

State of New Hampshire HOUSE RECORD

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

Vol. 29

Concord NH

Friday, March 16, 2007

No. 21

Contains: Reports and Amendments for March 21, Hearings, Meetings, Notices and House Emergency Notification System

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet on **March 21st** at 10:00 am. Members should also be prepared for a possible Session Day on Tuesday, **March 27th**, as well as a session on Wednesday, **March 28th**. Due to the large number of bills we will have before us, these will undoubtedly be long days. I ask that you plan accordingly.

I'm sure you join me in expressing appreciation for our wonderful House Committee Services staff under the direction of Ann FitzGerald. The efforts of these researchers, committee assistants and secretaries have made it possible for committees to do their work on an extraordinary number of bills.

The Joint Committee on Legislative Facilities has adopted a new smoking policy for the State House complex. Smoking is prohibited in the State House and Legislative Office Building, including all outdoor areas up to the city owned sidewalks, with the exception of the existing independently ventilated designated smoking room in the basement of the Legislative Office Building and both levels of the outdoor parking garage located behind the LOB.

Terie Norelli, Speaker

NOTICE

There will be a meeting of Chairmen and Vice Chairmen on Tuesday, **March 20**, at **8:30 a.m.** in Room 201 of the Legislative Office Building.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on Wednesday, **March 21** at **9:00 a.m.** in Representatives Hall.
Rep. Mary Jane Wallner, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **March 21** at **9:00 a.m.** in Rooms 306-308, LOB.
Rep. Michael D. Whalley, Republican Leader

NOTICE OF RECONSIDERATION

This day, March 8, 2007, at 9:37 a.m., having voted with the prevailing side, Rep. Edmond Gionet served notice of reconsideration on the motion whereby the House, on a roll call vote of 226 – 130, adopted the Majority Committee Report of Ought to Pass on **HB 184**, repealing the parental notification law.

Karen O. Wadsworth

Clerk of the House

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

WEDNESDAY, MARCH 21

CONSENT CALENDAR

COMMERCE

HB 130, requiring bottled water labels to indicate the source of the water. **INEXPEDIENT TO LEGISLATE.**

Rep. Joel F Winters for Commerce: Filtered water or spring water; do you know what's in your bottled water? Regulations on the federal level already require the type of water to be specified and the location of the spring to be on the label as well: Laws on the state level would be duplicative. Existing law adequately protects and informs consumers, so the committee did not feel this was needed legislation. **Vote 14-1.**

HB 151, relative to provider contracts under the managed care law. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald H Flanders for Commerce: This bill requires participating hospitals to establish and maintain procedures which provide notice to a covered person as to whether a hospital-based provider who is not a participating provider in the covered person's health plan will be treating such covered person. After reviewing the problem with affected parties it was agreed that this was a situation that could be resolved amongst them and did not rise to the point of requiring legislation. **Vote 13-0.**

HB 158, requiring insurance companies to allow covered persons to purchase an up-to-90-day supply of life-sustaining drugs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John B Hunt for Commerce: This bill requires insurance companies to allow covered persons to purchase up to a 90 day supply of prescription drugs. The amendment requires that the drugs had to have been prescribed in the past year and does not change any co-payments or terms and conditions that an insurance company may have for a non-mail order prescription. **Vote 13-2.**

HB 215, relative to fees for hearing care providers. **OUGHT TO PASS.**

Rep. John B Hunt for Commerce: This bill repeals the dollar amount of initial license and registration fees for hearing care providers in the statutes. RSA 137-F: 6 already provides for the fees to be set by rulemaking. This bill will allow these fees to be changed by Joint Legislative Committee on Rules (JLCAR) instead of going to the legislature every time the fees need to be changed. **Vote 14-1.**

HB 228, relative to the definition of "medical necessity" under the managed care law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John B Hunt for Commerce: Under the current law an HMO must define and make public its definition of medically necessary. This bill will standardize the language so that all HMO's will use the same definitions. The amendment added one word, "stabilize." **Vote 17-0.**

HB 281, relative to the cancellation of buying club memberships. **OUGHT TO PASS.**

Rep. Stephen T DeStefano for Commerce: This bill eliminates a general provision permitting the pro rata cancellation of buying club memberships. The bill limits pro rata refunds to situations where the club moves at least 20 miles farther away from the member's residence. The committee did however, leave the three day right of rescissions under RSA 358-J: 2. **Vote 13-0.**

HB 324, prohibiting the use of artificial trans fats in the preparation of food. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Matthew S Houde for Commerce: As initially proposed, this bill would have completely prohibited the use of artificial trans fats in any food prepared for sale or service on premises or elsewhere (such use constituting an immediate endangerment of public health and safety, which would have been the basis for revocation of a food service establishment license). While the committee appreciates the intent of the bill, and believes the attention it brought will aid in raising awareness about this important health issue, it nonetheless determined that it is not appropriate as proposed since a mandatory ban on trans fats could carry the risk of unintended consequences (such as the substitution of trans fats with unhealthy oils high in saturated fats, particularly in the absence of a sufficient supply of healthy alternatives) and that consumers, as they have in grocery stores, will be the driving force behind the inevitable change in food service establishments' use of artificial trans fats. Children, however, cannot make similar choices. As such, the committee has recommended the bill as amended in order to evaluate the use of artificial trans fats (as well as saturated fats), in food prepared and served to pupils as part of the school food program - said evaluation to result in the adoption and implementation of a policy governing their use. **Vote 14-0. Vote 14-0.**

HB 365, establishing a commission to study foreclosures of home mortgages and the foreclosure rescue scam industry. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen T DeStefano for Commerce: The bill establishes a commission to study foreclosures of home mortgages and the foreclosure rescue industry. As the real estate market changes, some unscrupulous people are taking advantage of homeowners in very difficult positions. The committee felt that this would be a start to regulate these individuals. The amendment only adds 3 members from the industry to the study committee. **Vote 14-0.**

HB 371, establishing accessibility requirements for new residential home construction. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert F Matheson for Commerce: This bill requires all new single family, duplex and triplex homes to be constructed to meet 5 standards in making them more handicap accessible. The committee agreed with the Governor's Commission on Disability that this bill is very restrictive in its design requirements and borders on violating individual rights. The committee heard from the Association of Home Builders, the Association of Realtors, architects, general contractors and electricians. All testified against the bill because of its added cost and design limitations. **Vote 14-0.**

HB 469, relative to on-premises cocktail lounge licenses for caterers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John B Hunt for Commerce: The original bill was written to allow brew pubs to cater off-site. The committee agreed with the sponsor, and realized in the discussion to further clarify and amend the statute. The committee discussed the inability of beverage manufacturer (brewers) who have tasting rooms to sample (limited to 2 ounces) not only beverages brewed on site, but also other beverages distributed by that manufacturer in the United States. The amendment encourages brewers to test within our market and possibly expand the beverages produced here in New Hampshire. **Vote 16-0.**

HB 499, relative to the innovative research center. **OUGHT TO PASS.**

Rep. Stephen P Spratt for Commerce: This bill changes the name of the University of New Hampshire Industrial Research Center to the University Of New Hampshire Innovative Research Center. This name change is in keeping with the challenge to increase both the pace of innovative technology developments and the scope of partnerships. In addition to its grant program, the center may provide services including training, strategic thinking and strategy development and proposal writing. **Vote 13-1.**

HB 529, relative to disclaimers of municipal services in real estate contracts. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert F Matheson for Commerce: Presently new construction of subdivisions over 15 lots require a filing with the Attorney General's office and subsequent notices ensuring consumer protection. All new buyers are presented with a Public Offering Statement when signing a purchase agreement and have a right to review and rescind their agreement for five days. Part of this Public Offering Statement is the declaration which fully describes the property as well as common areas, roadways and amenities. Currently, New Hampshire realtors also require, for all land sales, a property disclosure form which accompanies a purchase agreement and specifically asks about association fees, easement restriction and covenants. The committee felt there was ample disclosure to the consumer and this bill was unnecessary. **Vote 13-0.**

HB 530, relative to mortgages held by parties to a divorce. **INEXPEDIENT TO LEGISLATE.**

Rep. Tara G Reardon for Commerce: This bill would require a first mortgage lender, upon written request of a mortgager, to refinance a note and mortgage when a couple divorces eliminating the usual underwriting and loan processing required. The majority of mortgages are sold on the secondary market and must conform to very strict loan to value and income to debt ratios. There is no guarantee that an individual will qualify for a loan. Additionally, often times the loan has been assigned to a servicing agent who has no ability to rewrite a loan. No one spoke in favor of the bill. **Vote 14-0.**

HB 532, relative to insurance fraud. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen T DeStefano for Commerce: This bill clarifies certain provisions of the insurance fraud law and authorizes the commissioner of insurance to adopt rules for the implementation of the insurance fraud law. The amendment only changes one word, under RSA 417:28 the phrase "reason to suspect" has been changed to "reason to believe." **Vote 14-0.**

EDUCATION

HB 131, revising the role of the commissioner of the department of education in the approval of home education programs.

INEXPEDIENT TO LEGISLATE.

Rep. Kimberley S Casey for Education: To address conflicts of interest, the Department of Education asked the committee to remove the commissioner of education, who is part of the home school appeal process, from the home school approval and supervision process. While the committee supports strengthening good relationships between parents and local districts, it also believes that home school parents need another option in cases where that relationship does not exist. **Vote 18-0.**

HB 147, relative to counting kindergarten pupils in charter school attendance. **OUGHT TO PASS.**

Rep. Kimberley S Casey for Education: This bill provides that for the purpose of calculating charter school funding, kindergarten pupils shall count as no more than ½ day attendance per calendar year. **Vote 17-0.**

HB 164, relative to medicating pupils to enhance learning abilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Ingbretson for Education: This bill requires school boards to create a policy prohibiting non-medical school staff from recommending psychotropic drugs for schoolchildren. The committee continues to hear reports that school staff are recommending that parents consider the use of psychotropic drugs for their children. Since such recommendations are not technically “practicing medicine” and yet may tend to put pressure on parents, the committee felt recommendations of drug use by unqualified school staff needed to be proscribed in education policy. **Vote 19-1.**

HB 213, relative to the availability of school nutrition program funds for charter school and nonpublic schools. **OUGHT TO PASS.**

Rep. Nancy F Stiles for Education: This housekeeping bill provides the necessary language to allow the department to disburse money to all the eligible programs included in HB 1249, Chapter 127 known as the breakfast and wellness bill passed last session. **Vote 16-0.**

HB 238, establishing a committee to study limited liability for school teachers. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E Shaw for Education: Although the sponsor’s attempt to protect teachers from unreasonable suits is appreciated, the committee believes it is better to stay with current law that prohibits frivolous law suits against teachers and allows teachers to use necessary restraints to protect themselves and children. **Vote 17-0.**

HB 302, requiring notice of construction or expansion of a public school. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E Shaw for Education: This bill was originally drafted at the request of the Department of Transportation, which now respectfully requests ITL. The Department of Education and DOT have worked out a notification system, without legislation, that informs the DOT by a list of building projects. **Vote 19-0.**

HB 431, establishing a commission to study academic and financial requirements for recipients of Pell grants. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela G Price for Education: This bill proposed a 12 member commission to study the Pell Grant Program. Specific tasks of the commission were to study the maximization of leverage and the placement of academic benchmarks for Pell Grant Students, and to study the financial criteria for enrollment in an associate’s degree program at no cost to the student. The membership of the proposed commission included representatives from the University System, and the Regional Community Technical College System. It has been identified that the topic could be included within the scope of the Public Higher Education Commission. The prime sponsor agrees with this plan; thus this bill is deemed to be unnecessary. **Vote 19-0.**

ELECTION LAW

HB 242, relative to the declaration of candidacy form. **OUGHT TO PASS.**

Rep. Shawn N Jasper for Election Law: This bill eliminates the requirement to list a candidate’s party affiliation twice on the declaration form. In place of the second disclosure the form will simply state “.....the party in which I am now registered..” **Vote 15-0.**

HB 353-L, relative to public access to ballots prior to their destruction. **INEXPEDIENT TO LEGISLATE.**

Rep. James R Splaine for Election Law: This legislation would allow state election ballots that have already been used on election day to be available for analysis and research after the election prior to their destruction. The intent was good, but the committee felt this was not a good thing to do, especially since some handwriting on the ballots could identify votes or the research could be misused. We should always guarantee the privacy of the voter’s ballot and the integrity of the election process. **Vote 15-0.**

HB 364, requiring that the order of names on ballots be determined by lottery. **INEXPEDIENT TO LEGISLATE.**

Rep. Shawn N Jasper for Election Law: The committee is retaining HB 358 which deals with the same subject matter as there are many reasonable proposals on how the listing of candidates names should be determined. The committee would like to work with the Secretary of State to find a procedure which is both reasonable and easy to administer. **Vote 12-1.**

HB 367, relative to incompatible offices. **OUGHT TO PASS.**

Rep. Charles F Weed for Election Law: This is a “housekeeping” bill recommended by the Secretary of State to clear up an ambiguity in the 2006 election wherein a filed candidate for the House of Representatives became a candidate for the Senate.

This bill makes it possible for the candidate to choose which of the two incompatible offices he or she will run for in the general election if he or she received the nomination for one office by write-in votes. **Vote 15-0.**

ENVIRONMENT AND AGRICULTURE

HB 62, relative to limiting the number of balloons released into the atmosphere. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James F Powers for Environment and Agriculture: This bill adds a category of litter to existing litter law. Evidence presented to the committee led us to understand that purposeful release of lighter than air balloons, as has been done in various celebratory occasions, results in significant dangers to marine wildlife, including endangered and threatened species. Beach clean-up projects have found thousand of deflated balloons on beaches. Photographs were presented of sea birds, sea turtles (which summer off the shores of New Hampshire) and a whale which had died as the result of ingesting deflated balloons, which look like their usual food. The bill does not apply to accidental release of balloons, nor to passenger carrying balloons, or meteorological balloons released by any governmental agency. **Vote 17-2.**

HB 142, relative to the sale of out-of-state animals. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Linda J McCarthy for Environment and Agriculture: The original bill exempted incorporated or chartered humane societies from certain requirements of a statute requiring licenses and animal health certificates with the exception that dogs imported into New Hampshire for sale or transfer must be accompanied by an official health certificate. The amendment requires that any persons or other entity engaged in the sale or transfer of live animals or birds as household pets allow the premises in which the animals are housed to be subject to inspection and licensure by the department of agriculture, markets, and food of the state of New Hampshire when aforementioned animals are transferred to the final owner within the state of New Hampshire. This shall be regardless of whether or not a fee for the animal is required. In the case of licensees without a physical facility in New Hampshire, an exemption from inspection shall be made, however, every imported dog, cat, or ferret shall be required to be accompanied by an official health certificate which the licensee shall submit to the department for review within one month of the date of the certificate. The amendment would further require that all cats and dogs transferred from an animal shelter facility shall be accompanied by an official health certificate, if the cat or dog was imported into the state for transfer with or without a fee. Finally the definition of “broker” as any individual or entity acting as agent or intermediary in negotiating, buying, selling, or transferring dogs, cats, or ferrets when transfer to the final owner occurs in New Hampshire is added as a new paragraph. **Vote 19-0.**

HB 207, establishing a commission to study and make recommendations on the expansion of the New Hampshire Agricultural Innovation Program. **OUGHT TO PASS.**
Rep. Timothy D O'Connell for Environment and Agriculture: The study commission authorized by this bill is based on the recommendation of a chaptered study committee, HB 229, Chapter 78:1 from the 2005 session. The specific duties of this commission would primarily focus on the administration, and oversight of any expansion of the current New Hampshire Agricultural Innovation Program. Additional duties include exploring opportunities for partnering with existing programs in neighboring states and the feasibility of forming public/private partnerships for administrative and technical support. The New Hampshire Department of Agriculture, Markets, and Food together with the UNH Cooperative Extension Service most likely will continue to have direct involvement with any program. The current program consists only of providing selected applicants business planning assistance through a USDA Rural Development grant. **Vote 18-1.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 193, relative to liquor and wine representative licenses. **INEXPEDIENT TO LEGISLATE.**
Rep. Maurice L Pilotte for Executive Departments and Administration: This bill would allow liquor and wine licensees to hold additional licenses. The concerns of the committee are the potential loss of income to the state in addition to the objection of the Liquor Commission which we have directed to oversee this industry and which has succeeded in generating and contributing millions of dollars every year to the general fund (FY 2006 - \$130 M). The commission is committed to proactively looking at changes in the landscape of this industry and propose adaptations as they have, for example, on the treatment of in-state micro-breweries and the distilling of vodka in an in-state winery. **Vote 16-0.**

HB 307, relative to examinations of electricians by the electricians' board. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Alida I Millham for Executive Departments and Administration: This bill allows for computerized testing for licensure of electricians by the electricians' board. The amendment adds the word proctored to computerized testing. **Vote 13-0.**

HB 308, relative to continuing education for licensed electricians. **INEXPEDIENT TO LEGISLATE.**
Rep. Alida I Millham for Executive Departments and Administration: This bill would require master electricians or journeymen to provide proof of completing an electrical code update certification course within one year subsequent to the adoption of an update to the National Electrical Code by the board of electricians. The sponsor requested ITL on this bill as it is not ready for passage at this time. **Vote 14-0.**

HB 546, establishing a commission to study liquor commission procedures and policies. **INEXPEDIENT TO LEGISLATE.**
Rep. Pamela V Manney for Executive Departments and Administration: At the request of the sponsor, this bill was ITL. This was done so that this bill could be rolled into several other bills being considered regarding the procedures and policies of the

liquor commission. **Vote 14-0.**

HB 573-FN, relative to the collection of judgments. **INEXPEDIENT TO LEGISLATE.**

Rep. Hector M Velez for Executive Departments and Administration: This bill would make state agencies collection agencies for private debt. The Attorney General testified against the bill. For those individuals who depend on their licenses to make a livable wage, they would not be able to support themselves or their families making it more difficult to repay any debt. The New Hampshire judicial system has other options for collection of debt. **Vote 12-1.**

FINANCE

CACR 3, relating to: the appropriation of certain revenues. Providing that: the scope of appropriations from certain revenues shall be broadened. **INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth L Weyler for Finance: This CACR and CACR 4 are very similar. This bill was sent to Finance and the other to Public Works. CACR 4 has a wider scope than CACR 3. CACR 3 deals only with railways being funded from the highway fund; CACR 4 allows public transportation to use the highway fund. The sponsor of CACR 3 decided that she liked the wider scope better. She asked to have CACR 3 withdrawn. The committee complies with her request and votes CACR 3 ITL. **Vote 22-1.**

HB 74-FN-A-L, relative to matching funds for federal disaster assistance for the October 2005 floods and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. David L Smith for Finance: This legislation was to provide additional funds for repair projects resulting from October 2005 flood damage. The funds would enable disaster assistance from the United States Department of Agriculture, National Resource Conservation Service. This is the first time the state had received funds from this source. The original bill addressing this issue was to meet the needs of an emergency situation, and special low-cost conditions, to the towns, were enacted to help the communities meet that need. This bill expands the scope of the first bill to now address non-emergency repairs. Enough time has passed to make it hard to declare these new projects as being emergency. The newly added projects should have been identified earlier if they were emergency in nature. The delayed funding, combined with the special town match, sets a bad precedent for other communities that may sustain damage in the future. This request called for state funds to be provided before the towns have provided their financial commitment. **Vote 23-0.**

HB 220, removing the requirement that the department of transportation file a report with the state treasurer regarding special accounts within the highway fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth L Weyler for Finance: The highway fund is constitutionally restricted as to where the dollars can be spent. Although it is intended to be used to maintain our road system, language also allows its use to maintain traffic control on those roads. This language allows funds to transfer to the Department of Safety, and the judicial branch. A total of nine agencies receive highway funds. The Finance Committee believes that in order to provide proper oversight, it must see reports from these nine agencies, first as to how they propose to spend the money, followed by annual reports as to how the dollars were spent. Similar requirements have been given in the past, yet compliance was lax. An important part of this amendment states that no funds shall be disbursed to a department of the executive branch or the judicial branch if it has not filed the report. This bill is important for the legislature's role of financial oversight. **Vote 21-0.**

HB 258-FN-A, making an appropriation to the department of safety, bureau of emergency management, to fund a grant to the town of Goffstown for installation of sewer and water systems in areas damaged by flooding in May 2006. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert A Foose for Finance: The bill makes an appropriation to the Department of Safety, Bureau of Emergency Management, to fund a grant of \$2,000,000 to the Town of Goffstown for installation of sewer and water systems in areas damaged by flooding in May 2006. A majority of the committee concluded that the damage was not the direct result of the flooding in May 2006. The presentation to the committee also did not reflect a clear business plan or evidence that the community had dealt with the problem of persistent flooding over time. Finally, the committee expressed its belief that responsibility for sewer and water system improvement should rest with local communities. **Vote 19-1.**

HB 259-FN-A, making an appropriation to the department of safety, bureau of emergency management, to fund a grant to the town of Goffstown for drainage installation in areas damaged by flooding in May 2006. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert A Foose for Finance: The bill makes an appropriation to the Department of Safety, Bureau of Emergency Management, to fund a grant of \$500,000 to the Town of Goffstown for drainage installation in areas damaged by flooding in May 2006. A majority of the committee concluded that the damage was not the direct result of the flooding in 2006. As was the case with HB 258-FN-A, the presentation to the committee also presented the same problems noted in the blurb for HB 258-FN-A. **Vote 19-1.**

HB 378-FN-A, making an appropriation to the department of health and human services for start-up and equipment costs of the Tri-County Community Action Program dental facility. **INEXPEDIENT TO LEGISLATE.**

Rep. Fran Wendelboe for Finance: This bill would appropriate \$350,000 to Tri-County Community Action Program for the purpose of funding start-up and equipment costs for a public health dental facility in Tamworth, NH, which was built with federal funds. The committee heard testimony that dental access is sorely needed in most counties to serve children on the Medicaid program. However, testimony from the Public Works Committee indicated that federal funds could have been used for

this purpose and were all used for the building construction. Public Works requested Finance ITL this bill. This is the third time this matter has come before the legislature. The committee felt that it would prefer to work on access to dental care as a state wide issue as part of the budget process. **Vote 24-0.**

HB 402-FN-A, making an appropriation to the Good Neighbor Health Clinic. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry A Emerton for Finance: This bill would appropriate \$50,000 a year for two years to the Good Neighbor Health Clinic in White River Junction, Vermont. The clinic is supported, in part, by volunteer time given by physicians and dentists and a \$65,000 appropriation from the State of Vermont. Approximately 60% or about 550 of their clients are residents of New Hampshire. Most of their patients are "low income adults" who have little or no insurance, and live in the Upper Valley region of New Hampshire and Vermont. The clinic provides an excellent much needed service to those clients on a limited budget. As there are several other clinics of this type located on the New Hampshire/Vermont border, it was suggested by the committee that they get together with the New Hampshire Department of Health and Human Services to coordinate their operation and come back to us for help in the future. **Vote 21-3.**

HB 417-FN-A, making a supplemental appropriation to the department of safety for overtime pay to state troopers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen B Stepanek for Finance: The Department of Safety came before the committee with a request to appropriate \$375,000.00 for state police overtime pay. When questioned as to why this overtime account was overspent we were told that their request for this line item was cut and that is why they now needed to request an additional appropriation. The committee determined that instead of appropriating new money the more correct accounting method would be to authorize the Department of Safety to transfer the funds from other line items within their budget, which had surpluses, into this line item so long as those transfers did not exceed \$375,000.00. **Vote 19-1.**

HB 435-FN-A, making an appropriation to provide a death benefit for the family of a seasonal department of transportation employee. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert A Foose for Finance: The committee unanimously recognized the tragic loss of Brent Jackson, Jr., a full-time seasonal employee of the Department of Transportation. Mr. Jackson was a young man who had joined the department to earn funds to further his college education. In discussion the committee concluded that the payment of a death benefit would establish a precedent, the scope of which could not be ascertained. The committee also believed that the decision to provide a death benefit is more appropriate to a contract negotiation. **Vote 20-0.**

FISH AND GAME

HB 590-FN, changing the state migratory waterfowl stamp into a license issued by the fish and game department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark S Clark for Fish and Game: This bill changes the migratory waterfowl stamp program into a license. The bill as amended will save the Fish and Game Department approximately \$11,000.00 a year. The savings are in the reduction of the administrative costs associated with the stamp program. The department's goal is to be efficient as possible. This bill helps accomplish that goal. **Vote 14-0.**

HB 657, authorizing the executive director of fish and game to issue moose hunting adventure permits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lyle E Bulis for Fish and Game: This bill creates an opportunity for terminally ill youths to have an opportunity to fulfill a lifetime wish. There will be two (2) permits available for all legal game each species. These would include moose, bear, deer, turkey, game birds, and waterfowl. These permits will be granted to the national organization "Hunt of a Lifetime." Any local sponsoring organizations must work with this national organization to assure fairness in administration of this program. **Vote 13-0.**

HB 658, prohibiting the taking of game by use of a tranquilizer. **OUGHT TO PASS.**

Rep. Margaret E Porter for Fish and Game: This bill prohibits the use of a tranquilizer propelled from a bow, crossbow, or firearm for taking game animals or game birds. This does not apply to the Executive Director of Fish and Game or the Executive Director's authorized agents. This bill is supported by the Fish and Game Department and the Fish and Game Commissioner. **Vote 13-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 286-FN, relative to a Medicaid waiver for family planning services. **OUGHT TO PASS.**

