

HOUSE RECORD

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Wednesday, June 10, 1998

No. 57

HOUSE JOURNAL No. 16 (cont.)

Thursday, June 4, 1998

(Rep. Royce in the Chair)

ENROLLED BILL AMENDMENTS

HB 1114, relative to registration procedures for the use of antique plates.

Amendment (1927-EBA)

Amend section 1 of the bill by replacing lines 1-4 with the following:

1 Antique Motor Vehicle, Motorcycle, or Trailer Plates. Amend RSA 261:89-a to read as follows:

261:89-a Antique Motor [~~Car~~] ***Vehicle, Motorcycle, or Trailer*** Plates.

I. The director may permit the owner of an antique motor [~~car~~] ***vehicle or motorcycle***, as defined in RSA259:4, ***or trailer, as defined in paragraph II of this section***, to use a registration

Adopted.

HB 1209, revising the interagency agreement for special education

Amendment (2009-EBA)

Amend subparagraph II(e) of section 2 of the bill by replacing it with the following:

(e) The administration of the medicaid reimbursement program.

Adopted.

HB 1320, amending provisions of the advisory committee on the education of students with disabilities.

Amendment (1879-EBA)

Amend RSA 186-C:3-b, I as inserted by section 1 of the bill by replacing line 1 with the following:

I. In accordance with the provisions of 20 U.S.C. section 1413(a)(12) and 34 C.F.R. sections 300.650-300.653, there is

Amend RSA 186-C:3-b, I as inserted by section 1 of the bill by replacing line 6 with the following:

their impact on the programs and delivery of services to children/students with disabilities.

Amend RSA 186-C:3-b, II(c) as inserted by section 1 of the bill by replacing line 2 with the following:

with the provision of transition services to children/students with disabilities, appointed by the

Amend RSA 186-C:3-b, IV(d) as inserted by section 1 of the bill by replacing line 3 with the following:

Individuals with Disabilities Education Act.

Adopted.

HB 1328-FN, extending the exemption period for motor vehicle titles and relative to penalties and bond requirements imposed on certain motor vehicle dealers, transporters, and repairers.

Amendment (1938-EBA)

Amend section 7 of the bill by replacing line 1 with the following:

7 Bond Required by Auto Dealer. Amend RSA 261:100, I to read as follows:

Amend section 9 of the bill by replacing line 2 with the following:

Commissioner. Amend RSA 261:177, I by inserting after subparagraph (b) the following new

Adopted.

HB 1456, relative to the budget making process.

Amendment (1962-EBA)

Amend the bill by replacing section 4 with the following:

4 PAU Format. RSA 9:8-a is repealed and reenacted to read as follows:

9:8-a Program Appropriation Unit Format.

I. All budgets provided for by this subdivision shall be in program appropriation unit format. For expository purposes, the budget may be presented as a summarized 3 class line document consisting of personnel services, operating expenses, and other expenses; provided, however, that the final budget as passed and the warrants issued by the commissioner of administrative services shall be classified into the following classes as appropriate: personnel services, current expense, equipment, other personnel services, benefits, travel in-state, travel out-of-state, individual and departmental dues to national and regional organizations, and other expenditures.

II. Performance budgeted agencies and programs shall be exempt from the requirements in paragraph I. The budget of a performance budget agency or program shall be presented as one line item for each program objective. In this section, performance budget agency and program means an agency, PAU, or program specified in the budget for the subsequent biennium on the basis of identified goals, objectives, and verifiable outcome measures.

Adopted.

HJR 24-FN, supporting the initiative to re-elm U.S. Route 1 and urging the department of transportation, the office of state planning, and affected local communities, businesses, residents, and conservation groups to join in and cooperate with voluntary efforts to once again line U.S. Route 1 with elm trees.

Amendment (1941-EBA)

Amend the fourth paragraph of the resolution by replacing line 2 with the following:

the twin goals of prolonging the lives of the remaining elm trees and perpetuating the species by

Amend the sixth paragraph of the resolution by replacing line 3 with the following:

oldest highways and is rightfully known as "Main Street America", and was once graced with a canopy of

Amend the seventh paragraph of the resolution by replacing line 2 with the following:

cooperation and partnership of conservation and civic groups, business and residential landowners,

Adopted.

SB 377, authorizing the organization of merchant banks to provide equity financing and related services to small businesses. (Amendment printed SJ 19, 6/10/98)

Adopted.

SB 471-FN, creating the presumption that a juvenile charged with a driving while intoxicated felony offense, shall be certifiable as an adult. (Amendment printed SJ 19, 6/10/98)

Adopted.

SB 495, relative to the university system study committee. (Amendment printed SJ 19, 6/10/98)

Adopted.

RECESS

(Rep. Boutin in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1113, 1121, 1182, 1221, 1238, 1245, 1298, 1312, 1347, 1361, 1447, 1493, 1513, 1539 and 1543 and Senate Bills numbered 140, 321, 341, 391, 415 and 507.

Rep. Nowe, Sen. Barnes for the Committee

(Speaker Sytek in the Chair)

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 17

Wednesday, June 10, 1998

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.

Most merciful God, we give You thanks for the warmth and beauty of this day and for the vitality of Your Spirit which gives us new life and hope. In hours of intense activity and through long periods of waiting inspire us with Your grace, sustain us with Your patience and empower us with Your strength that we might live as people for whom nothing matters but the doing of Your will, in Your way, for Your world. Amen.

Reps. Hart and Root led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Julie Brown, Carson, Case, Doucette, Flint, Robert Foster, Healy, Heon, Golden, Noyes, O'Rourke, Palmer, Sabella, Paul Taylor and Wallner, the day, illness.

Reps. Battles-Pierce, Belvin, Brundige, Callaghan, Cegelis, Connolly, Dearborn, Fesh, Joseph Foster, Frechette, Fuller Clark, Gile, Haettenschwiller, Hansen, Lionel Johnson, Robert Kelley, Laflam, Langer, Leishman, Lovejoy, Lynde, MacNeil, Marcinkowski, William McCarthy, Morris, Moynihan, O'Connell, Marsha Pelletier, Salatiello, Simmons, Steere and Vogl, the day, important business.

Reps. Adams, Alukonis, Bickford, Coes, Irene Pratt and Rice, the day, illness in the family.

INTRODUCTION OF GUESTS

Hobie Harmon and Joan Plimpton, guests of Rep. Root. Major James MacFarlane, guest of Rep. Hemon. Judy Pilliod and Mary Enard, wife and sister of Rep. Pilliod.

COMMUNICATIONS

May 26, 1998

Donna Sytek, Speaker

It is with mixed emotions that I submit to you my resignation from the House of Representatives, effective June 17, 1998.

When I retired from thirty years of service to my country in the United States Air Force, my wife and I decided that for ten years we would return to New Hampshire in order to allow me to pursue my passion for political activism. After that we agreed we would seek a warmer climate and the company of many former military friends in the hill country north of San Antonio, Texas. That time has now come.

I leave with a sense of having done my duty, and of having held fast to my convictions. I know that there are things that I would have liked to have done, but time and circumstances did now allow it. I leave them to others and to the future.

Rest assured that I will stay involved. I have already asked Rep. Charlie Bass to introduce me to Rep. Lamar Smith, his colleague on the House Budget Committee and the Congressman representing the district in which I will reside. Likewise, I will continue my active membership on the board of directors of the Education Leaders Council, the new reform-minded national group that I was privileged to help establish three years ago. Service to my community, state and nation is part of my very nature. I cannot let it go.

