person shall operate or cause to be operated any mill processing primary forest products ***or wood concentration yard*** unless said mill ***or wood concentration yard*** shall be registered by the director.
- (b) There shall be an annual mill registration fee of \$20 for all mills processing primary forest products ***or wood concentration yards***, regardless of size, type of mill ***or wood concentration yard***, or primary product being processed.
- (c) Application for registration shall be made on forms provided by the director, giving the name of owner or owners, ***and*** locations~~[, type and capacity]~~ of ***a primary wood processing mill or a wood concentration yard. Primary wood processing mills shall provide the director with information on the*** ~~[]~~ products produced, ***type, capacity***, and such other pertinent information as the director may require. One application shall cover a mill complex in a given location involving more than one unit of equipment.
- (d) The director shall issue to the applicant a permanent registration number assigned to the mill ***or wood concentration yard*** described in the application together with a sign or plate denoting such registration number, to be displayed in a conspicuous place at the mill ***or wood concentration yard***.

III. The director, or duly authorized agent, may, at any time, inspect any primary wood processing mill ***or wood concentration yard*** to assure compliance with the provisions of this chapter.

IV. Any person who violates any of the provisions of this section or rules adopted under RSA 541-A shall, for the first 30-day period, be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person. Each subsequent 30-day period or part thereof shall constitute a separate offense.

11 Timber Harvesting; Deceptive Forestry Business Practices. Amend RSA 227-J:15, II to read as follows:

II. In this section, “adulterated” means varying from a standard of composition or quality prescribed by any statute providing criminal penalties for such variance, or set by established commercial usage. In this section, “misabeled” means varying from a standard of truth or disclosure in labeling prescribed by any law providing criminal penalties for such variance, or set by established commercial usage. In this section, “scale slip” means a written or printed form or combination of forms which provide an accurate, readily understandable record ~~[of the measurement of the wood to which it relates and is prepared by the person who measured the wood]~~ ***containing the species of wood product, board footage of each individual log when the standard unit of measurement is per thousand board feet, or tonnage or cordage when not sold per thousand board feet, gross scale, defect, net scale, date wood was measured, and the name of the party scaling the wood.***

III. A person is guilty of a misdemeanor if, in the course of buying or selling a forest product as defined in RSA 227-G:4, VII, he or she recklessly fails to provide a written contract to the owner, prior to the cutting from the owner’s property any forest products which are subject to a notice of intent to cut as defined in RSA 79:10. The contract shall be signed by both parties, specify the remuneration for the forest products to be cut, and the time in which remuneration shall be made.

12 Repeal. RSA 227-K:13, relative to nursery inspection for the purpose of determining the presence of threatening insect or disease infestation, is repealed.

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

AMENDED ANALYSIS

This bill:

- I. Requires all forest rangers hired after January 1, 2005 to complete the preparatory training for full-time police officers established by the police standards and training council and provides that any forest ranger hired before January 1, 2005 shall be certified as a full-time police officer upon successful completion of a preparatory training course.
- II. Authorizes the director of the division of forests and lands to regulate entry into, or movement within, the state of any wood product which may cause the introduction or spread of a dangerous insect or disease.
- III. Penalizes the failure to provide a written contract for the purchase or sale of forestry products as a deceptive forestry business practice.
- IV. Repeals the authority of the state nursery inspector to enter land for the purpose of determining the presence of threatening insect or disease infestation.

2007-0278h

Amendment to HB 456
Proposed by the Committee on Municipal and County Government - R

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

AN ACT limiting liability for town health officers and overseers of public welfare when acting in the course of their official duties.

Amend the bill by replacing section 1 with the following:

1 Health Officers and Overseers of Public Welfare; Liability. Amend RSA 31:104 to read as follows:

31:104 Liability of Municipal Executives. Notwithstanding any provisions of law to the contrary, no member of the governing board of any municipal corporation or political subdivision~~[,]~~, no member of any other board, commission, or bureau of

any municipal corporation or political subdivision created or existing pursuant to a statute or charter, and no chief executive officer of such municipal corporation or political subdivision, including but not limited to city councilors and aldermen, selectmen, county convention members, members of boards of adjustment, members of planning boards, school board members, mayors, city managers, town managers, county commissioners, regional planning commissioners, ***town health officers, overseers of public welfare***, and school superintendents shall be held liable for civil damages for any vote, resolution, or decision made by said person acting in his ***or her*** official capacity in good faith and within the scope of his ***or her*** authority.

AMENDED ANALYSIS

This bill limits liability for town health officers and overseers of public welfare when acting in the course of their official duties.

2007-0249h

Amendment to HB 466-LOCAL

Proposed by the Committee on Public Works and Highways - C

Amend RSA 262:40-a, I-II as inserted by section 1 of the bill by replacing them with the following:

I. The owner or person in lawful possession of any private property ***or the manager of a state-owned park and ride lot*** on which a vehicle is parked without ~~his or her~~ permission or is apparently abandoned may:

(a) Cause the removal of the vehicle in a reasonable manner provided he or she gives notice of such removal to a peace officer as soon as reasonably possible; or

(b) Notify a peace officer that he or she wishes to have such a vehicle removed from the property, whereupon the peace officer or another authorized official shall cause the removal of such vehicle pursuant to the removal, impoundment, and notice procedures required by this subdivision.

