

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, May 11, 2007 No. 38
Contains: Reports and Amendments for May 16, Hearings, Meetings and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet in session on Wednesday, May 16th at 10:00 a.m.

I would like to thank all of the legislators and staff who answered telephones during the telethon to raise funds to assist families and individuals struggling to put their lives and homes back together after the recent flooding. The great turnout for the telethon raised \$127,460, which combined with the funds raised prior to the telethon, comes to a total of \$261,531. A special thank you goes to Liz Hager for her extraordinary organizing efforts.

Our heartfelt congratulations go out to Representative Michael Rollo of Rollinsford who has been selected to receive the prestigious Young Alumni Excellence Award by the University of New Hampshire Alumni Association. The award will be presented on June 9th.

As many of us know, the staff of Protective Services do much more than just secure the State House and Legislative Office Building, and I am pleased to recognize them for all of their hard work.

Terie Norelli, Speaker

NOTICE

HOUSE CONTINUING EDUCATION
and
FRESHMEN LIAISON COMMITTEE

An ongoing program to enhance your legislative skills

Tuesday, May 15, 2007
Representatives Hall
9:00 a.m. - 11:00 a.m.

"So, now you understand the budget?"

Presented by Center for Public Policy

NOTICE

There will be a meeting of Chairmen and Vice Chairmen **Tuesday, May 15th 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, **May 16th at 9:00 a.m.** in Representatives Hall.
Rep. Mary Jane Wallner, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **May 16th at 9:00 a.m.** in Rooms 306-308, Legislative Office Building.
Rep. Michael D. Whalley, Republican Leader

NOTICE

All requests for Proclamations and Eagle Scout Certificates must be received, in writing, at least five business days before a Representative wishes to present them. For more information, please contact the House Information Officer in SH 309.
Terie Norelli, Speaker

NOTICE

Please note that the Calendar will close at 3:00 p.m. on Wednesdays for scheduling and notices. It closes at 1:00 p.m. on Thursdays for Committee Reports. Members and staff who need to schedule meetings should make arrangements with the Clerk’s Office for room availability/assignment and publication of meeting notices.
Karen O. Wadsworth, Clerk of the House

NOTICE

If you wish to disseminate information to all members via their mail boxes, please bring a sample to Lucy Harrison in the Speaker’s office. All such information must be approved and then delivered to the Sergeant-at-Arms office for placement.
Linda T. Foster, Deputy Speaker

HOUSE DEADLINES

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

LAID ON TABLE

HB 92, decriminalizing marijuana. (Pending question is the adoption of the committee report of Inexpedient to Legislate.)
HB 109, eliminating straight ticket voting. (Pending question is the adoption of the committee report of Inexpedient to Legislate.)
HB 177-FN, including “unborn child” in the definition of “another” for the purpose of first and second degree murder, manslaughter, and negligent homicide. (Pending question is the adoption of the committee report of Inexpedient to Legislate.)
HB 234, establishing a committee to study state environmental laboratory fees and services. (Pending question is the adoption of the committee amendment.)
HB 674, extending the veterans’ property tax credit to all honorably discharged veterans. (No pending question.)
HB 745, relative to the use of secret databases. (No pending question.)
HR 12, affirming revenue estimates for fiscal years 2007, 2008, and 2009. (Pending question is adoption of the motion of Ought

to Pass)

HOUSE BILLS AMENDED BY THE SENATE

HB 42, relative to resource protection sections of local master plans. (House Concurred 05/02/07)

HB 53, relative to school health personnel. (House Concurred 05/02/07)

HB 103, establishing a commission to study the state highway trust fund. (SJ 03/29/07)

HB 104-FN, relative to renewal of drivers' licenses by certain national guard members. (SJ 04/18/07)

HB 122, naming a bridge in the town of Henniker after Sergeant Russell M. Durgin. (House Concurred 05/02/07)

HB 126, relative to the definition of school. (SJ 04/05/07)

HB 153, relative to standards for bridge and highway construction. (House Concurred 05/02/07)

HB 187, establishing that sheriffs' departments have sole jurisdiction to enforce civil orders. (SJ 05/03/07)

HB 198-FN, relative to collection of taxes on land with a discretionary easement and relative to the calculation of penalties applied to tax-deeded properties. (House Concurred 05/02/07)

HB 202, relative to a point system for automobile dealer and inspection station violations. (SJ 04/18/07)

HB 217, establishing a committee to study the New Hampshire park and ride program. (SJ 04/18/07)

HB 249, relative to preliminary objections to rules made by the joint legislative committee on administrative rules, and relative to extending the study committee on the rules process. (SJ 04/26/07)

HB 292, relative to consideration of the preference of a mature minor in the modification of parental rights and responsibilities. (SJ 05/03/07)

HB 362, relative to the director of the division of vital records. (SJ 04/18/07)

HB 468, relative to establishing the freedom's way heritage area and commission. (House Concurred 05/02/07)

HB 543, establishing a commission to study the licensing process for licensed alcohol and drug counselors. (SJ 05/03/07)

HB 551, allowing cities to use capital reserve funds for debt replacement. (SJ 05/03/07)

HB 609-FN, relative to disclosure of campaign contributions in local elections. (House Concurred 05/02/07)

HB 657, authorizing the executive director of fish and game to issue moose hunting adventure permits. (House Concurred 05/02/07)

WEDNESDAY, MAY 16 CONSENT CALENDAR

CHILDREN AND FAMILY LAW

SB 29, updating laws relative to child impact seminars to reflect the implementation of the judicial branch family division. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Elizabeth D. Blanchard for Children and Family Law: This bill updates the laws relative to Child Impact Seminars which are mandated for divorcing couples with children. The bill reflects the implementation of the judicial branch family division. An amendment was added to the bill to make the language more specific and current. **Vote 16-0.**

SB 80, relative to qualified minor's trusts. **OUGHT TO PASS.**

Rep. Daniel C. Itse for Children and Family Law: This bill enables the custodian of a minor's property to be transferred into a "qualified minor's trust" without a court order. This terminates custodianship of the property. The bill is modeled after Florida statute, and provides a solution to unforeseen situations or developments. **Vote 16-0.**

SB 152, relative to permanency planning for delinquent children, abused and neglected children, and children in need of services. **OUGHT TO PASS.**

Rep. Barbara Hull Richardson for Children and Family Law: This bill emphasizes the need for permanency planning for these children who have been removed from their homes. Reunification with their families is the first priority, and all reasonable efforts must be made to achieve this goal. In the event that it is not possible for reunification despite all reasonable efforts, permanency for the child must be achieved within 14 months of the minor's entry into out-of-home placement or within 12 months of the court's adjudicatory finding, whichever is earlier. Concurrent plans, other than reunification, must be adopted by the court. Other options for permanency including termination of parental rights or parental surrender when an adoption is contemplated, guardianship with a fit and willing relative or another appropriate party, or another planned permanent living arrangement are considered. **Vote 16-0.**

SB 185, relative to photo identification for persons released from correctional facilities and establishing a commission to study the services needed to help chronically homeless children in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary E. Walz for Children and Family Law: This proposed two issues: 1) to establish photo identification for persons released from correctional facilities and 2) to establish a committee to identify the services needed to help chronically homeless children in New Hampshire. The committee agreed that both were important but non-germane. The committee voted OTP to establish the photo identification, and amended the bill with the sponsor's permission to create a subcommittee to study needs of chronically homeless children or youth in New Hampshire. **Vote 13-0.**

COMMERCE

SB 100, relative to the authority of a real estate escrow agent to hold funds in the event of a dispute. **OUGHT TO PASS.**

Rep. Matthew S. Houde for Commerce: The bill clarifies that real estate brokers (who hold funds pursuant to a written agreement for the sale of real property, which expressly authorizes the broker to serve as escrow agent and to continue to hold the funds in the event of a dispute), shall not be subject to suit unless said agent breaches the terms of the agreement. The agent shall pay said funds only upon mutual written instructions of the buyer and seller, if any, and any order of the court. **Vote 19-0.**

SB 104, relative to the directory of charitable trusts. **OUGHT TO PASS.**

Rep. John B. Hunt for Commerce: This bill requires the director of charitable trusts to prepare and make available on the state website a directory of charitable trusts. The committee felt that such a list will be helpful for New Hampshire citizens and New Hampshire non-profits. **Vote 17-0.**

SB 105, repealing the bond requirement for fund raising counsel of a charitable trust. **OUGHT TO PASS.**

Rep. John B. Hunt for Commerce: As requested by the charitable trust unit of the Attorney General's Office, this bill removes the bond requirement for fund raising counsel of a non-profit. The bond requirement has never been used so it appears to be unnecessary. **Vote 18-0**

SB 124, changing the membership of the economic development matching grants screening committee. **OUGHT TO PASS.**

Rep. Stephen T. DeStefano for Commerce: This bill changes the membership of the economic development matching grants screening committee. The committee membership stays at six members, but one member is added from the Business and Industry Association and the NH Association of Counties hoping to add business experience to the committee. **Vote 19-0**

SB 137-FN, removing the prospective repeal of community reinvestment and opportunity zones (CROP zones). **OUGHT TO PASS.**

Rep. Stephen T. DeStefano for Commerce: This bill repeals a session law prohibiting the commissioner of resources and economic development from entering into a Community Reinvestment and Opportunity Zone (CROP) credit agreement with any taxpayer after June 30, 2007 **Vote 19-0.**

SB 161-FN, relative to the registration fees for mortgage servicing companies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen P Spratt for Commerce: This bill was requested by the New Hampshire Banking Department. The bill brings registration fees for mortgage service companies in line with the existing fee structure for other financial institutions. In addition this bill clarifies the definition of debt adjustment contracts, and increases the term of the contract adjusting the debtor's obligations from within 24 months to 60 months. **Vote 18-0.**

SB 222-FN, relative to health insurance for national guard members. **OUGHT TO PASS.**

Rep. Donald H. Flanders for Commerce: This bill requires that National Guard members ordered to or retained on state active duty for longer than 30 days who do not have other health insurance coverage shall elect Tricare coverage. The state shall pay the Tricare premium up to 100 percent of the service member's share of the premium for the period of state active duty to include the whole month in which the state active duty ends. **Vote 18-0.**

SB 242-FN, establishing the intellectual property business loan development program. **OUGHT TO PASS.**

Rep. James R. Martin for Commerce: This bill establishes the intellectual property business loan development program to be administered by the Business Finance Authority. The program will have the authority to guarantee a loan secured by intellectual property, up to a maximum of \$250,000. The loan shall not exceed 75 percent of the appraised value of the intellectual property and loan guarantees are limited to 10 years. The Business Finance Authority strongly supports this bill because it believes the bill will help attract new high tech businesses to New Hampshire and help support companies with intellectual property, such as software companies. The committee believes that this new program will have a long term positive impact on the state's business climate and tax revenues. **Vote 18-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 65-FN, requiring that the state provide 21 days' written notice to the defendant prior to jury selection for his or her trial of the state's request for an extended term of imprisonment. **OUGHT TO PASS.**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill was brought at the request of the Supreme Court. It requires that the state provide 21 days written notice to a defendant, in a criminal trial, prior to jury selection for his or her trial where the state will request an extended term of imprisonment. Current law does not provide for a specific term of notice and sometimes notice was not given until the date of trial. The 21 day notice was arrived at as a result of agreement between the Attorney General's Office and the New Hampshire criminal defense lawyers. This is a reasonable course of action to assure that

a defendant has sufficient time to prepare his or her defense. **Vote 16-0.**

SB 66, relative to involuntary civil commitment of sexually violent predators and relative to payment of the sex offender registration fee by criminal offenders. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Delmar D. Burrige for Criminal Justice and Public Safety: This bill divides certain responsibilities for involuntary civil commitment of sexually violent predators between the Department of Corrections and Health and Human Services and provides that a sex offender registry fee shall be collected twice per year by the Department of Safety. The committee made a technical correction by deletion of Section IV of Page 3, line 16, which did not exist and referenced the entire Section of RSA 135-E: 15.

Vote 16-0.

SB 136, relative to the attorney general's authority to appoint, organize, and assign investigatory personnel at the department of justice. **OUGHT TO PASS.**

Rep. Ellen Nielsen for Criminal Justice and Public Safety: This bill corrects an anomaly in the process by which the Attorney General appoints, organizes and assigns investigators. Until now, investigators have been sworn in by county sheriffs. This bill gives the Attorney General the power to vest, with statewide law authority, any municipal or state law enforcement officer assigned by the employing authority for the purpose of conducting or assisting with criminal investigations being conducted by the Attorney General's Office for a period of up to five years. The investigators employed by the Department of Justice will be certified as full-time police officers, but while they are employed by the department as special investigators, their time worked will not be considered in calculation of Group II retirement benefits. **Vote 15-0.**

SB 194, establishing a commission to study the trafficking of persons across borders for sexual and labor exploitation. **OUGHT TO PASS.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: This bill establishes a commission to study the trafficking of persons across borders for sexual and labor exploitation. The committee heard very compelling testimony that this matter needs to be looked at. As an example, an event happened in the seacoast where a young lady had been held hostage since she was 12 years old. Because she was from a foreign country, she had no one to turn to, to get help, yet she was brought to the country against her will. There is also evidence that this may be much more widespread throughout the state. **Vote 16-0.**

EDUCATION

SB 72-L, relative to standards for public school approval. **INEXPEDIENT TO LEGISLATE.**

Rep. Sharon M. Carson for Education: The committee believed it is important to keep the term "minimum" in the current statute. New Hampshire's minimum standards for all of our schools are very high and designed to encourage districts to go beyond what is required. To take out the word "minimum" is counterproductive towards the standards' intent. **Vote 16-0.**

SB 78, relative to the placement of twins or other multiples in the same classroom. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sharon M. Carson for Education: This bill prevents school boards from adopting a policy that either separates or places twins in the classroom without input from their parents. The committee heard testimony concerning situations in which the parents' concerns were not addressed and we believe it to be very important that parents have the opportunity to participate in the decision making process. **Vote 16-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 117-FN, relative to fireworks display permits and the position of permissible fireworks inspector. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Maurice L. Pilotte for Executive Departments and Administration: This bill filed at the request of the State Fire Marshall has three components: (1) requires that a fireworks display permit be submitted to the Department of Safety at least 72 hours prior to the display. (2) makes the position of fireworks inspector a full-time, rather than a seasonal, position funded by the Fire Standards and Training and Emergency Medical Services Fund. (3) Adds to the current duties of the fireworks inspector dealing with permissible fireworks the following: (a) inspect sites and facilities for the display or storage of display fireworks, as defined in RSA 160-B:1,x and (b) coordinate enforcement activities relative to illegal sales, including the disposal or storage of illegal fireworks. **Vote 15-0.**

SB 204-FN -FN-A, relative to collection of debts owed the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ronald J. Nowe for Executive Departments and Administration: This will allow the attorney general's office to have a person solely to collect funds due the state. Twenty five percent of the collected funds will be paid to the general fund until the \$100,000 in start up costs is reimbursed. **Vote 15-0.**

SB 229, relative to restitution ordered against an inmate. **OUGHT TO PASS.**

Rep. Ken Hawkins for Executive Departments and Administration: This bill makes a change to RSA 622:32. Currently, if a prisoner willfully escapes, commits a breach of discipline, or if on parole violates parole, the commissioner of corrections can cause the forfeiture of all earnings remaining in the prisoners account. The second part allows the courts to require restitution to be paid for damages. It is the second part that we are changing. Currently any restitution paid is credited to the general fund, and this bill allows the restitution to be credited to the prison system for operating expenses. This could include repair of damages, medical bills for inmate that was attacked, etc. **Vote 15-0.**

FINANCE

SB 232-FN, relative to profits from the prison industries program. **INEXPEDIENT TO LEGISLATE.**

Rep. Frederick W. King for Finance: The committee felt that this bill which addressed the distribution of the prison industries program profits can wait until this program is profitable. The department is undertaking an in depth study of the program and will seek legislative support prior to the 2008 session. **Vote 17-0.**

FISH AND GAME

SB 175-FN-A, establishing an apprentice hunting license. **INEXPEDIENT TO LEGISLATE.**

Rep. James E. Kennedy for Fish and Game. When the members of this committee first read this bill, we individually arrived at unanimous conclusion. To send a person of any age into the woods unfamiliar with a firearm was courting disaster. Even with an amendment changing the age of the supervising hunter from 18 to 21 was not considered satisfactory. We felt after a full discussion in which the entire committee present participated, even our more taciturn member, it was decided that this bill should be ITL'd. Safety was the foremost issue. Though the idea for the program has merit, a new bill should be considered with more input from the Hunter Safety Programs possibly. A hunting accident in a program like this would reflect poorly on the Legislature and the Fish & Game Department. **Vote 15-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 167-FN, relative to the licensure of medical assistants by the board of nursing. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne S. Butcher for Health, Human Services and Elderly Affairs: This bill provides for licensing of medical assistants. The term "medical assistant" can refer to workers doing a variety of clinical and administrative duties, with training that can range from "on the job" to a two-year program or study. The committee heard testimony that the national medical assistants organization had asked for oversight by the Board of Nursing. However, we later learned that there are two national organizations, with differing views. SB 167 is unclear with regard to scope of practice, educational prerequisites, and licensure examination requirements, leaving these to the Board of Nursing. The committee did not feel that we have sufficient basis for licensing medical assistants. **Vote 19-0.**

