

HOUSE RECORD

First Year of the 155th Session of the General Court

Calendar and Journal of the 1997 Session

Vol. 19 Concord N.H. Wednesday, May 28, 1997 No. 70

HOUSE JOURNAL No. 21(cont.)

Tuesday, May 20, 1997
(Rep. Hunt in the Chair)
ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 102, 249, 399 and HJR 5 and Senate Bill numbered 85.

Rep. Pfaff, Sen. Barnes for the Committee

RECESS
(Rep. Gene Chandler in the Chair)
ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 51, 53, 117, 136, 144, 165, 187, 196, 257, 258, 285, 291, 383, 391, 401, 440, 495, 501, 525, 580, 586, 622, 628, 652, 653, 671, 674, 704, 708, 787, 797, 805 and CACR 18 and Senate Bills numbered 4, 123, 146 and 167.

Rep. Pfaff, Sen. Barnes for the Committee

RECESS

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 22

Wednesday, May 28, 1997

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Edward G. Horstmann.

Gracious God, we gather as a community, yet each one of us is strangely solitary in Your presence. Each of us has a prayer no one else can utter, each of us feels a joy no one else can share, and each of us has regrets which others can not know. Yet we are bound together in community to support one another and to serve the common good as best

we are able. When we grow weary, give us strength. When we are discouraged, give us hope. When we have not been inclusive, remind us. And when our hearts become chilled with indifference, warm them with Your mercy, and inspire us with Your spirit. Amen.

Reps. Felch, Rollo and Kathleen Taylor led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. David Cote, Feng, Guay, Hawkinson, Micklon and Paul Taylor, the day, illness.

Reps. Avery, Boriso, Crowell, David Flanders, Golden, Langer, LaRose, Lavoie, Millard, Mittelman, Morello, Morris, Marsha Pelletier, Peterson, Syracuse, Tufts, Vaughn, Verani and Weatherspoon, the day, important business.

INTRODUCTION OF GUESTS

The third grade class from Hooksett, guests of Rep. Pfaff. Lt. Peter C. Cote, guest of Rep. Peter R. Cote. Larence Duprez, guest of Rep. Herman. Ryan Matheson, guest of Rep. Bernier.

SENATE MESSAGES CONCURRENCE

HB 52, authorizing the assignment of superior court judges to hear cases in the district court.

HB 129, relative to the definition of emergency services for health care insurance purposes.

HB 186-FN, relative to fees for number plates and reducing the amount of the inventory fund in the department of safety.

HB 187-FN-A, relative to groundwater monitoring for pesticides.

HB 224-FN-L, delaying the start date for the auto emissions inspection program.

HB 225-FN, providing for the establishment of a needle exchange pilot program in one community in New Hampshire.

HB 229-FN-A-L, establishing a reading recovery training program.

HB 236-FN, to allow a person who is being stalked to obtain a protective order.

HB 246, making technical corrections to the business profits tax, interest and dividends tax, and the legacies and successions tax and setting the biennial rate of the medicaid enhancement tax at 6 percent.

HB 273-FN, increasing the age that child passenger restraints are required from 12 years of age to 18 years of age.

HB 389, relative to the water protection assistance program within the office of state planning.

HB 416, relative to sentencing for juvenile delinquents.

HB 424, postponing the implementation of alternative fuel motor vehicle fleet requirements for 2 years.

HB 433, relative to discharge from New Hampshire hospital.

HB 440-FN, changing the legislative mileage formula.

HB 452, establishing a legislative oversight committee on telecommunications restructuring and relative to approval by the public utilities commission of tariffs for new telephone services.

HB 468-L, eliminating a requirement that registers of deeds keep original copies of officers' returns of attachments and writs of execution on file permanently.

HB 488-FN, relative to involuntary admission to the state hospital on an emergency basis.

HB 511-FN-L, requiring health insurers to provide coverage for certain supplies, services, and education necessary in the treatment of diabetes.

HB 533-FN, making technical corrections in the liquor laws.

HB 572-FN, relative to town, city, and county treasurers and to the state treasurer.

HB 596-FN, repealing certain laws relative to bribery or intimidation of voters.

HB 598-FN, relative to liens on aircraft for nonpayment of aircraft registration fees.

HB 636-L, relative to facilitating the transfer of contaminated property acquired by a municipality to a buyer eligible to participate in the brownfields program.

HB 638-FN, establishing a pilot program for the random on-site inspection and testing of certain sludge and biosolid samples.

HB 646-FN-A, relative to eligibility for child day care services for persons receiving public assistance.

HB 658-FN-A, ensuring that the division of safety services, department of safety receives its ½ share of unrefunded tolls for boat motor fuels as required by law, and establishing a special fund therefor.

HB 672-FN-L, relative to lowering the allowable alcohol concentration for persons under 21 operating OHRVs.

HB 674-FN-L, relative to dam registration and filing fees.

HB 695, establishing a committee to study the educational requirements of student drivers.

HB 696-FN-L, authorizing the court to suspend the motor vehicle driver's license of a person convicted of criminal mischief when the court determines that a motor vehicle was used to abet the commission of criminal mischief.

HB 722-FN, opting the state out of a provision of federal law relating to benefits for persons convicted of drug-related offenses.

HB 724-FN, allowing the office of reimbursements in the department of health and human services to set rates for the multiple DWI offender intervention detention center program.

HB 731-FN-A-L, relative to the taxation of sand, gravel, loam, and other similar substances.

HB 770-FN, relative to blood testing in the instance of motor vehicle fatalities and other instances.

HB 771-FN-L, relative to hazardous waste operator permit application costs, adding an exemption to the hazardous waste cleanup fund fee, increasing grant awards made pursuant to the used oil collection center program, and relative to the automotive oil fee.

HJR 6, authorizing the joint legislative historical committee to acquire and cause to be displayed a portrait of suffragist Marilla Marks Ricker.

CONCURRENCE WITH AMENDMENTS

SB 6, relative to real estate appraisers.

SB 29, establishing the companion animal neutering fund.

SB 39, relative to the delivery of bank products and services, and establishing a study committee on operation of electronic customer service terminals by non-banks and non-credit unions.

SB 41, relative to the time for filing requests for a hearing with the department of labor concerning violations of the whistleblower protection act.

SB 54-FN, relative to earnable compensation after termination, creditable service for job-sharing teachers, and gainful occupation of disability beneficiaries in the New Hampshire retirement system.

SB 70, establishing a committee to examine campaign finance reform.

SB 71-FN, establishing a committee to identify and study statutes and ordinances in cases in which the penalty is not specified by statutes and clarifying the right to a jury trial in cases in which a civil penalty is imposed for a violation.

SB 98-FN, relative to the submission of youth employment certificates to employers.

SB 101, relative to standards for acquisition transactions involving health care charitable trusts.

SB 104, relative to rate setting for purposes of automobile insurance and homeowners insurance.

SB 116, relative to the regulation of rural electric cooperatives by the public utilities commission.

SB 124, relative to the imposition of fines by the state board of licensure for land surveyors.

SB 130, relative to the portability, availability, and renewability of health coverage.

SB 135, adopting the uniform "transfer on death" security registration act.

SB 139, authorizing banks to invest trust funds in bank-affiliated investments.

SB 165, relative to Medicare and health maintenance organizations and relative to the disclosure by insurers of test results for the presence of an antibody or antigen to a human immunodeficiency virus.

SB 177-FN, relative to the liability of prospective adoptive parents for court ordered services.

SB 178-FN, regulating managed care systems of health care delivery.

SB 213-FN-A, establishing a revolving fund for loans to rehabilitate class III railroads and cog railroads.

REREFERRED TO COMMITTEE

HB 191, reducing the number of categories of pesticides from 3 to one.

HB 211, defining the terms "psychological injury" and related terms under the child protection act.

HB 276, removing primary petition filing requirements for candidates who do not voluntarily accept campaign spending limitations.

HB 367-FN-L, requiring notification to parents when a minor violates the tobacco laws.

HB 385, relative to reporting and registration requirements for lobbyists and employees of lobbyists.

HB 517-FN, relative to aggravated felonious sexual assault.

HB 544, relative to dwellings which extend over public waters.

HB 648, establishing a local option fee for local or regional transportation improvements.

NONCONCURRENCE

HB 199, to include highways designated as part of the National Highway System within the definition of "federal aid primary system" for purposes of the control of outdoor advertising.

HB 202, relative to the sale of air guns to minors and the use of air guns by minors and prohibiting the furnishing of arms to persons under 17.

HB 241, relative to genetic testing.

HB 294, relative to the placement of off-premises business directional signs in municipalities which prohibit such advertising devices.

HB 334, establishing guidelines for assessing the eligibility of certain providers for third party reimbursement.

HB 365, providing that communications made during family mediation shall be privileged.

HB 382, requiring vehicles transporting loads on ways where the speed limit is 30 miles per hour or greater to cover the load.

HB 386, relative to the definition of "suitable person" for purposes of licensing a suitable person to carry a loaded pistol or revolver.

HB 446, prohibiting candidates of one party from accepting the nomination of another party.

HB 455-FN-L, relative to a preliminary breath test for alcohol concentration.

HB 481, relative to financial reporting requirements for political candidates.

HB 532-FN, relative to the transportation of alcoholic beverages by a minor.

HB 546, relative to the form of the presidential primary election ballots.

HB 589-FN, removing a common carrier exemption.

HB 764-FN-L, relative to a person subject to a domestic violence petition applying to purchase a firearm.

ACCEDES TO REQUEST FOR COMMITTEE OF CONFERENCE

HB 450, relative to accessing directory information as defined by the family educational rights and privacy act..

The President appointed Sens. Rubens, McCarley and Johnson.

NONCONCURS WITH AMENDMENTS REQUESTS COMMITTEE OF CONFERENCE

SB 109, relative to the official ballot voting option..

The President appointed Sens. Rubens, Squires and Whipple.

Rep. Metzger moved that the House accede.

Adopted.

The Speaker appointed Reps. Patten, McGuirk, Dokmo and Lockwood.

SB 153, relative to driver's license application forms.

The President appointed Sens. Pignatelli, Gordon and Russman.

Rep. Packard moved that the House accede.

Adopted.

The Speaker appointed Reps. Packard, Letourneau, Turgeon and Akins.

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 121, relative to quality review for accountancy and requiring the board of accounting to adopt administrative rules. (Amendment printed SJ 17, 5/13/97)

Rep. Dyer moved that the House concur and spoke in favor.

Adopted.

HB 154-L, defining "legal resident" for purposes of school attendance. (Amendment printed SJ 20, 5/22/97)

Rep. Belvin moved that the House concur and spoke in favor.

Adopted.

HB 157, requiring persons marketing small consumer loans by offering inducement checks to print a disclosure on the inducement checks. (Amendment printed SJ 16, 5/8/97)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hunt, Lindblade, Fuller Clark and Francoeur.

HB 161, relative to pecuniary benefit transactions by charitable trusts. (Amendment printed SJ 21, 5/28/97)

Rep. Hunt moved that the House concur and spoke in favor.

Adopted.

HB 181, prohibiting the sale or distribution of exotic aquatic weeds and increasing certain fees. (Amendment printed SJ 17, 5/13/97)

Rep. Royce moved that the House concur and spoke in favor.

Adopted.

HB 188-FN, relative to the authority of the boxing and wrestling commission. (Amendment printed SJ 19, 5/20/97)

Rep. Dyer moved that the House concur and spoke in favor.

Adopted.

HB 201-L, allowing municipalities to apply the amount of a property tax abatement refund to outstanding taxes owed by the taxpayer. (Amendment printed SJ 18, 5/15/97)

Rep. Hess moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hess, Noyes, Desrosiers and Lundborn.

HB 203, relative to driving after a revocation or suspension of license. (Amendment printed SJ 21, 5/28/97)

Rep. Packard moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. George Katsakiores, John Flanders, Ferland, Milligan.

HB 205-L, relative to special ballots for unorganized places. (Amendment printed SJ 21, 5/28/97)

Rep. Arndt moved that the House concur and spoke in favor.

Adopted.

HB 243, relative to criminal penalties and license revocation following a conviction for shooting and wounding or killing a human being while hunting. (Amendment printed SJ 20, 5/22/97)

Rep. Mock moved that the House concur and spoke in favor.

Adopted.

HB 262-FN-A-L, establishing a National Information Infrastructure oversight committee. (Amendment printed SJ 18, 5/15/97)

Rep. Belvin moved that the House concur and spoke in favor.

Adopted.

HB 300, establishing a commission to study judicial salaries and retirement benefits. (Amendment printed SJ 20, 5/22/97)

Rep. Woods moved that the House concur and spoke in favor.

Adopted.

HB 329, clarifying the applicability of the fireman's rule. (Amendment printed SJ 17, 5/13/97)

Rep. Woods moved that the House concur and spoke in favor.

Adopted.

HB 340, relative to the real estate commission and its licensing and bonding requirements. (Amendment printed SJ 17, 5/13/97)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hunt, Tara Reardon, Tsiros and Herman.

HB 344, relative to planning board procedures on plats. (Amendment printed SJ 18, 5/15/97)

Rep. Metzger moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Brundige, Fraser, Leone and Rice.

HB 378, regulating the practice of acupuncture. (Amendment printed SJ 17, 5/13/97)

Rep. Dyer moved that the House concur and spoke in favor.

Adopted.

HB 412, relative to motor carrier safety rules and repealing certain obsolete statutes relating to motor vehicles. (Amendment printed SJ 15, 5/6/97)

Rep. Packard moved that the House concur and spoke in favor.

Adopted.

HB 426, establishing a committee to study the rules and regulations regarding the administration of medicine in long-term care facilities. (Amendment printed SJ 20, 5/22/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 430, relative to registration of political committees and to political expenditures and contributions. (Amendment printed SJ 20, 5/22/97)

Rep. Arndt moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Arndt, Ann Torr, Arnold and Joseph Foster

HB 437-FN-L, relative to certain health officers. (Amendment printed SJ 19, 5/20/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 442, requiring insurers to cover certain costs associated with reconstructive surgery after a mastectomy. (Amendment printed SJ 20, 5/22/97)

Rep. Hunt moved that the House concur and spoke in favor.

Adopted.

HB 447, eliminating the grandfather clause for licensure of professional engineers. (Amendment printed SJ 17, 5/13/97)

Rep. Dyer moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Cooper, Steere, Robert Dodge and Murphy.

HB 453, relative to the bank commissioner's regulation of sales finance companies and retail sellers. (Amendment printed SJ 17, 5/13/97)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hunt, Mittelman, Fuller Clark and Lindblade.

HB 454, relative to food service establishments. (Amendment printed SJ 20, 5/22/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 457, requiring all state agencies, departments, and commissions in all 3 branches of government to have a presence on the New Hampshire automated information system by January 1, 1998, and designating the state library as the official repository of state government information. (Amendment printed SJ 19, 5/20/97)

Rep. Dyer moved that the House concur and spoke in favor.

Adopted.

HB 459-FN, establishing a youth operator's license for persons under 18 years of age. (Amendment printed SJ 19, 5/20/97)

Rep. Packard moved that the House concur and spoke in favor.

Adopted.

HB 462-FN, requiring the department of safety to inform persons under 21 years of age of the DWI laws. (Amendment printed SJ 19, 5/20/97)

Rep. David Welch moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hansen, Flora, Christie and Schanda.

HB 469, relative to the rules of the board of dental examiners. (Amendment printed SJ 17, 5/13/97)

Rep. Dyer moved that the House concur and spoke in favor.

Adopted.

HB 472, establishing the council for children and adolescents with chronic health conditions. (Amendment printed SJ 20, 5/22/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 473, relative to the use of watercraft and boats on the waters of Chocorua Lake in the town of Tamworth. (Amendment printed SJ 17, 5/13/97)

Rep. Packard moved that the House concur and spoke in favor.

Adopted.

HB 502-L, placing limitations on warrant articles at special meetings. (Amendment printed SJ 21, 5/28/97)

Rep. Metzger moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Patten, McGuirk, Dokmo and Lockwood.

HB 534, establishing a committee to study the New Hampshire highway and bridge infrastructure. (Amendment printed SJ 21, 5/28/97)

Rep. Gene Chandler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Calawa, Gleason, Whittemore and Cloutier.

HB 536, requiring certain dam owners to develop emergency action plans, prohibiting the construction of any dam without a permit, and clarifying the process for issuing orders for dam repair. (Amendment printed SJ 20, 5/22/97)

Rep. Royce moved that the House concur and spoke in favor.

Adopted.

HB 537-FN, relative to the practice of allied health professionals. (Amendment printed SJ 19, 5/20/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 575, authorizing the commissioner of the department of environmental services to accept environmental standards developed by the International Standards Organization (ISO) in place of certain permits and certification requirements. (Amendment printed SJ 20, 5/22/97)

Rep. Aranda moved that the House concur and spoke in favor.

Adopted.

HB 584-L, relative to the duties of school nurses. (Amendment printed SJ 20, 5/22/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 588, relative to certification of operators of solid waste plants, water treatment plants, and wastewater treatment plants, and adding late renewal fees. (Amendment printed SJ 17, 5/13/97)

Rep. Dyer moved that the House concur and spoke in favor.

Adopted.

HB 592-FN-A-L, establishing an advisory council on brain and spinal cord injuries. (Amendment printed SJ 18, 5/15/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 599-FN, relative to youth access to tobacco products. (Amendment printed SJ 19, 5/20/97)

Rep. Hunt moved that the House concur and spoke in favor.

Adopted.