I have and will continue to hold a very special place in my heart for the great state of New Hampshire, its people and this House. It has been an honor and privilege to serve them all.

John M. Root, Graf. 8

The Speaker accepted the resignation with regret.

June 5, 1998

Donna Sytek, Speaker of the House

By this letter, I write to inform you that I will resign my seat representing Merrimack County District 22 in the New Hampshire House of Representatives, effective at noon on Friday, June 12, 1998.

This action is necessitated by the fact that I will be sworn in as a member of the Merrimack County Commission at 1:00 p.m. on that same date.

I look forward to the many challenges ahead, and will remember my service in the House with great fondness.

Thank you for your attention to this correspondence.

Katherine D. Rogers, Merr. 22

The Speaker accepted the resignation with regret.

SENATE MESSAGES

CONCURRENCE

HB 272, relative to boat docking facilities.

HB 747-FN-A, establishing a wildlife habitat stamp or license for persons engaged in taking wild animals or birds and continually appropriating the funds for wildlife habitats.

HB 1106-FN, relative to special deer permits.

HB 1331-FN, relative to granting special hunting and fishing licenses to persons aged 68 or over for trapping.

HB 1600, relative to the multiple DWI offender intervention detention center program.

NONCONCURRENCE

HB 1283, establishing a 4-year term for the commissioner of the department of corrections.

HB 1304-FN, relative to the qualifications and compensation of division directors of the department of environmental services.

CONCURRENCE WITH AMENDMENTS

SB 10, relative to funds for prearranged funerals or burial plans.

SB 53-FN, relative to payment by the retirement system of certain medical benefits for group II members and for certain permanent firemen on disability retirement.

SB 68-FN-L, providing health care coverage for the spouse and dependents of any group I or group II retirement system member who is killed in the line of duty.

SB 191, relative to mental health providers.

SB 313, requiring compliance with the Military Selective Service Act as a condition to receiving certain state education and employment benefits, and clarifying the procedure for making Persian Gulf War service bonus payments.

SB 316, establishing a committee to study participation in driver training programs for older drivers.

SB 317, relative to the time for consideration of applications to planning boards.

SB 335-L, relative to polling hours in towns.

SB 336, relative to small group and individual insurance.

SB 349, enabling a town or school district moderator to postpone the deliberative session or voting day of a meeting because of a weather emergency.

SB 354, requiring insurance coverage for hospitalization and anesthesia for dental procedures for certain patients.

SB 358-L, relative to the term physician in health care provider contracts.

SB 362, relative to classification of certain department of corrections personnel in the retirement system.

SB 370-L, establishing an international trade corridor and border crossing planning and development advisory committee.

SB 372, relative to forms and rates for large scale commercial insurance policies.

SB 376, relative to animal cruelty.

SB 402, codifying the pet overpopulation committee.

SB 444-FN, requiring the New Hampshire real estate commission to notify licensees of proposed rules changes, changes in adopted rules, and changes in New Hampshire law.

SB 445, relative to penalties for personal use of walking disabled motor vehicle plates or placards by persons not issued the plates or placards.

SB 465-FN, relative to the disposition of firearms which are voluntarily surrendered to the state and relative to appeals from a denial, suspension, or revocation of a license to carry a loaded pistol or revolver.

SB 472-FN-L, relative to filing security interests under the Uniform Commercial Code.

SB 497, relative to disbursement of tobacco-related funds received by the state.

SB 498, clarifying the definition of "right of custody" with respect to the crime of interference with custody.

ACCEDES TO REQUESTS FOR COMMITTEES OF CONFERENCE

HB 1123, relative to the control of wolf hybrids.

The President appointed Sens. Roberge, Katherine Wheeler and Danais.

HB 1234-FN, establishing an office of volunteerism.

The President appointed Sens. Barnes, Roberge and Whipple.

HB 1339-FN, regulating the sale by mail of liquor, wine, and beer.

The President appointed Sens. Blaisdell, Danais and Frederick King.

HB 1384-FN-A, making an appropriation for use by the New Hampshire Commission on the Smithsonian Festival of American Folklife.

The President appointed Sens. Barnes, Danais and Hollingworth.

HB 1501, relative to amending certain provisions of the charter school law.

The President appointed Sens. Rubens, Francoeur and Whipple.

HB 1514-FN, setting the biennial rate for the medicaid enhancement tax.

The President appointed Sens. Blaisdell, Frederick King and Fraser.

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 555, exempting an individual's pensions and individual retirement accounts from bankruptcy attachment. (Amendment printed SJ 18, 6/4/98)

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

Adopted.

The Speaker appointed Reps. Keans, Letendre, Moynihan and Mirski.

HB 583-FN-L, relative to felonious disarming of a law enforcement officer. (Amendment printed SJ 18, 6/4/98)

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

Adopted.

The Speaker appointed Reps. Hunter, David Welch, Lyman and Knowles.

HB 630-FN-L, relative to additional voluntary contributions to provide for early retirement by members of the retirement system. (Amendment printed SJ 17, 5/28/98)

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

Adopted.

The Speaker appointed Reps. Dyer, Langer, Robertson and Mary Brown.

HB 676-FN-L, relative to distribution of proceeds from the sale of tax-deeded property and repurchase of tax-deeded property by a former owner. (Amendment printed SJ 17, 5/28/98)

Rep. Metzger moved that the House concur.

Adopted.

HB 730-FN, relative to aggravated felonious sexual assault. (Amendment printed SJ 17, 6/4/98)

Rep. David Welch moved that the House concur.

Adopted.

HB 798, relative to the regulation of health clubs. (Amendment printed SJ 17, 5/28/98)

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

Adopted.

The Speaker appointed Reps. Hunt, Lindblade, Syracuse and Herman.

HB 1100-FN, relative to the design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the population cap and closing date for the lakes region department of corrections facility, authorizing the department of corrections to establish 2 additional halfway houses and appoint additional probation and parole officers, and making adjustments to the operating budget for fiscal year 1999. (Amendment printed SJ 18, 6/4/98)

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

Adopted.

The Speaker appointed Reps. Gene Chandler, Lozeau, Franklin Torr and Rogers.

HB 1141-FN, relative to a design study for conversion of the Walker building on the New Hampshire hospital grounds and making an appropriation therefor. (Amendment printed SJ 18, 6/4/98)

Rep. Gene Chandler moved that the House concur.

Adopted.

HB 1191, relative to limiting the liability of governmental units under certain circumstances. (Amendment printed SJ 18, 6/4/98)

Rep. John McCarthy moved that the House concur.

Adopted.

HB 1217, relative to balancing the operating budget. (Amendment printed SJ 18, 6/4/98)

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

Adopted.

The Speaker appointed Reps. Holbrook, Robert Johnson, Kurk and DeStefano.

HB 1338-FN-A, establishing a house study committee to examine the adoption of articles 41, 72-a and 73-a of the second part of the New Hampshire constitution. (Amendment printed SJ 18, 6/4/98)

Rep. John McCarthy moved that the House concur.

Adopted.

HB 1424, relative to filling a vacancy in the position of a county officer. (Amendment printed SJ 17, 5/28/98)

Rep. Metzger moved that the House concur and yielded to questions.

Adopted.

HB 1455, relative to the publication of administrative rules. (Amendment printed SJ 18, 6/4/98)

Rep. Mercer moved that the House concur.

Adopted.

HB 1459, relative to the specificity of administrative rules and the identification of state and federal law in the rulemaking process. (Amendment printed SJ 18, 6/4/98)

Rep. Mercer moved that the House concur.