II. The department of transportation shall give authorized persons permission to remove vehicles which are abandoned, as described in RSA 262:32, at state-owned park and rides.

2007-0290h

Amendment to HB 468

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

Amend RSA 217-B:1 as inserted by section 1 of the bill by replacing it with the following:

217-B:1 Freedom's Way Heritage Area Established. There is hereby established the freedom's way heritage area, hereinafter referred to as the area, which shall include the cities and towns of Amherst, Brookline, Greenville, Hollis, Mason, Milford, Merrimack, Nashua, and New Ipswich. The purpose of such designation shall be to recognize the significant historic, cultural, and natural resources of the area and to preserve and interpret them for the education and inspiration of present and future generations. Nothing in this chapter shall be construed to limit the rights of private property owners or of the cities and towns in the area to develop the lands, buildings, and resources in the manner they determine appropriate. It is the purpose of this act to provide a management framework to assist the state and the area's municipalities in the development and implementation of integrated cultural, historical, land, and water resource management programs in cooperation with the federal government and the state in order to retain, enhance, and interpret the significant values of the natural and cultural resources in the area.

Amend RSA 217-B:2, III(d) and (e) as inserted by section 1 of the bill by replacing them with the following:

(d) The commissioner of the department of resources and economic development, or designee.

(e) The director of the division of historical resources, or designee.

(f) One member of the house of representatives standing committee responsible for issues pertaining to resources, recreation, and development.

Amend RSA 217-B:4, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Make loans and grants from funds donated or otherwise made available to the commission for the purpose of conserving and protecting sites, buildings, bridges, dams, landscapes, resources, and objects which are included or eligible for inclusion on the state or National Register of Historic Places or for the purposes of providing educational and cultural programs which encourage appreciation of the resources in the area.

Amend RSA 217-B:4 as inserted by section 1 of the bill by inserting after paragraph V the following new paragraph:

VI. Receive and review petitions from towns requesting inclusion in the freedom's way heritage area with the objective of finalizing the boundaries of the freedom's way heritage area within 2 years of the effective date of this section.

AMENDED ANALYSIS

This bill designates Amherst, Brookline, Greenville, Hollis, Mason, Milford, Merrimack, Nashua, and New Ipswich as the freedom's way heritage area and establishes the freedom's way heritage area commission to assist in preserving and promoting the area's natural and cultural resources.

2007-0341h

Amendment to HB 472-FN

Proposed by the Majority Committee on Environment and Agriculture - R

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

AN ACT increasing fees for hazardous waste management and contaminated site cleanup and changing reporting requirements.

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

❑ Operator Permit Fees. Amend RSA 147-A:4, II to read as follows:

II. A permit application fee not to exceed ~~[\$5,000]~~ **\$7,500** shall accompany each permit, permit modification, and permit renewal application. ~~[The amount of the fee shall reflect the relative effort necessary for review of the application. Permit application fees shall be used by the department for review of applications. In addition to the application fee, the applicant shall be responsible for all reasonable hearing costs incurred by the department. State costs which exceed the permit application fee shall be charged monthly to the applicant at an hourly rate which includes, but is not limited to, staff salaries and benefit costs, current operating expenses, legal costs and travel. The hourly rate shall also be used to calculate any department costs associated with implementing and enforcing the terms and conditions of a permit issued by the department.]~~ Permit fees received by the department under this section shall be placed in the hazardous waste cleanup fund as established under RSA 147-B:3, shall be accounted for separately and shall be used in processing applications and enforcing and implementing conditions of a permit.

❒ Small Quantity Waste Generator Self-Certification Fees. RSA 147-A:5, IV is repealed and reenacted to read as follows:

IV.(a) Each hazardous waste generator that generates less than 220 pounds (100 kilograms) of hazardous waste per month shall submit to the department, every 3 years, a self-certification declaration stating that the facility is in compliance with the small quantity hazardous waste generator rules. The declaration shall be on a form provided by the department.

(b) Each small quantity hazardous waste generator shall pay non-refundable fees at a rate of \$60 per year for the period of January 1, 2004 to June 30, 2007, and at a rate of \$90 per year beginning July 1, 2007, to cover department expenses for conducting the self-certification program and hiring of program staff. Total fees due for each year shall be submitted with the self-certification declaration form required under subparagraph (a).

(c) If the self-certification fee is not paid within 60 days of the due date, interest shall be assessed at a rate established by the commissioner, and shall be deposited into the cleanup fund. The commissioner may waive all or any portion of interest for good cause.

(d) Political subdivisions of the state shall be exempt from the fee for submitting a self-certification declaration.

(e) Small quantity hazardous waste generators that are participants in a department-developed multi-media compliance assurance program referred to as an environmental results program, or ERP, shall be exempt from this paragraph.