HB 609-FN-L, enacting the Uniform Interstate Family Support Act (UIFSA), and relative to child support. (Amendment printed SJ 21, 5/28/97)

Rep. Woods moved that the House concur and spoke in favor.

Adopted.

HB 611-FN, making state securities laws comply with the National Securities Markets Improvement Act. (Amendment printed SJ 16, 5/8/97)

Rep. Hunt moved that the House concur and spoke in favor.

Adopted.

HB 677, increasing the wetlands excavating and dredging permit fee for major and minor projects. (Amendment printed SJ 17, 5/13/97)

Rep. Royce moved that the House concur and spoke in favor.

Adopted.

HB 690, establishing a long-term care institute. (Amendment printed SJ 20, 5/22/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 693, establishing a house committee to examine water quality issues. (Amendment printed SJ 17, 5/13/97)

Rep. Royce moved that the House concur and spoke in favor.

Adopted.

HB 700-FN-L, relative to the renovation of regional vocational education centers and expanding an existing appropriation to include such renovations. (Amendment printed SJ 19, 5/20/97)

Rep. Belvin moved that the House concur and spoke in favor.

Adopted.

HB 718, changing that which constitutes the practice of medicine. (Amendment printed SJ 20, 5/22/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 726-FN, relative to the jurisdiction and authority of the public utilities commission, the underground utility damage prevention system, and the 911 system. (Amendment printed SJ 19, 5/20/97)

Rep. Jeb Bradley moved that the House concur and spoke in favor.

Adopted.

HB 735-FN, adding certain conduct to that which constitutes aggravated felonious sexual assault and felonious sexual assault. (Amendment printed SJ 19, 5/20/97)

Rep. David Welch moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Lyman, Adams, Christie and Knowles.

HB 755-FN, relative to OHRVs and increasing certain OHRV registration fees. (Amendment printed SJ 18, 5/15/97)

Rep. Whalley moved that the House concur and spoke in favor.

Adopted.

HB 765-FN, establishing an osteoporosis prevention, education, and treatment program. (Amendment printed SJ 19, 5/20/97)

Rep. Emerton moved that the House concur and spoke in favor.

Adopted.

HB 785-FN, relative to alcohol and other drug abuse professionals. (Amendment printed SJ 19, 5/20/97)

Rep. Dyer moved that the House concur and spoke in favor.

Adopted.

HB 799, regulating the sale of insurance by financial institutions. (Amendment printed SJ 18, 5/15/97)

Rep. Hunt moved that the House concur and spoke in favor.

Adopted.

HB 806-FN, relative to the business finance authority. (Amendment printed SJ 19, 5/20/97)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hunt, Carson, Syracuse and Dyer

HCR 2, urging all school districts in the state of New Hampshire to implement peer mediation programs.
(Amendment printed SJ 11, 4/3/97)

Rep. Belvin moved that the House concur and spoke in favor.

Adopted.

ENROLLED BILL AMENDMENTS

HB 421, amending the law against discrimination to prohibit discrimination on account of a person's sexual orientation.

Amendment (0008-EBA)

Amend RSA 21-I:58, I as inserted by section 5 of the bill by replacing lines 7 and 8 with the following:

religion, age, sex, race, color, ethnic background, marital status, or disabling condition, ***or on account of the person's sexual orientation***, or was taken in violation of a statute or of rules adopted by the

Amend RSA 354-A:10, IV as inserted by section 14 of the bill by replacing line 3 with the following:

not available for inspection, sale, or rental when such dwelling is in fact so available. ***In addition, no person shall be denied the benefit of the rights afforded by this paragraph on account of that person's sexual orientation.***

Adopted.

HB 483, relative to regulation of securities.

Amendment (0010-EBA)

Amend the bill by replacing all after section 20 with the following:

21 Securities Registration. The introductory paragraph of RSA 421-B:11, II(a) is repealed and reenacted to read as follows:

II.(a) Before the secretary of state may accept (1) articles of incorporation for a new corporation under RSA 293-A or an application for a certificate of authority for a foreign corporation under RSA 293-A, (2) a certificate of limited partnership for a new limited partnership or an application for registration of a foreign limited partnership under RSA 304-B, (3) a certificate of formation for a new limited liability company or an application for registration as a foreign limited liability company under RSA 304-C, or (4) an application for registration of a registered limited liability partnership or a notice of registration of a foreign registered limited liability partnership under RSA 304-A, the following requirements shall be met:

22 Statement to be Signed. RSA 421-B:11, II(a)(2) is repealed and reenacted to read as follows:

(2) The statement shall be signed by the incorporators of a corporation to be formed, by an executive officer of an existing corporation, by the general partners or intended general partners if a limited partnership, by one or more members or managers authorized to do so if a limited liability company, or by one or more partners authorized to do so if a registered limited liability partnership or foreign registered limited liability partnership.

23 Contingency. If HB 650 of the 1997 regular session becomes law, sections 21 and 22 of this act shall take effect at 12:01 a.m. on the effective date of section 40 of HB 650. If HB 650 does not become law, sections 21 and 22 of this act shall not take effect.

24 Effective Date.

I. Sections 21 and 22 shall take effect as provided in section 23 of this act.

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

Adopted.

SB 16, relative to drinking water rules for public water systems. (Amendment printed SJ 22, 5/29/97)

Adopted.

SB 30, relative to time of dog licensure. (Amendment printed SJ 22/ 5/29/97)

Adopted.

SB 82, relative to determination of reasonable compensation for certain trustees. (Amendment printed SJ 22, 5/29/97)

Adopted.

SB 143, authorizing a municipality to change the date for filing for an elderly exemption. (Amendment printed SJ 22, 5/29/97)

Adopted.

COMMITTEE REPORTS CONSENT CALENDAR

Rep. Wheeler moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 93, relative to employees of employers who hire recipients of state assistance under the employment assistance program, removed by Rep. Daniels.

Consent Calendar adopted.

SB 155, requiring the division of educational improvement, department of education, to prepare and adopt a plan for providing special education to inmates in the state prison system and county correctional facilities. OUGHT TO PASS

Rep. Frances L. Riley for Finance: Although the passage of this bill would require the Department of Education, in conjunction with the Department of Corrections and county governments, to prepare and adopt a plan for providing special education to inmates in the state prison and county correctional facilities who require such service, there was no provision for implementing the plan, and consequently no fiscal impact to the proposal. Further legislation in a subsequent session would be required to put the adopted plan into operation. Vote 20-0.

SB 172, making various changes to the workers' compensation law. OUGHT TO PASS

Rep. Arthur P. Klemm, Jr. for Finance: This bill deals mostly with policy issues and it was determined that there was no financial impact to the state. Vote 18-0.

SB 203-FN-L, deleting the state prison and adding county correctional facilities to the provisions relating to incarcerated educationally disabled children. OUGHT TO PASS WITH AMENDMENT

Rep. Mary Jane Wallner for Finance: The Finance Committee supports this bill as amended by the House Education Committee. The committee amendment removes the word "special" from the bill when referring to educational expenses. Vote 19-1.

Amendment (1540h)

Amend the bill by replacing section 1 with the following:

1 County Correctional Facilities Added. Amend RSA 186-C:19-a to read as follows:

186-C:19-a Educationally Disabled Children at the Youth Development Center, the State Prison, **County Correctional Facilities**, and the Youth Services Center.

I. For an educationally disabled child at the youth development center ~~[or]~~, the state prison, **county correctional facilities**, or who is placed at the youth services center maintained by the department of youth development services while awaiting disposition of the court following arraignment pursuant to RSA 169-B:13, the school district responsible for the development of ~~[an]~~ **that child's** individualized education plan **and the child's educational expenses** shall be as follows:

(a) If such child is in the legal custody of the parent, the school district in which the child's parent resides **at the time the child was physically placed at the youth development center, state prison, county correctional facility, or youth services center**, shall be responsible.

(b) If such child is not in the legal custody of the parent or if the parent **with legal custody** resides outside the state, the **New Hampshire** school district in which the child ~~[most recently]~~ resided **at the time the child was physically placed at the youth development center, state prison, county correctional facility, or youth services center**, other than in a state institution, home for children or health care facility as defined in RSA 193:27 shall be responsible.

~~[(c)]~~II. For the purposes of this section, a parent shall not have legal custody if legal custody has been awarded to some other person or agency, even if that parent retains residual parental rights. An award of legal custody by a court of competent jurisdiction, in this state or in any other state, shall determine legal custody under this section.

~~[H. The]~~ III. **For the purposes of this section, a** school ~~[district]~~ **district's** liability for educational expenses for an educationally disabled child in the youth development center, ~~[or]~~ the state prison, **county correctional facilities**, or who is placed in the youth services center while awaiting disposition of the court following arraignment pursuant to RSA 169-B:13, shall not exceed the state average elementary cost per pupil, as determined by the state board of education for the preceding school year.

SB 207-FN, relative to a digital signature act. OUGHT TO PASS WITH AMENDMENT

Rep. Arthur P. Klemm, Jr. for Finance: SB 207 as amended by Finance narrows the scope of digital signatures to communications between state agencies and private entities dealing with the state. It also avoids the state's direct involvement as a certification authority or repository. The Commissioner of Administrative Services will implement the provisions of this bill. The amendment will reduce state expenditures from \$265,000 to \$20,000 over the biennium. Vote 19-0.

Amendment (1547h)

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

1 New Chapter; New Hampshire Digital Signature Act. Amend RSA by inserting after chapter 294-C the following new chapter:

CHAPTER 294-D
NEW HAMPSHIRE DIGITAL SIGNATURE ACT

294-D:1 Short Title. This chapter shall be known and may be cited as the New Hampshire digital signature act.

294-D:2 Purpose. This chapter shall be construed consistent with what is commercially reasonable under the circumstances and shall effectuate the following purposes:

I. To set standards and provide credibility for digital signatures used in dealings involving state entities in New Hampshire.

II. To avoid the state's direct involvement as a certification authority or repository.

294-D:3 Definition. In this chapter "digital signature" means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature.

294-D:4 Verification of Digital Signatures.

I. In any written communication in which a signature is required or used when the communication is between the state of New Hampshire and any agency or instrumentality of the state, any party to the communication may affix a signature by use of a digital signature that complies with the requirements of this section. The use of a digital signature shall have the same force and effect as the use of a manual signature if and only if it embodies all of the following attributes:

(a) It is unique to the person using it.

(b) It is capable of verification.

(c) It is under the sole control of the person using it.

(d) It is linked to data in such a manner that if the data is changed, the digital signature is invalidated.

(e) It conforms to the rules adopted under RSA 294-D:5.

II. The use or acceptance of a digital signature shall be at the option of the parties. Nothing in this section shall require an entity to use or permit the use of a digital signature.

294-D:5 Rulemaking and Implementation. The commissioner of administrative services shall implement the provisions of this chapter. The commissioner may utilize the services of other state departments and agencies. The commissioner of administrative services shall adopt rules pursuant to RSA 541-A relative to the administration of this chapter.

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

AMENDED ANALYSIS

This bill establishes the New Hampshire Digital Signature Act which is to be administered by the commissioner of administrative services. The commissioner of administrative services is granted rulemaking authority for the purposes of this bill.

REGULAR CALENDAR

SB 79, prohibiting the sale of gift certificates containing an expiration date, relative to unclaimed and abandoned property, and relative to liens on personal property. **OUGHT TO PASS WITH AMENDMENT**

Rep. Arthur P. Klemm, Jr. for Finance: This bill as amended is the result of a compromise between the bill sponsors and the state treasurer. The amendment changes current law to the effect that gift certificates under \$75 and store credits that were not issued for store merchandise credit shall not escheat to the state. Testimony from the state treasurer indicated there would be a minimal financial impact to the state. Vote 13-6.

Amendment (1561h)

Amend the bill by replacing section 3 with the following:

3 Gift Certificates and Store Credits. RSA 471-C:16 is repealed and reenacted to read as follows:

471-C:16 Gift Certificates and Store Credits. Notwithstanding any law to the contrary, gift certificates under \$75, and store credits that were issued for store merchandise credit, regardless of when issued, shall not be property presumed abandoned and shall not be subject to RSA 471-C or any other past or present law provided that all gift certificates and store credits remitted to the state prior to January 1, 1998, shall remain in the custody of the state unless and until returned to the owner.

AMENDED ANALYSIS

This bill:

I. Prohibits gift certificates sold to purchasers from containing enforceable expiration dates.

II. Allows any person who repairs personal property items to have a lien on the property until charges for the repair have been paid. In the event the repair is unpaid after 60 days the holder of the lien may sell the property at public sale.

III. Provides that gift certificates under \$75 and store credits that were issued for store merchandise credit shall not escheat to the state.

Adopted.

Report adopted and ordered to third reading.

SB 162-FN-A-L, relative to the acquisition of a certain piece of property in Piermont, New Hampshire and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. David J. Alukonis for Finance: The amendment reflects the joint efforts of the Finance Committee, the bill sponsors and the private conservation groups which are proponents of the purchase of the Lake Tarleton property. The Finance Committee amendment reduces the appropriation from \$950,000 to \$500,000. In order to accomplish this reduction, the amendment specifically excludes the purchase of any real estate upon which there are any existing structures. The bill does however, allow for the purchase of conservation easements over these lots. The net result of the committee amendment allows for the Lake Tarleton property to be conserved in partnership with federal and private concerns at a significantly reduced cost to the State of New Hampshire Vote 14-3.

Amendment (1553h)

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

1 Statement of Purpose. The purpose of this act is to make funds available to the department of resources and economic development for the purchase of a certain tract of land located in Piermont, New Hampshire on Lake Tarleton. The tracts total approximately 38 acres, including conservation easements, on the western shore of Lake Tarleton. Lake Tarleton is a water body that encompasses approximately 315 acres, and is located in an area that is currently targeted by the federal government for expansion of the White Mountain National Forest; under this federal plan, Lake Tarleton would become the largest lake in the White Mountain National Forest. The acquisition by the state of this tract in Piermont would secure state access to and assure future state participation in the White Mountain National Forest. Such acquisition would also keep the shores of Lake Tarleton, which have been targeted for development, in the public domain. The purchased property would be managed by the department of resources and economic development.

2 Authority.

I. The commissioner of the department of resources and economic development may, in the name of and on behalf of the state, purchase fee real estate and conservation easements in Piermont, New Hampshire consisting of approximately 38 acres along the western shore of Lake Tarleton, the fee purchase not to include any lot containing structures or subsurface sewage disposal systems. The conservation easements shall limit development on each lot to a single family home. The final sale price of the property shall be determined by appraisal, but may not exceed \$500,000.

II. The commissioner may develop, with appropriate public input, a master plan for the development and use or development or use of the property. Such master plan may include the operation of a state park.

III. The department of resources and economic development may enter into cooperative agreements for the operation of a park, a visitors' center, or a park and visitors' center. If, after 3 years, such cooperative agreements are not renewed or in the opinion of commissioner, do not prove to be successful, then the commissioner is authorized to resell the property or any portion thereof.

IV. The department shall not be required to operate a park or any facility on the property unless an appropriation has been made for such operation or to use any state park fund money for the purposes of development or maintenance of the Lake Tarleton property.

V. Any unbuilt but platted roadways servicing the tracts of land described in paragraph I shall be discontinued with the agreement of affected landowners and the town of Piermont.

3 Appropriation. The sum of \$500,000 is hereby appropriated to the department of resources and economic development for the purchase and development of a certain tract of land and conservation easements located in Piermont, New Hampshire on Lake Tarleton.

4 Bonds Authorized. To provide funds for the appropriation made in section 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$500,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6A.

5 Contingency. The issuance of the bond contemplated in section 4 of this act is contingent upon the donation to the state of an additional 43.23 acres of land and 5-acre conservation easement to the south of the land to be purchased under paragraph I of section 2 of this act, and the acquisition by the United States Forest Service of 3,400 acres in the vicinity of Lake Tarleton for the purpose of expansion of the White Mountain National Forest.

6 Effective Date. This act shall take effect July 1, 1997.

Adopted.

Reps. Winston McCarty, Vaillancourt and Frances Riley spoke against.

Reps. William Williams, D'Allesandro and Alukonis spoke in favor and yielded to questions.

Rep. Teschner requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 242 NAYS 108
YEAS 242
BELKNAP

Bartlett, Gordon Clark, Charles Holbrook, Robert Laflam, Robert

Pilliod, James Turner, Robert Veazey, John

CARROLL

Babson, David, Jr. Bradley, Jeb Chandler, Gene Cooper, Kipp

Dickinson, Howard, Jr. Foster, Robert Kenney, Joseph Lyman, L. Randy

MacDonald, Kenneth Mock, Henry Patten, Betsey Philbrick, Donald

CHESHIRE

Bonneau, Sarah Burnham, Daniel Champagne, Richard DePecol, Benjamin

Doucette, Richard Hunt, John Lynch, Margaret McGuirk, Paul

Metzger, Katherine O'Connell, John Pratt, Irene Richardson, Barbara

Riley, William Robertson, Timothy Royce, H. Charles Steere, Myron, III

Vogl, John

COOS

Bradley, Paula Horton, Lynn Tholl, John, Jr.

GRAFTON

Akins, Ralph Alger, John Almy, Susan Below, Clifton

Brown, Channing Chase, Paul, Jr. Copenhaver, Marion Eaton, Stephanie

Guaraldi, Lawrence Guest, Robert Ham, Bonnie Hill, Richard

Hinman, Harry Lovett, Sidney Luker, Elsa MacNeil, Allen

Nordgren, Sharon Phinney, William Root, John Teschner, Douglass

Trelfa, Richard Weber, Phil Williams, William, Jr.