Adopted.

HB 1481, granting rulemaking authority to the executive director of fish and game to determine the legal length of lobsters. (Amendment printed SJ 17, 5/28/98)

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

Adopted.

The Speaker appointed Reps. Nowe, Abbott, Lessard and Carlson.

HB 1516, requiring a criminal background investigation for certain department of health and human services personnel who come into direct contact with children. (Amendment printed SJ 17, 5/28/98)

Rep. John McCarthy moved that the House concur.

Adopted.

HB 1540-FN, allowing non-banks to establish cash dispensing machines. (Amendment printed SJ 18, 6/4/98)

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

Adopted.

The Speaker appointed Reps. Hunt, Lindblade, Franklin Torr and Fuller Clark.

HB 1636-FN, relative to the executive director of fish and game and the fish and game commission.
(Amendment printed SJ 18, 6/4/98)

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

Adopted.

NONCONCURS WITH AMENDMENTS

REQUESTS COMMITTEES OF CONFERENCE

SB 73-FN, providing the telecommunications poles and lines be subject to the property tax.

The President appointed Sens. Hess, Teschner, Alukonis and Linda Foster.

Rep. Hess moved that the House accede.

Adopted.

The Speaker appointed Reps. Hess, Teschner, Alukonis and Linda Foster.

SB 205-FN-L, establishing a special school district to provide special education for eligible inmates in the state prison system.

The President appointed Sens. Gordon, McCarley and Francoeur.

Rep. O'Hearn moved that the House accede.

Adopted.

The Speaker appointed Reps. O'Hearn, Dearborn, Snyder and Alukonis.

SB 339-L, relative to the bidding for design and construction of a new medium security prison in the city of Berlin and to the closure of the lakes region facility and making appropriations therefor.

The President appointed Sens. Fraser, Frederick King and Larsen.

Rep. Gene Chandler moved that the House accede.

Adopted.

The Speaker appointed Reps. Gene Chandler, Lozeau, Franklin Torr and Rogers.

SB 344, clarifying requirements regarding certain trusts.

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

Rep. Hunt moved that the House accede.

Adopted.

The Speaker appointed Reps. Hunt, Mittelman, Hurt and Tara Reardon.

SB 353, relative to official ballot procedures.

The President appointed Sens. Rubens, Whipple and Roberge.

Rep. Metzger moved that the House accede.

Adopted.

The Speaker appointed Reps. Patten, Fraser, Leon and Griffin.

SB 400, relative to withdrawal of a school district from an area district.

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

Rep. O'Hearn moved that the House accede.

Adopted.

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

SB 429-FN, relative to the confidentiality of drivers' motor vehicle records.

The President appointed Sens. Roberge, Patenaude and Whipple.

Rep. Packard moved that the House accede.

Adopted.

The Speaker appointed Reps. Packard, Letourneau, Langone and Ferland.

SB 451-FN-L, relative to the accessibility of pupil assessment materials and the anonymity of pupil assessment results.

The President appointed Sens. Rubens, Francoeur and McCarley.

Rep. O'Hearn moved that the House accede.

Adopted.

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

SB 502-FN, allowing federal judges to perform marriages after obtaining a special license.

The President appointed Sens. Roberge, Francoeur and Whipple.

Rep. John McCarthy moved that the House accede.

Adopted.

The Speaker appointed Reps. Peterson, Bergin, Allison and Wall.

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 427-FN, establishing a revolving fund for loans for intrastate energy pipeline facilities improvements, removed by Rep. Alger.

Consent Calendar adopted.

HB 1680-FN-A-L, authorizing positions for the administration of retiree's health benefits by the New Hampshire retirement system and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Stephen T. DeStefano for Finance: This bill would allow the retirement system to hire two new persons. The Committee felt the addition of new personnel should be addressed through the budget process. Vote 15-0.

SB 440-FN-L, relative to fines payable to the division of motor vehicles; allowing civil bench warrants for defaults on such fines; authorizing bail commissioners to receive certain civil fines and fees, and authorizing the division of motor vehicles to report those in default to a consumer reporting agency. **OUGHT TO PASS WITH AMENDMENT**

Rep. Arthur P. Klemm, Jr. for Finance: This bill deals with fines payable to the Division of Motor Vehicles. The bill would allow the Division of Motor Vehicles to contact the 80,000 default violators that are currently outstanding and notify them that they can now pay their fines by credit card by dialing an 800 number. The Department feels that they will be able to collect on 10,000 of the default warrants which would translate to \$1,500,000 into the General Fund. The bill also changes the name of the DWI Bench Warrant Fund to the Default Bench Warrant Fund. The fund will be funded by the default bench warrant penalty assessment money and will be used to systematically replace the 66 breath analyzer machines across the state over the next three years. The fund will also be used to reimburse the costs related to law enforcement officials enforcing bench warrants. Vote 16-1.

Amendment (2033h)

Amend RSA 502-A:19-b, III(c) as inserted by section 2 of the bill by replacing it with the following:

(c) A person arrested pursuant to this section shall be given the option to pay the outstanding fine and fees in full to a bail commissioner. Upon such payment, the matter shall be deemed closed, and the civil bench warrant vacated. All payments received by bail commissioners

pursuant to this section shall be transmitted to the court or the division of motor vehicles within 5 business days. The bail commissioner shall be entitled to a fee for services as set forth in RSA597:20.

SB 483-FN, exempting certain businesses from the electronic filing requirement under the meals and rooms tax. OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth L. Weyler for Finance: The Department of Revenue Administration is attempting to have all meals and rooms tax filers use electronic filing by 2002. This bill exempts filers collecting \$25,000 or less in meals and rooms revenue from losing the 3% administrative fee if they continue to file paper returns. All others collecting revenue above \$25,000 will lose the 3% if they do not file electronically. Since the \$25,000 is a tenfold increase over the original small business exemption, there could be several hundred filers going back to paper filing. This would increase administrative costs at the DRA. The amendment increases their budget by \$33,000 to print new forms, instruction books and hire and additional clerk. Should the level of paper filing not increase substantially, most of this appropriation will not be spent. If a large number of filers, collecting more than \$25,000 each, choose to file by paper and give up the administrative fee, then the tax revenue will increase proportionally. Vote 17-0.

Amendment (2008h)

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

AN ACT exempting certain businesses from the electronic filing requirement under the meals and rooms tax and making an appropriation therefor.

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

4 Appropriation. The sum of \$33,000 is hereby appropriated to the department of revenue administration for the fiscal year ending June 30, 1999, for the purposes of this act. Such sum shall be in addition to any other funds appropriated to the department. The governor is authorized to draw a warrant out of any moneys in the treasury not otherwise appropriated.

5 Effective Date. This act shall take effect July 1, 1998.

AMENDED ANALYSIS

This bill allows businesses to choose to file their meals and rooms tax returns by mail or by electronic data submission. Those businesses that choose to file by mail shall forfeit any amounts retained as commission to cover the costs of manual paper filing. Businesses with under \$25,000 in meals and rooms taxable revenue in the prior calendar year shall be exempt from the forfeiture.

The bill also make an appropriation to the department of revenue administration.