❓ Initial Waste Activity Notification Fees. Amend RSA 147-A:6-a, I to read as follows:

I. Each initial notification of hazardous waste activity filed by any new hazardous waste generator in New Hampshire shall be accompanied by a non-refundable fee of ~~[\$100]~~ **\$150**.

❔ Large Quantity Waste Generator Fees. RSA 147-B:8, I is repealed and reenacted to read as follows:

I. Each hazardous waste generator that generates in a 3-month period 660 pounds or more of unrecycled hazardous waste shall pay a quarterly fee of \$0.06 per pound or a minimum of \$100, to the department.

❕ Large Quantity Waste Generator Fees. RSA 147-B:8, V is repealed and reenacted to read as follows:

V. Failure to pay fees within 60 days of the date due shall result in the assessment of interest at a rate established by the commissioner. The commissioner may waive all or any portion of interest for good cause. The department shall deposit interest collected under this section into the cleanup fund.

❖ Brownfields Program Fees. Amend RSA 147-F:9, II (e) to read as follows:

(e) A non-refundable application fee of ~~[\$500]~~ **\$750**.

❗ Brownfields Program Fees. Amend RSA 147-F:14, I-II to read as follows:

I. Any person, except for the state and local governments, including school districts, who requests an eligibility determination under RSA 147-F:4 shall pay a nonrefundable application fee of ~~[\$500]~~ **\$750** for program eligibility which shall be deposited in the hazardous waste cleanup fund. Any resubmittal of an incomplete application shall require an additional \$500 for each resubmission.

II. Any eligible person, except for the state and local governments, including school districts, who has previously paid the initial application fee, or any person who becomes a program participant under RSA 147-F:5, V, shall pay a nonrefundable ~~[\$3,000]~~ **\$4,500** fee which shall be deposited in the hazardous waste cleanup fund and used for purposes of the review work performed by the department under this chapter.

❘ Rulemaking; Records and Department Costs. Amend RSA 147-F:18, II(i) to read as follows:

(i) Program fees structure, including procedures for maintaining records of department costs for the purpose of offsetting the initial ~~[\$3,000]~~ fee and obtaining reimbursement in accordance with RSA 147-F:14.

❙ Brownfields Program Fees. Amend RSA 485:3-b, I to read as follows:

I. Any person, except for state and local governments including counties and political subdivisions, ~~[who]~~ **that** requests

an expedited review of environmental site assessment reports by the department shall pay to the department a review fee based on the equalized assessed valuation of the property ***as determined in rules adopted by the commissioner under RSA 541-A, shall be*** as follows:

Equalized Assessed Valuation	Fee
\$0 to \$250,000	~~[\$1,200]~~ \$1,800
\$250,001 to \$500,000	~~[\$1,500]~~ \$2,250
\$500,001 to \$1,000,000	~~[\$2,500]~~ \$3,750
greater than \$1,000,000	~~[\$5,000]~~ \$7,500

10 Brownfields Program Fees. Amend RSA 485:3-c to read as follows:
485:3-c Groundwater Management Permit Fee. Any person, ~~[except for state and local governments including counties and political subdivisions, issued]~~ **submitting** a permit **application** under RSA 485:3, X shall pay to the department a groundwater management permit **application** fee of ~~[\$1,000]~~ **\$2,000**. Any person who has paid the environmental site assessment review fee specified in RSA 485:3-b shall be exempt from the groundwater management permit fee. ***State and local governments including counties and political subdivisions shall be exempt from groundwater management permit application fees, unless eligible for funding under RSA 146-D, RSA 146-E, RSA 146-F, or RSA 146-G.***

- 11 Repeal. The following are repealed:
 - I. RSA 147-B:4, IV, relative to facility siting program annual reports.
 - II. RSA 147-B:15, relative to used oil program agency reports.
- 12 New Section; Annual Report. Amend RSA 147-B by inserting after section 11 the following new section:
147-B:11-a Annual Report The department shall submit an annual report by October 1 of each year to the governor and council, speaker of the house of representative, and president of the senate, relative to the activities and finances of the hazardous waste cleanup fund.
- 13 Effective Date. This act shall take effect July 1, 2007.

AMENDED ANALYSIS

This bill increases fees for hazardous waste management and contaminated site cleanup and changes reporting requirements for various waste activities.

2007-0215h

Amendment to HB 488-FN-A-LOCAL
Proposed by the Committee on Criminal Justice and Public Safety - C

- Amend RSA 611-B:18 as inserted by section 1 of the bill by replacing it with the following:
- 611-B:18 Retention and Disposal of Organs, Unidentified Remains, Body Fragments, and Body Fluids.
- I. Except as provided in RSA 227-C:8-a through RSA 227-C:8-g, whenever unidentified human skeletal remains are recovered, the chief medical examiner may store the remains, release them to an educational institution, direct that they be interred in an appropriate resting place, or have them cremated in accordance with RSA 325-A. Ashes of remains cremated shall be disposed of in an appropriate manner. Human skeletal remains recovered in a cared-for cemetery shall not be subject to the provisions of this paragraph.
 - II. The chief medical examiner or a designated pathologist may retain body tissues or body fluids for evidence, further study, documentation, or research. Subject to RSA 651-D:3, body tissue or body fluids retained for such purposes, or those which have been recovered after the body has been released from the custody of the medical examiner, may, unless claimed in writing by the person responsible for burial, be disposed of:
 - (a) According to the practices of the laboratory responsible for analysis;
 - (b) By the office of the chief medical examiner; or
 - (c) By the medical examiner or pathologist retaining those tissues or fluids.
 - III. Subject to RSA 651-D:3, the chief medical examiner may dispose of substantial body tissues that have been retained for evidence, further study, or documentation or that have been recovered after the rest of the body has been finally released, in accordance with paragraph I, unless claimed by the person responsible for burial.

