

State of New Hampshire

HOUSE RECORD

First Year of the 161st General Court Calendar and Journal of the 2009 Session

Vol. 31	Concord, NH	Friday, February 13, 2009	No. 14
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Contains: Reports and Amendments for February 18, Hearings, Meetings, Notices and House
Emergency Notification System

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet at 10:00 a.m. on **Wednesday, February 18th**. Please expect a full day. We will meet again on **Wednesday, March 4th**. Keep in mind that this is a deadline day, and should we not finish acting on all early bills, it would be necessary to return on **Thursday, March 5th**.

Terie Norelli, Speaker

NOTICE

There will be a meeting of committee Chairmen and Vice Chairmen on Tuesday, **February 17**, at 8:30 a.m. in Rooms 301-303, LOB.

Terie Norelli Speaker

NOTICE

There will be a Democratic Caucus on Wednesday, **February 18** at **9:00 a.m.** in Representatives Hall.

Rep. Mary Jane Wallner, Majority Leader

NOTICE

There will be a Republican Caucus on Tuesday, **February 17** at **3:30 p.m.** in Representatives Hall and on Wednesday, **February 18** at **8:45 a.m.** in Rooms 305-307, LOB.

Rep. Sherman A. Packard, Republican Leader

NOTICE

The Calendar closes at 3:00 p.m. on Wednesdays for scheduling and notices. It closes at 1:00 p.m. on Thursdays for Committee Reports. Members and staff who need to schedule meetings should make arrangements with the Clerk's Office for room availability/assignment and publication of meeting notices.

WEDNESDAY, FEBRUARY 18

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 38, relative to the minimum amount of child support ordered by the court. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara H Richardson for Children and Family Law: An economic report on the cost of raising children will be released in March, 2009. The committee believed it would be premature to pass this bill prior to receiving this report. **Vote 17-0.**

HB 79, relative to use of the child support guideline worksheet. **OUGHT TO PASS.**

Rep. David A Bickford for Children and Family Law: This bill requires the court or court personnel to retain the child support guideline worksheet in the court file and be prepared to make it available for inspection at the request of the parties. Therefore all parties will know how child support was delivered. **Vote 17-0.**

HB 116, relative to the membership of the legislative youth advisory council. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jane B Johnson for Children and Family Law: This bill as amended allows the council to request the appointment of a replacement member when an original member has had 3 consecutive absences without cause. The replacement member shall serve for the remainder of the term. **Vote 17-0.**

HB 132, relative to access to case records of the department of health and human services. **OUGHT TO PASS.**

Rep. Edward P Moran for Children and Family Law: This bill was requested by the department of health and human services. It is intended to permit welfare and law enforcement agencies from other states to have access to health and human services records which would be necessary for these agencies to carry out their responsibility under law to protect children from abuse or neglect. **Vote 17-0.**

HB 173, relative to the basis for awarding custody to a stepparent or grandparent. **OUGHT TO PASS.**

Rep. David A Bickford for Children and Family Law: The appropriate venue for grandparents and stepparents is through RSA 463 the guardianship of minors statute which is designed to provide procedural and substantive safeguards for the rights of parents and minor children. This removes the provision as being inappropriate under RSA 461-A which is just for parents and children. **Vote 18-0.**

COMMERCE AND CONSUMER AFFAIRS

HB 392-FN, establishing a cigar bar liquor license. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joel F Winters for Commerce and Consumer Affairs: Under the amendment, a new liquor license would be created for tobacco retailers who have more than 60% of their business income from cigar related products. Prior to a license being granted, the city or town would have to vote to accept these new provisions. Licenses would also have to prohibit anyone under 18 from entering the store. **Vote 19-1.**

HB 564-FN, relative to wheelchair van accessible parking spaces. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susi Nord for Commerce and Consumer Affairs: This bill creates a definition of ramp/lift van and designates that parking lots of over 50 spaces will maintain a number of ramp/lift van only spaces in addition to the regular inventory of handicap accessible spaces. Current law designates the number of regular and van accessible spaces that must be available based on lot size and allows anyone with a placard to park in the van accessible spaces. This bill creates the category of

ramp/lift van only spaces and designates a small number of the total inventory of handicap accessible spaces that only the ramp/lift van may use for larger lots. This bill would apply to new parking lots as of 2010 and to existing lots when they re-stripe/pave after that time. **Vote 20-0.**

EDUCATION

HB 225, relative to room and board scholarships for children of firefighters and police officers. **OUGHT TO PASS.**

Rep. Nancy F Stiles for Education: The language in this bill was a coordinated effort of the state treasurer and representatives of the firefighters association, UNH and the post secondary commission. This bill assists current statute by setting up the vehicle for receiving and disbursing money received by the state treasurer for room and board expenses for children of firefighters and police officers who died in the line of duty. There had been no mechanism for disbursement in the current statute. **Vote 18-0.**

HB 441-FN, relative to CART providers and sign language interpreters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Claire D Clarke for Education: This bill appropriates \$1 to the postsecondary education commission from the general fund to establish a CART provider and sign language interpreter net tuition repayment fund. This bill is necessary to provide the deaf and hard of hearing individuals in New Hampshire with access to services of CART (computer aided realtime translation) providers and/or competent sign language interpreters at all levels of our government. This includes hospitals, courts and schools. According to statistics, we presently have only 80 translators in New Hampshire. For translators who agree to work in New Hampshire for five years, this bill includes procedures for repayment of tuition costs from private sources, and participation in a mentoring program. The General Court shall receive an annual report by the commissioner of post secondary education on the effectiveness of the program. **Vote 20-0.**

HB 547-FN-L, relative to distributions of adequate education aid. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E Shaw for Education: This bill proposes a permanent hold harmless provision for state education aid but makes no allowance for decreasing enrollments and would perpetuate an unconstitutional method of apportioning funds. **Vote 18-2.**

HB 688, relative to the chartered public school approval process and relative to open enrollment schools. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Nancy F Stiles for Education: This bill separates the statute to bring clarity to the two processes of establishing an open enrollment school and that of a school district charter school. It streamlines the process and leaves the final decision in the hands of the district voters. The amendment requires that a public hearing be held as part of the process. **Vote 17-3.**

ELECTION LAW

HB 386, relative to challenges of voters. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael J Bartlett for Election Law: This bill establishes requirements for challenging a voter including a challenge affidavit. The committee believes that HB 386 is encompassed within HB 276, therefore redundant and not necessary. **Vote 18-0.**

ENVIRONMENT AND AGRICULTURE

HB 232, permitting the pesticide control board to establish pesticide fees. **OUGHT TO PASS.**

Rep. Robert H Haefner for Environment and Agriculture The committee agreed with removing the pesticide fees from statute and placing them in rules with no accompanying fee increase. Many fees are set in rules and not statute. We think this is the more efficient process. The concern of diminished legislative oversight is reduced in that joint legislative committee on administrative rules (JLCAR) is in place with 5 Representatives and 5 Senators to oversee rule changes, including fees, by the executive branch. Fee increases are not automatic in the rule process, but must be approved by the General Court's JLCAR committee. **Vote 14-1.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 93, relative to the minimum age for fighting sports competitions. **OUGHT TO PASS.**

Rep. Don Petterson for Executive Departments and Administration: This bill provides that the required minimum age of 18 years for participants in professional boxing and wrestling competitions also be applied to mixed martial arts, kick boxing, and any other form of professional combat sports as defined in RSA 285:16. **Vote 17-0.**

HB 98, relative to reinstatement of lapsed licenses of speech-language pathologists. **OUGHT TO PASS.**

Rep. Charlotte Houde-Quimby for Executive Departments and Administration: This bill corrects language in RSA 326-F:7, which presented an obstacle to the speech pathology board's ability to write administrative rules governing the re-instatement of lapsed licenses pursuant to their rulemaking authority. **Vote 17-0.**

HB 243, authorizing the designation of special assistant attorneys general. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ken Hawkins for Executive Departments and Administration: This bill would allow the New Hampshire attorney general to appoint, without compensation, assistant U.S. attorneys or assistant county attorneys to assist with state cases. The appointment would require prior authorization from the U.S. attorney or respective county attorney. **Vote 17-0.**

HB 599-FN, relative to reclassification of the position of forensic toxicologist in the department of safety. **OUGHT TO PASS.**

Rep. Carol M McGuire for Executive Departments and Administration: This bill reclassifies the position of forensic toxicologist from an unclassified position to a classified position, at the same or lower pay level, which is more appropriate for this sort of professional position. The change should make it easier to fill the position, which will save the current expenses for specialized laboratory tests and expert witness fees. In 2007, HB 749 had the same position change. It was passed by the house on the consent calendar before being amended and tabled by the senate. **Vote 17-0.**

FISH AND GAME AND MARINE RESOURCES

HB 41, allowing the executive director of fish and game to donate certain hunting and fishing permits to the wildlife heritage foundation of New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David H Watters for Fish and Game and Marine Resources: This bill allows the executive director of fish and game to donate each fiscal year up to five fishing and hunting license along with any necessary permits to the Wildlife Heritage Foundation of New Hampshire, the department's official nonprofit partner. This limited program will enhance fundraising for the wildlife heritage foundation which benefits fish and game special activities. **Vote 14-0.**

HB 182, relative to fish and game department authorization to administer programs involving federal aid, and relative to biennial reports of the department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael J McCarthy for Fish and Game and Marine Resources: This bill will clarify the authority of the fish and game department to conduct programs involving federal aid. It also combines two statutes relative to biennial reports submitted by the department and updates language relative to reporting non-resident honorary licenses. **Vote 13-0.**

HB 451, authorizing a transaction fee for license agents electronically issuing fish and game licenses. **OUGHT TO PASS.**

Rep. Elisabeth N Sanders for Fish and Game and Marine Resources: This bill would permit agents of fish and game to collect an internet transaction fee when issuing online licenses. The fee would go directly to the contracted vendor for its electronic services. Approximately 23% of all fishing and hunting licenses are purchased online. The internet service provides a convenient method for residents and non-residents to purchase their licenses. **Vote 12-0.**

HB 545-FN, relative to the wildlife damage control program in the fish and game department. **OUGHT TO PASS.**

Rep. Lyle E Bulis for Fish and Game and Marine Resources: This bill, as requested by the department, changes the cost sharing formula to a program where the fish and game department

will pay for the fencing materials and the landowner is responsible for installation. Material cost re-imbursement is completed after construction and in inspection by the department. This bill also removes the “sunset” provision of the existing statute. **Vote 16-0.**

HB 549, relative to the taking of snapping turtles. **INEXPEDIENT TO LEGISLATE.**

Rep. John W Henson for Fish and Game and Marine Resources: This bill is intended to limit the taking of snapping turtles. While supporting the intent of this bill, the committee found that this is within the ability of the rulemaking authority of the fish and game department. Necessary additions to the rules to protect the turtles will be discussed between the prime sponsor and the fish and game department. Using the rulemaking process will allow the department to react to changing conditions in an efficient and timely manner. **Vote 16-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB146-FN-L, relative to the minimum wage. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary J Gorman for Labor, Industrial and Rehabilitative Services: In the interest of keeping people employed, the committee cannot at this time support an increase in the minimum wage. The prime sponsor agreed and is encouraged to reintroduce this bill once the recession recedes. **Vote 17-0.**

HB 164, relative to repayment of loans under the workforce incentive program. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary J Gorman for Labor, Industrial and Rehabilitative Services: This bill is not necessary because its intended purpose is already in statute. RSA 457-A:6 addresses the rights, obligations and responsibilities of parties who enter a civil union. **Vote 19-0.**

HB 216-FN, relative to fees for legal services rendered to workers' compensation claimants. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sally H Kelly for Labor, Industrial and Rehabilitative Services: This bill amends RSA 281A:44 VI by adding a specific time frame when the insurer can make an offer to settle a workers compensation claim prior to a hearing. The committee agreed by a unanimous vote that the insurance company may settle a minimum of 21 days before the scheduled hearing without any penalty. **Vote 19-0.**

HB 343, relative to payroll deductions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert D Richardson for Labor, Industrial and Rehabilitative Services: Current law prohibits an employer from withholding any portion of an employee's wage unless it is authorized by one of 10 statutory exceptions. HB 343 simply adds one more exception – authorizing the withholding of wages to pay for legal service plans and identity theft plans that are permitted by the employer to be offered through the employer. **Vote 17-0.**

LOCAL AND REGULATED REVENUES

CACR 5, relating to funding for education. Providing that revenue from lotteries and games of chance may only be used for educational purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. Christine C Hamm for Local and Regulated Revenues: Based on the sponsor withdrawing this constitutional amendment, the committee voted unanimously that it not go forward. **Vote 16-0.**

HB 91, allowing municipalities to extend the veterans' tax credit to veterans who do not have service in a war or conflict, and relative to the definition of veteran. **INEXPEDIENT TO LEGISLATE.**

Rep. Doreen Howard for Local and Regulated Revenues: The committee felt that this bill, narrows the eligibility of veterans to only those with a disability rating of 30 percent or greater as well as changing the definition of veteran. It also puts a residency requirement of two years on veterans who receive a tax credit. HB 91 was not an enabling act but a mandatory one. **Vote 19-0.**

HB 159, relative to the county tax payment by the town of Milan. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert L Theberge for Local and Regulated Revenues: The bill as presented would allow the town of Milan to defer 40% of its county tax for a six month period without any penalty nor interest charges. The committee unanimously agrees that the legislation is not fair or equitable for all

other municipalities in the county. The committee highly recommended that the town of Milan consider tax anticipation notes (TANS) to address its budget shortfall. **Vote 18-0.**

HB 184-FN, authorizing the liquor commission to sell tobacco products at state liquor stores located on interstate highways. **INEXPEDIENT TO LEGISLATE.**

Rep. Anthony C Maiola for Local and Regulated Revenues: The liquor commission opposed this bill because it believes using floor space for the sale of spirits is more lucrative than using that space to sell cigarettes. The committee agrees. In addition, the committee feels that with the state promoting anti-smoking position, that providing easier access to tobacco products along our interstate network is counter productive. The committee unanimously agrees that this bill would send the wrong message. **Vote 16-0.**

HB 188, enabling municipalities to extend the veterans' property tax credit to all honorably discharged veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. William A Stetson for Local and Regulated Revenues: This bill would allow municipalities to grant the veteran's property tax credit to all honorably discharged service men and women that have served a minimum of 90 days on active duty. While the committee has the deepest respect for all veterans, the committee believes this bill could potentially double the amount of the veteran's property tax credits, exempting over \$2.8 billion of property value state wide. **Vote 19-0.**

HB 246, relative to encouraging discretionary preservation easements for historic structures. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert L Theberge for Local and Regulated Revenues: This legislation has used the "barn bill" as a vehicle to also include the preservation of other historic structures outside of a historic district. The committee feels that the rationale for the preservation of barns should not be extended to other historic structures. The assessment value of a barn is far less than other historic buildings. The bill would allow municipalities to grant tax credits for historic purposes on other structures outside of a designated historic district which would diminish the purpose and function of the latter. The credit could range from a minimum of 25% to maximum of 75%. Therefore a historic structure, assessed at \$400,000, could result in a shift to taxpayers of from \$100,000 to \$300,000 per \$400,000 structure. The agreement would be for a minimum of a 5-year period with the possibility of renewal. The committee strongly agrees that this would give far too much power to the governing body which in turn could be suspect. In addition, the appraisal process for discretionary easements would be far too costly. RSA 79-E was established to assist communities in their revitalization programs and would be a more appropriate vehicle than the "barn bill."

Vote 18-0.

HB 287-FN, relative to the sale of liquor by grocery and drug stores. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen N Taylor for Local and Regulated Revenues: The sponsor of this bill intended it to apply to "mom and pop" stores and it is an attempt to curtail the sale of tobacco products. This is a part of a much larger issue and will be discussed in the Liquor Modernization Act. **Vote 16-0.**

HB 298, excluding the value of a view from determination of market value for property tax assessments. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric G Stohl for Local and Regulated Revenues: This bill seeks to exclude the value of the view external to a property from the appraisal of a property for property tax purposes. This bill is the fourth attempt in as many years to mandate the fact that a view from a piece of property has no value. HB 284 in 2005, HB 804 in 2007 and SB 491 in 2008 have all sought to do the same thing. Each and every time, the committee that heard the testimony came up with the same recommendation as we do here. There is value in a view that is seen from a piece of property and that value directly affects the market value of the property. These increases in market values are reflected and become obvious in the sales of properties that have views and those that do not.

Vote 18-0.