HILLSBOROUGH

Allen, W. Gordon Alukonis, David Ameen, W. Amidon, Eleanor

Baroody, Benjamin Barry, William, III Batula, Peter Belvin, William

Bergin, Peter Bernier, Shannon Boutin, David Brundige, Robert

Calawa, Leon, Jr. Cardin, Lori Carlson, Donald Clay, Susan

Clemons, Jane Cote, Peter D'Allesandro, Lou Daigle, Robert

Dawe, Eileen Desrosiers, William Drabinowicz, A. Theresa Durham, Susan

Dwyer, Paul, Sr. Emerton, Lawrence, Sr. Fields, Dennis Foster, Joseph

Foster, Linda Franks, Suzan Gage, Ruth Gagnon, Eugene

Ginsburg, Ruth Gosselin, Gerald Haettenschwiller, Alphonse Haley, Robert

Hall, Betty Hart, Nick Hunter, Bruce Jean, Claudette

Johnson, Lionel Kelley, Robert Kurk, Neal L'Heureux, Robert

Leishman, Peter Leonard, Peter Letendre, Evelyn Lozeau, DonnaLee

MacAuslan, Rita MacIntyre, Doris Martin, Mary McDonald, James, Sr.

Messier, Irene Murch, George O'Hearn, Jane Pepino, Leo

Perkins, Paul Piteri, Dawn Reidy, Frank Sargent, Maxwell

Searles, Stanley, Sr. Turgeon, Roland Welch, Donald Wheeler, Robert

Williams, Carol

MERRIMACK

Anderson, Eric Burney, Carol Chandler, Earle Crosby, Toni

Daneault, Gabriel DeStefano, Stephen Dunn, Miriam Feuerstein, Martin

Fraser, Marilyn French, Barbara Gile, Mary Hager, Elizabeth

Jacobson, Alf Krueger, Patricia Lamach, Bernard Lockwood, Robert

Marshall, Kenneth Maxfield, Roy Moore, Carol Owen, Derek

Pfaff, Terence Reardon, Tara Rogers, Katherine Seldin, Gloria

St. Cyr, Gerard Wallin, Jean Wallner, Mary Jane Yeaton, Charles

ROCKINGHAM

Abbott, Dennis Aranda, M. Kathryn Arndt, Janet Belanger, Ronald

Blanchard, MaryAnn Case, Margaret Cegelis, Mark Christie, Andrew, Jr.

Clark, Martha Coes, Betsy Cooney, Richard Dodge, Robert

Dolan, Richard Dowd, Sandra Downing, Michael Dube, LeRoy

Felch, Charles, Sr. Flanagan, Natalie Flanders, John, Sr. Francoeur, Sheila

Frechette, Joseph Gibbons, Paul Gleason, John Griffin, Mary

Heath, John Henderson, Warren Hutchinson, Rebecca Johnson, Robert

Kane, Cecelia Katsakiores, George Katsakiores, Phyllis Klemm, Arthur, Jr.

Kobel, Rudolph Langley, Jane Langone, John Lovejoy, Marian

Malcolm, Kenneth McCarthy, John, Jr. McGovern, Cynthia McKinney, Betsy

Norelli, Terie Noyes, Richard O'Keefe, Patricia Pantelakos, Laura

Raynowska, Bernard Sabella, Norma Schanda, Frank Smith, Kevin

Stickney, Nancy Stone, Joseph Woods, Deborah

STRAFFORD

Berube, Roger Brennan, William Dunlap, Patricia Estabrook, Iris

Grassie, Anne Hemon, Roland Kaen, Naida Keans, Sandra

Knowles, William Lundborn, Raymond McKinley, Robert Merrill, Amanda

Merritt, Deborah Musler, George Rogers, Rose Marie Rollo, Michael

Smith, Marjorie Snyder, Clair Spear, Barbara Torr, Ann

Torr, Franklin Tsiros, William Twardus, Joseph Vachon, Dennis

Vincent, Francis Wall, Janet

SULLIVAN

Adler, Rudolf Allison, David Burling, Peter Cloutier, John

Donovan, Thomas Flint, Gordon Kibbey, David Leone, Richard

Schotanus, Merle Wiggins, Celestine

NAYS 108 BELKNAP

Boyce, Robert Hurt, George Lawton, David Rice, Thomas, Jr.

Rosen, Ralph Salatiello, Thomas

CARROLL

Howard, Godfrey

CHESHIRE

Lynott, Margaret Manning, Joseph McNamara, Wanda Meader, David

Pratt, John Russell, Ronald Smith, Edwin

COOS

Coulombe, Henry Coulombe, Yvonne Davis, Perley Mears, Edgar

Merrill, Gerald Pratt, Leighton St. Hilaire, Paul

GRAFTON

Cobbin, Philip Connolly, Steven

HILLSBOROUGH

Arnold, Thomas, Jr. Burke, M. Virginia Carney, Lauren Chabot, Robert
Christiansen, Lars Clegg, Robert, Jr. Daniels, Gary Dokmo, Cynthia
Dyer, Merton Fenton, James Ferguson, Charles Flora, Kathleen
Golding, William Goulet, Maurice Hansen, Herbert Herman, Keith
Holley, Sylvia Holt, David Jean, Loren Kelly, Michael
Lefebvre, Roland Lessard, Rudy Luebker, Bernard Lynde, Harold
MacGillivray, Jeffrey Marcinkowski, Michael McCarthy, William McCarty, Winston
McGough, Tim Melcher, Harold Mercer, Robert Milligan, Robert
Murphy, Robert Riley, Frances Thulander, O. Alan Vaillancourt, Steve
White, Donald Wright, George

MERRIMACK

Adams, Stephen Brown, Mary Colburn, Kathleen Colburn, Thomas
Hoadley, Elizabeth Larrabee, David Leber, William Nichols, Avis
Whalley, Michael Whittemore, James

ROCKINGHAM

Battles-Peirce, Marjorie Beaulieu, Jon Bishop, Franklin Camm, Kevin
Carson, Gregory Cote, Patricia Cushing, Robert Dearborn, Bruce
Dowling, Patricia Dunham, Vivian Fesh, Robert Guthrie, Joseph
Kelley, Jane Letourneau, Robert Major, Norman Mikowski, Walter
Moore, Benjamin Nowe, Ronald Packard, Sherman Reardon, Neil
Rubin, George Simmons, John Anthony Stritch, C. Donald Varrell, Thomas
Welch, David Weyler, Kenneth

STRAFFORD

Bickford, David Brown, George Brown, Julie Callaghan, Frank

Hilliard, Dana Pelletier, Arthur Sullivan, Henry Taylor, Kathleen

SULLIVAN

Ferland, Brenda Lindblade, Eric Palmer, Lorraine

and the report was adopted.

Ordered to third reading.

SB 169-FN, relative to a college tuition savings plan. OUGHT TO PASS WITH AMENDMENT

Rep. David J. Alukonis for Finance: The Finance Committee amendment adds language which is consistent with other bills which create boards and commissions. Additionally, the amendment requires that the commission issue reports, at least annually, which detail the status of an individual's investments in the plan. Vote 20-0.

Amendment (1534h)

Amend RSA 195-H:2 as inserted by section 2 of the bill by replacing it with the following:

195-H:2 Advisory Commission Established; Reports.

I.(a) There is established the New Hampshire college tuition savings plan advisory commission which shall ensure the proper administration and management of the savings plan. The commission shall consist of the following members:

- (1) The state treasurer.
 - (2) Two members of the house of representatives, one of whom shall be a member of the house finance committee, appointed by the speaker of the house.
 - (3) Two members of the senate, appointed by the senate president.
 - (4) The governor, or designee.
 - (5) Two public members, one of whom shall have business experience, appointed by the governor.
 - (6) One member representing the college and university system of New Hampshire, appointed by the chancellor.
 - (7) One member of the postsecondary education commission, appointed by the members of the commission.
 - (8) One member representing the regional community-technical college system, appointed by the commissioner.
 - (9) One member representing the New Hampshire college and university council, appointed by the members of the council.
 - (10) One member representing the New Hampshire Higher Education Assistance Foundation, appointed by the foundation.
- (b) Except for the members appointed under subparagraphs (a)(1)-(4), members shall be appointed for 2-year terms.

II. Members of the commission shall serve without compensation, except that legislative members shall receive mileage at the legislative rate.

III. The commission shall keep written records of all its proceedings.

IV. No member of the commission shall have any personal interest in the gains or profits of any investment made by the commission; nor shall any member of the commission, directly or indirectly, for such member or as an agent, in any manner use the same except to make such current and necessary payments as are authorized by the commission; nor shall any member of the commission become an endorser or surety, or in any manner an obligor, for money loaned to or borrowed from the commission.

V. Members of the commission shall be held harmless from either criminal or civil liability for any decisions made or services rendered under the provisions of this chapter.

VI.(a) The state treasurer shall make quarterly reports regarding the status of the savings plan to the commission.

(b)(1) At least annually, the commission shall issue to each participant, a statement which shall include the participant's beginning balance, contributions, and earnings credited to their account during the previous fiscal year.

(2) At least annually, the commission shall make annual reports regarding the status of the savings program to each participant in the savings plan and to the state library.

Adopted.

Report adopted and ordered to third reading.

SB 180-FN-A, relative to the maintenance, enhancement and rehabilitation of local rural airport service and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth L. Weyler for Finance: The revolving loan fund established under this law is for a very narrow group of airports that are open to the public, and part of the state airport system. The eligible airport must be in a town of 14,000 population or less. The bonds, if needed, to establish the fund, will have payments covered by airport payments, and thus will not add to the general fund bonding. Vote 18-1.

Amendment (1437h)

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

AN ACT relative to establishing a revolving fund for loans for the maintenance, enhancement, and rehabilitation of local rural airport service.

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

2 New Subdivision; Rural Airport Capital Fund Established. Amend RSA 423 by inserting after section 10 the following new subdivision:

Rural Airport Capital Revolving Loan Fund

423:11 Rural Airport Capital Revolving Loan Fund.

I. There is hereby established in the office of the state treasurer a fund to be known as the rural airport capital revolving loan fund which shall be kept separate and distinct from all other funds. Moneys in the fund shall be nonlapsing and shall be continually appropriated to the department of transportation, and shall be used to provide loans to enhance and rehabilitate all non-commercial service airports open to the public in municipalities with populations of 14,000 or less. Loans to airports from this fund shall be subject to the approval of the governor and council.

II. The operator of the rural airport provided a loan under this section shall furnish assurance to the director of the division of aeronautics by a signed agreement that the rural airport intends to operate as an airport and will remain open to the public for the life of the capital improvement.

III. The operator of the rural airport shall repay any loan made pursuant to this section upon such terms and conditions as are recommended by the department of transportation, director of the division of aeronautics. The term of the loan shall be no less than 5 years and no longer than 20 years, and shall to the extent possible consistent with this section be determined so as to match the useful life of the improvements funded by the loan. The terms and conditions shall be contained in the binding agreement between the state and the operator of the rural airport and shall be sufficient to fully reimburse the state for the principal and interest payments on that portion of the bonds authorized to fund the loan. All money received through reimbursement shall be deposited by the state treasurer in the rural airport capital revolving loan fund.

IV. A lien on the property of the rural airport shall be created in favor of the state in an amount which equals the sum of principal and interest to be repaid by the owner or sponsor of the rural airport. The lien shall be recorded in the registry of deeds of the county or counties in which the property is situated and shall not supersede any pre-existing lien created by a mortgage affecting such property. The lien shall expire only when the loan has been fully repaid.

V. To provide funds for the revolving loan fund established pursuant to this section, the state treasurer, as may be requested from time to time by the division of aeronautics, department of transportation, is authorized to borrow from time to time upon the credit of the state such amounts so that the total state obligation shall at no time exceed \$750,000 and for said purposes may issue bonds and notes at such time in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The department shall request and the treasurer shall issue bonds only for such amounts from time to time as are required for the purposes of this section and provided that the principal and interest payments can be satisfied from sums in the fund established in paragraph I.

VI. The payments of principal and interest on the bonds issued under paragraph V shall be made when due from the special fund established by paragraph I.

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

AMENDED ANALYSIS

This bill establishes a revolving loan fund to be used to provide loans to enhance and rehabilitate certain airports and authorizes bonds to be issued by the treasurer with principal and interest paid for from the fund for the purposes of the revolving loan program.

Adopted.

Report adopted and ordered to third reading.

SB 202-FN-A-L, relative to the certification of teachers, high school graduation examinations and making an appropriation therefor, school building aid, and establishing a committee to study school discipline and manifest educational hardship. **OUGHT TO PASS WITH AMENDMENT**

Rep. Kenneth L. Weyler for Finance: Testimony before the committee posed problems with the recertification proposal and "standards of the world's top performing nations," for high school testing. The committee amendment provides that every teacher will be tested at least once and periodically thereafter as directed by the state board and department. Clarifying language for "standard of the world's top performing nations," has been added. Also the amendment removed the \$300,000 for developing the twelfth grade test. Most of that money won't be required until the next biennium. Vote 11-6.

Amendment (1551h)

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

AN ACT relative to the certification and recertification of teachers, supervisors, and administrators, high school graduation examinations, school building aid, and establishing a committee to study school discipline and manifest educational hardship.

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

1 New Section; Tests of Academic Knowledge; Prerequisite to Teacher Certification. Amend RSA 189 by inserting after section 13-a the following new section:

189:13-b Tests of Academic Knowledge; Prerequisite to Teacher Certification.

I. The state board of education and the department of education shall establish, from preexisting resources, suitable tests of academic knowledge to be administered as a prerequisite for certification, and periodically for recertification as determined by the state board and the department, of teachers, supervisors, and administrators in New Hampshire.

II. Such tests shall be germane to the subject matter and major field of study in which a prospective teacher seeks certification or recertification.

III. Costs of such tests shall be incorporated into the cost of the certification or recertification fee.

2 Application of Section 1.

I. Testing shall be required for all initial certifications beginning with the 1999-2000 school year.

II. Testing shall be required of all applicants not previously tested as a requirement for certification or recertification for the applicant's first recertification beginning with the 1999-2000 school year.

3 Failure to Meet Time Frames; Hearings Relative to Failure to be Renominated or Reelected. Amend RSA 189:14-a, I(b) to read as follows:

(b) Any such teacher who has taught for 3 consecutive years or more in the same school district and who has been so notified may request in writing within 10 days of receipt of said notice a hearing before the school board and may in said request ask for reasons for failure to be renominated or reelected. For purposes of this section only, a leave of absence shall not interrupt the consecutive nature of a teacher's service, but neither shall such a leave be included in the computation of a teacher's service. Computation of a teacher's service for any other purposes shall not be affected by this section. The notice shall advise the teacher of all of the teacher's rights under this section. The school board, upon receipt of ~~said~~ **such** request, shall provide for a hearing on the request to be held within ~~[15]~~ **30** days. The school board shall issue its decision **to the teacher** in writing **by certified mail** within ~~[15]~~ **30** days of the close of the hearing.

4 Failure to Meet Time Frames; Review by State Board. Amend RSA 189:14-b to read as follows:

189:14-b Review by State Board. A teacher aggrieved by such decision may request the state board of education for review thereof. Such request must be in writing and filed with the state board within 10 days after the ~~[issuance]~~ **receipt** of the decision to be reviewed. Upon receipt of such request, the state board shall notify the school board of the request for review, and shall forthwith proceed to a consideration of the matter. Such consideration shall include a hearing if either party shall request it. The state board shall issue its decision within ~~[45]~~ **60** days after the request for review is filed~~[, and]~~. The decision of the state board shall be final and binding upon both parties.

5 Statement of Purpose. The purpose of sections 6-9 of this act is to:

I. Identify, encourage, and provide recognition to students who excel academically by awarding them a New Hampshire certificate of advanced academic achievement.

II. Establish the high school graduation assessment as a widely accepted and meaningful indicator of educational achievement.

III. Develop and maintain the academic assessment in concert with the statewide education improvement and assessment program.

6 Advocates for Educationally Disabled to be Consulted. Amend the introductory paragraph of RSA 193-C:3 to read as follows:

There is established within the department of education a statewide education improvement and assessment program. The commissioner shall develop and implement this program in conjunction with the state board of education and the legislative oversight committee. In carrying out this program, the commissioner shall consult widely with educators at all levels, **representatives of educationally disabled pupils**, business people, government officials, community representatives, and parents.

7 New Section; High School Graduation Assessment Required. Amend RSA 193-C by inserting after section 6 the following new section:

193-C:6-a High School Graduation Assessment.

I. The high school graduation assessment shall measure what pupils know and are able to do in terms of high standards required for success in postsecondary education, the work place, and the community. The New Hampshire standards shall be comparable to the standards of the world's top performing nations.

II. High school graduation assessment results shall be reported at the individual pupil, school, and district levels in a manner consistent with that employed at the other 3 grades assessed. Performance levels shall be benchmarked, to the extent possible according to the achievement demonstrated by pupils from the world's top performing nations.

III. A New Hampshire certificate of advanced achievement shall be awarded to those otherwise qualifying for high school graduation who perform at the advanced level in each of the academic areas assessed.

IV. Notwithstanding any other provision of law, no public school, public academy, or charter school pupil shall be awarded a high school diploma by a local school board or board of trustees unless such pupil has taken the high school graduation assessment. In no case shall a pupil's level of performance on the high school graduation assessment be cause to deny a diploma to such pupil.