2007-0305h

Amendment to HB 498-FN-A
Proposed by the Committee on Resources, Recreation and Development – C

- Amend RSA 260:61, I as inserted by section 1 of the bill by replacing it with the following:
- I. Annually on or before June 30 the state treasurer shall transfer, from road tolls collected, an amount equal to the number of licensed OHRVs and snowmobiles for the previous year times the average number of gallons consumed per year per OHRV and snowmobile times the gasoline road toll imposed under RSA 260:32, less any amount refunded for OHRV and snowmobile use for the previous year, to the ***fish and game department and the bureau of trails as follows. The road toll administrator shall report to the state treasurer if there is a balance of unrefunded road tolls collected. The***

administrator shall certify the amount to the state treasurer who shall credit ½ of such balance to the bureau of trails for use as provided in paragraph I-a, and ½ of such balance to the fish and game department for use as provided in paragraph I-b. For the purposes of this section, “the average number of gallons consumed per year per OHRV or snowmobile” is ~~[50]~~ **100**.

Amend RSA 260:61, I-b as inserted by section 1 of the bill by replacing it with the following:

I-b. The fish and game department shall use the amount credited for the purposes listed in RSA 215-A:23, VIII and RSA 215-C:39, IX. Any unexpended balance in the amount credited shall not lapse, but shall be carried forward to the next fiscal year.

2007-0251h

Amendment to HB 505-FN-A

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

Amend RSA 485-A:26-a, I as inserted by section 3 of the bill by replacing it with the following:

I. There shall be established and administered within the department of environmental services a New Hampshire public beach program. The purpose of the program is to promote public health and safety and to maintain and enhance the recreational values of New Hampshire’s public beaches.

2007-0221h

Amendment to HB 576-FN-A

Proposed by the Committee on Fish and Game - C

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

2 Wild Turkey; Nonresident Fee. Amend RSA 214:9, XI to read as follows:

XI. If the applicant ***is a resident and*** wishes to hunt wild turkeys, \$5, ***and if the applicant is a nonresident and wishes to hunt wild turkeys, \$30,*** and the fish and game department shall thereupon issue a wild turkey license or permit which shall entitle the licensee to hunt, shoot, kill and take turkey, except by the use of traps.

3 Effective Date. This act shall take effect January 1, 2008.

AMENDED ANALYSIS

This bill sets a required minimum moose permit fee for nonresidents and increases the nonresident wild turkey license or permit fee issued by the fish and game department.

2007-0241h

Amendment to HB 585-FN

Proposed by the Committee on Environment and Agriculture - C

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

AN ACT requiring all animal shelter facilities, pet shops and commercial kennels to collect a neutering deposit when placing a cat or dog that has not been neutered.

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

1 New Section; Dog and Cat Neutering Deposit. Amend RSA 437 by inserting after section 10 the following new section:

437:10-a Dog and Cat Neutering Deposit.

I. No animal shelter facility, pet shop, or commercial kennel licensed by the department in accordance with RSA 437:1 shall sell, give away, adopt, or otherwise transfer ownership of any dog or cat that has not been permanently sexually sterilized without collecting a neutering deposit of no less than \$40 at or before the time of transfer. At the time of receipt of such deposit, the pet shop, commercial kennel, or animal shelter facility shall provide a sterilization certificate to the person who has paid the deposit. The sterilization certificate shall be on a form provided by the commissioner and shall state the date by which the animal must be sterilized in order for the depositor to secure the return of the deposit. In the case of kittens or puppies that are less than 5 months old at the time of transfer, that date shall be on or before the date the kitten or puppy becomes 6 months of age. In the case of cats or dogs 5 months of age or older at the time of transfer, the date of sterilization shall be within 30 days of the date of transfer.

II. To reclaim the neutering deposit, the depositor must submit the sterilization certificate to the animal shelter facility, commercial kennel, or pet shop which took the deposit within 60 days of the date the sterilization was performed. The certificate must be signed by a licensed veterinarian and specify the date on which the sterilization was performed. If the depositor does not submit the signed sterilization certificate within the time period specified above, the deposit shall be considered to have been forfeited. All forfeited neutering deposits shall be remitted by the animal shelter facility, commercial kennel, or pet shop to the commissioner on a quarterly basis. The commissioner shall deposit all forfeited neutering deposits in the companion animal neutering fund established under RSA 437-A:4-a.