SB 488-FN, directing the department of environmental services to create a model for managing the flow of water in the Winnepesaukee River watershed and creating an advisory committee. OUGHT TO PASS

Rep. Robert G. Holbrook for : This bill directs the Department of Environmental Services to develop and implement a model for managing the flow of water in the Winnepesaukee River. To aid in the planning of the model, this bill establishes a Winnepesaukee River Watershed Advisory Committee to report annually on the 31st of December. Any implementation shall be certified by the

Department of Environmental Services to the General Court and Governor. The estimated \$200,000 cost will be funded in the next biennial capital budget. Vote 17-0.

SB 326, relative to representation and costs in utility rate proceedings. REFER FOR INTERIM STUDY

Rep. Jeb E. Bradley for Science, Technology and Energy: This bill came late in the session. As proposed, the bill would allow intervenors at the Public Utility Commission to recover the costs of intervention at any PUC proceeding. An intervenor could recover costs only if it helped to achieve ratepayer savings and this cost recovery was deemed reasonable by the Commission. During the public hearing several problems were identified in the bill including; (a) that there was no monetary cap, (b) that it applied to any PUC proceeding, (c) that it could create additional regulatory costs and burdens to New Hampshire consumers. Through the interim study process, the committee will determine if this is good public policy and if so, how to implement in a way that protects the interests of all parties that appear before the PUC. Vote 16-0.

REGULAR CALENDAR

SB 324-FN, relative to entertainers on premises of an on-sale liquor licensee and relative to penalties for manufacture, sale, and possession of false identification. OUGHT TO PASS WITH AMENDMENT

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: The committee amendment makes it a misdemeanor to manufacture or sell phony photographic identification cards and increases the penalty to a class B felony for a third or subsequent offense or for a person who is engaged in the business of manufacturing phony identification cards. It is a misdemeanor to possess a phony identification card. A person under the age of seventeen is prohibited from being employed as an entertainer in a cocktail lounge where liquor is sold. Vote 11-0.

Amendment (1899h)

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

1 Entertainers and Dancers. Amend RSA 179:19 to read as follows:

179:19 Entertainment and Entertainers.

I. In this section:

(a) "Dancer" means a person or group of people who, with or without compensation, perform in the premise approved to sell alcoholic beverages. "Dancer" shall not be construed to mean a person or group of individuals who perform dances based upon ethnic, cultural, or historical customs.

(b) "Entertainer" means a person, paid or unpaid, who performs on a premise licensed to sell alcoholic beverages for the benefit of the licensee.

II. On-sale licensees may provide entertainment and dancing, in clearly defined areas on their licensed premises, provided they have received written authorization by the town or city and they have provided the commission with a copy of that authorization. A cover charge may be assessed to cover the cost of live entertainment. ***Notwithstanding any other provision of law,***

paragraphs III and IV shall not be construed to permit a person under the age of majority to perform, paid or unpaid, as a dancer in any licensed premise.

~~[H.]~~ **III.** No person licensed to sell liquor or beverage under RSA 178 may employ as an entertainer any person who is under 17 years of age in a cocktail lounge where liquor or beverages are sold.

~~[III.]~~ **IV.** A person under ~~[17]~~ **15** years of age may serve as an entertainer in a licensed dining room.

~~[IV.]~~ **V.** On-sale or off-sale licensees may install amusement machines on their premises. Nothing in this paragraph shall be construed in any way to limit the powers of municipalities under RSA 31:41-d to adopt bylaws relative to licensing amusement machines and to determining the number, location, and types of machines allowed in the municipality.

~~[V.]~~ **VI.** Licensees shall not allow gambling or wagering on their premises.

~~[VI.]~~ **VII.** The use of darts shall be allowed in clearly defined areas.

2 New Section; Manufacture, Sale, and Possession of False Identification. Amend RSA 179 by inserting after section 61 the following new section:

179:62 Manufacture, Sale, and Possession of False Identification.

I. No person shall knowingly manufacture, sell, advertise for sale, solicit orders for, deliver or cause to be delivered, or produce in any manner any photographic identification card that purports to be an official document issued by a local, state, or federal government, or any political subdivision thereof, which contains false or inaccurate information regarding the name, address, date of birth, or height and weight characteristics of the cardholder. A person who violates this paragraph shall be guilty of:

(a) A misdemeanor.

(b) A class B felony if such person has had 2 or more prior convictions in this state or another state for the conduct described in this paragraph.

(c) A class B felony if such person is engaged in the business of manufacturing, selling, advertising for sale, soliciting orders for, delivering, or causing to be delivered photographic identification cards in violation of this paragraph.

II. In this section, "engaged in the business" means manufacturing, selling, advertising for sale, soliciting orders for, delivering, or causing to be delivered 5 or more photographic identification cards in violation of paragraph I.

III. No person shall possess a photographic identification card that purports to be an official document issued by a local, state, or federal government, or any political subdivision thereof, which contains false or inaccurate information regarding the name, address, date of birth, or height and weight characteristics of the card holder. Any person who violates this paragraph shall be guilty of a misdemeanor.

IV. Interests in any tools, instruments, computer or computerized records, products, and equipment of any kind, or other paraphernalia used in the manufacture, sale, advertising for sale, delivery, or solicitation of any order for sale, of a false identification card, shall, upon petition of the attorney general, be subject to forfeiture to the state and shall be vested in the state.

3 Effective Date. This act shall take effect January 1, 1999.

AMENDED ANALYSIS

This bill lowers the minimum age for entertainers in dining rooms licensed to sell liquor to sell liquor from 17 to 15 years, with the exception that dancers must be 21. The bill also establishes criminal penalties for the manufacture, sale and possession of false photographic identification cards which purport to be official government documents.

Rep. Avery requested that the question be divided. The Speaker ruled that the question was divisible.

Rep. Avery moved that Section 1 of the amendment be voted on separately.

The remainder of the amendment was adopted.

The question now being the adoption of Section 1.

Reps. Avery and Dolan spoke against.

Rep. Hess spoke in favor and yielded to questions.

On a division vote, 217 members having voted in the affirmative and 73 in the negative, Section 1 of the amendment was adopted.

Reps. Hess and David Welch offered a floor amendment.

Floor Amendment (2030h)

Amend RSA 179:19, I(a) and (b) as inserted by section 1 of the bill by replacing them with the following:

(a) "Dancer" means a person or a group of people who, with or without compensation, move their feet, or body, or both, to the accompaniment of music in a premises approved to sell alcoholic beverages. "Dancer" shall not be construed to mean a person or group of individuals who perform dances based upon ethnic, cultural, or historical customs.

(b) "Entertainer" means a person who, with or without compensation, performs in a premises licensed to sell alcoholic beverages. "Entertainer" shall not include a "dancer" as defined under subparagraph I(a).

Rep. Hess spoke in favor and yielded to questions.

Rep. David Welch spoke in favor.

Adopted.

Rep. David Welch offered a floor amendment.

Floor Amendment (2059h)

Amend RSA 179:19, III as inserted by section 1 of the bill by replacing it with the following:

~~[H.]~~ **III.** No person licensed to sell liquor or beverage under RSA 178 may employ as an entertainer any person who is under ~~[17]~~ **15** years of age in a cocktail lounge where liquor or beverages are sold.

AMENDED ANALYSIS

This bill lowers the minimum age for entertainers in cocktail lounges and dining rooms licensed to sell liquor from 17 to 15 years, with the exception that dancers must be 21. The bill also establishes criminal penalties for the manufacture, sale and possession of false photographic identification cards which purport to be official government documents.

Rep. David Welch spoke to the floor amendment and yielded to questions.

Rep. Avery spoke in favor and yielded to questions.

Rep. Henderson spoke against and yielded to questions.