HB 427-FN-A-L, relative to equine licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew R Peterson for Local and Regulated Revenues: The prime sponsor of this bill came before our committee to ask that the bill, which encountered tremendous opposition from New Hampshire horse owners, be found inexpedient to legislate. **Vote 17-0.**

HB 454-FN, relative to a lottery ticket to benefit homeless veterans' programs. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert L Theberge for Local and Regulated Revenues: This legislation sought to generate revenues in support for veteran homeless programs through the sale of scratch tickets. The members of the committee along with the NH State Veterans Advisory Committee (SVAC) agrees with the intent of the bill but does not agree with the mechanism. The NH State Constitution clearly states that all revenues generated by the sale of lottery tickets must be used exclusively for educational programs and cannot be used for any other purpose. **Vote 18-0.**

HB 455-FN, relative to a lottery ticket to benefit the state veterans council. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert L Theberge for Local and Regulated Revenues: The purpose of this bill was to generate funds to support the state's veterans council. Although the members support the intent of the legislation, the mechanism is unconstitutional. All moneys generated through the sale of lottery tickets must fund educational programs and cannot be used for any other programs. **Vote 18-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 86, allowing municipalities to impose administrative fines for violations of ordinances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betsey L Patten for Municipal and County Government: The amendment allows the local official with authority to prosecute an offense under any municipal code, ordinance, bylaw or regulation to serve a local ordinance citation as outlined in the proposed new section RSA 31:39-C, where currently only a summons to go to court is authorized. The process is set out in law with required notice and a reasonable opportunity to cure the violation or offense. If the district court rules in the favor of the municipality the civil penalties are remitted to the municipality. The committee noted that this process would be another tool to use in the enforcement of their local ordinances and regulations. **Vote 17-0.**

SB 38, relative to placing vote tallies on town and school district ballots. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betsey L Patten for Municipal and County Government: Through SB 38 the governing body has the ability on its own initiative to place the vote tally on budget items or any warrant articles. This amendment to RSA 32:5,V-a and RSA 40:13,V-a gives the governing body the opportunity to let its residents know the results of its voting process. **Vote 16-0.**

PUBLIC WORKS AND HIGHWAYS

HB 185-FN, relative to the installation of sound barriers along a certain segment of the F.E. Everett turnpike in the town of Merrimack. **INEXPEDIENT TO LEGISLATE.**

Rep. John A Graham for Public Works and Highways: This bill would have required the DOT to build a sound barrier along a section of the F. E. Everett Turnpike in Merrimack. Between the time the committee heard the bill and the executive session, DOT held a meeting with the abutters and town officials. The DOT presented a solution to the noise and safety concerns that this bill would have addressed. This solution, which can be implemented without legislation, was acceptable to both the town and the abutters. With this agreement, the sponsors are in accord with the committee that this bill be found ITL. **Vote 18-0.**

HB 192, relative to a replica monument of the Old Man of the Mountain. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick T Long for Public Works and Highways: Although raising private funds can be done without legislation, the committee felt that once all funds are raised, a monument and walkway "shall be constructed" was not conducive to the stability of the ledge and concerns with environmental damage to the area as testified to by the department of environmental services (DES) and the department of resources and economic development (DRED). **Vote 12-0.**

HB 511-FN, relative to a corridor study of Route 33. **INEXPEDIENT TO LEGISLATE.**

Rep. Maureen R Mann for Public Works and Highways: Traffic signals are scheduled to be installed along the corridor in the next year and the Rockingham County Planning Commission

requests that a study be deferred until the effect of the lights is known. Further, the committee feels this legislation circumvents the 10-Year Highway Plan by not following the standard process for inclusion of a project in the plan. **Vote 17-0.**

HB 608-FN, establishing a committee to oversee the design and construction of a public works employee memorial for public works employees who died in the course of performing public duties. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Alfred C Lerandeau for Public Works and Highways: The intent of this bill is to establish a committee to oversee the design and construction, at no cost to the State of New Hampshire, of a public works employee memorial for all public works employees killed in the line of duty. In its finality, we are honoring people who have given their all for the motoring public. The amendment adds one member shall be a classified state employee of the department of transportation appointed by the N. H. State Employee Association. The amendment also changes the committee quorum from three to five. **Vote 18-0.**

TRANSPORTATION

HB 112, relative to addresses on motor vehicle registrations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian D Rhodes for Transportation: This bill provides residents with the ability to register their motor homes while traveling out of state for up to two years. It also addresses re-registration for residents, who due to unforeseen circumstances, are without a permanent street address. **Vote 17-0.**

HB 162, relative to recycled and rebuilt vehicles. **OUGHT TO PASS.**

Rep. C. Pennington Brown for Transportation: This bill, supported by department of environmental services, deals with "end of life vehicles" and proper recycling in an environmentally protective manner. **Vote 15-0.**

HB 211-FN, relative to drivers' licenses and relative to the definition of "drivers' school." **OUGHT TO PASS.**

Rep. Jennifer R Coffey for Transportation: The committee feels this bill clarifies the definition of a drivers' school and that of an advanced instruction drivers' class. It also protects the privacy of driver's license holders and provides for an address change on driver's license. **Vote 17-0.**

HB 215, making technical corrections to certain OHRV and snowmobile laws. **OUGHT TO PASS.**

Rep. C. Pennington Brown for Transportation: This bill amends the appropriate OHRV and snowmobile laws to be consistent with current RSA's and provides law enforcement statutory authority to enforce laws against operating while intoxicated or under the influence. These are technical corrections and are needed. **Vote 17-0.**

HB 465-FN-A, relative to driver's license fees. **INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer R Coffey for Transportation: This bill intends to increase the cost of a driver's license to help fund the police standards and training council fund. The committee recognizes the well intentioned effort. However, there are concerns regarding the distribution of funds as noted by the department of transportation and an increased burden upon the citizens during difficult financial times. **Vote 14-1.**

HB 576-FN, establishing number plates supporting New Hampshire public higher education. **INEXPEDIENT TO LEGISLATE.**

Rep. John A Hikel for Transportation: This bill is for the purpose of raising money through license plate sales. It is the committee's decision that license plates shall be used to identify vehicles and not to raise money for not-for-profit charities. **Vote 16-0.**

WAYS AND MEANS

HB 435-FN-A, relative to sales of tobacco products in state liquor stores and reducing the rate of the tobacco tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank W Davis for Ways and Means: This legislation would result in extensive changes to tobacco sales revenue. This bill would reduce the tobacco tax from \$1.33 to \$.67 per package. The department of revenue administration estimated that the education trust revenue would be reduced by about \$94.4 million. This legislation would also transfer the sales of tobacco from the

current 1250 outlets to the state liquor stores. The state liquor commission stated that it did not wish to sell tobacco. Because of limited space in the liquor stores it might be necessary to remove some wine and spirit products to make room for tobacco products. The committee felt that tobacco sales and revenue might be further reduced because of the limited retail locations and limited hours of operation available to the consumer. **Vote 16-0.**

HB 472-FN-A, establishing a tax on the sale of permissible fireworks. **INEXPEDIENT TO LEGISLATE.**

Rep. David J Bettencourt for Ways and Means: This legislation would have essentially created a sales tax on fireworks. The committee felt that such a policy was unwise. **Vote 16-0.**

HB 516-FN, abolishing fees for nondriver's picture identification cards. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan G Price for Ways and Means: This bill would allow drivers under a suspended license for driving while intoxicated or due to motor vehicle moving violations to receive non-driver photo identification free of charge. This would result in a loss of state revenue by \$400,000, 12 percent of which is distributed to municipalities. **Vote 16-0.**

WEDNESDAY, FEBRUARY 18

REGULAR CALENDAR

PUBLIC WORKS AND HIGHWAYS

HB 56-FN, renaming a bridge to honor U. S. Navy Seal Daniel Healy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A Graham for Public Works and Highways: This bill renames a bridge that connects the towns of Exeter and Stratham in honor of Senior Chief Dan Healy, a member of the US Navy Seals, who lost his life while engaged in combat operations in Afghanistan. The committee heard testimony that the local communities are in support of this action. The amendment simply states that the construction and placement of any signage associated with this renaming will not be charged to the state. **Vote 11-0.**

SPECIAL ORDER

COMMERCE AND CONSUMER AFFAIRS

HB 119, establishing a commission to consider the feasibility of adopting the Atlantic Daylight Savings Plan. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John B Hunt for the **Majority** of Commerce and Consumer Affairs: Although there are many good reasons for taking advantage of the extra day light, the reality is that attempting to change New Hampshire's clocks to gain an extra hour between June 15 and September 15 will cause more problems than benefits. Just like the parts of Indiana that are close to Chicago, the southern part of New Hampshire is clearly part of the Boston area that would create a nightmare for those who commute in and out. For instance, the airport in Manchester is called the Manchester Boston Regional Airport. Finally, the commission does not represent all those who would be affected but it does include a representative of the NH Golf Association. **Vote 11-9.**

Rep. Paul McEachern for the **Minority** of Commerce and Consumer Affairs: The minority believes that this bill offers so much upside both to New Hampshire as a vacation destination and to energy savings that it is worth a serious study. By switching a daylight hour to the end of the day we can make the summer months more family friendly. The vote in committee failed on a tie 10-10 vote on the motion of ought to pass with amendment.

ELECTION LAW

CACR 4, relating to elections. Providing that certain persons may vote in primaries prior to turning 18 years of age. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kevin D Hodges for the **Majority** of Election Law: The committee feels that our main goal is to increase voter and civic participation. This bill allows 17 year olds to vote in a primary election if they will turn 18 before a general election. It appears as a CACR because the Supreme Court advised the General Court that a similar bill, passed in 2008, was unconstitutional. This bill would give the people of New Hampshire an opportunity to decide this issue. Studies have shown that a voter who starts voting at a young age is more likely to become a habitual voter throughout his/her adult life. This fulfills our goal of increased participation in the process. To those who would claim that CACR 4 prevents a 17 year old from voting in non partisan town or municipal election and is therefore confusing, the majority would say that voting in a primary election is different from voting in a town election or a general election because primaries, as party functions, do not have the ultimate impact in determining who is elected to office in a November general election. In essence, winning a primary does not guarantee an elected office nor does it require official action from the secretary of state. To those who would claim that a voter must be 18 because that is the law and common sense dictates it, the majority would counter that our society has, from time to time, revisited the collective wisdom of the past and made changes to laws regarding age requirements for specific rights and responsibilities. We have lowered the age for military service to 17 and driving to 16 and we have increased the legal drinking age to 21. Most importantly, we have even lowered the voting age from 21 to 18. So, while 17 year olds can be tried as adults for crimes committed as a minor, they are not allowed to participate in the civic system that would set the laws that govern their behavior. We find this to be unjust. The majority of the committee believes in the value of encouraging young people to vote. We also believe that the general public should have the opportunity to decide if 17 year olds should have the opportunity to determine the nominees for whom they will ultimately be able to vote for in the November election. **Vote 11-8.**

Rep. Dino A Scala for the **Minority** of Election Law: This bill allows a discrepancy in voting by allowing a person to vote for the "future" president but would not allow same person (voter) to vote for town selectman. The minority feels that 17 years old is too young to vote.

HB 276-FN, relative to challenges of voters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David M Pierce for Election Law: New Hampshire law permits anyone to challenge another's right to vote for no reason at all. As a result, mass, indiscriminate and groundless challenges of voters have been made solely for the purpose of preventing or delaying voters from voting. But the right to vote is a fundamental right that should not be burdened except upon a showing of good cause. This bill requires a showing of good cause by requiring a challenger to state specific, articulate facts that a voter is ineligible to vote. HB 276 brings a balanced approach to challenges because it protects the right to vote as well as the ability to assert a challenge if it is legitimate and well grounded. **Vote 16-0.**

FINANCE

HB 369, establishing a spending cap on state budget requests. **INEXPEDIENT TO LEGISLATE.**

Rep. John DeJoie for Finance: This bill seeks to set a limit for the increase of the state budget. While well intentioned, it needlessly removes budgetary authority from the legislature. The responsibility of the legislature is to craft a balanced budget which provides needed services for citizens of New Hampshire. This legislature will continue to fulfill this responsibility without artificial barriers that prevent this body from using its reasoned judgment to craft the budget. **Vote 21-4.**

HB 440-FN, repealing the state's authority to bond school building aid costs. **INEXPEDIENT TO LEGISLATE.**

Rep. John DeJoie for Finance: This bill called for repealing the state's authority to bond school building aid costs for the 2008 and 2009 fiscal years in the event of a general fund unreserved, undesignated deficit at the close of the fiscal year. The FY 2008 books have been closed, audited

and the Comprehensive Annual Financial Review (CAFR) has been released. The authority to issue \$40 million in bonds for 2008 was not used and no bonds were issued. The 2009 audit will not be completed until very near the end of calendar 2009. We would know then if a general fund deficit existed and if bonds would have to be issued to offset up to \$40 million. We are making every effort to end FY 2009 with a balanced budget. However, if the general fund ended up in deficit, and if this bill were passed we would be denied the option to issue bonds to pay for school building aid expenditures and would enter FY 2010, a year that we know will present serious fiscal challenges, with up to \$40 million of deficit that could have been avoided by the use of this reasonable financing option. **Vote 14-10.**

WAYS AND MEANS

HB 221-FN-A, requiring a discount to wholesalers on cash purchases of tobacco tax stamps. **INEXPEDIENT TO LEGISLATE.**

Rep. John D Kelley for Ways and Means: This bill has been brought forward in each of the last two terms and defeated. In addition, the bill will cause a potential loss of \$1,628,704 from the general fund. **Vote 14-4.**

REGULAR CALENDAR (CONT.)

EDUCATION

CACR 2, relating to funding of public education. Providing that the legislature shall define standards for education, determine the level of state funding thereof, establish standards of accountability, and allocate state funds in a manner that mitigates disparities in educational opportunity and fiscal capacity, provided that a reasonable share of state funds shall be distributed on a per pupil basis. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kimberly C Shaw for the **Majority** of Education: The majority of the committee believes that this CACR is unnecessary and unwarranted. Similar amendments have been defeated by the legislature over the last several years. This CACR would lower the standard of judicial review from “strict scrutiny” where the burden is on the legislature to prove that a funding solution is constitutional to a “reasonable” standard where the burden shifts to the plaintiff to show why a funding solution is not reasonable. The majority further believes that tampering with the Constitution is not the way to solve a financial crisis or reverse a judicial decision with which some might disagree. The court has ruled that the legislature must meet its constitutional responsibility but has not mandated how this is done. **Vote 11-9.**

Rep. Pamela G Price for the **Minority** of Education: This constitutional amendment clarifies and reestablishes the role of the legislature in the funding of public education. It clarifies that the legislature shall define standards and determine the level of state funding for education. It allows education dollars to be targeted as long as a reasonable share is allotted on a per pupil basis. The court will still retain oversight should the legislature act unreasonably. This is exactly the same language which was supported by the governor last year. The minority believes that after years of court intervention the public deserves to weigh in on this important issue.

CACR 3, relating to public schools. Providing that: it shall be the duty of the legislature to encourage the interest of literature and the sciences and all seminaries and public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith T Reeve for Education: This resolution would change the word “cherish” in article 83 of the second part of the Constitution, to the word “encourage.” “Cherish” is the word the court used to define the state’s responsibility to fully fund an adequate education. The majority of the committee felt without “cherish” the state’s support for educational adequacy would be at risk. **Vote 12-5.**

CACR 8, relating to public education. Providing that the recognition of local control of education in the New Hampshire constitution is reestablished. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. Judith E Day for the **Majority** of Education: This bill changes the term “high principles” that is currently in Part I, Article 6 of the state constitution to “the fundamental principles of the constitution.” It also expands local control by allowing schools to establish their own curriculum. The majority of the committee felt that the term “high principles” should remain such and that local control should not be expanded in this way as current practice maintains an appropriate balance between local decision-making and state standards. **Vote 11-7.**

Rep. Paul Ingbertson for the **Minority** of Education: When voters amended the Constitution in 1968 we inadvertently removed our legislative authority over education. This bill puts that authority back in. At that time we also replaced the word “evangelical” with “high” to describe the principles we want to enable. “Evangelical Principles” was a phrase meaning “bottom-up” referring to our form of government (which is the same as that of the evangelical church’s) and should be put back in with the phrase, “fundamental principles of the constitution.”

HB 140-FN, making charter schools eligible for grants for leased space. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brien L Ward for Education: This bill will allow chartered public schools to receive 30 percent of the reimbursement for annual lease payment incurred for the cost of leasing space. **Vote 13-7.**

HB 521-FN, relative to funding for students eligible for the free and reduced-price meal program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Judith T Reeve for the **Majority** of Education: This bill removes \$127 million, almost 14%, from the overall cost of an adequate education and \$32 million from the transition budget. The effective date of July 1, 2009 would severely affect next year’s school budgets. The bill eliminates money targeted to schools with the greatest educational needs, based on school concentrations of low income students. Current law allots adequacy money according to numbers of students, but it is not sent to students. Rather it is directed to schools for programs known to improve achievement. Numerous studies confirm that the achievement of all students in a school correlates with the poverty level of its students (US Department of Education, National Education Longitudinal Study, National Center for Education Statistics). The majority believes we should not undo the work of the costing commission, the 2008 vote of the Legislature, and the NH Supreme Court’s acknowledgement that we have met our constitutional responsibility to cost adequacy. **Vote 10-6.**

Rep. Nancy F Stiles for the **Minority** of Education: The policy behind this bill was to bring consistency to differentiated aid so that the money appropriated for students eligible for free and reduced price meals would replicate the same eligibility requirement as ELL and SPED, the other two categories of differentiated aid. Since 1999 education funding formulas have sent additional aid to eligible free and reduced price meal students. This practice has been based on multiple studies including the Management Analysis and Planning report contracted and designed specifically for the NH legislature in 2000. The research speaks to providing additional aid for eligible students. New in 2008 (current law) established cliffs of aid based on concentration of free and reduced price meal eligibility for a total \$180m for the 2006-07 base year calculation. \$53.5m accounts for students who meet the eligibility requirement (36,400 students) while the remaining \$126.5m is directed to schools for all students (94,144 students not meeting the eligibility) just because they are sitting in the same classroom. This is misdirected targeted aid, which could otherwise be much more appropriately spent.

HB 689-FN-A-L, directing aid to isolated small schools. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Scott A Merrick for the **Majority** of Education: The joint commission on fiscal capacity disparity aid, transition aid, and small schools recognized that schools that are isolated and therefore small by necessity face diseconomies of scale that require extra resources. This bill defines a small, isolated school and gives an additional 13 percent of a basic adequacy grant, or \$450 per student. Eight schools fit the size and distance parameters: a K-6 school under 80 students or a K-8 under 140 students and greater than 10 miles from the nearest K-6 or K-8 school or a high school under 240 students and greater than 20 miles from the nearest high school. There

is no fiscal impact as the minimal costs are subtracted from the amount budgeted for fiscal capacity grants: fifteen dollars from the \$2,000 grants and nine dollars from the \$1,250 grants. Both small, isolated schools and schools qualifying for fiscal capacity aid constitute our neediest schools. **Vote 18-2.**

Rep. Pamela G Price for the **Minority** of Education: This bill proposes to allocate an additional \$450 to each student in an isolated small school. An isolated small school is defined by population, geographics and demographics. Eight schools in northern New Hampshire qualify as isolated small schools. The fiscal impact of \$350-\$400,000 will be paid for by reducing the per pupil dollars given to the needy communities under "Fiscal Disparity Aid." The minority does not object to the concept but to the funding mechanism. Dollars are taken from the most needy and given to this small population.

ELECTION LAW

HB 175, establishing a committee to study political advertising on public property.

INEXPEDIENT TO LEGISLATE.

Rep. Shawn N Jasper for Election Law: It is illegal to place political signs on public property and the committee believes that it should continue to be. As the voters of the state are not of one mind politically, their property should not be used to promote candidates with whom they disagree. We believe that the laws of our state should be better enforced and illegally placed signs should be removed in a timely manner. The committee found no compelling reason to create a study committee. **Vote 18-1.**

HB 265, relative to proving qualifications to vote. **MAJORITY: OUGHT TO PASS.**

MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. David M Pierce for the **Majority** of Election Law: For over 30 years, the New Hampshire legislature has approved the use of affidavits for a voter registrant to prove his or her qualifications to vote, except for proof of age. This has enfranchised undoubtedly thousands of new voters over those 30 years without any record of fraud. This bill brings parity to the law by permitting a voter registrant to sign an affidavit to prove he or she is at least 18 years old. The attorney general's office has testified that the threat of criminal penalties for signing a false affidavit is a sufficient deterrent to fraud and, in fact, was most likely the basis for prior legislatures to approve the use of these affidavits. The committee majority believes that if proof by affidavit is acceptable for other voter qualifications, then it is acceptable for proof of age as well.