2 New Paragraph; Rulemaking. Amend RSA 437:5 by inserting after paragraph III the following new paragraph:

IV. The commissioner shall adopt rules under RSA 541-A to implement the collection of neutering deposits on the

transfer of unneutered dogs and cats under RSA 437:10-a.

③ Companion Animal Fund. Amend RSA 6:12, I(b)(59) to read as follows:

(59) Moneys received under RSA 466:4, I(c), RSA 466:6, III, ***RSA 437:10-a***, and RSA 437-A which shall be credited to the companion animal neutering fund, established in RSA 437-A:4-a.

④ Effective Date. This act shall take effect January 1, 2008.

AMENDED ANALYSIS

This bill requires animal shelter facilities, pet shops, and commercial kennels to collect a neutering deposit when placing a cat or dog that has not been neutered.

This bill also requires that the deposit be remitted to the companion animal neutering fund if the depositor does not return a certificate of sterilization to the animal shelter facility, commercial kennel, or pet shop that placed the cat or dog with the depositor.

2007-0281h

Amendment to HB 599-FN

Proposed by the Committee on Commerce - R

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

AN ACT relative to fees for meals and rentals licenses.

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

① Meals and Rentals Licenses; Fees. Amend RSA 78-A:4 to read as follows:

78-A:4 ***Meals and Rentals*** Licenses Required; Penalty.

I. Each operator shall register with the department the name and address of each place of business within the state where it operates a hotel, sells taxable meals, or rents motor vehicles. The operator shall complete a registration, upon receipt of which the department shall issue a ***meals and rentals*** license for each place in such form as it determines, attesting that the registration has been made. ~~[The license remains valid until]~~ ***Licenses shall expire on June 30 in each odd-numbered year, unless*** the business ceases operation, a change in ownership occurs, or the license is revoked or suspended by the department ***prior to expiration of the license***. The license shall be conspicuously posted in a public area upon the premises to which it relates.

II. The fee for an original license or timely license renewal shall be \$5. The fee shall be waived for an original license, if the license is issued less than 6 months prior to a required renewal date.

~~III.~~ No person shall engage in serving taxable meals, renting rooms, or renting motor vehicles without first obtaining the license required by this section. The license is nonassignable and cannot be transferred. Any person who fails to register or obtain a license as provided in this section shall be subject to the penalty provisions of RSA 21-J:39.

② Effective Date. This act shall take effect July 1, 2007.

AMENDED ANALYSIS

This bill establishes an original license fee and a renewal fee for meals and rentals licenses.

This bill was requested by the department of revenue administration.

2007-0194h

Amendment to HB 623

Proposed by the Committee on Fish and Game - C

Amend RSA 206:34-b, I as inserted by section 3 of the bill by replacing it with the following:

I. The state treasurer shall establish a separate nonlapsing account within the fish and game fund, to be known as the game management account. Each month the department shall determine the number of stamps, licenses, applications or permits sold for moose, bear, turkey, and waterfowl and, for each, transfer \$10 to the game management account. The moneys in this account shall be used exclusively for the implementation of a comprehensive population and habitat management program, including research and management, protection, education, and outreach for game as defined in RSA 207:1, IX, fur-bearing animals as defined in RSA 207:1, VIII, and migratory game birds as defined in RSA 209:5 to include waterfowl, snipe, and woodcock. Funds in the game management account are hereby continually appropriated for said purposes. Said funds shall be expended for the purposes of this section as determined by the executive director with approval of the commission.

AMENDED ANALYSIS

This bill establishes a game management account in the fish and game fund, removes separate accounts for moose, bear, wild turkey, and waterfowl stamps, licenses, applications, or permits, and transfers balances in those accounts into the game management account.

This bill is a request of the fish and game department.

2007-0294h

Amendment to HB 628-FN-A

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

Amend RSA 161-L:1 as inserted by section 2 of the bill by replacing it with the following:

161-L:1 Definitions. In this chapter:

- I. "Commissioner" means the commissioner of the department of health and human services.
- II. "Covered drugs" means drugs that are on the New Hampshire preferred drug list.
- III. "Department" means the department of health and human services.
- IV. "Fund" means the New Hampshire Rx advantage program fund, established in RSA 161-L:5.
- V. "Initial discounted price" for a drug means the price which has been discounted from a pharmacy's usual and customary charge that participating retail pharmacies may charge qualified residents participating in the program for that drug.
- VI. "Labeler" means an entity or person that receives prescription drugs from a manufacturer or wholesaler and repackages those drugs for later retail sale and that has a labeler code from the federal Food and Drug Administration under 21 C.F.R. section 207.20.
- VII. "Participating retail pharmacy" or "retail pharmacy" means a retail pharmacy located in this state, or another business licensed to dispense prescription drugs in this state, that participates in the program.
- VIII. "Program" means the New Hampshire Rx advantage program established under this chapter.
- IX. "Qualified resident" means a resident of this state who has a family income equal to or less than 350 percent of the federal poverty level and who self-qualifies as an enrollee in the program. "Qualified resident" also means a resident of this state whose family incurs unreimbursed expenses for prescription drugs that equal 5 percent or more of family income or whose total unreimbursed medical expenses equal 15 percent or more of family income. For purposes of this definition, the cost of drugs provided under this chapter shall be considered an expense incurred by the family for eligibility determination purposes.
- X. "Secondary discounted price" means the initial discounted price minus any further discounts paid for out of the fund.
- XI. "Usual and customary charge" means the charge a pharmacy charges a customer for a prescription drug.