Reps. Henderson and Rollo requested a roll call; sufficiently seconded.

The question being the adoption of floor amendment 2059h.

YEAS 52 NAYS 254			
YEAS 52			
BELKNAP			
None			
CARROLL			
Babson, David, Jr.		Cooper, Kipp	
CHESHIRE			
Avery, Stephen		DePecol, Benjamin	Lynch, Margaret
Bonneau, Sarah			
Lynott, Margaret		Pratt, John	Richardson, Barbara
			Russell, Ronald
COOS			
Mears, Edgar			
GRAFTON			

Below, Clifton	Copenhaver, Marion	Guest, Robert	Luker, Elsa
Mirski, Paul			
HILLSBOROUGH			
Allen, W. Gordon	Desrosiers, William	Foster, Linda	Franks, Suzan
Gage, Ruth	McRae, Karen	Vaillancourt, Steve	Williams, Carol
MERRIMACK			
Brown, Mary	Burney, Carol	Crosby, Toni	Marshall, Kenneth
Maxfield, Roy	Moore, Carol	Reardon, Tara	Rogers, Katherine
Wallin, Jean			
ROCKINGHAM			
Cushing, Robert	Dowling, Patricia	Hutchinson, Rebecca	McKinney, Betsy
O'Keefe, Patricia	Pantelakos, Laura	Rabideau, Marie	Raynowska, Bernard
Sapareto, Frank			
STRAFFORD			
Brennan, William	Estabrook, Iris	Kaen, Naida	Knowles, William
Lundborn, Raymond	Merritt, Deborah	Vincent, Francis	
SULLIVAN			
Allison, David	Robb-Theroux, Amy	Wiggins, Celestine	
NAYS 254			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Calvert, Alice
Holbrook, Robert	Lawton, David	Pilliod, James	Rosen, Ralph
Thomas, John	Turner, Robert		
CARROLL			
Bradley, Jeb	Chandler, Gene	Dickinson, Howard, Jr.	Howard, Godfrey
Kenney, Joseph	Lyman, L. Randy	MacDonald, Kenneth	Mock, Henry
Patten, Betsey	Philbrick, Donald		
CHESHIRE			
Burnham, Daniel	Champagne, Richard	Hunt, John	Manning, Joseph
McGuirk, Paul	McNamara, Wanda	Meader, David	Metzger, Katherine

Riley, William	Robertson, Timothy	Royce, H. Charles	
COOS			
Bradley, Paula	Davis, Perley	Guay, Lawrence	Hawkinson, Marie
Horton, Lynn	Merrill, Gerald	Pratt, Leighton	St. Hilaire, Paul
Tholl, John, Jr.			
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Brown, Channing
Guaraldi, Lawrence	Ham, Bonnie	Hill, Richard	Hinman, Harry
Lovett, Sidney	Nordgren, Sharon	Phinney, William	Root, John
Teschner, Douglass Williams, William, Jr.			
HILLSBOROUGH			
Ackerman, Philip	Ameen, W.	Amidon, Eleanor	Arnold, Thomas, Jr.
Baroody, Benjamin	Barry, William, III	Batula, Peter	Bergin, Peter
Boutin, David	Briefs, Geoffrey Buckley, Raymond		Burke, M. Virginia
Calawa, Leon, Jr.	Cardin, Lori	Carlson, Donald	Chabot, Ernest
Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr.	Cote, David
Cote, Peter	D'Allesandro, Lou	Daigle, Robert	Daniels, Gary
Dawe, Eileen	Dokmo, CynthiaDrabinowicz, A. Theresa		Durham, Susan
Dwyer, Paul, Sr.	Dyer, Merton	Emerton, Lawrence, Sr.	Fenton, James
Fields, Dennis	Flora, Kathleen	Gagnon, Eugene	Ginsburg, Ruth
Golding, William	Goulet, Maurice	Hall, Betty	Hart, Nick
Herman, Keith	Holley, Sylvia	Holt, David	Hunter, Bruce
Jean, Claudette	Jean, Loren	Konys, Christine	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Lefebvre, Roland	Leonard, Peter
Lessard, Rudy	Letendre, Evelyn	Lozeau, Donnalee	Luebker, Bernard
MacAuslan, Rita	MacGillivray, Jeffrey	MacIntyre, Doris	Martin, Mary
McCarty, Winston	McDonald, James, Sr.	McGough, Tim	Melcher, Harold
Mercer, Robert Messier, Irene Milligan, Robert Mittelman, David			
Morello, Michael	Murphy, Robert O'Hearn, Jane		Pepino, Leo
Perkins, Paul	Peterson, Andrew	Piteri, Dawn	Reidy, Frank
Riley, Frances	Rowe, Robert	Sargent, Maxwell	Searles, Stanley, Sr.

Thulander, O. Alan	Turgeon, Roland	Wheeler, Robert	White, Donald
Wright, George			
MERRIMACK			
Anderson, Eric	Chandler, Earle	Colburn, Thomas	Crowell, Peter
Daneault, Gabriel	Davis, Francis	DeStefano, Stephen	Dunn, Miriam
Feuerstein, Martin	Fraser, Marilyn	French, Barbara	Hager, Elizabeth
Hoadley, Elizabeth	Jacobson, Alf	Krueger, Patricia	Lamach, Bernard
Larrabee, David	Lavoie, Gerard	Leber, William	Lockwood, Robert
Morrill, Olive	Nichols, Avis	Owen, Derek	Pfaff, Terence
Seldin, Gloria	St. Cyr, Gerard	Whalley, Michael	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Bishop, Franklin	Camm, Kevin	Christie, Andrew, Jr.	Cooney, Richard
Dalrymple, Janeen	Dodge, Robert	Dolan, Richard	Dowd, Sandra
Downing, Michael	Dunham, Vivian	Flanagan, Natalie	Flanders, David
Flanders, John, Sr.	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Griffin, Mary	Guthrie, Joseph	Heath, John	Henderson, Warren
Johnson, Robert	Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane
Langone, John	Letourneau, Robert	Major, Norman	Malcolm, Kenneth
McCarthy, John, Jr.	Micklon, Stephanie	Mikowski, Walter	Moore, Benjamin
Norelli, Terie	Nowe, Ronald	Packard, Sherman	Pitts, Jacqueline
Rubin, George	Schanda, Frank	Stickney, Nancy	Stone, Joseph
Stritch, C. Donald	Syracusa, Anthony	Tufts, J. Arthur	Varrell, Thomas
Vaughn, Charles	Welch, David	Weyler, Kenneth	
STRAFFORD			
Berube, Roger	Cossette, Larry	DeChane, Marlene	Dunlap, Patricia
Hemon, Roland	Keans, Sandra	McKinley, Robert	Merrill, Amanda
Musler, George	Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Spear, Barbara	Sullivan, Henry

Taylor, Kathleen	Torr, Ann	Torr, Franklin	Tsiros, William
Twardus, Joseph	Vachon, Dennis	Wall, Janet	
SULLIVAN			
Adler, Rudolf	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Leone, Richard	Lindblade, Eric	Schotanus, Merle

and the floor amendment failed.

Report adopted and ordered to third reading.

SB 409-FN, relative to long-term care and extending the moratorium on new nursing home beds.
REFER FOR INTERIM STUDY

Rep. William S. Belvin for Finance: This bill addresses the vital concern of long term care primarily for the impoverished elderly and those that are physically disabled or chronically ill. The bill's core objectives are twofold: to provide individuals with choices that serve their needs from among several appropriate alternative levels of care in addition to nursing homes, and to set in place shared state and county financial responsibility based on sustainable and affordable costs. While there was unanimous committee agreement on the bill's concept, the linkages between the broad objectives and actual application to eligible individuals, long term care facilities, counties and the state were the subject of numerous amendments and policy concerns.