Vote 11-7.

Rep. Shawn N Jasper for the **Minority** of Election Law: Passage of this bill may in fact make a bad situation worse. During committee debate on this bill the majority pointed out that many, if not all, of the minority's concerns existed with or without this bill. Unfortunately that may be true, the minority questions why we wouldn't then work together to correct such concerns. If all it took for us to end crime was to pass a law, then we would have no jails. The presumption in having affidavits for registering to vote is that people are honest. There will be no verification at all of whom a person registering to vote is, with the passage of HB 265. The sad truth is that there may not be any now; all a person now has to do is present a forged document to register. The minority believes that the citizens of this state should be protected from voter fraud and this bill may in fact make voter fraud easier.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 223-FN-L, establishing a moratorium on the implementation of the retirement system employer assessments for excess benefits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia M McMahon for Executive Departments and Administration: The intent of this bill is to change the effective dates of HB 1645, Chapter 300, Laws of 2008 in Sections 33 and 34 of RSA 100 A:14-a that requires an increase in employer contributions to the retirement system to fund employees' excess benefits upon retirement, known as "spiking" (i.e. unused sick time, vacation time, bonus, special detail). Additional time is necessary to adjust the new formula and to allow municipalities' time to adjust to this "spiking" practice. The amendment extends the effective date of this charge to July 1, 2010. The amendment also provides that for the 2009 property tax rate

computation the commissioner of revenue administration upon written request of the governing body shall remove any appropriation that was in the adopted budget. **Vote 18-0.**

FISH AND GAME AND MARINE RESOURCES

HB 407-FN, establishing a lobster and crab landing license, and increasing the fee for the nonresident commercial salt water license. **OUGHT TO PASS.**

Rep. Rose Marie Rogers for Fish and Game and Marine Resources: This bill establishes a non-resident landing license for lobster and crabs in New Hampshire. The fee will be comparable to fees presently charged in Maine and Massachusetts. Also raised to comparable levels is the commercial saltwater license. This bill was supported by both the New Hampshire commercial fisherman's association and the advisory committee on marine fisheries. **Vote 14-0.**

HB 466-FN-A, establishing a safari fee on owners of big game hunting preserves. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Robert J L'Heureux for the **Majority** of Fish and Game and Marine Resources: The majority of the committee felt this bill would impose an additional tax on a single entity. This bill only had the support of the two sponsors. There were no community representatives in favor of this legislation. The bill was also opposed by the fish and game department as well as the New Hampshire Wildlife Federation. This entity draws little on community resources and is an asset because of the jobs it creates as well as the maintenance and feed supplies that are purchased locally. **Vote 13-1.**

Rep. Daniel P Carr for the **Minority** of Fish and Game and Marine Resources: This bill provides funding for the fish and game department for services rendered to private safari reserves.

Currently a small license fee allow hunters to hunt on such a reserve without a New Hampshire hunting license. One such park, the 25,000 acre Corbin Park in Croydon, is entirely fenced in. Local residents and game animals cannot cross the land. Such a park removes a large block of land from fish and game resources in the state. The minority believes that an appropriate fee for these privileges and services is justified.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 103, relative to paying discharged and laid off employees in full at the time of discharge.

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

Rep. James W Craig for the **Majority** of Labor, Industrial and Rehabilitative Services: This bill makes clear when employees are to be paid when they quit or are terminated. In current law, when an employee is discharged, he or she must be paid within 72 hours. If an employee quits, is laid off or is suspended as a result of a labor dispute, he or she must be paid no later than the next regular payday. This bill requires laid off employees to be paid at the time of layoff, discharged employees to be paid within 72 hours of discharge, and employees who quit or who are suspended as a result of a labor dispute to be paid not later then the next regular payday. **Vote 12-7.**

Rep. William J Infantine for the **Minority** of Labor, Industrial and Rehabilitative Services: The minority believes that immediate payment upon laying off an employee is an unreasonable and onerous requirement to place upon the state's business owners. Many times payroll is not handled in house and time is needed to obtain a check from a payroll company. This situation can be exacerbated by layoffs that may occur on the weekend. It was argued that employers know in advance when they plan to have a layoff. This may be true for larger employers but can be a very last minute quick decision for small businesses that have to react to various circumstances.

LOCAL AND REGULATED REVENUES

HB 428-FN, relative to discounts on wine purchased from the liquor commission.

INEXPEDIENT TO LEGISLATE.

Rep. Steve Vaillancourt for Local and Regulated Revenues: Last spring, as part of the Governor's proposal to generate additional revenues, the state placed a cap on the amount of wines retail outlets could purchase at the state liquor commission at 20 percent discount. The discount was lowered to 15 percent for amounts exceeding \$500,000, but the provision is set to sunset June 30,

2009. This bill represents an attempt to raise the amount from \$350,000 to \$500,000 thus decreasing the amount of revenues to the state. The committee learned that only 12 businesses, the very largest wine sellers (chain grocery stores for example) purchase more than \$500,000. Each of these businesses would receive an additional \$7500 (\$150,000 times the five percent differential between 20 and 15 percent). Only one business is currently above \$350,000 but less than \$500,000 in sales. That business would save \$2500 with this bill. Thus, this bill is basically for the benefit of the one business. The majority was compelled to reject the argument that this is an attempt to help "Ma and Pa" stores. The minority believed the bill would encourage expansion by outlets which sell smaller amounts. Some confusion arose because the fiscal note originally noted the state would gain \$2.8 million with the bill. That's because an unintended consequence of the bill was to basically get rid of the sunset provision. The committee would note that no matter what happens to this bill, the governor could well request removal of the sunset as part of his budget proposal, and we could change the discounts and eligible numbers as part of House Bill 2 which would take precedence over whatever is done here. For differing reasons, both the liquor commission and New Hampshire Grocers Association opposed this bill. **Vote 14-4.**

PUBLIC WORKS AND HIGHWAYS

HB 494-FN-A, appropriating funds for construction of public facilities at Hampton Beach. **INEXPEDIENT TO LEGISLATE.**

Rep. David B Campbell for Public Works and Highways: The committee recognizes the need for capital improvements at Hampton Beach State Park and that the beach has great economic and tourism benefits to the seacoast and the State of New Hampshire. However, the committee can not recommend an 18 million dollar general fund appropriation outside of the capital budget process. The proper place to consider capital improvements for Hampton Beach is in the capital budget and taking into consideration the existing Hampton Beach master plan and state park commission recommendations. **Vote 18-0.**

HB 551-FN-A, making an appropriation for the painting of the arch bridge across the Connecticut River in Chesterfield. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick T Long for Public Works and Highways: Although the bill is with good intent, the committee felt this legislation circumvents the 10 year plan. The committee feels that the process for getting on the 10 year plan should be complied with. Also, this bill has a potential to open up all steel foot bridges to receive funding outside the 10 year transportation plan. **Vote 19-0.**

HB 603-FN-A, relative to the construction of an Old Man of the Mountain monument on the shore of Profile Lake and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. John A Graham for Public Works and Highways: The prime sponsor of the bill appeared and asked that the bill be found ITL. The committee was happy to accede to the desires of the sponsor. **Vote 18-0.**

HB 687-FN-A, establishing a radiological emergency evacuation infrastructure program. **INEXPEDIENT TO LEGISLATE.**

Rep. John A Graham for Public Works and Highways: This bill would require the DOT Commissioner to prioritize work on roads, bridges, seawalls and other infrastructure required for the safe evacuation of the public in the event of a radiological emergency. The cost of preparing, maintaining and operating this list would be assessed, in part, against the only nuclear facility in the state. While well intentioned the committee cannot support this bill for several reasons. First, it addresses public safety and evacuation from the seacoast area, while ignoring those areas that might be affected by an incident on our western border. Second, it would prioritize capital projects, such as a seawall, outside of the existing capital budget process. Finally, it similarly bypasses our ten-year transportation planning framework. **Vote 19-0.**

TRANSPORTATION

HB 259-FN, relative to motor vehicle inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. John A Hikel for Transportation: The committee felt that it was not in the best interest of safety for vehicles not to be inspected for two years. An inspection only states that a vehicle pass the safety requirements on the day of inspection and it was felt that 24 months was too long to re-

inspect. **Vote 15-1.**

HB 383, relative to passenger restraints. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert W Williams for the **Majority** of Transportation: This bill requires passenger restraint use by all motor vehicle operators and passengers unless specifically exempt by law. The hearing on HB 383 was long and the quality of the testimony was, for the most part, informative, interesting and inspiring. The testimony strongly favored support for this bill. A summary of the testimony of those who supported HB 383 highlighted the value, the plus of having an increase in the use of seat belts.

We have had an excellent educational program and publicity campaign which has raised our NH use of seat belts to 64%. We have plateaued at the 60-65% rate for adult users of seat belts. Only 64% use seat belts in New Hampshire: States that have primary seat belt laws have high 80 to upper 90% seat belt use. We have hit a plateau here in NH. Education will not increase our usage. A seat belt law will!

We believe the safety of all citizens on the highways of the state is implicit in a free society and that the risk of trauma, tragedy, injury and death should be avoided when reasonable regulations are available. We are the only state which does not have an adult seat belt law; not a distinction to be proud of when we are aware of the benefits an adult seat belt law will provide. **Vote 11-6.**

Rep. Jennifer R Coffey for the **Minority** of Transportation: Here we go again. We have been debating this bill for the last several years. The question is, is it a matter of safety or is it a choice that we should make for ourselves? The question of money – 3.7 million dollars is being raised and we are not sure whether or not this money will ever appear, but we can be sure it is federal blackmail. The issues have come up about safety. It should be noted that we are not averse to protecting everybody's safety. However, it has to be noted that there are seven different exemptions noted in this bill including school buses. Our constituents have elected us to represent them, not become their parents or their conscience.

HB 640-FN, relative to speed limits and keeping right except to pass. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. C. Pennington Brown for the **Majority** of Transportation: This bill would raise the speed limit on interstate and divided highways from 65 mph to 70 mph. While many drivers now exceed the 65 mph speed limit, the majority of the committee believes it is inappropriate to raise the limit in New Hampshire. The concerns are safety (there are those who will always exceed the limit), fuel economy and cost to the state in replacing signs. **Vote 13-3.**

Rep. Karen C Umberger for the **Minority** of Transportation The minority believes that setting the speed limit on interstate and divided highways to 70 mph makes sense.

WAYS AND MEANS

HB 412-FN-A, relative to the research and development tax credit. **INEXPEDIENT TO LEGISLATE.**

Rep. William A Hatch for Ways and Means: The committee believes the established structure of the research and development tax credit is working and correct for its intended purpose. It also believes the changes suggested in this bill could not be effective in increasing research and development activity and by a bi-partisan vote recommended this bill inexpedient to legislate **Vote 13-3.**

HB 457-FN-A, increasing the standard exemption under the interest and dividends tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert M Walsh for Ways and Means: This bill calls for an increase in the standard deduction under the interest and dividends tax with a consequent reduction in revenues generated by some \$4,800,000. At this critical time with state revenues declining and budget problems in front of us, this is not the time to institute another serious decline in revenues. As the exemption has not changed in many years, this bill would, in a more prosperous environment, be worthy of further consideration. **Vote 12-4.**

COMMERCE AND CONSUMER AFFAIRS

HB 602-FN-A, relative to costs associated with cashing payroll checks. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul McEachern for Commerce and Consumer Affairs: Unfortunately this legislation is necessary because Bank of America charges \$6.00 to cash payroll checks written on a Bank of America account. The law presently provides that payroll checks be honored for the full amount of the wages due. This hasn't stopped Bank of America from imposing the six dollar fee. The legislation makes it clear that if such a fee is charged it will be absorbed by the employer and not by the employee. Bank of America is a nationally chartered bank and cannot be directly regulated by this state. **Vote 18-1.**

HOUSE DEADLINES

Thursday, February 19, 2009	Last day to report House bills going to a second committee
Thursday, March 5, 2009	Last day to act on House bills going to a second committee
Thursday, March 19, 2009	Last day to report all House bills not in a second committee, except budgets
Thursday, March 26, 2009	Last day to act on all House bills not in a second committee, except budgets
Thursday, April 2, 2009	Last day to report all remaining House bills Last day to report list of retained House bills
Thursday, April 9, 2009	Last day to act on House bills: CROSSOVER
Thursday, April 30, 2009	Last day to report Senate bills going to a second committee
Thursday, May 7, 2009	Last day to act on Senate bills going to a second committee
Thursday, May 28, 2009	Last day to report all remaining Senate bills Last day to report list of retained Senate bills
Thursday, June 4, 2009	Last day to act on Senate bills
Wednesday, June 10, 2009	Last day to form Committees of Conference
Thursday, June 18, 2009	Last day to sign Committee of Conference reports
Thursday, June 25, 2009	Last day to act on Committee of Conference reports

LAID ON TABLE

HB 51-FN-A, reestablishing the initial monthly gross charge exemption to the communications services tax. (Pending question is the adoption of the majority committee report.)

COMMITTEE MEETINGS

MONDAY, FEBRUARY 16

LOCAL AND REGULATED REVENUES

12:00 p.m. Tour of Rockingham Park

TUESDAY, FEBRUARY 17

CHILDREN AND FAMILY LAW, Room 206, LOB

- 9:00 a.m. Subcommittee work session on **HB 66**, relative to the legal age for blood donations.
- 9:30 a.m. Continued subcommittee work session on **HB 165**, relative to the number of children in a licensed foster home.
- 10:00 a.m. Presentation NH Child Advocacy Network 2009 priorities for NH children.
- 12:30 p.m. Subcommittee work session on **HB 139**, relative to the determination of parental rights and responsibilities.
- 1:30 p.m. Subcommittee work session on **HB 504**, relative to the termination of guardianship of a minor.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 9:00 a.m. Subcommittee work session on **HB 610-FN**, relative to consumer protection from certain practices of mortgage bankers, mortgage brokers, and mortgage loan originators and implementing the S.A.F.E. mortgage licensing act.
- 9:30 a.m. Subcommittee work session on **HB 120-FN-L**, relative to the installation of carbon monoxide detectors in single and multi-family dwellings.
- 10:00 a.m. Executive session on **HB 636-FN**, relative to direct shipment of alcoholic beverages, **HB 610-FN**, relative to consumer protection from certain practices of mortgage bankers, mortgage brokers, and mortgage loan originators and implementing the S.A.F.E. mortgage licensing act, Continued executive session on **HB 507-FN**, relative to taxes, fees, and credits under the insurance laws, **HB 330**, relative to life, accident, and health insurance.
- 10:15 a.m. Rescheduled public hearing on **HB 660-FN**, relative to the life settlements act.
- 11:00 a.m. **HB 668-FN**, relative to a life settlements model act.
- 1:00 p.m. **HB 416**, relative to insurance examinations.
- 1:30 p.m. **HB 659-FN**, relative to insurance fraud.
- 2:00 p.m. **HB 680**, making technical changes in the insurance laws.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. Continued executive session, as needed, from February 12.
Executive session on **HB 278-FN**, relative to the penalty for mistreating service animals, **HB 363**, eliminating requirements for additional breath tests for blood alcohol content, **HB 491**, relative to consumption of alcohol following a motor vehicle accident, **HB 523-FN**, requiring DNA testing of all persons convicted of a felony, **HB 582-FN**, relative to DNA testing of sexual offenders, **HB 37**, relative to the penalty for using a gun in commission of a felony, **HB 47-FN**, establishing a board to evaluate a sexual offender's likelihood of reoffending, **HB 110**, relative to annulments for certain sexual assault convictions, **HB 111**, exempting tier I offenders from inclusion in the department of safety's public list of registered offenders, **HB 127**, relative to treatment of pregnant inmates, **HB 230**, relative to the burden of proof for a finding of abuse in domestic violence cases.
- 12:00 p.m. Subcommittee work session on **HB 138**, revising certain provisions of the sexually violent predators statute.

EDUCATION, Room 207, LOB

- 9:00 a.m. Subcommittee work session on **HB 143**, relative to procedures for requesting a change of school for a child.
- 10:00 a.m. **HB 615**, relative to withdrawal from a school administrative unit.
- 11:00 a.m. **HCR 7**, in support of teen dating violence education.

ELECTION LAW, Room 308, LOB

- 10:00 a.m. Rescheduled executive session on **HB 389**, relative to distributing campaign materials at polling places, **HB 390**, authorizing access to the criminal justice information system for the purpose of enforcing election laws, **HB 394-FN**, relative to disclosure by candidates of criminal convictions and professional license

suspensions, **HB 404**, relative to the procedure for listing candidates on election ballots, **HB 417**, relative to electoral college electors, **HB 418**, relative to presidential primary ballots, **HB 439**, requiring that the question relative to the necessity for a convention to revise the New Hampshire constitution be presented to the voters in the November 2010 general election, **HB 470-FN**, relative to the order of names on ballots, **HB 506**, authorizing absentee voting by election officers, **HB 541**, relative to placement and removal of political advertising, **HB 548-FN-L**, requiring municipalities to have dedicated post office boxes for receipt of absentee ballots, **HB 573-FN**, relative to absentee voting, **HB 614**, relative to domicile of students for voting purposes, **HB 620**, disqualifying certain persons from performing duties as an election official, **HB 622**, amending the hearing dates of the ballot law commission, **HB 623**, making various changes to the election laws, **HB 667-FN**, relative to misrepresenting the origin of a campaign call, **HB 669-FN**, relative to registering to vote, **HB 513**, relative to the prohibition on voting in more than one state.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. Subcommittee work session on **HB 39-FN**, relative to the authority of the state board for the licensing and regulation of plumbers.
- 10:15 a.m. **HB 356**, relative to required training for chiropractors performing spinal manipulation or spinal adjustment.
- 11:15 a.m. **HB 408-FN**, relative to the regulation of physicians and physician assistants by the board of medicine.
- 1:15 p.m. **HB 519**, relative to supervision of state employees who are related by birth or marriage.
- 2:00 p.m. **HB 464-FN**, relative to certain duties of the department of administrative services and relative to credit card contracts for state agencies.
- 2:45 p.m. Executive session on **HB 617-FN**, permitting private employers and others to join the state health insurance program, **HB 651-FN**, relative to regulation of private investigative agencies and security services, **HB 268**, relative to transfers from the judicial branch to the executive or legislative branches of state government, **HB 339**, ratifying changes to the state building code adopted by the state building code review board and revising the definition of the state building code, **HB 633-FN**, relative to eligibility for medical benefits payment by the retirement system for certain group I teacher and political subdivision employee members, **HB 685-FN**, relative to medical benefits payment by the retirement system for certain vested deferred group I members, **HB 256**, relative to the New Hampshire accountancy act, **HB 316**, relative to expenditures by boards and commissions for costs of examinations of applicants, **HB 335**, relative to the state retiree health plan commission.