Rep. Barbara C French for Health, Human Services and Elderly Affairs: This bill requires the Department of Health and Human Services to develop a Medicaid waiver to extend Medicaid-allowable family planning services to Medicaid-eligible clients. New Hampshire currently provides only 60 days of postpartum family planning services for eligible women. Family planning waivers extend the period of time for Medicaid-enrolled women to receive approved family planning services. It also leads to better health outcomes for both the mother and child. This will be cost neutral to the state Medicaid program. **Vote 18-0.**

HB 299, relative to the sale of hypodermic syringes. **INEXPEDIENT TO LEGISLATE.**

Rep. Joan H Schulze for Health, Human Services and Elderly Affairs: If enacted, this bill would eliminate a program that has been legislatively in place since 2000, saving lives of New Hampshire citizens. HIV/AIDS and Hepatitis C are transmitted through blood. This program permits the sale of 10 syringes to persons over age 18 years without a prescription from a pharmacy. Single use syringes are advised for injection drug users. Pharmacy participation is voluntary; no registration is required prior to participation. Pharmacies are required to distribute a brochure containing information about drug treatment, HIV screening and syringe disposal to all individuals purchasing syringes without a prescription. The sponsors of this bill did not cite any negative effects of the program in place. They did state persons from the border state of Massachusetts were purchasing needles/syringes in New Hampshire. Massachusetts and all other New England states have availability of needles at pharmacies. Lives have been saved with this program. We don't want to expose anyone to dirty needles. This is a prevention tool. The committee strongly supports the ITL vote and believes passage of this bill would be a step backwards. **Vote 17-0. HB 327**, relative to pharmacy-based immunization delivery. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter L Batula for Health, Human Services and Elderly Affairs: This bill as amended has a clear intent to assist the general public in getting a vaccination if the governor declares a state of emergency during a situation like a pandemic. Under current law, the governor, in a declaration of a state of emergency, can call upon trained pharmacists to assist in vaccinating the public. This bill as amended allows that vaccination to occur in a pharmacy if a state of emergency is declared. Because of a current high vaccination rate in this state, the committee saw no reason to expand further the authorization consent. **Vote 17-0.**

HB 345, relative to certification of death certificates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joan H Schulze for Health, Human Services and Elderly Affairs: The prime objective of this bill is to improve the accuracy and timeliness of the completed death certificate. This is best accomplished by making two changes to the "Burial and Internment" and "Vital Records Administration" statutes: 1) granting Advanced Registered Nurse Practitioners (ARNP) the authority to certify as to the cause of death; and, 2) requiring that all certifying providers do so by electronic means. Certification as to a cause of death is most likely to be accurate when done by the provider who diagnosed and treated the patient in the last illness. (If a death is unexpected, it falls to the State Medical Examiner to determine cause.) Although this was always a physician when Chapter 290 was first enacted (1935), that is no longer the case. Patients who die at home or in a nursing home are often under the care of an ARNP in their final days. The ARNP has the most current and accurate knowledge relative to cause of death and should be the provider of choice to certify the death record. The NH Board of Nursing has affirmed that the knowledge and skills needed to identify the cause of death for patients in their care is within the existing scope of practice of the nurse practitioner. Scope of practice for the nurse practitioner is codified in law, in the newly revised and updated Nurse Practice Act (NH RSA 326-B). HB 345 would make the outdated burial and vital records statutes consistent with the Nurse Practice Act and current medical practice. Ten other states, including ME, MA and CT, authorize this practice. The second issue is the electronic filing. By requiring all certifying providers to complete the death certificate electronically, accuracy and timeliness are further enhanced. For example, the computer software to be used by the state will not accept misspelled entries or incomplete dates. Electronic filing also expedites the process, which allows family members to move forward with funeral arrangements, especially important in cases where the remains are to be cremated or transported across state lines. The principal cost associated with this change is in training the certifying providers, but funds exist within the department to cover this cost. The amendment eliminates the committee which was to determine statutory changes necessary to accomplish changes made in section one of the original bill. It also clarifies statutes germane to this bill. This bill represents a collaborative effort of the stakeholders, and offers a win-win solution. There was no opposition. **Vote 15-1.**

HB 389, establishing a commission to study long-term care oversight and enforcement. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas E Donovan for Health, Human Services and Elderly Affairs: This bill created a commission to study the survey process in nursing homes, which is reported to have become increasingly arbitrary and inconsistent. It also would evaluate whether the frail elderly are being adequately protected by the Department of Health and Human Services against abuse and neglect. The committee believed that these critical issues will be better and more expeditiously resolved by the Health and Human Services Oversight Committee. **Vote 18-0.**

HB 483-FN, relative to mosquito control districts. **OUGHT TO PASS.**

Rep. James R MacKay for Health, Human Services and Elderly Affairs: This bill recommends putting into statute two recommendations of the Arbovirus Task Force established in 2006 by HB 1464 (Chapter 284). The first recommendation was to clarify a possible ambiguity between two statutes (RSA 141-C:25 and RSA 430). This bill would provide the same definition of a mosquito control district. The second change repeals an exemption that had been inadvertently placed in statute. There will be no exemption from the application registration certificate and permit requirements (RSA 430:33). These are essentially housekeeping changes, but they are of significance in the operation of the mosquito control districts. This bill was requested by the Department of Health and Human Services and is supported by the Department of Agriculture. **Vote 17-0.**

HB 490-FN, requiring hospitals to make the price of certain common procedures available to the public. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne S Butcher for Health, Human Services and Elderly Affairs: The sponsor requested that this bill be Inexpedient to Legislate, as it was requested by a constituent who has since asked that it be withdrawn. The New Hampshire Insurance

Department and the Commissioner's Advisory Committee on Health Insurance recently released the Health Care Cost of Procedure web site (HealthCost.org), so the bill is unnecessary. **Vote 18-0.**

HB 542, establishing a study committee to study the approval process of nursing education programs. **OUGHT TO PASS.**

Rep. Joan H Schulze for Health, Human Services and Elderly Affairs: This bill will establish a committee to study the approval process of nursing education programs. There is a need to develop a system of providing nursing education programs that are fully accredited by a national body. Currently there is no New Hampshire law against anyone starting a nursing program without academic oversight and no requirement for accreditation. The current process requires legislation for someone to begin the approval procedure. The Department of Education next looks at the program, and lastly the New Hampshire Board of Nursing reviews the curriculum and faculty. Perhaps this system is backwards. There is a nursing shortage in New Hampshire. Fewer than 500 nurses graduate each year and fewer than 400 remain in New Hampshire. Another current issue is the private proprietary LPN programs that have been opening at our borders. Massachusetts requires their programs to have an affiliation with a higher education body and full national accreditation. Vermont also has accreditation requirements. Thus, the schools are opening in New Hampshire where there are no such accreditation or affiliation requirements. Legislation or administrative rules are desirable. New Hampshire Post Secondary Education rules allow individuals to apply to open a school as long as they have bonding and financial support for their program. Upon licensure, the program submits their curriculum to the Board of Nursing for review. The Board doesn't know if the owners are truthful about the bonding or their financial status. They often do not find out until the school has left the area, leaving with the students' money and not providing the education.

Vote 18-0.

JUDICIARY

HB 152, relative to public access to meeting minutes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Maureen C Mooney for Judiciary: This bill will specifically clarify the amount of time in which the minutes of public meetings are due for public inspection. The bill modifies the deadline to "not more that 5 business days" after a meeting, and explicitly defines a business day. The decision for 5 business days was the result of much discussion. However, the committee concluded that finalized minutes after 5 business days will ensure they are ready for the next meeting of the public body. **Vote 16-0.**

HB 506, relative to references to "United States citizen" in the New Hampshire statutes. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy McV Weber for Judiciary: This bill would change the references to "United States Citizen" in several statutes to "American citizen of the United States." The proponent of the change argues this change is necessary because he believes "United States" refers only to a bankrupt municipal corporation whose holdings include only the District of Columbia, Puerto Rico, and the various U.S. possessions. The change was offered as a "housekeeping measure" needed to regularize the citizenship of those of us born in the fifty states, and to protect us from inadvertent perjury on our passport applications. The committee was unable to reconcile the testimony given about the desired effect of the bill with the actual language of the bill itself. The committee was unpersuaded that a problem exists that would be addressed by this bill. **Vote 13-0.**

HB 507, relative to the rights of citizens. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy McV Weber for Judiciary: This bill is a follow on from HB 506, and grows out of the sponsor's expressed notion of the United States as a bankrupt municipal corporation. The bill speaks to the freedom of persons to confirm their political status pursuant to certain portions of the U.S. Code. The committee was unable to reconcile the testimony given about the desired effect of the bill with the actual language of the bill. Moreover, the committee was unpersuaded that a problem exists that would be addressed by this bill. **Vote 13-0.**

HB 509, relative to constitutionality of law. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy McV Weber for Judiciary: The bill reserves to the General Court the sole power to determine the constitutionality of any law unless there is a specific constitutional delegation to the contrary. The committee does not believe that the desire of the sponsor will be furthered by this bill. The testimony regarding the desired result of the bill did not follow logically from the text. **Vote 13-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 426, relative to workers' compensation rates and resolution of disputes relative to classification of employees or independent contractors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John K Knowles for Labor, Industrial and Rehabilitative Services: This bill gives the labor commissioner legal authority to resolve disputes over employee classifications, and provides an appeal process. The cost of one new position will be \$55,000, which is funded from non-general funds. **Vote 17-1.**

HB 471-FN-A, relative to workers' compensation compliance in the construction sector and continually appropriating a special fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Saghir A Tahir for Labor, Industrial and Rehabilitative Services: This bill is the result of the work of a committee created by HB 157, Chapter 132, 2005, to study procurement methods for public works projects by state and local government agencies. Among other things, the study revealed problems in determining if contractors on state projects are in compliance with workers'

compensation laws. The bill closes a loophole in the existing law that has allowed construction workers to avoid carrying workers' compensation insurance. The law will continue to provide for up to three executive officers in a corporation to be excluded from compulsory coverage requirements provided they are not actively engaged in on-site work on any construction site in the state of New Hampshire. Any contractor or subcontractor performing work on state transportation or other major construction projects must provide to the commissioners of transportation, administrative services, and labor verification that they are in compliance with all workers' compensation laws. A civil penalty of up to \$2,500 shall be assessed by the Commissioner of Labor to any contractor, subcontractor, or independent contractor who falsifies information or fails to comply with this law. The employer shall be assessed a civil penalty of \$100 per employee per day of non-compliance. Fines will be placed in a workers' compensation fraud fund dedicated to investigation and compliance activities pertaining to labor and insurance law. **Vote 14-3.**

MUNICIPAL AND COUNTY GOVERNMENT

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. **INEXPEDIENT TO LEGISLATE.**

Rep. Andy Peterson for Municipal and County Government: This constitutional amendment which proposes sweeping changes to county government encountered significant opposition when heard before the committee. Without separate elected officers, many were concerned that county government could suffer a loss of independent review procedures and transparency in decision making, now subject to the will of the voters. In addition, testimony revealed that registers of probate are not county officers per se, but rather state employees, whom the amendment includes in officials required to be appointed by the county commissioners. **Vote 16-0.**

HB 237, establishing a committee to study the relationship between land use regulation and the cost of housing. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert J Elliott for Municipal and County Government: This issue is very complicated and has been studied and re-studied many times and in many other bills. Such issues are best discussed at local town meetings and school district meetings. The state does not determine local taxes, the local budget does. This bill is superfluous. **Vote 14-0.**

HB 256, relative to the duties and powers of town treasurers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bennett F Moore for Municipal and County Government: This bill allows a town treasurer to delegate, while retaining responsibility of the treasurer's duties under written procedures acceptable to the selectman or town manager. The bill also updates the language describing financial institutions that are used for deposits and investments of town funds and adds a requirement for an investment policy used by the selectmen.

The amendment clarifies language on remittance from the tax collector, town clerk or other town officials to any designee of the treasurer. The amendment also updates, for cities, the language describing financial institutions to be used for deposits and investments and similarly adds the requirement for an investment policy for cities. **Vote 16-0.**

HB 261, prohibiting the Carroll county attorney from engaging in the private practice of law. **OUGHT TO PASS.**

Rep. Betsey L Patten for Municipal and County Government: RSA 7:34 states that the county attorneys shall be under the direction of the Attorney General and outlines their duties. Seven of the ten counties also have their own provisions for each county attorney, whether or not they can engage in private practice and accept fees. Carroll County does not allow its county attorney to engage in the private practice of criminal law but he or she may engage in the private practice of civil law.

Traditionally the delegation felt that this meant that the position of county attorney was not a full time position. HB 261 removes the option of engaging in private practice and therefor gives the delegation the ability to decide whether they will have a full or part time county attorney. **Vote 15-0.**

HB 262, allowing municipalities to exclude certain retirement assets from consideration in qualifying for the elderly property tax exemption. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric G Stohl for Municipal and County Government: This bill seeks to exclude the total value of assets in 401(k) plans, IRA's (simple and Roth) and SEP plans, and other similar tax deferred retirement plans from being included with other types of assets when determining if a person qualifies for an elderly exemption. The committee heard testimony that compared the overall value of a Defined Benefit Plan, which is a traditional pension plan that pays out a monthly disbursement, to the overall value of these other retirement plans, which are referred to as Defined Contribution Plans. The committee unanimously feels that because the disbursements from the two types of plans are controlled in two different ways, the implementation of a process to monitor the disbursements would be very complex. The disbursements of these certain retirement assets that are in this bill are controllable by their owners just as other assets such as additional property would be. There is also another method that the municipalities could use if they so desire, and that would be to raise the asset limit. There are municipalities in the state that have asset limits as high as \$300,000 with one as high as \$500,000. These asset limits are over and above the value of the owner's actual residence and land not to exceed 2 acres which are excluded in determining a person's asset limit for the elderly exception. **Vote 15-0.**

HB 316, relative to the 5-year assessment review by the department of revenue administration. **OUGHT TO PASS.**

Rep. Larry Brown for Municipal and County Government: It was the agreement of the committee that New Hampshire reliance

on the property tax as the primary source of state and local government funding requires the highest degree of clarity and confidence in both municipal assessment and state review. The (sequential) substitution of April 1, 2007 for April 1, 2002 ensures that the DRA Assessment review schedule(s) are continued as good policy and good practice through to April 1, 2012.

Vote 14-1.

HB 320, relative to the tax exemption for solar energy systems. **INEXPEDIENT TO LEGISLATE.**

Rep. Anthony F Simon for Municipal and County Government: This proposal would add language to the existing statutory property tax exemption for solar energy systems. The sponsor introduced this bill as a result of a disagreement that he is having with his town regarding his continuing to enjoy the benefit of this exemption at his own home.

There was no testimony that other taxpayers are having the same problem either in this town or any other municipality. The committee did not hear any evidence that this situation illustrates a statewide problem or a need for a legislative change. Rather, this is an individual problem involving one taxpayer and one town. There are ample procedures which already exist by which the sponsor may appeal his assessment or otherwise pursue his grievance. **Vote 17-0.**

HB 356, relative to requiring a comprehensive impact report before a municipality approves or disapproves a proposed development project. **INEXPEDIENT TO LEGISLATE.**

Rep. Jessie L Osborne for Municipal and County Government: Currently all land use issues in the municipalities are under the jurisdiction of the planning, zoning and conservation committees. HB 356 would authorize the governing body of a municipality to require comprehensive impact reports. By adding another set of regulations, the cost of development in New Hampshire will increase and affordable housing for New Hampshire citizens would be more out of reach than it is right now. The land use boards already have the tools they need to request any impact studies and they do request them. If the governing body is authorized to make land use decisions then the fundamental purpose for land use boards to deal with development is undermined. The committee felt that this was not an appropriate change to the planning and zoning processes. **Vote 16-0.**

HB 420, relative to the procedures for approving, reviewing, and transferring appropriations in county budgets.

INEXPEDIENT TO LEGISLATE.

Rep. Jessie L Osborne for Municipal and County Government: Each county delegation has the authority to determine procedures regarding any county appropriations and expenditures during the budget deliberations. Not every county has the same procedures. This bill establishes the same procedure for each county. The committee felt that the ideas in the bill would be better addressed by the Task Force to Study County Government, SB 319, Chapter 22:1, Laws of 2006 which has a report date of November, 2007. A copy of the file will be given to that committee for its recommendations. **Vote 13-1.**

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. **INEXPEDIENT TO LEGISLATE.**

Rep. Bennett F Moore for Municipal and County Government: This bill would have mandated a \$1,000 property tax credit on homes owned by residents aged 65 years or older. The credit would increase by \$100 each year. The credit is not means tested but would be limited to persons who have not been convicted of a felony for at least 10 years. The committee's recommendation is based on the mandate provision, the lack of a means test and the difficulty of verifying a felony free person in and out of this state. **Vote 15-0.**

HB 524, relative to the submission of minutes of the county convention adopting the budget to the department of revenue administration. **INEXPEDIENT TO LEGISLATE.**

Rep. Betsey L Patten for Municipal and County Government: In order for the Department of Revenue Administration to have the budget information from the counties to set local tax rates a set of the approved County Convention minutes, when the vote was taken and the MS 42 form "Budget and Statement of Appropriation and Estimate of Revenue – County" have to be submitted. Sometimes it is difficult to get a quorum of the Delegation together to approve minutes. HB 524 would have extended the current 30 day requirement to a 60 day requirement. The committee felt that this issue would be better addressed by the Task Force to Study County Government, SB 319 Chapter 22:1, Laws of 2006 which has a report date of November, 2007. A copy of the file will be given to that committee for its recommendations. **Vote 14-0.**

HB 557-L, relative to free parking in designated handicapped zones. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric G Stohl for Municipal and County Government: The bill seeks to provide free handicapped parking only in parking areas designated as handicapped zones. The committee heard testimony indicating the many difficulties that some of our citizens, as well as visitors to our state, encounter in their daily lives. In addition to having a walking disability, many have other challenges including but not limited to wheelchair bound and dexterity issues in the upper extremities. With the additional hardships that New Hampshire winters can add to the issue, the committee unanimously feels that restricting parking privileges for persons with walking disabilities to only designated zones would be an undue hardship placed upon individuals that already have enough daily issues to contend with. **Vote 14-0.**

HB 624-FN-L, 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. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurie J Boyce for Municipal and County Government: The basis for assessing land in New Hampshire is fair market value. Putting a moratorium on property assessments and statistical adjustments for a year ignores that basis of fair market

value and creates inequity among local taxpayers. The valuation rate proposed in HB 624 was targeted for the 2006 valuation. Those tax rates have been set and bills have been sent out and most likely paid. Also the properties that had a change of ownership or had any modifications would not be under the temporary moratorium which creates a greater inequity among taxpayers. HB 624 also proposed a study committee to study and review what is already the charge of the Assessing Standards Board as outlined in RSA 21-J:14 (b). In order to continue making progress to the goal of having documented and transparent assessing practices in New Hampshire the committee voted that any moratorium is not a solution. **Vote 15-0.**

HB 645-FN-L, requiring notice to the public of a change in land use subject to the assessment of the land use change tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Brown for Municipal and County Government: It was the unanimous conclusion of the committee that the bill as presented was not necessary in order for any town to protect its interests when a change in land use tax was due. The committee fully supports such municipal forms and procedures which will ensure proper payment of taxes due, yet it feels these controls are already within the power of the municipality to set in place. **Vote 16-0.**

PUBLIC WORKS AND HIGHWAYS

HB 477-FN, relative to redeeming tokens. **INEXPEDIENT TO LEGISLATE.**

Rep. Gene G Chandler for Public Works and Highways: The New Hampshire Department of Transportation is opposed to this bill and the committee unanimously agreed. HB 477, if enacted, would allow the redemption of highway tokens for cash from July 1, 2007 to December 1, 2007. It was widely advertised for at least six months that the tokens would no longer be used when the E-Z Pass System was implemented, so everyone had plenty of notice and should not have stocked up on the tokens. Past testimony has shown that while it is uncertain how many tokens are in existence in public hands, in most cases it is just a few tokens per person. The cost of establishing an accounting procedure to handle cash refunds at the Department of Transportation could be quite costly and would seem to outweigh the benefits of returning small amounts of money to a few people. While sympathetic to those that hold the tokens, it is doubtful that few, if any, of those folks were not aware of the deadline and had ample time to use up any surpluses. **Vote 15-0.**

HB 486-FN, requiring that the effect of turnpike tolls on towns be proportional and reasonable. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin T Tilton for Public Works and Highways: The committee unanimously voted to retain HB 592-FN as the vehicle to study the seven bills that it received regarding toll issues on the N. H. turnpike system. Among the topics that will be studied include: the removal of certain toll booths in Merrimack; the placement and removal of other main line, ramp and bridge toll booths, whether the Legislature, rather than the Governor and Council, should determine toll amounts and discounts; and the relationship between toll revenues, the turnpike fund and the planned expansion and maintenance of the turnpike. Therefore, the committee is voting out this and the other five toll related bills, as inexpedient to legislate. **Vote 15-0.**

HB 512-FN, relative to commercial advertising on toll booths. **INEXPEDIENT TO LEGISLATE.**

Rep. Kevin K Waterhouse for Public Works and Highways: The committee understands and appreciates this bill's attempt to raise needed revenue for the state, but we feel this bill is not the way to proceed. Toll booths can be dangerous enough without the added distractions of commercial advertising. The committee also disagreed with the bill's intent for the revenue raised on the turnpike system to be deposited into the general fund. **Vote 15-0.**

HB 588-FN-L, relative to Cates Hill Road and Jericho Lake Road in the city of Berlin. **OUGHT TO PASS.**

Rep. John R Cloutier for Public Works and Highways: This bill was filed at the Department of Transportation's request and would reclassify two roads in Berlin. The first one, Cates Hill Road is now a state highway, but would become a Class V road and the responsibility of Berlin. In exchange, Jericho Lake Road, which is now Berlin's responsibility, would be reclassified to Class III and become a state highway. This proposed reclassification was suggested to help the state promote the new ATV park on Jericho Lake. According to the bill's fiscal note, the swap of road responsibilities involved in the reclassification will cost the Highway Fund no more than \$34,591 in FY 2008, and decreasing amounts thereafter through FY 2011. **Vote 13-2.**

HB 626-FN, relative to the establishment and removal of certain toll booths. **INEXPEDIENT TO LEGISLATE.**

Rep. Kevin K Waterhouse for Public Works and Highways: The committee unanimously voted to retain HB 592-FN as the vehicle to study the seven bills that it received regarding toll issues on the N. H. turnpike system. Among the topics that will be studied include: the removal of certain toll booths in Merrimack; the placement and removal of other main line, ramp and bridge toll booths, whether the Legislature, rather than the Governor and Council, should determine toll amounts and discounts; and the relationship between toll revenues, the turnpike fund and the planned expansion and maintenance of the turnpike. Therefore, the committee is voting out this and the other five toll related bills, as inexpedient to legislate. **Vote 15-0.**

HB 627-FN, relative to uniform main line toll rates for the New Hampshire turnpike system. **INEXPEDIENT TO LEGISLATE.**

Rep. Dale R Sprague for Public Works and Highways: The committee unanimously voted to retain HB 592-FN as the vehicle to study the seven bills that it received regarding toll issues on the N. H. turnpike system. Among the topics that will be studied include: the removal of certain toll booths in Merrimack; the placement and removal of other main line, ramp and bridge toll booths, whether the Legislature, rather than the Governor and Council, should determine toll amounts and discounts; and the

relationship between toll revenues, the turnpike fund and the planned expansion and maintenance of the turnpike. Therefore, the committee is voting out this and the other five toll related bills, as inexpedient to legislate. **Vote 14-1.**

HB 631-FN-A, relative to the elimination of certain tolls. **INEXPEDIENT TO LEGISLATE.**

Rep. John A Graham for Public Works and Highways: The committee unanimously voted to retain HB 592-FN as the vehicle to study the seven bills that it received regarding toll issues on the N.H. turnpike system. Among the topics that will be studied include: the removal of certain toll booths in Merrimack, the placement and removal of other main line, ramp and bridge toll booths, whether the Legislature, rather than the Governor and Council, should determine toll amounts and discounts; and the relationship between toll revenues, the turnpike fund and the planned expansion and maintenance of the turnpike. Therefore, the committee is voting out this, and the other six toll related bills, as inexpedient to legislate. **Vote 14-0.**

HB 638-FN, relative to lease agreements entered into by the department of transportation. **OUGHT TO PASS.**

Rep. John A Graham for Public Works and Highways: This bill continues a policy authorized by the legislature in 2005 in the "Trailer Bill" (HB2). It allows the Commissioner of the Department of Transportation to enter into lease agreements for vehicles and equipment at the discretion of the commissioner. This provides the department with the opportunity to lease specialized equipment either for short term use, or to "test drive" the equipment before purchasing it. **Vote 16-0.**

HB 684, establishing a rest area and state liquor store retail opportunities commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Kevin K Waterhouse for Public Works and Highways: The committee unanimously agreed that a new commission is not needed to start a process that is already ongoing. The Department of Transportation is in discussion with both the Liquor Commission and Made in New Hampshire, New Hampshire Stories regarding rest areas. The committee was concerned that expanding the parties of a commission to include commercial retail and restaurants would put the state in competition with local small businesses. The committee recognizes that the many exits on our state highways offer the motoring public ample opportunities to find locally owned travelers services. We also needed to consider the federal regulations regarding the vending machines operated by the sight impaired. **Vote 14-0.**

HB 705, relative to the disposal of highway or turnpike funded real estate. **OUGHT TO PASS.**

Rep. John R Cloutier for Public Works and Highways: This bill would exempt the exchange of certain state-owned lands for other lands of equal value from the process for disposal of highway or turnpike funded real estate. The bill was filed at the request of the Department of Transportation and simply allows the department to continue a common practice of exchanging real estate parcels with owners while buying property for highway projects, a practice that was inadvertently prohibited by the Legislature when it revised RSA 4:40 in 2005. **Vote 17-0.**

HB 805-FN-L, relative to a crosswalk in the town of Seabrook. **INEXPEDIENT TO LEGISLATE.**

Rep. Alfred C Lerandean for Public Works and Highways: The sponsor had testified that the town is working with a developer to carry out this sidewalk/crossing as part of his development and will fund the crossing. As it has been taken care of we did not see the need for further action. **Vote 16-0.**

HB 806-FN-L, relative to a traffic light in the town of Seabrook. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin T Tilton for Public Works and Highways: This bill proposed funding for a highway project that has not been included in any existing funding sources such as the 10-year plan, betterment funding, or state-aid highway funding. While the committee may look favorably on the desirability of the project, it does not believe that the project should be given priority funding above the many worthy projects still awaiting a funding source. The project proponents should continue to work with DOT to refine the project scope and to identify a source of funding. **Vote 16-0.**

HB 883-FN-A, relative to tolls. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick T Long for Public Works and Highways: The committee unanimously voted to Retain HB 592-FN as the vehicle to study the bills that Public Works and Highways received regarding toll issues on the N. H. Turnpike System. Among the topics that will be studied include: The removal of certain toll booths in Merrimack; the placement and removal of other main line, ramp and bridge toll booths; whether the Legislature, rather than the Governor and Council, should determine toll amounts and discounts, and the relationship between toll revenues, the Turnpike Fund and the planned expansion and maintenance of the turnpike. **Vote 17-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 252-FN, relative to exemptions from the permitting process for excavating and dredging. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betsy McKinney for Resources, Recreation and Development: This bill as amended would exempt certain temporary seasonal docks from the department of Environmental Services' (DES) dredge and fill permit requirement unless the location is within 100 feet of a mapped, designated "prime" wetland area. In such cases, the Department must find clear and convincing evidence, after a public hearing, that the proposed activity will not harm the wetlands. **Vote 14-0.**

HB 284, relative to the repair of septic systems prior to the sale of waterfront property. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne H Gottling for Resources, Recreation and Development: This bill would have required the owner of waterfront property with a septic system to engage a certified septic system evaluator to determine the condition of the system prior to sale. The septic site assessment becomes part of the sales agreement and any needed repairs must be completed before sale.