It is clear that very few, if any, persons seek nursing home care because of its institutional environment and loss of autonomy. It is also clear that the \$191.6 million of expenditures (FY 1999) in support of these entitled needy persons for nursing home and home nursing care will likely grow with the aging of the state's population. Consequently it is very important that the eligibility requirements, methodologies, and state/county cost share formulas, and their long term consequences, be thoroughly understood and agreeable to all parties if we are to achieve the variety of quality care needed and desired by our elderly at an affordable cost. Given the bill's late arrival in the House, and despite expedited efforts by both the Health and Human Services and Finance committees, the issues involved could not be resolved in the time allowed, and the bill was voted Interim Study. Going forward, both committees will collaborate in the interim study and will begin the effort early in the summer. Vote 17-0.

Rep. Manning spoke in favor.

Rep. Kurk spoke in favor and yielded to questions.

Adopted.

SB 475-FN-L, relative to medicaid reimbursement rates and dental care. **OUGHT TO PASS WITH AMENDMENT**

Rep. William S. Belvin for Finance: This bill came to the House dealing with medicaid reimbursement rates for children's dental care. It mandated an increase in the reimbursement rates from 65% to 73% of the "usual and customary charges." The Finance Committee amendment sets up a two-year pilot program for the next biennium and requires the Department of Health and Human Services to report on how effective the higher dentist reimbursements are in increasing the number

of children receiving dental care. The estimated cost is \$875,000 in FY 2000 and \$1.3 million in FY 2001.

Two additional issues were added as amendments after public hearings. One amendment deals with significant separation of powers concerns relating to the authority to define eligibility for programs tied to the Federal poverty level. At present, the executive branch may unilaterally expand eligibility for such programs or create new ones, such as the proposed children's health insurance program, setting the stage for higher future appropriations. The Committee believes some legislative participation is required to balance the executive branch's authority, and the amendment requires that any such expansion first be approved by the legislative Fiscal Committee.

The other amendment is an appropriation of \$1,532,500 as the required state match for the Federal funds received as a result of the January 1998 ice, snow and wind storms and their associated damage. Vote 11-6.

Amendment (2034h)

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

AN ACT relative to medicaid reimbursement rates and dental care, relative to eligibility levels for certain programs, and making an appropriation to the office of emergency management.

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

1 Intent. The legislature finds that it is the state's responsibility to ensure that the greatest number of children possible receive adequate dental care. Therefore, this act provides that, as of July 1, 1999, the medicaid reimbursement rates for dental services to children shall be not less than 73 percent of the usual and customary charges for such services.

2 Medicaid Reimbursement. For the period of July 1, 1999 through June 30, 2001, medicaid reimbursement rates for dental services to children shall be not less than 73 percent of the usual and customary charges for such services.

3 Funding; Department of Health and Human Services. The department of health and human services shall include in its next biennial budget the costs of funding medicaid reimbursement rates for dental services to children at not less than 73 percent of the usual and customary charges for such services.

4 Report. The department of health and human services shall, on or before January 1, 2001, submit a report to the governor, the senate president, and the speaker of the house which analyzes the effect of the percentage increase in section 2 of this act on the number of children who participate in the dental care program. This report shall include, but not be limited to, identifying barriers to participation by children in the medicaid reimbursed dental care program and recommending approaches to address those barriers in future programs or legislation.

5 New Section; Eligibility Levels. Amend RSA 126-A by inserting after section 5 the following new section:

126-A:5-a Eligibility Levels. Notwithstanding RSA 126-A, RSA 167 or any other provision of state law to the contrary and to the extent allowed by federal law, percentage eligibility levels under any new and existing programs administered by the department of health and human services or

any other department which are partially or fully funded by state general funds and which are tied to the federal poverty guidelines as set by the United States Department of Health and Human Services shall not be raised from their levels as approved by the federal government as of May22,1998 without the prior approval of the legislative fiscal committee.

6 Appropriation; Emergency Management. The sum of \$1,532,500, of which \$250,000 shall be a charge against the highway fund, for the biennium ending June 30, 1999, is hereby appropriated to the office of emergency management to provide a state match for federal funds received as a result of damages sustained from severe ice storms, high winds, and snow in the month of January1998. This appropriation shall be in addition to any other sums appropriated to the office of emergency management. Said sum may be a charge against any appropriate fund. The governor is authorized to draw a warrant out of any money in the treasury not otherwise appropriated.

7 Repeal. Sections 1-4 of this act, relative to the medicaid reimbursement rate for dental services to children and a report, are repealed.

8 Effective Date.

I. Sections 1-4 of this act shall take effect July 1, 1999.

II. Section 7 of this act shall take effect June 30, 2001.

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

AMENDED ANALYSIS

This bill requires medicaid reimbursement rates for dental service for children to be at least 73 percent of the usual and customary charges for such services for the period of July 1, 1999 to June30, 2001.

This bill freezes eligibility levels for certain programs.

This bill also makes an appropriation to the office of emergency management to match federal funds received as a result of January 1998 storms.

Rep. Amanda Merrill requested that the amendment be divided. The Speaker ruled that the question was divisible.

Rep. Amanda Merrill moved that Section 5 of the amendment be voted on separately.

The remainder of the amendment was adopted.

The question now being the adopted of Section 5 of the amendment.

Reps. Jacobson and Manning spoke against.

Reps. Kurk and Ann Torr spoke in favor and yielded to questions.

Rep. Wheeler requested a roll call; sufficiently seconded.

The question being the adoption of Section 5 of the amendment.

YEAS 174 NAYS 124			
YEAS 174			
BELKNAP			
Bartlett, Gordon Boriso, Thomas Boyce, Robert Calvert, Alice			
Holbrook, Robert	Lawton, David	Pilliod, James	Rosen, Ralph
Thomas, John Turner, Robert			
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene Cooper, Kipp	
Dickinson, Howard, Jr.	Howard, Godfrey	Lyman, L. Randy	Mock, Henry
Patten, Betsey Philbrick, Donald			
CHESHIRE			
Avery, Stephen Hunt, John	McNamara, Wanda	Metzger, Katherine	
Royce, H. Charles			
COOS			
Davis, Perley	Guay, Lawrence	Horton, Lynn	Merrill, Gerald
Pratt, Leighton St. Hilaire, Paul Tholl, John, Jr.			
GRAFTON			
Akins, Ralph	Alger, John	Brown, Channing	Guaraldi, Lawrence
Hill, Richard	Hinman, Harry	Mirski, Paul	Phinney, William
Root, John	Teschner, Douglass	Williams, William, Jr.	
HILLSBOROUGH			
Amidon, Eleanor	Arnold, Thomas, Jr.	Batula, Peter	Bergin, Peter
Boutin, David	Briefs, Geoffrey Burke, M. Virginia	Calawa, Leon, Jr.	
Carlson, DonaldChabot, Ernest Chabot, Robert Clegg, Robert, Jr.			
Daniels, Gary	Desrosiers, William	Dokmo, CynthiaDurham, Susan	
Dyer, Merton	Emerton, Lawrence, Sr. Flora, Kathleen	Gagnon, Eugene	
Golding, William	Goulet, Maurice Herman, Keith	Holley, Sylvia	
Holt, David	Hunter, Bruce	Jean, Loren	Kurk, Neal