FINANCE, Rooms 210-211, LOB

- 10:00 a.m. Governor's Budget Presentations.
- Budget Presentations:
- 11:00 a.m. Judicial Branch.
- 1:00 p.m. Department of Environmental Services.
- 2:00 p.m. University System of NH.
- 3:00 p.m. Department of Safety

FISH AND GAME AND MARINE RESOURCES, Room 307, LOB

- 10:00 a.m. **HB 559**, relative to the composition and duties of, and appointment to, the fish and game commission.
- 1:00 p.m. Executive session on **HB 526**, changing certain references in fish and game laws to river herring, **HB 559**, relative to the composition and duties of, and appointment to, the fish and game commission, **HB 612**, relative to the effect of a suspension or

revocation of a fish and game license from another jurisdiction, **HB 481-FN-A**, establishing a recreational saltwater license for taking finfish in coastal and estuarine waters.

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

- 10:00 a.m. Executive session on **HB 251**, relative to the state registry of founded reports of abuse, neglect, or exploitation of adults, **HB 422-FN**, relative to retail health clinics, **HB 493**, adopting the uniform emergency volunteer health practitioners act, **HB 495**, requiring physicians to disclose to their patients that they do not make regular hospital visits, **HB 565-FN**, relative to the pertussis vaccine for newborns, **HB 589-FN**, relative to regulating the resomation of human remains, **HB 606-FN**, relative to aid to the disabled.
- 11:00 a.m. **HB 414**, establishing a commission to study preventing dental disease among New Hampshire's children.
- 11:30 a.m. **HB 301**, establishing a task force to study access to dental care.
- 1:00 p.m. **HB 592-FN**, relative to "adverse events" in hospitals.
- 2:00 p.m. **HB 595-FN-L**, relative to eligibility for long-term care.

JUDICIARY, Room 208, LOB

- 10:00 a.m. Executive session on **HB 263-FN-L**, eliminating the charge against the state for sheriffs' service of process for indigent plaintiffs, **HB 275-FN**, increasing the state reimbursement amounts for payment of bailiffs, **HB 281-FN**, 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, **HB 285-FN**, authorizing the supreme court to establish a fee to be imposed when a court extends the time for payment of a fine, **HB 310-FN**, relative to reimbursement of mileage for judges and marital masters, **HB 344-FN**, establishing the number of associate justices of the superior court, **HB 425-FN-A-L**, relative to remedies under the state right-to-know law and continually appropriating a special fund, **HB 563-FN-A**, establishing a fund to provide loans to allow low and moderate income plaintiffs to retain expert witnesses in civil cases and making an appropriation therefor, **HB 609-FN-A**, establishing a judicial branch information technology fund, **HB 682-FN**, relative to court security and court security officers.
- Rescheduled executive session on **HB 70**, relative to taking stones from stone walls.

LOCAL AND REGULATED REVENUES, Room 104, LOB (Please note room change.)

- 9:00 a.m. Subcommittee work session on **HB 666-FN**, relative to unlawful gambling.
- 10:00 a.m. Full committee work session on **HB 461-FN-A**, establishing a state-owned casino to provide funds for public education, **HB 593-FN-A**, authorizing the licensing and construction of destination resorts with gaming facilities including table gaming and video lottery machines, and authorizing gaming facilities at existing pari-mutuel licensees, including table gaming and video machines.
- 1:00 p.m. Executive session on **HB 212**, relative to the assessment of certain impact fees by municipalities, **HB 397-FN-A-L**, establishing a property tax relief program, **HB 588-FN**, relative to lowering the legal drinking age, **HB 630-FN-A**, relative to live racing in New Hampshire, **HB 624-FN-A**, establishing a waiver option for live-racing tracks, **HB 654-FN**, relative to the dam maintenance revolving fund and tax abatements for dam owners.
- 2:00 p.m. Full committee work session on **HB 461-FN-A**, establishing a state-owned casino to provide funds for public education, **HB 593-FN-A**, authorizing the licensing and construction of destination resorts with gaming facilities including table gaming and video lottery machines, and authorizing gaming facilities at existing pari-mutuel licensees, including table gaming and video machines.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 11:00 a.m. Executive session on **HB 539-L**, relative to town boundaries and the laws pertaining to such boundaries, **HB 468-FN-L**, relative to caps on total billings by the state to the counties for nursing home care, **HB 646-FN-L**, relative to county and state obligations for costs for nursing care and services, and for court orders for children services, **HB 257**, relative to warrant articles at official ballot meetings, **HB 308**, allowing a town budget committee to establish an alternative date for its public hearing, **HB 361**, relative to the default budget in certain towns, **HB 326**, relative to certain municipal revolving funds, **HB 290**, authorizing fluvial erosion hazard zoning, **HB 320-L**, relative to agreements between central business service districts and municipalities for infrastructure improvements, **HB 362**, relative to zoning districts, **HB 306**, allowing towns to apply for certification of local building codes for compliance with the Americans with Disabilities Act., **HB 388**, relative to permitting village district commissioners to apply for certain bridge aid, **HB 152**, relative to storage of architectural blueprints by municipalities.
- 2:30 p.m. Continued executive session on **HB 262**, relative to recording development restrictions, **HB 189**, enabling municipalities to establish energy commissions, **HB 183**, relative to removing supervisors of the checklist.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 9:45 a.m. Continued executive session on **HB 670-FN**, relative to the discount rate used in the electronic toll collection for frequent users.
- 10:15 a.m. **HB 644-FN-A-L**, increasing the rate of the road toll, establishing the New Hampshire road and bridge account, and limiting the uses of road toll revenues.
- 1:00 p.m. **SB 76**, naming a bridge in the town of Barrington the Sp. Jesse Scott Conger Memorial Bridge.
- 1:30 p.m. **SB 96**, naming a bridge in Webster in honor of William Tracy.
- 1:45 p.m. Executive session on **SB 76**, naming a bridge in the town of Barrington the Sp. Jesse Scott Conger Memorial Bridge, **SB 96**, naming a bridge in Webster in honor of William Tracy.
- 2:00 p.m. **HB 581-FN-A-L**, increasing the road toll and designating the increase for the highway and bridge betterment account.
- 2:30 p.m. **HB 124-FN-A**, relative to the rate of the gas tax.
- 3:00 p.m. **HB 125-FN-A**, increasing the rate of the gas tax and dedicating the increased revenues to development and improvement of highway-related transit systems serving New Hampshire residents.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. Executive session on **HB 205-FN-A**, relative to certain boating fees, **HB 355-FN-A**, relative to oil fund disbursement board authority and fees for oil discharge cleanup, **HB 558-FN**, establishing procedures for leasing state parks for use by private entities, **HB 490-FN-A-L**, establishing a shorefront maintenance fee.
- 1:00 p.m. **HB 364**, relative to municipalities' authority to contract with the department of environmental services for dam maintenance.
- 2:00 p.m. **HB 498**, relative to membership on the wetlands council.
- 2:30 p.m. **HB 300-FN-A**, requiring the construction of a fire tower on Copple Crown Mountain and creating a position to operate the fire tower.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:00 a.m. **HB 269-FN**, requiring measurement of carbon dioxide produced and sequestered in this state.
- 1:00 p.m. **HB 303-FN**, relative to motor vehicle emissions and motor vehicle idling.
- 2:30 p.m. **HB 352**, banning corn-based ethanol as an additive to gasoline sold in New Hampshire.
- 3:15 p.m. Subcommittee work session on **HB 395**, requiring electric utilities to offer a

renewable default energy service option.

TRANSPORTATION, Room 203, LOB

- 9:30 a.m. Subcommittee work session on **HB 528-FN**, establishing a restricted driver's license for work-related transportation, **HB 571-FN**, relative to limited driving privileges for certain persons whose licenses have been revoked or suspended and relative to DWI convictions.
- 10:00 a.m. Executive session on **HB 294**, prohibiting writing a text message while driving, **HB 528-FN**, establishing a restricted driver's license for work-related transportation, **HB 571-FN**, relative to limited driving privileges for certain persons whose licenses have been revoked or suspended and relative to DWI convictions, **HB 683-FN-A-L**, relative to disposition of motor vehicle fines, relative to fines for speed limit violations, and requiring the department of safety to inform drivers of changes to the motor vehicle laws, **HB 546-FN**, relative to authorizing temporary registrations of off-highway recreational vehicles and snowmobiles for nonresidents and increasing the agent fee.
- 11:00 a.m. **HB 462-FN**, relative to signs advising motorists approaching highway emergencies.
- 11:30 a.m. **HB 463-FN**, including low digit number plates as vanity plates.
- 1:00 p.m. **HB 477-FN**, relative to restoration of driving privileges for persons previously licensed in other states.
- 1:30 p.m. **HB 186**, relative to rulemaking concerning rafts on public waters.
- 2:00 p.m. **HB 515**, establishing a commission to study electric vehicles.
- 2:30 p.m. **HB 224**, relative to safety provisions for swimming in lakes.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. Revenue Estimates – Department of Revenue Administration.
- 2:00 p.m. Executive session on **HB 85-FN-A**, establishing the women, infants and children program fund, **HB 533-FN-A**, reducing the rates of the business profits tax and the business enterprise tax, **HB 562-FN-A**, establishing a job creation tax credit for the town of Greenville, **HB 583-FN-A-L**, establishing an income tax to adequately fund public education and relative to employment of teachers, **HB 600-FN**, relative to dedicated funds maintained by the state treasurer, **HB 679-FN-A**, establishing an exemption from the interest and dividends tax for individuals who are 62 years of age or older.

WEDNESDAY, FEBRUARY 18

PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1), Room 212, LOB

- 3:30 p.m. Organizational meeting and regular business.

TRANSPORTATION, Room 203, LOB

- 2:00 p.m. Or one half hour after session, executive session on **HB 462-FN**, relative to signs advising motorists approaching highway emergencies, **HB 463-FN**, including low digit number plates as vanity plates, **HB 477-FN**, relative to restoration of driving privileges for persons previously licensed in other states, **HB 629-FN-A**, revising certain motor vehicle laws.

THURSDAY, FEBRUARY 19

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. **HB 694**, adopting the uniform child abduction prevention act.
- 10:30 a.m. **HB 695**, adopting the uniform child custody jurisdiction and enforcement act.
- 11:15 a.m. Subcommittee work session on **HB 195**, relative to relocation of a residence of a child.

1:15 p.m. Continued executive session on **HB 180**, creating an exception from the registration requirement for certain nonviolent offenders.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 198**, permitting an insured person injured in a motor vehicle accident to obtain damages under his or her own uninsured motorist coverage when the insured's damages exceed the motorist insurance coverage of the person at fault for the accident, **HB 199**, requiring motor vehicle insurers to pay benefits to insured persons under their underinsured or uninsured motorist insurance coverage in cases of bodily injury or death cause by uninsured or underinsured negligent motorists, except under certain circumstances, **HB 200**, permitting the stacking of medical payments coverage under motor vehicle liability policies purchased by members of the same household, **HB 202**, relative to provisions in insurance policies limiting payment of full benefits.

10:00 a.m. **HB 376**, relative to condominium governance.

10:30 a.m. **HB 442**, relative to the review and amendment of condominium bylaws.

11:00 a.m. **HB 482**, relative to mold assessment, testing, and remediation.

11:30 a.m. **HB 492**, requiring certification for persons performing radon tests.

1:00 p.m. **HB 530-FN**, relative to inspection of public buildings for compliance with access standards.

1:30 p.m. **HB 535**, requiring dwelling units to have functioning smoke detectors upon their sale or transfer.

2:00 p.m. **HB 346**, relative to real estate developers creating space for drying laundry without electricity or gas.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on **HB 214**, establishing a commission to study health care services in correctional facilities and relative to regulation of prescription medication interruptions by corrections staff and access to inmates by medical, mental health, and social services providers.

10:00 a.m. **HB 348**, relative to criminal penalties and alternatives to incarceration.

10:30 a.m. **HB 312**, permitting a person to record a law enforcement officer in the course of such officer's official duties.

11:00 a.m. **HB 621**, relative to court procedures for persons with mental illness charged with crimes.

11:30 a.m. **HB 645-FN**, requiring police officers to complete certain mental health training and requiring the police standards and training council to develop and implement an advanced training curriculum for specialized crisis intervention teams.

1:30 p.m. **HB 474-FN**, prohibiting the trafficking in persons for the purposes of sexual or labor exploitation.

2:30 p.m. **HB 471-FN**, relative to organized retail crime in New Hampshire.

ENVIRONMENT AND AGRICULTURE, Room 308, LOB

9:00 a.m. Executive session on **HB 337-FN-L**, permitting the issue of temporary licenses for certain sellers of animals, **HB 345-FN**, allowing physical therapists to practice on animals, **HB 399-FN-A**, relative to industrial hemp and establishing an industrial hemp special program fund, **HB 423-FN-A-L**, relative to solid waste permits, **HB 652-FN**, relative to the impact of demolition and construction projects on the environment, **HB 675-FN**, requiring a refundable deposit on beverage containers. Continued executive session on **HB 42-FN**, allowing the state veterinarian to employ a meat inspection services administrator, **HB 232**, permitting the pesticide control board to establish pesticide fees, **HB 283-FN**, establishing a solid waste management fund and assessing a beverage container fee, if needed.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. Subcommittee work session on **HB 248-FN**, relative to establishing a single liquor commissioner, **HB 121-FN**, relative to regulating residential building and remodeling contractors and subcontractors, **HB 252**, relative to state agency rulemaking concerning expiring administrative rules.
- 10:00 a.m. **HB 52-FN**, relative to the regulation of massage therapists.
- 11:00 a.m. **HB 84-FN**, relative to the regulation of reflexologists, structural integrators, and Asian bodywork therapists.
- 1:00 p.m. **HB 488**, establishing a commission to study the efficiency and responsiveness of state government.
- 1:45 p.m. **HB 510**, relative to the position of director of vital records administration.

FINANCE, Rooms 210-211, LOB

Budget presentations:

- 9:00 a.m. Department of Administrative Services.
- 10:00 a.m. Department of Health and Human Services.
- 1:00 p.m. Department of Education.
- 2:00 p.m. Community Technical College System.
- 3:00 p.m. Department of Transportation.

FINANCE – (DIVISION III), Room 209, LOB

- 12:00 p.m. Subcommittee informational meeting on medicaid.

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

- 10:00 a.m. **HB 619**, relative to medical records and patient information.
- 11:15 a.m. **HB 402**, relative to transporting medical records.
- 1:00 p.m. **HB 380**, relative to long-term care.
- 2:00 p.m. **HB 542**, relative to a health information exchange.

JUDICIARY, Room 208, LOB

- 9:30 a.m. Subcommittee work session on **HB 196**, establishing a penalty for destruction or frustration of an easement of
- 10:00 a.m. **HB 219**, relative to hearings for incapacitated persons admitted to state institutions by their guardians.
- 11:00 a.m. **HB 304**, relative to death with dignity for certain persons suffering from a terminal condition.
- 1:00 p.m. **HB 456**, establishing a committee to study the definition of surviving issue.
- 1:30 p.m. **HB 480-FN**, relative to the definition of "public use" regarding eminent domain.
- 2:00 p.m. **HB 574-FN-L**, authorizing liens for unpaid building code violations and requiring landlord agents for restricted rental property.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 10:00 a.m. **HB 231**, relative to resolution of collective bargaining disputes.
- 11:30 a.m. Executive session on **HB 108**, establishing an employers' private right of action to enforce the payment of workers' compensation coverage, **HB 240-FN**, relative to workers' compensation for death, **HB 271**, relative to relevant information in a workers' compensation claim, **HB 305**, relative to public employees' right to strike, **HB 500**, repealing the authority for an exclusive representative of an employee organization to conduct collective bargaining for employees.
Continued executive session on **HB 411**, relative to the safety of retirement accounts, if needed.
- 1:00 p.m. **HB 631-FN-L**, relative to public employee collective bargaining negotiations under the public employee labor relations act.

LOCAL AND REGULATED REVENUES, Room 303, LOB

- 10:00 a.m. Executive session on **HB 461-FN-A**, establishing a state-owned casino to provide funds for public education, **HB 593-FN-A**, authorizing the licensing and

construction of destination resorts with gaming facilities including table gaming and video lottery machines, and authorizing gaming facilities at existing pari-mutuel licensees, including table gaming and video machines, **HB 666-FN**, relative to unlawful gambling.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Continued executive session, as needed, from February 17.

2:00 p.m. Executive session on **HB 321**, delaying the effective date of 2008 SB 342-FN-LOCAL, relative to workforce housing, **HB 446**, defining "unnecessary hardship" for purposes of zoning variances, **HB 489**, requiring student membership on school boards, **HB 534**, relative to the selection of members of zoning boards of adjustment.

PUBLIC HEALTH IMPROVEMENT SERVICES COUNCIL (HB 491, Chapter 250:2, Laws of 2007), DHHS, 29 Hazen Drive, Room 312, Concord

2:00 p.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:15 a.m. Executive session on **HB 644-FN-A-L**, increasing the rate of the road toll, establishing the New Hampshire road and bridge account, and limiting the uses of road toll revenues, **HB 581-FN-A-L**, increasing the road toll and designating the increase for the highway and bridge betterment account, **HB 124-FN-A**, relative to the rate of the gas tax, **HB 125-FN-A**, increasing the rate of the gas tax and dedicating the increased revenues to development and improvement of highway-related transit systems serving New Hampshire residents.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. **HB 307**, allowing the construction of grey water systems on private property.

11:00 a.m. **HB 674-FN-A**, relative to eliminating the water resources council, relative to dams, and authorizing the Connecticut lakes headwaters citizens committee to advise the department of environmental services on the management of Lake Francis and associated property.

