

State of New Hampshire

HOUSE RECORD

Second Year of the 160th General Court Calendar and Journal of the 2008 Session

Vol. 30 Concord, NH Friday, January 25, 2008 No. 9
Contains: Hearings, Meetings, Notices, Reports and Amendments for January 30

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet at **10:00 a.m.** on **Wednesday, January 30th** and **Wednesday, February 6th**.

I am pleased to announce that Randy Joyner has been named Chief of State House Protective Services by the Joint Legislative Facilities Committee. Randy is well known and respected by members and staff alike. Please join me in wishing Randy well as he serves in his new position.

Chairs and Vice-Chairs will meet on Tuesday, **January 29th** from 8:30 to 9:45 a.m. in Rooms 210-211 of the LOB.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on Wednesday, **January 30** at **9:00 a.m.** in Representatives Hall.
Rep. Mary Jane Wallner, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **January 30** at **9:00 a.m.** in Rooms 305-307, LOB.
Rep. Michael D. Whalley, Republican Leader

NOTICE

LEGISLATIVE ETHICS COMMITTEE Required Disclosure Filings

Copies of two financial disclosure forms have recently been mailed to each member of the House. The first form is the annual "**Financial Disclosure Form**," which all legislators and legislative officers are required to complete and file with the Legislative Ethics Committee. Please return your completed form to Rich Lambert in **Room 112 of the State House** **no later than January 31, 2008.**

The second form, the "New Hampshire Statement of Financial Interests," was due on January 18th. If you have not already filed that form with the **Secretary of State's Office in Room 204 of the State House**, you are encouraged to do so immediately.

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

NOTICE

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

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES

Thursday, January 31, 2008	Last day to report House bills going to a second committee
Thursday, February 7, 2008	Last day to act on House bills going to a second committee
Thursday, February 21, 2008	Last day to report all House bills not in a second committee
Thursday, March 13, 2008	Last day to report all remaining House bills
Thursday, March 20, 2008	Last day to act on House bills: CROSSOVER
Thursday, April 10, 2008	Last day to report Senate bills going to a second committee
Thursday, April 17, 2008	Last day to act on Senate bills going to a second committee
Thursday, May 8, 2008	Last day to report all Senate bills
Thursday, May 15, 2008	Last day to act on Senate bills
Wednesday, May 21, 2008	Last day to form Committees of Conference
Friday, May 30, 2008	Last day to sign Committee of Conference reports
Thursday, June 5, 2008	Last day to act on Committee of Conference reports

WEDNESDAY, JANUARY 30

CONSENT CALENDAR

ENVIRONMENT AND AGRICULTURE

HJR 10, urging congress to allow for the interstate sale of state inspected meat and poultry. **OUGHT TO PASS.**

Rep. James F Powers for Environment and Agriculture: Federal law dictates that all state meat and poultry inspections be at least equal to federal standards, yet forbids state-inspected meat from being sold in interstate commerce. By contrast, any meat and poultry inspected in foreign countries which have programs equal to federal standards can be marketed throughout the U.S. New Hampshire's family farms would benefit from being able to sell their high quality state-inspected products in other states as well. This Resolution urges the NH congressional delegation to ensure that legislation is passed by Congress which will allow this to occur. **Vote 16-0.**

HJR 11, requesting the United States Department of Agriculture to provide redress for price reporting errors in milk prices. **OUGHT TO PASS.**

Rep. Richard H Snow for Environment and Agriculture: The USDA sets the price that dairy farmers receive for their milk. The price of milk is determined by USDA by collecting data about the price of nonfat dry milk, in accordance with federal statutes. The USDA has publicly admitted that there were serious errors in the data they collected for some period of time in 2007. These data errors appear to have caused New Hampshire farmers to receive less money for their milk than they should have, had the data been accurate. The magnitude of the problem is under investigation by the federal government. This resolution requests that USDA, as early as possible, provide back-payments to our dairy producers to compensate them for their losses. Further, it requests that USDA immediately institute auditing procedures to avoid future price errors and, in the interim, provide the public with the raw data used to compute the non-fat dry milk prices on a regular basis. **Vote 16-0.**

HJR 12, relative to support for research into colony collapse disorder. **OUGHT TO PASS.**

Rep. Leigh A Webb for Environment and Agriculture: Whereas, the full committee recognizes the threat to all agriculture and the fruit, vegetables, and food on our tables posed by the alarming decline in the number of bees available to pollinate our crops, we as a body strongly support the position stated in this pointed resolution to fund the research required to determine the cause and cure for colony collapse disorder. **Vote 16-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1136, relative to automated external defibrillators. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Evalyn S Merrick for Health, Human Services and Elderly Affairs: The use of Automated External Defibrillators can save the lives of New Hampshire citizens suffering from sudden cardiac arrest. This bill, as amended, encourages training for the use of AED's for those responders most likely to use them. This bill also allows for the opportunity of the general public to use an AED when an emergency arises and no trained responder is available. **Vote 17-0.**

HB 1316, establishing a committee to study the use of mercury in childhood vaccines. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne S Butcher for Health, Human Services and Elderly Affairs: The committee learned from the state epidemiologist that the New Hampshire immunization program is the only provider of childhood vaccines in New Hampshire, and that none of the vaccines the program provides (including the pediatric flu vaccine) contain mercury. We believe that the Food and Drug Administration and the Centers for Disease Control, rather than a legislative study committee in New Hampshire, are the appropriate organizations to assess the biological and epidemiological research on the relationship between autism and childhood inoculations. **Vote 17-0.**

HB 1395-FN, establishing the AIDS drug assistance program fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joan H Schulze for Health, Human Services and Elderly Affairs: This bill was requested by the Division of Public Health Services in order to comply with a federal mandate regarding the accounting procedures of drug rebates received by the state under the AIDS Drug Assistance Program.

The federal Ryan White Comprehensive AIDS Resources Act addresses the unmet health needs of persons living with HIV by funding medications, primary health care and support services. The AIDS Drug Assistance Program (ADAP) is that portion of the NH Care program that provides medications to eligible persons living with HIV/AIDS. Drug rebates for ADAP are the state's only mechanism currently to assure that all eligible clients can access needed medications. In January 2007, the US Health Resources and Service Administration instructed states to treat ADAP drug rebate funds as program income. Budget 08-09 includes a class line for Drug Rebates. There will be no impact to the state since revenue received in drug rebate funds must be used for ADAP program expenditures. This bill creates a non lapsing fund for rebates from pharmaceutical companies on medications purchased through this program. These rebates are in addition to the N.H. Care Program and can only be used for ADAP expenditures, such as medications or primary care services. An effective date of upon passage allows for any unspent revenue to come forward into FY 09. **Vote 18-0.**

HB 1467, establishing a commission to study the feasibility of constructing a state hospital facility to treat certain youths addicted to heroin or cocaine. **INEXPEDIENT TO LEGISLATE.**

Rep. James R MacKay for Health, Human Services and Elderly Affairs: The sponsors of this bill have brought an issue of considerable significance for study. Several resources are presently available to address the treatment of drug use including treatment of youth suffering from addiction to heroin and cocaine. There is an ongoing legislative caucus studying a variety of addictions including methamphetamines. There is also the Governor's Commission on Alcoholism, Drug Abuse and Prevention and the legislative mandated Mental Health Commission. All of these groups can be accessed to consider the study as outlined in this bill. **Vote 18-0.**

HB 1542-L, relative to burials in cemeteries. **INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer Daler for Health, Human Services and Elderly Affairs: This bill would have required all cemeteries in the state to allow burial of bodies regardless of the container or whether the body had been embalmed. Failure to do so would be a misdemeanor. The committee felt that local cemeteries and cemetery trustees should decide how burials take place in their facilities. This does not preclude the development of "green" burial sections within existing or new cemeteries. We heard testimony that this is, in fact, happening. **Vote 17-0.**

HB 1560-FN-A-L, relative to the pharmaceutical assistance program and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas E Donovan for Health, Human Services and Elderly Affairs: This bill addresses an important issue: the gap in Medicare Part D for prescription drugs for nursing home patients. However, the prime sponsor testified before the committee that there were problems with the way the bill was drafted. For example, it amended a statute that had never taken effect. In addition, there was concern that the bill might interfere with federal regulation. Therefore, the prime sponsor requested the ITL. **Vote 18-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 1135, establishing a commission to study enabling counties to have taxing authority and impose county taxes. **INEXPEDIENT TO LEGISLATE.**

Rep. Andy Peterson for Municipal and County Government: The committee unanimously agreed that there is no need for a legislative commission to study the creation of a new taxing authority in New Hampshire at this time. Any concrete proposal on this matter would likely require a Constitutional change. If the members of the Association of Counties wish to study this matter, nothing prohibits them from doing so. **Vote 14-0.**

HB 1182, relative to appraisals of property with off-site views. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric G Stohl for Municipal and County Government: The intent of this bill is to require the Department of Revenue Administration to supervise the process of appraising properties with a view. What this bill wishes to do is already being done to a certain extent. All assessors that assess property for tax purposes in New Hampshire are certified by DRA. All properties that are assessed by DRA certified assessors for tax purposes are required to have on-site visits by the assessors. The bill wishes to restrict the use of Computer Assisted Mass Appraisal System, or CAMA, from creating and maintaining an appraisal of a view feature. The Committee agrees that a CAMA system should not create an appraisal of a view feature, but once the assessor has visited the site and assessed the view factor and any other factor (s), the assessed value of these factors can and should be maintained in a CAMA system. The last mandate in this bill is that legitimate arm's length sales of such properties that share the same off-site view feature shall also be used to assess such properties. These sales, as with all sales within a municipality, are included in the study which is done during a mass appraisal. **Vote 14-0.**

HB 1191, relative to environmental investigations in tax lien and tax sale proceedings. **OUGHT TO PASS.**

Rep. Andy Peterson for Municipal and County Government: The bill cleans up misplaced references in the RSA's on this subject to match with long standing practices. In essence, this is merely a housekeeping measure. **Vote 14-0.**

HB 1199, relative to the residency requirement for the elderly property tax exemption. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Brown for Municipal and County Government: The property tax is a difficult and nuanced issue. The committee appreciates the work of the sponsor in seeking equity and understands the financial pressures which the property tax places on the elderly whose income and assets are below certain amounts.

The committee was concerned about the demands of increased record keeping. Felt that it was unproductively restrictive re: residency and that the issue of down sizing was not covered. Its conclusion was unanimous. **Vote 14-0.**

HB 1253-FN-L, relative to the ability of towns to recoup money lent to homeowners upon foreclosure. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric G Stohl for Municipal and County Government: The intent of this bill is to make it mandatory that a lien that is placed upon a property shall have priority over a mortgage and any other liens filed with the register of deeds. As the bill is drafted, there are areas that would need changing in order to accomplish what the sponsors wanted to do. At the request of the prime sponsor, he recommends the bill to be Inexpedient to Legislate. **Vote 14-0.**

HB 1315, allowing municipalities to adopt a home improvement property tax credit for homes 75 years old or older. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Brown for Municipal and County Government: The protection, preservation, revitalization, retention and/or reuse of our housing stock is a major basis of municipal income via the property tax which we cherish. That being said, it was the unanimous conclusion of the committee that market forces and financial self interest will, over time, accomplish the same goal without a differential expense to the property owners excluded by this bill. It was also felt that condition and costs could be subject to manipulation. Lastly the municipal record keeping necessary to document a cost, levy a tax, and defend those on appeal was seen as an onerous cost. **Vote 14-0.**

HB 1339, establishing an optional mortgage loan payment program for payment of property taxes and municipal charges of qualifying elderly homeowners. **INEXPEDIENT TO LEGISLATE.**

Rep. Betsey L Patten for Municipal and County Government: This bill establishes a method for municipalities to get into the banking business by allowing a municipality to take out a first mortgage note in lieu of cash payment on a piece of property owned by a resident who is 65 years or older. The qualified owner has to have lived in the primary residence for 5 years. The net annual property taxes would have to be greater than 10 percent of the owner's adjusted gross income. The adjusted gross income on the federal tax return does not include what "non-taxable" income is received. There is no asset limit contemplated in this bill. Currently at the local level, there are at least two forms of assistance for our elderly residents – Elderly Exemptions and Elderly Deferrals. The local legislative body may vote to give property tax relief through a warrant article at the annual town meeting. The governing body in each municipality also has the ability to grant property tax relief by using their authority to determine "just cause". If an elderly resident chose to ask for the loan contemplated by this bill the elderly owner would give up the right to apply for any elderly exemption or deferral that the municipality offers. The committee is also aware of reverse mortgages available through the local banks. The sponsor had extensive experience in the mortgage business and had many answers and explanations of how this legislation would be implemented. In setting up a whole new system for property tax relief for our elderly residents the bill adds a new confusing process for them at the local level. The committee was also concerned about the legality of a municipality borrowing money and then lending to private individuals for payment of taxes. The Municipal and County Government committee is very aware of the property tax burden felt by all residents of New Hampshire but is very reluctant to allow the governing bodies to get into the banking business to solve this issue. **Vote 14-0.**