SB 192-FN, establishing an outreach program in the children's health insurance program. **OUGHT TO PASS.**

Rep. Jennifer Daler for Health, Human Services and Elderly Affairs: This bill adds an outreach and education component to the New Hampshire Healthy Kids insurance program. The committee feels this program has been successful in providing access to healthcare for New Hampshire's children and would like to see all eligible children participate. **Vote 20-0.**

JUDICIARY

SB 28, redefining the "board of the public employer for the judiciary" in public employee collective bargaining. **OUGHT TO PASS.**

Rep. Lucy McV. Weber for Judiciary: The board of public employer for the judiciary is the body which negotiates terms and conditions of employment with the judicial employee bargaining committee. Currently the board consists solely of the Chief Justice, with the advice and consent of the chief justice of the superior court. This bill redefines the board as the judicial branch administrative council, which includes the administrative judges of the district court and probate court as well as the administrative judge of the superior court and family division, so that all the courts are represented. **Vote 14-0.**

SB 108, making technical corrections to the probate laws. **OUGHT TO PASS.**

Rep. Bette R. Lasky for Judiciary: This bill was requested by the Supreme Court on behalf of the Probate Court to make certain technical corrections to various probate related statutes. These corrections deal with minor guardianships, attachments and clarifies that probate court judges are referenced in RSA 516:3. **Vote 17-0.**

SB 132-FN, allowing marital masters to be reimbursed for certain expenses and repealing a provision permitting court stenographers to be reimbursed for expenses. **OUGHT TO PASS.**

Rep. Philip Preston for Judiciary: This bill provides that marital masters shall be reimbursed for expenses in the same manner as superior court justices when serving on a court other than the one to which they are assigned. It also repeals a statute which reimburses expenses for court stenographers, since there are no longer any employed by the courts. **Vote 17-0.**

SB 133-FN, relative to the escrow fund for court facility improvements. **OUGHT TO PASS.**

Rep. Philip Preston for Judiciary: This bill repeals the flat fees paid to the escrow fund for court facility improvements. It establishes in their place a fee based upon 7% of entry fees for all courts. With an anticipated increase in court fees, the revenue will double the amount paid into the escrow fund for needed repairs to court facilities. **Vote 14-0.**

SB 145-FN, allowing marital masters and registers and deputy registers of probate to perform notarial acts. **OUGHT TO PASS.**

Rep. Lucy M. Weber for Judiciary: Currently, RSA 456-B:3,I(b) already allows judges, clerks and deputy clerks to perform notarial acts. This bill promotes efficiency and convenience by adding marital masters, registers of probate and deputy registers of probate to the list of those authorized to perform notarial acts. Testimony before the committee was that the actual financial impact of the bill would be minimal. **Vote 17-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 59, establishing a committee to study the effect on the unemployment compensation trust fund of employees with negative balance separate accounts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Ann Knowles for Labor, Industrial and Rehabilitative Services: This bill was requested by the Department of Employment Security. It establishes a committee to study the effect on the unemployment compensation trust fund of employees with negative balance separate accounts. **Vote 17-0.**

SB 60-FN, relative to compensations for injuries and illnesses suffered by national guard members on state active duty. **OUGHT TO PASS.**

Rep. John K. Knowles for Labor, Industrial and Rehabilitative Services: This bill permits a national guard member on state active duty who sustains an injury which falls within the definition of "injury" or "personal injury" under RSA 281-A, to receive state workers' compensation benefits. The bill also requires the state to pay or reimburse the costs of necessary medical treatment to national guard members on state active duty who become ill or whose injuries do not fall within the definition of the workers' compensation law. **Vote 15-0**

SB 69, relative to exceptions to the confidentiality provisions for certain department of employment security records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Randolph N. S. Holden for Labor, Industrial and Rehabilitative Services The bill allows the department of employment security to share certain information with the Social Security Administration provided such information is limited and on a case by case basis. This information would be use to detect and prevent fraud, waste, and abuse in Social Security Administration programs. **Vote 16-1.**

MUNICIPAL AND COUNTY GOVERNMENT

SB 40, relative to the modular building code. **OUGHT TO PASS.**

Rep. Joseph A. Guthrie for Municipal and County Government: This bill removes the reference to the International Residential Code 2000 from the definition of the modular building code. The modular building code is defined as the state building code, which is defined to include the International Residential Code 2000 under RSA 155-A: 1, IV. **Vote 13-0.**

SB 99, relative to the terms for payment in lieu of taxes for renewable generation facilities. **OUGHT TO PASS.**

Rep. Bennett F. Moore for Municipal and County Government: This bill allows, as a local option, the ability for governing bodies to enter into arrangements of longer than 5 years for agreements for payments in lieu of taxes on renewable generation facilities. Current law limits such agreements to a term of no more than 5 years. The economic life of such facilities are much longer then 5 years and the ability to finance them may be improved by allowing the term of agreements for payments in lieu of taxes to more closely match the economic life of the facility. **Vote 12-0.**

SB 118, increasing fines for certain dog violations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph A. Guthrie for Municipal and County Government: This bill as amended increases fines from \$25.00 for the first nuisance offense to \$100.00 for any subsequent offense. In addition the fines for menace offenses are increased from \$50.00 for the first offense committed to \$200.00 for subsequent menace offenses. **Vote 13-0.**

SB 180, relative to local regulation of persons soliciting contributions on streets. **INEXPEDIENT TO LEGISLATE.**

Rep. Bennett F. Moore for Municipal and County Government: This would force local governing boards to issue permits for solicitations in public ways if a fixed list of documents are provided to it. This would not allow for special local knowledge to influence the conditions of any such permit. **Vote 13-0.**

SB 186-FN, establishing a committee to study a state elderly homeowner property tax credit. **INEXPEDIENT TO LEGISLATE.**

Rep. Bennett F. Moore for Municipal and County Government: Originally the bill would have created a tax credit for the elderly. A senate amendment modified the bill so that it merely creates a study committee for the question. Another study for tax relief for elderly property tax relief that only indicates a tax credit removes the ability of the study committee to review all other options. This issue and similar questions have been studied in the past and no benefit is seen from a new study committee. **Vote 13-0.**

SB 236, extending the authority for police mutual aid. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jessie L. Osborne for Municipal and County Government: The committee felt that this request to allow the police in towns or cities to use mutual aid agreements to legally support each other upon the request of a duly authorized police officer. The department of safety requests this change with the support of the NH Association of Police Chiefs. The bill amendment made technical changes. **Vote 13-0.**

PUBLIC WORKS AND HIGHWAYS

SB 160-FN-L, adding members to the Skyhaven airport operation commission and changing the required completion date for the Skyhaven airport transfer plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B. Campbell for Public Works and Highways: The original senate bill added members to the Skyhaven Airport operation commission and extended the transfer plan date. The amendment reflects a unanimous compromise by the

committee, between those who, frustrated

by over 18 years of delays in the possible transfer of Skyhaven to the city of Rochester, advocated immediate disposition of the airport and those who wanted to give the City of Rochester a chance for an economic study to be considered by its City Council. The amendment gives Rochester an opportunity to review the economic study before March 1, 2008, by which time the City must legally commit itself to acquisition of Skyhaven by July 1, 2008. If Rochester does not commit to acquiring Skyhaven by March 1, 2008, then the Department of Transportation is required to negotiate a lease with Pease Development Authority commencing July 1, 2008. **Vote 17-0.**

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

SB 50, relative to the membership of the state veterans' advisory committee and authorizing the state veterans council to accept certain donations and bequests. **OUGHT TO PASS.**

Rep. Kris E. Roberts for State-Federal Relations and Veterans Affairs: This bill serves two purposes. The first expands the state Veteran's Advisory Committee membership from ten to fourteen members. Membership is limited to national chartered veteran's organization such as VFW, DAV and American Legion. This bill will grant organizations such as the Marine Corps League, which has taken an active role in supporting our veterans, our youth and our citizens for years, the authority to become a voting member. The second part of this bill will grant the state Veteran's Advisory Committee the authority to accept donations from citizens who want to improve the New Hampshire Veterans Cemetery, or to allow the committee to help veterans in urgent need that sometimes fall through the cracks. Neither purpose will cost the state any tax payers money but will improve the quality life for our veterans. **Vote 12-0.**

SB 221, establishing a commission to organize events in celebration of the Abraham Lincoln bicentennial. **OUGHT TO PASS.**

Rep. Kris E. Roberts for State-Federal Relations and Veterans Affairs: This bill provides the people of New Hampshire the opportunity to honor one of our greatest presidents, who through personal strength, courage and strength of conviction, paid the ultimate price in order to preserve the union. The committee to honor the Lincoln Bicentennial will not only work to show President Lincoln's connection to the Granite State but will provide our citizens the opportunity to participate in exhibits, programs and local events. The goal is to allow our citizens to "Live the Legacy" and to learn about the character that not only made Lincoln a great person but a great leader. **Vote 12-0.**

SB 234-FN, relative to privileges, benefits, and immunities for national guard members. **OUGHT TO PASS.**

Rep. Pamela D. Coughlin for State-Federal Relations and Veterans Affairs: The committee recommends that a member of the New Hampshire National Guard be treated as a resident and citizen of the State of New Hampshire for the purposes of entitlement to privileges, benefits and immunities provided under state law. This bill ensures that all New Hampshire Guard members are entitled to the same rights and privileges without any element of discrimination on the basis of where the service member resides. This bill provides a fair employment policy by the New Hampshire guard for all its members as a tool for retention and recruiting of guard members. Many officers, to include pilots and air crew and senior NCO's with valuable skills, come from all over the country to be a member of the New Hampshire Army and Air Guard providing much needed skills while saving the New Hampshire taxpayers training expenses. **Vote 12-0.**

TRANSPORTATION

SB 126-FN-A, relative to motor vehicle fines. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman A. Packard for Transportation: This bill would have repealed the sunset on the increase in motor vehicle fines passed in the last session. These fines were increased last session. Matters relative to fines are now under consideration in HB 2 **Vote 15-0.**

SB 187, relative to motor vehicles operated in parades. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard N. Cunningham for Transportation: The committee took into consideration SB 187 and the closely related HB 296. The goal was to promote safety while not detracting from the enjoyment of parades. The amendment successfully addresses risks posed by outrigger wheel assemblies and also provides specific guidelines for the supervision and safety of children. **Vote 14-2.**

WAYS AND MEANS

SB 55-FN, establishing a committee to study the efficacy of the Master Settlement Agreement and strategies for addressing the financial burden imposed on the state by cigarette smoking and the use of tobacco products. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Christine C. Hamm for Ways and Means. This bill was submitted in an effort to review the Master Settlement Agreement and the terms that impact New Hampshire's allocable share payments. The committee heard testimony that not all manufacturers pay equally into the Master Settlement Agreement. Members concluded that this bill would offer an opportunity to better understand the impact of pending litigation and other factors which have caused New Hampshire's share of the MSA revenues to decline and to consider if there is a better way to achieve the financial and public health benefits the state now accrues from the Master Settlement Agreement. **Vote 15-1.**

SB 87, making technical corrections to certain lottery commission provisions. **OUGHT TO PASS.**

Rep. Gilman C. Shattuck for Ways and Means: This bill makes several technical corrections to lottery commission provisions in

RSA's which are inconsistent with long term practice by the commission. These corrections are requests by the lottery commission after their performance audit. **Vote 16-1.**

WEDNESDAY, MAY 16

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

SB 193, relative to adjustments to the child support guidelines under special circumstances. **OUGHT TO PASS.**

Rep. Carolyn M. Gargasz for Children and Family Law: This bill provides that adjustments to the child support guidelines shall be considered in light of the best interests of the child. The bill also establishes criteria for making adjustments to the child support guidelines in cases involving significantly high or low incomes and in shared parenting cases. **Vote 13-3.**

COMMERCE

SB 38, relative to uninsured or hit-and-run motor vehicle coverage. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert F. Matheson for Commerce: The bill as amended addresses a problem in motor vehicle insurance coverage. It clarifies that if an insured elects to rise his liability coverage, the insured's "uninsured motorist coverage" shall automatically raise to an equal amount. It further states if this is not desired by the insured then this must be in writing. The amendment goes on to say rejection will also cover anyone on the policy as well as all the vehicles on the policy. **Vote 14-4.**

SB 93-FN, relative to insurance coverage for children's early intervention therapy services. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jill Shaffer Hammond for the **Majority** of Commerce: This bill mandates health insurance coverage for the fixed amount of \$3200 annually toward the costs of early childhood intervention services for children age birth to 3 years. In this state, these services are already covered by Anthem, the state employees' health plan, and Medicaid/Healthy Kids; this will require other insurers to do the same. Early childhood intervention, such as occupational, physical, and speech-language therapies for developmental disabilities and/or delays, mitigate, improve, and often cure these situations at a critical age, forestalling more extensive and expensive medical or educational intervention at a later age, and best prepare a child for entering school. The finite cost to insurers will put minimal pressure on premiums, while providing substantial benefits to these children, their families, and our educational and social systems. **Vote 11-8.**

Rep. John B. Hunt for the **Minority** of Commerce: The bi-partisan minority of the committee felt this mandate would add the already burdensome cost of health insurance here in New Hampshire. This bill assumes there will be future savings projections that were unsubstantiated. This bill was originally introduced in the Senate who decided to send it to the insurance department for a financial review. The 3rd party company estimated that there could be long term societal savings but there certainly would be an immediate impact on premiums. The report further states that to reduce the impact of this bill some employers and individuals will accept higher deductibles and co-payments to offset the increased premiums. Finally the report states that this legislation will only effect 50% of New Hampshire health plans and that the benefits can be positive only if it "is focused on children who truly need early intervention." Unfortunately no study can guarantee that!

SB 125-FN, relative to certificates for architect business organizations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul McEachern for Commerce: This legislation prohibits a person who is not a licensed architect from holding himself out to the public as performing architectural services. It also permits licensed architects to practice as a member of a business organization which holds itself out as practicing architecture and creates a regulating structure for such practice. **Vote 13-6.**

SB 155, relative to insurance coverage for chiropractic services. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Charles L. Clark for the **Majority** of Commerce: In the matter of co-payments to the insured for chiropractic services the committee feels that although there are times that patients are unhappy with their employer's choice of plans, the proposed bill is not a good solution. The chiropractors ask to be treated the same as primary care physicians regarding co-payments but the committee believes it is not for us to categorize health care providers. We recommend inexpedient to legislate. **Vote 13-6.**

Rep. Robert F. Matheson for the **Minority** of Commerce: The bill addresses health plans that offer chiropractic benefits. Employers buy these plans believing chiropractic care is covered. As the co-pay costs rise the total cost of the service is being buried in the co-pay. By holding the co-pays amount similar to the primary care provider, we allow better access to health care.

EDUCATION

SCR 2, urging Congress to amend the No Child Left Behind Act. **MAJORITY: OUGHT TO PASS. MINORITY:**

INEXPEDIENT TO LEGISLATE.

Rep. Emma L. Rous for the **Majority** of Education: This resolution urges the US Congress to amend the No Child Left Behind Act as it comes up for reauthorization this year, in accordance with the National Conference of State Legislatures' task force report, a report created with bipartisan representation from the NH General Court. While NCLB's goal of raising achievement is admirable and NH has made every effort to comply with the program, the resolution asks for flexibility for states in promoting and evaluating the growth of each child. It also urges Congress to request a GAO evaluation of the costs to states and local districts of full NCLB compliance, including reaching 100% proficiency for every student. An important critique of NCLB is that it is a minimally funded mandate that violates the 10th amendment of the US Constitution by assuming powers that belong to the states. **Vote 10-6.**

Rep. Sharon M. Carson for the **Minority** of Education: The minority believes it serves no purpose passing SCR 2 other than to make a statement of dissatisfaction. NCLB program is currently under review and changes are being contemplated by the United States Congress. The program has vastly improved school performance across the country and experience has shown that in the re-authorization some changes should be and shall be made. The continuing problem in New Hampshire seems to be a lack of communication between New Hampshire Department of Education and school districts across the state.