V. The high school graduation assessment shall be administered annually at state expense to all public school, public academy, and charter school twelfth grade pupils with suitable provision for taking a make-up assessment by pupils who are unavoidably absent. A pupil may take the high school graduation assessment at an earlier grade level when

it is administered at his or her school if granted permission to do so by the school principal or administrator. A pupil who has graduated from a New Hampshire public secondary school, public academy, or charter secondary school and has not reached the age of 21 may take the high school graduation assessment when it is administered at any convenient location provided that he or she makes suitable arrangements with the principal or administrator of the school or academy in advance of taking the assessment.

VI. New Hampshire certificates of advanced academic achievement shall be signed by the governor and awarded to the pupil.

VII. Other than as specifically required in this section, the standards and benchmarks referenced in paragraphs I and II shall be used solely for the purpose of measuring achievement and shall in no way be construed to impose any requirements applying to any school district.

8 Pilot Program; High School Graduation Assessment. The high school graduation assessment shall be piloted during the school year beginning in 1999. The department of education shall determine the school districts in which the pilot assessment shall be administered.

9 Statewide Implementation; High School Graduation Assessment. Annual statewide administration of the high school graduation assessment shall be implemented during the school year beginning in 2000.

10 Statement of Purpose. It is the purpose of section 11 of this act that the legislature encourage year round schooling.

11 School Building Aid. Amend RSA 198:15-b, I to read as follows:

I.(a) The amount of the annual grant 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 principal on all outstanding borrowings of the school district, city, cooperative school district or receiving district, heretofore or hereafter incurred, for the cost of construction or purchase of school buildings and school administrative unit facilities, to the extent approved by the state board of education, provided that any school district may receive an annual grant in the amount of 40 percent for the construction of an educational administration building for school administrative unit, and provided that the amount of the annual grant in the case of a cooperative school district, 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, or receiving district operating an area school, shall receive an annual grant in excess of 55 percent.

(b) For any district, the added cost of renovating equipment necessary for air conditioning, to make new or existing buildings suitable and used for year round schooling shall be entitled to aid at 75 percent of the cost of such renovations for so long as the district maintains a year round school program in the building receiving aid. Fifty percent of the aid shall be reimbursed if a town abandons year round schooling within 5 years of the first year of receipt of such aid.

12 Application. Section 11 of this act shall apply only to school building aid grants approved on or after July 1, 1997.

13 Committee Established.

I. There is established a committee to study issues relating to school discipline and manifest educational hardship.

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

(a) Three members of the senate, 2 of whom shall be members of the senate education committee, appointed by the president of the senate.

(b) Three members of the house, 2 of whom shall be members of the house education committee, appointed by the speaker of the house.

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

IV. The committee shall examine issues relating to school discipline and manifest educational hardship.

V. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. Four members of the committee shall constitute a quorum.

VI. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 1997.

14 Effective Date.

I. Sections 1-4 of this act shall take effect January 1, 1998.

II. Section 13 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect July 1, 1997.

AMENDED ANALYSIS

This bill:

I. Requires the state board and the department of education to establish, from preexisting resources, suitable tests of academic knowledge to be administered as a prerequisite for certification and certain recertification of teachers, supervisors, and administrators in New Hampshire

II. Establishes a high school graduation assessment program.

III. Revises the provisions relative to the amount of annual grants for school building aid.

IV. Establishes a committee to study issues relating to school discipline and manifest educational hardship.

Rep. Lozeau requested a roll call; sufficiently seconded.

The question being the adoption of the amendment.

YEAS 327 NAYS 25
YEAS 327
BELKNAP

Bartlett, Gordon Boyce, Robert Clark, Charles Holbrook, Robert

Hurt, George Laflam, Robert Lawton, David Pilliod, James

Rice, Thomas, Jr. Rosen, Ralph Salatiello, Thomas Turner, Robert

Veazey, John

CARROLL

Babson, David, Jr. Bradley, Jeb Chandler, Gene Cooper, Kipp

Dickinson, Howard, Jr. Foster, Robert Howard, Godfrey Kenney, Joseph

Lyman, L. Randy MacDonald, Kenneth Mock, Henry Patten, Betsey

Philbrick, Donald

CHESHIRE

Burnham, Daniel Champagne, Richard DePecol, Benjamin Doucette, Richard

Hunt, John Lynch, Margaret Lynott, Margaret Manning, Joseph

McGuirk, Paul McNamara, Wanda Meader, David Metzger, Katherine

Pratt, Irene Pratt, John Richardson, Barbara Riley, William

Royce, H. Charles Russell, Ronald Smith, Edwin Steere, Myron, III

Vogl, John

COOS

Bradley, Paula Coulombe, Henry Coulombe, Yvonne Davis, Perley

Mears, Edgar Merrill, Gerald Pratt, Leighton St. Hilaire, Paul

Tholl, John, Jr.

GRAFTON

Akins, Ralph Alger, John Almy, Susan Below, Clifton

Brown, Channing Chase, Paul, Jr. Cobbin, Philip Connolly, Steven

Copenhaver, Marion Eaton, Stephanie Guaraldi, Lawrence Guest, Robert

Ham, Bonnie Hill, Richard Hinman, Harry Lovett, Sidney

Luker, Elsa MacNeil, Allen Nordgren, Sharon Phinney, William

Root, John Teschner, Douglass Trelfa, Richard Weber, Phil

Williams, William, Jr.

HILLSBOROUGH

Allen, W. Gordon Alukonis, David Ameen, W. Amidon, Eleanor

Arnold, Thomas, Jr. Baroody, Benjamin Barry, William, III Batula, Peter

Belvin, William Bergin, Peter Bernier, Shannon Brundige, Robert

Burke, M. Virginia Calawa, Leon, Jr. Cardin, Lori Carlson, Donald

Carney, Lauren Chabot, Robert Christiansen, Lars Clay, Susan

Clegg, Robert, Jr. Cote, Peter Daigle, Robert Daniels, Gary

Dawe, Eileen Desrosiers, William Dokmo, Cynthia Drabinowicz, A. Theresa

Durham, Susan Dwyer, Paul, Sr. Dyer, Merton Emerton, Lawrence, Sr.

Fenton, James Ferguson, Charles Fields, Dennis Flora, Kathleen

Foster, Joseph Foster, Linda Franks, Suzan Gage, Ruth

Gagnon, Eugene Ginsburg, Ruth Golding, William Gosselin, Gerald

Goulet, Maurice Haettenschwiller, Alphonse Haley, Robert Hall, Betty

Hansen, Herbert Hart, Nick Herman, Keith Holley, Sylvia

Holt, David Hunter, Bruce Jean, Claudette Jean, Loren

Kelley, Robert Kurk, Neal L'Heureux, Robert Lefebvre, Roland

Leishman, Peter Leonard, Peter Lessard, Rudy Letendre, Evelyn

Lozeau, Donnalee Luebker, Bernard Lynde, Harold MacAuslan, Rita

MacGillivray, Jeffrey MacIntyre, Doris Marcinkowski, Michael Martin, Mary

McCarthy, William McCarty, Winston McGough, Tim Melcher, Harold

Mercer, Robert Messier, Irene Murch, George Murphy, Robert

O'Hearn, Jane Pepino, Leo Perkins, Paul Piteri, Dawn

Reidy, Frank Riley, Frances Sargent, Maxwell Searles, Stanley, Sr.

Thulander, O. Alan Vaillancourt, Steve Welch, Donald Wheeler, Robert

White, Donald Williams, Carol Wright, George

MERRIMACK

Adams, Stephen Anderson, Eric Brown, Mary Chandler, Earle

Colburn, Kathleen Colburn, Thomas Crosby, Toni Daneault, Gabriel

DeStefano, Stephen Dunn, Miriam Feuerstein, Martin Fraser, Marilyn

French, Barbara Gile, Mary Hager, Elizabeth Hess, David

Hoadley, Elizabeth Jacobson, Alf Krueger, Patricia Lamach, Bernard

Larrabee, David Leber, William Lockwood, Robert Marshall, Kenneth

Maxfield, Roy Moore, Carol Nichols, Avis Owen, Derek

Reardon, Tara Rogers, Katherine Seldin, Gloria St. Cyr, Gerard

Wallin, Jean Wallner, Mary Jane Whalley, Michael Whittemore, James

Yeaton, Charles

ROCKINGHAM

Abbott, Dennis Aranda, M. Kathryn Arndt, Janet Beaulieu, Jon

Belanger, Ronald Bishop, Franklin Blanchard, MaryAnn Camm, Kevin

Carson, Gregory Case, Margaret Cegelis, Mark Christie, Andrew, Jr.

Clark, Martha Cooney, Richard Cote, Patricia Dearborn, Bruce

Dodge, Robert Dolan, Richard Dowd, Sandra Dowling, Patricia

Downing, Michael Dube, LeRoy Dunham, Vivian Felch, Charles, Sr.

Fesh, Robert Flanagan, Natalie Flanders, John, Sr. Francoeur, Sheila

Frechette, Joseph Gibbons, Paul Gleason, John Griffin, Mary

Heath, John Henderson, Warren Hutchinson, Rebecca Johnson, Robert

Kane, Cecelia Katsakiores, George Katsakiores, Phyllis Kelley, Jane

Klemm, Arthur, Jr. Kobel, Rudolph Langley, Jane Langone, John

Letourneau, Robert Lovejoy, Marian Major, Norman Malcolm, Kenneth

McCarthy, John, Jr. McGovern, Cynthia McKinney, Betsy Mikowski, Walter

Moore, Benjamin Norelli, Terie Nowe, Ronald Noyes, Richard

O'Keefe, Patricia Packard, Sherman Pantelakos, Laura Raynowska, Bernard

Reardon, Neil Rubin, George Schanda, Frank Simmons, John Anthony

Smith, Kevin Stickney, Nancy Stone, Joseph Stritch, C. Donald

Varrell, Thomas Welch, David Weyler, Kenneth Woods, Deborah

STRAFFORD

Berube, Roger Bickford, David Brennan, William Brown, George

Callaghan, Frank DeChane, Marlene Dunlap, Patricia Estabrook, Iris

Grassie, Anne Hemon, Roland Kaen, Naida Keans, Sandra

Knowles, William Lundborn, Raymond McKinley, Robert Merrill, Amanda

Merritt, Deborah Musler, George Pelletier, Arthur Rogers, Rose Marie

Rollo, Michael Snyder, Clair Spear, Barbara Sullivan, Henry

Taylor, Kathleen Torr, Ann Torr, Franklin Tsiros, William

Twardus, Joseph Vincent, Francis Wall, Janet

SULLIVAN

Adler, Rudolf Allison, David Burling, Peter Cloutier, John

Donovan, Thomas Kibbey, David Leone, Richard Lindblade, Eric

Palmer, Lorraine Schotanus, Merle Wiggins, Celestine

NAYS 25 BELKNAP

None

CARROLL

None

CHESHIRE

Bonneau, Sarah O'Connell, John Robertson, Timothy

COOS

Horton, Lynn

GRAFTON

None

HILLSBOROUGH

Boutin, David Clemons, Jane D'Allesandro, Lou Healy, Daniel

Johnson, Lionel Kelly, Michael McDonald, James, Sr. Milligan, Robert

Turgeon, Roland

MERRIMACK

Burney, Carol

ROCKINGHAM

Battles-Peirce, Marjorie Coes, Betsy Cushing, Robert Guthrie, Joseph

Sabella, Norma

STRAFFORD

Brown, Julie Hilliard, Dana Smith, Marjorie Vachon, Dennis

SULLIVAN

Ferland, Brenda Flint, Gordon

and the amendment was adopted.

Rep. Burling offered a floor amendment.

Floor Amendment (1564h)

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

AN ACT relative to high school graduation examinations, school building aid, and establishing a committee to study school discipline and manifest educational hardship.

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

1 Failure to Meet Time Frames; Hearings Relative to Failure to be Renominated or Reelected. Amend RSA 189:14-a, I(b) to read as follows:

(b) Any such teacher who has taught for 3 consecutive years or more in the same school district and who has been so notified may request in writing within 10 days of receipt of said notice a hearing before the school board and may in said request ask for reasons for failure to be renominated or reelected. For purposes of this section only, a leave of absence shall not interrupt the consecutive nature of a teacher's service, but neither shall such a leave be included in the computation of a teacher's service. Computation of a teacher's service for any other purposes shall not be affected by this section. The notice shall advise the teacher of all of the teacher's rights under this section. The school board, upon receipt of ~~[said]~~ **such** request, shall provide for a hearing on the request to be held within ~~[15]~~ **30** days. The school board shall issue its decision **to the teacher** in writing **by certified mail** within ~~[45]~~ **30** days of the close of the hearing.

2 Failure to Meet Time Frames; Review by State Board. Amend RSA 189:14-b to read as follows:

189:14-b Review by State Board. A teacher aggrieved by such decision may request the state board of education for review thereof. Such request must be in writing and filed with the state board within 10 days after the ~~[issuance]~~ **receipt** of the decision to be reviewed. Upon receipt of such request, the state board shall notify the school board of the request for review, and shall forthwith proceed to a consideration of the matter. Such consideration shall include a hearing if either party shall request it. The state board shall issue its decision within ~~[45]~~ **60** days after the request for review is filed~~[, and]~~. The decision of the state board shall be final and binding upon both parties.

3 Statement of Purpose. The purpose of sections 4-7 of this act is to:

I. Identify, encourage, and provide recognition to students who excel academically by awarding them a New Hampshire certificate of advanced academic achievement.

II. Establish the high school graduation assessment as a widely accepted and meaningful indicator of educational achievement.

III. Develop and maintain the academic assessment in concert with the statewide education improvement and assessment program.

4 Advocates for Educationally Disabled to be Consulted. Amend the introductory paragraph of RSA 193-C:3 to read as follows:

There is established within the department of education a statewide education improvement and assessment program. The commissioner shall develop and implement this program in conjunction with the state board of education and the legislative oversight committee. In carrying out this program, the commissioner shall consult widely with educators at all levels, **representatives of educationally disabled pupils**, business people, government officials, community representatives, and parents.

5 New Section; High School Graduation Assessment Required. Amend RSA 193-C by inserting after section 6 the following new section:

193-C:6-a High School Graduation Assessment.

I. The high school graduation assessment shall measure what pupils know and are able to do in terms of high standards required for success in postsecondary education, the work place, and the community. The New Hampshire standards shall be comparable to the standards of the world's top performing nations.

II. High school graduation assessment results shall be reported at the individual pupil, school, and district levels in a manner consistent with that employed at the other 3 grades assessed. Performance levels shall be benchmarked, to the extent possible according to the achievement demonstrated by pupils from the world's top performing nations.

III. A New Hampshire certificate of advanced achievement shall be awarded to those otherwise qualifying for high school graduation who perform at the advanced level in each of the academic areas assessed.

IV. Notwithstanding any other provision of law, no public school, public academy, or charter school pupil shall be awarded a high school diploma by a local school board or board of trustees unless such pupil has taken the high school graduation assessment. In no case shall a pupil's level of performance on the high school graduation assessment be cause to deny a diploma to such pupil.

V. The high school graduation assessment shall be administered annually at state expense to all public school, public academy, and charter school twelfth grade pupils with suitable provision for taking a make-up assessment by pupils who are unavoidably absent. A pupil may take the high school graduation assessment at an earlier grade level when it is administered at his or her school if granted permission to do so by the school principal or administrator. A pupil who has graduated from a New Hampshire public secondary school, public academy, or charter secondary school and has not reached the age of 21 may take the high school graduation assessment when it is administered at any convenient location provided that he or she makes suitable arrangements with the principal or administrator of the school or academy in advance of taking the assessment.

VI. New Hampshire certificates of advanced academic achievement shall be signed by the governor and awarded to the pupil.

VII. Other than as specifically required in this section, the standards and benchmarks referenced in paragraphs I and II shall be used solely for the purpose of measuring achievement and shall in no way be construed to impose any requirements applying to any school district.

6 Pilot Program; High School Graduation Assessment. The high school graduation assessment shall be piloted during the school year beginning in 1999. The department of education shall determine the school districts in which the pilot assessment shall be administered.

7 Statewide Implementation; High School Graduation Assessment. Annual statewide administration of the high school graduation assessment shall be implemented during the school year beginning in 2000.

8 Statement of Purpose. It is the purpose of section 9 of this act that the legislature encourage year round schooling.

9 School Building Aid. Amend RSA 198:15-b, I to read as follows:

I.(a) The amount of the annual grant 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 principal on all outstanding borrowings of the school district, city, cooperative school district or receiving district, heretofore or hereafter incurred, for the cost of construction or purchase of school buildings and school administrative unit facilities, to the extent approved by the state board of education, provided that any school district may receive an annual grant in the amount of 40 percent for the construction of an educational administration building for school administrative unit, and provided that the amount of the annual grant in the case of a cooperative school district, 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, or receiving district operating an area school, shall receive an annual grant in excess of 55 percent.

(b) For any district, the added cost of renovating equipment necessary for air conditioning, to make new or existing buildings suitable and used for year round schooling shall be entitled to aid at 75 percent of the cost of such renovations for so long as the district maintains a year round school program in the building receiving aid. Fifty percent of the aid shall be reimbursed if a town abandons year round schooling within 5 years of the first year of receipt of such aid.

10 Application. Section 9 of this act shall apply only to school building aid grants approved on or after July 1, 1997.

11 Committee Established.

I. There is established a committee to study issues relating to school discipline and manifest educational hardship.

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

(a) Three members of the senate, 2 of whom shall be members of the senate education committee, appointed by the president of the senate.