The Department of Environmental Services (DES) felt the bill is unnecessary as septic site assessments are already required before sale. These are done by septic system designers licensed by DES. This bill puts more demands on DES to implement a new program which would require two department positions. The New Hampshire Board of Realtors also stated its professional guidelines require disclosure of septic problems. It appeared to the committee that this bill duplicated existing regulations and practices. **Vote 17-0.**

HB 460, relative to conservation restrictions to protect public water supplies. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Marcia G Moody for Resources, Recreation and Development: Any public water utility which acquires lands for the purpose of protecting a water supply and charges the acquisition to ratepayers, shall hold all such lands subject to a conservation restriction for the benefit of the ratepayers. This restriction is to assure that the property is retained forever in its undeveloped condition to prevent any use of the property that impairs or interferes with the perpetual protection of the quality and sustainable yield of surface water and groundwater resources on and under that property. Activities necessary for the provision of the public drinking water supply shall be permitted. **Vote 14-0.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 49, relative to eligibility for admittance to the New Hampshire veterans' home. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Patrick F Garrity for State-Federal Relations and Veterans Affairs: At the request of the commandant of the New Hampshire State Veterans Home, this bill waves the one year residency requirement in certain situations. 1. A veteran whose operation documents state New Hampshire address as his or her home of record at the time of discharge from active duty. 2. An active duty veteran with a New Hampshire home of record who is being discharged directly from a medical facility. All other admission requirements remain in place. **Vote 10-0.**

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. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Frank R Emiro for State-Federal Relations and Veterans Affairs: There are enough questions that concern both the near and long term effects of depleted uranium on the health of exposed service members and families that the committee believes that the concerns should be addressed now rather than later. Unfortunately, the Department of Defense and Veterans Administration have a very poor history concerning the long term effects of such issues as Agent Orange, radiation exposure, and Post Traumatic Stress Disorder (PTSD). **Vote 12-0.**

TRANSPORTATION

HB 217, establishing a committee to study the New Hampshire park and ride program. **OUGHT TO PASS.**
Rep. Brenda L Ferland for Transportation: This bill was at the request of the Department of Transportation as the park and rides are being used for many things. The study committee will also be looking at expansion of more park and rides and any other legislation pertaining to them. The objection from voting members was to any study committees. **Vote 15-2.**

WAYS AND MEANS

HB 478-FN-A, decreasing the rate of the business profits tax. **INEXPEDIENT TO LEGISLATE.**
Rep. Frank W Davis for Ways and Means: This bill would reduce the business profits tax from 8.5 percent to 8 percent. The prime sponsor noted that his intent was to raise income by stimulating the economy. DRA testified that this technique, known as “dynamic revenue administration” had been tried in the past and failed. State taxes are such a small percentage of the factors that influence business that a modest rate reduction would have little effect. Our current rate of growth is about all that the state can accommodate. In addition, this bill would likely reduce state general fund revenue by more than \$15 million and decrease state education trust fund revenue by more than \$3 million per year. The committee felt that the sponsor’s intent could not be realized. **Vote 16-0.**

HB 564-FN-A, decreasing the rate of the business enterprise tax. **INEXPEDIENT TO LEGISLATE.**
Rep. Norman L Major for Ways and Means: The sponsor testified this bill would decrease the Business Enterprise Tax (BET) rate from 0.75 percent to 0.5 percent and that this reduction in rate would generate increased business to offset any loss in tax revenue. The fiscal note indicates a reduction in net tax revenue of \$65 million dollars in FY 2008 resulting in a 25 percent reduction in BET revenue for a 33 percent reduction in rate. New Hampshire has the best business growth rate in New England and has a low unemployment rate. Since the BET is primarily a tax on wages it would demand a combined employment and wage rate increase of at least 25 percent to make up for the shortfall. Therefore, the committee felt this growth rate is not attainable. **Vote 16-0.**

HB 598-FN-A, repealing certain foreign dividend deductions under the business profits tax and repealing an exemption to the real estate transfer tax. **OUGHT TO PASS.**
Rep. Christine C Hamm for Ways and Means: This bill was submitted at the request of the Department of Revenue Administration. It contains two technical corrections: 1) the repeal of a deduction for amounts of gross business profits derived from dividends paid to the parent of an affiliated group by a subsidiary whose gross business profits are already subject to the business profits tax, and 2) the repeal of an exemption under the real estate transfer tax for merger, consolidation or

reorganization of multiple entities, each of which is exempt from federal taxation under sections 501c(3) or 501c(2). After considering testimony from the commissioner of the department of revenue administration, the committee concluded that these clarifications were necessary to avoid confusion and prevent the opportunity for potential abuse. **Vote 15-0.**

WEDNESDAY, MARCH 21

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

HB 51, permitting adoption by 2 unmarried adults in a familial relationship. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Eileen C Flockhart for the **Majority** of Children and Family Law: This bill was introduced to eliminate inconsistencies in our county probate courts relative to adoption. This bill is also designed to make clear which persons are not required to surrender parental rights in the event of adoption. At present 6 of our 10 county probate courts have been granting adoptions to two committed unmarried adults. Four of our counties do not. Our objective is to clarify the law so that all adopted children will have the security and stability of knowing that both parents have legal responsibility for their educational, financial and medical well being. Our committee is deeply committed to the best interests of children. Though you will see a divided vote, the majority feels very strongly that the time has come to be fair and consistent. **Vote 12-7.**

Rep. Daniel C Itse for the **Minority** of Children and Family Law: The minority of the committee believes that this bill will be unnecessary if HB 437, HB 905 or HB 791 is adopted. Furthermore, the bill has serious unintended consequences. First, the child may be the only legal tie in a relationship. If that relationship dissolves, the child would be the only legal strand in a possible tug of war. Second, the bill as presented makes a statement of equal value in married and unmarried relationships.

COMMERCE

HB 88, establishing a committee to study single payer health care. **OUGHT TO PASS.**

Rep. Paul McEachern for Commerce: The bill establishes a committee to study a single payer national health care law. The crisis in the high cost of health care hits everyone; 47 million Americans are without any health insurance. This number is increasing. Currently those 65 and over and low income citizens who qualify enjoy single payer health care (Medicare & Medicaid). The study committee would look at the feasibility of adopting a single payer system for 100% coverage. **Vote 10-6.**

HB 169, relative to penalties for insurance adjusters, appraisers, or companies purposefully underestimating the value of an insurance claim. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert F Matheson for Commerce This bill as amended simply adds to the list of "unfair claims settlement, practices by insurers". It inserts in that list that insurers can't knowingly misrepresent and underestimate a claim. This bill was put forward in response to the Exeter hail incident last summer where there were an unusually heavy amount of insurance claims. **Vote 12-3.**

HB 264, relative to a time period for declaring a person to be cancer free. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald H Flanders for Commerce: This bill declares a person to be cancer free for insurance purposes after five years of negative testing. Testimony from the American Cancer Society stated that they never say someone is cured due to the various types of cancer that can reoccur without warning. They refer to those who had the disease as cancer survivors from the time of the diagnostic report. A cancer free designation would only relate to individual health insurance policies as group insurance policies are guaranteed issue. Individual policies are not guaranteed issue so an insurer could merely refuse to write the policy and nothing would be gained by this legislation. **Vote 12-2.**

HB 334, relative to the hours for sale of alcoholic beverages in stores. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John B Hunt for Commerce: Currently the Liquor Commission has the authority, by rule, to allow bars to stay open until 2 am and traditionally does allow that on December 31st each year. The committee feels that 1 am is a very old blue law and that 2 am is current practice in most states. This bill is only enabling and the local community or bar owner still may choose to have earlier closing times. The amendment also limits the later serving time to only those licensees who have no violations in the previous year. The committee understands that there were some concerns about the lateness of the hour, but felt that given the testimony of the sponsor, many people who work 2nd shift, this legislation would help reduce that sense of urgency that some may feel by the earlier closing time. **Vote 14-3.**

HB 386-FN, relative to advertisement of prescription drugs. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joel F Winters for the **Majority** of Commerce: Everyone has noticed the increase in prescription drug advertising in

recent years. Over four billion dollars were spent last year on direct to consumer advertising of prescription drugs. Regardless of the social and economic costs of this advertising, the majority of the committee felt that we could not support HB386, which would make this form of advertising a crime. Drug advertising is free speech that is clearly protected by both the New Hampshire and US constitutions. In addition, if we were to pass such legislation, the state would very likely be sued by the drug companies. Expensive litigation at the expense of the taxpayer would be the result. **Vote 11-3.**

Rep. Susi Nord for the **Minority** of Commerce: The minority of the committee believes that this Legislature should pursue HB 386. While the majority asserts that there is "clear" violation of the First Amendment, the minority believes that the issue is not clearly determined. The majority also suggested that this is a Federal problem, but as we know, most meaningful legislation begins in a single state. The minority does believe that it is time to address rampant Direct To Consumer drug advertising. Much as cigarette advertising in the 1960's led to increased use and abuse of tobacco, today's drug ads are inundating citizens with claims of prescription drug benefits, without full consideration of alternative treatments, costs and appropriate indications for use. At the same time, our young people are abusing prescription drugs at an alarming rate, making prescription drugs the fastest growing drug of abuse in the US. As New York State began national regulation for tobacco labeling and ads in the 1960's, the minority believes NH should today begin the regulation for prescription drug advertising.

CRIMINAL JUSTICE AND PUBLIC SAFETY

SPECIAL ORDER

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.**

SPECIAL ORDER

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.**

SPECIAL ORDER

HB 177-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.**

EDUCATION

HB 95-L, including charter school pupils in the average daily membership in residence in the pupil's district of residence. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kimberley S Casey for Education: This bill, requested by the Department of Education, keeps charter school pupils in each district's ADMR (average daily membership in residence) for data analysis purposes. The amendment clarifies that charter pupils are not counted in ADMR for funding in districts where the state pays the charter schools directly. **Vote 16-6.**

HB 473-FN, relative to reimbursement for members of the council for teacher education. **OUGHT TO PASS.**

Rep. Nancy F Stiles for Education: The Council for Teacher Education is a volunteer advisory committee. This bill is a housekeeping bill that allows the State Board of Education to reimburse expenses and mileage incurred by members of the council in accordance with rules for mileage and expense reimbursement and treats this advisory committee the same as the Professional Standards Board. The council reviews teacher prep courses offered in our colleges and universities and was very helpful to New Hampshire in meeting the requirements of NCLB as we dealt with the component of highly qualified teachers last year. This bill does not use new or additional money, but comes from the department's current appropriations. **Vote 18-1.**

ELECTION LAW

HB 132, relative to domicile for voting purposes. **OUGHT TO PASS.**

Rep. David M Pierce for Election Law: New Hampshire law draws a clear distinction between “domicile” and “residency.” Nonetheless, often voters are told that the terms mean the same thing, and that any person claiming a New Hampshire “domicile” is therefore a New Hampshire “resident.” In turn, when voters filled out a voter registration form in the last 4 years, they were advised (warned) that they must apply for a New Hampshire drivers license and car registration if they intended to drive in New Hampshire. This is a requirement of “residency” not “domicile.” Tying the right to vote to other requirements not related to voting operates only to depress voter registration and participation. HB 132 merely clarifies that domicile and residency are two separate and distinct concepts, and will encourage voter registration and participation for all those entitled to vote in New Hampshire. **Vote 11-4.**

HB 133, relative to voter registration forms. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William P Denley for Election Law: This bill clarifies the requirements to claim domicile for the purpose of voting and causes the voter registration form to reflect those requirements. The committee felt that the current voter registration form inaccurately stated that a person could not be domiciled in New Hampshire for voting purposes without being subject to auto registration and other laws that apply to residents. The voter registration form was redrafted to reflect the current state of the law as it relates to domicile. **Vote 11-4.**

HB 609-FN, relative to disclosure of campaign contributions in local elections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Claudia A Chase for Election Law: Currently, we have no mechanism to tie candidates to those who support them in local elections. HB 609 provides transparency to financial contributions made in local elections. **Vote 13-2.**

HB 756-FN, relative to centralized voter registration database information. **INEXPEDIENT TO LEGISLATE.**

Rep. William P Denley for Election Law: A majority of the committee felt that the privacy of individuals in having their voter registration information kept confidential was outweighed by the benefit to the public of having said information available to candidates for public office and others, and the cost of segregating the names of those who wanted their information kept private was prohibitive. **Vote 13-2.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SPECIAL ORDER

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.

FINANCE

HB 46-FN-A-L, making an appropriation to support kindergarten programs in the towns of Merrimack, Hampstead, and Goffstown. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen B Stepanek for Finance: The state now takes three years to include students in its count for the purpose of state aid. Currently the state is providing \$1,600.00 per kindergarten student in aid to the towns. The state many years ago agreed to fund \$1,200.00 per student during the three year period they were waiting for their kindergarten students to be counted by the state. This agreement has been extended many times over the years. It was the belief of the committee that we should

continue this policy to assist towns who commit to add kindergarten and not penalize them because the state takes three years to identify these new students. **Vote 19-2.**

HB 118, extending the commission to determine the appropriate use of real property destroyed in the October 2005 floods, established in 2006, 256. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David L Smith for Finance: The bill extends the commission from December 31, 2006 to December 31, 2007. This will enable the commission to conclude its business concerning the acquired properties and finalize any pending agreements which will not have financial impact. It was stated that no additional state funds are needed. Therefore an amendment was introduced that called for the original \$2,800,000 appropriation to the Department of Transportation reduced to \$2,120,000, and to extend the commission to December 31, 2007. Any unexpended funds shall lapse on June 30, 2007. **Vote 24-0.**

FISH AND GAME

HB 604-FN, prohibiting the taking of deer from baited areas. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David H Kidder for Fish and Game: It was the feeling of the committee that it is our job as a policy committee to set policy for the Fish and Game Department. This was a highly debated bill as shown by the 9-6 vote. The majority felt that the definition of hunting was "fair chase" and pursuit. Baiting seems to have had a negative effect on the deer herd in limited parts of the state, although the overall herd is in very good condition throughout the state. The committee also believed that banning baiting would not affect opportunities for the handicapped. Naturally occurring agricultural fields and orchards are not restricted by this bill. The bill was amended to also prohibit the feeding of deer during the deer hunting season. There was testimony that license sales would be negatively impacted but that was not the feeling of the majority. **Vote 9-6.**

SPECIAL ORDER

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

HB139, requiring the reporting of burn injuries. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas E Donovan for Health, Human Services and Elderly Affairs This bill as amended enables, but does not mandate, the reporting of burns by a health care professional, regardless of how they were caused. Most burns that are severe enough to require medical attention come through the emergency department by ambulance. Emergency physicians felt strongly that mandating them to report burns put them in the role of law enforcement, especially when the majority of these burns are already being reported to Emergency Medical Services (EMS) in the Department of Safety. This is being done through a relatively new automated reporting system (Temsis) in ambulances. As amended, this bill allows incidents that are identified by EMS as rising to the level of a crime to be shared with the Office of the State Fire Marshall, also in the Department of Safety, for his office's intervention when and if appropriate. Under 45 CFR 164.512 of the federal Hippa regulations, the Office of EMS and the Fire Marshall's Office are able to share personally identified information at that point as part of any ongoing investigation. The Fire Marshall's hope is then to coordinate with the local community some reassurance that minors will receive assessment and intervention that might help minimize any future dangerous fire setting behaviors, and to also ensure the protection of our frail elderly in their own homes, where severe accidents may happen. The Fire Marshall's Office supports this bill as amended as it will allow intervention that may save lives in the future. **Vote 13-2.**

JUDICIARY

HB 246, relative to identifying legislative enactments as public policy. **INEXPEDIENT TO LEGISLATE.**

Rep. Gail C Morrison for Judiciary: This bill would create a process akin to a referendum or initiative, whereby all laws enacted by the legislature would be "subject to disapprobation by the people pursuant to the reserved right of petition in part I, article 32 to resolve any dispute concerning "public policy" by placing the same upon the ballot for ratification or nullification by the people." The second part of the bill calls for labeling all new legislation as "public policy." The text of the bill is confusing. The committee did not see a need for this legislation. **Vote 12-1.**

HB 508, relative to the unlawful adoption of part 2, article 72-a of the New Hampshire constitution. **INEXPEDIENT TO LEGISLATE.**

Rep. Philip Preston for Judiciary: This bill asserts that part 2, article 72-a of the New Hampshire constitution was unlawfully adopted and is therefore unenforceable. The majority of the committee did not concur that a conflict exists and therefore concluded that this legislation should be found inexpedient to legislate. **Vote 12-1.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES,

HB 306, establishing a task force on work and family. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P Goley for Labor, Industrial and Rehabilitative Services: The purpose of the task force in this bill is to identify the multiple barriers that keep New Hampshire workers from achieving economic security and maximizing their contributions to the state's economy as well as attending to family responsibilities. The task force shall submit an interim report of its findings and recommendations on or before November 1, 2007. **Vote 13-4.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 257, allowing towns to appoint or elect a town treasurer. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Betsey L Patten for the **Majority** of Municipal and County Government: Currently a town treasurer can only be elected. This legislation gives a municipality the option to have the town treasurer appointed by the governing body or a town manager with approval from the governing body. The committee agreed that having this option placed on the warrant to be voted on during the annual town meeting is appropriate. **Vote 14-2.**

Rep. Robert J Watson for the **Minority** of Municipal and County Government: The minority believes that electing public officials such as a treasurer is an important check and balance that has served New Hampshire's towns well for over 200 years. Elected officials are more accountable to the people. Appointing a treasurer would take power away from the people and further concentrate it in the hands of a few.

SPECIAL ORDER

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.**

SPECIAL ORDER

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.**

PUBLIC WORKS AND HIGHWAYS

SPECIAL ORDER

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 283, allocating a portion of unrefunded road tolls to the dam maintenance fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin T Tilton for Public Works and Highways: The result of electric utility restructuring on the state's hydro-lease program has been to severely reduce the revenue into the Dam Maintenance Fund needed for the operation and maintenance of the 273 state-owned dams. This bill, as amended, reallocates one-half of the un-refunded road toll revenues from fuel taxes that are not claimed for refund by owners of boats into the Dam Maintenance Fund. The other one-half of these revenues continues to be allocated to the Fish and Game Department. **Vote 14-1.**

SPECIAL ORDER

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.**

RESOURCES, RECREATION AND DEVELOPMENT

SPECIAL ORDER

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.**

SPECIAL ORDER

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.**

SPECIAL ORDER

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.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 361, relative to technical changes in certain laws governing public utilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Naida L Kaen for Science, Technology and Energy: This bill includes several minor/technical changes to statutes relating to public utilities, including: simplifying the definition of energy facilities subject to the jurisdiction of the Site Evaluation Committee; removing criminal penalties for violations of certain statutes and Public Utilities Commission (PUC) orders and rules; updating the state's "Dig Safe" law governing excavations near utility facilities; and allowing the PUC to establish certain standards required by the Federal Energy Policy Act of 2005. More significantly, the bill authorizes a one-time special assessment of up to \$150,000 against Verizon, and FairPoint for the Office of Consumer Advocate (OCA) to hire expert consultants on behalf of residential ratepayers in the proposed acquisition of Verizon's New Hampshire landline assets by FairPoint. Current law allows the PUC to make a special assessment for such a case, but the OCA does not have such

authority. The committee believes that this is an important case for the state and for ratepayers, and strongly supports this one-time assessment against the companies in this special case. **Vote 15-0.**

HB 427, relative to construction and demolition debris. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Naida L Kaen for Science, Technology and Energy: The bill as amended prohibits the designation of the wood component of construction and demolition debris (C&D) as a solid waste, thereby also prohibiting its incineration. The committee benefited from the input of two members of the Environment and Agriculture committee who attended all public hearings and work sessions. While serious concerns were raised by members during the deliberations about New Hampshire's limited landfill capacity and the need to find a secure and continuing solution for the disposition of New Hampshire's C&D, the Commissioner of the Department of Environmental Services, who supports this bill as amended, pledged to address this issue forthwith by applying the department's efforts toward developing a comprehensive program, including, but not limited to, on-site deconstruction, reduction, and reuse. **Vote 14-0.**

HB 428, relative to prohibiting the combustion of construction and demolition waste. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Naida L Kaen for Science, Technology and Energy: A moratorium on the burning of construction and demolition waste (C&D) in the state went into effect in 2006; it is due to expire on December 31, 2007. HB 428, as amended, bans the incineration of C&D waste in this state without a sunset provision. The committee received oral testimony from more than twenty individuals, a petition with nineteen signatures, and additional written testimony, all in favor of extending the moratorium indefinitely. The primary concern of the committee, as well as those supporting the bill, is the release of air toxins if the burning of C&D waste were to be allowed. In 2005 New Hampshire managed approximately 600,000 tons of C&D. Approximately one-third of this came from out of state. Burnable wood makes up 40% of the C&D debris. In 2005 approximately 60% of the C&D debris was processed to recover 105,000 tons of wood chip fuel which was sent out of state. The committee felt that extending the C&D combustion ban would not negatively affect waste processing or biofuel businesses in New Hampshire. Allowing the existing prohibition to expire would alter the current C&D debris management structure, which would hurt the state's developing virgin timber fuel sector and would likely result in a dramatic rise in the amount of unprocessed C&D debris entering the state. Since most of this material is not reusable wood, the bulk of this influx would be directed to landfills, competing for NH's diminishing capacity. The committee felt that burning the wood component of C&D debris to generate electricity poses unacceptable risks for exposure to pollutants, through both air emission and the disposal of ash residues. **Vote 13-1.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 5, endorsing the National Health Insurance Act. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Raymond G Gagnon for the **Majority** of State-Federal Relations and Veterans Affairs: Due to the growing crisis in health care manifested in rising health care costs, increased premiums, out of pocket spending and decreased international business competitiveness, this House Concurrent Resolution endorses the National Health Insurance Act presently before the United States Congress. Whether we want to admit it or not we have universal health care. Currently any uninsured person can receive health care service free of cost at any hospital emergency room. The cost of treatment will eventually be paid for by public taxes and or by increased private premiums. The National Health Insurance Act's goal is to admit that the present manner of health care delivery is not inefficient but unnecessarily expensive. **Vote 9-6.**

Rep. Alfred P Baldasaro for the **Minority** of State-Federal Relations and Veterans Affairs: This is a concurrent resolution that says the New Hampshire General Court wants Congress to pass the National Health Insurance Act. This act would insure people in this country, but that would be necessary since it's going to force so many insurance companies to close their doors and insure all the laid off employees it will create. This act may likely further hurt businesses by its proposed implementation of a 3.3% payroll tax on all employers nation-wide. This act would socialize health insurance in this country, breaking up our free-market system, upon which our nation was founded. No co-pays, sounds great; but this plan would even provide for chiropractic and other forms of care that may be perceived by some to be above and beyond the necessary care to maintain good health. Where would this end? The minority of the committee believes that the NHIA is not a program that will promote the democratic principles our country stands for and as such recommends that HCR 5 be found inexpedient to legislate.