SB 18-FN, raising the age of required attendance of children in school. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. J. Timothy Dunn for the **Majority** of Education: In current practice, a student can leave school at 16 simply by meeting with a principal and getting signed approval from a parent or guardian. With SB 18, students need a plan for completing their education in order to leave the traditional classroom before age 18. The plan can include work-study, night school, GED prep, internships, apprenticeships, independent study, or placement in a vocational or alternative learning program. Plans are developed by the student, a parent or guardian, a guidance counselor, and the principal. Under RSA 193:5, a superintendent can still exempt a student from compulsory attendance "if facts warrant" and if "the welfare of the child will be best served," and the bill exempts homeschoolers. Raising the legal age for school attendance is a missing and necessary piece in the state's ongoing effort to lower drop out rates in New Hampshire. Knowing the demands of today's society, we cannot send the message that it is acceptable to leave high school without a diploma. Higher completion rates lower social costs. These students are not new to our system; they are already in our school budgets. The state currently spends \$23 million for programs for at-risk students and DOE has budgeted an additional \$4.5 million for new or expanded programs. One and a half million is budgeted to accompany SB 101, providing additional tuition and transportation aid for extended programs at regional vocational schools. The bill has widespread support in the education and business community (including BIA, NHRMA, Auto Dealers, Law Enforcement, NEA/AFT). **Vote 12-6.**

Rep. David W. Hess for the **Minority** of Education: The committee minority believe SB 18 as proposed is not ready for enactment. Currently, a student can drop out at age 16 only if the parents, after consultation with the school principal, agree. This bill takes away these parental rights and vests that authority with the school district superintendent. The minority believes these parental rights in making this decision about one's own children should be protected. The minority also believes this bill imposes an unnecessary new mandate on our local schools without providing either the funding to pay for it or the infrastructure and capacity needed to implement its complex requirements. This bill will keep an additional 1100 students in our high schools. Twenty six percent of these dropouts are special education students; an estimated 30 percent are eligible for free or reduced lunch. Thus, over half of these students are the very ones that require the greatest resources and the most intensive supervision and instruction. Yet the state is unwilling to commit the resources and funds needed to provide these services. The minority strongly believes that the local property tax payers will wind up paying the extra millions, if not tens of millions of dollars needed to implement this legislation. Finally, mandating is not the New Hampshire way. Certainly a "one size fits all" mandate to all of our local school districts is not warranted nor appropriate when the school dropout rate here in New Hampshire is already dropping dramatically under existing practices. Over the past four years, the cumulative high school dropout rate (the percentage of entering 9th graders who fail to graduate) has declined from over 15 percent to just over 12 percent, a 20 percent reduction. Fifteen of our high schools, small and large, north and south, in rich districts and poor, have cumulative dropout rates of less than 5 percent. Rather than mandate a uniform, bureaucratic overlay across the state to address this legitimate concern, the minority believe the Department of Education should use these successful dropout programs as models to be studied and evaluated in less successful high schools. Use proven models that work to solve this problem, not yet another untried, unfunded mandate. The minority would have preferred to retain the bill.

SB 82-FN, reorganizing the administration and governance of the regional community-technical college system. OUGHT TO PASS WITH AMENDMENT.

Rep. Judith T. Reeve for Education: This bill grants the New Hampshire Community Technical College System the same legal status as that of the University System of New Hampshire, responsible to the people through the governance of its board of trustees. This status would allow the NCTCS to conduct its business, manage its facilities, and perform its functions under the management of its administration and with the policy direction and oversight of its board. It requires the continuance of biennium reporting of operating and capital appropriations to support students and the colleges. The amendment addresses terminology changes, places limits on administrative expenses, and establishes a one-year legislative transition oversight

committee. **Vote 17-0.**

SB 101, relative to payment of costs for certain students attending alternative education programs. **OUGHT TO PASS.**

Rep. Nancy F. Stiles for Education: This bill provides an additional opportunity for every student in New Hampshire who may be at risk of dropping out of school to access alternative education programming at a regional vocational education center or associated high school, regardless of where they live. School districts will receive reimbursements for the transportation and tuition for these identified "at risk" students. Expenses will come from the Department of Education's current budget. Programming will be developed during FY 2007-2008 to accommodate these needs and students can begin access as early as 2008. **Vote 12-2.**

ENVIRONMENT AND AGRICULTURE

SB 235-FN-A, relative to milk support for dairy farmers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard H. Snow for the **Majority** of Environment and Agriculture: This bill is the second and third leg of the milking stool that will help keep New Hampshire's dairy farms viable and also help preserve the open spaces they protect. It is the second stage of a multi-part program designed to ensure that New Hampshire agriculture stays viable and strong. This legislation accomplishes two significant, long term objectives. The first objective is to provide our dairy farmers with a subsidy when national milk prices, which are set by a federal milk pricing order, fall below a target price equivalent to the cost of producing the milk. Milk pricing has been regulated by the federal government since 1937. It is one of our country's most highly regulated commodities. Our subsidy will allow our dairy farmers to remain competitive with other milk-producing regions that have lower costs. The bill establishes an independent board to regularly monitor and adjust the target price level and to consider any other cost or price factors that might affect the price of fluid milk. The bill is also intended to help insulate our dairy farms from predatory pricing and New Hampshire from a total reliance on imports from the western states, where there is a continued concentration and industrialization of the nation's dairy supply. (Depending on imported food and feed from developing countries that are not subject to the same safety and quality standards we observe also raises concerns.) Recent headlines about compromised food quality, feed supply and safety have raised consumer awareness of the value of a healthy, local food production and supply system. We have an opportunity now to help prevent further losses of our capacity to produce fresh, local milk. (Currently about 134 NH dairy farms produce over 34 million gallons of fresh milk annually, enough to supply over twenty-five gallons for every man, woman and child in New Hampshire.) The second objective is to provide a stable source of funding for the purchase of Agricultural Land Development Rights, a program established by this legislature in 1985, by establishing a two and one half cent fee (only 62.5 cents per person per annum) on every gallon of milk sold at the local retail level. Keeping agricultural land open provides significant, tangential benefits to our state. New Hampshire's dairy industry is responsible for over 85,000 acres of open space supporting hunting, fishing, snowmobiling and other recreational activities, fundamental to the state's revenue stream. Purchasing the development rights to agricultural land helps preserve them. A dedicated fund was established in 1985 to do that, but no regular, reliable source of money has been available for the fund for a number of years. This bill will provide that funding source. The committee has worked diligently with the sponsors of the bill, members of the farm business community, conservation advocates, and those citizens of NH who want to preserve the New Hampshire way of life, in order to come up with legislation that will satisfy the diverse requirements of an interstate milk production system that is regulated at the federal level and subject to interstate commerce. The majority of our committee respectfully request that you support this joint effort. **Vote 16-1.**

Rep. Steve Vaillancourt for the **Minority** of Environment and Agriculture: This bill creates a new sales tax. It creates a "fee" for each gallon of milk sold in New Hampshire and dedicates it for "the acquisition of agricultural land development rights." A tax is a tax, no matter how one labels it. A dedicated fund is a dedicated fund, no matter how one labels it. If a person does not report on how much he or she sells in three months and enclose the appropriate tax, a 10% penalty will be added. Where does this end? The majority of people in this Legislature ran on a platform opposed to a sales tax, but it doesn't count when it applies to milk. This bill is a bail out that will hurt business and our consumers.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 148-FN, relative to retirement system status for members of the university system police force. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ken Hawkins for the **Majority** of Executive Departments and Administration: This bill would allow police employed by UNH and Plymouth State University to become members of Group II of the New Hampshire Retirement System (Keene has a separate security force). These officers do attend the police academy; however, the difference occurs when you look at who is allowed to be a member of Group II. The RSA is very explicit in that Group II members must be employed by a political subdivision of the state, and UNH & Plymouth State are not political subdivisions. In addition, we heard testimony from legislators from the Durham and Plymouth areas that they were not in support of this bill. The towns, as well as the university, also were opposed. There was conflicting testimony regarding whether or not UNH would be exempt from Social Security. If they weren't exempt, it would place an additional burden on the students paying tuition because the university system would have increased costs by paying into both Social Security and NH Retirement for each officer. Currently, the university system is

a defined contribution system versus the NH Retirement System which is a defined benefit system, but the university system allows officers to retire after 20 years, which allows the university to match this Group II benefit. This topic has come up previously and, based upon all of the testimony in opposition, we concluded this is an issue to be worked out between the towns, the university system and the campus police. **Vote 12-5.**

Rep. Daniel J. Sullivan for the **Minority** of Executive Departments and Administration: The minority feels that the officers of the University System Police Department deserve the same rights as any other police officer in the state, which includes membership in Group II of the New Hampshire Retirement System. These officers have the same training and run the same risks while working side by side with officers of other local police agencies. They serve not only the campus, but the greater community, and see the same level of crime as their counterparts of neighboring departments. The minority strongly disagrees with the ITL of SB 148 and believes we should finally give these officers Group II retirement benefits they deserve.

SB 169-FN-A, establishing a death benefit to be paid to the family of a police officer or firefighter killed in the line of duty and establishing a committee to study the feasibility of establishing a state death benefit for emergency medical technicians killed in the line of duty. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel J. Sullivan for the **Majority** of Executive Departments and Administration: This bill establishes a Line of Duty death benefit for \$100,000 for the family of a police officer or firefighter who perishes while serving the people of New Hampshire in the performance of his or her duties. The committee amended language in the bill which would have added a committee to study the feasibility of including emergency medical technicians as well. The committee feels that the amended version projects more accurately the true spirit of the intention of the bill, honoring police officers and firefighters of our state who give the ultimate sacrifice for their fellow man and to assist their survivors. It also establishes a committee to study the eligibility of the recipient and implementation of the award. **Vote 12-5.**

Rep. Alida I. Millham for the **Minority** of Executive Departments and Administration: The minority support the work of the fire and police members of our state. We understand the risks of each and everyone in the line of duty. While the payment would be a gesture, the minority feels there are better and more comprehensive ways to further protect these employees and their families. The legislative process demands not rushing legislation through on the basis of an emotional reaction to a tragic situation. There are other public employees who work in harm's way and need consideration in this process. This issue would be best considered in the collective bargaining process.

FINANCE

SB 47-FN-A, making a supplemental appropriation for school building aid. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth L. Weyler for Finance: School construction aid for FY 2007 was budgeted at \$40,735,039. There was a shortfall of \$2,252,356 due to three circumstances. The first was the increasing use of capital appreciation bonds by many of the districts. This financing method results in payments beginning earlier than customary. The second reason was districts choosing ten year bonding over twenty year. The third reason was legislation changing the formula on multi-district/state cost sharing. This change allowed districts that had long term tuition contracts to be treated as if they were a multi-town district. This latter affected Manchester, Conway, and Sanborn Regional. The bill was amended to reduce the amount to that stated above and also to allow a third payment for FY 2007 for the districts affected. Future legislation will make the amounts for construction aid more predictable. **Vote 18-0.**

FISH AND GAME

SB 191-FN-A, relative to the nongame species account in the fish and game fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John W. Henson for Fish and Game: This bill will provide resources to match federal grants to support non-game species management. The match requirement has changed from a three to one match to a one to one match. There is \$600k of federal matching funds available in 2007. Private contributions and other sources will fund \$250k leaving \$350k needed from the General Fund. This is not an increase in total program spending from previous years. New Hampshire Fish and Game's program, recognized as one of the best in the nation, has been very successful and is targeted to avoid putting more species on the endangered or threatened list. When a species becomes listed, the cost of management increases exponentially. Non-game species are a valuable asset to the state. **Vote 15-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 138-FN-A, relative to the waiting list for services to persons with developmental disabilities and acquired brain disorders and making appropriations therefor. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Ruth Z. Bleyler for the **Majority** of Health, Human Services and Elderly Affairs: This bill requires the Department of HHS to fund services to persons with developmental disabilities and acquired brain disorders within 90 days of eligibility. Not only does it provide a permanent solution to end the waitlist, but it also makes necessary improvements for building the capacity of the area agency system by including pay increases for direct care support staff; a rate increase for family home care

providers; evaluating the need for assistive technologies; and a quality assurance system. After years of funding cuts and system erosion, the majority of the committee was convinced by the testimony of experts that both funding and infrastructure improvements are necessary to provide high quality and timely services to these vulnerable individuals. **Vote 13-7.**

Rep. Charles E. McMahon for the **Minority** of Health, Human Services and Elderly Affairs: This measure seeks to provide the financial means to end the Developmental Disability (DD) Wait List by amending SB 138 to include the money needed to end the Wait List as we know it. It does this by providing the funding necessary to meet the 90 day maximum wait for services goal as originally set forth in the Renewing the Vision Plan of 2001. The DD Wait List has for over two decades been the gate-keeper for support services promised to New Hampshire families after the closing of the Laconia State School in 1990. The Legislature since then has consistently under-funded the waiting list and as a result, access to programs and services for those families with developmentally disabled young adults have suffered, greatly. The untold strain on individuals and their extended families is one that is met with a resiliency and resolve that has made New Hampshire proud and a model for the rest of the country. These families have committed to meet the ever changing needs of their disabled family members in the face of financial and personal hardship while saving the State of New Hampshire virtually millions of dollars. They have done their part, it is now time for us to do ours. Over the past four years, the DD Wait List Oversight Committee resolved, together, to work with one bipartisan common goal, the elimination of the Wait List by offering a viable plan as a direct result of these efforts. Yet the bill was retained in committee with the claim that Area Agencies could not meet the service challenge over two years which full funding provided. Then, SB 138 suddenly appeared, with additional issues, but not ending the wait list as quickly as would be hoped for. In effect, it is Renewing the Vision once again, providing the false promise of helping some families on the wait list while not providing the funding required for ALL families. This is not right. Subsequently, the claim that the AA's cannot meet their obligations has been totally refuted through a signed document by all Area Agency heads. Working with the department and with the support of Division II House Finance, we are now \$2.3 million away from full funding and the end of this abomination known as the waiting list. Let us prioritize and join together in support of this amendment to fully support the section in SB 138 for wait list funding and meet the goal of the 90 day maximum wait over the upcoming two year biennium. We can and must offer to those citizens of New Hampshire with severe disabilities the support and hope for a better life with nothing less than full funding for them and their families.

SB 176-FN, relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert G. Bridgman for Health, Human Services and Elderly Affairs: This bill sets a lower threshold blood lead level for children that triggers investigation of lead exposure hazards in the child's environment. The threshold value of 10 micrograms/deciliter in this bill has been recommended by the Center for Disease Control since 1991. Concentrations of lead at or above 10 micrograms/deciliter are known to reduce growth and intellectual development in young children, when growth rates, especially in the nervous system, are greatest. Consequently, elevated lead levels cause increased special education costs. When the child lives in a leased or rented dwelling, the bill authorizes inspection for lead exposure hazard of all units in the dwelling. The bill makes one change to current law's required response when a lead exposure hazard is found—if the hazard is found in a unit where a child doesn't reside or regularly frequent, interim controls may be used for an extended period. Interim controls, such as painting, are less extensive (and expensive) than full abatement. The bill creates a commission, including legislators, officials, health officers, landlords, and other interested parties, to study considerations and strategies important to furthering prevention of lead poisoning in New Hampshire. The commission will report by November 1, 2008. As amended, the lower threshold and multi-unit inspections will take effect July 1, 2008, to allow the HHS department to build the necessary work force for proper compliance and also allow landlords more time to voluntarily inspect and repair their premises. **Vote 19-1.**

SB 213-FN-A, establishing a comprehensive cancer plan fund and making an appropriation therefor, and establishing a comprehensive cancer plan oversight board. **OUGHT TO PASS.**

Rep. Robert G. Bridgman for Health, Human Services and Elderly Affairs: This bill uses some of the bonus money from the tobacco settlement to fund a targeted set of activities in cancer prevention as part of a comprehensive cancer plan, prepared under earlier funding. Approximately 65% of the funds are used for advertising and other efforts to discourage smoking and for help to smokers in quitting. Screening, or related activities, will be funded for breast, cervical, colorectal, and prostate cancer, with special emphasis on low-income populations. An oversight board is established to oversee allocation of moneys from the cancer plan fund. The activities funded will prevent the development of a significant number of important cancers, avoiding the sickness, death, emotional impact, and cost of care that would otherwise have been experienced. **Vote 19-0.**

SB 215-FN-A, making an appropriation for AIDS services. **OUGHT TO PASS.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: New Hampshire has a comprehensive program to deal with the variety of services required for those who live with HIV/AIDS that are provided by the following agencies: Community Resource Network (ACORN) in Lebanon, AIDS Response Seacoast (ARS) in Portsmouth, AIDS Services for Monadnock in Keene, the Greater Manchester AIDS in central and southern New Hampshire and the Southern New Hampshire HIV/AIDS Task Force in Nashua. One of the significant sources of income for these agencies was from the Boston Public Health Commission which administers the Ryan White title federal monies. This money is used for drug reimbursement, primary care,

case management, mental health, substance abuse, transportation, housing, food services, client advocacy and peer support services. Unfortunately, New Hampshire is not going to continue to receive these funds for essential services. This bill restores one million dollars that will be specifically assigned to the above aids service organizations to support the continuation of needed services. The committee unanimously supported the bill. **Vote 20-0.**