HB 1346, relative to the regulation of junk dealers, scrap metal dealers and pawnbrokers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bennett F Moore for Municipal and County Government: The bill adds several requirements to the operators of junk and scrap metal dealers. The changes are intended to address the ever increasing issue of the taking of valuable commodity material from properties in the region. The bill requires that the dealers maintain records of purchase transactions and that they be verified by positive identification of each seller of material. The bill also changes the authority to issue licenses from police authorities to the local governing body and changes language to allow using identification photos by junk and scrap dealers and pawn brokers. **Vote 12-1.**

HB 1407, relative to permission to discharge a firearm in the compact part of a town or city. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark A Pearson for Municipal and County Government: Although this bill came to the committee with the intention to remove “written” permission in order to discharge a firearm in a compact area, the committee felt that written permission from not only the chief of police, but the governing body would clear any ambiguity, and adding permission from the current chief of police and governing body clarifies the statute. **Vote 11-0.**

HB 1463, allowing municipalities to grant a property tax exemption for residential property of qualified low income persons in need of property tax relief. **INEXPEDIENT TO LEGISLATE.**

Rep. Bennett F Moore for Municipal and County Government: The committee continues to be concerned about the effect of exemptions that are requested for one group of property tax payers. The concern is that these exemptions merely pass the property tax onto others in the community. This bill would have allowed municipalities to create an exemption for low income property owners, similar to the exemption now available to the elderly. Tax abatements and other tools are already available to governing bodies which can be used to address the issue as facts and circumstances allow. The committee realizes that property taxes can be a large burden for low income residents but such an exemption would raise the rent for others. **Vote 14-0.**

HB 1474-FN, relative to the construction and operation of shooting ranges. **INEXPEDIENT TO LEGISLATE.**

Rep. Jessie L Osborne for Municipal and County Government: The prime sponsor requested that the bill be voted inexpedient to legislate. **Vote 11-0.**

HB 1476, relative to shooting ranges. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurie J Boyce for Municipal and County Government: At the request of the prime sponsor the bill was withdrawn. The sponsors feel they need more time and the information to make this bill viable. **Vote 11-0.**

HB 1478, relative to the quorum for meetings of the equalization standards board. **OUGHT TO PASS.**

Rep. Betsey L Patten for Municipal and County Government: The equalization standards board was created with thirteen members and a quorum of seven members needed to hold a meeting. The bill as introduced decreases the numbers for a quorum to five since historically there have not been enough members in attendance to hold a meeting. The committee was concerned that a policy might be approved by less than a majority of the committee. The equalization standards board has the ability to create a board policy that would take care of the issue by determining that a policy can only be changed with a majority of the board. The amendment deals with both the equalization and assessing standards board members who are absent for four meetings in any one year. There is no current mechanism to remove a member until his or her term is expired. The amendment allows the appointing authority – either the Governor and Council, Speaker of the House or the President of the Senate – to remove and appoint a new member if four absences occur. In order to have a successful working board the committee voted for the amendment change. **Vote 12-0.**

HB 1523, relative to the use of clotheslines. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Brown for Municipal and County Government: It was the bi-partisan agreement of the entire committee that increased public awareness of and use of conservation measures is important. The committee, for example, took particular note of testimony re: the savings in “wash day” energy use which can be obtained by cold water washing and/or the efficiencies of energy star appliances. It was however the agreement of the majority of the committee that this particular bill would be unconstitutionally retroactive and destructive of existing contracts, covenants, association by-laws and local zoning regulation. Education, reasonable advocacy, and sea-change seem the present best way to accomplish the bill’s goals. **Vote 11-1.**

PUBLIC WORKS AND HIGHWAYS

HB 1165, relative to department of transportation traffic control regulations. **OUGHT TO PASS.**

Rep. John A Graham for Public Works and Highways: This bill is at the request of the Department of Transportation. It eliminates the requirement that the DOT provide a copy of any traffic control regulations to the clerks of the towns affected. Currently the official copy of the regulation is maintained at the DOT and is available for public review. The DOT routinely provides copies of these regulations to the police departments of the affected towns. The committee heard testimony that the clerks of the town do file the copies and that some have requested reimbursement from the DOT for this service. Passage of the

bill will eliminate this potential problem. It will also save the DOT money, from the highway fund, for copying and distributing the required copies to the clerks. The department will continue to provide copies to the local police to ensure enforcement of the regulations. **Vote 14-0.**

HB 1207, relative to standards for highway and bridge construction. **OUGHT TO PASS.**

Rep. John R Cloutier for Public Works and Highways: This bill would have a twofold purpose. First, it would require municipalities and counties to comply with standards in the New Hampshire Department of Transportation manuals for highway and bridge construction, if such entities wish to receive highway and bridge aid. Second, it would allow the Transportation Commissioner to adopt such manuals by reference. This bill is at the request of the Department of Transportation and simply codifies such standards and manuals which are in administrative rules. **Vote 15-0.**

HB 1220, establishing a commission to study the taxation of alternative fuel and electric-powered motor vehicles for the purpose of funding improvements to the state's highways and bridges. **OUGHT TO PASS.**

Rep. John R Cloutier for Public Works and Highways: This bill would establish an 11-member commission to study the taxation of alternative fuel and electric-powered motor vehicles for the purpose of funding improvements to the state's highways and bridges, an issue which soon has to be confronted for the purposes of revenue and fairness as motor vehicles not powered by fossil fuels become more popular because of rising fuel costs and concerns for a cleaner environment. This commission will have until November 1 of this year to make recommendations. **Vote 15-0.**

HB 1228, relative to sales of motor fuel by the department of transportation to certain nonprofit corporations. **OUGHT TO PASS.**

Rep. John A Graham for Public Works and Highways: The Department of Transportation is currently able to sell motor fuel to eligible non-profit organizations who transport the elderly and disabled without charging them the state's road toll (gas tax). This bill will enable the DOT to continue this practice for these same organizations that also from time to time transport members of the public. The committee heard testimony that to be eligible for this program the non-profit organization must also meet the requirements of, and be exempt from, the federal gasoline tax. Further testimony highlighted the fact that there would be, at this time, no additional organizations added to those eligible as a result of this clarification of existing law. **Vote 15-0.**

HB 1448-FN, relative to documents prepared by the department of transportation and fees for such documents. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John R Cloutier for Public Works and Highways: This bill, as amended, would authorize the Commissioner of Transportation to prepare and distribute certain documents related to the responsibilities of the Department. It also allows the Commissioner to charge reimbursement fees for the costs of preparing and distributing such documents. Furthermore, the Commissioner shall publish a schedule of the fees subject to approval of the Legislative Fiscal Committee. This bill is a Department of Transportation request and simply codifies the Department's existing practice of charging reimbursement fees for its documents now. Finally, these fees will be deposited into the highway fund. **Vote 15-0.**

HB 1453, relative to civil liability for damage to protective barriers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B Campbell for Public Works and Highways: This bill retains the rule that a driver who damages a guardrail, barrier or creates an obstruction in a public highway is responsible to reimburse the state or municipality, regardless of fault. The amendment makes it clear that if a third party is injured, the person who damaged the barrier is responsible to the third party only to the extent that he or she was at fault in accordance with current liability laws. **Vote 15-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1128, mandating the commissioner of the department of environmental services to conduct an examination of Willand Pond in the Dover/Somersworth area. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela J Hubbard for Resources, Recreation and Development: The committee voted unanimously to ITL this bill at the request of the bill's prime sponsor as the issues which prompted the introduction of the bill are being dealt with successfully. **Vote 15-0.**

HB 1134-FN, including upkeep and improvements of the state park system within the land and community heritage investment program. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald A Brueggemann for Resources, Recreation and Development: This bill would have allowed for the use of Land and Community Heritage Investment Program (LCHIP) money to be used for maintenance and day-to-day operations of the state park system. LCHIP has been a vital force in the acquisition and preservation of state treasures because of its strength in building private/public partnerships. This bill would foster an unfortunate dilution of LCHIP's resources if funds were to be diverted to paying for lifeguards, as the bill suggests. The committee agrees that the need for additional park system resources is compelling, but not in this way. **Vote 13-2.**

HB 1151, relative to reporting dates for the instream flow pilot program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lawrence M Kappler for Resources, Recreation and Development: The Instream Flow Pilot Study was established by the legislature for establishing the minimum amount of water that needs to be maintained in rivers, and ways to assure this flow will be maintained. The scientific research has taken longer than expected, partially because of the rainy summer last year, so an extension is needed. **Vote 11-0.**

HB 1229, requiring the office of energy and planning to maintain a map of the state's lands under conservation or development restrictions. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald A Brueggemann for Resources, Recreation and Development: This bill would have required the Office of Energy and Planning to maintain a map of all conservation lands in the state of New Hampshire. The Director of OEP testified that this is already a required part of their data and information services and an indispensable tool of their conservation planning program. As such, the map that is referenced in the bill is already compiled through the GRANIT Program of UNH making the current bill unnecessary. **Vote 15-0.**

HB 1295, establishing a commission to study issues relating to stormwater. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan R Kepner for Resources, Recreation and Development: Stormwater is becoming a major water quality and quantity issue facing New Hampshire. The impacts include economic, public safety, regulatory and environmental. This bill will establish a commission made up of agencies and experts involved with these issues to study and recommend sustainable stormwater management. **Vote 11-0.**

HB 1440, relative to reciprocity with the state of Maine for registration of OHRVs and snowmobiles. **INEXPEDIENT TO LEGISLATE.**

Rep. Harry C Merrow for Resources, Recreation and Development: Everyone agrees that reciprocity is a good thing and the governor and department heads are constantly hearing discussions regarding this. The department has made every attempt to negotiate reciprocity with Maine on OHRV and snowmobile registrations for years. We believe mandating this in law could easily hinder these negotiations rather than help them. **Vote 11-0.**

HB 1535, relative to establishing a factual data base for wetland decision accountability. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald A Brueggemann for Resources, Recreation and Development: This bill would require the Department of Environmental Services (DES) to use a method that was developed as a planning and education tool for towns as a means of identifying and delineating wetlands. The introduction to the referenced method specifically states that it is not intended for this purpose. Currently, DES uses a science-based method that applies objective criteria to site hydrology, plant and soil types in delineating wetlands. By necessity, these need to be applied in a site and time specific manner; any wetland data base would be almost immediately out-of-date because of the changeable nature of water. In addition, such a change in methodology could jeopardize the single permit agreement with the US Army Corps of Engineers whereby the state permitting process fulfills federal permit requirements. **Vote 14-1.**

HB 1629-FN-A-L, relative to the evaluation of recycling and energy conversion options for grease trap wastes at the Winnepesaukee river basin program's Franklin wastewater treatment facility and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald A Brueggemann for Resources, Recreation and Development: This bill was one of several recommendations of a commission established to study the proper disposal of fats, oils and grease that are the waste product of the food industry. This waste can be an environmental issue if improperly disposed of and there is a potential for its conversion into energy. Recognizing the issue, the Department of Environmental Services (DES) has offered to work on implementing other of the commission's

recommendations (such as education and training) and suggested we allow the expenditure for this study (\$100,000) be considered in the context of the next biennial budget. Given the current budget projections, the committee agreed to defer this project. **Vote 11-0.**

WEDNESDAY, JANUARY 30

SPECIAL ORDER RETAINED BILLS

JUDICIARY

HB 40, relative to living wills and durable powers of attorney for health care. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Lucy McV Weber for the **Majority** of Judiciary: Currently, a health care provider may accept and act on either an original or a copy of an advance health care directive. This bill would require the health care provider to wait for the production of the original document before following the wishes contained in an advance directive. The majority is concerned that this would cause delay in acting on the wishes of the principal. It would cause particular difficulty for seniors who move between New Hampshire and warmer weather states. Requiring the production of the original document would also cause unnecessary extra stress to family members during a difficult time. Finally, the committee heard no testimony that would cause concern that copies of these documents are being used improperly. **Vote 15-5.**

Rep. Robert H Rowe for the **Minority** of Judiciary: Under our law, there is only one original copy of a person's will. This is also the law as to a New Hampshire advanced directive (durable power of attorney/living will). Only a single original document has legal validity. This is not the case as to other legal documents, such as contracts where there can be multiple originals; all valid and enforceable. The minority believe it is bad policy to allow a copy, fax or e-mail to be enforceable without further proof that the copy is, in fact, a copy of an existing and enforceable advanced directive and not a copy of a document that has been revoked or amended. The advanced directive form states that the one original executed directive cannot be changed or modified; this revokes the document as does the destruction of the original. It can happen that copies of an obsolete, revoked or changed advanced directive will be copied, faxed or e-mailed and then used as proof of the individual's intent. Since the issue is a person's life, we should err on the side of caution; a mistake in utilizing a copy of an obsolete or revoked cannot be corrected.