1:30 p.m. **HB 681-FN**, relative to aquatic resource compensatory mitigation.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

11:00 a.m. Executive session on **HB 213-FN**, requiring the bureau of emergency communications to develop and maintain a statewide emergency notification system, **HB 61**, relative to a definition of "sustainable energy", **HB 229**, clarifying the eligibility requirements for class IV renewable energy generating facilities, **HB 643-FN**, extending the enhanced 911 system surcharge to voice over internet protocol providers and prepaid wireless telecommunications services, **HB 269-FN**, requiring measurement of carbon dioxide produced and sequestered in this state, **HB 375**, establishing a committee to study whether renters should be eligible for weatherization programs administered by the office of energy and planning, **HB 354**, establishing a committee to study local government eligibility for certain funding for energy efficiency improvements.

2:30 p.m. Rescheduled public hearing on **HB 413**, relative to alternative regulation of small incumbent local exchange carriers.

TRANSPORTATION, Room 203, LOB

9:30 a.m. **HB 228**, relative to roadside memorials.

10:00 a.m. **HB 273**, relative to submission of electronic data by municipal and county inspection stations.

10:30 a.m. **HB 315**, clarifying a law relative to junkyards within industrial areas.

11:00 a.m. **HB 372**, relative to drivers' licenses for persons with certain neurological disorders.

11:30 a.m. **HB 357**, relative to retention of special number plates for veterans by surviving

spouses.
1:00 p.m. **HB 518**, relative to driver's license application forms.
2:00 p.m. **HB 406**, relative to contemporary motor vehicle plates.
2:30 p.m. **HB 419-FN**, relative to operating restrictions on youth operators.

WAYS AND MEANS, Room 202, LOB

9:30 a.m. **HB 628-FN-A**, establishing tangible personal property inventory and use taxes.
10:00 a.m. **HB 568-FN-A**, relative to the taxation of tobacco products other than cigarettes.
10:30 a.m. **HB 567-FN-A**, redefining tobacco products, increasing the tax on tobacco products other than cigarettes, and dedicating the increase to a tobacco use prevention and cessation program fund.
11:00 a.m. **HB 638-FN-A**, increasing the tobacco tax and dedicating certain tobacco tax revenues to the comprehensive cancer plan fund.

FRIDAY, FEBRUARY 20

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

9:00 a.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, 2nd Floor Conference Room, Department of Safety, 33 Hazen Drive, Concord

10:00 a.m. Tour of the State Police Criminal Laboratory.

State Fire Academy, Route 106, Concord

1:00 p.m. Tour of the State Fire Academy.

NEW HAMPSHIRE RAIL TRANSIT AUTHORITY BOARD OF DIRECTORS (RSA 238-A:2), Rooms 201-203, LOB

10:00 a.m. Regular meeting.

MONDAY, MARCH 2

CITIZENS TRADE POLICY COMMISSION (RSA 19-L), Room 307, LOB

9:00 a.m. Regular meeting.

COMMISSION ON THE PREVENTION OF CHILDHOOD OBESITY (HB 1422, Chapter 219:1, Laws of 2008), Room 207, LOB

10:00 a.m. Regular meeting.

COMMISSION TO STUDY THE ISSUE OF STORMWATER MANAGEMENT (HB 1295, Chapter 71:1, Laws of 2008), Room 305, LOB

11:30 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:15 a.m. Continued executive session on **HB 437**, relative to the operation of the Chesterfield welcome and information center.

TUESDAY, MARCH 3

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. **HB 373**, relative to insurance reimbursement for acupuncturists.

10:30 a.m. **HB 499**, relative to insurance payments for ambulance services.

11:00 a.m. **HB 561-FN**, relative to insurance coverage for persons having deafness and hearing loss.

- 1:30 p.m. **HB 100**, relative to homeowner's insurance.
 2:00 p.m. **HB 331**, relative to advertisements of property and casualty insurance.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. **HB 370**, relative to equality of treatment of victims of crime.
 10:30 a.m. **HB 430-FN**, removing the statute of limitations on certain crimes committed in furtherance of murder.
 11:00 a.m. **HB 459**, relative to access to restorative justice programs by victims of crime.
 11:30 a.m. **HB 587-FN**, establishing an information and analysis center within the department of safety.
 1:30 p.m. **HB 690-FN**, establishing a cold case homicide unit.
 2:30 p.m. **HB 322**, allowing members of the armed forces between the ages of 18 and 21 to purchase fireworks.

FINANCE – (DIVISION I), Room 212, LOB

Work session on Governor's Budget:

- 9:30 a.m. Judicial Branch
 1:00 p.m. Corrections

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

Governor's Budget Presentation:

- 10:00 a.m. Department of Education
 1:00 p.m. Work session - Department of Education

FINANCE – (DIVISION III), Room 209, LOB

Work session on Governor's Budget:

- 10:00 a.m. Department of Health and Human Services.
 10:30 a.m. Office of the Commissioner
 11:00 a.m. Office of Medicaid and Business Policy
 1:30 p.m. Division of Family Assistance
 2:30 p.m. New Hampshire Hospital
 3:00 p.m. Division of Public Health Services

JUDICIARY, Room 208, LOB

- 11:00 a.m. **HB 73**, relative to the solemnization of marriage.
 11:30 a.m. **HB 396**, relative to the solemnization of marriage.
 1:00 p.m. **HB 634**, authorizing civil unions between one man and one woman.
 1:30 p.m. **HB 684**, allowing persons of the opposite sex to enter civil unions, eliminating certain prohibitions on same-sex civil unions, and clarifying that no person shall be a party to both a civil union and a marriage, unless the parties to the marriage are legally separated.
 2:00 p.m. **HB 686**, relative to complaint procedures in cases before the commission for human rights.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:00 a.m. **HB 585-FN**, relative to outdoor lighting efficiency.
 1:00 p.m. Information session from the Department of Environmental Services (DES re: history of mercury reduction efforts at the coal-fired electric plant.

STATE VETERANS' ADVISORY COMMITTEE (RSA 115-A:2), NH National Guard, Joint Forces Headquarters Readiness Center, Concord

- 5:00 p.m. Regular meeting.

WEDNESDAY, MARCH 4

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

4:00 p.m. Regular meeting.

THURSDAY, MARCH 5

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 366**, relative to retail vehicle dealers.

10:00 a.m. Rescheduled public hearing on **HB 181**, relative to disclosure of contaminants prior to the sale of real property.

10:30 a.m. **HB 187-FN**, relative to manufactured housing.

11:00 a.m. **HB 692**, relative to emergency generators in manufactured housing parks.

1:00 p.m. Executive session on **HB 31-FN**, requiring insurance coverage for certain preventative testing, **HB 100**, relative to homeowner's insurance, **HB 109**, relative to consumer choice in health insurance, **HB 151**, prohibiting an insurer from canceling health care coverage based on the insured's terminal condition, **HB 161**, repealing protection of uncopyrighted compositions in state law, **HB 198**, permitting an insured person injured in a motor vehicle accident to obtain damages under his or her own uninsured motorist coverage when the insured's damages exceed the motorist insurance coverage of the person at fault for the accident, **HB 199**, requiring motor vehicle insurers to pay benefits to insured persons under their underinsured or uninsured motorist insurance coverage in cases of bodily injury or death cause by uninsured or underinsured negligent motorists, except under certain circumstances, **HB 200**, permitting the stacking of medical payments coverage under motor vehicle liability policies purchased by members of the same household, **HB 202**, relative to provisions in insurance policies limiting payment of full benefits, **HB 237**, relative to accident and health insurance short-term policies, **HB 238**, relative to market conduct and enforcement, **HB 286-FN**, relative to life insurance form disapproval, **HB 329**, relative to insurance and civil unions, **HB 346**, relative to real estate developers creating space for drying laundry without electricity or gas, **HB 350**, prohibiting the sale and distribution of household cleaning products containing phosphorus, **HB 482**, relative to mold assessment, testing, and remediation, **HB 492**, requiring certification for persons performing radon tests,

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 665-FN**, relative to driving under the influence of drugs.

10:30 a.m. **HB 449-FN**, increasing the penalty for unlawful possession or release of criminal records.

11:00 a.m. **HB 398**, relative to the unauthorized use of firearms in the compact part of a city or town.

1:30 p.m. Executive session on **HB 78**, relative to the interbranch criminal and juvenile justice council, **HB 138**, revising certain provisions of the sexually violent predators statute, **HB160**, relative to physical force in defense of a person, **HB 214**, establishing a commission to study health care services in correctional facilities and relative to regulation of prescription medication interruptions by corrections staff and access to inmates by medical, mental health, and social services providers, **HB 220**, relative to civil proceedings for forfeiture of animals, **HB 312**, permitting a person to record a law enforcement officer in the course of such officer's official duties, **HB 322**, allowing members of the armed forces between the ages of 18 and 21 to purchase fireworks, **HB 348**, relative to criminal penalties and alternatives to incarceration, **HB 370**, relative to equality of treatment of victims of crime, **HB 398**, relative to the unauthorized use of firearms in the compact part of a city or town, **HB 430-FN**, removing the statute of limitations on certain crimes committed in furtherance of murder.

FINANCE – (DIVISION I), Room 212, LOB

Work session on Governor's Budget:

- 9:30 a.m. Judicial Branch
- 11:00 a.m. Corrections
- 2:30 p.m. Department of Environmental Services

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

Governor's Budget Presentation:

- 10:00 a.m. Work session - Department of Education
- 1:00 p.m. Work session - Department of Education

FINANCE – (DIVISION III), Room 209, LOB

Work session on Governor's Budget:

- 9:00 a.m. Division of Community Based Care Services
- 9:30 a.m. Bureau of Elderly and Adult Services
- 11:00 a.m. Bureau of Behavioral Health
- 12:00 p.m. Bureau of Drug and Alcohol Services
- 1:30 p.m. Bureau of Homeless and Housing Services
- 2:00 p.m. Bureau of Developmental Services
- 3:30 p.m. Division for Juvenile Justice Services

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. Subcommittee work session on **HB 33**, amending the Concord school district charter, **HB 319**, revising the charter of the union school district of Concord.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:00 a.m. **HB 496**, establishing a limit on the amount of cost recovery for the emissions reduction equipment installed at the Merrimack Station.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB

- 9:00 a.m. **HB 517**, relative to the definition of "armed forces."
- 9:30 a.m. **HB 550**, encouraging the Museum of New Hampshire History to fly the state flag.
- 10:00 a.m. **HB 524-FN**, establishing a permanent state defense force.
- 11:00 a.m. **HJR 1**, requesting that Congress appropriate funds to revitalize public facilities for access to the ocean and seashore.
- 1:00 p.m. **HCR 8**, urging the President and Secretary of Defense to withdraw all New Hampshire national guard troops from Iraq in the absence of a valid and subsisting Congressional mandate for such service, and withholding the consent of the governor and New Hampshire state legislature from any further deployment of the New Hampshire national guard to Iraq in the absence of such mandate.
- 2:30 p.m. **HCR 9**, urging the United States Senate to ratify the Comprehensive Test Ban Treaty.
- 3:30 p.m. **HCR 10**, urging the federal government to withdraw the United States from the North American Free Trade Agreement.
- 4:30 p.m. **HJR 2**, urging Congress to modify Medicare payments to enhance the compensation of primary care providers.

FRIDAY, MARCH 6

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

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

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

- 10:00 a.m. Final work session - Department of Education

FINANCE – (DIVISION III), Room 209, LOB

Work session on Governor's Budget:

9:00 a.m. Division for Children, Youth and Family
 10:00 a.m. Division of Child Support Services
 10:20 a.m. Office of Operations Support
 10:40 a.m. Office of Improvement and Integrity
 11:00 a.m. Veteran's Council
 11:30 a.m. Veterans Home
 12:45 p.m. Veterans Home open work session on budget.

MONDAY, MARCH 9

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. **HB 529-FN**, relative to the healthy kids program.
 10:30 a.m. **HB 158**, relative to the membership on the healthy kids board.
 11:00 a.m. **HB 336**, establishing a committee to study the law regarding insurance coverage for dependent children.
 11:30 a.m. **HB 569-FN**, requiring insurance coverage for diagnosis and treatment of autism spectrum disorders.
 1:30 p.m. **HB 478-FN**, relative to remotely readable devices and relative to the illegal use of a payment card scanning device or reencoder.

COMMISSION TO PROPOSE A RETIREE HEALTH CARE BENEFITS FUNDING MODEL (HB 1645, Chapter 300:13, Laws of 2008), Room 306, LOB

10:00 a.m. Regular meeting.

ELECTRONIC BALLOT COUNTING DEVICE ADVISORY COMMITTEE (HB 285, Chapter 134:1, Laws of 2008), HAVA Conference Room Archives and Records Management Building, 71 South Fruit Street, Concord

10:00 a.m. Regular meeting.

FINANCE JOINT WITH WAYS AND MEANS, Media Center, Salem High School, 44 Geremonty Drive, Salem

6:00 p.m. Public hearing on Governor's budget.

FINANCE – (DIVISION I), Room 212, LOB

Work session on Governor's Budget:

1:00 p.m. Department of Administrative Services

FINANCE – (DIVISION III), Room 209, LOB

Work session on Governor's Budget:

9:00 a.m. Office of Medicaid and Business Policy

10:00 a.m. Health and Human Services Oversight

11:00 a.m. Division of Family Assistance

1:00 p.m. Division of Public Health Services

2:30 p.m. Division for Juvenile Justice Services

TUESDAY, MARCH 10

FINANCE – (DIVISION I), Room 212, LOB

Work session on Governor's Budget:

9:30 a.m. Department of Environmental Services

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

Governor's Budget Presentation

10:00 a.m. Presentation by the Department of Fish and Game

1:00 p.m. Presentation by the Department of Safety

FINANCE – (DIVISION III), Room 209, LOB

Work session on Governor's Budget:

10:00 a.m. Bureau of Behavioral Health
11:00 a.m. Legislative Orientation
1:00 p.m. Bureau of Elderly and Adult Services
3:00 p.m. Bureau of Developmental Services

THURSDAY, MARCH 12

ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), Room 100, State House

3:00 p.m. Organizational meeting.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

11:00 a.m. Executive session on **HB 75**, prohibiting the use of information concerning education level to underwrite insurance coverage, **HB 101**, prohibiting the use of credit reports for certain insurance purposes, **HB 120-FN-L**, relative to the installation of carbon monoxide detectors in single and multi-family dwellings, **HB 158**, relative to the membership on the healthy kids board, **HB 181**, relative to disclosure of contaminants prior to the sale of real property, **HB 187-FN**, relative to manufactured housing, **HB 244**, relative to automobile insurance premiums, **HB 299**, prohibiting banks from requiring blood samples, fingerprints, and DNA samples in order to complete a banking transaction, **HB 331**, relative to advertisements of property and casualty insurance, **HB 336**, establishing a committee to study the law regarding insurance coverage for dependent children, **HB 366**, relative to retail vehicle dealers, **HB 373**, relative to insurance reimbursement for acupuncturists, **HB 376**, relative to condominium governance, **HB 416**, relative to insurance examinations, **HB 442**, relative to the review and amendment of condominium bylaws, **HB 499**, relative to insurance payments for ambulance services, **HB 535**, requiring dwelling units to have functioning smoke detectors upon their sale or transfer, **HB 561-FN**, relative to insurance coverage for persons having deafness and hearing loss.

FINANCE JOINT WITH WAYS AND MEANS, River Valley Community College, One College Drive, Claremont

6:00 p.m. Public hearing on Governor's budget.

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

10:00 a.m. Work session - Department of Safety
1:00 p.m. Work session - Department of Safety

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB

9:00 a.m. Executive session on **HB 517**, relative to the definition of "armed forces", **HB 550**, encouraging the Museum of New Hampshire History to fly the state flag, **HB 524-FN**, establishing a permanent state defense force, **HJR 1**, requesting that Congress appropriate funds to revitalize public facilities for access to the ocean and seashore, **HCR 8**, urging the President and Secretary of Defense to withdraw all New Hampshire national guard troops from Iraq in the absence of a valid and subsisting Congressional mandate for such service, and withholding the consent of the governor and New Hampshire state legislature from any further deployment of the New Hampshire national guard to Iraq in the absence of such mandate, **HCR 9**, urging the United States Senate to ratify the Comprehensive Test Ban Treaty, **HCR 10**, urging the federal government to withdraw the United States from the North American Free Trade Agreement, **HJR 2**, urging Congress to modify Medicare payments to enhance the compensation of primary care providers.

FRIDAY, MARCH 13

FINANCE, Rooms 210-211, LOB

- 9:30 a.m. Full committee work session on **HB 433-FN-A**, making an appropriation to fund the reporting of hospital infections by the department of health and human services and **HB 649-FN**, relative to the governor's authority to expend funds for heating assistance.
- 10:00 a.m. Executive session on **HB 433-FN-A**, making an appropriation to fund the reporting of hospital infections by the department of health and human services and **HB 649-FN**, relative to the governor's authority to expend funds for heating assistance.

MONDAY, MARCH 16

EQUALIZATION STANDARDS BOARD (RSA 21-J:14-c), Department of Revenue Administration, 109 Pleasant Street (Medical and Surgical Building), Concord

- 1:00 p.m. Regular meeting.

FINANCE JOINT WITH WAYS AND MEANS, White Mountains Regional High School Auditorium, 127 Regional Road, Whitefield

- 6:00 p.m. Public hearing on Governor's budget.

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

- 9:00 a.m. Regular meeting.

NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), CDFA Board Room 14 Dixon Avenue, Concord

- 10:00 a.m. Regular meeting.

TUESDAY, MARCH 17

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 10:00 a.m. **HCR 2**, endorsing the National Health Insurance Act.
- 10:30 a.m. **HJR 4**, requesting the Macquarie Bank to withdraw its rate hike request relating to the Aquarion Water Company in Hampton, North Hampton, and Rye.
- 11:00 a.m. **HB 678-FN**, relative to establishing a minimum medical loss ratio.
- 11:30 a.m. **HB 434-FN**, relative to a health insurance access program.
- 12:00 p.m. **HB 359**, requiring health care provider bills to state the portion of payment covering costs of the uninsured.
- 1:00 p.m. Executive session on **HB 334-FN**, relative to consumer credit, **HB 478-FN**, relative to remotely readable devices and relative to the illegal use of a payment card scanning device or reencoder, **HB 529-FN**, relative to the healthy kids program, **HB 530-FN**, relative to inspection of public buildings for compliance with access standards, **HB 569-FN**, requiring insurance coverage for diagnosis and treatment of autism spectrum disorders, **HB 605**, relative to employment of minors by liquor licensees, **HB 607-FN**, relative to residential pharmaceutical waste, **HB 616**, relative to banking overdraft fees, **HB 659-FN**, relative to insurance fraud, **HB 660-FN**, relative to the life settlements act, **HB 668-FN**, relative to a life settlements model act, **HB 680**, making technical changes in the insurance laws, **HB 692**, relative to emergency generators in manufactured housing parks.