Amend RSA 161-L:2, I as inserted by section 2 of the bill by replacing it with the following:

- I. A drug manufacturer or labeler that sells prescription drugs in this state through any other publicly-supported pharmaceutical assistance program may enter into a rebate agreement with the department for this program. The rebate agreement shall require the manufacturer or labeler to make rebate payments to the state each calendar quarter or according to a schedule established by the department.

Amend RSA 161-L:4 as inserted by section 2 of the bill by replacing it with the following:

161-L:4 Nonparticipating Manufacturers and Labelers. The names of manufacturers and labelers who do and do not enter into rebate agreements pursuant to this chapter shall be public information. The department shall release such information to health care providers and the public on a regular basis and shall publicize participation by manufacturers and labelers that is of particular benefit to the public. The department shall impose prior authorization requirements in the program, as permitted by law, to the extent the department determines it is appropriate to do so in order to encourage manufacturer and labeler participation in the program and if the additional prior authorization requirements remain consistent with the goals of the program and the requirements of the federal Social Security Act, Title 19.

Amend RSA 161-L:6 as inserted by section 2 of the bill by replacing it with the following:

161-L:6 Rulemaking. The commissioner shall adopt rules pursuant to RSA 541-A, relative to:

- I. Procedures for issuing program enrollment cards.
- II. Outreach efforts to build public awareness of the program and to maximize enrollment of eligible residents.
- III. Content and format of any forms required under this chapter.
- IV. Procedures for entering into rebate agreements with drug manufacturers or labelers.
- V. Manner of releasing information to the public under RSA 161-L:4.

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-5 to read as 4-6, respectively:

3) Generic Drugs. Amend RSA 126-A:3, V to read as follows:

V. Pharmacists shall substitute generically equivalent drug products for all legend and non-legend prescriptions paid for by the department of health and human services, including the medicaid program, unless the prescribing practitioner specifies that the brand name drug product is medically necessary. Such notification shall be in the practitioner's own handwriting and shall be retained in the pharmacist's file. ~~[The commissioner may waive the application of RSA 126-A:3, III if the commissioner determines such action is necessary to ensure the availability of prescription and other pharmaceutical services to persons served by the department or to avert serious economic hardship in the provision of prescriptions and other pharmaceutical services. The commissioner shall adopt rules under RSA 541-A relative to a waiver of the application.]~~ ***The provisions of paragraph IV shall not apply to the dispensing by a pharmacy for medical assistance reimbursement for legend and non-legend drugs.*** The commissioner, in consultation with pharmacy providers, ~~[may develop a new methodology for]~~ ***shall establish*** medical assistance reimbursement for legend and non-legend drugs.

Amendment to HB 663-FN-A

Proposed by the Committee on Resources, Recreation and Development

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

AN ACT relative to the comprehensive shoreland protection act and making an appropriation therefor.

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

2 New Section; Permit Required. Amend RSA 483-B by inserting after section 5 the following new section:

483-B:5-a Permit Required. No person shall commence construction activities within the protected shoreland without obtaining a permit from the department to ensure compliance with this chapter. The permit application fee shall be \$100 plus \$.10 per square foot of area affected by the proposed construction activities.

3 New Paragraph; Rulemaking. Amend RSA 483-B:17 by inserting after paragraph X the following new paragraph:

XI. Permitting procedures under RSA 483-B:5-a.

4 Effective Date.

I. Section 2 of this act shall take effect January 1, 2008.

II. The remainder of this act shall take effect July 1, 2007

AMENDED ANALYSIS

This bill:

I. Makes an appropriation to fund implementation of the comprehensive shoreland protection act.

II. Requires a permit prior to commencement of construction within the protected shoreland.

2007-0185h

Amendment to HB 664-FN

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

Amend the bill by deleting sections 4-5 and renumbering the original sections 6-7 to read as 4-5, respectively.

AMENDED ANALYSIS

This bill increases annual dam registration and filing fees to cover the cost of inspecting existing dams and permitting the construction or reconstruction of dams.

2007-0383h

Amendment to HB 669-FN-A-LOCAL

Proposed by the Majority of the Committee on Education - R

Amend RSA 198:48-a, XII(b) as inserted by section 1 of the bill by replacing it with the following:

(b) After pupils enrolled in an approved kindergarten program have been counted in the average daily membership in residence, school districts shall only receive, for each such pupil, an education grant calculated in accordance with RSA 198:41 through RSA 198:42.

2007-0339h

Amendment to HB 752-FN

Proposed by the Committee on Education - C

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

1 Charter Schools; Funding. Amend RSA 194-B:11, I(a) to read as follows:

(a) For the fiscal year beginning July 1, ~~[2006, \$3,598]~~ **2007, \$4,000** annual tuition.