(b) Three members of the house, 2 of whom shall be members of the house education committee, appointed by the speaker of the house.

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

IV. The committee shall examine issues relating to school discipline and manifest educational hardship.

V. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. Four members of the committee shall constitute a quorum.

VI. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 1997.

12 Effective Date.

I. Sections 3 and 4 of this act shall take effect January 1, 1998.

II. Section 11 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect July 1, 1997.

AMENDED ANALYSIS

This bill:

I. Establishes a high school graduation assessment program.

II. Revises the provisions relative to the amount of annual grants for school building aid.

III. Establishes a committee to study issues relating to school discipline and manifest educational hardship.

Rep. Nordgren spoke in favor

Reps. Alukonis and O'Hearn spoke against and yielded to questions.

Rep. Burling requested a roll call; sufficiently seconded.

The question being the adoption of the floor amendment.

**YEAS 154 NAYS 201
YEAS 154
BELKNAP**

Salatiello, Thomas

CARROLL

Bradley, Jeb

CHESHIRE

Bonneau, Sarah Burnham, Daniel Champagne, Richard DePecol, Benjamin

Doucette, Richard Lynch, Margaret Lynott, Margaret McGuirk, Paul

Meador, David O'Connell, John Pratt, Irene Pratt, John

Richardson, Barbara Riley, William Robertson, Timothy Russell, Ronald

Vogl, John

COOS

Bradley, Paula Coulombe, Henry Coulombe, Yvonne Horton, Lynn

Mears, Edgar

GRAFTON

Almy, Susan Below, Clifton Copenhaver, Marion Guest, Robert

LaMott, Paul Lovett, Sidney Luker, Elsa Nordgren, Sharon

HILLSBOROUGH

Allen, W. Gordon Ameen, W. Barody, Benjamin Barry, William, III

Bernier, Shannon Cardin, Lori Clemons, Jane Cote, Peter

D'Allesandro, Lou Daigle, Robert Drabinowicz, A. Theresa Dwyer, Paul, Sr.

Foster, Joseph Foster, Linda Franks, Suzan Gage, Ruth

Ginsburg, Ruth Gosselin, Gerald Haettenschwiller, Alphonse Haley, Robert

Hall, Betty Hart, Nick Jean, Claudette Johnson, Lionel

Kelly, Michael Leishman, Peter Leonard, Peter Lynde, Harold

MacAuslan, Rita Martin, Mary McCarthy, William McDonald, James, Sr.

Melcher, Harold Messier, Irene Murphy, Robert O'Rourke, Thomas

Perkins, Paul Reidy, Frank Turgeon, Roland Vaillancourt, Steve

Welch, Donald Williams, Carol

MERRIMACK

Burney, Carol Crosby, Toni Daneault, Gabriel DeStefano, Stephen

Dunn, Miriam Fraser, Marilyn French, Barbara Gile, Mary

Hager, Elizabeth Lockwood, Robert Moore, Carol Owen, Derek

Pfaff, Terence Reardon, Tara Rogers, Katherine Seldin, Gloria

St. Cyr, Gerard Wallin, Jean Wallner, Mary Jane Yeaton, Charles

ROCKINGHAM

Abbott, Dennis Blanchard, MaryAnn Christie, Andrew, Jr. Clark, Martha

Coes, Betsy Cooney, Richard Cushing, Robert Downing, Michael

Gibbons, Paul Heath, John Hutchinson, Rebecca Kane, Cecelia

Kelley, Jane Langone, John McGovern, Cynthia Norelli, Terie

O'Keefe, Patricia Pantelakos, Laura Sabella, Norma Schanda, Frank

Stone, Joseph

STRAFFORD

Berube, Roger Bickford, David Brennan, William Brown, George

Brown, Julie Callaghan, Frank DeChane, Marlene Dunlap, Patricia

Estabrook, Iris Grassie, Anne Hemon, Roland Hilliard, Dana

Kaen, Naida Keans, Sandra Knowles, William Lundborn, Raymond

Merrill, Amanda Merritt, Deborah Pelletier, Arthur Rogers, Rose Marie

Rollo, Michael Smith, Marjorie Snyder, Clair Sullivan, Henry

Taylor, Kathleen Twardus, Joseph Vachon, Dennis Vincent, Francis

Wall, Janet

SULLIVAN

Allison, David Burling, Peter Cloutier, John Donovan, Thomas

Ferland, Brenda Flint, Gordon Leone, Richard Palmer, Lorraine

Schotanus, Merle Wiggins, Celestine

**NAYS 201
BELKNAP**

Bartlett, Gordon Boyce, Robert Clark, Charles Holbrook, Robert

Hurt, George Laflam, Robert Lawton, David Pilliod, James

Rice, Thomas, Jr. Turner, Robert Veazey, John

CARROLL

Babson, David, Jr. Chandler, Gene Cooper, Kipp Dickinson, Howard, Jr.

Foster, Robert Howard, Godfrey Kenney, Joseph Lyman, L. Randy

MacDonald, Kenneth Mock, Henry Patten, Betsey Philbrick, Donald

CHESHIRE

Hunt, John Manning, Joseph McNamara, Wanda Metzger, Katherine

Royce, H. Charles Smith, Edwin Steere, Myron, III

COOS

Davis, Perley Merrill, Gerald Pratt, Leighton St. Hilaire, Paul

Tholl, John, Jr.

GRAFTON

Akins, Ralph Alger, John Brown, Channing Chase, Paul, Jr.

Cobbin, Philip Connolly, Steven Eaton, Stephanie Guaraldi, Lawrence

Ham, Bonnie Hill, Richard Hinman, Harry MacNeil, Allen

Phinney, William Root, John Teschner, Douglass Trelfa, Richard

Weber, Phil Williams, William, Jr.

HILLSBOROUGH

Alukonis, David Amidon, Eleanor Arnold, Thomas, Jr. Batula, Peter
Belvin, William Bergin, Peter Boutin, David Brundige, Robert
Burke, M. Virginia Calawa, Leon, Jr. Carlson, Donald Carney, Lauren
Chabot, Robert Christiansen, Lars Clay, Susan Clegg, Robert, Jr.
Daniels, Gary Dawe, Eileen Desrosiers, William Dokmo, Cynthia
Durham, Susan Dyer, Merton Emerton, Lawrence, Sr. Fenton, James
Ferguson, Charles Fields, Dennis Flora, Kathleen Gagnon, Eugene
Golding, William Goulet, Maurice Hansen, Herbert Healy, Daniel
Herman, Keith Holley, Sylvia Holt, David Hunter, Bruce
Jean, Loren Kelley, Robert Kurk, Neal L'Heureux, Robert
Lefebvre, Roland Lessard, Rudy Letendre, Evelyn Lozeau, Donnalee
Luebker, Bernard MacGillivray, Jeffrey MacIntyre, Doris Marcinkowski, Michael
McCarty, Winston McGough, Tim McRae, Karen Mercer, Robert
Milligan, Robert Murch, George O'Hearn, Jane Pepino, Leo
Piteri, Dawn Riley, Frances Sargent, Maxwell Searles, Stanley, Sr.
Thulander, O. Alan Wheeler, Robert White, Donald Wright, George

MERRIMACK

Adams, Stephen Anderson, Eric Brown, Mary Chandler, Earle
Colburn, Kathleen Colburn, Thomas Feuerstein, Martin Hess, David
Hoadley, Elizabeth Jacobson, Alf Krueger, Patricia Lamach, Bernard
Larrabee, David Leber, William Marshall, Kenneth Maxfield, Roy
Nichols, Avis Whalley, Michael Whittemore, James

ROCKINGHAM

Aranda, M. Kathryn Arndt, Janet Battles-Peirce, Marjorie Beaulieu, Jon

Belanger, Ronald Bishop, Franklin Camm, Kevin Carson, Gregory
Case, Margaret Cegelis, Mark Cote, Patricia Dearborn, Bruce
Dodge, Robert Dolan, Richard Dowd, Sandra Dowling, Patricia
Dube, LeRoy Dunham, Vivian Felch, Charles, Sr. Fesh, Robert
Flanagan, Natalie Flanders, John, Sr. Francoeur, Sheila Frechette, Joseph
Gleason, John Griffin, Mary Guthrie, Joseph Henderson, Warren
Johnson, Robert Katsakiores, George Katsakiores, Phyllis Klemm, Arthur, Jr.
Kobel, Rudolph Langley, Jane Letourneau, Robert Lovejoy, Marian
Major, Norman Malcolm, Kenneth McCarthy, John, Jr. McKinney, Betsy
Mikowski, Walter Moore, Benjamin Nowe, Ronald Noyes, Richard
Packard, Sherman Raynowska, Bernard Reardon, Neil Rubin, George
Simmons, John Anthony Smith, Kevin Stickney, Nancy Stritch, C. Donald
Varrell, Thomas Welch, David Weyler, Kenneth Woods, Deborah

STRAFFORD

McKinley, Robert Musler, George Spear, Barbara Torr, Ann
Torr, Franklin Tsiros, William

SULLIVAN

Adler, Rudolf Kibbey, David Lindblade, Eric

and the floor amendment failed.

The question now being the adoption of the report.

Reps. Estabrook and Yeaton spoke against and yielded to questions.

Rep. Durham spoke in favor and yielded to questions.

Rep. Lozeau spoke in favor.

Rep. Belvin requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 191 NAYS 161
YEAS 191
BELKNAP

Bartlett, Gordon Boyce, Robert Clark, Charles Holbrook, Robert

Hurt, George Laflam, Robert Lawton, David Pilliod, James

Rice, Thomas, Jr. Rosen, Ralph Veazey, John

CARROLL

Babson, David, Jr. Bradley, Jeb Chandler, Gene Cooper, Kipp

Dickinson, Howard, Jr. Foster, Robert Howard, Godfrey Kenney, Joseph

Lyman, L. Randy MacDonald, Kenneth Mock, Henry Patten, Betsey

CHESHIRE

Hunt, John Manning, Joseph McNamara, Wanda Metzger, Katherine

Royce, H. Charles Smith, Edwin Steere, Myron, III

COOS

Davis, Perley Merrill, Gerald Pratt, Leighton St. Hilaire, Paul

Tholl, John, Jr.

GRAFTON

Akins, Ralph Alger, John Brown, Channing Chase, Paul, Jr.

Cobbin, Philip Connolly, Steven Eaton, Stephanie Guaraldi, Lawrence

Ham, Bonnie Hill, Richard Hinman, Harry MacNeil, Allen

Phinney, William Root, John Trelfa, Richard Weber, Phil

Williams, William, Jr.

HILLSBOROUGH

Alukonis, David Amidon, Eleanor Arnold, Thomas, Jr. Batula, Peter

Belvin, William Bergin, Peter Brundige, Robert Burke, M. Virginia

Calawa, Leon, Jr. Carlson, Donald Carney, Lauren Chabot, Robert

Christiansen, Lars Clay, Susan Clegg, Robert, Jr. Daniels, Gary

Dawe, Eileen Desrosiers, William Durham, Susan Dyer, Merton
Emerton, Lawrence, Sr. Fenton, James Fields, Dennis Flora, Kathleen
Gagnon, Eugene Golding, William Goulet, Maurice Hansen, Herbert
Herman, Keith Holley, Sylvia Holt, David Hunter, Bruce
Jean, Loren Kelley, Robert Kurk, Neal L'Heureux, Robert
Lefebvre, Roland Lessard, Rudy Letendre, Evelyn Lozeau, Donnalee
Luebker, Bernard MacGillivray, Jeffrey MacIntyre, Doris Marcinkowski, Michael
McCarty, Winston McGough, Tim McRae, Karen Mercer, Robert
Milligan, Robert Murch, George O'Hearn, Jane Pepino, Leo
Riley, Frances Sargent, Maxwell Searles, Stanley, Sr. Thulander, O. Alan
Wheeler, Robert White, Donald Wright, George

MERRIMACK

Adams, Stephen Anderson, Eric Brown, Mary Chandler, Earle
Colburn, Kathleen Colburn, Thomas Feuerstein, Martin Hess, David
Hoadley, Elizabeth Jacobson, Alf Krueger, Patricia Lamach, Bernard
Larrabee, David Leber, William Lockwood, Robert Marshall, Kenneth
Maxfield, Roy Nichols, Avis Whalley, Michael Whittemore, James

ROCKINGHAM

Aranda, M. Kathryn Arndt, Janet Beaulieu, Jon Belanger, Ronald
Bishop, Franklin Camm, Kevin Carson, Gregory Case, Margaret
Cegelis, Mark Cote, Patricia Dearborn, Bruce Dodge, Robert
Dowd, Sandra Dowling, Patricia Dube, LeRoy Dunham, Vivian
Felch, Charles, Sr. Fesh, Robert Flanders, John, Sr. Francoeur, Sheila
Frechette, Joseph Gleason, John Griffin, Mary Henderson, Warren
Johnson, Robert Katsakiores, George Katsakiores, Phyllis Klemm, Arthur, Jr.

Kobel, Rudolph Langley, Jane Letourneau, Robert Lovejoy, Marian

Major, Norman Malcolm, Kenneth McCarthy, John, Jr. McKinney, Betsy

Mikowski, Walter Moore, Benjamin Nowe, Ronald Noyes, Richard

Packard, Sherman Raynowska, Bernard Reardon, Neil Rubin, George

Simmons, John Anthony Smith, Kevin Stickney, Nancy Stone, Joseph

Varrell, Thomas Welch, David Weyler, Kenneth Woods, Deborah

STRAFFORD

McKinley, Robert Spear, Barbara Torr, Ann Torr, Franklin

Tsiros, William

SULLIVAN

Adler, Rudolf Kibbey, David Lindblade, Eric

NAYS 161 BELKNAP

Salatiello, Thomas Turner, Robert

CARROLL

Philbrick, Donald

CHESHIRE

Bonneau, Sarah Burnham, Daniel Champagne, Richard DePecol, Benjamin

Doucette, Richard Lynch, Margaret Lynott, Margaret McGuirk, Paul

Meador, David O'Connell, John Pratt, Irene Pratt, John

Richardson, Barbara Riley, William Robertson, Timothy Russell, Ronald

Vogl, John

COOS

Bradley, Paula Coulombe, Henry Coulombe, Yvonne Horton, Lynn

Mears, Edgar Moynihan, Wayne

GRAFTON

Almy, Susan Below, Clifton Copenhaver, Marion Guest, Robert

LaMott, Paul Lovett, Sidney Luker, Elsa Nordgren, Sharon

HILLSBOROUGH

Allen, W. Gordon Ameen, W. Baroody, Benjamin Barry, William, III

Bernier, Shannon Boutin, David Cardin, Lori Clemons, Jane

Cote, Peter D'Allesandro, Lou Daigle, Robert Dokmo, Cynthia

Drabinowicz, A. Theresa Dwyer, Paul, Sr. Ferguson, Charles Foster, Joseph

Foster, Linda Franks, Suzan Gage, Ruth Ginsburg, Ruth

Gosselin, Gerald Haettenschwiller, Alphonse Haley, Robert Hall, Betty

Hart, Nick Jean, Claudette Johnson, Lionel Kelly, Michael

Leishman, Peter Leonard, Peter Lynde, Harold MacAuslan, Rita

Martin, Mary McCarthy, William McDonald, James, Sr. Melcher, Harold

Messier, Irene Murphy, Robert O'Rourke, Thomas Perkins, Paul

Reidy, Frank Turgeon, Roland Vaillancourt, Steve Welch, Donald

Williams, Carol

MERRIMACK

Burney, Carol Crosby, Toni Daneault, Gabriel DeStefano, Stephen

Dunn, Miriam Fraser, Marilyn French, Barbara Gile, Mary

Hager, Elizabeth Moore, Carol Owen, Derek Pfaff, Terence

Reardon, Tara Rogers, Katherine Seldin, Gloria St. Cyr, Gerard

Wallin, Jean Wallner, Mary Jane Yeaton, Charles

ROCKINGHAM

Abbott, Dennis Battles-Peirce, Marjorie Blanchard, MaryAnn Christie, Andrew, Jr.

Clark, Martha Coes, Betsy Cooney, Richard Cushing, Robert

Downing, Michael Flanagan, Natalie Gibbons, Paul Guthrie, Joseph

Heath, John Hutchinson, Rebecca Kane, Cecelia Kelley, Jane

Langone, John McGovern, Cynthia Norelli, Terie O'Keefe, Patricia

Pantelakos, Laura Sabella, Norma Schanda, Frank Stritch, C. Donald

STRAFFORD

Berube, Roger Bickford, David Brennan, William Brown, George

Brown, Julie Callaghan, Frank DeChane, Marlene Dunlap, Patricia

Estabrook, Iris Grassie, Anne Hemon, Roland Hilliard, Dana

Kaen, Naida Keans, Sandra Knowles, William Lundborn, Raymond

Merrill, Amanda Merritt, Deborah Pelletier, Arthur Rogers, Rose Marie

Rollo, Michael Smith, Marjorie Snyder, Clair Sullivan, Henry

Taylor, Kathleen Twardus, Joseph Vachon, Dennis Vincent, Francis

Wall, Janet

SULLIVAN

Allison, David Burling, Peter Cloutier, John Donovan, Thomas

Ferland, Brenda Flint, Gordon Leone, Richard Palmer, Lorraine

Schotanus, Merle Wiggins, Celestine

and the report was adopted.

Ordered to third reading.

Rep. Mirski declared a conflict of interest and did not participate.