FINANCE – (DIVISION I), Rooms 301-303, LOB

- 4:00 p.m. Governor's budget

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

10:00 a.m. Work session – Department of Fish and Game
Governor’s Budget Presentation
1:00 p.m. Department of Transportation

FINANCE – (DIVISION II), Rooms 205-207, LOB

4:00 p.m. Governor’s budget

FINANCE – (DIVISION III), Room 209, LOB

4:00 p.m. Governor’s budget

THURSDAY, MARCH 19

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. Executive session on **HB 359**, requiring health care provider bills to state the portion of payment covering costs of the uninsured, **HB 434-FN**, relative to a health insurance access program, **HB 678-FN**, relative to establishing a minimum medical loss ratio, **HCR 2**, endorsing the National Health Insurance Act, **HJR 4**, requesting the Macquarie Bank to withdraw its rate hike request relating to the Aquarion Water Company in Hampton, North Hampton, and Rye.

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

10:00 a.m. Work session - Department of Transportation

1:00 p.m. Work session - Department of Transportation

FRIDAY, MARCH 20

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

9:00 a.m. Regular meeting.

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

1:00 p.m. Final work session - Department of Transportation

Final work session - Fish and Game Department

MONDAY, MARCH 23

COMMISSION TO PROPOSE A RETIREE HEALTH CARE BENEFITS FUNDING MODEL (HB 1645, Chapter 300:13, Laws of 2008), Room 306, LOB

10:00 a.m. Regular meeting.

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

Governor’s Budget Presentation

10:00 a.m. University System, NH

11:00 a.m. Community College System of NH

2:00 p.m. Planetarium

TUESDAY, MARCH 24

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

10:00 a.m. Final work session – University System of NH

Final work session – Community College System of NH

Final work session - Planetarium

Governor’s Budget Presentation

1:00 p.m. Lottery Commission

2:00 p.m. Police Standards and Training Council

3:00 p.m. Postsecondary Education Commission

LONG-RANGE CAPITAL PLANNING AND UTILIZATION (RSA 17-M), Room 201, LOB
3:00 p.m. Regular business.

THURSDAY, MARCH 26

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

10:00 a.m. Final work session – Lottery Commission
Final work session – Postsecondary Education Commission
Final work session – Police Standards and Training Council

FRIDAY, MARCH 27

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration, 109 Pleasant Street (Medical and Surgical Building), Concord

9:30 a.m. Regular meeting.

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

1:00 p.m. Complaint hearing.

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 305, LOB

9:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Hillsborough County Delegation will meet at 8:15 a.m. in Rooms 206-208, LOB on **February 18** with Justice Broderick and Justice Lynn to address any questions the delegation members may have about the transfer of the Hillsborough County Court from Manchester to Nashua during the asbestos abatement work.

Rep. Maurice Pilotte, Chairman
Hillsborough County Delegation

COUNTY DELEGATION NOTICE

Hillsborough County Executive Committee will meet on Friday, **February 20** at 9:00 a.m. at the Hillsborough County Complex, Bouchard Building, Goffstown.

Rep. Maurice Pilotte, Chairman
Hillsborough County Executive Committee

COUNTY DELEGATION NOTICE

Merrimack County Executive Committee will meet on Monday, **March 9** at 9:00 a.m. in the lower level conference room of the McDonnell Building, 4 Court Street, Concord. The purpose of the meeting is as follows: 1. 2009 Budget Review as follows: a. Corrections. b. Administration and Others. c. Human Services and Others. d. County Attorney/Med. Referee/Pre-Trial/Adult Diversion/Sheriff Dispatch. e. Nursing Home. 2. Any other business.

Rep. Jessie Osborne, Chairman
Merrimack County Executive Committee

COUNTY DELEGATION NOTICE

Rockingham County Executive Committee will meet at 5:30 p.m. on Tuesday, **February 17** at the Commissioners' Conference Room, Hilton Auditorium, Rockingham County Nursing Home, Brentwood to finalize unfinished business prior to the Delegation meeting.

Rep. David A. Welch, Clerk

Rockingham County Executive Committee

Rockingham County Delegation will meet at 6:00 p.m. on Tuesday, **February 17** at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood to adopt the County Budget for 2009 (storm date February 19).

Rep. David A. Welch, Clerk
Rockingham County Delegation

COUNTY DELEGATION NOTICE

Sullivan County Executive Committee will meet in the Jury Assembly Room, Newport on **February 25** at 3:30 p.m.

Rep. Suzanne H. Gottling, Chairman
Sullivan County Executive Committee

Sullivan County Delegation will meet in the Jury Assembly Room, Newport on **February 25** at 5:00 p.m.

Rep. Raymond G. Gagnon, Chairman
Sullivan County Delegation

REVISED FISCAL NOTES

The following House Bill has revised fiscal notes: HBs 31, 64, 166, 419, 423, 426, 468, 590, 592, 594, 595, 597, 598, 602, 630, 632, 633, 639, 640, 643, 650, 652, 653, 655, 658, 663, 666, 670, 674, 675, 677.

Karen O. Wadsworth, Clerk of the House

Pursuant to RSA 326-B:10-a,IV, the Joint Health Council will meet at the NH Board of Nursing Office, Walker Building, 21 South Fruit Street, Concord, on Monday, **March 9** at 6:00 p.m.

Karen O. Wadsworth, Clerk of the House

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

Rep. Anne K. Priestly, 4 Bluff Street, Salem, New Hampshire 03079-1501.

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

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

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

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

Reps. Mary Jane Wallner and Sherman A. Packard

The Legislative Caucus for Young Children, in collaboration with the New Hampshire Child Advocacy Network (NH CAN), a program of the Children's Alliance of New Hampshire, cordially invites all legislators to a press release of the *2009 Priorities for New Hampshire's Children* on Tuesday, **February 17** at 10:00 a.m. in Room 206 at the Legislative Office Building. Media has also been invited. Each year, a consensus of nearly 100 NH CAN partner organizations and advisors develop a collective set of priorities which recommend legislative and governmental action to ensure that our children, families, communities and state have every opportunity to thrive.

Rep. Mary Stuart Gile

Legislators are invited to attend the Mental Health Caucus meeting on **February 17** from 12:15 to 1:30 p.m. (bring your own brown bag lunch) at the Upham Walker House. Please call Rep. Liz Merry (286-4897 or email lizmerry@metrocast.net) or Rep. Bob Thompson (email Robert.Thompson@leg.state.nh.us) if you have questions.

Rep. Liz Merry

The NH Women's Lobby cordially invites all members of the legislature to our second annual Love the Lobby event on Tuesday, **February 17** from 5:00-7:00 p.m. at Rath, Young and Pignatelli, One Capital Plaza, Concord. Please RSVP to the NHWL at 224-9105 or e-mail to nikki@nhwomenslobby.org. Rep. Mary Stuart Gile will be speaking about our current legislative efforts in 2009. Please join us for food, drinks and fun!

Rep. Carla M. Skinder

On **February 17th** the New Hampshire Federation of Humane Organizations invites all legislators to an informational luncheon on HB 630, the Greyhound Protection Act. Lunch will be available from 11:30 am to 1:00 pm at St. Paul's Church, 21 Centre Street, Concord.

Rep. Mary R. Cooney

Breathe New Hampshire invites all Legislators and staff to a Breakfast Reception on Wednesday, **February 18** from 7:30 a.m. to 9:00 a.m. in the State House Cafeteria. Please come and meet staff and volunteers, learn about some new initiatives, and enjoy breakfast, conversation, and door prizes. Please RSVP by February 6th at (603)669-2411 or info@breathenh.org.

Reps. Mary Jane Wallner and Sherman A. Packard

The Granite State Airport Management Association (GSAMA) cordially invites you to attend the second "GSAMA at the Capital" on Wednesday, **February 18** in Room 100, State House from 9:00 a.m. to 12:00 p.m. GSAMA is comprised of aviation related organizations that work closely with the NHDOT/Bureau of Aeronautics and the federal Aviation Administration (FAA) in promoting

the 24 public-use airports throughout the Granite State. The “GSAMA at the Capital” event provides an opportunity to conveniently meet with us to discuss the benefits and challenges facing airports in NH, to learn more about the municipal and private airports in the state, and to meet your constituents. We look forward to greeting you on session day whenever you have a chance to drop by.

Rep. Chris Nevins

The Merrimack County Farm Bureau invites the Merrimack County Delegation, and the Environment and Agriculture Committee to a rescheduled luncheon on Wednesday, **February 18** at the Department of Agriculture conference room, second floor of the State House Annex at noon or when the House recesses for lunch.

Rep. Candace CW Bouchard

The Aviation Caucus will have its first organizational meeting in the Conference Room of the Upham Walker House at 3:00 p.m. or at the end of the House session on **February 18**. We look forward to greeting all who indicated their interest to join our caucus and to those who may still wish to.

Rep. Chris Nevins

Franklin Pierce University, Shaheen & Gordon, P.A. and Capitol Insights Group cordially invite New Hampshire House, Senate and staff to a legislative reception on Wednesday, **February 18**, 2009 from 4:00 to 6:30 p.m. The reception will be held at the office of Shaheen & Gordon, P.A. located at 107 Storrs Street, Concord, New Hampshire.

Reps. Mary Jane Wallner and Sherman A. Packard

On Thursday, **February 19** at a brown-bag luncheon (coffee and cookies provided), the Department of Environmental Services will make a presentation on recent advances in New Hampshire water resource issues starting with the release of the new New Hampshire Water Resources Primer. The Primer is a wide-ranging new report on water resource issues and recommendations prepared in cooperation with diverse stakeholders for the legislative Water Resources Committee. The presentation will also cover Phase I of the State Water Plan, including the results of last fall's survey of legislators and local decision makers. The luncheon will be held in the Map Gallery at the State Library, 20 Park Street, Noon to 1:00 p.m.

Rep. Judith Spang

Legislators are invited to attend the Opening Ceremony for the McAuliffe-Shepard Discovery Center on Friday, **March 6** at 2:00 p.m. at the former Christa McAuliffe Planetarium on the NHTI campus in Concord. Governor John Lynch will be participating in the celebration and ribbon cutting.

Rep. Jessie L. Osborne

The New Hampshire Department of Health and Human Services Legislative Orientation has been

rescheduled for Thursday March 12th at St. Paul's Church from 11:30 a.m. to 1:00 p.m. Come to learn more about the Department and its many programs and services that benefit the citizens of New Hampshire. Lunch will be provided, prepared by the New Hampshire Hospital Food and Nutritional Services, but donations will be gladly accepted to the hospital's Resident Benefit Fund. Please RSVP to John Williams, DHHS Legislative Coordinator, at jwilliam@dhhs.state.nh.us or 271-0552.

Rep. Cindy Rosenwald

The House Republican Alliance will meet every Tuesday at 8:30 a.m. at the Upham Walker House, Park Street, Concord.

Rep. Nancy J. Elliott

The Main Street Republicans will meet every Tuesday at 8:30 a.m. in Room 212, LOB. All Republicans are welcome.

Rep. Cynthia J. Dokmo

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 **February & March 2009**. 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 contact the Visitors' Center concerning school tour booking information.** Legislators planning to meet with students should notify the Visitor Center. 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>Size/Grade</u>
Feb. 17	9:00	The Well School – Peterborough	15/4
Feb. 17	10:00	Stratham Memorial School	40/4
Feb. 17	1:00	Rivier College – Social Welfare Policy	15/College
Feb. 18	9:30	St. Benedict Academy – Manchester	16/4
Feb. 18	10:00/11:30 SH/HM	New Searles Elementary School – Nashua	55/4
Feb. 19	9:00	Walker School – Concord	20/4
Feb. 19	10:00	Wheelock School – Keene	21/4
Feb. 19	10:00	Mt. Zion Christian School – Manchester	14/4
Feb. 19	11:45	Rivier College – School of Nursing	20/College
Feb. 19	1:00	Dover Area Senior Center	15/Adult
Feb. 20	10:00	Windham Elementary School	115/4
Feb. 23	2:00	Candia Troop 120 – Boy Scouts	10
Feb. 25	9:30	UNH – Social Work Undergraduates	47/College
Feb. 25	11:00	Wakefield Home School Group	40
Mar. 2	10:15	Pelham Elementary School	50/4
Mar. 3	9:00	Broken Ground Elementary School – Concord	40/4
Mar. 3	10:00/11:15 SH/HM	East Derry Memorial School	86/4

Mar. 4	9:00	Broken Ground Elementary School – Concord	40/4
Mar. 4	10:30/12:00 SH/HM	Heron Pond Elementary School – Milford	75/4
Mar. 4	1:30	Kimball School – Concord	24/4
Mar. 5	9:00	Broken Ground Elementary School – Concord	40/4
Mar. 5	1:00	Kearsarge High School	20/Adult
Mar. 5	1:30	Kimball School – Concord	24/4
Mar. 6	9:30/10:30 SH/SC	Lincoln Street School – Exeter	80/4
Mar. 6	11:30	St. Joseph’s School – Keene	7/4
Mar. 6	1:30	Kimball School – Concord	24/4
Mar. 9	10:15	Pelham Elementary School	50/4
Mar. 9	2:00	Sacred Heart Church Home School Group- Concord	30
Mar. 10	10:00/11:30 SH/HM	Horne Street School – Dover	80/4
Mar 11	10:00/11:30 SH/HM	Marston Elementary School – Hampton	65/4
Mar. 11	1:00	Concord Leadership	28/Adult
Mar. 12	10:00/11:15 SH/HM	Derry Village School	80/4
Mar. 13	9:30/11:00 SH/SC	Symonds School – Keene	60/4
Mar. 13	10:30	Moultonborough Central School	50/4

NOTICE

HOUSE EMERGENCY NOTIFICATION SYSTEM

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

In most emergencies the individual member will be aware that an emergency exists, though may be in doubt as to its extent.

The following procedure has been developed:

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

Gilford	Police Station	527-4737
Laconia	Police Station	524-5252
Keene	Police Station	352-2222
Lebanon	Police Station	448-1212

Manchester	Police Station	668-8711
Nashua	Police Station	594-3500
Concord	Police Station	225-8600
Rockingham County	County Sheriff	679-2225
Portsmouth	Police Station	427-1500
Dover	Police Station	742-4646
Claremont	Police Station	542-9538
Newport	Police Station	863-3232
Merrimack	Police Station	424-2222
Salem	Police Station	893-1911
Ossipee	County Sheriff	539-2284
Derry	Police Station	432-6111

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

State Police Headquarters

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

Rockingham & Strafford Counties

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

Hillsborough County

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

Cheshire & Sullivan Counties

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

Merrimack County

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

Belknap & Carroll Counties

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

Coos & Grafton Counties

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

Also in the event members wish to obtain road or weather conditions during periods of inclement weather they should call the nearest Troop Station to their residence or Headquarters

Communications in Concord. When calling Headquarters Communications, they should ask to speak with the Communications Supervisor. When calling a Troop Station, inquiries will be handled by the Communications Specialist on duty at the time.

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

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

A toll-free road conditions on all state roads is available at **511**.

WEDNESDAY, FEBRUARY 18

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2009-0156h

Amendment to CACR 4

Proposed by the Majority of the Committee on Election Law - R

Amend the resolution by replacing paragraph I with the following:

I. That article 11 of the first part of the constitution be amended to read as follows:

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. **A person who is 17 years of age may vote in a primary election preceding a general election at which such person will be 18 years of age.** Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he **or she** has his **or her** domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery, or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the nonpayment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending article 11 of the first part of the constitution to read as follows:

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. A person who is 17 years of age may vote in a primary election preceding a general election at which such person will be 18 years of age. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he or she has his or her domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery, or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are

absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the nonpayment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office.”

2009-0161h

Amendment to HB 41

Proposed by the Committee on Fish and Game and Marine Resources - C

Amend the bill by replacing section 1 with the following:

1 New Section; Wildlife Heritage Foundation; Donation of Permits. Amend RSA 206 by inserting after section 33-d the following new section:

206:33-e Wildlife Heritage Foundation; Donation of Permits.

I. The executive director may donate up to 5 fishing licenses and hunting licenses along with any necessary permits to take up to 5 moose, up to 5 deer, and up to 5 bear, each calendar year to the wildlife heritage foundation of New Hampshire, the official nonprofit partner of the department pursuant to RSA 206:33-c. The donated permits shall be used by the foundation to assist in its corporate mission. The donation of permits shall not affect the number of permits to be made available to the public by the department.

II. The licenses and permits donated under paragraph I shall be valid anywhere in the state open to the taking of the species selected, and shall be valid to take moose, deer, or bear of either sex during the established hunting season for that species. Prior to being issued a hunting license under this section, a person shall meet the hunting education requirements under RSA 214:23-a.

2009-0001h

Amendment to HB 56-FN

Proposed by the Committee on Public Works and Highways - R

Amend the bill by replacing section 2 with the following:

2 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers authorized under section 1 of this act shall not be a charge to the state. However, the design, construction, and installation of any signage or other markers authorized under this act shall be approved by the department of transportation.

2009-0004h

Amendment to HB 86

Proposed by the Committee on Municipal and County Government - C

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

AN ACT allowing towns to issues citations and accept pleas by mail for local ordinance violations.

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

1 New Section; Powers of Towns; Ordinances; Citations and Pleas by Mail. Amend RSA 31 by inserting after section 39-b the following new section:

31:39-c Local Ordinance Citations; Pleas by Mail. In addition to any other enforcement procedure authorized by law, a local official with authority to prosecute an offense under any municipal code, ordinance, bylaw, or regulation, if such offense is classified as a violation under applicable law, may issue and serve upon the defendant, in addition to a summons to appear in the district court, a local ordinance citation as set forth in this section. The defendant receiving such a citation may plead guilty or nolo contendere by mail by entering that plea as provided herein. If such a plea is accepted by the district court, the defendant shall not be required to appear personally or by counsel; otherwise the defendant shall appear as directed by the court. The

following procedure shall be used:

I. No local ordinance citation as set forth in this section shall be served unless the defendant has first been given written notice of the violation by the municipality and has had a reasonable opportunity to cure the violation or has expressly refused to do so.