SB 226-FN, relative to the temporary assistance to needy families (TANF) program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Suzanne S. Butcher for the **Majority** of Health, Human Services and Elderly Affairs: This bill makes changes to the Temporary Assistance to Needy Families (TANF) program to: 1) reinforce current law that the primary goal of TANF is to move recipients to employment that enables them to support their families; 2) require outcome measures from DHHS that show how well recipients are able to get and keep jobs and earn enough to move out of poverty and no longer need TANF; 3) provide DHHS with five options being used by many other states to meet the federal participation rate and increase flexibility to design programs that move recipients into jobs and out of poverty. After much supportive testimony and two subcommittee hearings, the bill was amended to clearly state that DHHS has the authority to mandate an employment orientation interview as a condition of eligibility for TANF financial assistance. The increased flexibility of programmatic elements will help New Hampshire meet federal participation rates and avoid financial penalties. With regard to fiscal impact, the department agreed the original fiscal note was incorrect and expressed concern only about resources that may be needed to produce the outcome measures. **Vote 16-4.**

Rep. Peter L. Batula for the **Minority** of Health, Human Services and Elderly Affairs: The TANF (temporary assistance to needy families) is an assistance program supported by 50% state and 50% federal funding. In most all cases there is a five year maximum lifetime benefit. In 2006 the federal government reauthorized the TANF program as part of the Federal Deficit Reduction Act along with new guidelines for the states. New Hampshire reacted to the new guidelines including a renewed commitment to move people from welfare to work. Failure to meet the federal guidelines states would heavily be financially penalized in the millions. In June of 2006, this legislature passed HB 1331 which would put this state on the pathway to meeting federal guidelines while meeting the educational and training needs of the TANF client. When the 2006, HB 1331, went into effect, over the last 10 months it was evident that HB 1331 was a good working document. As an example, HB 1331 contained a requirement that each client “shall” attend orientation classes periodically which was offered to assist the client in getting more prepared to enter or reenter the workplace. Prior to HB 1331, the orientation attendance/participation was 70% no shows. After HB 1331, participation rose significantly to 75% show which proves in one case that the current program is working. Now SB 226, in the opinion of the minority on the committee, weakens the current state by eliminating the “shall” participate requirement to the “department has the authority to require” which will weaken the bill according to the minority of the committee. Overall the minority is concerned that this change and others in SB 226 would severely weaken the current, ten month old working piece of legislation and end up with less training for the clients and potentially the financial penalty to the state by the feds.

JUDICIARY

SB 261, naming the state law library the John W. King law library. **OUGHT TO PASS.**

Rep. Stephen J. Shurtleff for Judiciary. The late Governor John W. King led a life dedicated to service to the people of New Hampshire. He served as minority leader in the New Hampshire House. He went on to serve three terms as Governor. After he left the governorship he was appointed Associate Justice of the Supreme Court. From that position he rose to become Chief Justice of the New Hampshire Supreme Court. It is only fitting that the State Law Library be named in his honor. **Vote 17-2.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES,

SB 97, relative to unemployment administrative contributions and the training fund, and transferring the job training program administered by the department of regional community-technical colleges to the department of resources and economic development. **OUGHT TO PASS.**

Rep. Jeffrey P. Goley for Labor, Industrial and Rehabilitative Services: The bill designates an increased portion of employer contributions for deposit into contingency, reduces the amount deposited in the training fund, and makes deposits into the training fund fixed. This bill also transfers the job training program and funding for the program from the department of regional community technical colleges to the department of resources and economic development. The bill was supported by both the technical colleges and DRED. **Vote 12-7.**

SB 195-FN, relative to unemployment benefits for persons needed to care for family members who are disabled. **OUGHT TO PASS.**

Rep. Franklin C. Bishop for Labor, Industrial and Rehabilitative Services: This bill allows individuals who need to care for disabled family members, who are certified by a licensed physician of the need of full time care, to be eligible for part time benefits. **Vote 17-2.**

MUNICIPAL AND COUNTY GOVERNMENT

SB 54, relative to dog license fees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Betsey L. Patten for the **Majority** of Municipal and County Government: This bill proposes to increase the fee required to license dogs owned or kept in a municipality to be “no more than \$5.00” instead of the current “no more than \$1.00,” as stated in RSA 466:39. All dog owners are required to furnish rabies vaccination verification to the municipal clerk prior to licensure. The majority of the committee knows that a rabies vaccination is costly, although there is help for income eligible owners. However the vaccination program is a higher public policy priority than an increase of licensing fees. There was concern by the majority that a license increase might force dog owners to opt out of the successful rabies vaccination program presently in statute. **Vote 8-5.**

Rep. Earle Goodwin for the **Minority** of Municipal and County Government: The Minority believes that the increase in annual fees required for a dog license at no more than \$5.00 in addition to the current \$1.00 fee is a reasonable fee under the circumstances. This would partially defray the cost of certified mail, supplies, labor, etc., of participating cities/towns. This is enabling and could be less than the \$5.00 and is a small part of the cost of owning a dog, such as shots, food, housing, etc.

SB 217-FN-A, establishing the New Hampshire housing and conservation planning program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Jessie L Osborne for the **Majority** of Municipal and County Government: The majority of the committee feels that the Housing and Conservation Program established by this bill enables the Office of Planning and Energy to administer a program which can aid communities in making decisions regarding housing and conservation issues. The program is voluntary and utilizes grants and has a set of guidelines for the applicants. The program will be overseen by an advisory board consisting of legislation, licenses and conservation interests. This is a program which will try to fudge the differences between development and conservation by creating opportunities for communities to utilize a new planning tool. This is a voluntary grant program which is encouraging communities to look to their future planning needs. The amendment just added legislative members to the board. **Vote 9-5.**

Rep. Joseph A. Guthrie for the **Minority** of Municipal and County Government: This bill creates a new Housing and Conservation Planning Program which enables municipalities to apply for matching grants to assist them in their plan for growth and development that permits a balanced housing stock while still considering the natural resources and open space in the municipality is a laudable program. The amendment adds House and Senate members to the advisory committee that will be reviewing and commenting on administrative rules promulgated by the Office of Energy and Planning. The minority of the committee feels that adding funding to any new program is stretching the limit of our taxpayers’ ability to cover new costs when there are programs already in place that need attention.

PUBLIC WORKS AND HIGHWAYS

SB 67-FN-A, relative to implementation of the recommendations of the YDC master plan and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick T. Long for Public Works and Highways: The committee feels that continuing with the recommendations of the YDC Master Plan gives relief to the state by subdividing property, preserves certain buildings for possible future use, demolishes buildings that have no historical value, or current operational value, and sells two properties for not less than fair market value. The appropriation of \$200,000 allows this to happen. The two properties are currently valued at \$421,000. The amendment makes the \$200,000 a non-lapsing appropriation from the 2007 budget. **Vote 17-0.**

RESOURCES, RECREATION AND DEVELOPMENT

SB 68-FN-A, making an appropriation to the department of environmental services to implement the New Hampshire estuaries project's comprehensive conservation and management plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Elisabeth N. Sanders for Resources, Recreation and Development: This bill makes an appropriation to the Department of Environmental Services (DES) to implement the New Hampshire Estuaries Project’s comprehensive conservation and management plan. The New Hampshire Estuaries Project (NHEP) has a ten year record of successfully implementing programs that benefit New Hampshire’s estuaries, 43 seacoast region communities, and the state. In 2000 a comprehensive management plan was developed by citizens, organizations, industries, local government and state and national agencies, and approved by the New Hampshire governor and the US environmental services administrator. The specific action items in the plan target the protection of the environment and economies of the state and seacoast region. Funding for the plan’s implementation comes from the US EPA. For every federal dollar that the NHEP receives, the NHEP is required to have a non-federal match. This year the federal funding has been cut by \$317,000. The funding amount has been reduced to \$418,000. Therefore, an appropriation in the amount of \$250,000 for Fiscal Year 2008 is necessary to continue to successfully accomplish the estuary monitoring programs, community assistance programs, and strategic planning as it has for the last several years. **Vote 14-0.**

WAYS AND MEANS

SB 73-FN-A, relative to lottery prizes and administration by the lottery commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Roger G. Wells for the **Majority** of Ways and Means: A person making minimum wage can lose a half a day's pay in 12 seconds. It is surprising that so many who oppose video gambling are in favor of the \$30 scratch ticket. Scratch tickets are available at hundreds of locations on every street corner, grocery stores and gas stations, while being advertised and promoted by the state. Gambling should have an entertainment component; as video gambling has an entertainment component, the scratch ticket does not. We should not be encouraging retailers to exceed goals with monetary incentives to extract more dollars from customers while at the same time supposedly promoting restraint amongst those with addictions **Vote 13-4**.

Rep. Michael G. Marsh for the **Minority** of Ways and Means: This bill has three purposes: it authorizes the lottery commission to offer a new \$30 scratch-ticket game; it allows the lottery commission to increase sales by offering, at its discretion, incentive awards of up to \$500 to agents meeting or exceeding their sales targets and up to \$30,000 to agents selling a jackpot ticket; and it increases the maximum payout percentage for Tri-State lotto game so we are consistent with the other 2 states that offer the game. Although the House has already given the lottery commission authority for the \$30 scratch ticket in HB 2, the majority was concerned that this new game would be as addictive as slot machines, and so chose to report the bill as ITL. The minority amendment removes the scratch-ticket section from the bill, but retains the remaining two sections, which are important to help the lottery commission meet its revenue targets in the coming biennium.

COMMITTEE MEETINGS

MONDAY, MAY 14

- COMMISSION TO STUDY ISSUES RELATIVE TO GROUNDWATER WITHDRAWALS (SB155, Chapter 305:1, Laws of 2003), Room 101, LOB**
11:00 a.m. Regular meeting.
- 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.
- EQUALIZATION STANDARDS BOARD (RSA 21-J:14-c)New Hampshire Department of Revenue Administration Training Room, 57 Regional Drive, Concord**
1:00 p.m. Regular meeting.
- ETHICS COMMITTEE (RSA 14-B:2), Room 103, State House**
10:00 a.m. Regular meeting.
- LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB**
11:15 a.m. Subcommittee work session on **SB 88**, relative to public employee terms of employment, bargaining units, and dispute resolution.
- TASK FORCE TO STUDY THE CASH ASSISTANCE PROVIDED TO NEEDY FAMILIES UNDER THE STATE TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) PROGRAM (HB 1461, Chapter 247:1, Laws of 2006), Room 205, LOB**
2:00 p.m. Regular meeting.

TUESDAY, MAY 15

- CHILDREN AND FAMILY LAW, Room 206, LOB**
1:15 p.m. Subcommittee work session on retained **HB 584-FN**, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age.
- COMMERCE, Room 302, LOB**
9:00 a.m. Subcommittee work session on **SB 188**, relative to unfair claim settlement practices by insurers.
9:15 a.m. Subcommittee work session on **SB 197**, relative to continuation of group health insurance in the event of divorce or legal separation.
9:30 a.m. Subcommittee work session on **SB 189**, relative to medical benefits under motor vehicle insurance
10:00 a.m. Continued public hearing on **SB 131**, relative to insurance coverage for services of midwives.
11:00 a.m. Subcommittee work session on **SB 197**, relative to continuation of group health insurance in the event of divorce or legal separation.
1:00 p.m. Executive session on **SB 42**, prohibiting smoking in restaurants, cocktail lounges, and certain enclosed public

places, **SB 52**, relative to authorizing the attorney general to bring actions for violations of New Hampshire combination and monopolies law, **SB 135**, establishing a commission to study lowering costs of health insurance for small businesses, **SB 183-FN**, requiring health insurance plans for family coverage to extend to dependent under age 26, **SB 188**, relative to unfair claim settlement practices by insurers, **SB 189**, relative to medical benefits under motor vehicle insurance, **SB 197**, relative to continuation of group health insurance in the event of divorce or legal separation, **SB 220**, establishing a commission to study the feasibility of establishing a public review board for health insurance rate increase requests.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:30 a.m. Executive session on **SB 128-FN**, establishing an enhanced penalty for injuring another as a result of resisting arrest, **SB 41**, relative to the authority of law enforcement officers to obtain registration checks on motor vehicles for official purposes and prohibiting the use of automated number plate scanning devices, and **SB 76-FN-L**, establishing a commission to study the proper allocation of costs for transporting convicted persons and methods for minimizing the costs of transporting convicted persons.

ELECTION LAW, Room 308, LOB

9:30 a. m. Subcommittee work session on **SB 98**, relative to party access to voter information.
10:15 a.m. Subcommittee work session on **SB 91**, relative to political contributions by corporations, partnerships, and labor unions.
11:00 a.m. Subcommittee work session on **SB 159-FN-L**, relative to polling place arrangement and accessibility.
1:30 p.m. Executive session on **SB 98**, relative to party access to voter information, **SB 91**, relative to political contributions by corporations, partnerships, and labor unions, and **SB 159-FN-L**, relative to polling place arrangement and accessibility.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:00 a.m. Subcommittee work session **SB 166-FN**, relative to port moorings,
10:00 a.m. Public hearing on proposed amendment to **SB 94**, relative to the office of information technology. The amendment establishes a department of Information Technology and establishes divisions with the department. (Copies of the amendment will be available at the Sergeant-at-Arms counter).
12:30 a.m. Subcommittee work session retained **HB 329**, relative to the fire equipment servicing certification program.
2:00 p.m. Subcommittee work session on retained **HB 65**, relative to the appointment of the director of the division of ports and harbors, and retained **HB 818**, establishing a committee to study reestablishing the port authority as an independent agency.

FINANCE, Rooms 210-211, LOB

1:30 p.m. Full committee work session, **CACR 18**, relating to funding of public education. Providing that the general court shall define an adequate education, regularly determine the cost thereof, fund not less than fifty percent of the total statewide cost of an adequate education each year and distribute state aid to promote equal opportunity to receive an adequate education.

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

9:00 a.m. Regular business.
9:30 a.m. Audits
State of New Hampshire Lottery Commission
Management Letter for the Fiscal Year Ended June 30, 2006.
State of New Hampshire Department of Corrections
Correctional Industries Account and Vocational Training Account
Financial and Compliance Audit Report for the Fiscal Year Ended June 30, 2006.

FISH AND GAME, Great Bay Discovery Center, Stratham

10:00 a.m. Full committee work session retained **HB 527-FN-A**, establishing a recreational saltwater license for fishing of marine species in coastal and estuarine waters.

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

11:00 a.m. Executive session on **SB 129-FN**, requiring interpretation services upon request for persons receiving medical treatment, **SB 139-FN**, relative to the asset transfer penalty in Medicaid, **SB 149**, relative to the 2 family support councils for the developmentally disabled serving Lebanon and Claremont, **SB 153**, establishing a committee to study changing statutory references to “mental retardation,” **SB 182**, establishing a committee to study the confidentiality of health care records in abuse and neglect proceedings, and **SB 184-FN**, relative to residential home care services providers.

JUDICIARY, Room 208, LOB

- 10:00 a.m. Subcommittee work session on **SB 109**, relative to emergency powers of the supreme court.
11:00 a.m. Executive session on **SB 208**, relative to court review of certain planning and zoning decisions, **SB 109**, relative to emergency powers of the supreme court, **SB 113-FN**, relative to the position of special justice in the district court, and **SB 170-FN**, establishing an office of mediation and arbitration within the judicial branch.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 11:15 a.m. Public hearing on **SB 56**, relative to Old Drewsville Road in the town of Walpole.
1:00 p.m. Legislative Budget Assistant Office, Department of Transportation and Turnpikes Audit Presentation.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 11:00 a.m. Full committee work session on **SB 123**, relative to pole attachments.
1:00 p.m. Full committee work session on **SB 140**, relative to transmission upgrades, the process for siting renewable generation facilities, and the study of demand response programs and distributed generation.

TASK FORCE TO STUDY COUNTY GOVERNMENT (SB 319, Chapter 221:1, Laws of 2006), Jury Selection Room, Cheshire County Courthouse, 3 Washington Street, Keene

- 6:30 p.m. Public forum.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. Subcommittee work session on retained **HB 45**, relative to addresses on motor vehicle registrations, **HB 190**, relative to the definition of “resident” for motor vehicle purposes, **HB 647**, relative to indicating citizenship on drivers’ licenses and nondrivers’ identification cards, **HB 656-FN**, relative to the issuance of identification cards to individuals who lack the ability to obtain a nondriver’s picture identification card, **HB 729**, relative to prohibitions on reproducing drivers’ licenses and identification cards and copying information in motor vehicle records, and **HB 901**, relative to requirements for non-driver identification cards.
11:00 a.m. Subcommittee work session on **HB 211-FN**, requiring that first-time driver’s license applicants be informed of and examined on laws relating to blind pedestrian, **HB 449-FN**, relative to motor vehicle inspections, **HB 781-FN**, relative to the duties of the department of safety.