HB 57, relative to advance directives for durable powers of attorney and living wills. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Lucy McV Weber for the **Majority** of Judiciary: Currently, the statute requires that health care directives be "substantially in the form set forth in RSA 137-J:20." This bill would add the words "or other form desired by the principal." The purpose of the underlying statute was to create a degree of uniformity in the form of these documents. The majority believes that the word "substantially" is sufficient to allow enough latitude to customize the documents to accurately reflect the wishes of the principal, without returning to the confusion created by a complete departure from the current form. **Vote 12-6.**

Rep. Nancy J Elliott for the **Minority** of Judiciary: The bill allows for the individual to have a choice in the wording of their advance directive (end of life document). The **ONLY** form currently allowed by law has only two very restrictive choices. 1) Life sustaining treatment is not to be started... and 2) Life sustaining treatment is to be given... There is no in between. In NH it is all or nothing. If you want to be kept hydrated in some instances and not in others, it is not allowed on our advanced directive form. Also hydration and nutrition are linked. Some may want to be kept hydrated so they would not suffer an excruciating death but would not want to be fed by a tube. They must check off both or nothing. Consequently, many citizens are hesitant to sign this document. As our law accepts out of state documents, citizens coming from other states have more rights than NH residents. We should give everyone the right to make personal choices for the end of their life.

SB 32-FN, increasing the maximum amount of debt or damages for small claims actions. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert H Rowe for the **Majority** of Judiciary: This bill increases the small claims limit in district court from \$5,000 to \$10,000. The committee was concerned that a blanket increase to \$10,000 had the

possibility of causing harm to the elderly and lower income families, allowing our citizens to, possibly, be taken advantage of by less than honorable plaintiffs. A compromise amendment was offered, allowing for the increase in limits but with conditions. The amendment provides that small claims actions above \$5,000 first be mediated in district court and then if mediation was not successful, the case would be presented to the court under oath. It was believed that if the parties and witnesses were subject to the penalties of perjury, any harm would be limited. Still the defendants are protected in that they have the option in cases above \$1,500 to have the matter tried before a jury and this in a formal setting and allowing for detailed witness and evidence discovery. **Vote 14-6.**

Rep. Anthony R DiFruscia for the **Minority** of Judiciary: The present \$5,000 limit in small claims actions has worked well. The facts are that only two states have limits of \$10,000 in small claim actions, while 38 states have \$5,000 limits or less. Small claims courts have no rules of discovery. The danger is that a person may be denied the right to fair trial. "If it ain't broke, don't fix it."

TRANSPORTATION

HB 847, relative to general rules for vessels operating on water. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Howard N Cunningham for the **Majority** of Transportation: Over 100 people attended and testified at the public hearing on this bill. Because the issue was so protracted and difficult, the committee decided to retain the bill for further study. During the summer of 2007, marine patrol monitored several test areas on Lake Winnepesaukee and a number of committee members took an excursion on the big lake for a first hand experience. The marine patrol results were heard by the committee in October. This information, along with ongoing constituent correspondence, led to a compromise amendment which focuses only on Lake Winnepesaukee instead of every body of water in New Hampshire. This amendment sets a 45/25 (day/night) speed limit and is designed to sunset on January 1, 2011. This interval will provide an adequate period of time to make pre/post speed limit comparisons. **Vote 7-6.**

Rep. Sherman A Packard for the **Minority** of Transportation: When passing new laws it should be done for a reason. What is the reason for passing a boat speed limit bill? During July, August and September, the marine patrol conducted speed sampling on 55 days and nights. A total of 3,852 vessels were clocked, 62 of these were after 8 p.m. Of the 3,852, eighty-three (83) were traveling between 41-50 mph, 8 were traveling between 51-60 mph and 3 were traveling between 61-70 mph, with the maximum speed at 62 mph. Of those boats traveling over 40 mph, only 36 were traveling over 45 mph or 0.9%. A far greater percentage of people disobey our speed limits on our roads. Is this just another law that will punish all responsible boat owners because of the irresponsible actions of a very small percentage of boat owners? Do we really believe that by passing this law that this small percentage of inconsiderate and irresponsible people will change their habits?

WEDNESDAY, JANUARY 30

REGULAR CALENDAR

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1385, waiving medical records fees for persons applying for Supplemental Security Income (SSI) or Social Security Disability Income (SSDI). **INEXPEDIENT TO LEGISLATE.**

Rep. Robert G Bridgham for Health, Human Services and Elderly Affairs: This bill would prohibit charges for medical records requested by applicants for Supplemental Security Income (SSI) or Social Security Disability Income (SSDI) or their representatives. The committee noted that this would shift the costs of providing these records from the applicants or, most often, the lawyers or other representatives, to their hospitals and health care providers. The bill contained no limits on the number or volume of copies that could be requested, the number of requests that could be made, and required no verification of need. New Hampshire already has a law limiting the fees that may be charged for medical records. **Vote 14-4.**

PUBLIC WORKS AND HIGHWAYS

HB 1365-FN, relative to changes in the rates of highway tolls. **REFER FOR INTERIM STUDY.**

Rep. Gene G Chandler for Public Works and Highways: While this bill dealt with a rollback in toll rates to rates in effect prior to October 2007 and transferring authority to the legislature for the establishment of toll rates; the committee wishes to study the concept of having either the legislature, or Executive Council be the authority for toll rates – discount rates – motor fuel taxes, etc. The question is whether New Hampshire is better served by having either the legislative or executive branch control these issues, or leave the situation as it is now. **Vote 14-1.**

HB 1372-FN, relative to allowing driveway construction permit fees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John R Cloutier for Public Works and Highways: This bill, as amended, would allow the New Hampshire Department of Transportation to charge reimbursement fees for commercial, industrial, enterprise, or subdivision driveway construction permits issued under RSA 236:13. The fees from this bill, which is at the Department of Transportation's request, will go into the Highway Fund. It is for work the Department has done in the past and is now doing without reimbursement. The bill's intent is to charge reimbursement fees for major development projects, not small or temporary projects such as logging operations or tiny subdivisions. **Vote 14-1.**

HB 1428, naming a portion of the Franconia Notch Parkway after Corporal Bruce McKay. **REFER FOR INTERIM STUDY.**

Rep. David B Campbell for Public Works and Highways: In keeping with a quarter-century precedent, when naming state highways and bridges in honor of individuals, including fallen soldiers and police officers, the Public Works and Highways Committee has always relied on the collective support and direction of the local community in determining where and how to make such an honor. The committee unanimously supported sending this bill to Interim Study, in order to give the sponsors (who have offered an amendment on another section of state highway) and the community time to reach a consensus for an appropriate memorial to honor a police officer, killed in line of duty. **Vote 15-0.**

HB 1555-FN, relative to an E-Z Pass discount for residents of Merrimack. **INEXPEDIENT TO LEGISLATE.**

Rep. Dale R Sprague for Public Works and Highways: This bill would have given all E-Z Pass account holders with a Merrimack zip code a 100% discount on exits 10, 11 and 12 of the Everett Turnpike. This bill would have also reduced the E-Z Pass discount for all vehicles from 30% to 28%. The committee's position is the turnpike system was created and designed to work as a "pay as you use system." It is unfair to target one community and give them a "free pass" without allowing all users of the system to reap the same benefit. **Vote 15-0.**

LAID ON TABLE

HB 76-FN, creating an environmental policy for New Hampshire. (Pending question is Ought to Pass.)

HB 174-FN, relative to regulating residential building and remodeling contractors. (Pending question is Ought to Pass.)

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. (Pending question is the committee report of Inexpedient to Legislate.)

HB 620-FN, repealing the statutory provisions regarding small loans, title loans, and payday loans and establishing a general statutory usury rate. (Pending question is Recommit.)

HB 799-FN, establishing a criminal usury rate for interest rates. (Pending question is Ought to Pass.)

HOUSE BILLS AMENDED BY THE SENATE

HB 351, clarifying that the definition of "overseas business organization" includes all foreign incorporated business organizations and all 80/20 business organizations, and redefining "business activity" for purposes of the business profits tax. (SJ 1/17/08)

HB 754-FN, repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority. (SJ 1/17/08)

COMMITTEE MEETINGS

SUNDAY, JANUARY 27

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K), NH Technical Institute, Concord

1:00 p.m. Regular meeting.

MONDAY, JANUARY 28

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

1:00 p.m. Rescheduled complaint hearing.

COMMISSION TO DEVELOP A COMPREHENSIVE FLOOD MANAGEMENT PLAN (HB 648, Chapter 179:1, Laws of 2007), Office of Homeland Security and Emergency Management, Smokey Bear Boulevard, Concord

1:00 p.m. Regular meeting.

GREAT BAY ESTUARY COMMISSION TO STUDY CAUSES, EFFECTS AND REMEDIATION OF SILTATION (HB 216, Chapter 31:1, Laws of 2007), Department of Environmental Services Office, 50 International Drive, Pease International Tradeport, Newington

1:30 p.m. Regular meeting.

JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON COSTING AN ADEQUATE EDUCATION (RSA 193-E:2-d), Room 100, State House

1:00 p.m. Regular meeting.

NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), CDFA Board Room, 10 Dixon Avenue, Concord

10:00 a.m. Annual meeting.

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

9:00 a.m. Regular meeting.

TUESDAY, JANUARY 29

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. **HB 1477**, relative to cellular phone and satellite television records for child support enforcement.

11:00 a.m. **HB 1490**, adopting the uniform child custody jurisdiction and enforcement act.

1:15 p.m. **HB 1213**, establishing a commission to study the juvenile justice system.

1:45 p.m. Rescheduled executive session on **CACR 23**, relating to parental rights. Providing that the State shall not abridge the right of parents to control the welfare and education of their children, **HB 1383**, adopting the uniform child abduction prevention act, **HB 1387**, relative to reimbursement rates for foster care respite providers.

COMMERCE, Room 302, LOB

10:00 a.m. Subcommittee work session on **HB 1532**, relative to snow and obstruction removal from parking spaces designated for disabled persons.

10:30 a.m. Subcommittee work session on **HB 1376**, relative to insurance penalties and **HB 1378**, relative to insurance taxes and fees.

11:00 a.m. Subcommittee work session on **HB 1506-FN**, establishing a restricted mail registry in the department of justice.

11:30 a.m. Subcommittee work session on **HB 1382**, adopting the uniform prudent management of institutional funds.

1:00 p.m. Executive session on **HB 1286-FN**, relative to the licensing of mortgage bankers, mortgage

brokers, and mortgage originators, **HB 1376**, relative to insurance penalties, **HB 1378**, relative to insurance taxes and fees, **HB 1479-FN**, relative to sale of tobacco products and the appeals process concerning the seizure of illegal tobacco products, **HB 1480**, authorizing the commissioner of revenue administration to deny certain tobacco licenses, **HB 1514-FN-A**, establishing the New Hampshire state health investment program corporation and continually appropriating a special fund, **HB 1532**, relative to snow and obstruction removal from parking spaces designated for disabled persons, **HB 1571-FN-L**, relative to inspection of construction or alteration of publicly accessible buildings for compliance with accessibility standards, and making an appropriation therefor, **HB 1578-FN**, relative to insurance fraud.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:30 a.m. Executive session on **HB 1622-FN-A**, allowing counties to implement a first-time offender alcohol and substance treatment program, requiring the department of justice to administer grants to counties for such program, and making an appropriation therefor, **HB 1287**, establishing a commission to study negotiated plea agreements, **HB 1132**, creating an exception to the wiretapping statute for a recording device used in conjunction with a TASER or other similar electroshock device.
- 11:00 a.m. **HB 1379**, relative to the authority of state agencies to prohibit state employees from lawfully carrying a firearm.
- 1:00 p.m. **HB 1568-FN**, relative to endangering the public water supply.
- 1:30 p.m. **HB 1638**, establishing an oversight commission on motor vehicle fines.
- 2:00 p.m. Subcommittee work session on **HB 1133**, relative to the age of majority for purposes of pornography-related offenses.
- 2:30 p.m. Subcommittee work session on **HB 1501-FN**, relative to the penalty for certain sexual assault cases where the perpetrator is under 21 years of age.