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

AMENDED ANALYSIS

This bill increases the tuition amount for charter school pupils.

2007-0304h

Amendment to HB 796

Proposed by the Committee on Public Works and Highways - C

Amend the bill by replacing section 1 with the following:

1 Civil Liability Expanded. RSA 236:39 is repealed and reenacted to read as follows:

236:39 Civil Liability. Any person who, without authority, places any obstruction on a highway, or causes any defect in a highway or highway protective barrier which renders the highway hazardous or unpassable in any safe manner, or damages the barrier to the extent that the department of transportation or the municipal highway agent determines that it requires replacement or repair, shall be liable to the state for all damages to the highway or protective barrier when maintained by the state, and to the town for all damages to other highways or protective barriers, and for all damages and costs which the town shall be compelled to pay to any person injured by such obstruction or defect. Damages to highways or protective barriers shall include the cost of labor.

2007-0353h

Amendment to HB 815-FN-A

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

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

AN ACT requiring the display of boater education decals on vessels registered in other states.

Amend the bill by replacing section 2 with the following:

2 Statewide Public Boat Access Fund. Amend RSA 233-A:13 to read as follows:

233-A:13 Statewide Public Boat Access Fund Established. There is hereby established a nonlapsing statewide public boat access fund. The \$5 boat registration surcharge collected pursuant to RSA 270-E:5, II(d), ***the \$4.50 boater education decal collected pursuant to RSA 270-E:9-a, III(d)***, and any other public access funds donated to the state shall be placed in this fund. All funds received under this section are continually appropriated to the fish and game department for the purposes of the statewide public boat access program established under this chapter.

Amend RSA 270-E:9-a, I-III as inserted by section 3 of the bill by replacing it with the following:

I. ~~[Except for vessels owned or operated by the state, every vessel registered in this state and]~~ Every vessel registered in another state or country temporarily using the waters of this state for not more than 30 consecutive days shall display a boater education decal on each side of the forward half of the vessel above the waterline approximately 3 inches behind the registration decal. Any person violating this paragraph shall be guilty of a violation. All fines assessed under this paragraph shall be deposited into the navigation safety fund established under RSA 270-E:6-a.

II. The department shall issue a boater education decal ~~[free of charge with every vessel registration or]~~ upon payment of the fees established in paragraph III for any vessel registered in another state or country temporarily using the waters of this state for not more than 30 consecutive days. All boater education decals shall be accompanied by boater education materials provided by the department. All boater education decals shall expire on December 31 of the year in which they are issued. All boater education decals shall indicate the date of expiration and be the same color as the registration decal for that year.

III. The fees for each boater education decal issued for a vessel registered in another state or country temporarily using the waters of this state for not more than 30 consecutive days shall be as follows:

(a) \$4.50 to be paid into the lake restoration and preservation fund established under RSA 487:25.

(b) \$4.50 to be paid into the dam maintenance fund established in RSA 482:55.

(c) \$2 for each decal processed by an authorized agent of the department who is not an employee of the department.

The fees collected under this subparagraph shall be collected and retained by the authorized agent as compensation for processing the decal.

(d) \$4.50 to be paid into the statewide public boat access fund established under RSA 233-A:13.

(e) \$4.50 to be paid into the navigation safety fund established under RSA 270-E:6-a.

Amend the bill by replacing all after section 4 with the following:

5 Application of Receipts. Amend RSA 6:12, I(b)(42) to read as follows:

(42) Moneys received under RSA 233-A:13~~[-]~~ **and** RSA 270-E: 5, II(d)~~[-, and RSA 270-E:9-a, III(d)]~~ which shall be credited to the statewide public boat access fund established in RSA 233-A:13.

6 Statewide Public Boat Access Fund. Amend RSA 233-A:13 to read as follows:

233-A:13 Statewide Public Boat Access Fund Established. There is hereby established a nonlapsing statewide public boat access fund. The \$5 boat registration surcharge collected pursuant to RSA 270-E:5, II(d)~~[-, the \$2 boater education decal collected pursuant to RSA 270-E:9-a, III(d),]~~ and any other public access funds donated to the state shall be placed in this fund. All funds received under this section are continually appropriated to the fish and game department for the purposes of the statewide public boat access program established under this chapter.

7 Lake Restoration and Preservation Fund. Amend RSA 487:25, I to read as follows:

I. The fee of \$5 collected under the provisions of RSA 270-E:5, II(a) shall be paid to the director of the division of motor vehicles. The director of the division of motor vehicles shall pay over said fee to the state treasurer who shall keep the fee in a special fund to be expended by the department of environmental services. The department shall use \$.50 of the fee for lake restoration and preservation measures, exclusive of exotic aquatic weed control, \$1.50 of the fee for the control of exotic aquatic weeds, and \$3 of the fee for the milfoil and other exotic aquatic plants prevention program. The department shall deposit the \$3 into a special account within the lake restoration and preservation fund which shall be used to administer the milfoil and other exotic aquatic plants prevention program. ~~[Fees collected under RSA 270-E:9-a, III(a) may be used for any of the purposes enumerated in this paragraph.]~~ The special fund shall be nonlapsing. All funds received under this section are continually appropriated to the department for the purposes of this subdivision.