HCR 6, urging Congress to prevent the implementation of the North American FreeTrade Agreement superhighway system. **OUGHT TO PASS.**

Rep. Alfred P Baldasaro for State-Federal Relations and Veterans Affairs: This concurrent resolution is about the safety of New Hampshire's highways, which is the prime responsibility of the New Hampshire general court and that duty should not and cannot be delegated to any other entity. This goes right to the heart of our state's sovereignty. This proposed highway as planned would go from southern Mexico, through the US, finish up in Canada. This would be detrimental to Homeland Security. The most important factor that is often lost in the discussion is the threat to the economic security of the United States. Such a highway or train system could not be made economically feasible unless it has exits necessary to off load products and goods manufactured in Mexico at reduced labor costs. This would also allow countries such as China to offload goods in a

free trade zone and bypass American ports and their high paying jobs. **Vote 11-2.**

TRANSPORTATION

SPECIAL ORDER

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.**

HOUSE DEADLINES

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 19

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

1:00 p.m. Complaint hearing.

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

11:00 a.m. Organizational meeting followed by regular business.

COMMERCE, Room 302, LOB

- 9:00 a.m. Subcommittee work session on **HB 790-FN**, relative to dependent coverage under the healthy kids program and establishing the joint legislative oversight committee on insurance expansion initiatives.
- 9:15 a.m. Subcommittee work session on **HB 73**, relative to contractor bids and **HB 840**, relative to home improvement contracts.
- 10:30 a.m. **HB 711-FN**, requiring insurance coverage for the cost of hormone treatment drugs for transsexuals.
- 11:00 a.m. **HB 853**, establishing a commission to study the effect of fiat currency on the wealth of New Hampshire citizens.
- 1:00 p.m. Subcommittee work session on **HB 560-FN**, relative to insurance coverage for prostate cancer testing.
- 1:30 p.m. **HB 606-FN**, relative to the minimum age for purchasing, possessing, or using tobacco products.
- 2:00 p.m. **HB 831**, relative to notification by pharmacies to consumers when prescriptions need to be renewed.

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.

COMMISSION TO STUDY THE RELATIONSHIP BETWEEN PUBLIC HEALTH AND THE ENVIRONMENT (HB 1390, Chapter 114:2, Laws of 2000), Room 205, LOB

9:30 a.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:30 a.m. **HB 586-FN**, imposing an enhanced penalty for sexual assaults by persons in a position of authority.

10:00 a.m. **HB 869-FN**, relative to unauthorized video surveillance.

10:45 a.m. **HB 743**, relative to the rights of crime victims while making a victim impact statement.

11:15 a.m. **HB 872-FN**, relative to an exception to the wiretapping and eavesdropping statute for recording images or sounds occurring where there is no reasonable expectation of privacy.

1:00 p.m. **HB 890-FN**, relative to sentencing of persons convicted of Internet solicitation of a minor.

1:45 p.m. **HB 915**, establishing a committee to study the trafficking and distribution of illegal drugs into and throughout New Hampshire.

2:15 p.m. **HB 902**, establishing a committee to study the costs and benefits of the drug prohibition policy on the people of New Hampshire.

EDUCATION, Room 207, LOB

2:30 p.m. Subcommittee work session on defining educational adequacy.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:00 a.m. Subcommittee work session on **HB 229**, relative to licensing requirements for operators of games of chance, **HB 788-FN**, relative to games of chance, **HB 922-FN**, relative to licensing for games of chance, **HB 561-FN**, relative to pharmacy benefit managers.

10:00 a.m. Executive session on **HB 346-FN-LOCAL**, establishing a defined contribution retirement option in the New Hampshire 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, **HB 569-FN**, relative to the retirement age for retirement system group II members, **HB 594-FN**, granting group II retirement system status to certain positions in the department of corrections, **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 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 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.

Executive session to continue throughout the day as needed.

11:00 a.m. Public hearing on proposed amendment to **HB 653**, relative to the membership of the New Hampshire retirement system board of trustees. The proposed amendment addresses methods of financing retirement benefits, contribution to retirement accounts and supplemental benefits. Copies of the proposed amendment are available in the Sergeant-at-Arms office.

FINANCE – (DIVISION I), Room 212, LOB

9:30 a.m. Rescheduled budget work session - Treasury

10:30 a.m. Work session on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009, **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures, **HB 239-FN-A**, appropriating funds to the barn preservation fund matching grants program, **HB 415-FN**, establishing a geothermal assessment project, **HB 419-FN-LOCAL**, relative to the cost to counties of convicted inmates awaiting sentencing in a county correctional facility, **HB 488-FN-A-LOCAL**, relative to the state chief medical examiner and medico-legal death investigations, **HB 505-FN-A**, relative to enhanced water quality monitoring for lakes and beaches, **HB 660-FN**, relative to an assistant state veterinarian, **HB 663-FN-A**, relative to the comprehensive shoreland protection act and making an appropriation therefor, **HB 704-FN-A**, relative to the commission on the status of men and making an appropriation therefor, **HB 897-FN-A**, relative to the salary of the state veterinarian.

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

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

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

- 9:00 a.m. Public hearing on proposed amendment to **HB 558**, requiring any education trust fund surplus to be transferred to the revenue stabilization reserve account. The proposed amendment is relative to repealing the education trust fund. Copies of the proposed amendment are available from the Sergeant-at-Arms office.
- 9:30 a.m. Work session on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009, **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures, **HB 181-FN-A**, establishing a tuition voucher program for New Hampshire national guard members and making an appropriation therefor, **HB 221**, removing the requirement that the department of transportation report certain information relative to highway activity to the department of administrative services, **HB 433-FN-A**, relative to funding of fish and game department search and rescue operations, **HB 661-FN-A**, establishing an executive planning commission on special education, **HB 669-FN-A-LOCAL**, relative to kindergarten aid and kindergarten construction aid, **HB 752-FN**, relative to per pupil funding for charter school pupils, **HB 861-FN**, 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.

FINANCE – (DIVISION III), Room 209, LOB

- 9:30 a.m. Work session on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009, **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures, **HB 597-FN**, relative to expenditure caps for institutional health facilities under the certificate of need law, **HB 628-FN-A**, establishing the New Hampshire Rx advantage program and continually appropriating a special fund, **HB 721**, relative to the appropriation to the department of health and human services for rates paid for nursing services
- 10:00 a.m. Budget work session – Public Health Services.

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

- 10:00 a.m. Regular meeting.

JUDICIARY, Room 208, LOB

- 9:00 a.m. Subcommittee work session on **HB 437-FN-LOCAL**, permitting same gender couples to enter spousal unions and have the same rights, responsibilities, and obligations as married couples.
- 9:30 a.m. Subcommittee work session on **HB 235**, relative to the recognition of out-of-state marriages.
- 9:45 a.m. Subcommittee work session on **HB 791-FN**, relative to religious freedom and civil marriage.
- 9:50 a.m. Subcommittee work session on **HB 905**, establishing civil unions as legally recognized relationships.
- 10:00 a.m. Executive session on **HB 567-FN**, relative to lowering the legal drinking age, **HB 577-FN**, establishing the number of associate justices of the superior court, **HB 612-FN**, relative to coercion of abortion on a minor, **HB 614-FN**, relative to eminent domain, **HB 615-FN**, relative to the locations of the superior courts, district courts, and the judicial branch family division, **HB 621-FN**, relative to speedy trial time frames, **HB 670**, relative to repealing the incorporation of the New Hampshire Bar Association, **HB 744-FN**, relative to informed consent before abortion, **HB 786-FN**, relative to compensation for retired full-time justices for service after retirement, **HB 814-FN**, relative to the judicial retirement plan, **HB 906**, relative to an informed jury, **HB 849**, relative to rent payments by voucher issued by a state or municipal agency, **HB 909**, relative to oaths required of public officers.

JOINT LEGISLATIVE TASK FORCE ON ADEQUACY, Room 100, State House

- 12:30 p.m. Deliberative session.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 9:00 a.m. Subcommittee work session on **HB 203**, relative to protections for temporary workers.
- 9:30 a.m. Subcommittee work session on **HB 533**, relative to Occupational Safety and Health Administration certification requirements for state contracts.
- 10:00 a.m. **HB 671**, relative to certain data used for workers' compensation rates.
- 11:00 a.m. **HB 690**, relative to job skill training in volunteer work by unemployed individuals.
- 1:00 p.m. **HB 797**, regulating mandatory overtime for nurses and assistants.
- 1:30 p.m. **HB 808**, relative to employees' rights to bring court action against employers.
- 2:30 p.m. **HB 817**, relative to the workers' compensation compliance statement.
- 3:15 p.m. **HB 833**, relative to workers employed within the United States in connection with state contracts.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 9:00 a.m. Executive session on **HB 674**, extending the veterans' property tax credit to all honorably discharged veterans, **HB 680**, allowing municipalities to determine the hours for the Saturday session for correction of the checklist, **HB 706**, relative to requirements for highway agents, **HB 785-FN**, relative to user charges for excessive

consumption of police and nuisance enforcement services, **HB 798**, allowing municipalities to adopt a property tax freeze for persons aged 65 and older, **HB 803**, relative to the sale of tax-deeded property, **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, **HB 717**, allowing municipalities to establish local community services and care planning boards, **HB 736**, relative to administrative enforcement of certain violations of municipal ordinances, **HB 741**, relative to the zoning requirement for child day care providers, **HB 742**, relative to the issuance of building permits on class VI roads, **HB 479**, relative to the default budget in official ballot towns, **HB 649**, relative to the disposition of real estate given, devised, or bequeathed to a town for charitable or community purposes, **HB 691**, excluding the value of a view from property tax assessments on working farms, **HB 709**, making various changes to department of revenue administration authority concerning property tax administration, **HB 293**, allowing municipalities to establish agricultural commissions, **HB 474**, excluding septic and sewage treatment facilities from the tax exemption for water and air pollution control facilities, **HB 379**, relative to the adoption, revision, and amendment of municipal charters.

NEW HAMPSHIRE CONSERVATION NUMBER PLATE ADVISORY COMMITTEE, (RSA 261:97-d), Room 305, LOB

10:30 a.m. Regular meeting.

OBD II TESTING ADVISORY COMMITTEE (RSA 266:59-b, VII (a)), Room 203, LOB

9:00 a.m. Organizational meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. Subcommittee work session on **HB 25-FN-A**, making appropriations for capital improvements.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Representatives Hall

10:00 a.m. **HR 10**, opposing President George W. Bush's Iraq policy and urging the President and Congress to take actions relative to veterans' benefits and the war in Iraq.

WAYS AND MEANS, Room 202, LOB

9:00 a.m. Subcommittee work session 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.

10:00 a.m. Full committee work session on revenue estimates.

TUESDAY, MARCH 20

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. Subcommittee work session on **HB 304**, relative to the criteria under which guardianship over a minor is granted.

10:00 a.m. Public hearing on proposed amendment to **HB 278**, relative to notification of a parent or guardian by the medical facility treating a minor injured in an accident. The proposed amendment is relative to parental notification prior to abortion. Copies of the proposed amendment are available from the Sergeant-at-Arms office.

11:00 a.m. Executive session on **HB 304**, relative to the criteria under which guardianship over a minor is granted, **HB 470**, relative to the determination of parental rights and responsibilities, **HB 584-FN**, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age, **HB 495-FN**, relative to criminal record and central registry checks of prospective foster and adoptive parents, **HB 682**, relative to the court's authority to award parental rights and responsibilities to a "psychological parent.", **HB 289**, relative to joint agreements for the payment of postsecondary education expenses, **HB 348**, relative to the payment of college or postsecondary education expenses as part of a child support agreement, **HB 406**, relative to access to state child support enforcement records, **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 519**, requiring children 12 years of age or under to wear personal flotation devices, **HB 537**, establishing a task force on homeless teenagers.

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 232**, prohibiting retaliatory rent increases in manufactured housing parks.

9:15 a.m. Subcommittee work session on **HB 385-FN**, relative to licensing and insurance fees.

9:30 a.m. Subcommittee work session on **HB 263-FN**, relative to health insurance riders and **HB 305**, establishing a task force to develop legislation for expanding access to affordable health insurance for the 2008 legislative session.

10:00 a.m. Executive session on **HB 73**, relative to contractor bids, **HB 78**, relative to health insurance coverage for certain unmarried children, **HB 232**, prohibiting retaliatory rent increases in manufactured housing parks, **HB 360**, relative to commercial construction contracts, **HB 385-FN**, relative to licensing and insurance fees, **HB 442-FN**,

prohibiting unconscionable prices for essential commodities during a declared state of emergency, **HB 461**, relative to purchasing alliances, **HB 481**, relative to suspensions of liquor licenses, **HB 492**, relative to consumer protection in telecommunication contracts, **HB 536**, relative to the regulation of martial arts schools, **HB 549**, relative to accepting a purchase and sale agreement on developed waterfront property, **HB 560-FN**, relative to insurance coverage for prostate cancer testing, **HB 606-FN**, relative to the minimum age for purchasing, possessing, or using tobacco products, **HB 613-FN**, relative to payment for tobacco products purchased by retailers, **HB 620-FN**, repealing the statutory provisions regarding small loans, title loans, and payday loans and establishing a general statutory usury rate, **HB 636-FN**, relative to physician credentialing under the managed care law, **HB 641-FN**, relative to automatic credentialing for health care providers, **HB 676**, relative to interest on deposits required under gasoline franchise agreements, **HB 686-FN**, relative to the regulation of tracking devices, **HB 695**, relative to regulation of wireless telephone service providers for consumer protection, **HB 696**, reclassifying certain positions in the insurance department, **HB 697**, relative to responsible drug advertising, **HB 711-FN**, requiring insurance coverage for the cost of hormone treatment drugs for transsexuals, **HB 713-LOCAL**, relative to displaying gasoline and diesel fuel prices, **HB 728**, relative to access to wireless telephone records, **HB 745**, relative to the use of secret databases, **HB 759-FN**, relative to administration and enforcement of banking laws, **HB 762-FN**, prohibiting smoking in restaurants, cocktail lounges, and certain enclosed places, **HB 764**, relative to access to toilet facilities in public places, **HB 767**, relative to insurance for volunteer drivers, **HB 782-FN**, relative to reinsurance intermediaries and conduct of examinations, **HB 790-FN**, relative to dependent coverage under the healthy kids program and establishing the joint legislative oversight committee on insurance expansion initiatives, **HB 799-FN**, establishing a criminal usury rate for interest rates, **HB 831**, relative to notification by pharmacies to consumers when prescriptions need to be renewed, **HB 840**, relative to home improvement contracts, **HB 853**, establishing a commission to study the effect of fiat currency on the wealth of New Hampshire citizens, **HB 858-FN**, relative to discount medical plan organization, **HB 860**, relative to maintenance of draft beer equipment, **HB 889-FN**, relative to securities regulation, **HB 894-FN**, requiring insurance coverage for bariatric surgery for diabetics, **HB 921-FN**, making technical changes in the insurance laws, **HB 305**, establishing a task force to develop legislation for expanding access to affordable health insurance for the 2008 legislative session, **HB 267**, relative to certain small loans.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 368-FN**, prohibiting trafficking in persons.

10:30 a.m. Executive session on **HB 35**, establishing a commission to study human trafficking issues in New Hampshire, **HB 64-FN**, establishing a criminal penalty for driving a commercial motor vehicle while violating an out-of-service order, **HB 92**, decriminalizing marijuana, **HB 159**, establishing a committee to study the need for a classification system for criminal offenders, **HB 214**, relative to discovery in criminal matters, **HB 260-FN**, relative to bail agents and recovery agents, **HB 277-FN**, relative to obstructing or preventing a probation-parole officer in the course of his or her official duties, **HB 291**, relative to licensure of fireworks sellers, **HB 309**, relative to the uniform fine schedule for the fish and game department, **HB 340**, restricting sex offenders from residing within a certain distance from schools and child-oriented organizations, **HB 368-FN**, prohibiting trafficking in persons, **HB 373**, relative to unlawful possession of alcohol by a minor, **HB 395-FN**, relative to penalties for computer crime., **HB 404-LOCAL**, prohibiting state and local law enforcement agencies from enforcing federal immigration laws, **HB 446**, requiring the expulsion of a pupil for threatening a school employee, **HB 497-FN**, requiring jail time for certain offenses involving bad checks, **HB 504-FN**, relative to registration requirements for certain criminal offenders under age 21, **HB 535-FN**, establishing a regional license suspension hearing pilot program, **HB 539-FN**, relative to manslaughter, **HB 572-FN**, prohibiting the use of false documentation for employment, government services, or permits, **HB 581-FN**, relative to the penalty for purposely mistreating service dogs, **HB 586-FN**, imposing an enhanced penalty for sexual assaults by persons in a position of authority, **HB 587-FN**, relative to the duties of probation and parole officers, **HB 589-FN**, relative to the calculation of concurrent and consecutive terms of imprisonment, **HB 591-FN**, relative to an affirmative defense to certain felonious sexual assault offenses, **HB 595-FN**, establishing a sentence reduction method for state prisoners, **HB 607-FN**, relative to the death penalty, **HB 632-FN**, relative to the penalty for death resulting from the trafficking of controlled drugs, **HB 654-FN**, prohibiting offenders against children from attending certain activities or events, **HB 655-FN**, relative to unborn victims of violence, **HB 703**, relative to day reporting programs in the county department of corrections, **HB 707**, relative to the time frames for hearings in domestic violence cases, **HB 708**, establishing a committee to study the cost effectiveness of the county jail system, **HB 719**, relative to the statute of limitations for fire code violations, **HB 730**, increasing the maximum fine for speeding in a highway construction or maintenance zone, **HB 737**, relative to the enforcement

of domestic violence orders, **HB 743**, relative to the rights of crime victims while making a victim impact statement, **HB 760-FN**, relative to temporary relief in a domestic violence proceeding, **HB 773**, excluding noise violations from the crime of disorderly conduct, **HB 780-FN-LOCAL**, requiring police departments to be certified by the Commission on Accreditation for Law Enforcement Agencies, **HB 783-FN**, requiring DNA testing of persons convicted of certain felony offenses, **HB 792-FN**, prohibiting convicted felons from profiting from their crimes, **HB 811**, establishing a committee to study alternatives to incarceration and funding for rehabilitation programs for non-violent offenders, **HB 842**, establishing safety requirements and procedures for firefighters, **HB 869-FN**, relative to unauthorized video surveillance, **HB 872-FN**, relative to an exception to the wiretapping and eavesdropping statute for recording images or sounds occurring where there is no reasonable expectation of privacy, **HB 890-FN**, relative to sentencing of persons convicted of Internet solicitation of a minor, **HB 902**, establishing a committee to study the costs and benefits of the drug prohibition policy on the people of New Hampshire, **HB 915**, establishing a committee to study the trafficking and distribution of illegal drugs into and throughout New Hampshire.

EDUCATION, Room 207, LOB

- 9:00 a.m. **Rescheduled** 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 and 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 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 916**, relative to nonpublic or private schools receiving public funds, **HB 919**, relative to the high school curriculum for New Hampshire history, **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 314**, authorizing the Pelham school board to transfer funds for the purpose of renting portable classrooms.
- Executive session to continue throughout the day as needed.
- 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.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 10:00 a.m. Full committee work session on **HB 407-FN-A**, establishing a dairy stabilization fund for dairy farmers.
- 11:30 a.m. Executive session on **HB 206**, relative to the disclosure of certain livestock health information, **HB 234**, establishing a committee to study state environmental laboratory fees and services, **HB 243**, relative to a rabies immunization exemption, **HB 251**, relative to the authority of the agricultural advisory board, **HB 332**, relative to the procurement of eggs and egg products by the state, **HB 424-FN-A**, relative to industrial hemp and establishing an industrial hemp special program fund, **HB 552**, prohibiting the intensive confinement of caged egg-laying hens, **HB 672**, establishing a commission to study requirements for safe and secure landfills, **HB 666-FN**, establishing a license fee for the sale of animal vaccines, **HB 859**, relative to the definitions of agriculture and farming in the motor vehicle laws, **HB 924-FN**, relative to the deconstruction of buildings.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Representatives Hall

- 9:30 a.m. **HB 908-FN**, relative to the licensure and regulation of massage therapists and registration of somatic and bodywork practitioners.
- Room 306, LOB**
- 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, **HB 928**, relative to the Christa McAuliffe planetarium commission, **HB 561-FN**, relative to pharmacy benefit managers, **HB 229**, relative to licensing requirements for operators of games of chance, **HB 653**, relative to the membership of the New Hampshire retirement system board of trustees,

FINANCE, Rooms 210-211, LOB

9:30 a.m. Executive 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, **HB 451-FN**, increasing the state's portion of special education funding, **HB 553-FN-A**, requiring the state to pay legal fees for certain supreme court justices, **HB 558**, requiring any education trust fund surplus to be transferred to the revenue stabilization reserve account, **HB 583-FN**, relative to funding for HIV/AIDS services, **HB 643-FN**, relative to the distribution of tobacco settlement funds, **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, **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, **HB 835-FN**, relative to funding the modular building program, **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, **HB 910-FN**, relative to state reimbursement to sheriffs' departments for the costs associated with court bailiffs.

FINANCE – (DIVISION I), Room 212, LOB

Immediately following the executive session, work session on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009 and **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

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

Immediately following the executive session, work session on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009 and **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

FINANCE – (DIVISION III), Room 209, LOB

Immediately following the executive session, work session on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009 and **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

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

2:00 p.m. Budget work session – Bureau of Behavioral Health.

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

10:00 a.m. Executive session on **HB 134**, relative to electronic prescribing for prescription drugs, **HB 273-FN**, relative to special needs trusts, **HB 408**, establishing a council for the homeless, **HB 491**, establishing the public health improvement services council, **HB 563**, relative to obtaining birth certificates for stillborn children, **HB 630-FN**, relative to an electronic controlled drug prescription monitoring program, **HB 688**, establishing the council on the relationship between public health and the environment, **HB 727-FN**, relative to certain disclosures during the certificate of need process, **HB 740-FN**, relative to mental health services, **HB 774-FN**, relative to the use of marijuana for medicinal purposes, **HB 826-FN**, relative to coverage of medically necessary services and items under the medical assistance program, **HB 864-FN**, requiring licensing of outpatient abortion facilities, **HB 893-FN**, relative to long-term care, **HB 926-FN**, relative to the regulation of pharmacies and pharmacists.

JUDICIARY, Room 208, LOB

9:00 a.m. Subcommittee work session on **HB 82**, relative to communications outside meetings under the right-to-know law, **HB 83**, relative to the deliberations of certain state agencies under the right-to-know law, **HB 377-FN-LOCAL**, relative to the right-to-know law, **HB 866**, relative to the right-to-know law application to board of tax and land appeals and public utilities commission matters, **HB 854-LOCAL**, relative to remedies under the right-to-know law.

10:00 a.m. Executive session on **CACR 2**, relating to the definition and constitutionality of judicial and legislative acts. Providing that the supreme court shall determine the constitutionality of judicial acts and the legislature shall determine the constitutionality of legislative acts, **HB 40**, relative to living wills and durable powers of attorney for health care, **HB 57**, relative to advance directives for durable powers of attorney and living wills, **HB 212**, relative to possessory actions against tenants, **HB 244**, relative to withholding or withdrawing of medically administered nutrition and hydration and developmentally disabled persons, **HB 269**, prohibiting "pretexting" as a means of obtaining personally identifiable information., **HB 370**, relative to withholding or withdrawal of life-sustaining treatment, **HB 394-FN**, relative to notice to defendants in small claims actions, **HB 443**, relative to requirements for admission to the New Hampshire bar upon motion, **HB 866**, relative to the right-to-know law application to board of tax and land appeals and public utilities commission matters.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

10:00 a.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, **HB 203**, relative to protections for temporary workers, **HB 254**, relative to mandatory employer meetings about political and religious beliefs, including beliefs about joining a union, **HB 336**, requiring notice of the classifications of employee and independent contractor, **HB 366-FN**, relative to work on Thanksgiving and Christmas Day, **HB 399**, relative to variable rates of overtime, **HB 436**, expanding employee freedom of expression to all public employees, **HB 533**, relative to Occupational Safety and Health Administration certification requirements for state contracts, **HB 605**, relative to employment eligibility verification by employers, **HB 611**, relative to payment of wages by automated pay card, **HB 671**, relative to certain data used for workers' compensation rates, **HB 690**, relative to job skill training in volunteer work by unemployed individuals, **HB 720**, establishing a council on families and employment, **HB 797**, regulating mandatory overtime for nurses and assistants, **HB 808**, relative to employees' rights to bring court action against employers, **HB 817**, relative to the workers' compensation compliance statement, **HB 819**, establishing a right to work act which provides for freedom of choice on whether to join a labor union, **HB 833**, relative to workers employed within the United States in connection with state contracts, **HB 848**, relative to a private right of action to recover workers' compensation coverage payments, **HB 920**, establishing a worker adjustment and retraining notification requirement.