LaRose, Richard	Lessard, Rudy	Letendre, Evelyn	Luebker, Bernard
MacGillivray, Jeffrey	MacIntyre, Doris	McCarty, Winston	McGough, Tim
McRae, Karen	Mercer, Robert	Messier, Irene	Milligan, Robert
Mittelman, David	Morello, Michael	Murphy, Robert	O'Hearn, Jane
Pepino, Leo	Peterson, Andrew	Piteri, Dawn	Riley, Frances
Rowe, Robert	Sargent, Maxwell	Searles, Stanley, Sr.	Thulander, O. Alan
Wheeler, Robert	White, Donald	Wright, George	
MERRIMACK			
Anderson, Eric	Brown, Mary	Chandler, Earle	Colburn, Thomas
Crowell, Peter	Davis, Francis	Feuerstein, Martin	Hoadley, Elizabeth
Lamach, Bernard	Larrabee, David	Lavoie, Gerard	Leber, William
Marshall, Kenneth	Maxfield, Roy	Morrill, Olive	Nichols, Avis
Pfaff, Terence	Whalley, Michael		
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Camm, Kevin	Christie, Andrew, Jr.	Cooney, Richard	Dalrymple, Janeen
Dodge, Robert	Dolan, Richard	Dowd, Sandra	Dowling, Patricia
Dunham, Vivian	Flanagan, Natalie	Flanders, David	Flanders, John, Sr.
Francoeur, Sheila	Gleason, John	Griffin, Mary	Guthrie, Joseph
Henderson, Warren	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane	Langone, John
Letourneau, Robert	Major, Norman	Malcolm, Kenneth	McCarthy, John, Jr.
McKinney, Betsy	Mikowski, Walter	Moore, Benjamin	Nowe, Ronald
Packard, Sherman	Rabideau, Marie	Rubin, George	Sapareto, Frank
Stickney, Nancy	Stone, Joseph	Tufts, J. Arthur	Varrell, Thomas
Welch, David	Weyler, Kenneth		
STRAFFORD			
Berube, Roger	Cossette, Larry	McKinley, Robert	Musler, George
Spear, Barbara	Torr, Ann	Torr, Franklin	Vincent, Francis
SULLIVAN			
Adler, Rudolf	Leone, Richard	Robb-Theroux, Amy	Schotanus, Merle

NAYS 124
BELKNAP
None
CARROLL
Kenney, Joseph
CHESHIRE
Bonneau, Sarah Burnham, Daniel Champagne, Richard DePecol, Benjamin
Lynch, Margaret Lynott, Margaret Manning, Joseph McGuirk, Paul
Meador, David Pratt, John Richardson, Barbara Riley, William
Robertson, Timothy Russell, Ronald
COOS
Bradley, Paula Hawkinson, Marie Mears, Edgar
GRAFTON
Almy, Susan Below, Clifton Copenhaver, Marion Guest, Robert
Ham, Bonnie Lovett, Sidney Luker, Elsa Nordgren, Sharon
HILLSBOROUGH
Ackerman, Philip Allen, W. Gordon Ameen, W. Barody, Benjamin
Barry, William, III Buckley, Raymond Christiansen, Lars Cote, David
Cote, Peter D'Allesandro, Lou Daigle, Robert Dawe, Eileen
Drabinowicz, A. Theresa Dwyer, Paul, Sr. Fenton, James Fields, Dennis
Foster, Linda Franks, Suzan Gage, Ruth Ginsburg, Ruth
Hall, Betty Hart, Nick Jean, Claudette Konys, Christine
L'Heureux, Robert Martin, Mary McDonald, James, Sr. Melcher, Harold
Perkins, Paul Reidy, Frank Turgeon, Roland Vaillancourt, Steve
Williams, Carol
MERRIMACK
Burney, Carol Crosby, Toni Daneault, Gabriel DeStefano, Stephen
Dunn, Miriam Fraser, Marilyn French, Barbara Hager, Elizabeth
Jacobson, Alf Lockwood, Robert Moore, Carol Owen, Derek
Reardon, Tara Rogers, Katherine Seldin, Gloria St. Cyr, Gerard

Wallin, Jean	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Cushing, Robert	Downing, Michael	Gibbons, Paul
Heath, John	Hutchinson, Rebecca	Kane, Cecelia	Kelley, Jane
Micklon, Stephanie	Norelli, Terie	O'Keefe, Patricia	Pitts, Jacqueline
Raynowska, Bernard	Schanda, Frank	Stritch, C. Donald	Syracusa, Anthony
Vaughn, Charles			
STRAFFORD			
Brennan, William	DeChane, Marlene	Dunlap, Patricia	Estabrook, Iris
Hemon, Roland	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	Tsiros, William	Twardus, Joseph
Vachon, Dennis	Wall, Janet		
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Lindblade, Eric	Wiggins, Celestine	

and Section 5 was adopted.

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

The question now being the adoption of the report.

Rep. Burling spoke against.

Rep. Wheeler spoke in favor.

On a division vote, 175 members having voted in the affirmative and 121 in the negative, the report was adopted.

Ordered to third reading.

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

RECESS

(Speaker Sytek in the Chair)

SUSPENSION OF RULES

Reps. Wheeler and Burling moved that the Rules be so far suspended as to permit consideration at the present time, beyond the deadline and without the proper notice, of **SB 363-L**, relative to notification and jurisdiction of municipalities concerning governmental use of property.

Adopted by the necessary two-thirds.

SB 363-L, relative to notification to and jurisdiction of municipalities concerning governmental use of property. OUGHT TO PASS WITH AMENDMENT

Rep. Merle W. Schotanus for Public Works and Highways: This bill as amended is intended to strengthen existing law relative to notification to municipalities regarding government use of property. The bill makes clear that private use of government property does not enjoy the same exemption from local regulation that government uses do. The Public Works & Highways committee amendment specifies lead time required for notification and exempts installation of fiber optics facilities and apparatus in highway and railroad rights of ways. Vote 13-6.

Amendment (2070h)

Amend RSA 674:54, II as inserted by section 2 of the bill by replacing it with the following:

II. The state, university system, county, town, city, school district, or village district shall give written notification to ***the governing body and planning board, if such exists, of*** a municipality of any proposed governmental use of property within its jurisdiction, which constitutes a substantial change in use or a substantial new use. Written notification shall contain plans, specifications, ~~and~~ explanations of proposed changes available at the time, ***a statement of the governmental nature of the use as set forth in paragraph I, and a proposed construction schedule. Such notification shall be provided at least 60 days prior to the beginning of construction.*** ~~[A] Either the governing body or planning board of the~~ municipality ~~[or its designated land use board]~~ may conduct a public hearing relative to the proposed governmental use. ~~[If the municipality chooses to hold a hearing, the]~~ ***Any such*** hearing shall be held within 30 days after receipt of notice by the ~~[municipality]~~ ***governing body or planning board.*** A representative of the governmental entity which provided notice shall be available to present the plans, specifications, ~~or~~ ***and construction schedule, and to provide*** explanations. The ~~[municipality shall provide]~~ ***governing body or planning board may issue*** nonbinding written comments relative to conformity ***or nonconformity of the proposal*** with normally applicable land use regulations to the sponsor of the governmental use within 30 days after the hearing.