WAYS AND MEANS, Room 202, LOB

- 2:30 p.m. Subcommittee work session on **SB 144-FN**, relative to the permissible sales commission on the sale of lottery tickets.

THURSDAY, MAY 17

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

- 1:00 p.m. Assessing Reference Manual Subcommittee meeting.

COMMERCE, Room 302, LOB

- 9:30 a.m. Subcommittee work session on **SB SB 262**, establishing a committee to study certain prohibitions on smoking.
10:30 a.m. Subcommittee work session on **SB 254**, relative to legal representation during contract negotiations.
10:00 a.m. Subcommittee work session on **SB 70**, relative to external review for disability income policies.
11:00 a.m. Subcommittee work session on **SB 233-FN**, relative to sales by beverage manufacturers and relative to the definition of specialty beer.
1:00 p.m. Executive session on **SB 70**, relative to external review for disability income policies, and **SB 131**, relative to insurance coverage for services of midwives.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. Subcommittee work session on **SB 243-FN**, relative to regulating home contractors.
10:00 a.m. **SB 178-FN**, relative to the judicial retirement plan.

FINANCE, Rooms 210-211, LOB

- 10:00 a.m. Full committee work session on **CACR 18**, relating to funding of public education. Providing that the general court shall define an adequate education, regularly determine the cost thereof, fund not less than fifty percent of the total statewide cost of an adequate education each year and distribute state aid to promote equal opportunity to receive an adequate education.

GREASE TRAP WASTES COMMISSION (HB 1373, Chapter 261:1, Laws of 2006), Room 303, LOB

- 10:00 a.m. Organizational meeting.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. Executive session on **SB 206-FN-L**, relative to the investment authority of local government entities, and **SB 219-FN**, establishing a committee to study the effectiveness of current preservation planning tools designed to

prevent unnecessary demolitions of significant historic properties and recommend new incentives to aid communities, improvements to existing methods, or creation of new programs.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Full committee work session of retained **HB 145**, establishing an education funding study committee, **HB 283**, allocating a portion of unrefunded road tolls to the dam maintenance fund, **HB 493-FN-A**, expanding the meals and rooms tax on rentals to include motorized recreational vehicles, **HB 520-FN-A**, establishing a state-owned casino to provide funds for public education, **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, **HB 637-FN-A-L**, establishing a gaming oversight authority and video lottery gaming, **HB 777-FN-A**, relative to agricultural exemptions from alteration of terrain permitting requirements and penalties for site development, **HB 886-FN-A-L**, relative to funding an adequate education, **HB 912-FN-A-L**, establishing the New Hampshire homestead plan, and **HB 925-FN-A**, relative to state and local taxes.

FRIDAY, MAY 18

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

9:00 a.m. Regular meeting.

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

10:00 a.m. Subcommittee work session on training.

12:00 p.m. Regular meeting, possible work session on proposed administrative rules.

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

9:00 a.m. Regular meeting.

MONDAY, MAY 21

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c), Room 103, State House

9:00 a.m. Regular meeting.

TUESDAY, MAY 22

EDUCATION, Room 207, LOB

9:00 a.m. Subcommittee work session on retained **HB 765-FN**, relative to procedures for determination of special education costs, payment liability, and rate setting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. Executive session on **SB 31**, adding the chief justice of the supreme court or designee to the advisory council on emergency preparedness and security, **SB 46**, requiring criminal conviction record checks of all applicants to practice medicine in New Hampshire, **SB 81**, relative to the state building code, **SB 94**, relative to the office of information technology, **SB 166-FN**, relative to port moorings, **SB 178-FN**, relative to the judicial retirement plan, **SB 209**, requiring the board of trustees of the judicial retirement plan to study the inclusion of service of all judges who are not members of the judicial retirement plan, **SB 231**, exempting certain department of corrections practices and procedures from the provisions of RSA 541-A, **SB 243-FN**, relative to regulating home contractors, **SB 251**, allowing the board of medicine to issue licenses for physicians to engage in a correctional institution medical practice, and **SB 260-FN**, relative to the location and budget practices of the lottery commission.

FINANCE, Rooms 210-211, LOB

10:00 a.m. Full committee work session on **CACR 18**, relating to funding of public education. Providing that the general court shall define an adequate education, regularly determine the cost thereof, fund not less than fifty percent of the total statewide cost of an adequate education each year and distribute state aid to promote equal opportunity to receive an adequate education.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

2:00 p.m. Subcommittee work session on **SB 92**, relative to the definition of employee and clarifying the criteria for exempting workers from employee status.

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

2:30 p.m. Regular meeting.

WEDNESDAY, MAY 23

FINANCE, Rooms 210-211, LOB

10:00 a.m. Full committee work session on **CACR 18**, relating to funding of public education. Providing that the general court shall define an adequate education, regularly determine the cost thereof, fund not less than fifty percent of the total statewide cost of an adequate education each year and distribute state aid to promote equal opportunity to receive an adequate education.

THURSDAY, MAY 24

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

1:00 p.m. Assessing Reference Manual Subcommittee meeting.

FRIDAY, MAY 25

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

9:30 a.m. Regular meeting.

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

10:00 a.m. Corrections/Law Enforcement subcommittee meeting for presentation and discussion with County Attorney's.

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

10:00 a.m. Regular meeting.

THURSDAY, MAY 31

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

1:00 p.m. Assessing Reference Manual Subcommittee meeting.

FRIDAY, JUNE 1

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

9:00 a.m. Continued meeting.

EMERGENCY MANAGEMENT SYSTEM OVERSIGHT COMMITTEE (RSA 21-P:51), Room 307, LOB

12:00 p.m. Regular meeting.

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

10:00 a.m. Regular meeting.

FRIDAY, JUNE 8

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

9:30 a.m. Regular meeting.

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

1:00 p.m. Regular meeting.

MONDAY, JUNE 11

EQUALIZATION STANDARDS BOARD (RSA 21-J:14-c)New Hampshire Department of Revenue Administration Training Room, 57 Regional Drive, Concord

1:00 p.m. Regular meeting.

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2) and EXECUTIVE BRANCH ETHICS COMMITTEE (RSA 21-G:29), The Attorney General's Office, Room 302, 33 Capitol Street, Concord

10:00 a.m. Joint meeting.

FRIDAY, JUNE 15

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

9:00 a.m. Regular meeting.

MONDAY, JUNE 18

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

2:00 p.m. Regular meeting.

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

9:00 a.m. Regular meeting.

FRIDAY, JUNE 22

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

9:30 a.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, JUNE 29

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

9:00 a.m. Continued meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The **Carroll County Delegation** subcommittee on the Mountain-View Nursing Home will meet at 12:30 p.m. on **Tuesday, May 15th** in Room 300-A of the Legislative Office Building.

Rep. Gene G. Chandler, Chairman
Carroll County Delegation

The **Executive Committee of the Merrimack County Delegation** will meet on **Friday, May 18th** in the lower level conference room at 9:00 a.m. of the McDonnell Building, 4 Court Street, Concord. The purpose of the meeting is to review/approve first quarter financial report and any other business.

Rep. Jessie L. Osborne, Chairman
Merrimack County Executive Committee

The **Sullivan County Delegation** will meet on Monday, **May 14th** at 9:00 a.m. at the Lou Thompson Room at the Newport High School.

Rep. Peter E. Franklin, Chairman
Sullivan County Delegation

Open Enrollment for the State of New Hampshire group health and dental plans will be held from **June 8 through June 22, 2007**. All legislators and their dependents are eligible to join the health and/or dental plans at their own expense. Legislators currently enrolled may change plan types and add or remove dependents during open enrollment. More information will be mailed to each of you from the Office of Legislative Accounting by the end of the month. Information and enrollment/change forms are available through Joyce Phinney, Legislative Accounting, State House, Room 113 or 271.5685.

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 2, 25, 46, 64, 74, 95, 102, 118, 173, 198, 228, 239, 243, 256, 272, 273, 283, 385, 407, 417, 426, 440, 451, 471, 472, 488, 493, 498, 501, 502, 504, 523, 547, 553, 561, 566, 568, 571, 567, 572, 574, 576, 577, 579, 580, 581, 582, 584, 585, 588, 589, 590, 591, 592, 593, 595, 596, 597, 598, 599, 601, 602, 604, 608, 613, 614, 615, 616, 618, 619, 622, 624, 626, 627, 628, 629, 630, 631, 632, 635, 636, 637, 638, 641, 642, 643, 644, 645, 646, 653, 656, 657, 669, 677, 678, 679, 696, 704, 714, 718, 726, 727, 733, 740, 752, 755, 760, 765, 771, 776, 777, 778, 779, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 793, 799, 805, 813, 815, 820, 824, 826, 828, 834, 838, 843, 857, 861, 864, 865, 867, 870, 872, 873, 874, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 891, 892, 893, 894, 895, 897, 899, 903, 904, 905, 907, 908, 912, 913, 921, 922, 924, 925, 927. SBs 35, 65, 68, 74, 82, 92, 93, 98, 128, 131, 134, 148, 168, 169, 170, 178, 179, 183, 191, 200, 217, 219, 232, 243.

Karen O. Wadsworth, Clerk of the House

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

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.

We will be collecting used cell phones for soldiers in the anteroom. These phones will for the most part be recycled and used to buy phone cards for our troops overseas. So far we have donated over 60,000 minutes of phone cards. Last session we collected over 100 phones. We would invite you to ask others in your community to bring them to you, so you may bring them to the donation box.

Rep. Ken Hawkins

Presidential candidate, Senator John Edwards will be the guest speaker at the Carroll County Democrats Annual Grover Cleveland Dinner on Saturday, **May 12th**, at the Attitash Grand Summit Hotel, Route 302, Bartlett. Reception- 6:00 p.m. Dinner -7:00 p. m. Tickets - \$45 per person. For reservations contact Kelly DeFeo at 447-4845.

Rep. Tom L. Buco

Main Street Republicans will meet **Wednesday, May 16th** at 8:00 a.m. at the Upham Walker House. All Republicans are welcome to discuss pertinent issues. Join us for some lively and informative debate.

Rep. David H. Kidder

The Governor’s Conference on Volunteerism will be Wednesday, **May 16th**, at the NH Technical Institute in Concord. There are over 30 workshops to choose from and the keynote speaker is demographer Peter Francese. The day includes breakfast and lunch. The Governor’s Award for Outstanding Volunteer Manager will be presented. Registration is now open. Cost is \$50, but there is a special rate for legislators of \$30. To register – www.volunteernh.org or 271-7200. Contact Carolyn Gargas for more information.

Rep. Carolyn Gargas

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Committee cordially invites you to the 15th Annual New Hampshire Law Enforcement Officers Memorial Ceremony. The ceremony will be held on Friday, **May 18th**, beginning promptly at 10:00 a.m. on the memorial site in front of the Legislative Office Building. The ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please do not hesitate to contact Major Timothy J. Acerno of Fish and Game at 271-3129 or Chief Timothy Russell of the Henniker Department at 428-3213.

Terie Norelli, Speaker

There will be a meeting on the State Sponsored Voluntary Retirement project group on Friday, **May 18th** at 1:00 p.m. in Room 303, LOB. An RSVP would be appreciated. Please call Rep. Laurie Harding at 448-5206 or e-mail at lharding@valley.net.

Rep. Laurie Harding

The Merrimack County Farm Bureau (MCFB) would like to invite all Merrimack County delegation members on a guided bus tour of selected Merrimack County farms. The tour will take place on **May 18th** leaving at 10:00 a.m. from the County Offices located at 4 Court Street in Concord. Lunch will be provided at the Grain Box lunchroom at the Barn Store in Salisbury.

Rep. Candace C.W. Bouchard

Pursuant to RSA 326-B:12, the Joint Health Council will meet on Monday, **May 21st**, at 6:00 p.m., at the New Hampshire Board of Nursing office located in the Walker Building, 21 South Fruit Street, Concord.

Karen O. Wadsworth, Clerk of the House

The New Hampshire Women’s Lobby invites all Representatives and Senators (and friends and relations) to the 19th Annual Spring Celebs event at the Capital Center for the Arts on Wednesday, **May 23rd**, from 4:30 to 6:30 p.m. More information is available at nhwomenslobby.com. Hope to see you there!

Rep. Elizabeth S. Hager

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

Rep. David J. Bettencourt

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 **May 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 Visitor 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>
May 14	9:00	St. John’s Regional School – Concord	4/24
May 14	10:00/11:15 SH/SC	Seabrook Elementary School	4/85
May 14	12:30	Presentation of Mary- Hudson	4/40
May 15	9:15	Jennie D. Blake School – Hill	4/13
May 15	10:30/12:00 SH/HM	Hampstead Central School	4/75

May 16	9:00	John Stark Civics Class – Weare	HS/24
May 16	10:30/12:00 SH/HM	Hampstead Central School	4/75
May 17	8:45	Henniker Community School	4/44
May 17	9:15	Cooperative Middle School – Stratham	8/110
May 17	11:30/1:00 SH/HM	North Londonderry School	4/50
May 18	10:00	Lin-Wood School – Lincoln	4/30
May 18	10:45/12:15 SH/HM	Matthew Thornton Elementary School – Londonderry	4/80
May 18	11:00	Lisbon School	4/28
May 18	1:00	Holderness Central School	4/20
May 21	8:45	Parkside Middle School – Manchester	8/45
May 21	9:30/11:00 SH/HM	Hallsville School – Manchester	4/60
May 21	12:30	Pierce Elementary School – Bennington	4/18
May 22	9:30/11:00 SH/HM	William T. Baron Elementary School-Salem	4/80
May 22	8:05 & 11:30 & 1:00	Merrimack Valley High School – Penacook	HS/75
May 23	10:00	Newfields Elementary School	4/28
May 23	11:30	Salisbury & Webster Schools	4/35
May 23	12:00	Henry W. Moore School – Candia	4/50
May 24	9:30/11:00 SH/HM	Gossler Park School- Manchester	4/75
May 24	11:30/12:30	Conant Elementary School – Concord	4/70
May 25	9:45	Salem Christian School	4/20
May 25	11:00/12:00 SH/SC	Riddle Brook School- Bedford	4/55
May 25	1:00	Bethlehem Elementary School	4/
May 29	9:30	St. Mary’s School – Claremont	4/19
May 29	10:30	Mtn. Shadows School – Dublin	6/15
May 29	12:00	St. Elizabeth Seton School-Rochester	4/35
May 30	9:30/11:00 SH/HM	Green Acres School- Manchester	4/90
May 30	12:15	Maude Trefethan School – New Castle	3&4/18
May 31	9:30	Wentworth Elementary School	4/24
May 31	10:30/12:30 SH/Planet	Lakeway Elementary School – Littleton	4/80

NOTICE

The 34th Annual Bill White Memorial Legislative Golf Tournament is scheduled for **Friday, June 1, 2007** at the Waukewan Golf Course, Meredith, NH. The entry fee for this annual tournament is \$90.00 per person which includes greens fee, cart, barbecue dinner and prizes.

Registration is at 7:30 a.m. and the shotgun start is scheduled for 9:00 a.m. The format is “Captain and Crew”.

Sign-up as a foursome or sign-up by yourself in order to be placed in a foursome.

A maximum of 100 players will be allowed. Please note that payment must be made upon registration. There will be no exceptions to this rule! Cancellation must occur two weeks prior to the tournament date to receive a full fee refund.

Return your entry and payment no later than May 14th to Sandra Anderson at the LOB Lobby Desk. Checks should be made payable to Sandra Anderson.

Terie Norelli, Speaker

!

34th Annual Bill White Memorial Golf Tournament
Waukewan Golf Course
Meredith, NH

Name: 1. _____
2. _____
3. _____
4. _____

Telephone: _____ Amount Enclosed: _____

WEDNESDAY, MAY 16

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2007-1517h

Amendment to SB 29

Proposed by the Committee on Children and Family Law - C

Amend RSA 458-D:4 as inserted by section 2 of the bill by replacing it with the following:

458-D:4 Seminar Schedule. The ~~[court]~~ **judicial branch family division** shall encourage the presenters to schedule courses so that the seminar is available twice monthly in each county unless the county's population warrants otherwise. One parent need not attend the same seminar as the other parent. In the case of domestic violence, parents shall attend separate sessions. The seminar shall be completed within 45 days of service of the original ~~[complaint]~~ **petition** upon the original ~~[defendant]~~ **respondent**.

Amend RSA 458-D:9, I(c) as inserted by section 4 of the bill by replacing it with the following:

(c) The form and content of ~~[presentation]~~ security **at the seminar**.