EDUCATION, Room 207, LOB

- 9:30 a.m. **HB 1639-FN-A-L**, relative to charter school funding and enabling charter schools to receive school building aid.
- 10:00 a.m. **HB 1224-FN-L**, relative to the definition of an adequate education.
- 11:00 a.m. **CACR 21**, relating to local public education. Providing that the local political subdivision responsible for public education shall have the power to determine curriculum, set standards, and determine funding, and that the legislature may provide supplemental funding.
- 11:30 a.m. Executive session on **HB 1298-FN**, making changes to the veterinary/medical/optometric education program, **HB 1446**, relative to changes to the school building aid statutes and to the schoolhouses statutes, **HB 1504-FN-L**, directing New Hampshire to withdraw from the No Child Left Behind Act, **HB 1161**, relative to the definition of truancy, **HB 1164**, relative to the counting of charter school pupils in the definition of average daily membership in residence, **HB 1166**, relative to rate setting for interpreters for the deaf and hard of hearing, **HB 1169**, relative to parental approval of a student's participation in human sexuality instruction in public schools, **HB 1171**, establishing a commission to study air quality issues in public school buildings, **HB 1211**, relative to postsecondary career courses approved by the postsecondary education commission, **HB 1212**, prohibiting sexual harassment in private postsecondary career schools, **HB 1256**, relative to safety training for certain public school extracurricular activities, **HB 1261**, establishing a commission to investigate a program in which senior year of high school may be spent at a community college, **HB 1563-FN**, authorizing public academies to receive public funds for renovation and expansion of regional vocational education programs, **HB 1639-FN-A-L**, relative to charter school funding and enabling charter schools to receive school building aid.

ELECTION LAW, Room 308, LOB

- 10:00 a.m. **HB 1398-FN**, requiring that certain political contributions be made in cash.
- 10:30 a.m. **HB 1399-FN**, relative to the limit for political contributions.

- 11:00 a.m. **HB 1554-FN**, relative to challenges of voters.
- 11:30 a.m. **HB 1204**, relative to the number of write-in votes required to receive a party's nomination.
- 1:00 p.m. **HB 1454**, relative to electoral college electors.
- 1:30 p.m. **HB 1139**, relative to party access to voter information.
- 2:00 p.m. **HB 1273**, establishing a commission to study "clean elections" funding.
- 2:30 p.m. Executive session on **HB 1508-FN**, relative to prohibited influence of voters and persons intending to vote, **HB 1616-FN**, relative to financial aid for students losing aid due to registering to vote.

ENVIRONMENT AND AGRICULTURE, Room 104, LOB (Please note room change.)

- 10:00 a.m. Subcommittee work session on **HB 1594-FN**, relative to hazardous material reporting requirements and establishing fees for hazardous materials facilities and employees.

Room 307, LOB (Please note room change.)

- 1:00 p.m. Continued public hearing on **HB 1429**, relative to private landfills.
- 2:30 p.m. Executive session on **HB 503-FN**, relative to establishing a solid waste management fund and assessing a surcharge for the disposal of solid waste, **HB 1594-FN**, relative to hazardous material reporting requirements and establishing fees for hazardous materials facilities and employees, **HB 1215**, relative to the New Hampshire-Vermont interstate waste compact, **HB 1277**, relative to the definition of farm, **HB 1293**, relative to eligibility requirements for the state animal population control program, **HB 1401-FN**, adopting the uniform environmental covenants act, **HB 1430**, relative to the application of animal cruelty laws to horse and dog race tracks, **HB 1537**, relative to the definition of milk, **HB 1621-FN**, relative to requiring a refundable deposit on beverage containers, **HCR 17**, encouraging the use of reusable shopping bags.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. Subcommittee work session on **HB 1462-FN**, establishing the office of personal financial education in the treasury, **HB 1126**, relative to eligibility for the supervisory level certificate for commercial pesticides applicators.
- 10:00 a.m. Update on the work of the Retirement Commission.
- 11:30 a.m. **HB 1340**, relative to the special account of the judicial retirement system.
- 1:00 p.m. **HB 1313**, relative to voting by the chairman of the retirement system board of trustees.
- 1:45 p.m. Executive session on **HB 1303-FN**, relative to limiting games of chance, **HB 1462-FN**, establishing the office of personal financial education in the treasury, **HB 1509-FN-A**, establishing certain fees for operators of games of chance for the purpose of funding the education trust fund., **HB 1545-FN-A**, establishing a waiver option for live-racing tracks, **HB 1598-FN**, relative to the salary ranges for unclassified state officers, **HB 1302-FN**, relative to enforcement of gambling laws, **HB 1381**, relative to game operators acting on behalf of charitable organizations, **HB 1527**, relative to charitable organizations and games of chance, **HB 1546-FN**, allowing the local chief of police to object to games of chance licenses for charitable organizations, **HB 1529**, relative to permitting chambers of commerce to conduct games of chance, **HB 1172-FN**, changing the name of the pari-mutuel commission to the racing and charitable gaming commission, **CACR 27**, relating to the election of a state auditor. Providing that the state auditor shall be elected to a term of 4 years and shall be responsible for auditing accounts of the treasurer.

FINANCE – (DIVISION III), Room 209, LOB

- 10:15 a.m. Work session on **HB 1612-FN-L**, relative to county and state obligations for costs for nursing care and services, and for court orders for children services.

FISH AND GAME, Room 307, LOB

- 10:00 a.m. Executive session on **HB 1142**, relative to licensure requirements for bird breeders, **HB 1219**, relative to exempting fish and game department volunteers from financial disclosure requirements, **HB 1266**, allowing 50 caliber pistols to take game animals in the state, **HB 1411**, relative to information concerning the presence or range of threatened species, **HB**

1451, relative to the transportation of deer by certain persons not issued a deer tag, *HB 1539*, relative to the political party representation of members of the fish and game commission.

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

- 9:00 a.m. Subcommittee work session on *HB 1201*, allowing communities to conduct point of dispensing exercises to test emergency management operations plans, allowing certain health professionals to administer actual medications during such exercises, and granting immunity to physicians who prescribe drugs to be administered during such exercises.
- 10:00 a.m. Executive session on *HB 1393-FN*, requiring hepatitis C cases to be reported to the department of health and human services, *HB 1418*, extending Medicaid to prevent gaps in coverage under the New Hampshire healthy kids program, *HB 1549-FN*, relative to the duration of the disability requirement for aid to the permanently and totally disabled and *HB 1586-FN*, relative to housing assistance for recipients of Temporary Assistance to Needy Families (TANF), *HB 1167*, relative to substituting generically equivalent drug products, *HB 1231*, repealing the advisory panel on cancer and chronic diseases and the tobacco use advisory committee.
- 11:15 a.m. *HB 1582-FN*, relative to eligibility decisions under the Temporary Assistance to Needy Families (TANF) program.
- 1:00 p.m. *HB 1447-FN*, relative to Medicaid for employed adults with disabilities.
- 2:30 p.m. Subcommittee work session on 2:30 p.m. *HB 1587-FN*, relative to patient health care information.

JUDICIARY, Room 208, LOB

- 10:00 a.m. *HB 1173*, relative to the definition of a trust.
- 10:30 a.m. *HB 1270*, relative to limiting rights of reversion in real property.
- 11:00 a.m. *HB 1536*, relative to periodic payments of judgments.
- 1:00 p.m. *HB 1361-FN*, requiring the continuation of the appointment of marital masters by election within the judicial district and requiring marital masters to be New Hampshire residents.
- 1:30 p.m. *HB 1494*, relative to the office of register of probate.
- 2:00 p.m. *HB 1176*, relative to jury duty.
- 3:00 p.m. Subcommittee work session on *HB 1183*, relative to meeting with legal counsel under the right-to-know law.
- 3:15 p.m. Subcommittee work session on *HB 1272*, relative to "meetings" under the right-to-know law.
- 3:30 p.m. Subcommittee work session on *HB 1179*, including certain nonprofit organizations under the right-to-know law.
- 3:45 p.m. Subcommittee work session on *HB 1408-L*, relative to the right-to-know law.

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

- 3:00 p.m. Regular meeting.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. *HB 1636*, relative to automotive recycling.
- 10:30 a.m. Executive session on *HB 1263*, relative to the protection of existing property uses, *HB 1260-L*, relative to growth management ordinances, *HB 1168*, relative to acceptance of property donated to towns and village districts, *HB 1157*, relative to requirements for approval of village plan alternative subdivisions, *HB 1193-L*, relative to planning and zoning enforcement decisions, *HB 1223-FN-L*, relative to exemptions from local ordinances for excavation sites, *HB 1306*, relative to the removal of commercial signs placed on public property, *HB 1312*, establishing a committee to study allowing municipalities to enforce ordinances by citation, *HB 1420*, relative to the applicability of zoning ordinances to auto salvage yards, *HB 1491*, establishing a committee to study the ownership and disposition of rangeways, *HB 1259*, authorizing communities to establish municipal housing commissions, *HB 1269*, authorizing local governing bodies to place certain properties on a

conservation priority list and requiring owners of land designated as conservation priority land to notify the municipality before offering the land for sale, **HB 1452-FN-L**, relative to the impact fee for development affecting state highways, **HB 1472**, relative to workforce housing, **HCR 11-L**, urging municipalities to establish an annual free tire collection day, **HB 1324**, relative to amending zoning ordinances at official ballot town meetings, **HB 1556-FN-A**, establishing a property tax relief program, **HB 1442-FN-A-L**, relative to the taxation of farm buildings and land under farm buildings, **HB 1363-FN**, relative to fees charged by the registry of deeds, **HB 1310**, relative to information for property tax assessments of commercial and industrial properties, **HB 1338**, allowing towns and cities to receive state funding for preventative mosquito control programs on all lands within the municipality, **HB 1283-L**, relative to temporary deferrals of property tax based on income, **HB 1507**, exempting the land and buildings of Masonic lodges from property taxation, **HB 1636**, relative to automotive recycling.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:15 a.m. Executive session on **HB 1352**, relative to biennial reporting on the comprehensive state development plan, **HB 1438**, relative to a capital appropriation for the construction of the Hampton-Exeter district courthouse, **HB 1626-FN**, relative to a new bridge over the Merrimack River, **HB 1412**, establishing a commission to study appointing or contracting with a fleet manager for state-owned motor vehicles and **HB 1601-FN-A**, relative to funding for certain capital projects of the Pease development authority.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. Subcommittee work session on **HB 1579-FN**, relative to setback requirements from wetlands.

11:00 a.m. Subcommittee work session on **HB 1264**, relative to prohibiting ATV and trail bike use on state-owned rail trails acquired using federal funds.

1:00 p.m. Subcommittee work session on **HB 1439**, relative to a moratorium on large groundwater withdrawals intended for commercial bottling use and **HB1353**, relative to local control of water resources.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. Full committee work session on **HB 1405-FN**, regulating outdoor wood-fired boilers.

1:00 p.m. Executive session on **HB 1186**, reducing the membership of 2 legislative oversight committees, **HB 1499-FN-A**, replacing the electricity consumption tax with an electricity generation tax, **HB 1544-FN**, relative to the development of effective energy efficiency measures, **HB 1564-FN**, relative to the regulation of commercial mobile services by the public utilities commission **HB 1584-FN-A**, establishing a fund to cover the costs of recycling electronic waste.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

10:30 a.m. Executive session on **HR 26**, expressing regret that New Hampshire's United States Senators voted to deny the District of Columbia the right to be represented in the Congress, **HCR 13**, urging Congress to create an Office of the National Nurse, **HCR 15**, commemorating the commissioning of the USS New Hampshire, **HB 1391-FN**, prohibiting the investment of state funds in the energy sectors of countries that have been identified by the United States Department of State as state sponsors of terrorism, **HB 1431-FN**, establishing a permanent state defense force, **HB 1526**, relative to the use of the name or image of a protected person, **HB 1284**, establishing a commission to consider the feasibility of adopting Atlantic Daylight Savings Time, **HCR 14**, urging Congress to establish the Homeowners and Bank Protection Act and **HCR 16**, urging Congress to rescind a law allowing the President to exercise federal control over the state national guard without consent of the governor.

TRANSPORTATION, Room 203, LOB

10:00 a.m. **HB 1604-FN**, relative to the electronic toll collection system.