LEGISLATIVE ADMINISTRATION, Room 104, LOB

10:00 a.m. Executive session on **HB 91-FN**, relative to registration fees for lobbyists and requiring registration of employers of lobbyists, **HB 223-FN**, requiring the general court to hold sessions in the evening or on Saturday, **HB 523**, relative to lobbyist registration and statements and **HB 715**, combining the state heritage collections committee and the joint legislative historical committee.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. Executive session on **HB 724**, allowing municipalities to require the provision of income and expense information of business property to assessing officials, **HB 732-FN**, changing the interest rate on late and delinquent property tax payments and subsequent tax payments, **HB 804**, excluding the value of a view from property tax assessments, **HB 896-FN-LOCAL**, relative to authority to waive interest on late paid property tax bills, **HB 769-FN**, relative to determination of town's share of county taxes, **HB 770**, requiring certain information in the financial reports of counties, **HB 863**, relative to the assessment of property subject to a housing subsidy restriction, **HB 892-FN**, relative to bonding for subdivisions and condominium projects, **HB 838-FN-LOCAL**, allowing municipalities to recover certain costs related to right-to-know requests, **HB 747**, relative to the special meeting requirements for municipalities, **HB 208**, relative to the definition of swine as a nuisance, **HB 310**, allowing municipalities to regulate small wind energy systems, **HB 829**, establishing authority for a state property tax bank administered by the housing finance authority and requiring the housing finance authority board to develop a proposal and report to the general court.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. Executive session on **HB 516**, authorizing the Mount Washington Chamber of Commerce to erect a sign on Interstate 95 in Portsmouth, **HB 224**, expanding the restriction on advertising devices to include all state

highways, **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.

- 11:00 a.m. **Continued** public hearing on **HB 739**, relative to contractor accountability and disclosure in the public works construction procurement process.
- 1:00 p.m. Capital Budget work session –Department of Health and Human Services.
- 2:00 p.m. Capital Budget work session – Technical Colleges.
- 2:45 p.m. Capital Budget work session – Liquor Commission
- 3:30 p.m. Capital Budget work session - Courts.
- 4:00 p.m. **Continued** public hearing on **HB 25-FN-A**, making appropriations for capital improvements.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. Executive session on **HB 383**, relative to waterfront buffer and woodland buffer requirements in the comprehensive shoreland protection act, **HB 459**, relative to the identification of wells, **HB 665-FN**, relative to the comprehensive shoreland protection act, **HB 857-FN-LOCAL**, relative to permitting responsibilities under the comprehensive shoreland protection act, **HB 219**, relative to the membership of the wetlands council, **HB 722**, relative to the rivers management protection program, **HB 318**, relative to large groundwater withdrawals, **HB 648**, establishing a commission to develop a comprehensive flood management plan.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 9:30 a.m. Executive session on **HB 165**, establishing a committee to study the feasibility of carbon reduction incentives, **HB 295**, relative to the definition of biomass and biomass fuel, **HB 467**, requiring the department of environmental services to develop a climate action plan and to report on global warming issues, **HB 689**, establishing a commission to study production and distribution of biodiesel fuel in New Hampshire, **HB 694**, establishing a commission to study the feasibility of tidal power generation under the Little Bay and General Sullivan Bridges, in Dover, **HB 768**, relative to voluntary registration with the Eastern Climate Registry, **HB 855**, relative to renewable energy generation incentive payments, **HB 873-FN-LOCAL**, establishing minimum renewable standards for energy portfolios, **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, **HB 917**, establishing a commission to study implementing a statewide emergency communications system.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 104, LOB

- 1:00 p.m. Executive session on **HR 10**, opposing President George W. Bush's Iraq policy and urging the President and Congress to take actions relative to veterans' benefits and the war in Iraq, **HCR 7**, urging federal action on the earned income tax credit and other tax benefits related to child custody, **HR 9**, supporting the U.S. Mayors Climate Protection Agreement, **HR 7**, urging increased consideration and preservation of local authority in international trade and investment agreements.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 802**, relative to passenger restraints.
- 1:00 p.m. Executive session on **HB 45**, relative to addresses on motor vehicle registrations, **HB 190**, relative to the definition of "resident" for motor vehicle purposes, **HB 188**, excluding certain watercraft from the definition of ski craft, **HB 290**, relative to safe operation of vessels on New Hampshire waters, **HB 847**, relative to general rules for vessels operating on water, **HB 685**, prohibiting New Hampshire from participating in a national identification card system.
- 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.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. **HB 815-FN-A**, requiring the display of boater education decals on vessels registered in other states.
- 10:20 a.m. **HB 714-FN**, relative to motorized watercraft rental agencies.
- 10:40 a.m. **HB 664-FN**, relative to annual dam registration and permit application fees.
- 11:00 a.m. Full committee work session on **HB 815-FN-A**, requiring the display of boater education decals on vessels registered in other states, **HB 714-FN**, relative to motorized watercraft rental agencies, **HB 664-FN**, relative to annual dam registration and permit application fees, **HB 472-FN**, increasing fees for hazardous waste management and contaminated site cleanup and changing reporting requirements.
- 1:00 p.m. Executive session on **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 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 757-FN-A**, relative to the beer 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 820-FN-A**, establishing a tax on candy, **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, **HB 891-FN-A**, establishing a beverage fee to be paid by beverage manufacturers and distributors, **HB 913-FN-A**, establishing a senior citizen property tax postponement program, **HB 925-FN-A**, relative to state and local taxes, **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, and continued executive session on **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 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, **HB 637-FN-A-LOCAL**, establishing a gaming oversight authority and video lottery gaming.

WEDNESDAY, MARCH 21

COMMERCE, Room 302, LOB

Immediately following the House session continued executive session from March 20th.

ELECTION LAW, Room 307, LOB

8:45 a.m. Executive session on **SB 36**, eliminating straight ticket voting.

TRANSPORTATION, Room 203, LOB

Fifteen minutes after the end of the House session, executive session on **HB 901**, relative to requirements for non-driver identification cards, **HB 802**, relative to passenger restraints, **HB 795**, relative to restricting usage of cellular phones while driving.

THURSDAY, MARCH 22

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Executive session on **HB 278**, relative to notification of a parent or guardian by the medical facility treating a minor injured in an accident, **HB 602-FN**, relative to child support enforcement, **HB 702**, relative to the court's jurisdiction over persons between the ages of 18 and 21 in abuse and neglect cases, **HB 827-FN**, relative to the reasonable cost of medical support for dependent children, **HB 841**, relative to the appointment of parenting coordinators, **HB 867-FN-LOCAL**, relative to parent liability for court-ordered services in juvenile proceedings.

COMMERCE, Room 302, LOB

10:00 a.m. Executive session continued from March 20th.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:30 a.m. Executive session continued from March 20th, if necessary.

EDUCATION, Room 207, LOB

9:00 a.m. Executive session on **HB 639**, relative to limitations on withdrawal from a cooperative school district, **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 927-FN**, relative to the specific criteria and substantive educational program that define an adequate education, **HB 60**, relative to the definition of an adequate education, **HB 68**, relative to the terminology used to describe public education, **HB 521**, relative to the definition of an adequate education, **HB 578-FN**, providing a definition of an adequate education and establishing an adequacy board, **HB 698**, relative to the policy and purpose of an adequate education, **HB 865-FN**, relative to an adequate education and state education grants.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:30 a.m. Executive session on **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, **HB 407-FN-A**, establishing a dairy stabilization fund for dairy farmers, **HB 414**, relative to the sale of class A sludge in bulk

agricultural fertilizer bags, **HB 416**, relative to mercury reduction, **HB 699**, establishing a commission to study methods and costs of sewage, sludge, and septage disposal, **HB 812**, relative to making permanent certain exceptions to limits on land application of septage and sludge, **HB 836**, prohibiting wastewater treatment plants from excluding towns for septage treatment and disposal services, **HB 877-FN**, relative to the state recycling program, **HB 879-FN**, relative to establishing a conservation agent program within the department of environmental services, **HB 907-FN**, relative to the sale, distribution, and disposal of certain mercury-added products.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:30 a.m. Executive session continued from March 20, if necessary.

FINANCE, Rooms 210-211, LOB

9:30 a.m. Executive session on **HB 43**, relative to the procedure for establishing medicaid reimbursement rates, **HB 173-FN-A**, relative to the promotion, acquisition, and retention of a large animal veterinarian in those areas of the state where there is a need, and making an appropriation therefor, **HB 181-FN-A**, establishing a tuition voucher program for New Hampshire national guard members and making an appropriation therefor, **HB 221**, removing the requirement that the department of transportation report certain information relative to highway activity to the department of administrative services, **HB 239-FN-A**, appropriating funds to the barn preservation fund matching grants program, **HB 415-FN**, establishing a geothermal assessment project, **HB 419-FN-LOCAL**, relative to the cost to counties of convicted inmates awaiting sentencing in a county correctional facility, **HB 433-FN-A**, relative to funding of fish and game department search and rescue operations, **HB 488-FN-A-LOCAL**, relative to the state chief medical examiner and medico-legal death investigations, **HB 505-FN-A**, relative to enhanced water quality monitoring for lakes and beaches, **HB 597-FN**, relative to expenditure caps for institutional health facilities under the certificate of need law, **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, **HB 628-FN-A**, establishing the New Hampshire Rx advantage program and continually appropriating a special fund, **HB 660-FN**, relative to an assistant state veterinarian **HB 661-FN-A**, establishing an executive planning commission on special education, **HB 663-FN-A**, relative to the comprehensive shoreland protection act and making an appropriation therefor, **HB 669-FN-A-LOCAL**, relative to kindergarten aid and kindergarten construction aid, **HB 704-FN-A**, relative to the commission on the status of men and making an appropriation therefor, **HB 721**, relative to the appropriation to the department of health and human services for rates paid for nursing services, **HB 752-FN**, relative to per pupil funding for charter school pupils, **HB 861-FN**, 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, **HB 897-FN-A**, relative to the salary of the state veterinarian, **HB 911-FN-LOCAL**, establishing an automated external defibrillator trust fund and making an appropriation therefor.

FINANCE – (DIVISION I), Room 212, LOB

Immediately following the executive session, work session on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009 and **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

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

Immediately following the executive session, work session on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009 and **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

FINANCE – (DIVISION III), Room 209, LOB

Immediately following the executive session, work session on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009 and **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

FISH AND GAME, Room 307, LOB

10:00 a.m. Executive session on **HB 434**, relative to fishing in the Connecticut river, **HB 527-FN-A**, establishing a recreational saltwater license for fishing of marine species in coastal and estuarine waters, **HB 565-FN**, prohibiting the use of leghold traps and conibear traps.

JUDICIARY, Room 208, LOB

10:00 a.m. Executive session on **HB 82**, relative to communications outside meetings under the right-to-know law, **HB 83**, relative to the deliberations of certain state agencies under the right-to-know law, **HB 69**, relative to the solemnization of marriages, **CACR 1**, relating to the definition of marriage. Providing that marriage between

one man and one woman shall be the only legal union that shall be valid or recognized in this state, **HB 235**, relative to the recognition of out-of-state marriages, **HB 268**, relative to cellular telephone number directories, **HB 359-FN**, relative to recovery of medical assistance from an estate, **HB 377-FN-LOCAL**, relative to the right-to-know law, **HB 437-FN-LOCAL**, permitting same gender couples to enter spousal unions and have the same rights, responsibilities, and obligations as married couples, **HB 522**, requiring the supreme court to notify the legislature of any pending cases or matters before the court which involve constitutional issues regarding current law or pending legislation, **HB 791-FN**, relative to religious freedom and civil marriage, **HB 854-LOCAL**, relative to remedies under the right-to-know law, **HB 882-FN**, relative to limitations on tort liability of government units, **HB 905**, establishing civil unions as legally recognized relationships, **HCR 1**, declaring the directives of the judicial branch in the Claremont cases that the legislative and executive branches define an “adequate education,” adopt “standards of accountability,” and “guarantee adequate funding” of a public education are not binding on the legislative and executive branches, **HR 8**, requesting an opinion from the New Hampshire supreme court on certain questions regarding education funding.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 9:30 a.m. Executive session on **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, **HB 183-FN-A-LOCAL**, 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.
- 11:00 a.m. Capital Budget work session – Department of Resources and Economic Development.
- 1:00 p.m. Capital Budget work session – Pease.
- 1:45 p.m. Capital Budget work session – Department of Transportation.
- 2:30 p.m. Capital Budget work session – Department of Safety.
- 3:30 p.m. Capital Budget work session – University of New Hampshire.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 9:30 a.m. Executive session continued from March 20th, if necessary.

TASK FORCE TO STUDY COUNTY GOVERNMENT (SB 319, Chapter 221:1, Laws of 2006), Room 301, LOB

- 1:00 p.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

- 9:00 a.m. Full committee work session on **HB 570-FN-A**, increasing the fee for a wild turkey hunting license, **HB 576-FN-A**, increasing certain fish and game nonresident license or permit fees.
- 9:30 a.m. **HB 585-FN**, 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.
- 10:00 a.m. **HB 868-FN**, relative to a surcharge on recording documents with the register of deeds to fund the land and community heritage investment program.
- 11:00 a.m. Full committee work session on **HB 585-FN**, 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 and **HB 868-FN**, relative to a surcharge on recording documents with the register of deeds to fund the land and community heritage investment program.
- 1:00 p.m. Full committee work session on **HB 884-FN-A**, increasing the rate of the tobacco tax and on the non-germane amendments (0447h, 0463h, 0446h, 0469h, 0468h, 0448h).

FRIDAY, MARCH 23

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration Training Room, 57 Regional Drive, Concord

- 9:30 a.m. Regular meeting.

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.

THURSDAY, MARCH 29

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. Capital Budget work session – Planetarium
10:00 a.m. Capital Budget work session – Tobey Building relocation.
10:30 a.m. Capital Budget work session – Cultural Resources.
11:00 a.m. Capital Budget work session – Office of Information Technology.
11:30 a.m. Capital Budget work session – Open.
1:00 p.m. Capital Budget work session – Lapse extensions.
2:45 p.m. Full committee work session on the capital budget proposal

FRIDAY, MARCH 30

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

9:00 a.m. Continued regular meeting.

MONDAY, APRIL 2

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:00 a.m. Full committee work session with Finance Division II on the Capital Budget proposal.

TUESDAY, APRIL 3

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

5:00 p.m. Regular meeting.

FRIDAY, APRIL 6

EMERGENCY MANAGEMENT SYSTEM OVERSIGHT COMMITTEE (RSA 21-P:51), Room 303, LOB

12:00 p.m. Regular meeting.

GOVERNOR’S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J), Rooms 305-307, LOB

9:00 a.m. Regular meeting.

FRIDAY, APRIL 13

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

12:00 p.m. Rescheduled regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Belknap County Delegation will hold a public meeting on Monday, **March 26** 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. The purpose of this meeting is to hear a request from the Gunstock Area Commissioners “Pursuant to the authority of Chapter 399:15, 1959 NH Law as amended.”

Rep. Stephen H. Nedeau, Chairman
Belknap County Delegation

COUNTY DELEGATION NOTICE

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

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

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, 173, 493, 501, 502, 504, 571, 567, 572, 574, 576, 577, 579, 580, 581, 582, 585, 588, 590, 591, 592, 596, 597, 598, 599, 602, 604, 613, 614, 615, 616, 618, 619, 622, 624, 626, 627, 629, 631, 635, 636, 638, 641, 642, 643, 644, 645, 646, 656, 677, 678, 679, 714, 726, 740, 760, 771, 776, 777, 778, 781, 782, 784, 785, 786, 787, 788, 789, 791, 793, 799, 805, 813, 815, 820, 824, 834, 838, 843, 861, 865, 867, 870, 873, 874, 877, 878, 879, 880, 882, 883, 884, 885, 887, 889, 891, 892, 894, 895, 897, 899, 903, 904, 912, 913, 921, 922, 924, 925, 927. SBs 35, 65, 128, 200.

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

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

The Autism Society of New Hampshire and the UNH Institute on Disability invite all legislators to a lunch at Tuck Library, from 11:30 a.m. to 1:00 p.m., on Tuesday, **March 20**. The CDC now estimates that autism affects 1 in 150 children. Please join us to learn how autism affects New Hampshire families, our schools, our economy, and our service systems. Please RSVP to Mary Ann Allsop, 228-2084, Maryann.Allsop@unh.edu.

Rep. Suzanne S. Butcher

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 **Tuesday, March 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

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

Aviation enthusiasts, we have had a caucus group in the past to support New Hampshire Aviation issues. Let us organize anew at the noon break on **March 21**. Please meet briefly in the anteroom. I will pass out a schedule of upcoming events, and we will discuss any legislation affecting our cause. First event coming up is the Granite State Airport Managers Association. I will refer to this in another notice in this calendar. Please support the event and bring other representatives.

Rep. Kenneth L. Weyler

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

You are cordially invited to attend the 2007 Lincoln Day Dinner hosted by the Strafford County Republican Committee to be held on Saturday, **March 24** at the Event Center at the Oaks, 100 Hideaway Lane, Route 108, in Somersworth. Keynote speaker will be presidential candidate, Congressman Duncan Hunter of San Diego, California. Social hour will be at 6:00 p.m. with dinner at 7:00 p.m. Checks can be made payable to the Strafford County Republicans and sent to PO Box 1417, Dover, NH 03820. The ticket price of \$50 also includes a chance to win a \$500 US savings bond which you don't need to be present to win. Tables of eight will be \$400. Tickets can also be obtained from Rep. Julie Brown.

Rep. Julie Brown

The Carroll County Republican Committee invites you to its 2007 Lincoln Day Dinner with special guest Sen. John McCain as our keynote speaker for the evening. Guests include Senators Gregg and Sununu. The event will take place Saturday, **March 24** at the North Conway Grand Hotel, at Settler's Green OVP on Route 16 in North Conway. Social hour begins at 6:00 p.m., dinner at 7:00 p.m. Tickets are \$39 each and reservations should be made by Monday, March 19 by calling Rep. Gene Chandler (374-6603) or Henry Mock (356-5109).

Rep. Gene G. Chandler

All legislators are invited for luncheon on Thursday, **March 29** from 11:00 a.m. to 1:00 p.m. at St. Paul's Church, Concord. The NH Public Health Association will present a "mini conference" focusing on an overview of public health, public health policy, NH's public health community, and the association's policy priorities. RSVP by March 22nd to Karen Sloper, 228-2983 and check your mail box for your invitation.

Linda T. Foster, Deputy Speaker

The University of New Hampshire Alumni Association and Parents Association are pleased to invite members of the New Hampshire General Court and Staff to the annual UNH Legislative Breakfast on Wednesday, **April 4, 2007** from 7:30 to 9:00 a.m. at the New Hampshire Historical Society Tuck Library, Park Street, Concord. Learn how undergraduate student researchers at UNH are focused on the most compelling challenges in New Hampshire and the world. Meet students as they share their discoveries at this special event.

Rep. Marjorie Smith

The Granite State Airport Managers Association is hosting a luncheon for legislators on Thursday, **April 5** from 11:30 a.m. to 1:30 p.m. in the State House Cafeteria. They hope to inform us of the vital role our public access airports play in so many areas. Some companies will only locate where they have airport access. Emergency plans often include the airports for quick access and emergency supply delivery. Do you know where your nearest airport is to your district? Do you know how many aircraft are based there? Do you know the economic impact on your community? Please come and meet with these dedicated airport managers.

Rep. Kenneth L. Weyler

One of the NH Order of Women Legislators (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 even if you don't want to join the OWLS with a contribution which would be appreciated. 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

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 **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. 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.

WEDNESDAY, MARCH 21
AMENDMENTS
(LISTED IN NUMERICAL ORDER)

2007-0303h

Amendment to HB 46-FN-A-LOCAL
Proposed by the Committee on Finance - R

Amend the bill by replacing section 1 with the following:

□ Appropriation. There is hereby appropriated the sum of \$1,251,600, for the biennium ending June 30, 2009, to the department of education for the support of kindergarten programs in the towns of Merrimack, Hampstead, and Goffstown. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2007-0042h

Amendment to HB 49

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

Amend RSA 119:1, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) A veteran whose DD214 certificate or any document used by the veterans' home for admission states a New Hampshire address as his or her home of record upon discharge from active duty.

2007-0529h

Amendment to HB 51

Proposed by the Majority of the Committee on Children and Family Law - R

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

1 New Paragraph; Adoption; Who May Adopt; Unmarried Adults in a Familial Relationship. Amend RSA 170-B:4 by inserting after paragraph IV the following new paragraph:

V. Two unmarried adults in a familial relationship. In this paragraph, a familial relationship shall be determined by considering all relevant circumstances of the petitioners, including, but not limited to:

- (a) The sharing of a common residence.
- (b) Economic interdependence, such as jointly owning or renting a home.
- (c) A shared commitment to parenting duties and responsibilities.

2 New Paragraph; Persons Not Required to Surrender. Amend RSA 170-B:7 by inserting after paragraph VI the following new paragraph:

VII. A parent of the adoptee who intends to maintain his or her parental rights along with the parent's spouse or an unmarried adult in a familial relationship, as defined in RSA 170-B:4, V.

3 Effective Date. This act shall take effect 90 days after its passage.

2007-0403h

Amendment to HB 62

Proposed by the Committee on Environment and Agriculture - C

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

AN ACT relative to balloons being released into the air.

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

1 Declaration of Intent. Amend RSA 163-B:1 to read as follows:

163-B:1 Declaration of Intent.

I. It is the intention of the legislature by this chapter to provide for uniform prohibition throughout the state of any and all littering on public or private property and to curb thereby the desecration of the beauty of the state and harm to the health, welfare and safety of its citizens caused by individuals who litter.

II. The general court declares that the release into the atmosphere of balloons inflated with lighter-than-air gases constitutes littering, because the balloons eventually return to the earth's surface. Deflated balloons pose a serious threat to the life and well-being of wildlife and marine animals via ingestion or entanglement with attached ribbons.

2 Unlawful Activities. Amend RSA 163-B:3 to read as follows:

163-B:3 Unlawful Activities.

I. It shall be unlawful for any person or persons to dump, deposit, throw or leave, or to cause or permit the dumping, depositing, placing, throwing or leaving of litter on any public or private property in this state, or in or on ice or in any waters in this state, unless:

~~[F.]~~ ***(a)*** Such property is designated by the state or by any of its agencies or political subdivisions for the disposal of such litter, and such person is authorized by the proper public authority to use such property;

~~[H.]~~ ***(b)*** Such litter is placed into a litter receptacle or container installed on such property;

~~[H.]~~ ***(c)*** Such person is the owner or tenant in lawful possession of such property, or has first obtained consent of the owner or tenant in lawful possession, or unless the act is done under the personal direction of said owner or tenant, all in a manner consistent with the public welfare.

II. It shall be unlawful for any person to intentionally release or intentionally cause to be released into the atmosphere one or more balloons inflated with lighter-than-air gases, except for:

(a) Balloons released by or on behalf of any agency of the United States, the state of New Hampshire, or any other state, territory, or government for scientific or meteorological purposes; or

(b) Hot air balloons recovered after launch.

3 Penalties. Amend RSA 163-B:4 to read as follows:

163-B:4 Penalties.

I. ***Except as provided in paragraph III***, any person violating the provisions of RSA 163-B:3, shall be guilty of a misdemeanor, or, in lieu thereof, in the sound discretion of any court in which conviction is obtained, any such person may be directed by the judge of such court to pick up and remove from any public street or highway or public or private right-of-way, or public beach or public park, or with prior permission of the legal owner or tenant in lawful possession of such property, any private property upon which it has been established by competent evidence that he has deposited litter, any and all litter deposited thereon by anyone prior to the date of execution of sentence.

II. The court is hereby directed to publish the names of persons convicted of violating the provisions of RSA 163-B:3.

III. Any person who violates the provisions of RSA 163-B:3, II, relative to balloon release, shall be guilty of a violation and fined \$250 for the first offense and \$500 for each subsequent offense.

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

AMENDED ANALYSIS

This bill prohibits the release of lighter-than-air balloons into the air and establishes penalties for violations of this prohibition.

2007-0598h

Amendment to HB 95-LOCAL Proposed by the Committee on Education - R

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

AN ACT relative to the treatment of charter school pupils in the definition of average daily membership in residence.

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

Ⓔ School Money; Definitions. Amend RSA 198:38, VI to read as follows:

VI. "Average daily membership in residence" means the average daily membership in residence of pupils in kindergarten through grade 12, as defined in RSA 189:1-d, IV of the second school year preceding the year in which the calculation is made, provided that no kindergarten pupil shall count as more than 1/2 day attendance per calendar day, ***and provided that no charter school pupil for whom the state pays tuition directly to the charter school shall be counted.***

AMENDED ANALYSIS

This bill requires that pupils electing to attend an approved charter school shall be included in the average daily membership in residence of the district in which they legally reside. The bill also excludes charter school pupils for whom the state pays tuition directly to the charter school from the definition of average daily membership in residence.

This bill is a request of the department of education.

2007-0492h

Floor Amendment to HB 97 Proposed by Reps. Dumaine and Baldasaro

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

AN ACT relative to the recording of video images on private property for security purposes.

Amend the bill by replacing sections 1-2 with the following:

Ⓔ Violation of Privacy; Exception. Amend RSA 644:9, I(b) to read as follows:

(b) In any private place, any device for the purpose of observing, photographing, recording, amplifying, or broadcasting, or in any way transmitting images or sounds in such place; ***however a person may conduct, without notice, video recordings on his or her private property and curtilage for security purposes;*** or

Ⓔ New Subparagraph; Wiretapping and Eavesdropping; Exceptions. Amend RSA 570-A:2, II by inserting after subparagraph (k) the following new subparagraph:

(l) Any person to conduct, without notice, video recordings, on such person's private property and curtilage for security purposes.