RECESS (Speaker Sytek in the Chair)

SB 209-FN, establishing a residential care pilot program and providing for the funding of such program. RE-REFER TO COMMITTEE

Rep. O. Alan Thulander for Finance: The passage of HB 32-A last session directed the Commissioner of Health and Human Services to formulate a plan dealing with long-term care needs. That plan has been completed, and the department intends to begin to implement its provisions in 1998 by funding a continuum of care. Although no commitments have been made, it is expected that residential care will be an important component. There was little disagreement in the committee about the value of residential care in providing services to our needy elderly population. However, the committee believes it is inappropriate to interject a pilot program into this comprehensive planning process at

this time. Moreover, it would appear that any residential care facility in the proposed pilot project would violate its license; that a necessary request for a waiver from the federal government would take at least a year and probably wouldn't be granted; that implementation will result in a waiting list for people eligible for assistance; and finally that implementation of this program would require reassignment of HHS staff and resources from higher priority projects. In addition, there would be an Article 28-A violation to the extent that counties are required to participate financially in the proposed pilot project. The committee recommends re-referral of this bill as insurance in the unlikely event residential care is not included in the department's long-term care implementation plan. Vote 11-6.

Rep. Kurk spoke against.

The Report failed

Rep. Kurk moved Ought to Pass with Amendment.

Reps. Emerton and Kurk offered a floor amendment.

Floor Amendment (1565h)

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

AN ACT relative to a residential care services program.

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

2 Residential Care Services Program. The commissioner of the department of health and human services shall forthwith request an amendment to the Home and Community Based Care waiver for the Elderly and Chronically Ill to create a program for residential care services. If the waiver is approved, the commissioner may establish a program for residential care services. If the commissioner establishes the program, the commissioner shall adopt rules, pursuant to RSA 541-A, relative to the administration of the program.

3 Effective Date. This act shall take effect July 1, 1997.

AMENDED ANALYSIS

This bill requires the commissioner of health and human services to request an amendment to the Home and Community Based Care waiver for the Elderly and Chronically Ill to create a program for residential care services. Under this bill, if the waiver is approved, the commissioner may establish a residential care services program.

Reps. Kurk and Emerton spoke in favor.

Adopted.

Report adopted and ordered to third reading.

SB 216-FN-A, relative to pari-mutuel racing and taxes on pari-mutuel pools. OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth L. Weyler for Finance: SB 216 is designed to equalize and simplify the complex pari-mutuel tax system currently in place. It is also intended to provide a mechanism to provide more purse money for horse racing at Rockingham Park through a tax cut. As it came to the Finance

Committee, SB 216 would have cost the state roughly \$2.5 million per year. The Finance Committee amendment lessens the impact to the state funds while maintaining the intent to simplify the tax system. Under the amendment, a tax rate for any type of racing (horse, harness or dog) would apply to all tracks. The amendment also provides money for purses by setting aside certain funds to supplement the existing purses that would otherwise have gone to the state through 1/2 of its share of "breakage," or the odd cents after distribution of prizes. Those funds are available to each of the 4 New Hampshire tracks for live racing. Revenue to the state will decrease by about \$650,000 in the coming fiscal year. The amendment removes telephone betting and account wagering because the committee felt that there was not enough information on these products to determine the fiscal impact. Vote 15-1.

Amendment (1539h)

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

1 Pari-Mutuel Pools. RSA 284:22 is repealed and reenacted to read as follows:

284:22 Pari-Mutuel Pools. During the calendar years of 1941-2009, a licensee under this chapter may sell pari-mutuel pools in accordance with this chapter and rules adopted by the commission. Pari-mutuel pools shall be sold within the enclosure of the racetrack where a licensed race or race meet is held or as provided in RSA 284:22-a, and not elsewhere.

I. The commission on all win, place, and show pari-mutuel pools at tracks or race meets at which running horse races are conducted for public exhibition shall be uniform throughout the state at the rate of 19 percent of each dollar wagered in such pools, and the commission on all other parimutuel pools at such tracks or race meets shall be at the rate of not less than 26 percent of each dollar wagered in such pools and not more than 27 percent of each dollar wagered in such pools as determined from time to time by the licensee which conducts live running horse races after written notice to the commission and, in the absence of written notice, at the rate of 26 percent of each dollar wagered in such pools. Except as provided in RSA 284:22-a, the amount of the purse at such tracks or race meets at which running horse races are conducted shall be 8-1/4 percent of each dollar wagered in all pari-mutuel pools, said 8-1/4 percent to be paid by the licensee out of the commission on such pools. In addition to the above commission, 1/2 of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage", shall be retained by the licensee, 1/4 paid to the state treasury for the use of the state in accordance with the provisions of RSA 284:2 and 1/4 shall be paid to the pari-mutuel commission. The pari-mutuel commission shall distribute such breakage to the licensee which paid such breakage to supplement purses of live races conducted by the licensee at the location from which such breakage was paid. Each licensee shall pay the tax provided for in RSA 284:23.

II. The commission on all win, place, and show pari-mutuel pools at tracks or race meets at which harness horse races are conducted for public exhibition, including those conducted by agricultural fairs, shall be uniform throughout the state at the rate of 19 percent of each dollar wagered in such pools, and the commission on all other pari-mutuel pools at such tracks or race meets shall be at the rate of not less than 25 percent of each dollar wagered in such pools and not more than 26 percent of each dollar wagered in such pools as determined from time to time by the licensee which conducts live harness horse racing after written notice to the commission and, in the absence of such written notice, at the rate of 25 percent of each dollar wagered in such pools. In addition to the above commission, 1/2 of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage", shall be retained by the licensee, 1/4 paid to the state treasury for the use of the state in accordance with the provisions of RSA 284:2 and 1/4 shall be paid to the pari-mutuel commission. The pari-mutuel commission shall distribute such breakage to the licensee which paid such breakage to supplement purses of live races conducted by the licensee at the location from which such breakage was paid. Each licensee shall pay the tax provided for in RSA 284:23.

III. For the purposes set forth in this section, an "agricultural fair" means an association which provides for and pays premiums of \$5,000 or more, annually, as is determined by the commissioner of agriculture, markets, and food, in accordance with RSA 284:25.

IV. The commission on all win, place, and show pari-mutuel pools at tracks or race meets at which dog races are conducted for public exhibition shall be uniform throughout the state at the rate of 19 percent of each dollar wagered in such pools; and the commission on all other pari-mutuel pools at such tracks or race meets shall be at the rate of not less than 26 percent of each dollar wagered in such pools and not more than 27 percent of each dollar wagered in such pools as determined from time to time by the licensee which conducts live dog racing after written notice to the commission and, in the absence of such written notice, at the rate of 26 percent of each dollar wagered in such pools. In addition to the above commission, $\frac{1}{2}$ of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage", shall be retained by the licensee, $\frac{1}{4}$ paid to the state treasury for the use of the state in accordance with the provisions of RSA 284:2 and $\frac{1}{4}$ shall be paid to the pari-mutuel commission. The pari-mutuel commission shall distribute such breakage to the licensee which paid such breakage to supplement purses of live races conducted by the licensee at the location from which such breakage was paid. Each licensee shall pay the tax provided for in RSA 284:23.

2 Tax. RSA 284:23 is repealed and reenacted to read as follows:

284:23 Tax.

I.(a) Each person, association or corporation licensed to conduct a running horse race or running horse meet under this chapter shall pay to the state treasurer a sum of money equal to $1\frac{1}{4}$ percent of the total contributions to all pari-mutuel pools conducted, made, or sold at any such race or meet licensed under this chapter. The amounts so paid to the state treasurer shall be for the use of the state.

(b) Each person, association, or corporation licensed to simulcast a running horse race or running horse meet under this chapter shall pay to the state treasurer a sum of money equal to $1\frac{1}{2}$ percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such simulcast race or simulcast race meet by such person, association, or corporation licensed to simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.

II.(a) Each person, association, or corporation licensed to conduct a harness horse race or harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to $1\frac{1}{4}$ percent of all total contributions to all pari-mutuel pools in a calendar day. The amount so paid to the state treasurer shall be for the use of the state.

(b) Each person, association, or corporation licensed to simulcast a harness horse race or simulcast a harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to $1\frac{1}{2}$ percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such simulcast race or race meet by such person, association, or corporation licensed to simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.

III.(a) Each person, association, or corporation licensed to conduct a dog race or a dog race meet under this chapter shall pay to the state treasurer a sum of money equal to $2\frac{1}{4}$ percent of so much of the total contributions to all pari-mutuel pools conducted, made, or sold at any dog race or dog race meet licensed under this chapter. The amount so paid to the state treasurer shall be for the use of the state.

(b) Each person, association or corporation licensed to simulcast a dog race or simulcast a dog race meet under this chapter shall pay to the state treasurer a sum of money equal to $2\frac{1}{2}$ percent of all pari-mutuel pools conducted, made, or sold at such simulcast race or simulcast race meet by such person, association, or corporation licensed under this chapter. The amount so paid to the state treasurer shall be for the use of the state.

IV. Each person, association, or corporation licensed to conduct a race or race meet under this chapter shall also pay to the city or town treasurer in which the racing plant is located for each day of racing, whether such day includes

live racing only, simulcast racing only, or a combination thereof, the fees assessed in subparagraphs (a) and (b) below, based upon the aggregate pari-mutuel pools conducted, made, or sold by such person, association, or corporation on each such day. This rate is provided if said person, association, or corporation has a license to conduct races or race meets for more than 10 days during the year for which the license is issued. If said person, association, or corporation has a license to conduct races or race meets for 10 days or less, the per diem fee shall be determined by the commission.

(a) Each Weekday including Saturday

Pari-mutuel pool Fee

Under \$300,000 \$ 300 per day

\$300,000 or more \$ 350 per day

(b) Each Sunday

Pari-mutuel pool Fee

Under \$350,000 \$ 400 per day

\$350,000 but under \$500,000 \$ 800 per day

\$500,000 or more \$1,200 per day

V. The tax rates established by paragraphs I and II of this section shall remain in effect only until the bonds obtained by any entity for reconstruction of Rockingham Park have been paid off, unless such bonds are refinanced by the entity which owns Rockingham Park, and in such latter event, until such refinancing is paid off, but in no event later than December 31, 2009.

VI. During each calendar year, by March 31, each licensee shall make a report to the commission with regard to such licensee's efforts to enhance live racing at such licensee's race track. Such report shall include, but not be limited to, licensee's enhancement of purses, capital improvements, promotion, advertising, and other activities determined by the licensee to enhance live racing. The report shall be in writing and shall be in sufficient detail as determined by the commission. The report shall be distributed to the commission and each member of the fiscal committee.

VII. For the purposes of this chapter, "racing program" means live racing with any number of individual races as determined by the pari-mutuel commission. A live race or racing program may include a combined live and simulcast race where the combination contains at least one more live race to simulcast in the same combination. Any such live racing program or combined racing program upon which a separate tax is paid may constitute a live racing performance day.

3 Repeal. The following are repealed:

I. 1989, 219:2, relative to a prospective amendment to RSA 284:22, IV which would have been effective July 1, 1998, at 12:01 a.m. pursuant to 1989, 219:9, I as amended by 1992, 185:5.

II. 1989, 219:5, relative to a prospective amendment to RSA 284:23, II-a which would have been effective July 1, 1998, at 12:01 a.m. pursuant to 1989, 219:9, I as amended by 1992, 185:5.

III. 1993, 358:85, relative to a prospective amendment to RSA 284:22, IV which would have been effective July 1, 1998 at 12:01 a.m.

IV. 1995, 224:2, relative to a prospective amendment to RSA 284:23, V which would have been effective July 1, 1997, pursuant to 1995, 224:3, I as amended by 1996, 201:9.

4 Effective Date. This act shall take effect July 1, 1997.

AMENDED ANALYSIS

This bill:

I. Revises the commission structure on pari-mutuel pools and the tax on contributions to parimutuel pools. The new structure of the tax lowers and standardizes the overall rate of tax for running horse races, harness horse races, and dog races.

II. Repeals a number of prospective amendments to the tax and commission structure which are no longer appropriate in light of this bill.

Adopted.

Report adopted and ordered to third reading.

SB 93, relative to employees of employers who hire recipients of state assistance under the employment assistance program. **OUGHT TO PASS WITH AMENDMENT**

Rep. W. Gordon Allen for Finance: The only fiscal impact of this bill is the provision (Section 1, IV) for participants in subsidized employment programs to be considered state employees for the purpose of workers' compensation even though they are on the payroll of private employers. Because the estimate of these workers' compensation costs to the state was "significant" but "undetermined" and that no costs were budgeted, the bill was amended to eliminate this provision. Vote 20-0.

Amendment (1542h)

Amend RSA 167:82-a as inserted by section 1 of the bill by deleting paragraph IV.

AMENDED ANALYSIS

This bill prohibits the New Hampshire employment program or the alternative employment experience program from using participants in any way contrary to certain federal laws.

This bill prohibits requiring a participant to work under certain subsidized employment conditions or for more than a certain number of hours and requires that participants be afforded certain employment protections.

Rep. Kurk spoke against.

The Amendment failed.

Reps. Daniels and Kurk offered a floor amendment.

Floor Amendment (1569h)

Amend RSA 167:82-a as inserted by section 1 of the bill by deleting paragraph IV.

Amend RSA 167:91-a as inserted by section 2 of the bill by inserting after paragraph III the following:

IV. Participants in the alternative employment experience program administered by the state shall be considered employees of the state for workers' compensation purposes only, and any claims for workers' compensation thereunder shall be charged to the temporary assistance to needy families program.

AMENDED ANALYSIS

This bill prohibits the New Hampshire employment program or the alternative employment experience program from using participants in any way contrary to certain federal laws.

This bill prohibits requiring a participant to work under certain subsidized employment conditions or for more than a certain number of hours and requires that participants be afforded certain employment protections.

This bill also requires that participants in the alternative employment experience program shall be considered state employees for workers' compensation purposes only.

Re. Kurk spoke in favor.

Adopted.

Report adopted and ordered to third reading.

REVENUE ESTIMATES REMOVED FROM THE TABLE

Rep. Weyler moved that **HR 19**, affirming unrestricted revenue estimates for fiscal years 1998 and 1999, be removed from the table.

Adopted.

Floor Amendment(1577h)

Amend the resolution by replacing all after the title with the following:

Whereas, the House Finance Committee has considered what the unrestricted revenue estimates should be for fiscal years 1998 and 1999 and has presented those estimates to the House of Representatives; now, therefore, be it

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 1998 and 1999 and also takes note of the following revenue figures presented here for fiscal years 1996 and 1997:

Committee estimates are based on current rates.

(A) (B) (C) (D) (E) (F)

FY 1996 -----FY 1997----- FY 1998 FY 1999

GENERAL FUNDS: Official Committee Committee Committee

(Dollars in Millions) Actual Estimate Estimate Variance Estimate Estimate

Business Profits Tax 152.683 150.619 177.600 26.981 185.550 200.450

Business Enterprise Tax 24.969 45.300 39.000 (6.300) 34.600 36.100

Meals & Rooms Tax 113.369 124.000 118.000 (6.000) 122.700 129.600

Liquor Sales 65.971 67.500 68.683 1.183 70.700 73.200

Interest & Dividends Tax 51.878 44.350 48.000 3.650 50.250 52.500

Insurance Tax 50.488 57.820 56.500 (1.320) 54.400 56.600

Tobacco Tax 44.537 47.000 52.400 5.400 87.100 88.200

Other 42.467 45.425 40.000 (5.425) 40.000 40.000

Communications Tax 35.519 35.700 37.000 1.300 39.000 41.000

Estate & Legacy Tax 33.270 36.000 41.000 5.000 37.400 37.700

Real Estate Transfer Tax 30.192 34.000 32.500 (1.500) 33.000 33.625

Court Fines & Fees 18.914 19.500 19.000 (0.500) 19.000 19.000

Utility Tax 17.488 19.000 18.000 (1.000) 18.000 18.000

Securities Revenue 15.622 14.000 16.500 2.500 16.800 17.300

Board & Care Revenue 13.628 13.700 14.300 0.600 14.300 15.400

Beer Tax 11.113 11.250 11.100 (0.150) 11.100 11.100

Horse Racing 3.032 3.100 2.800 (0.300) 2.800 2.800

Dog Racing 2.166 2.800 2.000 (0.800) 2.000 2.000

TOTAL STATE SOURCES 727.306 771.064 794.383 23.319 838.700 874.575

(A) (B) (C) (D) (E) (F)

FY 1996 -----FY 1997----- FY 1998 FY 1999

GENERAL FUNDS: Official Committee Committee Committee

(Dollars in Millions) Actual Estimate Estimate Variance Estimate Estimate

MEDICAID ENHANCEMENTS:

Board and Care 45.620 47.409 47.409 - 25.000 25.000

Uncompensated Care Pool 79.173 59.500 49.770 (9.730) 49.770 49.770

Total Medicaid Enhancements 124.793 106.909 97.179 (9.730) 74.770 74.770

TOTAL GENERAL FUND 852.099 877.973 891.562 13.589 913.470 949.345

HHS-Third Party Reimbursements - 20.000 20.000 10.000 10.000

HIGHWAY FUNDS:

(Dollars in Millions) _____

Gasoline Road Toll 107.025 104.450 110.000 5.550 113.300 116.700

Motor Vehicle Fees 60.174 57.724 61.800 4.076 63.650 65.500

Miscellaneous 10.709 6.741 11.000 4.259 11.300 11.600

TOTAL HIGHWAY FUNDS 177.908 168.915 182.800 13.885 188.250 193.800

FISH & GAME FUNDS:

(Dollars in Millions) _____

Fish & Game Licenses 5.994 6.374 6.300 (0.074) 6.300 6.300

Miscellaneous 0.775 0.738 0.600 (0.138) 0.600 0.600

TOTAL FISH & GAME FUNDS 6.769 7.112 6.900 (0.212) 6.900 6.900

Rep. Weyler spoke in favor and yielded to questions.