- 10:30 a.m. **HB 1595-FN**, relative to driver's license renewals by persons engaged in overseas government service.
- 11:00 a.m. **HB 1631-FN**, relative to the state purchase of biodiesel fuels.
- 11:30 a.m. **HB 1610-FN**, relative to motor carriers.
- 1:00 p.m. Executive session on **HB 1461**, relative to penalties for vehicle overload, **HB 1524-FN**, relative to speed limits and keeping right except to pass, **HB 1528-FN**, relative to suspension of a driver's license for gasoline theft, **HB 1551-FN**, relative to fees for special number plates for veterans, **HB 1496-FN**, establishing motor vehicle learners' permits and relative to youth operators' licenses,

WAYS AND MEANS, Room 202, LOB

- 8:30 a.m. Subcommittee work session on **HB 1618-FN-A**, relative to motor vehicle fees and motor vehicle violation fines and relative to appropriations from the highway fund.
- 10:00 a.m. **HB 1369-FN-A-L**, relative to the amount of meals and rooms taxes retained by operators collecting the tax.
- 1:30 p.m. Executive session on **CACR 24**, relating to prohibiting any new tax on personal income. Providing that no new tax on personal income shall be levied by the state of New Hampshire, **HB 1373-FN-A-L**, establishing an income tax, **HB 1593-FN-A-L**, establishing a flat rate education income tax and relative to the statewide enhanced education tax and certain other taxes, **HB 1596-FN-L**, relative to fees charged by the motor vehicle division, **HB 1618-FN-A**, relative to motor vehicle fees and motor vehicle violation fines and relative to appropriations from the highway fund, **HB 1158-FN-A**, increasing the exemption for persons 65 years of age and older and establishing a credit for persons 70 years of age and older under the interest and dividends tax, **HB 1309-FN-A**, relative to the definition of "cigarette", **HB 1510-FN-A**, redefining tobacco products and increasing the tax on tobacco products other than cigarettes, **HB 1357-FN**, relative to extensions of time for filing returns and making payments under the interest and dividends tax for deployed members of the United State armed forces, **HB 1414-FN**, increasing the fee for bail commissioners, **HB 1547-FN-L**, repealing a fee charged by the registry of deeds.

WEDNESDAY, JANUARY 30

ENVIRONMENT AND AGRICULTURE, Room 307, LOB (Please note room change.)

- 2:00 p.m. Executive session on **HB 503-FN**, relative to establishing a solid waste management fund and assessing a surcharge for the disposal of solid waste, **HB 1594-FN**, relative to hazardous material reporting requirements and establishing fees for hazardous materials facilities and employees, **HB 1215**, relative to the New Hampshire-Vermont interstate waste compact, **HB 1277**, relative to the definition of farm, **HB 1293**, relative to eligibility requirements for the state animal population control program, **HB 1401-FN**, adopting the uniform environmental covenants act, **HB 1430**, relative to the application of animal cruelty laws to horse and dog race tracks, **HB 1537**, relative to the definition of milk, **HB 1621-FN**, relative to requiring a refundable deposit on beverage containers, **HCR 17**, encouraging the use of reusable shopping bags.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 2:00 p.m. **HB 1484**, establishing a commission to study retail health clinics.
- 2:30 p.m. **HB 1374**, establishing a division of homeland security and emergency management in the department of safety.

FINANCE – (DIVISION I), Room 212, LOB

- 2:00 p.m. Work session on **HB 369-FN**, relative to state reimbursement and payment for costs of bailiffs.
- 2:30 p.m. Work session on **HB 594-FN**, granting group II retirement system status to certain positions in the department of corrections.
- 3:00 p.m. Work session on **HB 1341-FN-A**, making an appropriation to the department of

- administrative services for an energy audit and system evaluation of the state house.
- 3:30 p.m. Work session on **HB 1367**, establishing a committee to study implementation of a new state financial accounting system.

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

- 2:00 p.m. Continued public hearing on **HB 1380**, relative to the procedure for amending a birth record.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 2:00 p.m. Rescheduled public hearing on **HB 1455**, increasing the amount of the veteran's property tax credit and enabling municipalities to extend the veterans' property tax credit to include all veterans who have been honorably discharged.
- 2:15 p.m. Rescheduled public hearing on **HB 1144**, allowing veterans discharged under honorable conditions to be eligible for the veterans' property tax credit.
- 2:30 p.m. Rescheduled public hearing on **HB 1541**, relative to service in the Vietnam Conflict for purposes of qualification for the veterans' property tax credit.
- 2:45 p.m. Rescheduled public hearing on **HB 1267**, allowing municipalities to adopt a non-wartime veterans' property tax credit.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

- 2:00 p.m. **HCR 12**, urging the federal government to withdraw the United States from the North American Free Trade Agreement (NAFTA).
- 3:00 p.m. **HR 25**, urging Congress to fully implement the Secure Fence Act of 2006.

THURSDAY, JANUARY 31

CHILDREN AND FAMILY LAW, Room 206, LOB

- 9:00 a.m. Subcommittee work session on **HB 1290-L**, establishing a committee to study insurance coverage and related issues for children required to do community service.
- 10:00 a.m. Subcommittee work session on **HB 1188**, relative to grounds for modification of parental rights and responsibilities.

COMMERCE, Room 302, LOB

- 1:00 p.m. Executive session on **HB 1506-FN**, establishing a restricted mail registry in the department of justice and other pending legislation, if needed.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 9:00 a.m. Subcommittee work session on **HB 1257**, relative to license suspensions for persons driving a vehicle while possessing drugs.
- 9:30 a.m. Subcommittee work session on **HB 1258**, relative to vehicle impoundment following an arrest for DWI or refusing consent to a blood alcohol test and **HB 1311**, relative to impaired driver intervention programs.
- 10:00 a.m. **HB 1609-FN**, relative to misrepresentation as an owner of a service dog.
- 10:30 a.m. **HB 1619-FN**, requiring sex offender counseling for female inmates incarcerated in a state or county correctional facility.
- 11:00 a.m. **HB 1565-FN-L**, relative to notice of video or audio surveillance in a business or public building.
- 1:30 p.m. Subcommittee work session on **HB 1238**, relative to "course of conduct" in the stalking statute.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. Executive session on pending legislation, if needed.
- 10:30 a.m. **HB 1520-FN**, allowing service in the Peace Corps to be purchased as creditable service in the retirement system.

- 11:00 a.m. **HB 1519-FN**, relative to the determination of gainful occupation for a group II member receiving a disability retirement allowance from the retirement system.
- 11:45 a.m. **HB 1548-FN**, relative to benefits for state employees who serve with a national guard unit or army reserve unit in Iraq or Afghanistan.
- 1:00 p.m. **HB 841**, relative to the appointment of parenting coordinators and establishing the family mediator and parenting coordinator certification board.

FINANCE – (DIVISION III), Room 209, LOB

- 9:30 a.m. Briefing on Department of Health and Human Services with Commissioner Toumpas.
- 1:00 p.m. Work session on **HB 1155-FN-A**, making an appropriation of certain revenues to the board of nursing.
- 1:30 p.m. Work session on **HB 1485**, relative to state reimbursement under the housing security guarantee program.
- 2:00 p.m. Work session on **HB 1503-FN-A**, making an appropriation to fund the reporting of hospital infections by the department of health and human services.
- 2:30 p.m. Work session on **HB 1612-FN-L**, relative to county and state obligations for costs for nursing care and services, and for court orders for children services.

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

- 10:00 a.m. **HB 1422**, establishing a commission on the prevention of childhood obesity.
- 11:00 a.m. **HB 1423-L**, establishing a commission on larviciding.
- 1:00 p.m. **HB 1505-FN**, establishing the New Hampshire birth conditions program.

HISTORICAL COMMITTEE (RSA 17-I), Room 104, LOB

- 3:00 p.m. Regular meeting.

JUDICIARY, Room 208, LOB

- 10:00 a.m. **HB 1517-FN**, relative to parental consent for abortions.
- 2:00 p.m. Executive session on **CACR 30**, relating to the oath of office. Providing that the name of the state in the oath of office be corrected, **HB 1437**, establishing a committee to study whether the state of New Hampshire shall establish a policy that victims of negligent or intentional tortious acts shall recover losses incurred as a result of such acts, **HB 1488**, establishing a committee to study the feasibility of establishing pro se law libraries.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 9:00 a.m. Subcommittee work session on **HB 1344**, relative to negotiations between public employers and employees.
- 10:00 a.m. **HB 1597-FN**, relative to workers' compensation compliance.
- 11:00 a.m. **HB 1607-FN**, relative to compensation and annual leave for firefighters.

LEGISLATIVE ADMINISTRATION, Room 104, LOB

- 1:00 p.m. **CACR 22**, relating to the membership of the senate. Providing that the senate shall consist of 36 members.
- 1:30 p.m. **CACR 26**, relating to the state senate. Providing that state senators shall be 25 years of age or older.
- 1:45 p.m. **CACR 28**, relating to compensation of members of the legislature. Providing that compensation of members of the legislature be increased to \$100 per week.
- 2:30 p.m. **HB 1433**, relative to the terms general court of New Hampshire and state of New Hampshire in legislation.
- 2:45 p.m. **HB 1464**, relative to the availability of proposed amendments to bills and resolutions.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 9:30 a.m. **HB 1149**, relative to the operation and maintenance of the Gunstock Area in Gilford.
- 10:00 a.m. **HB 1147**, relative to statements of financial condition by counties.
- 10:30 a.m. **HB 1163**, relative to town or district bonds or notes.
- 11:00 a.m. **HB 1226**, allowing the town of Bristol to establish a capital reserve fund for use of the water works and sewer department.

- 11:30 a.m. **HB 1441-L**, relative to use of the terms "selectwoman" and "selectperson."
 1:00 p.m. **HB 1247**, relative to revolving accounts for public, educational, and governmental access to cable.
 1:30 p.m. **HB 1248**, allowing a designated selectman to sign town payrolls.
 2:00 p.m. **HB 1573-FN-L**, relative to hazardous and dilapidated buildings.
 2:30 p.m. **HB 1216**, establishing a committee to study archiving of county attorney records.
 3:00 p.m. **HB 1221**, relative to the rights and powers of cemetery trustees.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 9:00 a.m. Continued public hearing on **HB 1349**, relative to membership on the council on resources and development.
 10:30 a.m. Executive session on **HB 1202**, relative to monitoring privately owned water distribution programs, **HB 1264**, relative to prohibiting ATV and trail bike use on state-owned rail trails acquired using federal funds, **HB 1154**, establishing a commission to study flooding in the town of Bradford, specifically Lake Massasecum, Lake Todd, and the watershed, **HB 1471**, relative to time limits for excavating and dredging permits.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 9:30 a.m. Full committee work session on **HB 1434**, relative to the regional greenhouse gas initiative and authorizing cap-and-trade programs for controlling carbon dioxide emissions.
 3:00 p.m. Full committee work session on **HB1562**, relative to procedures of the site evaluation committee.

TRANSPORTATION, Room 203, LOB

- 1:00 p.m. Executive session on **HB 1595-FN**, relative to driver's license renewals by persons engaged in overseas government service, **HB 1604-FN**, relative to the electronic toll collection system, **HB 1631-FN**, relative to the state purchase of biodiesel fuels.

WAYS AND MEANS, Room 202, LOB

- 9:30 a.m. Subcommittee work session on **HB 1308-FN-A**, relative to the business profits tax deduction for reasonable compensation.

FRIDAY, FEBRUARY 1

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

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

COMMISSION ON THE USE OF RADIO FREQUENCY TECHNOLOGY (HB 203-FN, Chapter 165:1, Laws of 2006), Room 303, LOB

- 9:30 a.m. Regular meeting.

COMMISSION TO STUDY REQUIREMENTS FOR SAFE AND SECURE LANDFILLS (HB 672, Chapter 252:1, Laws of 2007), Room 304, LOB

- 1:00 p.m. Rescheduled regular meeting.

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

- 1:00 p.m. Regular meeting.

IMPLEMENTING A RECOMMENDATION OF THE NH ESTUARIES PROJECT MANAGEMENT PLAN (SB 70, Chapter 236:1, Laws 2003), NH Department of Environmental Services Pease Office, 50 International Drive, Newington

- 8:30 a.m. Regular meeting.

JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON COSTING AN ADEQUATE EDUCATION RSA 193-E:2-d), Room 100, State House

- 1:00 p.m. Regular meeting.

RIGHT-TO-KNOW OVERSIGHT COMMISSION (RSA 91-A:11), Room 304, LOB
10:00 a.m. Rescheduled regular meeting.

MONDAY, FEBRUARY 4

ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION (RSA 282-A:128), NH
Employment Security Building, 32 South Main Street, Concord
9:30 a.m. Regular meeting.

COMMISSION TO DEVELOP A COMPREHENSIVE FLOOD MANAGEMENT PLAN (HB 648, Chapter 179:1, Laws of 2007), Office of Homeland Security and Emergency Management, Smokey Bear Boulevard, Concord
1:00 p.m. Regular meeting.