II. The local ordinance citation shall contain:

- (a) The caption: "Local Ordinance Citation, Town (City) of ____".
- (b) The name of the offender, and address if known to the prosecuting official.
- (c) The code, ordinance, bylaw, or regulation the offender is charged with violating.
- (d) The act or circumstances constituting the violation.
- (e) The place of the violation.
- (f) The date upon which the offender received written notice of the violation by the municipality.

(g) The time and date, if any, upon which any further violation or continuing violation was witnessed subsequent to such written notice.

(h) The amount of the penalty that is payable by the offender. If the offense is a continuing one for which a penalty is assessed for each day the offense continues, the amount of the penalty shall be based on the number of days the violation has continued since the time notice was given to the offender, up to a maximum of 10 days' violation charged in one citation.

(i) Instructions informing the defendant that the defendant may answer the citation by mail or may personally appear in court upon the date on the summons, and instructing the defendant how to enter a plea by mail, together with either the amount of the penalty specified in the citation, or a request for a trial.

(j) The address of the clerk of the district court where the plea by mail may be entered.

(k) A warning to the defendant that failure to respond to the citation on or before the date on the summons may result in the defendant's arrest as provided in paragraph V.

(l) The signature of the prosecuting official.

III. Defendants who are issued a summons and local ordinance citation and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the civil penalty, as set forth in the citation, to the clerk of the court prior to the arraignment date, or shall appear in court on the date of arraignment.

IV. Civil penalties collected by the district court under this section shall be remitted to the municipality issuing the citation. Whenever a defendant (a) does not enter a plea by mail prior to the arraignment day or does not appear personally or by counsel on or before that date or move for a continuance; or (b) otherwise fails to appear for a scheduled court appearance in connection with a summons for any offense, the defendant shall be defaulted and the court shall determine what the civil penalty would be upon a plea of guilty or nolo contendere and shall impose an administrative processing fee in addition to the civil penalty. Such fee shall be the same as the administrative processing fee under RSA 502-A:19-b, and shall be retained by the court for the benefit of the state.

V. The court may, in its discretion, issue a bench warrant for the arrest of any defendant who:

(a) Is defaulted in accordance with the provisions of paragraph IV of this section;

(b) Fails to pay a fine or other penalty imposed in connection with a conviction for a violation of a local code, ordinance, bylaw, or regulation which a court has determined the defendant is able to pay, or issues a bad check in payment of a fine or other penalty; or

(c) Fails to comply with a similar order on any matter within the court's discretion.

VI. For cause, the court in its discretion may refuse to accept a plea by mail and may impose a fine or penalty other than that stated in the local ordinance citation. The court may order the defendant to appear personally in court for the disposition of the defendant's case.

VII. The prosecuting official may serve additional local ordinance citations, without giving additional written notice or appeal opportunity under paragraph I, if the facts or circumstances constituting the violation continue beyond the date or dates of any prior citation. A plea of guilty

or nolo contendere to the prior citation shall not affect the rights of the defendant with respect to a subsequent citation.

VIII. Forms and rules for the local ordinance citation and summons shall be developed and adopted by the New Hampshire supreme court.

IX. This section is not intended in any way to abrogate other enforcement actions or remedies in the district or superior court, nor to require written notice as a prerequisite to other types of actions or remedies for violations of local codes, ordinances, bylaws, or regulations.

X. This section shall not apply to offenses that are subject to enforcement under RSA 676, or to motor vehicle offenses under title XXI or any local law enacted thereunder.

2 Effective Date. This act shall take effect January 1, 2010.

AMENDED ANALYSIS

This bill allows municipalities to enforce municipal codes and ordinances by issuing citations and accepting pleas by mail for violations.

2009-0290h

Amendment to HB 103

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

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

AN ACT relative to paying discharged and laid off employees.

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

1 New Paragraphs; Payment of Wages; Definitions. Amend RSA 275:42 by inserting after paragraph IX the following new paragraphs:

X. "Layoff" means reduction in workforce by an employer.

XI. "Discharged employee" means any employee who voluntarily terminates employment and any employee terminated by the employer for reasons other than a layoff or as a result of a labor dispute.

XII. "Payment in hand" means payment delivered to the employee or made available to the employee directly or to a third party at the direction of the employee.

2 Employees Separated From Payroll Before Paydays. Amend RSA 275:44, I through III to read as follows:

I. Whenever an employer discharges an employee, the employer shall pay the employee's wages in full **and in hand** within 72 hours.

II. Whenever an ~~[employee quits or resigns, the]~~ employer **lays off an employee, the employer** shall pay the employee's wages ~~[no later than the next regular payday, as provided under RSA 275:43, either through the regular pay channels or by mail if requested by the employee, except that if the employee gives at least one pay period's notice of intention to quit the employer shall pay all wages earned by the employee within 72 hours]~~ **in full and in hand at the time of the layoff.**

III. When work of an employee is suspended as a result of a labor dispute, or when an employee ~~[for any reason whatsoever is laid off]~~ **voluntarily terminates his or her employment**, the employer shall pay in full to such employee not later than the next regular payday, as designated under RSA 275:43, either through the regular pay channels or by mail if requested by the employee, wages earned at the time of suspension ~~[or layoff]~~.

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

AMENDED ANALYSIS

This bill clarifies the time requirements for employers to pay discharged and laid off employees.

2009-0256h

Amendment to HB 112

Proposed by the Committee on Transportation - C

Amend the bill by replacing section 1 with the following:

1 New Sections; Re-Registration by Residents Without a Permanent Street Address. Amend RSA 261 by inserting after section 52-a the following new sections:

261:52-b Re-Registration by Residents Temporarily Traveling out of the State. Residents who are without a permanent street address at the time of re-registration because they are traveling outside of the state in recreational vehicles for a period of up to 2 years may renew a vehicle registration by completing a written attestation of residency and providing a letter from an adult property-owning resident of the municipality who agrees to act as the person's mailing address for purposes of contact by the department. Residency for the purposes of this section shall be defined as intention to return to the municipality after a period of time not to exceed 2 years.

261:52-c Re-Registration by Residents Without a Permanent Street Address. Residents who are homeless without a permanent street address at the time of re-registration may register a vehicle by certifying that they are currently resident in the town and providing a letter from a local social service agency stating that they have permission to use the agency as a mailing address for purposes of contact by the department. Residency for the purposes of this section shall be defined as the expressed intention to continue to reside in the municipality.

261:52-d Indication of Contact Address. A re-registration application completed under RSA 261:52-b or RSA 261:52-c shall contain an indication that the address provided is not the physical residence of the registrant but a mailing address for purposes of contact.

2009-0242h

Amendment to HB 116

Proposed by the Committee on Children and Family Law - C

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

1 New Paragraph; Legislative Youth Advisory Council. Amend RSA 19-K:2 by inserting after paragraph V the following new paragraph:

VI. If a member misses 3 consecutive meetings, without cause, the council may request that the appointing authority appoint a replacement member. Upon appointment of the replacement, the prior appointment shall terminate and the replacement shall serve for the remainder of the prior member's term.

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

2009-0105h

Amendment to HB 119

Proposed by the Minority of the Committee on Commerce and Consumer Affairs - R

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

AN ACT establishing a commission to study the feasibility of adopting Atlantic Daylight Saving Time from June 15 to September 15 of each year.

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

1 Commission Established. There is established a commission to study the feasibility of adopting Atlantic Daylight Saving Time from June 15 to September 15 of each year.

2 Membership and Compensation.

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

(a) One member of the house of representatives, 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 resources and economic development, or designee.

(d) One representative of the tourism industry, appointed by the governor.

(e) One representative of the New Hampshire Golf Association, nominated by the association and appointed by the governor.

II. Members of the commission shall serve without compensation, except that 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 consider the feasibility, costs, and benefits of adopting Atlantic Daylight Saving Time in the state of New Hampshire between June 15 and September 15 of each year.

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

5 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2009.

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

AMENDED ANALYSIS

This bill establishes a commission to study the feasibility of adopting Atlantic Daylight Saving Time from June 15 to September 15 of each year.

2009-0165h

Amendment to HB 140-FN

Proposed by the Committee on Education - R

Amend the introductory paragraph in RSA 198:15-hh, I as inserted by section 1 of the bill by replacing it with the following:

I. The amount of the annual grant for a lease to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-A:1, shall be a sum equal to 30 percent of the amount of the annual payment of the lease incurred, for the cost of leasing permanent space in a building or buildings not owned by the school district or school administrative unit which is used for the operation of a high school vocational technical education program, to the extent approved by the state board of education, provided that the amount of the annual grant in the case of a cooperative school district, joint maintenance agreement, or a receiving district operating an area school, shall be 40 percent plus 5 percent for each pre-existing district in excess of 2 and each sending district, in excess of one, and provided further that no cooperative school district, joint maintenance agreement, or receiving district operating an area school, shall receive an annual grant in excess of 55 percent. For the purposes of this section, the amount of the annual grant for a lease to a vocational technical education center shall be calculated in the same manner as a cooperative school district. ***The amount of the annual grant for a chartered public school authorized under RSA 194-B:3-a shall be a sum equal to 30 percent of the annual lease payment incurred for the cost of leasing space.*** Such lease agreements shall be eligible for grants under this section, provided all of the following conditions apply:

2009-0141h

Amendment to HB 182

Proposed by the Committee on Fish and Game and Marine Resources - C

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

2 Fish and Game Department; Reports to the General Court. Amend the introductory paragraph of RSA 206:9-a, I to read as follows:

I. The executive director of the fish and game department shall, not later than October 1 of each odd-numbered year, submit a report to the ***governor and council and to the*** general court ~~[outlining]~~ ***to include: a summary report of department proceedings; a description of the license fee reductions, waivers, and promotion activities pursuant to RSA 214:9-f; and*** recommendations for changes in the fee structure for all licenses and permits issued by the department. This report shall include consideration of:

3 Report; Nonresident Honorary Licenses. Amend RSA 214:13-a to read as follows:

214:13-a Nonresident Honorary Licenses. The executive director may issue honorary hunting or fishing licenses to the President and Vice President of the United States and to nonresident governors, fish and game officials, accredited sportswriters and photographers, recognized conservationists, and foreign ambassadors and dignitaries without charge. During a calendar year there shall be no limit as to the number of each type of honorary license so issued. The executive director shall determine the form of such honorary licenses. The fish and game commission shall periodically review the total issue of honorary licenses hereunder, and may regulate the number thereof. The executive director shall on or before ~~[January 15, 1969 and biennially thereafter on or before]~~ January 15 in each year ~~[the general court assembles]~~ submit a complete list, to the ~~[chairperson of the house wildlife and marine resources committee, and to the chairperson of the senate fish and game/recreation committee]~~ **chairpersons of the house and senate standing committees having jurisdiction over fish and game matters**, containing the names, addresses, and positions or titles of all persons to whom such an honorary license has been issued and each such license issued shall be consecutively numbered.

4 Repeals. The following are repealed:

I. RSA 206:9-a, II, relative to the first fish and game biennial report to the general court.

II. RSA 206:21, relative to reports of the executive director of fish and game.

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

2009-0192h

Amendment to HB 216-FN

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

Amend RSA 281-A:44, VI as inserted by section 1 of the bill by replacing it with the following:

VI. No attorney representing a claimant shall contract for, charge for, or collect a fee for legal service rendered to the claimant at the department level unless the fee has been approved by the commissioner. In determining the amount of the allowable fee, the commissioner shall consider, among other things, the nature, length and complexity of the service performed, the usual and customary charge for work of the like kind and the benefit accruing to the claimant as a result of the legal service performed; provided, however, that when an insurance carrier, self insurer, or payor acting on behalf of such carrier or self insurer disputes the causal relationship of a medical bill to the claimant's injury, or whether a medical bill was required by the nature of the injury, and denies payment of such bill, is after a hearing, ordered to pay or reimburse the bill by the commissioner ***or if the payment is voluntarily made less than 21 days prior to the date of the initially scheduled hearing***, the claimant shall be entitled to reimbursement of reasonable counsel fees and costs as approved by the commissioner. The claimant shall be entitled to reasonable fees and costs pending appeal.

2009-0289h

Amendment to HB 223-FN-LOCAL

Proposed by the Committee on Executive Departments and Administration - R

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

AN ACT changing the effective date for the implementation of the retirement system employer assessments for excess benefits.

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

1 Employer Assessments for Excess Benefits; Change to Effective Date. Amend 2008, 300:35 to read as follows:

300:35 Effective Date.

I. Sections 9-12, and 14 of this act shall take effect July 1, 2009.

II. ~~[Sections 1, 33, and 34]~~ **Section 1** of this act shall take effect 60 days after its passage.

III. Sections 2-4, 15, and RSA 100-A:14-a as inserted by section 17 of this act, and RSA 100-A:15, I, III, IV, V, VIII, and X as inserted by section 18 of this act shall take effect July 1, 2008.

IV. Section 16 of this act shall take effect July 1, 2008 at 12:01 a.m.

V. RSA 100-A:14-b as inserted by section 17 of this act and RSA 100-A:15, II, II-a, VI, VII, and IX as inserted by section 18 of this act shall take effect January 1, 2009.

VI. Sections 19 and 20 of this act shall take effect June 30, 2008.

VII. **Sections 33 and 34 of this act shall take effect July 1, 2010.**

VIII. The remainder of this act shall take effect upon its passage.

2 Commissioner of Revenue Administration; Tax Rates. For the 2009 property tax rate computation pursuant to RSA 21-J:35, upon written request of the governing body, the commissioner of the department of revenue administration shall remove any appropriation that was in the adopted budget to fund the provisions of RSA 100-A:16, III-a.

3 Effective Date. This act shall take effect August 29, 2008.

AMENDED ANALYSIS

This bill delays the effective date for the assessment of the retirement system employer assessments for excess benefits under RSA 100-A:16, III-a, and allows the commissioner of revenue administration to remove appropriations for excess benefit costs from the 2009 property tax rate computation of a town or city.

2009-0272h

Amendment to HB 243

Proposed by the Committee on Executive Departments and Administration - C

Amend RSA 21-M:3, III(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The attorney general may, in his or her discretion, designate to serve without compensation, current assistant United States Attorneys, with prior authorization from the United States Attorney, or assistant county attorneys, with prior authorization from the county attorney, to assist with state cases.

AMENDED ANALYSIS

This bill allows the attorney general, in his or her discretion, to designate current assistant United States Attorneys, with prior authorization from the United States Attorney, or assistant county attorneys, with prior authorization from the county attorney, as special assistant attorneys general to assist with state cases.

2009-0132h

Amendment to HB 276-FN

Proposed by the Committee on Election Law - R

Amend RSA 659:27 as inserted by section 1 of the bill by inserting after paragraph II the following new paragraph:

III. No voter or appointed challenger shall challenge a person's qualifications to be a voter at the election day voter registration table.

Amend RSA 659:27-a, I as inserted by section 2 of the bill by replacing it with the following:

I. No challenge may be asserted except in the form of a signed affidavit, under oath administered by an election official, in the following form:

INFORMATION ON THE PERSON MAKING THE CHALLENGE

Name of Person Making the Challenge:

Last Name	First Name	Middle Name/initial
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Party affiliation		
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If person making a challenge is a voter: Physical Address – Street Name & Number		
--	--	--

If person is a political party or attorney general appointee: mailing address & phone number		
--	--	--

The challenger's qualifications to assert the challenge		
---	--	--

INFORMATION ON THE VOTER BEING CHALLENGED: The person making the challenge shall complete the following:

Name being used by the voter who you wish to challenge:

Last Name

First Name

Middle Name

GROUNDS FOR THE CHALLENGE: The person making the challenge shall indicate the ground on which the challenge is made (check all grounds that apply).

____ The person seeking to vote is not the individual whose name he or she has given

____ The person seeking to vote has already voted in the election at (name polling place)

_____ at approximately (state time if known) _____

____ The person seeking to vote is disqualified as a voter by conviction of a willful violation of the elections laws (state offense, court, and date of conviction)

____ The person seeking to vote is under 18 years of age

____ The person seeking to vote is not a United States Citizen

____ The person seeking to vote is not domiciled in the town or ward where he or she is seeking to vote (state persons true domicile —town/city) _____

____ The person seeking to vote is an incarcerated convicted felon who is currently sentenced to incarceration (state name of institution person is in) _____

____ This is a primary and the person seeking to vote in the (state political party name) _____ primary is not a declared member of the party he or she claims to be affiliated with

____ The person seeking to vote is ineligible to vote pursuant to the following state or federal statute or constitutional provision: _____

BASIS FOR THE CHALLENGE: The person making the challenge shall state the specific source of the information or personal knowledge upon which the challenge of the particular individual is based:

OATH: The person making the challenge shall complete the following:

I hereby swear and affirm, under the penalties of perjury, that to the best of my knowledge and belief the information above is true and correct.

(Signature of challenger)

On the date shown above, before me, _____ (print name of notary public, justice of the peace, election officer), appeared _____ (print name of person whose signature is being notarized), (known to me or satisfactorily proven (circle one)) to be the person whose name appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

TO BE COMPLETED BY THE MODERATOR: Ruling on the challenge:

If the ground at issue is age, citizenship, or domicile: The supervisors of the checklist have ruled that the challenged voter is: qualified as a voter; not qualified as a voter.

The moderator rules on challenges based on other grounds. The Moderator rules that the challenge is: well grounded; not well grounded. If it is ruled that the voter is not qualified or that the challenge is well grounded, the challenged person may vote only if he or she completes and swears to a challenged votes affidavit.

Amend RSA 659:27-a, II(c) as inserted by section 2 of the bill by replacing it with the following:

(c) The person seeking to vote is disqualified as a voter by conviction of a willful violation of the elections laws, such conviction having been for the offense specified in the challenge.