AMENDED ANALYSIS

This bill creates an exception to the violation of privacy and wiretapping and eavesdropping statutes to allow any person to conduct, without notice, video recordings on his or her private property and curtilage for security purposes.

2007-0050h

Amendment to HB 118 Proposed by the Committee on Finance - R

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

AN ACT reducing a prior appropriation to the department of transportation to purchase flood damaged property and extending the commission to determine the appropriate public use of the property.

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

- 1 Appropriation to Department of Transportation to Purchase Flood Damaged Property. Amend 2006, 256:2 to read as follows:
256:2 Appropriation. The sum of [~~\$2,800,000~~] **\$2,120,000** for the biennium ending June 30, 2007, is hereby appropriated to the department of transportation for the purpose of purchasing property pursuant to section 1 of this act. [~~Such moneys shall be nonlapsing and continually appropriated to the department of transportation for the purposes of section 1 of this act.~~] The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
- 2 Commission to Determine Public Use for Flood-Damaged Property. Amend 2006, 256:4, V to read as follows:
V. 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 on or before December 31, [~~2006~~] **2007**.
- 3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill reduces the appropriation to the department of transportation to purchase flood damaged property and extends the reporting date of the commission established in 2006, 256 to determine an appropriate public use for the property.

2007-0378h

Amendment to HB 133
Proposed by the Committee on Election Law - R

Amend the bill by replacing section 1 with the following:

- 1 Voter Registration Form. Amend RSA 654:7 to read as follows:
654:7 Voter Registration Form. A standard registration application form shall be used throughout the state. The registration form shall be no larger than 8½ inches by 11 inches. The secretary of state shall prescribe the form of the voter registration form, which shall be in substantially the following form:
Date _____

VOTER REGISTRATION FORM

(Please print or type)

1. Name _____
Last (suffix) First Full Middle Name

2. Address _____
Street Ward Number
Town or City Zip Code

3. Mailing Address if _____
different than in 2 Street Ward Number
Town or City Zip Code

4. Place and Date of Birth _____
Town or City State
Date _____

5. If a naturalized citizen, give name of court where and date when naturalized _____

6. Place last registered to vote _____
Town or City
Street Ward Number

7. Name under which previously registered, if different from above _____

8. Party Affiliation (if any) _____

9. Driver's License Number _____ State _____
If you do not have a valid driver's license, provide the last four digits of your social security number ____ _
My name is _____. I am today registering to vote in the city/town of _____, New Hampshire.
I understand that to vote in this city/town, I must be **at least** 18 years of age, I must be a United States citizen, and I must be domiciled in this city/town.
~~I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am~~

~~acknowledging that I am not domiciled in any other state or any other city/town. I understand that if I am domiciled in another state or city/town, I may be entitled to vote in elections held within that state or city/town by absentee ballot.~~

~~In declaring New Hampshire as my domicile, I am subject to the laws of the State of New Hampshire which apply to all residents, including laws requiring me to register my motor vehicles and apply for a New Hampshire driver's license within 60 days of becoming a resident.~~

~~In declaring New Hampshire as my domicile, I realize that I may be forfeiting benefits or rights, including the right to vote in another state.~~

~~If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.]~~

I understand that I can claim only one city/town as my domicile at a time. A domicile is that place, more than any other, where I sleep most nights of the year, or to which I intend to return after a temporary absence. By registering or voting today, I acknowledge that I am not registering to vote or voting in any other city/town.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.[?]

_____ Date	_____ Signature
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In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

2007-0445h

Amendment to HB 139
Proposed by the Committee on Health, Human Services and Elderly Affairs - R

Amend the title of the bill by replacing it with the following:
AN ACT relative to the reporting of burn injuries.
Amend the bill by replacing section 1 with the following:
 □ New Section; Reporting of Burn Injuries. Amend RSA 153 by inserting after section 11 the following new section:
 153:11-a Reporting of Burn Injuries.
 I. In any case where a health care professional is called upon to examine or treat a person for a burn injury not consistent with the explanation given by the burn victim, or from the handling of illegal explosives, or if a burn injury requires inpatient admission to a hospital, the health care professional may report such burn injury to the state fire marshal by telephone or electronic means.
 II. A health care practitioner who, acting in good faith in reporting under this section or participating in a related investigation or proceeding, makes a report pursuant to paragraph I, shall be immune from civil or criminal liability for the act of reporting or participating in a related investigation or proceeding.
 III. The bureau of emergency medical services shall provide notification to the state fire marshal of burn injury reports which it receives from emergency medical services providers.

AMENDED ANALYSIS

This bill allows health care professionals to report burn injuries to the state fire marshal in certain circumstances.

2007-0265h

Amendment to HB 142
Proposed by the Committee on Environment and Agriculture - C

Amend the bill by replacing all after the enacting clause with the following:
 □ Sale of Animals and Birds; License Required. Amend RSA 437:1 to read as follows:
 437:1 License Required. No person, firm, corporation or other entity shall engage in the business of selling or the business of placing or giving away, with or without a fee or donation required, to the public, live animals or birds customarily used as household pets unless the premises on which they are housed, harbored or displayed for such purposes are duly licensed and inspected by the department of agriculture, markets, and food of the state of New Hampshire. This section shall also apply to commercial kennels ***and to any person, firm, corporation, or other entity engaged in the business of, including activity as a broker, selling, placing, giving away, or importing live animals or birds customarily used as household pets for sale, resale, or transfer to the public, with or without a fee required, and whether or not a physical facility is owned by the licensee in New Hampshire when transfer to the final owner occurs within New Hampshire. These provisions shall not effect the provisions of RSA 437:7.***
 2□ Bird and Animal Inspections. Amend RSA 437:8 to read as follows:
 437:8 Inspections. Inspections of all premises as described in RSA 437:1 shall be made at reasonable times, but in no case

less frequently than every 6 months. Any duly appointed agent of any humane society or S.P.C.A. incorporated in the state of New Hampshire acting under the authority and direction of the department or an official representative of the department may make said inspections at any reasonable time. ***Licensees without a physical facility in New Hampshire shall be exempt from facility inspection, though interstate health certificates or official health certificates for every imported dog, cat or ferret handled by the licensee shall be submitted to the department for review within one month of the date of writing of the certificate.***

③ Health Certificate for Cats. Amend RSA 437:13-a, IV to read as follows:

IV. All incorporated or chartered humane societies with operating shelters in the state of New Hampshire are exempt from the requirements of this section relative to selling or transferring cats except that all cats transferred out of an animal shelter facility shall have a form of positive identification, including but not limited to a tattoo, collar, microchip, ear tag, or any other permanent form of identification approved by the commissioner of agriculture, markets, and food and shall be vaccinated against rabies in accordance with RSA 436, ***and shall be accompanied by an official health certificate if the cat was imported into the state for transfer or without a fee.***

④ Breeder's Health Certificate. Amend RSA 466:6-a, IV to read as follows:

IV. All incorporated or chartered humane societies with operating shelters in the state of New Hampshire are exempt from the requirements of this section relative to selling or transferring dogs ***except that dogs which have been imported into the state for transfer with or without a fee shall be accompanied by an official health certificate.***

⑤ Dogs, Cats and Ferrets. Amend RSA 437:10, III(c) to read as follows:

(c) All animal shelters shall comply with the provisions of RSA 437:13-a, IV ***and RSA 466:6-a, IV.***

⑥ New Paragraph; Broker; Definition. Amend RSA 437:2 by inserting after paragraph IV the following new paragraph:

V. "Broker" means any individual or entity acting as agent or intermediary in negotiating, buying, selling, or transferring dogs, cats, or ferrets when transfer to the final owner occurs in New Hampshire.

⑦ Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill expands license requirements for sellers of domestic animals and requires that all out of state dogs, cats, and ferrets sold in New Hampshire be accompanied by an official health certificate.

2007-0214h

**Amendment to HB 152
Proposed by the Committee on Judiciary - C**

Amend the bill by replacing sections 1 and 2 with the following:

① Joint Committee on Legislative Facilities; Minutes of Meetings. Amend RSA 17-E:6 to read as follows:

17-E:6 Committee Records. A record of the minutes of committee and subcommittee meetings shall be available to the public and shall be maintained in accordance with the provisions of RSA 91-A:2, II. The minutes shall include the names of members in attendance and of persons appearing before the committee, and a brief description of the subjects discussed, votes taken, and final dispositions of all actions. The minutes shall be available and open to public inspection ~~[within 144 hours of]~~ ***not more than 5 business days after*** the meeting. The record of the minutes of the joint committee on legislative facilities and the house and senate subcommittees shall be available at the office of legislative accounting. ***For the purposes of this section, a business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.***

② Right-to-Know Law; Minutes of Meetings. Amend RSA 91-A:2, II to read as follows:

II. All public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of those bodies or agencies. Except for town meetings, school district meetings and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not limited to, tape recorders, cameras and videotape equipment, at such meetings. Minutes of all such meetings, including names of members, persons appearing before the bodies or agencies, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection ~~[within 144 hours of]~~ ***not more than 5 business days after*** the public meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any body or agency, or any subordinate body thereof, without exception. Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places or shall be printed in a newspaper of general circulation in the city or town at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the body or agency who shall employ whatever means are available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting of a legislative committee is held, publication made pursuant to the rules of the house of representatives or the senate, whichever rules are appropriate, shall be sufficient notice. If the charter of any city or guidelines or rules of order of any body or agency described in RSA 91-A:1-a require a broader public access to official meetings and records than herein described, such charter provisions or

guidelines or rules of order shall take precedence over the requirements of this chapter. ***For the purposes of this paragraph, a business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.***

AMENDED ANALYSIS

This bill requires minutes of meetings under the right-to-know law to be available for public inspection 5 business days after the public meeting. Current law requires such minutes to be available within 144 hours of the public meeting.

2007-0461h

Amendment to HB 158 Proposed by the Committee on Commerce - C

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

AN ACT requiring insurance companies to allow covered persons to purchase an up-to-90-day supply of covered prescription drugs on the covered person's health plan formulary under certain circumstances.

Amend the bill by replacing sections 1 and 2 with the following:

□ New Section; 90-Day Supply of Covered Prescription Drugs. Amend RSA 415 by inserting after section 6-a the following new section:

415:6-aa 90-Day Supply of Covered Prescription Drugs. An insurer issuing or renewing accident and health insurance policies shall allow its insureds to purchase an up-to-90-day supply of covered prescription drugs on the covered person's health plan formulary at one time, provided that the insured can demonstrate that such drug has been taken by the insured for a continuous period of one year and provided that such drug is not subject to the health plan's utilization management, prior authorization, or pre-certification requirements. Controlled substances as identified by the United States Drug Enforcement Administration are exempt from this section. Nothing in this section shall be construed to limit the health plan's ability to establish co-payments, coinsurance deductibles, or other member cost shares. A pharmacy dispensing a 90-day supply of covered prescription drugs under this section shall comply with any specified terms, conditions, and price which the plan may require for pharmacies that fill 90-day prescriptions.

2 New Paragraph; 90-Day Supply of Covered Prescription Drugs. Amend RSA 420-J:7-b by inserting after paragraph VII the following new paragraph:

VIII. Every health benefit plan that provides prescription drug benefits shall allow its covered persons to purchase an up-to-90-day supply of covered prescription drugs on the covered person's health benefit plan formulary at one time, provided that the insured can demonstrate that such drug has been taken by the insured for a continuous period of one year and provided that such drug is not subject to the health benefit plan's utilization management, prior authorization, or pre-certification requirements. Controlled substances as identified by the United States Drug Enforcement Administration are exempt from this paragraph. Nothing in this paragraph shall be construed to limit the health benefit plan's ability to establish co-payments, coinsurance deductibles, or other member cost shares. A pharmacy dispensing a 90-day supply of covered prescription drugs under this paragraph shall comply with any specified terms, conditions, and price which the health benefit plan may require for pharmacies that fill 90-day prescriptions.

AMENDED ANALYSIS

This bill requires insurance companies to allow covered persons to purchase an up-to-90-day supply of covered prescription drugs on the covered person's health plan formulary under certain circumstances.

2007-0628h

Amendment to HB 164 Proposed by the Committee on Education - C

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

AN ACT prohibiting school personnel from recommending the use of psychotropic medications for any child.

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

□ New Section; School Boards; Medications Recommended by School Personnel. Amend RSA 189 by inserting after section 11-b the following new section:

189:11-c Medications Recommended by School Personnel.

I. Each school board, or cooperative school board in the case of a cooperative school district shall, within one year of the effective date of this section, adopt and implement a policy prohibiting school personnel from recommending the use of psychotropic medications for any child. Such policy shall not prohibit school medical staff from recommending that a child be evaluated by a licensed medical practitioner or prohibit school personnel from consulting with such practitioner with the consent of the child's parents or legal guardian.

II. In this section, "psychotropic medications" means those medications the prescribed intention of which is to alter mental activity or mental state, including but not limited to, antipsychotic, antidepressant, and anxiolytic medications, and behavior-altering medications.

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

AMENDED ANALYSIS

This bill requires each school board or cooperative school board to adopt and implement a policy prohibiting school personnel from recommending the use of psychotropic medications for any child.

2007-0102h

Amendment to HB 169

Proposed by the Committee on Commerce - R

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

AN ACT relative to penalties for insurers or adjusters knowingly underestimating the value of an insurance claim.

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Unfair Claim Settlement Practices by Insurers. Amend RSA 417:4, XV(a) by inserting after subparagraph (13) the following new subparagraph:

(14) Knowingly underestimating the value of any claim by an insurer or by an adjuster representing the insurer.

AMENDED ANALYSIS

This bill makes it an unfair insurance trade practice subject to penalties for an insurer or adjuster representing the insurer to knowingly underestimate the value of an insurance claim.

2007-0396h

Floor Amendment to HB 171

Proposed by Rep. Ulery - R

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.

2007-0292h

Amendment to HB 189

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

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.

2007-0242h

Amendment to HB 220

Proposed by the Committee on Finance - C

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

AN ACT establishing a reporting requirement for departments that receive highway funds.

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

1 Reporting Requirement For Departments that Receive Highway Funds. RSA 9:9-c is repealed and reenacted to read as follows:

9:9-c Reporting Requirement for Departments that Receive Highway Funds. All departments of the executive branch and the judicial branch that receive highway fund transfers for any purpose shall file a report with the commissioner of administrative services on or before January 1 of each year for the preceding fiscal year. The format of the report shall be determined by the commissioner and shall be in a format similar to reports filed pursuant to RSA 9:4-d.

I. The report shall include:

(a) A description of each of the programs supported by highway funds.

(b) Actual expenditures incurred by programs supported whole or in part by the highway fund transfers compared to amounts budgeted for those purposes.

II. No highway fund transfers shall be disbursed to a department of the executive branch or the judicial branch if the department or judicial branch has not filed the report required under this section for the preceding fiscal year.

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

AMENDED ANALYSIS

This bill requires each department of the executive branch and the judicial branch to annually report its use of highway fund transfers to the department of administrative services.

2007-0119h

Amendment to HB 228

Proposed by the Committee on Commerce - C

Amend RSA 420-J:3, XXV-b as inserted by section 1 of the bill by replacing it with the following:

XXV-b. "Medical necessity" means health care services or products provided to an enrollee for the purpose of preventing, stabilizing, diagnosing, or treating an illness, injury, or disease or the symptoms of an illness, injury, or disease in a manner that is:

(a) Consistent with generally accepted standards of medical practice;

(b) Clinically appropriate in terms of type, frequency, extent, site, and duration;

(c) Demonstrated through scientific evidence to be effective in improving health outcomes;

(d) Representative of "best practices" in the medical profession; and

(e) Not primarily for the convenience of the enrollee or physician or other health care provider.

2007-0555h

Amendment to HB 252-FN

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

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

2 Prime Wetland Setback. Amend RSA 482-A:11, IV to read as follows:

IV. The department shall not grant a permit with respect to any activity proposed to be undertaken in or ~~adjacent to~~ **within 100 feet of** an area mapped, designated and filed as a prime wetland pursuant to RSA 482-A:15 unless the department first notifies the local governing body, the planning board, if any, and the conservation commission, if any, in the municipality within which the wetlands lie, either in whole or in part, of its decision. Any such permit shall not be issued unless the department is able, specifically, to find clear and convincing evidence on the basis of all information considered by the department, and after public hearing, that the proposed activity, either alone or in conjunction with other human activity, will not result in the significant net loss of any of the values set forth in RSA 482-A:1. This paragraph shall not be construed so as to relieve the department of its statutory obligations under this chapter to protect wetlands not so mapped and designated.

AMENDED ANALYSIS

This bill exempts the installation of temporary seasonal docks on lakes or ponds that are not close to areas designated as

prime wetlands.

This bill also prohibits the issuance of a permit for activity within 100 feet of a wetland area.

2007-0170h

Amendment to HB 256

Proposed by the Committee on Municipal and County Government - C

Amend the bill by replacing sections 5-6 with the following:

5 Duties of Tax Collector. Amend RSA 41:35, I to read as follows:

I. Every collector of taxes shall keep in suitable books a fair and correct account in detail of the taxes due, collected, and abated, and of all property sold for nonpayment of taxes, which books shall be public records. A tax collector shall ~~[pay]~~ **remit** all money collected to the town treasurer, **or to the town treasurer's designee as provided by RSA 41:29, VI**, at least on a weekly basis, ~~[or on a daily basis at the discretion of the commissioner of revenue administration. Such daily or weekly payments may be deferred until the]~~ **or daily whenever** tax receipts total \$500 **or more**. ~~[He]~~ **The collector** shall make final payment to the town treasurer of all moneys collected ~~[by him]~~ within 10 days after the close of the town's fiscal year. Failure to ~~[deposit]~~ **remit** collections on a timely basis **as required by this paragraph** shall be cause for immediate removal from office under RSA 41:40. He **or she** shall submit ~~[his]~~ **the** tax books and lists to the treasurer and selectmen for inspection and computation when requested so to do and if they discover any errors therein they shall immediately notify the town auditors thereof; and the auditors shall promptly examine the collector's records and make a written report to the selectmen and the department of revenue administration of their findings, conclusions and recommendations. The collector shall be at ~~[his]~~ **a** usual place of business, or any other place, at least one day each month for at least 2 hours continuously for the transaction of tax business, which time and place shall be printed upon the tax bills sent out by the collector. ~~[He]~~ **The collector** shall make a written report to the town at the end of each fiscal year which shall contain the amount of the taxes committed to him **or her** to collect; the amount of taxes collected, together with interest thereon; the amount of discounts allowed; the amount of taxes abated; the total amount of uncollected taxes; and an account of all sales of real estate ~~[by him]~~ to collect taxes. Upon written request therefor the collector shall provide the selectmen with an itemized list of the uncollected taxes at the end of the fiscal year.

6 Accounting for Receipts of Permit Fees. Amend RSA 261:165 to read as follows:

261:165 Accounting for Receipts of Permit Fees. Each designated city official and town clerk shall keep an account of the money received by him **or her** for vehicle permit fees collected. The clerk or official shall ~~[pay]~~ **remit** all fees collected to the town or city treasurer, **or to the treasurer's designee as provided by RSA 41:29, VI**, at least on a weekly basis, or ~~[more frequently at the discretion of the commissioner of revenue administration. Such payments may be deferred until the]~~ **daily whenever** permit fee receipts total \$500 **or more**. Such permit fees shall be used for the general purposes of the city or town. Failure of the city official or town clerk to ~~[deposit]~~ **remit permit fees on a timely basis as required by this section** ~~[such funds on a weekly basis, or, if required by the commissioner of revenue administration, on a more frequent basis,]~~ shall be cause for the immediate removal **from office under RSA 41:40** of the city official or **under RSA 41:16-c of the** town clerk ~~[from office. The commissioner of revenue administration shall remove the town clerk pursuant to RSA 41:16-c or city official pursuant to RSA 41:40]~~. Town clerks shall be paid on orders drawn on the town treasurer by the selectmen at the rate of \$.50 for each permit issued.

Amend the bill by inserting after section 6 the following and renumbering the original sections 7 to read as 9:

7 Duties of City Treasurer. Amend RSA 48:16 to read as follows:

48:16 City Treasurer; Duties.

I. The city treasurer shall have custody of all moneys belonging to the city. The treasurer shall deposit the same in participation units in the public deposit investment pool established pursuant to RSA 383:22, or in ~~[solvent banks in the state]~~ **federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state**, except that funds may be deposited in **federally insured** banks outside the state if such banks pledge and deliver to a third party custodial bank or the regional federal reserve bank collateral security for such deposits~~[-]~~ **of the following types:**

(a) United States government obligations~~[-]~~;

(b) United States government agency obligations~~[-]~~; or

(c) Obligations of the state of New Hampshire in value at least equal to the amount of the deposit in each case.

~~[The amount of collected funds on deposit in any one bank shall not at any time exceed the sum of its paid-up capital and surplus, except that a city with a population in excess of 50,000 is authorized to deposit funds in a solvent bank in excess of the paid-up capital surplus of said bank.]~~

II. The city treasurer shall keep in suitable books provided for the purpose a fair and correct account of all sums received into and paid from the city treasury, and of all notes given by the city, with the particulars thereof. At the close of each fiscal year, ~~[he]~~ **the treasurer** shall make a report to the city giving a particular account of all his **or her** financial transactions during the year **and account balances at year end**. ~~[He]~~ **The treasurer** shall furnish to the mayor and council statements

from ~~his~~ **the treasurer's** books, and submit ~~his~~ **the** books and vouchers to them and to the city auditors for examination, whenever so requested.

III. Whenever the city treasurer has in custody an excess of funds which are not immediately needed for the purpose of expenditure, the city treasurer shall, ~~[with the approval of the mayor and a majority of the city council,]~~ invest the same in **accordance with the investment policy adopted by the mayor and board of aldermen or city council under RSA 47:6, II. The treasurer may invest in** obligations of the United States government, in participation units in the public deposit investment pool established pursuant to RSA 383:22, in ~~[savings bank]~~ deposits ~~[of banks incorporated under the laws of the state of New Hampshire or in certificates of deposits and repurchase agreements of banks incorporated under the laws of the state of New Hampshire or in banks recognized by the state treasurer. At least yearly, the city council or board of aldermen shall review and adopt an investment policy for the investment of public funds in conformance with the provisions of applicable statutes], including money market accounts or certificates of deposit, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state.~~

IV. The city treasurer shall pay out fees held pursuant to RSA 673:16, II upon the order of the local land use board or its designated agent or in the case of moneys held pursuant to RSA 674:44-a upon order of the heritage commission.

V. ~~[Any person who directly or indirectly receives any such funds or moneys for deposit or for investment in securities of any kind shall,]~~ **The treasurer shall insure that** prior to acceptance of ~~[such funds,]~~ **any moneys for deposit or investment, including repurchase agreements, the federally insured bank shall** make available at the time of such deposit or investment an option to have such funds secured by collateral having a value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive benefit of the city. 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.

§ Financial Supervision. Amend RSA 47:6 to read as follows:

47:6 Financial Supervision.

I. The city councils shall take proper care that no money be paid from the city treasury unless previously granted and appropriated, and shall secure a just and prompt accountability from all persons entrusted with the receipt, custody or disbursement of the money or funds of the city, or the care of its property.

II. At least yearly, the city council or board of aldermen shall review and adopt an investment policy for the investment of public funds in conformance with the provisions of applicable statutes and shall advise the treasurer of such policies.

2007-0535h

Amendment to HB 283

Proposed by the Committee on Public Works and Highways - R

Amend the bill by replacing section 1 with the following:

□ Road Tolls; Exception. Amend RSA 260:60 to read as follows:

260:60 Exception. Notwithstanding all other laws and rules to the contrary, annually, on or before June 1, the road toll administrator shall compare the number of gallons on which refunds have been made for the preceding calendar year for motor fuel used in the propulsion of boats on inland public waters of the state, with the number of gallons of such motor fuel sold and delivered directly into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors upon the inland public waters for use in such boats or outboards, based on the number of boats registered in the state at 100 gallons usage per boat, and if there is any balance of unrefunded tolls so collected, the administrator shall report the same to the state treasurer who shall, on July 1, next following, credit 1/2 of said balance to the ~~[general]~~ **department of environmental services dam maintenance fund established under RSA 482:55** and credit 1/2 of said balance to the fish and game department. The funds credited to the **department of environmental services dam maintenance fund and the** fish and game department shall be used by ~~[said]~~ **each** department to carry out its program and be accounted for as the fish and game fund is accounted for. Any funds credited to the **department of environmental services dam maintenance fund and the** fish and game department as above provided shall not lapse at the end of the fiscal year. The department shall pay monthly to the state treasurer all revenue from the aircraft landing area toll.

2007-0530h

Amendment to HB 306

Proposed by the Committee on Labor, Industrial and Rehabilitative Services - R

Amend subparagraph I(c) of section 3 of the bill by replacing it with the following:

(c) One member appointed by the governor.

Amend paragraph I of section 3 of the bill by inserting after subparagraph (y) the following new subparagraphs:

- (z) The commissioner of the department of education, or designee.
- (aa) A member of the Workforce Opportunity Council, appointed by the council's chairperson.
- (bb) A member of the New Hampshire AFL-CIO, appointed by the chapter president.