COMMISSION TO STUDY THE TRAFFICKING OF PERSONS ACROSS BORDERS FOR SEXUAL AND LABOR EXPLOITATION (SB 194, Chapter 122:1, Laws of 2007), Room 304, LOB
2:00 p.m. Rescheduled regular meeting.

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE, (RSA 126-A:13), Room 103, State House
1:00 p.m. Regular meeting.

TASK FORCE ON WORK AND FAMILY (HB 306, Chapter 373:2, Laws of 2007), Room 206, LOB
1:15 p.m. Regular meeting.

TUESDAY, FEBRUARY 5

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 1274**, relative to certain securities professional designations and securities administration.
9:30 a.m. Subcommittee work session on **HB 1152-FN**, relative to annual reports filed by business corporations.
10:00 a.m. **HB 1195**, relative to health care provider reimbursement for services to patients without health insurance.
10:30 a.m. **HB 1402-FN**, relative to community health centers.
11:00 a.m. **HB 1530**, relative to access to mental health practitioners.
11:30 a.m. **HB 1540-FN**, relative to coverage for clinical trials under the children's health insurance program and the state Medicaid program.
1:30 p.m. **HB 1602-FN**, relative to dependent health insurance coverage.
2:00 p.m. **HB 1608-FN**, requiring insurance coverage for colorectal screening for adults in New Hampshire.
2:30 p.m. **HB 1599-FN**, relative to allowable deductibles in the individual insurance market.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:30 a.m. Subcommittee work session on **HB 1233**, relative to the privilege of habeas corpus.

EDUCATION, Room 207, LOB

10:00 a.m. **CACR 29**, relating to education. Providing that the recognition of local control of education in the New Hampshire constitution is reestablished.
10:30 a.m. **HB 1281**, prohibiting public schools from requiring health insurance as a condition of enrollment.
11:15 a.m. **HB 1282**, amending the pre-engineering technology curriculum.
1:00 p.m. **HB 1285**, relative to organization of or withdrawal from a school administrative unit.
2:00 p.m. **HB 1299**, establishing a commission to study the feasibility of creating a preschool incentive fund program.

ETHICS COMMITTEE (RSA 14-B:2) JOINT WITH EXECUTIVE BRANCH ETHICS COMMITTEE

(RSA 21-G:29), Room 101, LOB

12:00 p.m. Joint meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 10:00 a.m. **HB 1153**, relative to physician assistants and physicians regulation by the board of medicine.
- 10:45 a.m. **HB 1262**, relative to continuing medical education requirements for persons licensed by the board of medicine.
- 11:30 a.m. **HB 1394-FN**, relative to procedures for approvals of nursing education programs.
- 1:00 p.m. **HB 1208**, allowing dental hygienists to engage in independent practice.

FINANCE – (DIVISION I), Room 212, LOB

- 10:00 a.m. Work session on **HB 369-FN**, relative to state reimbursement and payment for costs of bailiffs, **HB 594-FN**, granting group II retirement system status to certain positions in the department of corrections, **HB 1341-FN-A**, making an appropriation to the department of administrative services for an energy audit and system evaluation of the state house, **HB 1366**, establishing a committee to study implementation of a new statewide budget system, **HB 1367**, establishing a committee to study implementation of a new state financial accounting system, **HB 1368-FN-A**, establishing a financial benefit for returning New Hampshire national guard and army reserve unit members and make an appropriation therefor, **SB 146-FN**, relative to allowing service credit for certain court system employment.

FINANCE – (DIVISION III), Room 209, LOB

- 1:00 p.m. Work session on **HB 502-FN-A-L**, extending Medicaid coverage through age 20 to individuals who were foster children and are attending postsecondary school.
- 2:00 p.m. Work session on **HB 584-FN**, including 17-year olds in the juvenile justice system.

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

- 10:00 a.m. Executive session on **HB 1138**, relative to on-line patient information, **HB 1201**, allowing communities to conduct point of dispensing exercises to test emergency management operations plans, allowing certain health professionals to administer actual medications during such exercises, and granting immunity to physicians who prescribe drugs to be administered during such exercises, **HB 1380**, relative to the procedure for amending a birth record., **HB 1422**, establishing a commission on the prevention of childhood obesity, **HB 1611-FN**, relative to physical restraints used for involuntary commitments.
- 11:00 a.m. **HB 1634**, establishing the New Hampshire council on autism spectrum disorders.
- 1:00 p.m. **HB 1389**, requiring hospitals to report on criteria for placing patients on waiting lists for organ transplants.

JUDICIARY, Room 208, LOB

- 10:00 a.m. **HB 1146**, relative to immunity for school personnel using necessary force to protect pupils.
- 11:00 a.m. **HB 1252**, limiting civil liability of liquified petroleum gas providers under certain circumstances.
- 1:00 p.m. **HB 1265**, establishing a duty for owners of businesses and institutions to provide protection to customers and employees and liability for failure to provide protection.
- 2:00 p.m. **HB 1543-FN**, relative to the citizen's petition for redress of grievances by the legislature.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 10:00 a.m. **HB 1364-FN**, relative to public employee collective bargaining negotiations under the public employee labor relations act.
- 11:00 a.m. **HB 1436**, relative to requiring inclusion of an automatic continuation clause in collectively bargained agreements with public employees.
- 1:00 p.m. **HB 1469**, relative to public employee terms of employment, bargaining units, and dispute resolution.

LEGISLATIVE ADMINISTRATION, Room 104, LOB

- 10:30 a.m. **HB 1354**, relative to security in the state house and legislative office building.
- 1:30 p.m. **HB 1371**, extending certain studies.
- 1:45 p.m. **HB 1392-FN**, relative to prohibited activities of lobbyists.
- 2:15 p.m. **HB 1416**, establishing a committee to study methods and procedures for making the general court paperless.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:15 a.m. Continued executive session on **HB 1456**, naming route 202 in Strafford county the Charles E. Smith Memorial Highway, **HB 1145**, designating the Senator Otto Oleson Scenic Overlook in Jefferson, **HB 1181**, naming the Manchester district courthouse the Armand Capistran district courthouse.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

- 10:30 a.m. **HB 1335**, establishing a commission to study the effects of post-traumatic stress disorder and traumatic brain injury suffered by New Hampshire soldiers and veterans returning from Iraq and Afghanistan.
- 11:30 a.m. **HR 23**, declaring a supra-national government such as a North American union unconstitutional.
- 1:00 p.m. **CACR 25**, relating to state participation in federal programs. Providing that the state shall not participate in unfunded and partially funded federally mandated programs.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. Continued public hearing on **HB 1426-FN-A**, relative to motor fuel import fees.
- 10:15 a.m. Continued public hearing on **HB 1427-FN-A**, relative to the fuel oil import fee.
- 10:30 a.m. **HB 1512-FN-L**, relative to disposition of motor vehicle fines.
- 11:00 a.m. **HB 1360-FN-A**, repealing the court civil filing fee surcharge.
- 1:00 p.m. Full committee work session on **HB 1511-FN-A**, relative to fees for laboratory services and establishing a laboratory services fund, **SB 173**, relative to regulation of private postsecondary career schools, **HB 781-FN**, relative to the duties of the department of safety.

THURSDAY, FEBRUARY 7

COMMERCE, Room 302, LOB

- 10:00 a.m. **HB 1177**, relative to prohibited interests in on-premises liquor licensees.
- 10:30 a.m. **HB 1178**, relative to the definition of beverage.
- 11:00 a.m. **HB 1197**, relative to liquor advertising.
- 11:30 a.m. **HB 1237**, establishing a committee to study liquor advertising.

TRANSPORTATION, Room 203, LOB

- 9:00 a.m. Subcommittee work session on **HB 1162**, relative to supervised driving time by persons completing driver education.
- 10:00 a.m. Subcommittee work session on **HB 1203**, relative to bicycles.
- 11:00 a.m. Subcommittee work session on **HB 1222**, prohibiting writing a text message while driving.

WAYS AND MEANS, Room 202, LOB

- 9:30 a.m. Executive session on **HR 28**, affirming revenue estimates for fiscal years 2008 and 2009.

FRIDAY, FEBRUARY 8

COMMISSION TO STUDY CHILDHOOD LEAD POISONING PREVENTION LAWS, POLICIES AND STANDARDS IN NEW HAMPSHIRE (SB 176, Chapter 293:10, Laws of 2007), Room 100, State House

- 9:30 a.m. Regular meeting.

DEVELOPMENTAL DISABILITY WAITLIST OVERSIGHT COMMITTEE (RSA 171-A:1-c), Room 103, State House

11:00 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

MONDAY, FEBRUARY 11

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691-FN-L, Chapter 175:15, Laws of 2005), Room 202, LOB

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

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

9:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 12

COMMERCE, Room 302, LOB

11:00 a.m. **HB 1605-FN**, making certain technical changes in the insurance laws.

1:00 p.m. **HB 1557**, relative to enforcement of modular building standards.

1:30 p.m. **HB 1558-FN**, requiring disclosure of fees by automobile dealers.

2:00 p.m. **HB 1591-FN**, relative to vehicles traded to automobile dealers.

EDUCATION, Room 207, LOB

10:00 a.m. **HB 1304**, authorizing Plymouth state university to award doctoral degrees.

11:00 a.m. **HB 1328**, relative to disciplining school employees.

11:30 a.m. **HB 1330**, relative to the process for nonrenewal of teacher contracts.

1:00 p.m. **HB 1336**, requiring the department of education to develop a plan to educate school personnel to recognize stress-related issues in children whose parents have served in Iraq or Afghanistan.

1:30 p.m. Rescheduled public hearing on **HB 1489**, prohibiting the start of public school until after Labor Day.

FINANCE, Rooms 210-211, LOB

1:00 p.m. Executive session on **HB 369-FN**, relative to state reimbursement and payment for costs of bailiffs, **HB 594-FN**, granting group II retirement system status to certain positions in the department of corrections, **HB 1341-FN-A**, making an appropriation to the department of administrative services for an energy audit and system evaluation of the state house, **HB 1366**, establishing a committee to study implementation of a new statewide budget system, **HB 1367**, establishing a committee to study implementation of a new state financial accounting system, **HB 1368-FN-A**, establishing a financial benefit for returning New Hampshire national guard and army reserve unit members and make an appropriation therefor, **HB 1419-FN**, relative to voting machine costs, **SB 146-FN**, relative to allowing service credit for certain court system employment, **HB 502-FN-A-L**, extending Medicaid coverage through age 20 to individuals who were foster children and are attending postsecondary school, **HB 584-FN**, including 17-year olds in the juvenile justice system, **HB 1485**, relative to state reimbursement under the housing security guarantee program, **HB 1503-FN-A**, making an appropriation to fund the reporting of hospital infections by the department of health and human services, **HB 1612-FN-L**, relative to county and state obligations for costs for nursing care and services, and for court orders for children services.

JUDICIARY, Room 208, LOB

10:00 a.m. Rescheduled public hearing on **HB 1432**, relative to the intent of living wills.

11:00 a.m. Rescheduled public hearing on **HB 1185**, relative to the preservation of religious freedom.

1:00 p.m. Rescheduled public hearing on **HB 1322**, relative to hearings for incapacitated persons

admitted to state institutions by their guardians.
2:00 p.m. Rescheduled public hearing on **HB 1333**, relative to post-foreclosure eviction actions.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

10:00 a.m. Executive session on **HB 1127**, relative to determining a bargaining unit in public employee labor relations, **HB 1242**, relative to the prohibition on employee consumption of beverage or liquor, **HB 1342**, relative to travel pay for certain employees, **HB 1344**, relative to negotiations between public employers and employees, **HB 1515-FN**, prohibiting "at will" employment and creating a database of employee terminations.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. **HB 666-FN**, establishing a license fee for the sale of animal vaccines.

THURSDAY, FEBRUARY 14

COMMERCE, Room 302, LOB

10:00 a.m. **HB 1566-FN**, prohibiting automated teller machine skimming devices.
10:30 a.m. **HB 1230**, requiring pharmacists to charge an insured person the usual and customary price or the copayment, whichever is less, of filling a prescription.
11:00 a.m. **HB 1518-FN**, relative to prescription drug marketing, restrictions, and disclosure.
1:15 p.m. **HB 1421**, relative to an exemption from the indoor smoking act for certain restaurants.
1:45 p.m. **HB 1457**, allowing smoking in smoking bars.
2:15 p.m. **HB 1553-FN**, banning sales of cigarettes through vending machines and banning the distribution of free samples of tobacco products.

JUDICIARY, Room 208, LOB

10:00 a.m. **HB 1160**, establishing the women's health protection act.
11:00 a.m. **HB 1495-FN**, relative to parental notification.
1:00 p.m. **HB 1498-FN**, relative to notification of a parent or guardian by medical professionals when treating a minor.
2:00 p.m. **HB 1588-FN**, relative to the verification of the state of residency of an unemancipated minor seeking an abortion in New Hampshire.