2007-1530h

Amendment to SB 38

Proposed by the Committee on Commerce - R

Amend the bill by replacing section 1 with the following:

☐ Uninsured or Hit-and-Run Motor Vehicle Coverage; Rejection by Insured. Amend RSA 264:15, I to read as follows:

I. No policy shall be issued under the provisions of RSA 264:14, with respect to a vehicle registered or principally garaged in this state, unless coverage is provided therein or supplemental thereto at least in amounts or limits prescribed for bodily injury or death for a liability policy under this chapter, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or drivers of uninsured motor vehicles, and hit-and-run vehicles because of bodily injury, sickness, or disease, including death resulting therefrom. When an insured elects to purchase liability insurance in an amount greater than the minimum coverage required by RSA 259:61, ~~[his]~~ **the insured's** uninsured motorist coverage shall automatically be equal to the liability coverage elected. For the purposes of this paragraph umbrella or excess policies that provide excess limits to policies described in RSA 259:61[~~;~~] shall also provide uninsured motorist coverage equal to the limits of liability purchased, unless the named insured rejects such coverage **in writing**. **Rejection of such coverage by a named insured shall constitute a rejection of coverage by all insureds, shall apply to all vehicles then or thereafter eligible to be covered under the policy, and shall remain effective upon policy amendment or renewal, unless the named insured requests such coverage in writing.**

2007-1428h

Amendment to SB 47-FN-A

Proposed by the Committee on Finance - R

Amend the bill by replacing section 1 with the following:

⌚ Supplemental Appropriation; School Building Aid. In addition to any other sums appropriated to PAU 06, 03, 02, 02, class 90, school building aid, there is hereby appropriated the sum of \$2,252,356 to the department of education for the fiscal year ending June 30, 2007 for school building aid. The governor is authorized to draw a warrant for such amount from any money in the treasury not otherwise appropriated. Notwithstanding RSA 198:15-a, the commissioner of the department of education is authorized to disburse this additional sum upon the effective date of this act.

AMENDED ANALYSIS

This bill makes a supplemental appropriation of \$2,252,356 to the department of education for school building aid for the 2007 fiscal year.

This bill is a request of the department of education.

2007-1468h

Amendment to SB 55-FN

Proposed by the Committee on Ways and Means - C

Amend subparagraph I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Three members of the house of representatives, one of whom shall be a member of the finance committee, and one of whom shall be a member of the ways and means committee, appointed by the speaker of the house of representatives.

2007-1282h

Amendment to SB 59

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

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

AN ACT establishing a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

Amend the bill by replacing section 1 with the following:

⌚ Committee Established. There is established a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

Amend the bill by replacing section 3 with the following:

⌚ Duties. The committee shall study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

AMENDED ANALYSIS

This bill establishes a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

2007-1453h

Amendment to SB 66

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

Amend RSA 135-E:3, VI as inserted by section 10 of the bill by replacing it with the following:

VI. Records, reports, and proceedings of the multidisciplinary team shall be confidential and shall be exempt from the provisions of RSA 91-A, except as provided in RSA 135-E:15.

2007-1414h

Amendment to SB 67-FN-A

Proposed by the Committee on Public Works and Highways - R

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

⌚ Appropriation. The sum of \$200,000 is hereby appropriated for the fiscal year ending June 30, 2007 to the department of health and human services for the purpose of implementing section 1 of this act, and such appropriation shall be nonlapsing. The governor is authorized to draw a warrant for such amount out of any money in the treasury not otherwise appropriated.

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

2007-1504h

Amendment to SB 68-FN-A

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

Amend the bill by replacing section 1 with the following:

⌚ Appropriation. The sum of \$250,000 for the fiscal year ending June 30, 2008 and the sum of \$250,000 for the fiscal year ending June 30, 2009 are hereby appropriated to the department of environmental services, for the purposes of implementing

the New Hampshire estuaries project’s comprehensive conservation and management plan by undertaking activities, making grants, and entering into contracts to accomplish actions identified in the New Hampshire estuaries project’s approved implementation plan. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2007-1283h

Amendment to SB 69

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

Amend RSA 282-A:118, VI as inserted by section 1 of the bill by replacing it with the following:

VI. That for the purpose of the Social Security Administration and the department of employment security establishing and verifying eligibility and payment amounts; and preventing and detecting waste, abuse, fraud and identity theft, the commissioner may enter into a reciprocal electronic data-exchange agreement with the Social Security Administration. The Social Security Administration’s use of the information provided shall be limited to use in accordance with federal laws and regulations pertaining to prevention and detection of fraud, waste, and abuse in the Social Security Administration’s programs, and the entitlement, eligibility, and benefit payment amounts of individuals under Title II or Title XVI of the Social Security Act. Authorized federal employees granted access as provided in this paragraph shall be granted access on a case by case basis as provided in paragraph III. Information under this paragraph shall only be provided upon a finding by the commissioner that sufficient guarantees of continued confidentiality are in place.

AMENDED ANALYSIS

This bill allows the department of employment security to share certain information with the Social Security Administration provided such information is limited to detecting and preventing fraud, waste, and abuse in Social Security Administration programs.

2007-1540h

Amendment to SB 73-FN-A

Proposed by the Minority of the Committee on Ways and Means - R

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

❶ Elimination of Incentive Caps. RSA 284:21-s is repealed and reenacted to read as follows:

284:21-s Incentive Awards for Ticket Sellers. The lottery commission is authorized to pay cash incentives, at a rate established by the commission but not to exceed \$30,000 for a jackpot winning ticket, or not to exceed \$500 for each incidence of meeting or exceeding lottery commission established sales goals, as an inducement to servants and agents, authorized to sell tickets pursuant to RSA 284:21-h, II(d).

❷ Elimination of Payout Restriction. Amend RSA 287-F:9, II to read as follows:

II. Within one week after a tri-state lotto drawing has been held, the party state commission shall pay to the commission, who in turn shall promptly pay to an account known as the tri-state lotto prize account, moneys as are necessary for the payment of prizes, less actual prizes paid by the respective party state in the preceding week [~~but not to exceed 50 percent of the total amount for which tickets have been sold~~].

❸ Elimination of Payout Restriction. Amend RSA 287-F:3 to read as follows:

287-F:3 Purpose. This compact is enacted to implement the operation of tri-state lotto, for the purpose of raising additional revenue for each of the party states. Tri-state lotto is not intended to replace any existing lottery game in the party states, but, rather, to be run in addition to these games. Tri-state lotto tickets shall be sold in each of the party states and processed in a central area to be determined by the tri-state lotto commission. [~~Fifty percent~~] **A percentage** of the gross sales from each state shall be aggregated in a common prize pool, and operating costs shall be charged proportionally to the party states. The remaining revenues generated within each state shall remain in that particular state.

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

AMENDED ANALYSIS

This bill eliminates incentive caps for jackpot prizes and eliminates some payout restrictions.

2007-1287h

Amendment to SB 78

Proposed by the Committee on Education - C

Amend RSA 193:3-a, I as inserted by section 1 of the bill by replacing it with the following:

I. No school board shall adopt a policy of automatically separating or placing together twins or other multiples. In this section, “multiples” means triplets or more.

2007-1566h

Amendment to SB 82-FN
Proposed by the Committee on Education - R

Amend RSA 188-F:7, III as inserted by section 2 of the bill by replacing it with the following:

III. Service as an employee of the community college system of New Hampshire shall be creditable service for purposes of RSA 100-A, RSA 21-I:29, RSA 21-I:30, RSA 21-I:30-a, RSA 21-I:30-b, and RSA 21-I:30-c. Any community college system of New Hampshire employee who transfers, without a break in service, to a state classified or unclassified service position shall retain and transfer all leave accruals and seniority and be entitled to all the rights and benefits of a permanent employee in the classified or unclassified service of the state based on the years of creditable state service. At the time of such a transfer, the employee shall immediately begin to accrue annual and sick leave as granted at the time of the transfer by the receiving agency according to the employee's continuous years worked. Any state employee in a classified or unclassified service position who transfers, without a break in service, to the community college system of New Hampshire shall retain and transfer all leave accruals and seniority and be entitled to all the rights and benefits of a permanent employee in the classified or unclassified service of the state based on the years of creditable state service. At the time of such a transfer, the employee shall immediately begin to accrue annual and sick leave as granted at the time of the transfer by the receiving agency according to the employee's continuous years worked.

Amend RSA 188-F:11 as inserted by section 2 of the bill by replacing it with the following:

188-F:11 Report.

I. The chancellor and the chairman of the board of trustees of the community college system of New Hampshire shall issue a joint report annually which shall include detail on the proposed use and distribution of federal vocational and financial aid funds, ongoing upgrades to the information technology systems used by the community college system of New Hampshire, and the overall operation of the community college system of New Hampshire including financial status, enrollment data and program administration. Such report shall be completed by October 15 of each year. A copy of this report shall be delivered to the chairs of the house education committee, and senate education committee, the speaker of the house, president of the senate, the governor, the senate clerk, the house clerk, and the state library.

II. Each year the chancellor of the community college system of New Hampshire, as well as one representative from the board of trustees, and the president of each institution shall appear before the house finance committee and the senate finance committee to review the department's programs, cost analysis, revenue projections and any other information detailed in the written report.

Amend RSA 188-F as inserted by section 2 of the bill by inserting after RSA 188-F:21 the following new RSA section:

188-F:21-a Use of State Funds Limited. Expenditures for administrative expenses of the community college system of New Hampshire, including personnel, shall not exceed 10 percent of any state funds appropriated to the community college system of New Hampshire in the fiscal year. For the purposes of this section, any federal funds received by the state on behalf of the community college system of New Hampshire shall not be considered state funds.

Amend the bill by deleting section 4 and renumbering the original sections 5-46 to read as 4-45, respectively.

Amend RSA 188-F:25 as inserted by section 22 of the bill by replacing it with the following:

188-F:25 Agency Attached. The police standards and training council is ~~[transferred to the department of regional community technical colleges and is administratively attached to that department]~~ ***an executive branch council and is not a body corporate and politic. The police standards and training council shall be administratively attached to the community college system of New Hampshire subject to the same provisions prescribed by RSA 21-G:10. The police standards and training council and the director and employees hired by the director performing the functions required by RSA 188-F:22 through RSA 188-F:32-d shall be subject to RSA 7:8, RSA 541-B:1, and RSA 99-D:1, and shall be subject to attorney general review of contracts subject to governor and council review.***

Amend the bill by replacing all after section 44 with the following:

45 New Hampshire Retirement System; Definitions. Amend RSA 100-A:1, IV to read as follows:

IV. "Employer" shall mean (a) the state or any department, commission, institution, or agency of the state government by which an employee is paid through the office of the state treasurer with respect to their employees, (b) the state, the local school district, or other employers of teachers eligible for membership in the system with respect to the teachers in their employ, (c) any police department or police force of the state, or of any county, city, town, village, or precinct in the state with respect to the permanent policemen in their employ, (d) any fire department of the state, or of any county, city, town, village, or precinct in the state with respect to the permanent firemen in their employ, ~~[and]~~ (e) any political subdivision that has elected to participate under RSA 100-A:20; provided, however, that in no instance shall any employer contribute or participate in the retirement system unless by a reasonable determination of the board of trustees such employer qualifies as a governmental entity, political subdivision, agency, or instrumentality eligible to participate in the retirement system as a governmental plan within the meaning of section 414(d) of the United States Internal Revenue Code of 1986, as amended, ***and (f) the community college system of New Hampshire.***

46 Community College System Legislative Oversight Committee Established; Effective July 1, 2009.

I. There is established a community college system legislative oversight committee to study the efficacy of the transition

of the community college system's academic programs, financial management, and administrative operations from state agency to self-governing entity.

II. Membership and Compensation. The members of the committee shall be as follows:

- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Three members of the senate, appointed by the president of the senate.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. Duties. The committee shall study:

- (a) The efficacy of the transition of the community college system's academic programs, financial management, and administrative operations from state agency to self-governing entity.
- (b) The changes in student enrollment, categorized by academic area.
- (c) Financial and budgeting practices employed by the community college system of New Hampshire, including the change in administrative overhead expenses and the ability to keep tuition affordable for students.
- (d) The amount of state funds requested by the community college system of New Hampshire.
- (e) Any other issue concerning the operation or administration of the community college system of New Hampshire deemed relevant to the committee. The committee may solicit input from any individual or organization with relevant information or expertise.

V. Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

VI. Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the chairpersons of the house and senate education committees, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2009. If the committee concludes there are substantial concerns with the operation or administration of the community college system of New Hampshire, the committee shall include in its report detailed proposed legislation to remedy such concerns, including, if appropriate, additional legislative oversight and continued partnership with the state on certain duties and functions, or legislation necessary to return the community college system of New Hampshire to state agency status.

47 Effective Date.

- I. Paragraphs I-III of section 44 of this act shall take effect July 1, 2009.
- II. Section 46 of this act shall take effect November 1, 2008.
- III. The remainder of this act shall take effect upon its passage.

2007-1520h

Amendment to SB 93-FN

Proposed by the Majority of the Committee on Commerce - R

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

1 New Section; Individual; Coverage for Children's Early Intervention Therapy Services. Amend RSA 415 by inserting after section 6-m the following new section:

415:6-n Coverage for Children's Early Intervention Therapy Services. Each insurer that issues or renews any individual policy, plan, or contract of accident or health insurance providing benefits for medical, rehabilitation or hospital expenses, shall provide to certificate holders of such insurance, who are residents of this state, coverage for expenses arising from the services of licensed and credentialed occupational therapists, physical therapists, speech-language pathologists, and clinical social workers working with children from birth to 36 months of age with an identified developmental disability and/or delay as specified in rules adopted pursuant to RSA 171-A:18, IV as long as the providing therapist receives a referral from the child's primary care physician if applicable. The benefits included in this section may be subject to deductibles, copayments, coinsurance, or other terms and conditions of the policy, and may have a cap of \$3,200 per child per year not to exceed \$9,600 by the child's third birthday. Notwithstanding any provision of law or rule to the contrary, the coverage under this section shall apply to the medical assistance program, pursuant to RSA 161 and RSA 167.

2 New Section; Group; Coverage for Children's Early Intervention Services. Amend RSA 415 by inserting after section 18-r the following new section:

415:18-s Coverage for Children's Early Intervention Services. Each insurer that issues or renews any policy of group or blanket accident or health insurance providing benefits for medical, rehabilitation or hospital expenses, shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for expenses arising from the services of licensed and credentialed occupational therapists, physical therapists, speech-language pathologists, and clinical social workers working with children from birth to 36 months of age with an identified developmental disability and/or delay as specified in rules adopted pursuant to RSA 171-A:18, IV as long as the providing therapist receives a referral from the child's primary care physician if applicable. The benefits included in this section may be subject to

deductibles, copayments, co-insurance, or other terms and conditions of the policy, and may have a cap of \$3,200 per child per year not to exceed \$9,600 by the child's third birthday. Notwithstanding any provision of law or rule to the contrary, the coverage under this section shall apply to the medical assistance program, pursuant to RSA 161 and RSA 167.

3 New Section; Health Service Corporations; Coverage for Children's Early Intervention Services. Amend RSA 420-A by inserting after section 17-f the following new section:

420-A:17-g Coverage for Children's Early Intervention Services. Every health service corporation and every other similar corporation licensed under the laws of another state that issues or renews any policy of group or blanket accident or health insurance providing benefits for medical, rehabilitation or hospital expenses, which provides coverage for outpatient services shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for expenses arising from the services of licensed and credentialed occupational therapists, physical therapists, speech-language pathologists, and clinical social workers working with children from birth to 36 months of age with an identified developmental disability and/or delay as specified in rules adopted pursuant to RSA 171-A:18, IV as long as the providing therapist receives a referral from the child's primary care physician if applicable. The benefits included in this section may be subject to deductibles, copayments, co-insurance, or other terms and conditions of the policy, and may have a cap of \$3,200 per child per year not to exceed \$9,600 by the child's third birthday. Notwithstanding any provision of law or rule to the contrary, the coverage under this section shall apply to the medical assistance program, pursuant to RSA 161 and RSA 167.

4 New Section; Managed Care; Coverage for Children's Early Intervention Services. Amend RSA 420-B by inserting after section 8-p the following new section:

420-B:8-q Coverage for Children's Early Intervention Services. Every health maintenance organization and every similar corporation licensed under the laws of another state that issues or renews any policy, plan, or contract of individual or group or blanket health insurance providing benefits for medical, rehabilitation or hospital expenses, shall provide to each individual or group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for expenses arising from the services of licensed and credentialed occupational therapists, physical therapists, speech-language pathologists, and clinical social workers working with children from birth to 36 months of age with an identified developmental disability and/or delay as specified in rules adopted pursuant to RSA 171-A:18, IV as long as the providing therapist receives a referral from the child's primary care physician if applicable. The benefits included in this section may be subject to deductibles, copayments, co-insurance, or other terms and conditions of the policy, and may have a cap of \$3,200 per child per year not to exceed \$9,600 by the child's third birthday. Notwithstanding any provision of law or rule to the contrary, the coverage under this section shall apply to the medical assistance program, pursuant to RSA 161 and RSA 167.