2007-0519h

Amendment to HB 307

Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing sections 2 and 3 with the following:

2 Fees. Amend RSA 319-C:6-b to read as follows:

319-C:6-b Fees. The board, with the approval of the commissioner of safety, shall establish *application* fees for examination of applicants, *fees* for licensure, for renewal, and for late renewal of licenses to practice under this chapter, and for transcribing and transferring records and other services. *The fee for examination shall not include fees charged by and paid to an examination entity approved by the board.* The fees established by the board shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board for the previous fiscal year. Fees collected shall be deposited in the fire standards and training and emergency medical services fund, established in RSA 21-P:12-d, and used for the purposes of operating expenses of the electricians' board. Fees collected in excess of actual operating expenses shall be deposited in the general fund as unrestricted revenue.

3 Examinations. Amend RSA 319-C:8 to read as follows:

319-C:8 Examinations for License. Each applicant for licensure shall present to the board, on forms furnished by the board, a written application for examination and license, containing such information as the board may require, accompanied by the required *application* fee established by the board. *Proctored* examinations shall be written ~~[or]~~, written and oral, *oral, or computerized as approved by the board*, and shall be of a thorough and practical character. They shall include such provisions of the National Electrical Code as the board may deem appropriate. Any person failing to pass his or her first examination may be reexamined at any subsequent examination meeting of the board *or by an examination entity approved by the board*, and thereafter may be examined as often as he or she may desire upon *submitting the written application for examination and license and* payment of the required *application* fee as set forth in this chapter.

2007-0604h

Amendment to HB 324

Proposed by the Committee on Commerce - C

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

AN ACT relative to the use of artificial trans fats and saturated fats in food prepared and served in public schools.

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

1 New Paragraph; Food and Nutrition Programs; Artificial Trans Fats and Saturated Fats. Amend RSA 189:11-a by inserting after paragraph VII the following new paragraph:

VIII. All school administrative unit superintendents shall, no later than September 1, 2007, evaluate the use of artificial trans fats and saturated fats in foods prepared and served to pupils as part of the school food program within each school in the school administrative unit and report such findings to the state board of education. The state board of education shall, no later than January 1 2008, adopt and implement a policy governing the use of artificial trans fats and saturated fats in foods prepared and served to pupils in the public schools.

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

AMENDED ANALYSIS

This bill requires superintendents to evaluate the use of artificial trans fats and saturated fats in foods prepared and served to pupils as part of the school food program within each school in the school administrative unit, and report such findings to the state board of education which shall adopt a policy governing the use of artificial trans fats and saturated fats in foods prepared and served to pupils in the public schools.

2007-0343h

Amendment to HB 327

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

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

AN ACT allowing collaborative pharmacy practice agreements to include pharmacy locations during declared emergencies.

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

1 New Subparagraph; Pharmacies; Collaborative Pharmacy Practice Agreements. Amend RSA 318:16-a, III by inserting after subparagraph (d) the following new subparagraph:

(e) Pharmacy locations during a state of emergency declared by the governor.

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

AMENDED ANALYSIS

This bill allows collaborative pharmacy practice agreements to include pharmacy locations during a declared state of emergency.

2007-0293h

Amendment to HB 334
Proposed by the Committee on Commerce - R

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

AN ACT relative to the hours for on-premises sale of alcoholic beverages.

Amend RSA 179:17, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) On-premises licensees may sell from 6:00 a.m. to ~~[1:00]~~ **2:00** a.m., 7 days a week. ***If an on-premises licensee violates any provision of this title, the licensee shall stop the sale of beverages or liquor no later than 1:00 a.m. for a period of 12 months from the date of the violation.***

AMENDED ANALYSIS

This bill extends the hours of sale for alcoholic beverages by on-premises licensees.

This bill also requires on-premises licensees who have violated any alcoholic beverages law to stop the sale of beverages or liquor no later than 1:00 a.m. for 12 months after the date of the violation.

2007-0087h

Amendment to HB 345
Proposed by the Committee on Health, Human Services and Elderly Affairs - C

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

1 Vital Records; Definition Added. Amend RSA 5-C:1, I to read as follows:

I. ***“Advanced registered nurse practitioner” or “ARNP” means a registered nurse currently licensed by the New Hampshire board of nursing under RSA 326-B:18.***

I-a. “Ancestry” means the nationality, lineage, or country in which the person or his or her ancestors were born before their arrival in what is now the United States, and includes American Indians and native Alaskans, and reflects what the person considers himself or herself to be and is not based on percentages of ancestry.

2 Vital Records; Definitions. Amend RSA 5-C:1, III-V to read as follows:

III. “Attending physician” ***or “ARNP”*** means that physician ***or ARNP***, if any, who treated the patient during his or her last sickness.

IV. “Certifier” means the person attesting to the facts of a vital record event.

V. “Certifying physician” ***or “ARNP”*** means the physician ***or ARNP*** who determines and indicates the cause of death.

3 Death Registration Forms. Amend RSA 5-C:62, I to read as follows:

I. For every death that occurs in the state of New Hampshire, a death record shall be filed electronically by a funeral director, certifying physician ***or ARNP***, next of kin, designated agent, or clerk of the town or city with the division within 36 hours of death and prior to final disposition or entombment.

4 Death Registration Forms. Amend RSA 5-C:62, II(e) to read as follows:

(e) If the place of death is a hospital, the record shall indicate: whether the person was an in-patient or whether the person was an outpatient or emergency room patient, in which case the person shall have arrived alive at the hospital’s emergency room and died while in the emergency room as an outpatient. The record shall also indicate whether the person was transported while alive to the hospital but determined by a physician ***or ARNP*** to be dead at the time the hospital received the body. The city or town where the hospital is located shall be shown as the city or town of death occurrence.

5 Death Registration Forms. Amend RSA 5-C:62, III(c)-(e) to read as follows:

(c) The official capacity of the registered nurse or physician, which shall be: attending/associate physician ***or ARNP***; non-attending physician ***or ARNP***; pronouncing registered nurse; medical examiner/deputy medical examiner; temporary/assistant medical examiner; or assistant deputy medical examiner, non-physician.

(d) The date pronounced.

(e) Certification that the above information provided is true, which shall include but not be limited to the pronouncing person’s signature; the name and title of the individual who pronounced death; the New Hampshire license number of the physician ***or ARNP***, if applicable; whether the death was referred to the medical examiner; and the name and address of the physician ***or ARNP*** responsible for determining the cause of death. The individuals listed above shall provide or verify for the death record whether or not the death was referred to the medical examiner.

6 Death Registration Forms. Amend RSA 5-C:62, IV-VI to read as follows:

IV. The individuals listed in paragraph III, except the pronouncing registered nurse, shall provide the following information:

(a) The immediate cause of death and the interval between onset and death; other factors or conditions of which death was a consequence, when applicable, and the interval between onset and death; other significant conditions contributing to death but not related to the immediate cause of death.

(b) Whether or not an autopsy was performed and whether or not autopsy findings were available prior to the

determination of the cause of death.

(c) The manner of death, indicated as natural, accidental, suicidal, homicidal, pending investigation, or undetermined.

(d) If the death involved an injury, the month, day, year, and time of injury shall be provided. If the exact date of injury is unknown, it shall be approximated by the person completing the medical certification, noted as approximated or estimated on the death record, and, if it is not possible for the physician **or ARNP** to make an estimation, the date of injury shall be indicated as “unknown”. If the exact time of injury is unknown, it shall be approximated by the person completing the medical certification and noted as approximated or estimated on the death record. If it is not possible for the physician **or ARNP** to make an estimation, the time shall be indicated as “unknown.” “Unknown a.m.” or “unknown p.m.” shall not be an acceptable entry. The record shall also indicate whether the injury occurred while at work, a description of how the injury occurred, and the physical location or place of injury.

(e) The name, address, title, and license number of the certifier and the date certified.

V. The certifying physician **or ARNP** shall indicate whether he or she is or is not the same individual who pronounced the death. The certifying physician **or ARNP** shall indicate whether he or she is the medical examiner. He or she shall sign the form, attesting to the veracity of the information as follows:

(a) A certifying physician **or ARNP** shall attest to the veracity of the stated time, date, and place that the death occurred.

(b) A medical examiner shall attest to the veracity of the stated time, date, place, cause, and manner of the death.

VI. The attending or certifying physician **or ARNP** shall provide the following information for a supplemental death certificate: the deceased's name; the date of death; the time of death; the place of death; the name of the pronouncer; the New Hampshire [physician] license number of the pronouncer; the official capacity of the pronouncer; the date pronounced dead; the signature of the pronouncer; the date signed; whether this death was referred to the medical examiner; the cause of death; the performance of autopsy, indicated as yes or no; the availability of autopsy findings prior to determination of cause of death, indicated as yes or no; the manner of death; the time, date, and place of injury; whether or not the injury occurred at work; the description of how the injury occurred; the location specified as street and number or rural route number, city or town, and state; the name of the certifier; the signature and title of the certifier; the New Hampshire [physician] license number of the certifier; the date signed; and the name and address of the person who determined the cause of death.

7 Initiation of the Death Record. Amend RSA 5-C:63, I-VIII to read as follows:

I. When a death occurs in a hospital or health care facility and the death is not under the jurisdiction of a medical examiner pursuant to RSA 611:4, the person in charge of such facility, or his or her designated representative, shall provide the funeral director, next of kin, or designated agent with: a partially completed death record and the name and address of the physician **or ARNP** who will be responsible for supplying the cause of death information before the body is removed.

II. The funeral director, next of kin, or designated agent shall, pursuant to RSA 290:12, leave with the hospital or health care facility, or with the person from whom the body is received, a receipt showing the name of the decedent, the name and license number of the funeral director, if applicable, the name and address of the person to whom the body is released, and the date and hour of removal from the facility.

III. No hospital or other health care facility shall give a partially completed death record which includes medical certification or which is awaiting medical certification to anyone other than a funeral director, next of kin, or designated agent.

IV. When a death occurs some place other than an institution, the funeral director, next of kin, or designated agent, who first assumes custody of the dead body, shall initiate the death record if the attending physician **or ARNP** has not done so.

V. The funeral director, next of kin, or designated agent shall obtain the information on the deceased for completion of the death record from the next of kin or the best qualified person or source available and shall obtain the medical certification from the attending physician **or ARNP** or medical examiner if not already provided.

VI. If additional information becomes known regarding the death, an additional death record marked “supplemental” shall be sent to the division and shall include information listed in RSA 5-C:62, VI.

VII. Upon receipt and inspection of a paper death certificate the state registrar shall return an incomplete certificate to the appropriate persons for completion or verify that the certificate is complete by signing and dating the certificate.

VIII. The reverse side of the death certificate shall contain a notice to the physician **or ARNP** regarding the release of a body in accordance with RSA 290:2-a, the necessity of a pronouncement in accordance with RSA 290:1-b and indication of who can provide alternate signatures in the absence of the attending physician **or ARNP**, in accordance with RSA 290:1-b. The reverse side of the certificate shall also contain a reference to those categories of death that fall under the jurisdiction of the medical examiner as specified in RSA 611:4.

8 Medical Certification of the Death Record. Amend RSA 5-C:64 to read as follows:

5-C:64 Medical Certification of the Death Record.

I. Medical certification shall consist of the pronouncement of death and the medical certification of the cause of death.

II. The medical certification on the death record shall be completed by the attending physician **or ARNP** or certifying physician **or ARNP** and made available to the funeral director, next of kin, or designated agent as soon as possible but no later

than 36 hours after the time of death.

III. Medical certification of the death record shall be the direct responsibility of the attending physician *or ARNP* unless the death is referred to the medical examiner pursuant to RSA 611:4.

IV. For cases where a death is not within the jurisdiction of the medical examiner, the attending physician's *or ARNP's* responsibility to complete the death certificate shall be as follows:

(a) For deaths occurring in a hospital, the attending physician *or ARNP* shall be that physician *or ARNP* who had been responsible for the treatment of the patient while the deceased had been hospitalized.

(b) For deaths occurring in a nursing home or in a similar non-acute care hospital or institution, the attending physician *or ARNP* shall be the physician *or ARNP* who regularly attends to the medical needs of the nursing home residents or the resident's personal physician *or ARNP* if the resident was under the care of such physician *or ARNP*.

(c) For deaths occurring at home, the attending physician *or ARNP* shall be the deceased's own physician *or ARNP*.

V. In all instances, medical certification shall include the cause of death information and contain the pronouncement of death.

VI. In the absence of the deceased's attending physician *or ARNP*, or with the attending physician's *or ARNP's* approval, the medical certification of a death due to natural causes shall be completed by one of the following individuals: the attending physician's *or ARNP's* associate physician *or ARNP* in medical practice, the chairperson of the applicable clinical department, the chief medical officer of the hospital, the physician *or ARNP* or designee who performed an autopsy upon the decedent, or the physician *or ARNP* on duty if the death occurred in the hospital emergency room. The person determining the cause of death shall attest to its accuracy. The person determining the cause of death shall have viewed the deceased within 24 hours after death.

VII. In the absence of the attending physician *or ARNP*, a physician or a registered nurse in accordance with RSA 290:1-b, shall pronounce that death has occurred without any reference to the cause of the death by indicating his or her official status as the pronouncing physician or as pronouncing registered nurse; attesting to the accuracy of the time, date, and place of death either by signature or by an electronic process as outlined in RSA 290:1; and providing the name and address of the physician *or ARNP* who will complete the medical certification.

VIII. When the death has not occurred in a hospital and circumstances require the death certificate to be certified by a medical examiner as provided by RSA 611, the following procedure shall be followed:

(a) When the cause of death cannot be determined within 36 hours, the medical examiner shall indicate the word "pending" in the cause of death section.

(b) When the manner of death cannot be determined within 36 hours, the medical examiner shall be authorized to show "pending investigation" in the manner of death section of the medical certification.

(c) If the procedure in subparagraphs (a) or (b) is followed, then the medical examiner shall provide to the division updated information on the cause of death and manner of death, as applicable, within 90 days of the date of death, or as soon as practicable in cases of missing persons, accidental deaths, or homicides.

IX. In cases where an autopsy is to be performed, the cause of death shall not be deferred pending a full report of microscopic and toxicological studies. Supplemental death certificate information shall be submitted by the medical examiner to the division as additional information becomes available and when autopsy results or other investigation indicates a need to correct the original cause of death information.

X. Pursuant to RSA 290:1, the funeral director, next of kin, or designated agent shall ensure the medical certification has been completed prior to filing the death record with the state registrar.

XI. In cases where the result of an autopsy, police investigation, laboratory report, or a similar source is needed before a final determination of the cause of death can be made, the attending physician *or ARNP* or the medical examiner shall utilize the term "pending" for the applicable items on the death record. The physician *or ARNP* shall file a statement of findings with the division within 90 days of the date of death, or as soon as practicable. The findings shall be in writing and submitted to the division on a supplemental death certificate information form supplied by the division or on the physician's *or ARNP's* letterhead and include information necessary for the completion of a supplemental death certificate.

XII. The division shall follow up with the certifying physician *or ARNP* or the medical examiner on any death record where cause of death was shown as "pending". The division shall attempt to obtain the missing information by initiating a written query to the certifying physician *or ARNP* or the medical examiner 90 days from the date of death to determine current status of the investigation and shall initiate monthly contact thereafter until the final determination of death has been made.

XIII. When an autopsy finding differs from the original cause of death reported on the death record, the attending physician *or ARNP* who was responsible for the original death record shall send the division a supplemental death certificate information form to reflect the revised cause of death. The supplemental report shall be made part of the existing death record, and the division shall amend the death record with the cause of death as reported on the autopsy.

XIV. If there is any question on the part of the physician *or ARNP* as to whether he or she qualifies as the attending physician *or ARNP* under RSA 290:1, a determination shall be made by the medical examiner.

XV. If it is not possible to determine who is the attending physician *or ARNP* for purposes of preparing the death

certificate, the matter shall be brought to the attention of the state registrar who shall make a request to the state medical examiner, or designee, to determine who the attending physician **or ARNP** is upon review of the facts submitted.

9 Responsibility of Funeral Director, Next of Kin, or Designated Agent. Amend RSA 5-C:66, I and II to read as follows:

I. When a funeral director, next of kin, or designated agent is requested to take custody of a body, he or she shall first ascertain whether a pronouncing physician, pronouncing registered nurse, **ARNP**, or a medical examiner has established the cause of death and released the body for final disposition.

II. If a physician **or ARNP** was present at or immediately after the death, the funeral director, next of kin, or designated agent shall obtain medical certification for the death record in accordance with RSA 5-C:64.

10 Reporting Fetal Deaths. Amend RSA 5-C:74, I to read as follows:

I. A copy of the fetal death report prepared pursuant to RSA 290:1-a and RSA 5-C:75, shall be forwarded to the division by either the person in charge of the hospital or institution where the fetal death occurred, or the physician **or ARNP** in attendance at or after delivery when a fetal death occurs outside a hospital or institution.

11 Delayed Registration of Death. Amend RSA 5-C:80, II- IV to read as follows:

II. A certificate of death registered 6 months or more after the date of death or the presumed date of death shall be marked "delayed" by the registrar and include the date of the delayed filing.

III. For those certificates filed 6 months or more after the date of death, the physician, **ARNP**, or medical examiner and the funeral director shall submit an affidavit stating the reason why the death certificate was not filed in a timely manner.

IV. In the absence of the attending physician **or ARNP** or medical examiner and the funeral director, the certificate shall be filed by the next of kin or designated agent of the decedent. The certificate shall be accompanied by a notarized affidavit of the person initiating the filing, swearing to the accuracy of the information and explaining the reasons why the certificate has not been filed previously. Two additional notarized or certified documents that identify the decedent, the decedent's date and place of death, and the circumstances surrounding the decedent's death shall also be attached to the certificate. A summary statement of the evidence submitted in support of the delayed registration shall be prepared by the clerk of the town or city of death occurrence on the certificate, and the certificate shall be marked "delayed." When all of the evidence has been gathered, the clerk of the town or city of death occurrence shall forward the application for a delayed death certificate and all supporting documentation to the state registrar.

12 Queries. Amend RSA 5-C:81, II to read as follows:

II. Queries to obtain missing information or to clarify submitted information shall be made by the division to the attending or certifying physician **or ARNP** concerning the cause of death and related information, and to the funeral director, next of kin, or designated agent concerning all other information.

13 Amendments and Corrections to a Death Record. Amend RSA 5-C:94, II-V to read as follows:

II. The certifying physician **or ARNP** shall initiate corrections concerning the cause of death, in writing, to the division, by signing and completing the supplemental death certificate as described in RSA 5-C:62.

III. The correction authorization from the physician **or ARNP** shall be retained by the division in accordance with the retention schedule for a death record as established by this chapter. The death record shall be amended and noted as being amended.

IV. In the case where the division queries the physician **or ARNP** concerning the cause of death, the physician **or ARNP** shall send notice of the change in the cause of death directly to the division.

V. The physician's **or ARNP's** information concerning a change in the cause of death shall be retained by the division in accordance with the retention schedule for a death record established by this chapter. The death record shall be amended and noted as being amended.

14 Retention Schedule. Amend RSA 5-C:96, I(b) to read as follows:

(b) All death records, including changes affecting medical certification, submitted by the physician **or ARNP** to either the clerk of the town or city or the division.

15 Death Records. Amend RSA 290:1 to read as follows:

290:1 Death Records. Whenever a person shall die, the physician **or advanced registered nurse practitioner** attending at the last sickness shall complete and deliver to the funeral director, next-of-kin as defined in RSA 290:16, IV, or designated agent under RSA 290:17 or shall complete electronically and forward immediately to the division of vital records administration, a death record, duly signed, setting forth, as far as may be, the facts required by the department of state, division of vital records administration pursuant to RSA 5-C:63. The cause or causes of death shall be printed or typed on all records required to be furnished under this section. The funeral director, next-of-kin, or designated agent shall transmit electronically the record of death to the division of vital records administration **and the certifying physician or advanced registered nurse practitioner shall then electronically complete the cause of death information into the transmitted record.**

16 Fetal Death Records. Amend RSA 290:1-a to read as follows:

290:1-a Fetal Death Records. Whenever a fetal death shall occur, the attending physician **or advanced registered nurse practitioner** shall fill out a fetal death record. This will be solely a statistical report.

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

AMENDED ANALYSIS

This bill allows advanced registered nurse practitioners to certify death records.

2007-0538h

Amendment to HB 361

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

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

AN ACT relative to certain laws governing public utilities and the proposed acquisition of certain assets and franchises of Verizon by FairPoint.

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

1 Definitions. Amend RSA 162-H:2, VII to read as follows:

VII. "Energy facility" means any industrial structure, other than bulk power supply facilities, as defined in paragraph II, that may be used substantially to extract, produce, manufacture, transport or refine sources of energy, including ancillary facilities as may be used or useful in transporting, storing or otherwise providing for the raw materials or products of any such industrial structure. This shall include but not be limited to industrial structures such as oil refineries, gas plants, equipment and associated facilities designed to use any, or a combination of, natural gas, propane gas and liquefied natural gas, which store on site a quantity to provide 7 days of continuous operation at a rate equivalent to the energy requirements of a 30 megawatt electric generating station and its associated facilities, plants for coal conversion and onshore and offshore loading and unloading facilities for energy sources. Energy facility shall also include energy transmission pipelines, storage tanks, or any other facility which the applicant or 2 or more petition categories as defined in RSA 162-H:2, XI request and the committee agrees, or which the committee determines requires a certificate, consistent with the findings and purposes set forth in RSA 162-H:1. ~~[Energy facility shall include electric generating station equipment and associated facilities only if they are designed for, or capable of, operation at a capacity of greater than 30 megawatts.]~~

2 New Paragraph; Water Companies, When Public Utilities. Amend RSA 362:4 by inserting after paragraph VI the following new paragraph:

VII.(a) A homeowners association, including but not limited to a condominium unit owners association, shall not be considered a public utility under this title by virtue of providing water service if:

(1) The service is furnished only to members of the association or the occupants of their residential units; and

(2) The association is organized on a not-for-profit basis and is democratically controlled by the owners of the residential units and not the developer or subdivider thereof.

(b) Such a homeowners association is one consumer for purposes of paragraph I, and its individual members or their lessees shall not be treated as individual consumers.

3 Penalty Against Agent. Amend RSA 365:41-42 to read as follows:

365:41 Penalty Against Utility. Any public utility which shall violate any provisions of this title, or fails, omits or neglects to obey, observe or comply with any order, direction or requirement of the commission, ~~[shall be guilty of a felony and,]~~ shall be subject to a civil penalty, as determined by the commission, not to exceed \$25,000. No portion of any fine, nor any costs associated with an administrative or court proceeding which results in a fine pursuant to this section, shall be considered by the commission in fixing any temporary, permanent, or emergency rates or charges of such utility.

365:42 Penalty Against Agent. Every officer and agent of any such public utility who shall willfully violate, or who procures, aids, or abets any violation of this title, or who willfully fails to obey, observe, and comply with any order of the commission, or procures, aids or abets any such public utility in its failure to obey, observe, and comply with any such order or provision, ~~[shall be guilty of a misdemeanor and,]~~ shall be subject to a civil penalty, as determined by the commission, not to exceed \$10,000 for each violation, or for each day of a continuing violation.

4 Definitions. Amend RSA 374:48, IV-a to read as follows:

IV-a. "Operator" means any public utility as defined by RSA 362:2 or RSA 362:4 ~~[and]~~, any cable television system as defined by RSA 53-C:1, **and any liquefied petroleum gas company operating any jurisdictional facility or facilities as defined by the Natural Gas Pipeline Safety Act (49 U.S.C. chapter 601)** that owns or operates underground facilities.

5 New Paragraph; Definitions. Amend RSA 374:48 by inserting after paragraph VII the following new paragraph:

VIII. "Blasting" means excavation by means of explosives.

6 Rulemaking. Amend RSA 374:50, III to read as follows:

III. Emergency situations for which **prior** notice of excavation **pursuant to RSA 374:51, II** is not required.

7 Notification by Excavator. Amend RSA 374:51, I to read as follows:

I. No person shall perform an excavation within 100 feet of an underground facility, except in an emergency, without first giving notification as required by this section. **In an emergency, notification shall be given at the earliest practicable moment.**

8 New Paragraph; Notification by Excavator. Amend RSA 374:51 by inserting after paragraph VI the following new paragraph:

VII. If an excavator is aware that blasting will be required during an excavation, the excavator shall inform the damage prevention system when providing notice of the excavation. If an excavator determines during the effective term of the excavator's notification that blasting is required within the area premarked in accordance with paragraph IV, the excavator shall notify the damage prevention system of the need to blast. Notification shall be made at least 24 hours prior to any blasting, not including Saturdays, Sundays, and legal holidays. In the case of unanticipated obstructions that prevent further excavation without blasting, the excavator shall provide separate notice of such blasting not less than 4 contiguous hours in advance of such blasting, not including the hours of 4:00 p.m. to 6:00 a.m. weekdays, or all of Saturdays, Sundays, and legal holidays.

9 Energy Policy Act Standards. RSA 378:7-a is repealed and reenacted to read as follows:

378:7-a Energy Policy Act Standards. The commission may establish requirements for net metering, fuel diversity, fossil fuel generation efficiency, advanced metering, time-based rates, and interconnection with on-site generation facilities of customers in a manner not inconsistent with section 111 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 46) as amended by the Energy Policy Act of 2005.