Adopted.

LAI D ON THE TABLE

Rep. Kurk moved that **HR 19**, affirming unrestricted revenue estimates for fiscal years 1998 and 1999, be laid on the table.

Adopted.

CONF EREE CHANGE

HB 252, relative to posting of bylaws in advance of any town election.

Rep. Almy replaced Rep. Buckley.

RESOLUTION

Rep. Wheeler offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Tuesday, June 10, 1997 at 10:00 a.m..

Adopted.

LATE SESSION **Third reading and final passage**

SB 155, requiring the division of educational improvement, department of education, to prepare and adopt a plan for providing special education to inmates in the state prison system and county correctional facilities.

SB 172, making various changes to the workers' compensation law.

SB 203, deleting the state prison and adding county correctional facilities to the provisions relating to incarcerated educationally disabled children.

SB 207, relative to a digital signature act.

SB 79, prohibiting the sale of gift certificates containing an expiration date, relative to unclaimed and abandoned property, and relative to liens on personal property.

SB 162, relative to the acquisition of a certain piece of property in Piermont, New Hampshire and making an appropriation therefor.

SB 169, relative to a college tuition savings plan.

SB 180, relative to the maintenance, enhancement, and rehabilitation of local rural airport service and making an appropriation therefor.

SB 202, relative to the certification of teachers, high school graduation examinations and making an appropriation therefor, school building aid, and establishing a committee to study school discipline and manifest educational hardship.

SB 209, establishing a residential care pilot program and providing for the funding of such program.

SB 216, relative to pari-mutuel racing and taxes on pari-mutuel pools.

SB 93, relative to employees of employers who hire recipients of state assistance under the employment assistance program.

UNANIMOUS CONSENT

Rep. Burling addressed the House.

RECESS MOTION

Rep. Wheeler moved that the House stand in recess for the purpose of introduction of bills, enrolled bill amendments, enrolled bill reports, forming Committees of Conference and Senate Messages only.

Adopted.

The House recessed at 5:10 p.m..

RECESS
(Rep. Amanda Merrill in the Chair)
SENATE MESSAGES
CONCURRENCE

HB 142, relative to false residency forms and automobile insurance.

HB 265, repealing certain rulemaking authority of the commissioner of transportation.

HB 372, relative to age requirements for assistant election officials.

HB 413, relative to the sale or transfer of airports by the state.

HB 429, charging the advisory council on unemployment compensation with the task of studying the issue of unemployment compensation as it relates to the contingent work force and low wage workers.

HB 701, granting a municipality alternatives to accepting a tax deed to the property when the property owner is tax delinquent.

CONCURRENCE WITH AMENDMENTS

SB 105, relative to rent collection upon delinquency in payment of common expenses by condominium unit owners.

SB 155, requiring the division of educational improvement, department of education, to prepare and adopt a plan for providing special education to inmates in the state prison system and county correctional facilities.

SB 162, relative to the acquisition of a certain piece of property in Piermont, New Hampshire and making an appropriation therefor.

SB 169, relative to a college tuition savings plan.

SB 180, relative to establishing a revolving fund for loans for the maintenance, enhancement, and rehabilitation of local rural airport service.

SB 202, relative to the certification and recertification of teachers, supervisors, and administrators, high school graduation examinations, school building aid, and establishing a committee to study school discipline and manifest educational hardship.

SB 207, relative to a digital signature act.

REREFERRED

HB 183, relative to the state representative districts of towns.

**NONCONCURS WITH AMENDMENTS
REQUESTS COMMITTEE OF CONFERENCE**

SB 21, excepting persons who are 17 years old and graduated from high school from the youth employment law.

The President appointed Sens. Squires, Francoeur and Pignatelli.

Rep. McGovern moved that the House accede.

Adopted.

The Speaker appointed Reps. Daniels, Turner, Hutchinson and Clegg.

SB 163, relative to the Uniform Anatomical Gift Act.

The President appointed Sens. Gordon, Squires and Pignatelli.

Rep. Wheeler moved that the House accede.

Adopted.

The Speaker appointed Reps. Calvert, Batula, Boyce and Haettenschwiller.

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 157, requiring persons marketing small consumer loans by offering inducement checks to print a disclosure on the inducement checks.

The President appointed Sens. Fraser, Katherine Wheeler and Johnson.

HB 340, relative to the real estate commission and its licensing and bonding requirements.

The President appointed Sens. Patenaude, Roberge and John King.

HB 447, eliminating the grandfather clause for licensure of professional engineers.

The President appointed Sens. John King, Podles and Roberge.

HB 453, relative to the bank commissioner's regulation of sales finance companies and retail sellers.

The President appointed Sens. Fraser, Danais and Blaisdell.

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1-A, making appropriations for the expenses of certain departments of the state for the fiscal years ending June 30, 1998, and June 30, 1999. (Amendment printed SJ 2, 5/28/97)

Rep. Franklin Torr moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Kurk, Franklin Torr, Weyler, Dowling and Wallner. (Alternates: Reps. Wheeler, Vaughn, Alukonis and Nordgren)

HB 2-FN-A, relative to state fees, funds, revenues and expenditures. (Amendment printed SJ 21, 5/28/97)

Rep. Franklin Torr moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Kurk, Franklin Torr, Weyler, Dowling and Wallner. (Alternates: Wheeler, Vaughn, Alukonis and Nordgren)

HB 25-A, making appropriations for capital improvements and establishing a committee to study federal buildings and patients needs relative to the veterans' home. (Amendment printed SJ 21, 5/28/97)

Rep. Franklin Torr moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Gene Chandler, Calawa, Katherine Rogers and Weyler. (Alternate: Rep. Schotanus)

HB 110, relative to the use of and school district liability for the use of district computer systems and networks. (Amendment printed SJ 21, 5/28/97)

Rep. Wheeler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Belvin, Luebker, Dearborn and Snyder.

HB 289-L, authorizing annual school district meetings to be held at multiple locations. (Amendment printed SJ 18, 5/15/97)

Rep. Patten moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Durham, Marcinkowski, Larrabee and Yeaton.

HB 318, making technical changes to the provisions relating to school administrative units. (Amendment printed SJ 20, 5/22/97)

Rep. Patten moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. O'Hearn, Luebker, Hill and William Riley.

HB 352, modifying the definitions of "agriculture" and "farming" for certain purposes and adding a definition of "short rotation tree fiber farming.". (Amendment printed SJ 21, 5/28/97)

Rep. McGovern moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Davis, Philbrick, Melcher and Leishman.

HB 436-FN-L, establishing restrictions in building aid for conversions of area schools to cooperative school districts, and relative to increasing or decreasing grades in cooperative school districts. (Amendment printed SJ 19, 5/20/97)

Rep. Wheeler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. O'Hearn, Henderson, Estabrook and Nichols.

HB 478, relative to workers' compensation compliance statements and making a technical correction. (Amendment printed SJ 21, 5/28/97)

Rep. Patten moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Daniels, Guaraldi, Maxfield and Mears.

HB 564-FN-A, increasing the cigarette tax. (Amendment printed SJ 22, 5/29/97)

Rep. Franklin Torr moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Weyler, Nichols, Channing Brown and Vaughn.

HB 567, relative to administration of vital records. (Amendment printed SJ 19, 5/20/97)

Rep. Wheeler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Emerton, Chabot, Morello and Copenhaver.

HB 602-FN-A, repealing the franchise tax on electrical utilities and replacing it with a tax on electricity consumption. (Amendment printed SJ 19, 5/20/97)

Rep. Franklin Torr moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Alukonis, Nichols, Dowd and Vaughn.

HB 746-FN, relative to fees collected by the insurance department. (Amendment printed SJ 21, 5/28/97)

Rep. Wheeler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Klemm, Mary Brown, Hunt and DeStefano.

HB 781-FN, relative to lucky 7 tickets and bingo games and requiring manufacturers and distributors of bingo supplies to be licensed. (Amendment printed SJ 18, 5/15/97)

Rep. Patten moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hess, Teschner, Pantelakos and Alukonis.

HB 808, changing the optional term of the school district clerk, moderator, and treasurer. (Amendment printed SJ 21, 5/28/97)

Rep. Wheeler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Belvin, O'Hearn, Durham and Snyder.

ENROLLED BILL AMENDMENTS

HB 190, relative to interstate banking and branching.

Amendment (0012-EBA)

Amend RSA 384:60-a, II as inserted by section 1 of the bill by replacing line 4 with the following:

shall be chargeable to the out-of-state bank or out-of-state bank holding company examined and shall be

Amend RSA 384:60-b as inserted by section 1 of the bill by replacing line 3 with the following:

agencies or bank regulatory agencies of other states to examine out-of-state offices of New Hampshire

Adopted.

HB 273-FN, increasing the age that child passenger restraints are required from 12 years of age to 18 years of age.

Amendment (0014-EBA)

Amend RSA 265:107-a, VI as inserted by section 4 of the bill by replacing line 4 with the following:

section if the seat belt violation is for a person under 12 years of age.

Adopted.

HB 404, establishing a committee to study providing universal catastrophic health coverage by establishing a statewide catastrophic risk pool.

Amendment (0013-EBA)

Amend line 1 of section 4 of the bill by replacing it with the following:

4 Meeting; Quorum. The first meeting of the study committee shall be called by the first-

Adopted.

HB 448, relative to the trust fund for the prevention of child abuse and neglect.

Amendment (0020-EBA)

Amend section 5 of the bill by replacing line 1 with the following:

5 Board Membership Revised. Amend the section heading of RSA 169-C:39-d and RSA 169C:39-

Amend section 7 of the bill by replacing line 3 with the following:

V. A grantee shall meet the criteria established for the fund for purposes of the evaluation

Adopted.

HB 662, revising the laws relative to the use of dealer plates.

Amendment (0009-EBA)

Amend paragraph I of section 22 of the bill by replacing it with the following:

I. Sections 2-4, 6, 10-14, 17, and 20-22 of this act shall take effect upon its passage.

Adopted.

HB 667, relative to confidentiality issues concerning the exchange of information between the departments of revenue administration and employment security and relative to payment of employer contributions.

Amendment (0011-EBA)

Amend RSA 282-A:166, I(g) as inserted by section 4 of the bill by replacing lines 3-5 with the following:

~~each such violation shall constitute a separate and distinct offense]~~ ***an offense as provided in paragraph II.***

Amend RSA 282-A:166-a as inserted by section 5 of the bill by replacing line 5 with the following:

other [~~paragraphs~~] ***subparagraphs*** of RSA 282-A:166, ***I***, a penalty of not less than \$100 nor more than \$500 may be

Adopted.

HB 771-FN-L, relative to hazardous waste operator permit application costs, adding an exemption to the hazardous waste cleanup fund fee, increasing grant awards made pursuant to the used oil collection center program, and relative to the automotive oil fee.

Amendment (0021-EBA)

Amend the bill by replacing section 2 with the following:

2 Exemption From Fees Added. Amend RSA 147-B:9, II and III to read as follows:

II. Bottom boiler ash and flyash from incinerators which process solely municipal waste, as defined in rules adopted by the commissioner; ~~and~~

III. Hazardous wastes which are recycled and exempt from the fee under RSA 147-B:8, II[.]; **and**

IV. Wastes resulting from the remediation of environmentally contaminated properties by persons who meet one of the following eligibility criteria:

(a) The person is not liable under RSA 147-B for any release or threatened release of a contaminant or contaminants at the property and is either:

(1) A prospective purchaser of environmentally contaminated property, or

(2) A person who holds a mortgage interest or other security interest in environmentally contaminated property, including a municipality with respect to property on which there are overdue real estate taxes due to the municipality.

(b) The person is a current owner of environmentally contaminated property, whose liability under RSA 147-B is based solely on the person's status as owner, who did not generate the hazardous waste which constitutes the contamination on the property, and who has not operated, managed, or controlled, either directly or indirectly, the hazardous waste facility on the property.

Amend RSA 147-B:12, I as inserted by section 4 of the bill by replacing line 4 with the following:

147-A:11-b The department of environmental services may waive all or any portion of penalties or interest for good cause. All

Adopted.

HB 744-FN, relative to administrative fines for violations of safety regulations regarding water pollution and waste disposal, authorizing the attorney general to enjoin any youth camp, public swimming pool, or spa operating without approval, and relative to the legal status of local river management advisory committees.

Amendment (0018-EBA)

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

AN ACT relative to administrative fines for violations of safety regulations regarding water pollution and waste disposal, authorizing the attorney general to enjoin any youth camp, public swimming pool, or spa operating without approval and authorizing the taking of water samples to determine their compliance with water quality requirements, and relative to the legal status of local river management advisory committees.

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 140, 277, 296, 315, 425, 539, 571, 598 and 650 and Senate Bill numbered 31.

Rep. Amidon for the Committee

RECESS

(Speaker Sytek in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 50-FN-A-L, increasing aid for kindergarten programs, and establishing a program for the construction of public kindergarten programs, and establishing a program for the construction of public kindergarten facilities and making an appropriation therefor. (Amendment printed SJ 19, 5/20/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Lozeau, Belvin, Dowd and Burling.

HB 130, clarifying the authority of county commissioners to arrange for work by prisoners. (Amendment printed SJ 21, 5/28/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Christie, David Welch, Mikowski and Knowles.

HB 197-FN, relative to the regulation of wetland scientists. (Amendment printed SJ 19, 5/20/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Dyer, Klemm, Dickinson and Dunn.

HB 417, relative to ballot certification for political parties and choosing certain party candidates by caucus or convention. (Amendment printed SJ 21, 5/28/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Arndt, Langley, Root and Almy.

HB 431, relative to the appointment of attorneys and guardians ad litem, and eliminating certain de novo hearings under certain laws related to child protection. (Amendment printed SJ 20, 5/22/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. John McCarthy, Kevin Smith, Letendre and Wall.

HB 527, classifying smoke bombs as permissible fireworks. (Amendment printed SJ 21, 5/28/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hunter, Mikowski, David Welch and Micklon.

HB 554, relative to damages in suits brought by administrators of an estate. (Amendment printed SJ 20, 5/22/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Clay, Woods, Bickford and Irene Pratt.

HB 566-FN-A-L, relative to the applicability of the property tax to electric plants and pipelines. (Amendment printed SJ 19, 5/20/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Teschner, Eaton, Carney and Burney.

HB 582-FN, relative to medicaid rate setting. (Amendment printed SJ 19, 5/20/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Amidon, Emerton, Thulander and Copenhaver.

HB 632, abolishing the water well board and transferring its authority to the department of environmental services. (Amendment printed SJ 21, 5/28/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Mercer, Dyer, Langer and Gile.

HB 688-FN-A, establishing a committee to study all investigations of the late John C. Fairbanks and other members of the legal profession. (Amendment printed SJ 19, 5/20/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Jacobson, Mirski, Keans and Wall.

HB 711, relative to post-termination commissions. (Amendment printed SJ 20, 5/22/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Woods, Mirski, Bickford and Wall.

HB 723-FN-A, establishing a New Hampshire health access corporation, continually appropriating a special fund, and allowing the health kids corporation to cover adults. (Amendment printed SJ 19, 5/20/97)

Rep. Merrill moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Robert Foster, Calvert, Ann Torr and French.

HB 773-FN, relative to intentional interference with child custody and visitation.. (Amendment printed SJ 19, 5/20/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Woods, Letendre, Clay and Richardson.

HB 811, legalizing, ratifying, and confirming actions, votes, and proceedings of the annual meetings of the North Walpole village district and the town of Bartlett. (Amendment printed SJ 21, 5/28/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Metzger, McGuirk, Patten and Anderson.

HJR 1, urging the preservation and continued development of community services to people with developmental disabilities and their families. (Amendment printed SJ 20, 5/22/97)

Rep. Lozeau moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Robert Foster, Case, Dowling and Donovan.

**NONCONCURS WITH AMENDMENTS
REQUESTS COMMITTEE OF CONFERENCE**

SB 18, relative to the sale of certain items at flea markets.

The President appointed Sens. Patenaude, McCarley and Roberge.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Hunt, Herman, Crosby and Francoeur.

SB 35, including "accessibility life" within the definition of "elevator".

The President appointed Sens. John King, Roberge and Rubens.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Emerton, Guthrie, O'Keefe and Perkins.

SB 36, relative to incarcerated convicted persons receiving workers' compensation payments.

The President appointed Sens. Danaïs, Francoeur and Katherine Wheeler.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Daniels, Murch, McNamara and Donald Welch.

SB 122, establishing a commission to examine the effects of the managed care industry on those belonging to the disabled and the mental health communities.

The President appointed Sens. Squires, Francoeur and Hollingworth.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Hunt, Fuller Clark, Carson and Herman.

SB 149, prohibiting state agencies managing federal programs from exceeding their statutory authority in placing restrictions on activities of the private sector.

The President appointed Sens. Podles, Frederick King and Larsen.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Mercer, Dickinson, Pilliod and Drabinowicz.

SB 154, relative to charter schools.