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

2007-1515h

Amendment to SB 117-FN

Proposed by the Committee on Executive Departments and Administration - C

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

1 Requirements for the Display of Fireworks; Permit Fee. Amend RSA 160-B:7, V to read as follows:

V. An application for a display permit shall be made in writing at least 15 days in advance of the date of the display. The town, city, or village district may charge a reasonable fee for a permit to display fireworks. No display permit granted under this section shall be transferable, and each display permit shall be valid for only one display to be held on the date permitted. If, in the opinion of the chief of the fire department, conditions deteriorate during the 15 days before the date for which such permit is granted so that a fire hazard exists, the chief may revoke the permit. ***At least 72 hours prior to the date of display, the operator of the display shall transmit a copy of the completed display permit, with proof of insurance for the display, approved by the town, city, or village district, to the department of safety.***

2 Fireworks Inspector. Amend the introductory paragraph of RSA 160-C:17 to read as follows:

160-C:17 ~~Permissible~~ Fireworks Inspector. There is hereby established in the office of the state fire marshal the ~~seasonal~~ ***full-time classified*** position of ~~permissible~~ fireworks inspector. The ~~permissible~~ fireworks inspector ***shall be under the direction and supervision of the state fire marshal and*** shall:

3 Fireworks Inspector; Duties. Amend RSA 160-C:17, I to read as follows:

I. Inspect ~~permissible~~ fireworks sales outlets.

I-a. Inspect sites and facilities for the display or storage of display fireworks, as defined in RSA 160-B:1, X.

I-b. Coordinate enforcement activities relative to illegal sales, including the disposal or proper storage of illegal fireworks.

4 Fire Standards and Training and Emergency Medical Services Fund. Amend RSA 21-P:12-d to read as follows:

21-P:12-d Fire Standards and Training and Emergency Medical Services Fund. There is established in the office of the state treasurer a separate, nonlapsing fund to be known as the fire standards and training and emergency medical services fund from which the state treasurer shall pay expenses incurred in the administration of the division of fire standards and training and emergency medical services, under RSA 21-P:12-a, the division of fire safety, under RSA 21-P:12, ~~and~~ the bureau of

emergency management in the division of emergency services, communications, and management under RSA 21-P:36, **and the position of fireworks inspector under RSA 160-C:17**. If the expenditure of additional funds over budget estimates is necessary for the proper functioning of the division of fire standards and training and emergency medical services, the division of fire safety, or the bureau of emergency management in the division of emergency services, communications, and management, the department of safety may request, with prior approval of the fiscal committee of the general court, the transfer of funds from the fire standards and training and emergency medical services funds to the department of safety for such purposes.

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

AMENDED ANALYSIS

This bill:

I. Requires that a fireworks display permit be submitted to the department of safety at least 48 hours prior to the display.

II. Makes the position of fireworks inspector a full-time, rather than seasonal, position, responsible for permissible and display fireworks, and funded by the fire standards and training and emergency medical services fund.

2007-1279h

Amendment to SB 118

Proposed by the Committee on Municipal and County Government - C

Amend RSA 466:31-a, II(a) through (c) as inserted by section 2 of the bill by replacing it with the following:

(a) \$25 for the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d); [~~\$50~~] **\$100** for the second **or subsequent** nuisance offense committed within 12 months of the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d).

(b) \$50 for the first menace offense under RSA 466:31, II(e) or (f); [~~\$100~~] **\$200** for the second or subsequent menace offense committed within 12 months of the first menace offense under RSA 466:31, II(e) or (f).

(c) \$100 for the first vicious offense under RSA 466:31, II(g).

2007-1383h

Amendment to SB 125

Proposed by the Committee on Commerce - R

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Violations; Representation. Amend RSA 310-A:50, I, (e) to read as follows:

(e) Practice architecture or to offer, advertise or hold oneself out to the public as being in the practice of architecture in this state without a license, **or to represent by verbal claim, sign, letterhead, card, or in any other way that such person performs architectural services, unless the person holds a license under this subdivision;** or

AMENDED ANALYSIS

This bill establishes procedures for issuance of certificates for architect business organizations, and clarifies the crime of falsely representing the performing of architectural services.

2007-1346h

Amendment to SB 138-FN-A

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

Amend paragraphs II-V of section 8 of the bill by replacing them with the following:

II. The sum of \$4,100,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2008 and the sum of \$11,900,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2009 are hereby appropriated to the department of health and human services, for the purposes of providing services to persons with developmental disabilities and acquired brain disorders who have applied and have been determined eligible for services and who have been placed on a waiting list for such services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

III. For the enhanced family care rate increase under RSA 171-A:1-d, II as inserted by section 3 of this act, the sum of \$480,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2009 are hereby appropriated to the department of health and human services, for the purposes of funding this rate increase. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

IV. For the assistive technology assessments under RSA 171-A:6, II as inserted by section 6 of this act, the sum of \$100,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2008 and the sum of \$200,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2009 are hereby appropriated to the department of health and human services, for the purposes of funding these assessments. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2007-1410h

Amendment to SB 160-FN-L

Proposed by the Committee on Public Works and Highways- C

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

AN ACT adding members to the Skyhaven airport operation commission and relative to the Skyhaven airport transfer plan.

Amend the bill by replacing section 2 with the following:

2 Contingency; Operation of Skyhaven Airport by the Pease Development Authority. Notwithstanding the provisions of 1998, 317:1, if the city of Rochester has not legally committed on or before March 1, 2008 to acquire Skyhaven airport no later than July 1, 2008, the department of transportation shall negotiate a lease with the Pease development authority for operation of the Skyhaven airport, with the approval of the long range capital planning and utilization committee and the governor and council. The lease shall be completed by July 1, 2008.

AMENDED ANALYSIS

This bill adds members to the Skyhaven airport operation commission.

The bill also requires the department of transportation to negotiate a lease with the Pease development authority for operation of the Skyhaven airport, if the city of Rochester has not legally committed by March 1, 2008 to acquire the airport no later than July 1, 2008.

2007-1550h

**Amendment to SB 161-FN
Proposed by the Committee on Commerce - C**

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

AN ACT relative to the registration fees for mortgage servicing companies and relative to debt adjustment services.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 5, respectively:

2 Written Notice; Delegation of Duties and Responsibilities. Amend RSA 383:7-a, V to read as follows:

V. The commissioner shall provide any board or commission [~~10 days~~] written notice of his **or her** intent to delegate his **or her** duties and responsibilities to serve on such board or commission.

3 Debt Adjustment; Definition. RSA 399-D:2, V is repealed and reenacted to read as follows:

IV. "Debt adjustment" means:

- (a) Providing debt management advice or counseling to consumers for direct or indirect compensation;
- (b) Creating debt management plans for consumers for direct or indirect compensation;
- (c) Negotiating with debtors on behalf of consumers for direct or indirect compensation; or
- (d) Receiving, for a fee or compensation and as agent of a debtor, money or evidences thereof for the purpose of

distributing such money or evidences thereof among creditors in full or partial payment of obligations of the debtor.

4 Discharge of Debt Adjustment Contracts. Amend RSA 399-D:20 to read as follows:

399-D:20 Contract With Debtor. Each licensee shall make a written contract with a debtor, and immediately furnish the debtor with a true copy thereof. Such contract shall set forth the complete list of the debtor's obligations to be adjusted, a complete list of the creditors holding such obligations, the total charges agreed upon for the services of the licensee and the beginning and expiration date of the contract. No licensee shall enter into a contract in which the debtor's obligations will not be discharged within [~~24~~] **60** months, exclusive of contractual debts which exceed the [~~24-month~~] **60-month** period.

AMENDED ANALYSIS

This bill:

I. Increases registration fees for mortgage servicing companies.

II. Eliminates the 10 day requirement for written notice to a board or commission by the bank commissioner of his or her intent to delegate a duty to serve on such board or commission.

III. Redefines debt adjustment.

IV. Extends the time in which a debtor's obligations must be discharged.

2007-1528h

Amendment to SB 169-FN-A

Proposed by the Majority of the Committee on Executive Departments and Administration - R

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

AN ACT establishing a death benefit to be paid to the family of a police officer or firefighter killed in the line of duty and establishing a committee to study the eligibility for and award of the benefit.

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

1 New Section; Death Benefit for Police Officer or Firefighter Killed in Line of Duty. Amend RSA 21-I by inserting after section 29 the following new section:

21-I:29-a Death Benefit for Police Officer or Firefighter Killed in Line of Duty.

I. In this section:

- (a) "Family" means the surviving spouse of the police officer or firefighter, or if there is no surviving spouse, the child

or children of such police officer or firefighter or, if there is no surviving child, the parent or parents of such police officer or firefighter.

(b) "Firefighter" means any firefighter, including auxiliary, intermittent, special, part-time, volunteer, call, or reserve firefighters who are employed by a city or town within the state of New Hampshire, or any firefighter employed by the state of New Hampshire.

(c) "Killed in the line of duty" means a death of a police officer or firefighter while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death.

(d) "Police officer" means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers who are employed by a city or town within the state of New Hampshire, or any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.

II. In addition to any other benefits provided under this chapter, the state treasurer shall pay a \$100,000 death benefit to the family of a police officer or firefighter killed in the line of duty. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. This section shall be known as "Michael's Law," in honor of Manchester Police Officer Michael Briggs who was shot while on duty.

2 Committee Established. There is established a committee to study the policies and methods for determining eligibility for, and the award of, benefits under section 1 of this act.

3 Membership and Compensation.

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

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

(b) Two members of the house of representatives, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

4 Duties. The committee shall study the policies and methods for determining eligibility for, and the award of, benefits under section 1 of this act.

5 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2007.

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

AMENDED ANALYSIS

This bill establishes a death benefit to be paid to the family of a state or local police officer or firefighter killed in the line of duty.

The bill also establishes a committee to study the policies and methods for determining eligibility for, and the award of, the death benefit.

2007-1534h

Amendment to SB 176-FN

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

Amend RSA 130-A:7, V as inserted by section 4 of the bill by replacing it with the following:

V. Interim controls, as defined in this chapter, may be used as an acceptable alternative to lead hazard abatement only with the prior written approval of the commissioner and for a period not to exceed 2 years. Within that 2-year period the person subject to the order shall either take the steps necessary to eliminate or enclose the lead exposure hazards or remove the dwelling or dwelling unit from the rental market. ***For orders issued in leased or rented dwellings where no child resides or frequents regularly at the time of inspection and issuance of the order, interim controls may be used for a period exceeding 2 years with the prior written approval of the commissioner if a hardship is claimed by the lessor and approved by the commissioner and if a lead exposure hazard reduction plan or any other subsequent plan is adopted and in place at the department to address compliance with the intent of this section. The commissioner shall adopt rules, under RSA 541-A, for the procedures for extensions of interim controls.***

Amend RSA 130-A:10, VI as inserted by section 7 of the bill by replacing it with the following:

VI. Procedures for issuing orders under RSA 130-A:7, including procedures for extending the time available for lead hazard reduction ***and interim controls for leased or rented dwellings where no child resides or frequents regularly at the time of inspection and issuance of the order.***

Amend paragraph I of section 11 of the bill by replacing it with the following:

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

(a) Two members of the senate, appointed by the president of the senate.

- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The governor, or designee.
- (d) The attorney general, or designee.
- (e) The commissioner of the department of health and human services, or designee.
- (f) The commissioner of the department of education, or designee.
- (g) A parent of a lead poisoned child, appointed by the governor.
- (h) A lead safe renovator/instructor, appointed by the commissioner of the department of health and human services.
- (i) Three representatives of the New Hampshire Property Owners Association, appointed by the association.
- (j) Two New Hampshire property owners, one owning a property of 4 or fewer units and one owning a property of 20 or more units, appointed by the governor.
- (k) A representative of the insurance industry, appointed by the insurance commissioner.
- (l) A representative of The Way Home, appointed by such organization.
- (m) A representative of a municipal health department, appointed by the commissioner of health and human services.
- (n) A representative of the Minority Health Office, department of health and human services, appointed by the office.
- (o) A representative of the Endowment for Health, appointed by such organization.
- (p) A representative of the New Hampshire Charitable Foundation, appointed by the foundation.
- (q) The program director of the Dartmouth Toxic Metals Research Program, Center for Environmental Health Sciences, Dartmouth College, or designee.
- (r) A representative of a local lead action committee, appointed by the commissioner of the department of health and human services.
- (s) A representative of the New Hampshire Association of Realtors, appointed by the president of the association.
- (t) A representative of New Hampshire Legal Assistance, familiar with tenant issues, appointed by the executive director.

Amend the bill by replacing section 12 with the following:

12 Duties; Funding.

I. The commission shall identify and consider the full range of legislative and policy strategies that may be effective in furthering lead poisoning prevention in New Hampshire. In its deliberation, the commission shall seek input from individuals or entities that the commission deems relevant to its study recognizing that all stakeholders will need to work together to develop fair and workable solutions that prevent childhood lead poisoning for the purposes of examining the following issues of concern, including but not limited to:

- (a) The efficacy of current laws, regulations, education and certification standards, and clinical protocols in reducing the exposure of children to lead hazards.
- (b) Examining evidenced-based or promising practices from other states and jurisdictions relative to statewide policy, local ordinance, educational programming and financing strategies.
- (c) Considering the economic impact of lead prevention policies and determining strategies and funding mechanisms for distributing the economic costs as broadly as possible.
- (d) Examining the insurance-related concerns tied to lead and lead exposure including accessibility to insurance coverage and liability issues.
- (e) Developing strategies and protocols for addressing the needs of particular communities or regions of the state or certain populations within the state most impacted by lead poisoning.

II. The commission may seek grant funding support to carry out its duties under paragraph I.

Amend the bill by replacing section 16 with the following:

16 Effective Date.

- I. Sections 10-14 of this act shall take effect upon its passage.
- II. The remainder of this act shall take effect July 1, 2008.

2007-1552h

**Amendment to SB 185
Proposed by the Committee on Children and Family Law - C**

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

AN ACT relative to photo identification for persons released from correctional facilities.

Amend the bill by deleting sections 4-8 and renumbering the original section 9 to read as 4.

AMENDED ANALYSIS

The bill requires the department of safety and the county departments of corrections to provide a nondriver picture identification card to inmates who are being released from a county correctional facilities and do not have a valid driver's license

or nondriver picture identification card.

2007-1434h

Amendment to SB 187
Proposed by the Committee on Transportation - C

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

1 New Section; Parade Vehicles. Amend RSA 265 by inserting after section 108 the following new section:
265:108-a Parade Vehicles.

I. No person may operate a vehicle in a parade unless the following safety precautions are taken:

(a) No person may use any type of vehicle with outrigger wheels in a parade unless the vehicle is modified to protect both riders and pedestrians from the outrigger wheel assembly.

(b) At least one adult, other than the driver, shall supervise children riding on a vehicle in a parade and have a reasonable means of immediate communication with the driver. The number of adults supervising the children shall not be less than one adult per every 4 children and sufficient to ensure that each child is visible to a supervising adult.

(c) Children riding on a vehicle in a parade shall remain entirely within the perimeter of the vehicle and, if standing, shall be reasonably protected from probable injury if the vehicle suddenly starts or stops.

II. Any person operating a vehicle without following all of the safety precautions listed in paragraph I shall be guilty of a violation, and shall be subject to the following fines:

(a) \$50 for a first offense.

(b) \$100 for a second or subsequent offense.

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

AMENDED ANALYSIS

This bill establishes safety requirements that must be followed by operators of parade vehicles.

2007-1331h

Amendment to SB 191-FN-A
Proposed by the Committee on Fish and Game - R

Amend RSA 212-B:6, II as inserted by section 1 of the bill by replacing it with the following:

II. ~~[The fish and game department shall issue a certificate of participation to any individual who donates not less than \$10 to the nongame species account established in paragraph I.]~~ The state treasurer shall deposit annually from the general fund into the special nongame species account an amount equal to the moneys donated **and federal grants appropriated for the nongame species management act** during any fiscal year under this paragraph up to and including a total of ~~[\$50,000]~~ **\$350,000** annually. The governor is authorized to draw ~~[his]~~ **a** warrant for such amount out of any money in the treasury not otherwise appropriated. This is a continuing appropriation.

2007-1544h

Floor Amendment to SB 193
Proposed by Rep. Matarazzo

Amend RSA 458-C:5, I(h)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) Equal or approximately equal parenting residential responsibilities in and of itself shall not eliminate the need for child support.