10 New Section; Expense of Investigations. Notwithstanding any provision of law or rule or any order to the contrary:

I. As soon as practicable, the public utilities commission shall charge a special assessment against Verizon and FairPoint to support the work of the office of the consumer advocate in the FairPoint/Verizon acquisition docket at the commission. Funds from the special assessment shall be available to the office of the consumer advocate until June 30, 2008, or until such time as all final appeals in the case have been exhausted, whichever is later, at which time any remaining funds shall be credited back to the utilities. Specifically, the commission shall charge, in one or more assessments, an amount not to exceed \$150,000 to support the engagement of expert consultants by the office of the consumer advocate, with such engagement subject to approval by the governor and council. Such expert consultants shall assess, from the perspective of residential ratepayers, whether FairPoint has the financial, technical, managerial, and other capabilities to acquire Verizon's assets and franchises as proposed, in a manner that meets the public good requirement of RSA 374:30. To the extent practicable, the office of the consumer advocate shall cooperate with consumer and public advocates in Maine and Vermont in order to efficiently advance the common interests of residential consumers across the region.

II. Funds made available under paragraph I shall not be used to pay any part of the salaries, benefits, or other expenses related to the employees of the office of the consumer advocate or the commission.

11 Reference Deleted. Amend RSA 362:2, II to read as follows:

II. For the purposes of this title only, rural electric cooperatives for which a certificate of deregulation is on file with the public utilities commission pursuant to RSA 301:57 shall not be considered public utilities; provided, however, that the provisions of RSA 362-A, 363-B, 371, 374:2-a, 374:26, ~~374:26-a~~ 374-A, 374-C, 374-F, and 378:37-39 shall, unless otherwise provided herein, be applicable to rural electric cooperatives, without regard to whether a certificate of regulation or deregulation is on file with the public utilities commission. The provisions of RSA 374-A and the provisions of RSA 374-F:3, V(b) and (f) and RSA 374-F:7 shall be applicable to rural electric cooperatives for which a certificate of deregulation is on file with the public utilities commission to the same extent as municipal utilities.

12 Repeal. The following are repealed:

I. RSA 374:26-a, relative to retail competition pilot program.

II. RSA 378:7-b, relative to optional time of use and time of day rates defined.

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

AMENDED ANALYSIS

This bill:

I. Makes certain technical changes and expands certain definitions in laws governing public utilities.

II. Requires the commission to charge an assessment against Verizon and FairPoint to fund the engagement of consultants to assess whether FairPoint has the capabilities to acquire Verizon's assets and franchises.

2007-0480h

Amendment to HB 365

Proposed by the Committee on Commerce - 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) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Two members of the senate, appointed by the president of the senate.
- (c) The governor, or designee.
- (d) The bank commissioner, or designee.
- (e) The attorney general, or designee.
- (f) A representative of the New Hampshire housing finance authority, appointed by that organization.
- (g) A representative from New Hampshire Legal Assistance, appointed by that organization.

- (h) A representative from the New Hampshire Community Loan Fund, appointed by that organization.
- (i) A representative from the New Hampshire Bankers Association, appointed by that organization.
- (j) A representative of the Mortgage Bankers and Brokers Association of New Hampshire, appointed by that organization.
- (k) A representative of the New England Financial Services Association, appointed by that organization.

2007-0171h

Amendment to HB 417-FN-A
Proposed by the Committee on Finance - C

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

AN ACT allowing the department of safety to transfer funds within the budget of the division of state police.

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

1 Transfers Authorized. Notwithstanding the provisions of RSA 9:16, RSA 9:16-a, RSA 9:17, RSA 9:17-a, and RSA 9:17-c, the commissioner of administrative services, upon the request of the commissioner of safety, is authorized to transfer within and among any and all components and class codes of the budget of the division of state police for fiscal year 2007, regardless of funding source or mix, sufficient funds to cover overtime obligations for state police overtime, witness fees, and the accompanying benefits. The total amount transferred shall not exceed \$375,000. When making the transfers, every effort shall be made to maintain the original funding sources for the amounts transferred.

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

AMENDED ANALYSIS

This bill allows the department of safety to transfer funds appropriated for fiscal year 2007 within the budget of the division of state police.

2007-0476h

Amendment to HB 426
Proposed by the Committee on Labor, Industrial and Rehabilitative Services - C

Amend the bill by replacing all after section 3 with the following:

4 New Paragraph; Hearings and Awards; Premiums. Amend RSA 281-A:43 by inserting after paragraph II the following new paragraph:

III.(a) The commissioner may conduct investigations and hold hearings to resolve disputes between an employer and the employer's workers' compensation carrier regarding whether persons engaged by the employer are employees or independent contractors for the purposes of determining whether an additional premium charge is to be paid by the employer for workers' compensation insurance.

(b) Any party in interest aggrieved by any order or decision of the commissioner under this paragraph may appeal to the superior court.

5 Position Established. There is hereby established within the department of labor the position of administrative assistant I, labor grade 16, to carry out the responsibilities required under RSA 281-A:43, III as inserted by section 4 of this act. The position shall be funded from moneys from the workers' compensation division of the department of labor.

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

AMENDED ANALYSIS

This bill authorizes the insurance commissioner to conduct investigations and hold hearings to resolve disputes regarding whether persons engaged by the employer are employees or independent contractors for the purposes of workers' compensation. This bill also allows the insurance commissioner to conduct investigations and hold hearings regarding whether additional premium charges should be paid by an employer for workers' compensation insurance.

2007-0253h

Amendment to HB 427
Proposed by the Committee on Science, Technology and Energy - R

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

AN ACT defining construction and demolition debris and certified waste-derived product, and relative to the department of environmental services certifying waste-derived products of the wood component of construction and demolition debris.

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

1 Construction and Demolition Debris; Definition of Refuse. Amend RSA 149-M:4, XXI to read as follows:

XXI. "Refuse" means and includes any waste product, solid or having the character of a solid rather than a liquid in that it will not flow readily without additional liquid, and which is composed wholly or partly of such materials as garbage, swill, sweepings, cleanings, trash, rubbish, litter, industrial or domestic solid wastes; organic wastes or residue of animals sold as meat; fruit, vegetable or animal matter from kitchens, dining rooms, markets, food establishments or any places dealing in or

handling meat, fowl, fruits, grain or vegetables; offal, animal excreta, or the carcasses of animals; ~~[brick, plaster or other waste matter resulting from the demolition, alteration, or construction of buildings or structures]~~ **construction and demolition debris**; or accumulated waste material, cans, containers, tires, junk, or other such substances which may become a nuisance.

2 New Paragraph; Construction and Demolition Debris; Definition. Amend RSA 149-M:4 by inserting after paragraph IV the following new paragraph:

IV-a. "Construction and demolition debris" means non-putrescible waste building materials and rubble which is solid waste resulting from the construction, remodeling, repair or demolition of structures or roads. The term includes bricks, concrete and other masonry materials, wood, wall coverings, plaster, dry wall, plumbing, fixtures, non-asbestos insulation or roofing shingles, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes and electrical wiring and components, incidental to any of the above and containing no hazardous liquid or metals. The term does not include asbestos waste, garbage, corrugated container board, electrical fixtures containing hazardous liquids such as fluorescent light ballasts or transformers, furniture, appliances, tires, drums and containers, and fuel tanks.

3 New Paragraph; Certified Waste Derived Product; Definition. Amend RSA 149-M:4 by inserting after paragraph II the following new paragraph:

II-a "Certified waste-derived product" means a constituent of solid waste which is no longer regulated as a solid waste when certified by the department to be recyclable for its original use or alternate uses and which poses no greater risk to the environment, public health and safety than exists by producing, distributing, using, or disposing comparable products which are not waste-derived.

4 New Paragraph; Construction and Demolition Debris; Waste Derived Product; Prohibition. Amend RSA 149-M:9 by inserting after paragraph XIII the following new paragraph:

XIV. Notwithstanding any provision of law or rule to the contrary, the department shall not certify as a waste-derived product the wood component of construction and demolition debris, or any mixture of or derivation therefrom, to be combusted in any manner, except that methane gas collected from the decomposition of waste at a facility authorized pursuant to this chapter as a landfill for the disposal of solid waste may be certified as a waste-derived product for distribution and use as a fuel, provided that it meets market fuel standards.

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

AMENDED ANALYSIS

This bill:

- I. Defines construction and demolition debris.
- II. Defines certified waste-derived product.
- III. Prohibits the department of environmental services from issuing a certification as a waste-derived product for the wood component of construction and demolition debris.

2007-0254h

Amendment to HB 428

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

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

AN ACT prohibiting the combustion of the wood component of construction and demolition debris and defining construction and demolition debris.

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

1 New Section; Combustion Ban. Amend RSA 125-C:10 by inserting after section 10-b the following new section:

125-C:10-c Combustion Ban. Notwithstanding any provision of law to the contrary, no person shall combust the wood component of construction and demolition debris, as defined in RSA 149-M:4, IV-a, or any mixture or derivation from said component. This section shall not apply to the incidental combustion of such materials by any municipal waste combustor, as defined in RSA 125-M:2, XI, which was subject to regulation by this chapter or RSA 149-M and which was in operation on January 1, 2006, or by any municipal incinerator that is permitted by the department and was in operation on January 1, 2006.

2 New Paragraph; Construction and Demolition Debris; Definition. Amend RSA 149-M:4 by inserting after paragraph IV the following new paragraph:

IV-a. "Construction and demolition debris" means non-putrescible waste building materials and rubble which is solid waste resulting from the construction, remodeling, repair or demolition of structures or roads. The term includes, but is not limited to, bricks, concrete and other masonry materials, wood, wall coverings, plaster, dry wall, plumbing, fixtures, non-asbestos insulation or roofing shingles, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes and electrical wiring and components, incidental to any of the above and containing no hazardous liquid or metals. The term does not include asbestos waste, garbage, corrugated container board, electrical fixtures containing hazardous liquids such as fluorescent light ballasts or transformers, furniture, appliances, tires, drums and containers, and fuel tanks.

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

AMENDED ANALYSIS

This bill prohibits the combustion of the wood component of construction and demolition debris.
This bill also defines construction and demolition debris.

2007-0156h

Amendment to HB 440-FN

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

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.

2007-0407h

Amendment to HB 460

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

Amend RSA 362:4, VII as inserted by section 1 of the bill by replacing it with the following:

VII.(a) Any public water utility, as defined in RSA 362:4, which acquires lands for the purpose of protecting a public water supply shall hold all such lands subject to a conservation restriction for the benefit of the ratepayers in accordance with RSA 477:45-47 to assure that the property is retained forever in its undeveloped condition and to prevent any use of the property that impairs or interferes with the perpetual protection of the quality and sustainable yield of surface water and groundwater resources on and under that property.

(b) Such conservation restriction shall include, but not be limited to, prohibition of residential, industrial, and commercial development, roads except those allowed for maintenance of the public water supply, landfills, and the storage or disposal of hazardous or solid wastes.

(c) For the purposes of the conservation restriction, activities necessary for the provision of the public drinking water supply shall be permitted.

2007-0248h

Amendment to HB 469

Proposed by the Committee on Commerce - C

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

AN ACT relative to on-premises cocktail lounge licenses for caterers and relative to beverage manufacturer hospitality rooms.

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

3 Beverage Manufacturer License; Hospitality Room. Amend RSA 178:12, III to read as follows:

III. The holder of a beverage manufacturer license may operate a hospitality room on the premises in which the licensee

may make available to **employees and** visitors of legal drinking age for on-premises consumption free of charge samples of beverages manufactured ~~[on the premises]~~ **or distributed in the United States by the beverage manufacturer**. The hospitality room shall require commission approval in respect to its location, service facilities, and seating arrangements.

AMENDED ANALYSIS

This bill allows brew pub licensees to obtain off-site catering licenses. This bill also permits a beverage manufacturer licensee to serve employees in its hospitality room and allows consumption in the hospitality room of any beverages manufactured or distributed by the manufacturer.

2007-0449h

Amendment to HB 471-FN-A

Proposed by the Committee on Labor, Industrial and Rehabilitative Services - C

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

1 Workers' Compensation; Exclusion Limited. Amend RSA 281-A:18-a, I to read as follows:

I. Any corporation or limited liability company may elect to exclude up to 3 executive officers or members from the compulsive coverage requirements under this chapter; **provided, that such exclusion shall not apply to any individual, regardless of status or title within a corporation or limited liability company, who is actively engaged in on-site work on any construction site within the state of New Hampshire.**

2 New Section; State Transportation Projects; Certification of Current Workers' Compensation Coverage Required.

Amend RSA 228 by inserting after section 4-a the following new section:

228:4-b Certification of Current Workers' Compensation Coverage Required.

I. Prior to any work being done by an individual contractor on any state transportation project carried out under this subdivision, such contractor, including all subcontractors and independent contractors, working on a highway, bridge, or other construction, reconstruction, alteration, or maintenance project funded by the department shall provide to the commissioner of transportation:

(a) A certificate of insurance of his or her current workers' compensation coverage in New Hampshire for the classification of work to be completed on the project;

(b) A sworn statement that this coverage shall remain in effect for the duration of his or her anticipated work on the project;

(c) A completed work certificate, provided pursuant to RSA 281-A:4-b, that shall include the total number of employees anticipated to be employed by such contractor, subcontractor, or independent contractor on the project during the contract period, delineated by the National Council on Compensation Insurance (NCCI) classification code applicable to the scope of work to be performed;

(d) A copy of the contractor's compliance with a current written safety program, if applicable, as filed with the commissioner of labor under RSA 281-A:64, II and proof of an existing joint loss management committee as required under RSA 281-A:64, III, if applicable; and

(e) Any other information the commissioner of transportation deems necessary.

II. If any highway, bridge, or other construction contractor, subcontractor, or independent contractor who might otherwise claim an exclusion under RSA 281-A:18-a is directly performing the work on a project covered under this section, such contractor, subcontractor, or independent contractor shall comply with the provisions of this section.

III. The commissioner of labor shall assess any contractor, subcontractor, or independent contractor who falsifies information or fails to comply with this section a civil penalty of up to \$2,500 and in addition, such an employer shall be assessed a civil penalty of \$100 per employee per day of noncompliance. The chief executive officer, chief financial officer, and members of limited liability companies shall be held personally liable for the payment of fines and such contractor, subcontractor, or independent contractor shall not be allowed to bid or work on state projects for up to 5 years. The state shall be entitled to recover from the violator all costs and fees directly associated with uncovering falsified information supplied under this section.

IV. There is hereby established a nonlapsing workers' compensation fraud fund in the office of the state treasurer. All funds collected under this section shall be deposited in such fund and continually appropriated to the commissioner of labor to be used for investigations and compliance activities required under this section and related sections pertaining to labor and insurance law.

V. The commissioner of labor shall appoint as many individuals as necessary to carry out the department's responsibilities under this section.

VI. On a quarterly basis, the commissioners of transportation and labor shall post electronically for public access and shall also circulate to all other public works construction or renovation awarding authorities of state government, including the college and university systems and the department of education office of building aid, a list of any highway, bridge, or other construction contractors, subcontractors, or independent contractors found to be in violation of this section, including the amount fined and the period of time such persons or entities shall not be allowed to bid or work on state projects.

3 New Paragraph; Major Projects. Amend RSA 21-I:80 by inserting after paragraph V the following new paragraph:

VI.(a) Prior to any work being done by an individual contractor on any major project under this section, such contractor, including all subcontractors and independent contractors, shall provide to the commissioner of administrative services:

(1) A certificate of insurance of his or her current workers' compensation coverage in New Hampshire for the classification of work to be completed on the project;

(2) A sworn statement that this coverage shall remain in effect for the duration of his or her anticipated work on the project;

(3) A completed work certificate, provided pursuant to RSA 281-A:4-b, that shall include the total number of employees anticipated to be employed by such contractor, subcontractor, or independent contractor on the project during the contract period, delineated by the National Council on Compensation Insurance (NCCI) classification code applicable to the scope of work to be performed;

(4) A copy of the contractor's compliance with a current written safety program, if applicable, as filed with the commissioner of labor under RSA 281-A:64, II and proof of an existing joint loss management committee as required under RSA 281 A:64, III, if applicable; and

(5) Any other information the commissioner of administrative services deems necessary.

(b) If any construction contractor, subcontractor, or independent contractor who might otherwise claim an exclusion under RSA 281-A:18-a is directly performing the work on a project covered under this section, such contractor, subcontractor, or independent contractor shall comply with the provisions of this section.

(c) The commissioner of labor shall assess any contractor, subcontractor, or independent contractor who falsifies information or fails to comply with this section a civil penalty of up to \$2,500 and in addition, such an employer shall be assessed a civil penalty of \$100 per employee per day of noncompliance. The chief executive officer, chief financial officer, and members of limited liability companies shall be held personally liable for the payment of fines and such contractor, subcontractor, or independent contractor shall not be allowed to bid or work on state projects for up to 5 years. The state shall be entitled to recover from the violator all costs and fees directly associated with uncovering falsified information supplied under this section.

(d) All funds collected under this section shall be deposited into the nonlapsing workers' compensation fraud fund established in RSA 228:4-b, IV dedicated to investigation and compliance activities required by this section and related sections pertaining to labor and insurance law.

(e) The commissioner of labor shall appoint as many individuals as necessary to carry out the department's responsibilities under this paragraph.

(f) On a quarterly basis, the commissioners of administrative services and labor shall post electronically for public access and shall also circulate to all other public works construction or renovation awarding authorities of state government, including the college and university systems and the department of education office of building aid, a list of any construction contractors, subcontractors, or independent contractors found to be in violation of this section, including the amount fined and the period of time such persons or entities shall not be allowed to bid or work on state projects.

4 New Section; Work Certificate for Contractors Before Beginning Their Work on Public Projects. Amend RSA 281-A by inserting after section 4-a the following new section:

281-A:4-b Work Certificate for Contractors Before Beginning Their Work on Public Projects. The commissioner of labor shall provide a work certificate form to meet the requirements of the departments of transportation and administrative services, in accordance with RSA 228:4-b or RSA 21-I:80, VI, for contractors, subcontractors, and independent contractors to certify their compliance with RSA 281-A.

5 New Subparagraph; Workers' Compensation Fraud Fund. Amend RSA 6:12, I by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the workers' compensation fraud fund established in RSA 228:4-b, IV.

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

2007-0305h

Amendment to HB 498-FN-A

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

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 ~~[59]~~ **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.

2007-0511h

**Amendment to HB 532
Proposed by the Committee on Commerce - C**

Amend RSA 417:28 as inserted by section 2 of the bill by replacing it with the following:

417:28 Reporting of Fraudulent Claims by Insurers. Any ~~[company which believes]~~ **person or entity regulated under title XXXVII which has reason to believe** that an insurance fraud **or insurance-related criminal activity** has been committed shall ~~[.]~~ **make a report to the unit** within 60 days ~~[of forming such belief, send to the unit,]~~ **or within a shorter period under such circumstances as the commissioner may prescribe by rule. No waiver of any such regulated person’s or entity’s applicable privilege or claim of confidentiality in the documents, materials or information shall occur as a result of such disclosure to the unit. Such report shall be made** on a form prescribed by the unit ~~[.]~~ **and shall contain** the information requested and such additional information ~~[relative to the claim and other parties claiming loss or damage because of the claim]~~ as the unit may require. The unit shall review such report and select such claims as, in its judgment, warrant further investigation. In the absence of fraud or malice, no public official or insurance company or person who furnishes information on behalf of the insurance company shall be liable for damages in a civil action or subject to criminal prosecution for any oral or written statement made or any other action taken that is necessary to supply information required pursuant to this section.

2007-0342h

**Amendment to HB 590-FN
Proposed by the Committee on Fish and Game - C**

Amend the bill by replacing section 3 with the following:

3 Application; Fees; Waterfowl Licenses. Amend RSA 214:9, XII to read as follows:
XII.~~(a)~~ If the applicant wishes to hunt migratory waterfowl, \$4.00, and the agent shall thereupon issue a state migratory waterfowl ~~[stamp]~~ **license** which shall entitle the licensee to hunt, shoot, kill, and take migratory waterfowl during such time and in such manner and numbers as may be allowed under RSA 209:6. ~~[The agent shall be entitled to retain a fee of \$.50 for each migratory waterfowl stamp sold and all migratory waterfowl stamps sold at the department headquarters or any subagency thereof shall charge the same fee which shall be credited to the general fish and game fund.~~
~~(b) Notwithstanding any of the general provisions for the expiration of fish and game licenses, any state migratory waterfowl stamp issued under subparagraph (a) shall expire on June 30 of each year.]~~

2007-0620h

**Amendment to HB 604-FN
Proposed by the Committee on Fish and Game - R**

Amend the bill by replacing section 2 with the following:

2 New Paragraphs; Manner of Taking Deer. Amend RSA 208:7 by inserting after paragraph III the following new paragraphs:
IV. No person shall place bait for the taking of deer, or shall knowingly take deer from a baited area; provided that the executive director may grant a special permit for scientific purposes, animal damage control, or for any other purpose, allowing such baiting, at the discretion of the executive director. For purposes of this paragraph, “baiting” means placing salt, fruit, nuts, grain, or other foods known to be attractive to deer. Nothing in this definition shall prohibit the taking of deer from an observation stand or blind overlooking standing crops, foods that have been left as a result of normal agricultural operations, or as a result of a natural occurrence.
V. No person shall feed deer by placing salt, fruit, nuts, grain or other foods known to be attractive to deer during any open season for the taking of deer. This paragraph shall not prohibit normal agricultural and forest practices.
Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:
3 Penalties. Amend RSA 208:21, II to read as follows:
II. RSA 208:3, 3-a, 3-b, 3-c, 4, 5, 5-a, 6-a, 7, III **through V**, 10, and 12-16 inclusive, shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person.

AMENDED ANALYSIS

This bill prohibits the practice of baiting for the taking of deer, and also prohibits feeding deer during deer season with foods

known to be attractive to deer. The bill allows the executive director to issue special permits using baiting.

2007-0624h

Amendment to HB 609-FN

Proposed by the Committee on Election Law - R

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

1 New Subparagraph; Bylaws; Reporting of Contributions. Amend RSA 31:39, I by inserting after subparagraph (n) the following new subparagraph:

(o) Requiring the reporting of contributions to, and expenditures by, any candidate or political committee made for the purpose of influencing the election of any candidate for local elective office, or any person or committee for the purpose of influencing the vote on any ballot or referendum question.

2 New Paragraph; Bylaws; Reporting of Contributions. Amend RSA 47:17 by inserting after paragraph XIV-A the following new paragraph:

XIV-b. LOCAL ELECTION REPORTING REQUIREMENTS. Requiring the reporting of contributions to, and expenditures by, any candidate or political committee made for the purpose of influencing the election of any candidate for local elective office, or any person or committee for the purpose of influencing the vote on any ballot or referendum question.

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

AMENDED ANALYSIS

This bill authorizes towns and cities to make bylaws requiring reports of political contributions and expenditures.

2007-0613h

Amendment to HB 657

Proposed by the Committee on Fish and Game - C

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

1 New Section; Fish and Game; Moose Hunting Adventure Permits. Amend RSA 208 by inserting after section 1-a the following new section:

208:1-aa Hunting Adventure Permits. Notwithstanding the application, licensure, and permit requirements of Title 18, the executive director of fish and game may annually issue, at no cost, up to 2 licenses or permits to Hunt Of A Lifetime, Inc., to provide hunting adventures to New Hampshire residents under 21 years of age with life-threatening, critical, or terminal illnesses. These licenses or permits shall be in addition to any limited hunting permit opportunities issued under Title 18, shall be at no cost to the organization, shall be valid anywhere in the state open to the taking of the species selected, and shall be valid to take game as specified in RSA 207:1, IX of either sex during the established hunting season for that species, with the exception of moose permits which shall be valid from October 1st through the end of the regular moose season. If the person using the permit is not properly licensed, he or she shall be exempt from licensing requirements under RSA 214:1 and hunter education requirements under RSA 214:23-a. The hunter shall be accompanied by a properly licensed person who is 21 years of age or older. The provisions of Title 18 and rules adopted thereunder which relate to method and manner of taking and reporting shall apply to hunting adventure permits.

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

AMENDED ANALYSIS

This bill authorizes the executive director of fish and game to issue up to 2 moose hunting adventure permits to a nonprofit organization providing hunting adventures to persons under 21 years of age with life-threatening, critical, or terminal illnesses.

2007-0323h

Amendment to HB 846

Proposed by the Committee on Fish and Game - R

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.

2007-0502h

Amendment to HCR 3

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

Amend the resolution by replacing all after the resolving clause with the following:

That the New Hampshire legislature urges the department of veterans affairs to assist any member of the armed forces or veteran of the armed services who has been exposed to depleted uranium munitions or equipment, and the dependants of any such member or veteran, to obtain a best practices health screening test for exposure to depleted uranium that uses methods capable of detecting low levels of depleted uranium; and

That the New Hampshire legislature urges the adjutant general to:

(1) Assist any member of the New Hampshire national guard who has handled, used, or stored depleted uranium munitions or equipment and any member who returns or has returned to this state after service in an area designated by the President of the United States, and any such member's dependents, to obtain a best practices health screening test for exposure to depleted uranium that uses methods capable of detecting low levels of depleted uranium; and

(2) Ensure that quality health treatment is available for all members or veterans of the New Hampshire national guard and their dependents who may have been exposed to depleted uranium; and

That copies of this resolution be transmitted to the United States Secretary of Defense, the adjutant general, the commissioner of the department of health and human services, and the members of the New Hampshire congressional delegation.