The President appointed Sens. Rubens, Johnson and John King.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Belvin, Weber, Dearborn and Champagne.

SB 159-FN, establishing a committee to study increased public access to data concerning physicians and surgeons certified or registered under RSA 330-A..

The President appointed Sens. Squires, Katherine Wheeler and Podles.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Ferguson, Amidon, Manning and O'Keefe.

SB 182-FN, relative to the administration, operation, and maintenance of the New Hampshire state veterans cemetery.

The President appointed Sens. Barnes, Blaisdell and Fraser.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Gene Chandler, Calawa, Klemm and Katherine Rogers.

SB 183-FN, relative to liquor licenses for sports/entertainment complex.

The President appointed Sens. Frederick King, Danais and Blaisdell.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Hess, Robert Kelley, Linda Foster and Klemm.

SB 194, relative to the age of child day care providers homes, and allowing school districts to transport school-age children between schools and before-and-after-school programs.

The President appointed Sens. David Wheeler, Squires and McCarley.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Woods, Kevin Smith, Clay and Marjorie Smith.

SB 203, adding county correctional facilities and making other technical changes to the provisions relating to incarcerated educationally disabled children.

The President appointed Sens. Gordon, Frederick King and Larsen.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Durham, O'Hearn, Holbrook and William Riley.

RECESS
(Rep. Gene Chandler in the Chair)
SENATE MESSAGES
NONCONCURS WITH AMENDMENTS
REQUESTS COMMITTEE OF CONFERENCE

SB 40, relative to the payment of wages by employers.

The President appointed Sens. Francoeur, Roberge and Larsen.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Daniels, Clegg, Hutchinson and Turner.

SB 79, prohibiting the sale of gift certificates containing an expiration date, relative to unclaimed and abandoned property, and relative to liens on personal property.

The President appointed Sens. John King, Rubens and Francoeur.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Hunt, Herman, Klemm and Russell.

SB 94-L, relative to the financing of the New Hampshire civic center.

The President appointed Sens. Barnes, Blaisdell and Johnson.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Hunt, Reardon, Carson and Herman.

SB 172, making various changes to the workers' compensation law.

The President appointed Sens. Danaïs, Francoeur and Blaisdell.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Daniels, Murch, Clegg and Jane Kelley.

SB 209, establishing a residential care pilot program and providing for the funding of such program.

The President appointed Sens. David Wheeler, Frederick King and McCarley.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Emerton, Batula, Allen and Thulander.

SB 216, relative to pari-mutuel racing and taxes on pari-mutuel pools.

The President appointed Sens. Frederick King, Blaisdell and Danaïs.

Rep. Lozeau moved that the House accede.

Adopted.

The Speaker appointed Reps. Hess, Kurk, Teschner and Vaughn.

RECESS
(Speaker Sytek in the Chair)
ENROLLED BILL AMENDMENT

HB 186-FN, relative to fees for number plates and reducing the amount of the inventory fund in the department of safety.

Amendment (0022-EBA)

Amend section 1 of the bill by replacing line 1 with the following:

1 Fee Increased; Inventory Fund Reduced. Amend RSA 228:25, I to read as follows:

Adopted.

SENATE MESSAGES
ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 1-A, making appropriations for the expenses of certain departments of the state for the fiscal years ending June 30, 1998, and June 30, 1999..

The President appointed Sens. Blaisdell, Frederick King and Fraser. (Alternates: Sens. Barnes, Danais, Hollingworth and Delahunty)

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures.

The President appointed Sens. Frederick King, Blaisdell and Fraser. (Alternates: Sens. Barnes, Danais, Hollingworth and Delahunty)

HB 25-A, making appropriations for capital improvements and establishing a committee to study federal buildings and patients needs relative to the veterans' home.

The President appointed Sens. Gordon, Squires and John King.

HB 50-FN-A-L, increasing aid for kindergarten programs, and establishing a program for the construction of public kindergarten facilities and making an appropriation.

The President appointed Sens. Rubens, Gordon and Larsen.

HB 110, relative to the use of and school district liability for the use of district computer systems and networks.

The President appointed Sens. Francoeur, Johnson and John King.

HB 130, clarifying the authority of county commissioners to arrange for work by prisoners.

The President appointed Sens. David Wheeler, Podles and Whipple.

HB 197-FN, relative to the regulation of wetland scientists.

The President appointed Sens. John King, Russman and Roberge.

HB 201-L, allowing municipalities to apply the amount of a property tax abatement refund to outstanding taxes owed by the taxpayer.

The President appointed Sens. Roberge, McCarley and Patenaude.

HB 203, relative to driving after a revocation or suspension of license.

The President appointed Sens. Pignatelli, Roberge and Squires.

HB 289-L, authorizing annual school district meetings to be held at multiple locations.

The President appointed Sens. Rubens, Francoeur and Whipple.

HB 318, making technical changes to the provisions relating to school administrative units.

The President appointed Sens. Rubens, Francoeur and McCarley.

HB 344-L, relative to planning board procedures on plats.

The President appointed Sens. Patenaude, Francoeur and McCarley.

HB 352, modifying the definitions of "agriculture" and "farming" for certain purposes and adding a definition of "short rotation tree fiber farming."

The President appointed Sens. Patenaude, Danais and Cohen.

HB 417, relative to ballot certification for political parties and choosing certain party candidates by caucus or convention.

The President appointed Sens. Roberge, Patenaude, and Katherine Wheeler.

HB 430, relative to registration of political committees and to political expenditures and contributions.

The President appointed Sens. Roberge, Patenaude and Katherine Wheeler.

HB 431, relative to the appointment of attorneys and guardians ad litem, and eliminating certain de novo hearings under certain laws related to child protection.

The President appointed Sens. Gordon, Podles and Cohen.

HB 436-FN-L, establishing restrictions in building aid for conversions of area schools to cooperative school districts, and relative to increasing or decreasing grades in cooperative school districts.

The President appointed Sens. Gordon, Johnson and McCarley.

HB 462-FN, requiring the department of safety to inform persons under 21 years of age of the DWI laws.

The President appointed Sens. Pignatelli, Barnes and Roberge.

HB 478, relative to workers' compensation compliance statements and making a technical correction.

The President appointed Sens. Danais, Francoeur and Katherine Wheeler.

HB 502-L, placing limitations on warrant articles at special meetings.

The President appointed Sens. Roberge, Whipple and Rubens.

HB 527, classifying smoke bombs as permissible fireworks.

The President appointed Sens. Whipple, Patenaude and Roberge.

HB 534, establishing a committee to study the New Hampshire highway and bridge infrastructure.

The President appointed Sens. Russman, Whipple and Patenaude.

HB 554, relative to damages in suits brought by administrators of an estate.

The President appointed Sens. Podles, Cohen and Squires.

HB 564-FN-A, increasing the cigarette tax.

The President appointed Sens. Johnson, Pignatelli and Barnes.

HB 566-FN-A-L, relative to the applicability of the property tax to electric plants and pipelines.

The President appointed Sens. Frederick King, Hollingworth and Rubens.

HB 567-FN-L, relative to administration of vital records.

The President appointed Sens. Gordon, Francoeur and Larsen.

HB 582-FN, relative to medicaid rate setting.

The President appointed Sens. Fraser, Squires and Hollingworth.

HB 602-FN-A, repealing the franchise tax on electrical utilities and replacing it with a tax on electricity consumption.

The President appointed Sens. Frederick King, Rubens and Blaisdell.

HB 632-L, abolishing the water well board and transferring its authority to the department of environmental services.

The President appointed Sens. Larsen, Francoeur and Podles.

HB 688-FN-A, establishing a committee to study all investigations of the late John C. Fairbanks and other members of the legal profession.

The President appointed Sens. Francoeur, Roberge and Pignatelli.

HB 711, relative to post-termination commissions.

The President appointed Sens. Gordon, Squires and Pignatelli.

HB 723-FN-A, establishing a New Hampshire health access corporation, continually appropriating a special fund, and allowing the healthy kids corporation to cover adults.

The President appointed Sens. Squires, Danais and McCarley.

HB 735-FN, adding certain conduct to that which constitutes aggravated felonious sexual assault and felonious sexual assault.

The President appointed Sens. Squires, Gordon and Cohen.

HB 746-FN, relative to fees collected by the insurance department.

The President appointed Sens. Danaïs, Fraser and Blaisdell.

HB 773-FN, relative to intentional interference with child custody and visitation.

The President appointed Sens. David Wheeler, Podles and Larsen.

HB 781-FN, relative to lucky 7 tickets and bingo games and requiring manufacturers and distributors of bingo supplies to be licensed.

The President appointed Sens. Frederick King, Blaisdell and Johnson.

HB 806-FN-L, relative to the business finance authority.

The President appointed Sens. Rubens, John King and Patenaude.

HB 808, changing the optional term of the school district clerk, moderator, and treasurer.

The President appointed Sens. Roberge, Rubens and Whipple.

HB 811, legalizing, ratifying, and confirming actions, votes, and proceedings of the annual meetings of the North Walpole village district and the town of Bartlett.

The President appointed Sens. Johnson, Whipple and Roberge.

HJR 1, urging the preservation and continued development of community services to people with developmental disabilities and their families.

The President appointed Sens. David Wheeler, Podles and Larsen.

RECESS
(Rep. David Welch in the Chair)
ENROLLED BILL AMENDMENTS

SB 5, relative to deposits and investments by trustees of town trust funds in credit unions and in mutual funds. (Amendment printed SJ 22, 5/29/97)

Adopted.

SB 41, relative to the time for filing requests for a hearing with the department of labor concerning violations of the whistleblower protection act. (Amendment printed SJ 22, 5/29/97)

Adopted.

RECESS
(Rep. Lozeau in the Chair)
ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 52, 129, 151, 210, 224, 226, 230, 421, 424, 445, 483, 596, 672, 695, 722, 770 and HJR 2 and Senate Bills numbered 17, 38, 49, 60, 72, 75, 98, 115, 129, 138, 176, 212 and SJR 2.

Rep. Nowe the Committee

CONFEREE CHANGES

HB 344-L, relative to planning board procedures on plats.

Rep. Fesh replaced Rep. Rice

HB 723, establishing a New Hampshire health access corporation, continually appropriating a special fund, and allowing the health kids corporation to cover adults.

Rep. Franklin Torr replaced Rep. Ann Torr.

RECESS (Rep. Dyer in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 121 and 488 and Senate Bills numbered 47, 104 and 139.

Rep. Nowe, Sen. Barnes for the Committee

RECESS (Rep. Franks in the Chair) ENROLLED BILL AMENDMENTS

HB 261, recodifying the insurance laws pertaining to hospital service corporations, medical service corporations, and nonprofit health service corporations (Blue Cross/Blue Shield)

Amendment (0028-EBA)

Amend RSA 420-A:5, II as inserted by section 1 of the bill by replacing lines 2 and 3 with the following:

described in subparagraph I(a) shall exceed the combined total of the number of directors described in subparagraphs I(b) and (c) and this paragraph.

Amend RSA 415:22, I as inserted by section 8 of the bill by replacing line 5 with the following:

insured or subscriber or a newly born child of a dependent child of the insured or subscriber from the moment of birth.

Adopted.

HB 370, updating and making technical corrections in certain banking laws.

Amendment (0025-EBA)

Amend RSA 386-B:2-a, III as inserted by section 12 of the bill by replacing line 2 with the following:

accordance with the procedure of RSA 388. As part of the merger, the proprietary interests of the

Adopted.

HB 658-FN-A, ensuring that the division of safety services, department of safety receives its ½ share of unrefunded tolls for boat motor fuels as required by law, and establishing a special fund therefor

Amendment (0026-EBA)

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

4 Authorization for Contingent Renumbering. If any other act of the 1997 regular session of the general court which contains an amendment to RSA 6:12, I which inserts any new subparagraph into paragraph I of such section becomes law, the director of legislative services is authorized to make any technical changes to the numbering in any RSA sections inserted by this or any other act as necessary to conform said sections to proper RSA format. The authority granted under this section shall not include the power to make any substantive changes and shall expire upon printing of the 1997 session laws.

5 Effective Date. This act shall take effect July 1, 1997.

Adopted.

CONFEREE CHANGES

HB 502, placing limitations on warrant articles at special meetings.

Rep. Metzger replaced Rep. Lockwood. Rep. Fraser replaced Rep. McGuirk.

SB 109, relative to the official ballot voting option.

Rep. Metzger replaced Rep. Lockwood. Rep. Fraser replaced Rep. McGuirk.

HB 746, relative to fees collected by the insurance department.

Rep. Holbrook replaced Rep. Mary Brown.

HB 806, relative to the business finance authority.

Rep. Mercer replaced Rep. Carson.

SB 18, relative to the sale of certain items at flea markets.

Rep. Tara Reardon replaced Rep. Crosby.

SB 36, relative to incarcerated convicted persons receiving workers' compensation payments.

Rep. Turner replaced Rep. Murch.

SB 172, making various changes to the workers' compensation law.

Rep. Turner replaced Rep. Murch.

HB 1, making appropriations for the expenses of certain departments of the state for the fiscal years ending June 30, 1998, and June 30, 1999.

Rep. Alukonis replaced Rep. Wallner.

HB 2, relative to state fees, funds, revenues, and expenditures.

Rep. Alukonis replaced Rep. Wallner.

RECESS
BILLS SIGNED BY THE GOVERNOR

Chap. 71, **HB 415**, establishing a nighttime speed limit for OHRVs traveling on the frozen surface of Back Lake in the town of Pittsburg. Eff. 7/20/97

Chap. 72, **HB 737**, establishing a committee to study the New Hampshire retirement system relative to redefining earnable compensation. Eff. 5/21/97

Chap. 73, **HB 809**, establishing a committee to study the feasibility of bringing the New England Patriots to New Hampshire. Eff. 7/20/97

Chap. 74, **HB 810**, appropriating certain funds from the highway surplus account to the department of transportation. Eff. 5/21/97

Chap. 75, **HJR 4**, urging the United States Congress and the Federal Energy Regulatory Commission to cooperate with state plans to restructure the electric utility industry. Eff. 5/21/97

Chap. 76, **SB 164**, establishing a committee to study the establishment of a registry for intellectual property. Eff. 5/21/97

Chap. 77, **HB 102**, relative to school employee background investigations. Eff. 8/2/97

Chap. 78, **HB 208**, relative to the status of roads laid out by the courts of common please or the county commissioners. Eff. 8/2/97

Chap. 79, **HB 249**, clarifying the authority of local police officers to serve cease and desist orders against planing and zoning violations. Eff. 1/1/98

Chap. 80, **HB 257**, offering priority to qualified veterans for participation in training programs funded by the state or federal government. Eff. 8/2/97

Chap. 81, **HB 264**, relative to technical committees advising the director of the office of information technology management on technical issues. Eff. 8/2/97

Chap. 82, **HB 269**, relative to the compensation of sweepstakes commissioners who are members of a multi-state lottery commission. Eff. 8/2/97

Chap. 83, **HB 285**, relative to the official name of the "Old Man of the Mountain." Eff. 8/2/97

Chap. 84, **HB 341**, relative to the payment of recording fees for mortgage discharges and relative to notification of the discharge to the payor of the final payment in satisfaction of the mortgage. Eff. 1/1/98

Chap. 85, **HB 348**, allowing the state fire marshal to investigate a building collapse or release of carbon monoxide. Eff. 8/2/97

Chap. 86, **HB 368**, establishing the honorary position of artist laureate of the state of New Hampshire. Eff. 8/2/97.

Chap. 87, **HB 399**, changing the name of the optional property tax exemption for the totally and permanently disabled. Eff. 8/2/97

Chap. 88, **HB 402**, relative to the use of revenues of the fish and game department. Eff. 8/2/97

Chap. 89, **HB 501**, including blindness in the special education provisions, and allowing attorneys to act as neutrals in special education dispute resolution. Eff. 8/2/97

Chap. 90, **HB 624**, subjecting certain payments made to public employees upon resignation, discharge, or retirement to the right-to-know law. Eff. 8/2/97

Chap. 91, **HB 652**, establishing a house committee to study certification of police and fire dispatchers. Eff. 8/2/97

Chap. 92, **HB 653**, relative to address numbers on streets and highways and relative to penalties for violations of certain planning and zoning laws. Eff. 1/1/98

Chap. 93, **HB 671**, establishing a committee to study the organization, structure, and administration of the department of fish and game, and making an appropriation therefor. Eff. 6/3/97

Chap. 94, **HB 687**, establishing an Alan B. Shepard park commission. Eff. Sec. 5, 7/1/2000; remainder 8/2/97

Chap. 95, **HB 714**, deleting certain duties of the secretary of state relative to the state treasurer's insurance bond and accounts of bonds issued by the state treasurer. Eff. 8/2/97

Chap. 96, **HB 797**, requiring emergency vehicles to stop for school buses, and requiring the use of both audible and visual emergency signals, in certain circumstances. Eff. 1/1/98

Chap. 97, **HB 805**, relative to homestead rights and revocable trusts. Eff. 1/1/98

Chap. 98, **HJR 5**, urging the United States Congress and the United States Environmental Protection Agency to make certain changes in the Clean Air Act which would result in more cost effective air pollutant emission reductions. Eff. 6/3/97

Chap. 99, **SB 34**, repealing laws relative to abortion. Eff. 1/1/98

Chap. 100, **SB 85**, making technical changes in laws relative to the probate courts. Eff. 1/1/98

Chap. 101, **HB 171**, repealing the citizens advisory committee which advises the pesticide control board. Eff. w/o sig. 8/3/97