FRIDAY, FEBRUARY 15

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

9:00 a.m. Regular meeting.

COMMISSION TO ORGANIZE EVENTS IN CELEBRATION OF THE ABRAHAM LINCOLN BICENTENNIAL (SB 221, Chapter 124:1, Laws of 2007), Tuck Library, NH Historical Society, Concord

12:00 p.m. Organizational meeting.

ELDERLY AFFAIRS (RSA 17-H:2), Room 205, LOB

10:00 a.m. Regular meeting.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J), Rooms 301-303, LOB

9:30 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Belknap County Delegation will hold a public meeting on Tuesday, **February 19** beginning at 7:00 p.m. The meeting will be held at the Belknap County Complex in the multi-purpose room, 34 County Drive, Laconia. 1. The purpose of this meeting is to approve and pass the year 2008 Belknap County Budget. We

urge you to attend. 2. Other County business as necessary.
Rep. Stephen H. Nedeau, Chairman
Belknap County Delegation

COUNTY DELEGATION NOTICE

Rockingham County 2008 Budget schedule:

Rockingham County Executive Committee will meet on Friday, **February 8** at 9:30 a.m. at the Hilton Auditorium, RCNH, Brentwood for the Subcommittee Chairs to report budget recommendations and for the Executive Committee to vote on the budget to be presented to the full Delegation.

Rockingham County Executive Committee will meet on Tuesday, **February 19** at 5:30 p.m. at the Hilton Auditorium, RCNH, Brentwood, to finalize unfinished business prior to the Delegation Meeting.

Rockingham County Delegation (RSA 24:21-b) will meet on Tuesday, **February 19** at 6:00 p.m. at the Hilton Auditorium, RCNH, Brentwood, to adopt the County Budget for 2008. Sandwiches and light refreshments will be provided. Thursday, February 21 will be the storm date.

Rep. David A. Welch, Clerk
Rockingham County Delegation

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.

Rep. Peter R. Cote, 68 Bowers Street, Nashua, New Hampshire 03060-3927.

Rep. Robert W. Forsing, Epsom Healthcare Center, Room 201, 901 Suncook Valley Highway, Epsom, New Hampshire 03234.

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

Karen O. Wadsworth, Clerk of the House

REVISED FISCAL NOTES

The following HBs have revised fiscal notes: HBs. 211, 415, 432, 584, 678, 692, 754, 765, 794, 837, 1298, 1580, 1598, 1599, 1602, 1603, 1605, 1607, 1608, 1614, 1615, 1616, 1619, 1620, 1621, 1622, 1623, 1624, 1626, 1635. SBs 146, 173.

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

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

The Legislative Youth Advisory Council will meet Sunday, **January 27**, 1:00 p.m. to 4:00 p.m. at the NH Technical Institute in Concord. They will be reviewing current legislation to decide which issues are of interest and concern to them. They are in the process of planning public forums to gather more information from their peers. The meetings are open to the public. For further information or questions contact Rep. Carolyn Gargas.

Rep. Carolyn Gargas

Please join the Granite State Conservation Voters Education Fund and the New Hampshire Conservation community at our Second Annual Legislative Breakfast on **January 29th** at the Holiday Inn on North Main Street in Concord from 7:30 – 9:00 a.m. There is no charge for the breakfast and program. This year's theme is "Building Bipartisan Solutions for New Hampshire's Environment" with opening remarks by Governor John Lynch and Honorable Charles Bass. Brief presentations will be made on the important conservation issues that will be discussed this session in five topic areas: Climate and Energy; Water Resources; Land Conservation; Recycling and Solid Waste; and Transportation and Land Use. The breakfast will conclude with a panel discussion outlining the Regional Greenhouse Gas Initiative titled "RGGI 101 – what you need to know." We hope that you are able to join us.

Rep. Naida Kaen

All legislators and staff are invited to a legislative luncheon and discussion of Electronic Medical Records in the healthcare setting on Tuesday, **January 29** from 11:45 a.m. to 1:00 p.m. at St. Paul's Church, 21 Centre Street, Concord. Come hear experts in the field discuss the advances in healthcare technology and what it means for patients, providers and privacy. Sponsored by Elliot Health System and the NH Hospital Association. Lunch to be served at 12 noon. Hope to see you there!

Reps. Mary Jane Wallner and Michael D. Whalley

Mental Health services in New Hampshire. New Hampshire's proud tradition of providing services to its mentally ill has been seriously eroding over the last several years. You are invited to attend a breakfast session to hear the results of a two-year study on the public/private delivery of mental health services in New Hampshire. The NH Mental Health Commission will discuss the report: FULFILLING THE PROMISE: Transforming New Hampshire's Mental Health System. Representative James R. MacKay, Chairman of the Commission will provide an overview. Steve Norton, President of the New Hampshire Center for Public Policy; Lisa Mercado, Co-Chairman of the work team on Consumer and Family Driven Services and Commissioner Nicholas Toumpas of the Department of Health and Human Services will discuss the report and its implementation. There will be a discussion on the development of a legislative caucus. Please attend the meeting from 7:30 a.m. to 9:00 a.m. on Thursday, **January 31st** at St. Paul's Church, Concord. Breakfast will be served. The meeting is co-sponsored by NAMI-NH. For planning purposes, please RSVP to Dottie McDonnell at dorothy.mcdonnell@leg.state.nh.us or call 271-8300.

Rep. James R. MacKay

Northeast Delta Dental cordially invites all members of the New Hampshire Legislature, and their staffs, to its Ninth Annual Legislative Reception to be held Tuesday, **February 5** from 4:00 p.m. to 6:30 p.m. at its corporate office One Delta Drive in Concord.

Reps. Mary Jane Wallner and Michael D. Whalley

Bi-State Primary Care Association and the NH Community Health Centers invite all legislators to attend the 2008 Legislative Breakfast of Champions on Thursday, **February 7**, from 7:30 a.m. (hot breakfast) to 9:00 a.m. at the Concord Holiday Inn, 172 N. Main St., Concord. This year's topic is Barriers to Access: Building Primary Care Capacity in New Hampshire - Workforce, Capital, Coverage. We look forward to seeing you there. Snow date: February 20.

Reps. Martha McLeod and Elizabeth S. Hager

The Legislative Caucus for Young Children (LCYC) will meet on Monday, **February 11** in Room 206, LOB at 1:15 p.m. The guest speaker will be Rep. Emma Rous, Chair of the House Education Committee and Co-Chair of the Joint Legislative Oversight Committee on Costing an Adequate Education. Rep. Rous will present an update of the Joint Committee's progress to date. All members welcome.

Rep. Mary Stuart Gile

To all legislators: What is mental health? How interconnected are mental health, physical health and substance use disorders, and what impact do they have on suicide and suicide attempts? You along with your fellow legislators, NAMI NH family leaders board members and leaders from NH's Community Mental Health Centers, are invited to join a discussion about mental health services in NH. At the luncheon you will hear from a survivor of suicide; he will tell his story of the impact of mental illness and death by suicide on a family. This non-partisan event, sponsored by the National Alliance on Mental Illness will be held on **February 12** from noon to 1:00 p.m. at St. Paul's Church, 21 Centre Street, Concord. Lunch will be provided. For more information please call or email: 225-5359 or info@naminh.org.

Reps. Mary Jane Wallner and Michael D. Whalley

Representative John Alger, P.E. was serving as Chairman of Science, Technology and Energy Committee at the time of his passing in 2005. In recognition of his distinguished engineering and legislative careers, the New Hampshire Society of Professional Engineers (NHSPE) renamed its annual scholarship program as the John Alger Memorial Scholarship in his honor. This is an excellent program, supporting in-state students who are pursuing careers in the engineering profession. Members who would like to support this program and honor John should contact Larry Dwyer at Ldwyer@jgieastern.com, visit the NHSPE website nhspe.org, or mail a contribution to Lawrence Dwyer, PO Box 1146, Amherst, NH 03031. John's achievements and scholarship fundraising results will be recognized at the New Hampshire Engineers Week Banquet at The Center of New Hampshire on **February 21**. Members interested in attending should contact Cecile Baldassara at 647-8700x200 or cbaldassara@sfceng.com.

Rep. Franklin T. Tilton

The House Republican Alliance will meet every Tuesday at 8:30 a.m. in the Upham Walker House.

Rep. David J. Bettencourt

The Main Street Republicans will meet every Wednesday at 8:30 a.m. at the Upham Walker House.

Rep. David H. Kidder

STATE HOUSE VISITATION SCHEDULE

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 **January & February** 2008. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the remainder of the school year and subject to changes. Please note that if your school is closed or has a delay, that their tour will be rescheduled. 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>
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Jan 28	10:30/11:45 SH/SC	Newton Memorial School	4/60
Jan 29	9:30	Griffin Memorial School – Litchfield	4/50
Jan 29	11:00	Unity Elementary School – 2 Separate Tours	(4&8)/30
Jan 30	9:30	Griffin Memorial School – Litchfield	4/50
Jan 31	9:30	Griffin Memorial School – Litchfield	4/50
Jan 31	11:00	Dunbarton Elementary School	4/36
Feb 1	9:30	Dublin School	HS/10
Feb 1	12:15	Sign Language Interpreters	Adult/10
Feb 4	10:00	Moultonborough Central School	4/43
Feb 4	11:30	Tripp Center – Franklin	Adult/12
Feb 5	9:00	Peter Woodbury School – Bedford	4/40
Feb 5	10:00	UNH – Social Work Students	College/32
Feb 6	9:00	Peter Woodbury School – Bedford	4/40
Feb 6	3:00	World Affairs Council	Adult/30
Feb 7	9:00	Peter Woodbury School – Bedford	4/40
Feb 7	10:00/11:30 SH/HM	Bicentennial Elementary School – Nashua	4/48
Feb 8	9:30/11:00 SH/SC/HM	Jaffrey Grade School	4/68
Feb 11	10:00/11:30 SH/SC	Stratham Memorial School	4/55
Feb 12	10:00/11:30 SH/HM	Bicentennial Elementary School – Nashua	4/72
Feb 13	8:30/10:15 SH/HM	Bishop Guertin High School – Nashua	HS/110
Feb 14	10:00/11:30 SH/HM	Derry Village School	4/105
Feb 15	10:00/11:30 SH/SC	Stratham Memorial School	4/55
Feb 19	9:30/11:30 SH/HM	Maplewood Elementary School – Somersworth	4/60
Feb 19	12:30	Sunapee District Boy Scouts	11-18yrs/26
Feb 20	9:30/11:30 SH/HM	Maplewood Elementary School – Somersworth	4/60
Feb 21	9:45/11:00 SH/HM	East Rochester School	5/75
Feb 21	1:00	Vesta Roy Excellence Group	Adult/8
Feb 21	3:00	Rivier College – Nursing Students	College/30
Feb 22	8:45	Walker School – Concord	(3 rd &4 th)/27
Feb 22	11:00	Chichester Central School	4/25

WEDNESDAY, JANUARY 30

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2007-2538h

Amendment to HB 847

Proposed by the Majority of the Committee on Transportation - R

Amend RSA 270-D:2, X(a) as inserted by section 1 of the bill by replacing it with the following:

X.(a) No person shall operate a vessel on Lake Winnepesaukee at a speed greater than is reasonable and prudent under the existing conditions and without regard for the actual and potential hazards then existing. In all cases, speed shall be controlled so that the operator will be able to avoid endangering or colliding with any person, vessel, object, or shore.

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

2 Repeal. RSA 270-D:2, X-XI, relative to speed limits on Lake Winnepesaukee, is repealed.

3 Effective Date.

I. Section 1 of this act shall take effect January 1, 2009.

II. The remainder of this act shall take effect January 1, 2011.

AMENDED ANALYSIS

This bill establishes speed limitations for vessels traveling on Lake Winnepesaukee. This bill also requires that violations of the general rules for vessels operating on water become a part of the motor vehicle driving record of the person convicted. These provisions are repealed on January 1, 2011.

2008-0154h

Amendment to HB 1136

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

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

1 Purpose. The general court recognizes that the use of automated external defibrillators (AEDs) in the state of New Hampshire has had a demonstrably positive impact on saving the lives of New Hampshire citizens in cardiac arrest. Therefore, it is the intent of the general court that access to AEDs be made widely available to businesses, schools, fire and police departments, and other public and private organizations throughout the state. The elimination of the requirement that all expected users of AEDs be trained in cardiopulmonary resuscitation (CPR) and AED use will remove a barrier to the development of lay rescuer AED programs, thereby assisting emergency personnel in saving the lives of New Hampshire citizens when responding to emergencies.