8 Repeal. RSA 270-E:9-a, relative to boater education decals, is repealed.

9 Effective Date.

I. Sections 5-8 of this act shall take effect January 1, 2013.

II. The remainder of this act shall take effect January 1, 2008.

AMENDED ANALYSIS

This bill requires the display of boater education decals on vessels registered in other states.

2007-0382h

Amendment to HB 837

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

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

AN ACT relative to easements and the land and community heritage investment program and creating a farm viability program.

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

1 Easement Interest; Farm Viability Programs. Amend RSA 227-M:2, IV to read as follows:

IV. "Easement interests" means conservation, historic preservation, or scenic easements, development rights, or any other similar protective interest in real property held in perpetuity, or a term easement held for a specific period of time and not in perpetuity **as part of a farm viability program overseen by the department of agriculture, markets, and food.**

2 Public Access; Agricultural Term Easements. Amend the introductory paragraph of RSA 227-M:15 and RSA 227-M:15, I to read as follows:

227-M:15 Public Access; Liability. Lands and interests in lands purchased with funds from this program by any eligible applicant shall be open in perpetuity for passive recreational purposes ~~[except as provided in paragraph I]~~ **or for the term of any farm viability term easements as provided for in RSA 227-M:2, IV.** Language to be used in easement interests secured through the program shall approximate the intent of the following:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public. A grantor may reserve the right to post against vehicles, motorized or otherwise and against access to active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations. ~~[Such term easements as described in RSA 227-M:2, IV will be granted where participation in such program fosters farm viability entered into by the authority or the department of agriculture, markets, and food.]~~

3 New Section; Farm Viability Program. Amend RSA 227-M by inserting after section 17 the following new section:

227-M:18 Farm Viability Program.

I. There is established in the department of agriculture, markets and food, a 2 year pilot farm viability program. Such program shall expand the New Hampshire agricultural innovation program by strengthening farm viability and ensuring the contribution of New Hampshire agriculture to the state's economic livelihood, public health, and general quality of life through capital investments in the form of grants from the community heritage investment program to be used towards agricultural infrastructure and equipment.

II. For each grant accepted by a land owner, a term easement shall be granted by the grant recipient to the state of New Hampshire through the community heritage investment program.

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

AMENDED ANALYSIS

This bill restricts term easements used in the land and community heritage investment program to those farm viability programs where a partnership exists with the department of agriculture, markets, and food.

This bill also creates a farm viability program in the department of agriculture, markets and food.

2007-0323h

Amendment to HB 846

Proposed by the Committee on Fish and Game - C

Amend RSA 482:49, III(d) as inserted by section 1 of the bill by replacing it with the following:

(d) The outlet dam, water rights, and 2.5 acre car-top boat, launch access area at Robb Reservoir in the town of Stoddard, Cheshire County.

Amend paragraph IV as inserted by section 2 of the bill by replacing it with the following:

IV. Acceptance by the state of New Hampshire, acting through the fish and game department, of fee simple interest in approximately 2.5 acres, in and around the Robb Reservoir dam for reasonable public access, swimming, fishing, hunting, and non-motorized, carry-in, boat access including canoes, kayaks, inflatable rafts, and similar vessels.

2007-0307h

Amendment to HB 861-FN

Proposed by the Committee on Education - R

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

AN ACT allowing certain active duty members of the United States armed forces and their dependents to attend public

postsecondary institutions at the in-state resident tuition rate.

Amend RSA 110-B:81 as inserted by section 1 of the bill by replacing it with the following:

110-B:81 Active Duty Members of the Armed Forces; In-State Resident Tuition Rate. Active duty members and dependents of active duty members of the United States armed forces who are stationed in New Hampshire or living in New Hampshire with duty stations in contiguous states, who are otherwise eligible to attend public postsecondary institutions, may take courses at such institutions at the in-state resident tuition rate.

AMENDED ANALYSIS

This bill allows active duty members and dependents of active duty members of the United States armed forces who are stationed in New Hampshire or living in New Hampshire with duty stations in contiguous states to attend public postsecondary institutions at the in-state resident tuition rate.

2007-0218h

Amendment to HCR 4

Proposed by the Committee on Public Works and Highways - R

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

A RESOLUTION recognizing the sacrifices and service of New Hampshire Air Force veterans on the 60th anniversary of the United States Air Force.

Amend the resolution by replacing all after the fifth “whereas” clause the following:

Whereas, the Unites States Air Force is celebrating its 60th anniversary on September 18, 2007; and

Whereas, it is fitting to honor the men and women from New Hampshire who have served our state and our country in the Air Force; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That gratitude and appreciation is hereby expressed to all New Hampshire veterans who served our state and our country in the United States Air Force.

AMENDED ANALYSIS

This house concurrent resolution recognizes the sacrifices and service of New Hampshire Air Force veterans on the 60th anniversary of the United States Air Force.