2007-1485h

Amendment to SB 204-FN-A
Proposed by the Committee on Executive Departments and Administration - C

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

1 New Section; Collection of Debts Owed The State. Amend RSA 7 by inserting after section 15 the following new section:
7:15-a Collection of Debts Owed to the State.

I. State agencies and departments may refer any uncollected debt owed to the state to the attorney general for collection after determining that a debt owed to the state cannot be collected through means other than an action in court. All debts collected pursuant to this section shall be credited to the debt recovery fund established in paragraph IV.

II. No debt may be referred to the attorney general unless:

(a) There have been at least 2 documented attempts in writing to notify the debtor of the existence of the debt and of the fact that the debt may be assigned to the attorney general for collection if it is not paid;

(b) At least 30 days have elapsed from the last notice attempt; and

(c) All applicable administrative remedies have been exhausted.

III. The attorney general may:

(a) Compromise the claim.

(b) Extend for a reasonable period the time for payment of the debt by agreeing to accept monthly or other periodic payments.

(c) Cancel the debt or cause it to be cancelled if the attorney general finds, after investigation, that any debt due and owing to the state cannot be reasonably collected.

IV.(a) There is established in the office of the state treasurer a nonlapsing fund to be known as the debt recovery fund which shall be kept distinct and separate from all other funds. The debt recovery fund is established to receive all recoveries of debts paid to the state under this section.

(b) A percentage of each amount collected under this section shall be retained in the debt recovery fund for the purpose of funding the costs of all debt collection. The percentage shall be set annually by the attorney general in consultation with the commissioner of the department of administrative services as 150 percent of the total costs and expenses of the debt collection during the prior fiscal year divided by the total debt collected. Any amount remaining in the fund at the end of a fiscal year in excess of 200 percent of the costs and expenses of debt collection during the fiscal year shall be paid in a proportional amount to the accounts for which they were collected.

(c) The treasurer shall deposit in the debt recovery fund all amounts collected by the department of justice under this section. The attorney general is authorized to accept, budget, and expend moneys in the debt recovery fund received from any party without the approval of the governor and council for the purposes of:

(1) After deducting the amounts authorized in subparagraph IV(b), transferring on a quarterly basis a proportional amount recovered to the accounts for which they were collected; and

(2) For recruitment, training, administration, overhead, and supervision of such assistant attorneys general and support staff as necessary for the purposes of this section.

(d) All moneys in the debt recovery fund shall be continually appropriated to the department of justice and shall not lapse.

(e) The state treasurer, upon approval of the attorney general, shall pay the expenses of recruitment, training, administration, and supervision of assistant attorneys general and support staff as necessary for the purposes of this section, and transfer a proportional amount of unretained funds recovered to the accounts for which they were collected.

V. For purposes of this section, the term "debt" shall include fines and other debts or amounts owed to the state.

VI. Notwithstanding any other provision of this section, and subject to the supervision of the attorney general as to matters of law, state agencies and departments may seek collection of debts in small claims court without referring the debt to the attorney general. The authorization granted to seek collection of debts in small claims court under this paragraph shall not be construed to constitute a waiver of the sovereign immunity of the state, or any other defense, right, immunity, or other protection under law, including any statutory provision.

2 Attorney General; Duties. Amend RSA 7:6 to read as follows:

7:6 Powers and Duties as State's Attorney. The attorney general shall act as attorney for the state in all criminal and civil cases in the supreme court in which the state is interested, and in the prosecution of persons accused of crimes punishable with death or imprisonment for life. The attorney general shall have and exercise general supervision of the criminal cases pending before the supreme and superior courts of the state, and with the aid of the county attorneys, the attorney general shall enforce the criminal laws of the state. ***The attorney general shall have the power to collect uncollected debts owed to the state as set forth in RSA 7:15-a.***

3 New Subparagraph; Debt Recovery Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the debt recovery fund by the treasurer under RSA 7:15-a, IV.

4 New Section; Position Established. Amend RSA 7 by inserting after section 15-a the following new section:

7:15-b Debt Collection Attorney. The department of justice shall have the authority to hire a full-time support attorney and such staff as may be necessary, who shall be responsible solely for all duties associated with the collection of debt and to the state. The position shall be funded through the debt recovery fund established in RSA 7:15-a, IV.

5 Appropriation. The amount of \$100,000 for the fiscal year ending June 30, 2008 is hereby appropriated to the debt recovery fund established by RSA 7:15-a, IV for the purpose of start-up costs, provided, that 25 percent of the recoveries collected each quarter shall be paid into the general fund until \$100,000 has been paid into the fund. The appropriation in this section shall be in addition to any other sums appropriated to the department for such purpose. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2007-1437h

Amendment to SB 217-FN-A

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

Amend RSA 4-C:29, III as inserted by section 1 of the bill by replacing it with the following:

III. The advisory board shall consist of:

- (a) Four members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Two members of the senate, appointed by the senate president.
- (c) One member appointed by each of the following entities:
 - (1) The New Hampshire Housing Finance Authority.
 - (2) The New Hampshire Municipal Association.
 - (3) The New Hampshire Association of Regional Planning Commission Executives.
 - (4) The Business and Industry Association of New Hampshire.
 - (5) The New Hampshire Community Loan Fund.
 - (6) The Home Builders and Remodelers Association of New Hampshire.
 - (7) The Land and Community Heritage Commission.
 - (8) The New Hampshire Preservation Alliance.
 - (9) The New Hampshire Main Street Program.
 - (10) The Society for the Protection of New Hampshire Forests.
 - (11) The Audubon Society of New Hampshire.
 - (12) The Jordan Institute.

IV. Members of the advisory board shall serve without compensation, except that legislative members of the board shall receive mileage at the legislative rate when attending to the duties of the board.

2007-1521h

Amendment to SB 226-FN

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

Amend RSA 167:79, III(a) as inserted by section 6 of the bill by replacing it with the following:

(a) ***The department has the authority to require [an applicant shall attend] appointments necessary for entry into the employment program, including but not [necessarily] limited to the initial orientation interview, as a condition of eligibility for TANF financial assistance in accordance with rules established pursuant to RSA 541-A. The department shall provide an opportunity for an orientation interview within 10 days of the date of application and shall offer referral assistance for child care and transportation.***

2007-1516h

Amendment to SB 235-FN-A

Proposed by the Majority of the Committee on Environment and Agriculture - R

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

AN ACT establishing a milk producers emergency relief fund, assessing dairy processors a fee per gallon of milk sold in New Hampshire, and using the proceeds for the acquisition of agricultural land development rights.

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

□ New Subdivision; Milk Producers Emergency Relief Fund. Amend RSA 184 by inserting after section 105 the following new subdivision:

Milk Producers Emergency Relief Fund

184:106 Definitions. In this subdivision:

I. "Annual production" means the total quantity of milk produced in a 12-month period beginning June 1 and ending May 31 of the next calendar year. Total quantity is expressed in hundredweight.

II. "Base price" means the price of milk calculated each month by adding to the Boston Blend Price the amount per hundredweight received by milk producers as a monthly payment from the federal government due to low milk prices.

III. "Boston Blend Price" means the Suffolk County, Massachusetts statistical uniform price of milk as determined for each month by the Northeast Market Administrator of the United States Department of Agriculture and expressed per hundredweight of milk.

IV. "Commissioner" means the commissioner of the department of agriculture, markets, and food.

V. "Department" means the department of agriculture, markets, and food.

VI. "Milk producer" means "milk producer" as defined in RSA 184:79, IX, except that governmental or institutional entities shall be excluded.

VII. "Target price" means the short-run break-even point for annual production. Target price shall be determined in accordance with RSA 184:108.

184:107 Milk Producers Emergency Relief Fund Established.

I. There is established a milk producers emergency relief fund in the office of the state treasurer. This fund shall be administered by the commissioner who shall deposit into the fund any appropriations made to the department from the general fund to be used consistent with the definitions and provisions of this subdivision, to reimburse New Hampshire producers of raw

milk when the base price of milk falls below the target price. The fund shall be non-lapsing and shall be continually appropriated to the department. The treasurer may invest the proceeds of the fund as provided by law and any income earned on such investment shall be credited to the fund.

II. Beginning with the month of July in 2008, for each month that the base price is below the target price, each participating milk producer in the state shall receive an amount of money equal to the month's production in hundredweight multiplied by the difference between the target price and the base price for the month. The commissioner shall make payment from the fund on a quarterly basis after all information necessary to compute payment amounts is available for the applicable prior 3 month period.

III. In the event there is an insufficient balance in the fund to make full payment to all producers, the commissioner shall prorate payments to each producer to the extent funds are available. Any amount not paid to a producer shall be carried forward and later paid should sufficient funds become available.

184:108 Target Price. The target price for New Hampshire milk producers shall be \$16.94 per hundredweight and shall be adjusted as provided in RSA 184:110, II.

184:109 Milk Producers Emergency Relief Fund Board Established; Membership.

I. There is established the milk producers emergency relief fund board, to be composed of the following members:

(a) The commissioner.

(b) Four members appointed by the governor, who shall have no official business or professional connection or relation with any segment of the dairy industry.

(c) One member of the house of representatives who shall be a member of the house environment and agriculture committee, appointed by the speaker.

(d) One member of the senate, appointed by the senate president.

II. The board shall select a chairperson from among its members at its organizational meeting.

III. The board members shall serve without compensation, except that while attending to the duties of the board, the legislative members shall be reimbursed for mileage at the legislative rate and the non-legislative members shall be reimbursed for mileage at the state employee rate.

IV. Any member of the board having an individual interest, or an interest in another business, which may conflict with an issue under consideration by the board, shall not participate in any deliberations or vote of the board on the issue before the board.

V. The initial terms of the board members under subparagraph I(b) shall expire on January 1, 2010. New board members appointed under subparagraph I(b) shall have 4-year terms. Legislative members shall serve terms coterminous with their legislative terms. Upon term expiration, each appointed member shall hold office until a successor is appointed. Board members may be reappointed to subsequent terms, including those members whose terms expire as of January 1, 2010. Should a board member under subparagraph I(b) not fill out a term for any reason, a successor shall be appointed by the governor for the remainder of that term.

184:110 Board Powers and Duties.

I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

(a) Developing eligibility criteria for obtaining relief from the milk producers emergency relief fund.

(b) Procedures for processing applications for compensation from the milk producers emergency relief fund and verifying claims.

(c) Procedures for calculating payments to milk producers.

II. The board shall review, and adjust as necessary, the target price at any time, but shall do so at least semi-annually by October 1 and April 1 of each year. The first such review and adjustment of the target price shall be completed no later than April 1, 2008. The board shall hold at least one public hearing prior to each adjustment of the target price. Adjustment of the target price shall be exempt from rulemaking under RSA 541-A.

III. The board shall submit to the governor, the speaker of the house of representatives and the president of the senate a report, no later than October 1 of each year, on the status of the emergency milk producers relief fund, including the state of the milk industry. The report in even-numbered years shall include a request for any necessary appropriation in the next biennium from the general fund. Any appropriations to the board shall be included in the department's operating budget for each biennium. The first such report shall be submitted no later than October 1, 2008.

IV. The board, with approval of the governor and council, may employ, using fund moneys, legal counsel as necessary to perform its duties in administering the emergency milk producers relief fund.

V. The board may request that the attorney general issue subpoenas, examine witnesses, or request any other information on behalf of the board for the purposes of determining eligibility for compensation under this subdivision.

2 New Section; Acquisition of Agricultural Land Development Rights. Amend RSA 432 by inserting after section 31-a the following new section:

432:31-b Milk Distribution Fee and Payment.

I. Milk plants, milk distributors, or producer-distributors licensed under RSA 184:84 shall be assessed a fee of \$0.025

per gallon of milk sold or transferred for retail sale in this state. All fees shall be deposited in the separate account established in RSA 432:30 for the acquisition of agricultural land development rights and shall be non-lapsing.

II. The fee shall be collected by the department of agriculture, markets and food. Each entity subject to the fee shall, on or before the twentieth day of July, October, January, and April, submit a return to the department on forms prescribed and furnished by the commissioner. The return shall report the total number of gallons sold or transferred for retail sale in the state during the previous 3 calendar months along with such other information as the department may require for accurate collection of the fee. The return shall also include payment of the fee based on the number of gallons reported. The first return shall be filed no later than October 20, 2007.

III. Failure to file by the required date or to enclose fees due shall result in the assessment of a 10 percent penalty to be added to the amount of fees due for the quarterly return. Said penalty shall immediately accrue and thereafter the overdue fees and the penalty shall bear interest at the annual rate of 12 percent.

IV. No entity subject to this fee shall sell or transfer for retail sale milk in this state without paying the fee when due.

V. The commissioner shall adopt rules under RSA 541-A relative to the process for collecting the fee and identifying those entities liable for payment of the fee.

VI. Any person who violates this section shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.

3 Reference Change. Amend RSA 432:30, I to read as follows:

I. The state treasurer shall establish a separate account to which shall be credited all funds appropriated or acquired to fund the acquisition of development rights in accordance with ~~[RSA 432:17-31-a]~~ **RSA 432:17 – 31-b**. This shall be a non-lapsing account, and funds in said account are hereby appropriated for the purposes of this subdivision.

4 Minimum Prices. Amend RSA 434:56 to read as follows:

434:56 Establishment of Minimum Producer Dairy Prices. **Notwithstanding the provisions of RSA 184:106-110**, the commissioner, after consulting with the ~~[agricultural advisory]~~ **milk producers emergency relief fund** board, may establish by order an equitable minimum price to be paid to ~~[dairy]~~ **milk** producers for raw milk produced in New Hampshire on the basis of the use thereof in the various classes, grades and forms. The commissioner, after consulting with the ~~[agricultural advisory]~~ board, may from time to time make, amend or rescind an order if the commissioner finds that the federal milk marketing order covering New Hampshire is adequate or inadequate as the case may be to ensure a stable raw milk production and distribution system in the state. ~~[In no case shall the commissioner establish by order a price greater than the average price established for comparable classes, grades and forms of raw milk in the contiguous states.]~~

5 New Subparagraph; Application of Receipts; Emergency Milk Producers Relief Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the emergency milk producers relief fund established under RSA 184:107.

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

AMENDED ANALYSIS

This bill:

- I. Establishes a milk producers emergency relief fund.
- II. Assesses dairy processors a fee per gallon of milk sold in New Hampshire.
- III. Uses the proceeds for the acquisition of agricultural land and development rights.

2007-1441h

Amendment to SB 236

Proposed by the Committee on Municipal and County Government - C

Amend RSA 105:13 as inserted by section 1 of the bill by replacing it with the following:

105:13 Extended Authority.

I. The authority of any duly authorized police officer, constable or watchman of any town **or city** shall extend to any other city or town in the state, provided that the chief law enforcement officer of the requesting town or city has executed with the chief law enforcement officer of the responding town **or city** a written agreement which sets forth the terms and conditions under which such assistance may be requested or rendered. The executed agreement shall constitute authorization for every request for assistance, and for any assistance rendered in accordance with the terms and conditions of the written agreement, regardless of whether the responding police officer, constable, or watchman is named in the agreement. In an emergency situation, the ranking on-duty law enforcement official of a town or city is authorized to make an oral request for assistance to the ranking on-duty law enforcement official in the responding town, subject to the terms and conditions of such written agreement, and the authority of the responding police officer, constable, or watchman shall extend to the requesting town. The written agreement shall remain in full force and effect until terminated by the mutual consent of the chief law enforcement officers of each town or city, or until 10 days after the chief law enforcement officer of one town or city has received notification from the chief law enforcement officer of the other town or city of his **or her** intention to terminate.

II. Notwithstanding the provisions of paragraph I, any duly authorized police officer, constable, or

watchman shall have temporary police authority in another jurisdiction in the state, when requested by a law enforcement officer from such jurisdiction in the state to render assistance to such officer under such officer's direction in an emergency for the purposes of making an arrest or effecting custody of a detainee, conducting a search, quelling a disturbance, providing traffic or crowd control, or securing a crime scene, until relieved by the requesting officer or otherwise directed by the ranking on-duty officer of the requesting jurisdiction.

III. Notwithstanding the provisions of paragraph I, any duly authorized police officer, constable, or watchman from a nearby town or city may exercise temporary police authority as necessary to respond to a crime in progress, traffic accident, natural or human-caused disaster, disturbance in progress, or other emergency, if requested by a public safety dispatch center authorized to dispatch for the jurisdiction where the event is occurring, because there is no local officer or state trooper available for immediate response and in the judgment of the dispatch center the public safety requires an immediate response. Such officer's authority shall terminate when relieved by an officer with authority in the jurisdiction receiving the assistance, unless the officer with authority requests assistance pursuant to paragraph II.

IV. When providing assistance under this section the officer shall remain an employee of his or her respective department.