2 Training. Amend RSA 153-A:30 to read as follows:

153-A:30 Training. Every person, association, corporation or other organization that acquires an automated external defibrillator shall require ~~[every individual]~~ **anticipated responders** expected to use the automated external defibrillator to receive training in cardiopulmonary resuscitation and automated external defibrillator use. ***This section shall not limit the use of the automated external defibrillator to the anticipated responder nor shall this section limit the provisions of RSA 153-A:31.***

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

AMENDED ANALYSIS

This bill limits the training requirement for automated external defibrillator use to anticipated responders.

2008-0073h

Amendment to HB 1151

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

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

1 Instream Flow Pilot Program; Reporting Date Extended. Amend 2002, 278:2, III as amended by 2003, 319:48 to read as follows:

III. The commissioner of the department of environmental services shall initiate and adopt rules pursuant to RSA 541-A for other rivers designated under RSA 483:15 only after the adoption and implementation of the rules relative to protected instream flows pursuant to RSA 483:9-c for the Lamprey and Souhegan rivers and completion of the report required under section 3, III(d) of this act, but not before December 1, ~~[2008]~~ **2010**.

2 Instream Flow Pilot Program; Reporting Dates Extended. Amend 2002, 278:3, III as amended by 2003, 319:49 to read as follows:

III. The commissioner of the department of environmental services shall:

(a) By April 1, ~~[2007]~~ **2009**, conduct protected instream flow studies and submit a report that details the results of science for the pilot program, including the projected impacts of the protected instream flows and water management plans to be implemented on water users, wildlife, recreation, and other interests along the rivers and any recommendations for proposed legislation. The department shall hold a public hearing jointly with the senate environment committee and the house resources, recreation and development committee within 60 days and be open for a public comment period of an additional 30 days. The department shall consider the public comments received in any revisions to the protected instream flow levels and water management plans for the Lamprey River and the Souhegan River.

(b) By October 1, ~~[2007]~~ **2009**, adopt and implement the protected instream flows and water management plans relative to the Lamprey River and the Souhegan River.

(c) One year after the adoption and implementation of the protected instream flow levels and water management plans for the Lamprey River and the Souhegan River, the department shall hold a public hearing and open a 30-day public comment period. The department shall consider the public comments received in any revisions to the protected instream flow levels and water management plans for the Lamprey River and the Souhegan River.

(d) By December 1, ~~[2008]~~ **2010**, submit a report that details the activities and results of the pilot program, including the impacts of the protected instream flows and water management plans on water users, wildlife, recreation, and other interests along the rivers and any recommendations for proposed legislation. The report shall also include a summary of public comments received and the completed instream flow studies and the adopted protected instream flow levels and water management plans and shall be submitted to the senate president, the speaker of the house of representatives, the governor, and the state library.

3 Committee to Study the Impact of Water Withdrawals on Instream Flows; Report Date Extended. Amend RSA 2000, 242:5 as amended by 2001, 138:6, 2002, 278:6, and 2003, 319:50 to read as follows:

242:5 Report. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, ~~[2008]~~ **2010**.

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

2008-0122h

Amendment to HB 1295

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

Amend the bill by replacing sections 2 through 4 with the following:

2 Membership and Compensation.

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

(a) Three members of the house of representatives, including at least one member of the resources, recreation, and development committee, appointed by the speaker of the house of representatives.

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

(c) The commissioner of the department of environmental services, or designee.

(d) A representative of the New Hampshire Association of Regional Planning Commissions, appointed by that organization.

(e) A representatives of the Business and Industry Association of New Hampshire, appointed by that organization.

(f) A representative of the New Hampshire Local Government Center, appointed by that organization.

(g) An expert on stormwater management or watershed management from the university system of New Hampshire, appointed by the university president.

(h) The director of the office of energy and planning, or designee.

(i) A representative of the Home Builders and Remodelers Association of New Hampshire, appointed by that organization.

(j) A member of the New Hampshire Rivers Council, appointed by that organization.

(k) A member of the New Hampshire Lakes Association, appointed by that organization.

(l) A representative of the Associated General Contractors of New Hampshire, appointed by that organization.

(m) A representative of the New Hampshire Public Works Association who is employed by a municipal separate storm sewer system community.

(n) A representative of the American Council of Engineering Companies of New Hampshire, appointed by the council.

(o) The commissioner of the department of transportation, or designee.

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

3 Duties. The commission shall study:

(a) The effects of stormwater and stormwater management on water quality, water supply and quantity, terrestrial and aquatic habitat, flooding, and drought hazards.

(b) The relationship between land use change and stormwater.

(c) The relationships among and adequacy of federal, state, and local regulations and practices that pertain to stormwater management.

(d) State and municipal infrastructure construction and maintenance practices.

(e) The role of design, construction, and maintenance practices by residential, commercial, and industrial property owners.

(f) The effects of climate change on stormwater and stormwater management.

4 Chairperson. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section.

2008-0072h

Amendment to HB 1346

Proposed by the Committee on Municipal and County Government - C

Amend the bill by replacing section 2 with the following:

2 Junk Dealers; Governing Body; Scrap Metal. Amend RSA 322:1 to read as follows:

322:1 License. The ~~[police commissioners of any city or town, or the mayor and aldermen of any city or the selectmen of any town in which there is no police commission]~~ ***governing body of any town, city, or unincorporated place***, may, in their discretion, license suitable persons to be dealers in and keepers of shops for the purchase and sale, or barter, of old junk, old ***or scrap*** metals, old or second-hand bottles, cotton or woolen mill waste, unfinished cloth, cotton or woolen mill yarns in an unfinished state, not of family manufacture, or second-hand articles, excepting furniture and books, within their respective cities ~~[or]~~, towns, ***or unincorporated places***, or to accumulate, store or handle said commodities therein for the purpose of sale or barter elsewhere, or as bailees for others, and may determine and designate the place where the business is to be carried on, and the place where the commodities aforesaid may be accumulated, stored or handled, under such license.

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

5 Junk and Scrap Metal Dealers; Identification. Amend RSA 322:10 to read as follows:

322:10 ~~[Badge]~~ ***Identification***. Every ~~[person]~~ ***licensee*** going about from place to place collecting said commodities named in RSA 322:1 shall also ~~[wear a badge]~~ ***carry a photo identification*** on ~~[his hat or cap,]~~ or about his ***or her*** person, with the number of his ***or her*** license thereon ~~[in brass or plated figures not less than one inch high,]~~ so placed that the number may be distinctly seen and read. The ~~[badge shall]~~ ***identification may be required to*** be furnished by the ~~[board of police commissioners or by the city clerk of cities, or by the selectmen of towns,]~~ ***licensing authority*** upon payment of a suitable fee therefor.

6 Pawnbrokers; Licenses. Amend RSA 398:5 to read as follows:

398:5 Licenses. The ~~[board of police commissioners of any city or town or the mayor and aldermen of any city or the selectmen of any town in which a police commission has not been established,]~~ ***governing body of any town, city, or unincorporated place*** may license suitable persons to carry on the business of pawnbrokers in said city ~~[or]~~, town, ***or place*** for one year, and may revoke such licenses, in their discretion, after a hearing on charges preferred.

AMENDED ANALYSIS

This bill clarifies the authority for cities, towns, and unincorporated places to regulate junk dealers, scrap metal dealers, and pawnbrokers.

2008-0114h

Amendment to HB 1372-FN

Proposed by the Committee on Public Works and Highways - R

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Driveway Construction Permit Fees. Amend RSA 236:13, III by inserting after subparagraph (c) the following new subparagraph:

(d) The department of transportation may charge a fee to cover costs expended to perform engineering reviews and construction inspections associated with the issuance of driveway permits issued under this paragraph. The fee for work performed by department technical and engineering personnel shall be \$65 per hour. The fee for work performed by consultants engaged by the department to assist with this work will be the actual costs charged by the consultant, not to exceed \$105.00 per hour.

2008-0053h

Amendment to HB 1395-FN

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

Amend the bill by replacing section 3 with the following:

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

2008-0084h

Amendment to HB 1407

Proposed by the Committee on Municipal and County Government - C

Amend RSA 644:13, I as inserted by section 1 of the bill by replacing it with the following:

I. A person is guilty of a violation if, within the compact part of a town or city, such person fires or discharges any cannon, gun, pistol, or other firearm, except by written permission of the *current* chief of police ~~or~~ **and** governing body.

AMENDED ANALYSIS

This bill requires written permission of the current chief of police and governing body in order to discharge a firearm in the compact part of a town or city.

2008-0081h

Amendment to HB 1448-FN

Proposed by the Committee on Public Works and Highways - C

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

AN ACT relative to documents prepared by the department of transportation and reimbursement fees for such documents.

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

1 New Section; Authority of Commissioner of Transportation to Charge Reimbursement Fees for Documents. Amend RSA 21-L by inserting after section 4 the following new section:

21-L:4-a Reports, Manuals, and Other Publications; Reimbursement Fees. The commissioner of transportation is authorized to prepare, publish, and distribute reports, manuals, plans, specifications, charts, surveys, or other documents consistent with the responsibilities of the department. The commissioner may charge fees to reimburse the department for costs incurred in producing or copying such documents, and for applicable mailing costs. The commissioner shall publish a schedule of reimbursement fees to be approved by the fiscal committee of the general court. The schedule of reimbursement fees may be updated on a bi-annual basis.

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

AMENDED ANALYSIS

This bill:

- I. Authorizes the commissioner of transportation to prepare and distribute certain documents.
- II. Establishes reimbursement fees for such documents.

This bill is a request of the department of transportation.

2008-0090h

Amendment to HB 1453

Proposed by the Committee on Public Works and Highways - C

Amend the bill by replacing section 1 with the following:

1 Civil Liability. Amend RSA 236:39 to read as follows:

236:39 Civil Liability. If any person, without authority, shall place any obstruction in a highway, or cause any defect, insufficiency, or want of repair of a highway which renders it unsuitable for public travel, he or she shall be liable to the state for all damages to the highway, including replacement costs of protective barriers, when maintained by the state, or to the municipality for all damages to a highway, including replacement costs of protective barriers, when maintained by the municipality, and for all damages and costs which the state or municipality shall be compelled to pay to any person injured by such obstruction, defect, insufficiency, or want of repair *as established through an appropriate contribution claim or under the rules of joint and several liability.*

AMENDED ANALYSIS

This bill clarifies the civil liability of a person who damages a highway or protective barrier.

2008-0146h

Floor Amendment to HB 1523

Proposed by Reps. Harvey, Butterworth and Manney

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

1 New Section; Right to Use of Clotheslines. Amend RSA 155-D by inserting after section 10 the following new section:

155-D:11 Right to Use of Clotheslines.

I. No municipality shall prohibit any person from erecting and using a clothesline, a clothes drying rack, or both on the premises, for the purpose of drying clothes.

II. No new planned residential development approved by a local planning board or local zoning board on or after the effective date of this act shall prohibit any person from erecting and using a clothesline, a clothes drying rack, or both, on the premises, for the purpose of drying clothes.

III. Nothing in this section shall be construed to limit the reasonable regulation by a municipality of times for clothes drying or the location of a clothesline or drying rack, or both on the premises in order to protect access to buildings, to protect the ability to evacuate buildings in case of fire or other emergency, or to protect aesthetic values.

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

2007-2501h

Amendment to SB 32-FN

Proposed by the Majority of the Committee on Judiciary - R

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

AN ACT increasing the maximum amount of debt or damages for small claims actions and requiring mediation for small claims actions exceeding \$5,000 and establishing a fee for the cost of such mediation.

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

2 New Paragraph; Mediation Required. Amend RSA 503:1 by inserting after paragraph III the following new paragraph:

IV. When the amount of debt or damages exceeds \$5,000 and no claim is made for trial by jury under paragraph III, the parties to the action shall be required to participate in a mediation program in the district courts approved by the office of mediation and arbitration established under RSA 490-E. If mediation of such action does not result in resolution of the action, the case shall be presented to the judge under oath.

3 Small Claims Exceeding \$5,000; Mediation Fee. RSA 503:4, II is repealed and reenacted to read as follows:

II. The sum of \$5 shall be added to each entry fee collected in the district courts for small claims actions in which the amount of debt or damages is \$5000 or less and the sum of \$60 shall be added to each entry fee collected in the district courts for small claims actions in which the amount of debt or damages exceeds \$5000. Such sums shall be deposited in the mediation and arbitration fund established under RSA 490-E:4.

4 Effective Date. This act shall take effect January 1, 2009.

AMENDED ANALYSIS

This bill increases the maximum amount of debt or damages for small claims actions. The bill also requires mediation for small claims actions exceeding \$5,000 and establishes a fee for the cost of such mediation.