Amend RSA 659:27-a, II(f) as inserted by section 2 of the bill by replacing it with the following:

(f) The person seeking to vote is not domiciled in the town or ward where he or she is seeking to vote because the person's true domicile is in the town or city specified in the challenge. Amend RSA 659:27-a, II(g) as inserted by section 2 of the bill by replacing it with the following:

(g) The person seeking to vote is an incarcerated convicted felon who is currently sentenced to incarceration in the institution specified in the challenge. Amend the bill by replacing section 4 with the following:

4 Absentee Ballots; Announcement by Moderator and Challenges. Amend RSA 659:50 and RSA 659:51 to read as follows:

659:50 Announcement by Moderator. The moderator shall begin processing absentee ballots by clearly announcing that he **or she** is about to open the envelopes which were delivered to him **or her**. The moderator shall then remove the affidavit envelope containing the ballots of each absentee voter and shall compare the signature on the affidavit envelope with the signature on the application for the ballot. If:

I. The name of the voter is on the checklist, **except for voters provided for in RSA 7:46**; and

II. The affidavit on the envelope appears to be properly executed; and

III. The signature on the affidavit appears to be executed by the same person who signed the application; and

IV. The signatures appear to be the signatures of a duly qualified voter who has not voted at the election; then the moderator shall publicly announce the name of the absentee voter, **except for voters provided for in RSA 7:46**. If these conditions are not met, the moderator shall follow the procedure provided in RSA 659:53.

659:51 Challenges.

I. All absentee ballots are subject to challenge after the moderator publicly announces the name of the absentee voter, **except for voters provided for in RSA 7:46**, but not after the ballot is removed from the envelope. ~~[A person who makes a challenge shall state the reason for the challenge.]~~ **No challenge to an absentee ballot may be asserted except in conformity with the requirements of RSA 659:27-a.**

II. If the ballot is challenged, the moderator shall write on the affidavit envelope containing the ballot the word "challenged" and the name and address of the person who makes the challenge and the basis of the challenge. The moderator shall also number each challenged envelope consecutively by marking, for example, the first challenged ballot "Challenged Ballot No. 1".

III. The moderator shall then determine if the challenge to the ballot is well grounded. If the moderator decides the challenge is well grounded, he **or she** shall not open the envelope but shall preserve it with the other ballots cast at the election as provided in RSA 659:101. If the moderator decides that the challenge is not well grounded, he **or she** shall open the affidavit envelope so the affidavit thereon is not destroyed and proceed first to mark on the reverse of the folded ballot the corresponding challenge number as previously marked on the envelope. ~~[He]~~ **The moderator** shall then proceed to deposit the ballot as provided in RSA 659:52.

AMENDED ANALYSIS

This bill establishes additional requirements for challenging voters, including a challenge affidavit, and establishes penalties for prohibited challenges.

2009-0082h

Amendment to HB 343

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

Amend the bill by replacing section 2 with the following:

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

2009-0252h

Amendment to HB 383

Proposed by the Majority of the Committee on Transportation - R

Amend RSA 265:107-a, VI(f) as inserted by section 2 of the bill by replacing it with the following:
(f) The driver of a motor vehicle making frequent stops in the course of the driver's business; or

2009-0286h

Amendment to HB 392-FN

Proposed by the Committee on Commerce and Consumer Affairs - C

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

AN ACT establishing an on-premises cigar, beverage, and liquor license.

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

1 New Section; On-Premises Cigar, Beverage, and Liquor Licenses. Amend RSA 178 by inserting after section 20 the following new section:

178:20-a On-Premises Cigar, Beverage, and Liquor Licenses.

I. The commission may issue a license to a person holding a tobacco retailers license under RSA 178:19-a for premises where more than 60 percent of total business income is derived from cigar-related products in any town which has voted to accept the provisions of RSA 663:5, I(b), (c), and (d). The license shall entitle the licensee to serve beverages containing at least 1/2 percent and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit by the glass or other suitable container and by the bottle with the cork or cap removed; specialty beer in any suitable container; liquor containing more than 6 percent alcohol by volume at 60 degrees Fahrenheit, by the glass or other suitable container; and wines, by the glass, by the bottle with the cork or cap removed; or other suitable container, under rules adopted by the commission.

II. No beverage or liquor shall be consumed on the premises except that which is sold by the licensee.

III. The commission shall only issue a license under this section if persons under the age of 18 are prohibited entry to the licensed premises.

2 On-Premises License Fees. Amend RSA 178:29, I to read as follows:

I. On-premises licensees shall pay the following applicable fees annually:

	Supplemental Only	Beverages and Wine	Beverages and Liquor	Cocktail Lounge
Airport				\$1,200
Ballroom	\$ 45			\$1,200
Bed and Breakfast		\$ 480	\$ 840	
Beer Festival				
One-day	\$ 250			
Two-day	\$ 300			
Three-day	\$ 350			
Catering (all)				\$1,200
Catering (off-site only)				\$ 840
Catering (on-site only)				
18 events-	\$ 5			
36 events-	\$ 5			
52 events-	\$ 5			
Club Military				\$ 100
Club Social				
9 events	\$ 250			
18 events	\$ 450			
36 events	\$ 750			
52 events	\$1,200			
Club Private				\$1,200
Club Veterans				
9 events	\$ 250			
18 events	\$ 450			

36 events	\$ 750		
52 events	\$1,200		
College Club			\$1,200
Convention Center			\$2,400
Dining Car	\$ 480		\$ 840
Fairs	\$ 112		
Hotel	\$ 840		\$1,200
One day License			\$ 100
Performing Arts			\$ 360
Racetrack/Motor Vehicle			\$1,800
Racetrack/Pari-Mutuel			\$3,000
Rail Cars			\$1,200
Restaurant	\$ 480	\$ 840	\$1,200
Special License		\$ 25	
Sports/Entertainment Complex			\$1,800
9 events	\$ 250		
18 events	\$ 450		
36 events	\$ 750		
52 events	\$1,200		
Sports Recreation Facility			\$1,200
<i>Tobacco Retailer</i>		<i>\$1,200</i>	
Vessel	\$ 480	\$ 840	\$1,200

3 Effective Date. This act shall take effect January 1, 2010.

AMENDED ANALYSIS

This bill establishes an on-premises cigar, beverage, and liquor license.

2009-0221h

Amendment to HB 441-FN

Proposed by the Committee on Education - C

Amend RSA 200-M as inserted by section 1 of the bill by inserting after paragraph 200-M:3 the following new paragraph, and renumbering RSA 200-M:4-5 as RSA 200-M:5-6, respectively:

200-M:4 Program Requirement. Sign language interpreters who are applicants or recipients of the fund shall participate in a mentoring program in accordance with rules adopted under RSA 200-M:6.

Amend RSA 200-M:6 as inserted by section 1 of the bill by replacing it with the following:

200-M:6 Administration; Rulemaking. The postsecondary education commission shall adopt rules, pursuant to RSA 541-A, relative to procedures, eligibility, and qualifications for applicants, qualifying educational costs, criteria for terms of service by a CART provider and/or sign language interpreter, procedures for repayment of net tuition costs, the participation in a mentoring program as required by RSA 200-M:4, and the administration of the program by the postsecondary education commission. The commissioner of the postsecondary education commission shall annually report to the general court on the effectiveness of this program.

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

2 Appropriation. The sum of \$1 is hereby appropriated for the fiscal year ending June 30, 2009 to the postsecondary education commission for deposit in the CART provider and sign language interpreter net tuition repayment fund established in RSA 200-M:5. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 New Subparagraph; State Treasurer; Accounts Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraph:

(277) Moneys deposited in the CART provider and sign language interpreter net tuition repayment fund established in RSA 200-M:5.

Amendment to HB 564-FN

Proposed by the Committee on Commerce and Consumer Affairs - C

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

1 New Sections; Accessible Parking. Amend RSA 155-A by inserting after section 5 the following new sections:

155-A:5-a Handicap Accessible, Van Accessible, and Ramp/Lift Equipped Van Only Parking Spaces.

I. Any new construction containing a parking area or parking areas commenced after January 1, 2010 shall have the following number of handicap accessible, van accessible, and ramp/lift equipped van only parking spaces reserved for individuals with walking disabilities:

(a) If there are 25 or less total parking spaces, there shall be one handicap accessible parking space which must be van accessible.

(b) If there are between 25 and 50 parking spaces, there shall be 2 handicap accessible parking spaces one of which must be van accessible.

(c) If there are between 51 and 75 parking spaces, there shall be one van accessible parking space, one ramp/lift equipped van only parking space, and 2 handicap accessible parking spaces.

(d) If there are between 76 and 100 parking spaces, there shall be one van accessible parking space, one ramp/lift equipped van only parking space, and 3 handicap accessible parking spaces.

(e) If there are between 101 and 150 parking spaces, there shall be one van accessible parking space, one ramp/lift equipped van only parking space, and 4 handicap accessible parking spaces.

(f) If there are between 151 and 200 parking spaces, there shall be one van accessible parking space, one ramp/lift equipped van only parking space, and 5 handicap accessible parking spaces.

(g) If there are between 201 and 300 parking spaces, there shall be one van accessible parking space, 2 ramp/lift equipped van only spaces and 5 handicap accessible parking spaces.

(h) If there are between 301 and 400 parking spaces, there shall be one van accessible parking space, 2 ramp/lift equipped van only parking spaces, and 6 handicap accessible parking spaces.

(i) If there are between 401 and 500 parking spaces, there shall be one van accessible parking space, 2 ramp/lift equipped van only parking spaces, and 7 handicap accessible parking spaces.

(j) If there are between 501 and 1,000 total parking spaces, there shall be 2 van ramp/lift equipped only parking spaces and a number of handicap accessible parking spaces equal to 2 percent of the total number of parking spaces.

(k) If there are over 1,000 parking spaces, there shall be 2 ramp/lift equipped van only parking spaces, 20 handicap accessible parking spaces, plus 1 handicap accessible parking space for every 100 parking spaces there are over 1,000 parking spaces.

II. Property owners with an existing parking area or parking areas shall conform to the standards in paragraph I when the existing parking area or parking areas are repaved, resurfaced, repainted, or otherwise reconstituted.

III. A person who violates the provisions of this section shall be fined up to \$50 for a first offense and up to \$100 for each subsequent offense.

IV. In this section, "ramp/life equipped van" shall be as defined in RSA 259:83-a.

2 New Section; Ramp/lift Equipped Vehicle Defined . Amend RSA 259 by inserting after section 83 the following new section:

259:83-a Ramp/lift equipped Van. "Ramp/lift equipped van" as used in RSA 155-A:5 and RSA 265:73-a means: a minivan, full-size van, or extended full-size van that has been modified with specialized equipment to permit safe ingress and egress through the side of the vehicle using

wheeled assistance technology devices for the mobility impaired (including wheelchairs, power chairs, and scooters). Such specialized equipment refers to electrically operated articulating lifts or ramps.

3 Signage; Van Accessible Spaces. Amend RSA 265:73-a to read as follows:

265:73-a Parking Signs; Disabled. A parking space on private or public property that is reserved for persons who are disabled shall be marked by a sign affixed to a post or a building. Said sign shall be clearly visible to anyone directly approaching that particular space. ***Spaces designated for ramp/lift equipped vans only and for van accessible parking shall be marked by a sign affixed to a post or building with the words "RAMP/LIFT VAN ACCESSIBLE PARKING" or "RAMP/LIFT VANS ONLY" in large letters.***

4 Effective Date. This act shall take effect January 1, 2010.

AMENDED ANALYSIS

This bill requires new construction to designate certain areas as van accessible parking and ramp/lift equipped van only parking.

2009-0261h

Amendment to HB 602-FN-A

Proposed by the Committee on Commerce and Consumer Affairs - R

Amend the bill by replacing section 1 with the following:

1 Payment of Wages; Check Cashing Fee. Amend RSA 275:43, I(e) to read as follows:

(e) With checks on a financial institution convenient to the place of employment where suitable arrangements are made for the cashing of such checks by employees for the full amount of the wages due~~[- provided, however, that]~~. ***Any fee imposed by a financial institution for cashing a payroll check drawn on that institution shall be charged to the employer's account.*** If an employer elects to pay employees as specified in subparagraphs (b), (c), or (d), the employer shall offer employees the option of being paid as specified in subparagraph (e), and further provided that all wages in the nature of health and welfare fund or pension fund contributions required pursuant to a health and welfare fund trust agreement, pension fund trust agreement, collective bargaining agreement, or other agreement adopted for the benefit of employees and agreed to by the employer shall be paid by every such employer within 30 days of the date of demand for such payment, the payment to be made to the administrator or other designated official of the applicable health and welfare or pension trust fund.

AMENDED ANALYSIS

This bill requires a financial institution that charges a fee for cashing a payroll check drawn on that institution to charge such fee to the employer's account.

2009-0259h

Amendment to HB 608-FN

Proposed by the Committee on Public Works and Highways - C

Amend RSA 4:9-k, I(e) as inserted by section 1 of the bill by replacing it with the following:

(e) One member, who shall be a classified state employee of the department of transportation, appointed by the New Hampshire State Employees Association.

(f) One member, who shall be a family member of a public works employee who died in the course of performing public works duties on behalf of the state, appointed by the governor.

Amend RSA 4:9-k, II as inserted by section 1 of the bill by replacing it with the following:

II. The members of the committee shall elect a chairperson from among the members. The commissioner of transportation, or designee, shall call the first meeting of the committee. Four members of the committee shall constitute a quorum.

2009-0230h

Amendment to HB 688

Proposed by the Committee on Education - C

Amend the bill by inserting after section 14 the following and renumbering the original sections 15-16 to read as 16-17, respectively:

15 Chartered Public Schools; Applications. Amend RSA 194-B:3, III(b) to read as follows:

(b) Proposed applications and contracts to establish a chartered public school shall be presented by July 1 of the year preceding intended operation of the chartered public school by its prospective board of trustees to the school board of the district in which the chartered public school intends to be located. ***The school board shall hold at least one public hearing on the application prior to September 15.***

2009-0250h

Amendment to HB 689-FN-A-LOCAL

Proposed by the Majority of the Committee on Education - R

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

1 New Section; Isolated Small Schools. Amend RSA 198 by inserting after section 40-d the following new section:

198:40-e Isolated Small Schools.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, and in addition to fiscal capacity disparity aid provided under RSA 198:40-c, a school district which operates an isolated small school shall receive an additional \$450 per pupil in kindergarten through grade 12 of such school based on the isolated small school's average daily membership in attendance (ADMA). The department shall disburse payments to the school district operating an isolated small school pursuant to the payment schedule set forth in RSA 198:42, I.

II. Beginning July 1, 2011 and every biennium thereafter, the department of education shall adjust the per-pupil amount of aid for isolated small schools under paragraph I based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the biennium for which the calculation is to be performed.

III.(a) In this section, "isolated small school" means a school which is demographically limited and geographically isolated from other schools with children of comparable ages. An "isolated small school:"

(1) In the case of an elementary school comprised of grade 1 through grade 6, shall have an ADMA of 80 or fewer pupils and shall be located at least 10 miles from the nearest elementary school; or

(2) In the case of an elementary school comprised of grade 1 through grade 8, shall have an ADMA of 140 or fewer pupils and shall be located at least 10 miles from the nearest elementary school; or

(3) In the case of a middle or junior high school comprised of grades 6 through 8, shall have an ADMA of 90 or fewer pupils and shall be located at least 10 miles from the nearest middle or junior high school; or

(4) In the case of a high school comprised of grades 9 through 12, shall have an ADMA of 240 or fewer pupils and shall be located at least 20 miles from the nearest high school.

(b) A school may petition the commissioner of the department of education for a waiver of the distance requirement under subparagraphs III(a)(1)-(4) if the school does not comply with the distance requirement but is separated from the nearest comparable school by significant geographical barriers.

(c) In this section, "average daily membership in attendance" and "ADMA" shall have the same meaning as provided in RSA 198:38, I.

2 Fiscal Capacity Disparity Aid. Amend RSA 198:40-c, I to read as follows:

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-b, each biennium the department shall calculate fiscal capacity disparity aid

and provide that amount of aid in each year of the biennium to a municipality's school districts and to chartered public schools approved under RSA 194-B:3-a as follows:

(a) The department shall calculate the equalized valuation per pupil for each municipality in the state and shall sort the results into quartiles based on equalized valuation per pupil and shall divide all quartiles in half. If there are an uneven number of municipalities in a quartile or half quartile, the department shall make the lower quartile or half quartile the one with fewer municipalities.

(b) A municipality with an equalized valuation per pupil in the lower half of the lowest quartile and which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of ~~[\$2,000]~~ **\$1,957** multiplied by the municipality's average daily membership in residence **for fiscal years 2010 and 2011, and starting in fiscal year 2012, shall receive fiscal capacity disparity aid in the amount of \$1,985 multiplied by the municipality's average daily membership in residence.**

(c) A municipality with an equalized valuation per pupil in the upper half of the lowest quartile which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of ~~[\$1,250]~~ **\$1,223** multiplied by the municipality's average daily membership in residence ~~[shall be distributed pursuant to RSA 198:42]~~ **for fiscal years 2010 and 2011, and starting in fiscal year 2012, shall receive fiscal capacity disparity aid in the amount of \$1,241 multiplied by the municipality's average daily membership in residence..**

(d) A chartered public school approved under RSA 194-B:3-a shall receive ~~[\$2,000]~~ **\$1,957** per pupil multiplied by the number of pupils enrolled **for fiscal years 2010 and 2011, and starting in fiscal year 2012, shall receive fiscal capacity disparity aid in the amount of \$1,985 multiplied by the number of pupils enrolled.** The calculation of chartered public school enrollment and aid distribution shall be pursuant to RSA 194-B:11, I(c).

3 Determination of Grants and Excess Tax. Amend RSA 198:41, I(c) to read as follows:

(c) Add the fiscal capacity disparity aid pursuant to RSA 198:40-c **and the isolated small schools aid pursuant to RSA 198:40-e.**

4 Effective Date. This act shall take effect July 1, 2009 at 12:01 a.m.

2009-0326h

Amendment to SB 38

Proposed by the Committee on Municipal and County Government - C

Amend RSA 32:5, V-a as inserted by section 1 of the bill by replacing it with the following:

V-a. Any town may vote to require that all votes by an advisory budget committee, a town budget committee, and the governing body or, in towns without a budget committee, all votes of the governing body relative to budget items or **any** warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town warrant next to the affected warrant article. **If a town has not voted to require such tallies to be printed in the town warrant next to the affected warrant article, the governing body may do so on its own initiative.**

Amend RSA 40:13, V-a as inserted by section 2 of the bill by replacing it with the following:

V-a. Any town may vote to require that all votes by an advisory budget committee, a town budget committee, and the governing body or, in towns without a budget committee, all votes of the governing body relative to budget items or **any** warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town warrant next to the affected warrant article. **If a town has not voted to require such tallies to be printed in the town warrant next to the affected warrant article, the governing body may do so on its own initiative.**

AMENDED ANALYSIS

This bill clarifies the ability of governing bodies to voluntarily place vote tallies on a ballot without having a vote of the town requiring them to do so.