Amend RSA 674:54, III as inserted by section 2 of the bill by replacing it with the following:

III. This section shall not apply to:

(a) The layout or construction of public highways of any class, or to the distribution lines or transmission apparatus of governmental utilities, provided that the erection of a highway or utility easement across a parcel of land, shall not, in and of itself, be deemed to subdivide the remaining land into 2 or more lots or sites for conveyance for development purposes in the absence of subdivision approval under this title. For purposes of this subparagraph, "transmission apparatus" shall not include wireless communication facilities.

(b) The erection, installation, or maintenance of poles, structures, conduits and cables, or wires in, under, or across any public highways under RSA 231, or

licenses or leases for telecommunication facilities in, under, or across railroad rights of way. For purposes of this subparagraph, "structures" shall not include wireless communications facilities.

Adopted.

Rep. Gene Chandler spoke in favor.

Adopted and ordered to third reading.

SB 427-FN, establishing a revolving fund for loans for intrastate energy pipeline facilities improvements. OUGHT TO PASS WITH AMENDMENT

Rep. Charles L. Vaughn for Finance: This bill, as amended, establishes a revolving loan fund of \$10 million to permit natural gas companies which create and expand intrastate pipelines to obtain financing at reduced interest rates through tax-exempt bonds issued by the Business Finance Authority (BFA). These nonpolluting energy projects will tap into the 30-inch gas pipeline coming into the state from southwestern states, western Canada and from the huge Sable Island gas field off the coast of Nova Scotia. Tax-exempt financing lowers costs for current and future industrial, commercial and residential users of natural gas. Gas utilities requesting loans under the bill would be required to receive applicable local, state and federal permits. Further, these utilities must pass muster with the BFA which would determine credit-worthiness, and terms and conditions of any loan. The Public Utilities Commission also reviews improvements and expansions of pipelines. Finally, Governor and Council must approve loans. The state treasurer indicated that this bill would not adversely affect the state's bonding capacity, as BFA bonds create self-supporting debt. Vote 17-0.

Amendment (1924h)

Amend the bill by replacing section 4 with the following:

4 New Section; Public Safety and Welfare; Business Finance Authority Revenue Bonds; Intrastate Energy Pipeline Facility Revolving Loan Fund. Amend RSA 162-I by inserting after section 3-a the following new section:

162-I:3-b Intrastate Energy Pipeline Facility Revolving Loan Fund.

I. There is hereby established in the office of the state treasurer a fund to be known as the intrastate energy pipeline facility 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 authority, and shall be used to provide loans for the construction of intrastate energy pipeline facilities in the state in order to increase the state's ability to meet the energy needs of its citizens and businesses at the lowest reasonable cost, while providing for the reliability and diversity of energy sources. The intrastate energy pipeline facilities shall be eligible for the revolving funds upon the operator receiving all applicable local, state, and federal permits. Loans provided to operators of intrastate energy pipeline facilities shall be approved by the governor and council.

II. The operator of the intrastate energy pipeline facility provided a loan under this section shall furnish assurance to the authority by a signed agreement that the facility intends to operate as an intrastate energy provider for the life of the capital improvement for which the funds are loaned.

III. The operator of the intrastate energy pipeline facility shall repay any loan made pursuant to this section upon such terms and conditions as are required by the authority. 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 intrastate energy pipeline facility 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. The authority shall execute all such binding agreements on behalf of the state. All money received through reimbursement shall be deposited by the state treasurer in the intrastate energy pipeline facility revolving loan fund.

IV. In addition to such other terms and conditions that the authority may impose with regard to collateral for a loan, a lien on the property and equipment of the operator of the intrastate energy pipeline facility, including the improved property or equipment, shall be created in favor of the state in an amount which equals the sum of principal and interest to be repaid by the operator of the intrastate energy pipeline facility. The lien shall be recorded in the registry of deeds of the county or counties in which the improved property is situated and shall not supersede any pre-existing lien created by a mortgage, bond indenture, or similar form of security instrument 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 authority, is authorized to borrow from time to time upon the credit of the state such amounts so that the aggregate principal amount of the bonds outstanding at any time shall not exceed \$10,000,000 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 authority 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.

VII. While the authority shall administer the fund as set forth in this section, and shall have the authority to charge borrowers to whom funds are loaned a fee to reimburse the authority for the services provided by it and costs incurred by it, the authority shall have no financial responsibility for the bonds issued under this section, said bonds being the obligation of the state as set forth in this section.

VIII. The operator of the intrastate pipeline facility shall reimburse the state treasurer for any expenses incurred in connection with the issuance of bonds under this section.

IX. The state treasurer shall submit a report by December 1 of each even-numbered year to the governor, to the chairperson of the house commerce committee, and to the chairperson of the senate economic development committee. The report shall be prepared in consultation with the executive director of the business finance authority and shall describe the activity of the revolving loan fund established pursuant to this section.

Adopted.

Rep. Weyler yielded to questions.

Rep. Hunt spoke in favor.

On a division vote, 233 members having voted in the affirmative and 25 in the negative, the report was adopted.

Ordered to third reading.

SUSPENSION OF RULES

Reps. Wheeler and Burling move that the Rules be so far suspended as to permit consideration at the present time without the required referral to committee, hearing and notice of ***SB 491***, relative to residential care facilities.

On a division vote, 190 members having voted in the affirmative and 68 in the negative, the motion was adopted by the necessary two-thirds.

CLERK'S NOTE

With less than two-thirds of the elected membership present, Part II, Article 20 of the state constitution requires the assent of two-thirds of those present and voting to take any action.

RESOLUTION

Reps. Wheeler and Burling offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 491 shall be by this resolution read a first and second time by the therein listed title.

Adopted by the necessary two-thirds.

INTRODUCTION OF SENATE BILL

First, second reading and referral

SB 491, relative to residential care facilities.

CONSIDERATION OF SENATE BILL

SB 491, relative to residential care facilities.

Rep. Kurk moved Refer for Interim Study and spoke in favor.

Rep. Linda Foster spoke against and yielded to questions.

Rep. Wallner spoke in favor.

Rep. Kurk yielded to questions.

Rep. Chabot spoke against.

Reps. Emerton and Wheeler spoke in favor and yielded to questions.

Rep. Wheeler requested a roll call; sufficiently seconded.

The question being the motion to refer to interim study.

YEAS 134 NAYS 117			
YEAS 134			
BELKNAP			
Boriso, Thomas Boyce, Robert	Holbrook, Robert	Hurt, George	
Lawton, David	Rosen, Ralph	Thomas, John	Turner, Robert
CARROLL			
Bradley, Jeb	Chandler, Gene	Dickinson, Howard, Jr.	MacDonald, Kenneth
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Burnham, Daniel	Hunt, John	McNamara, Wanda	Metzger, Katherine
Royce, H. Charles			
COOS			
Davis, Perley	Guay, Lawrence	Horton, Lynn	Merrill, Gerald
Pratt, Leighton	St. Hilaire, Paul Tholl, John, Jr.		
GRAFTON			
Brown, Channing	Hill, Richard	Hinman, Harry	LaMott, Paul
Teschner, Douglass			
HILLSBOROUGH			
Ameen, W.	Boutin, David	Burke, M. Virginia	Calawa, Leon, Jr.
Christiansen, Lars	Clegg, Robert, Jr.	Daniels, Gary	Dokmo, Cynthia
Dwyer, Paul, Sr.	Fenton, James	Flora, Kathleen	Goulet, Maurice
Herman, Keith	Holley, Sylvia	Holt, David	Hunter, Bruce
Jean, Loren	Kurk, Neal	L'Heureux, Robert	LaRose, Richard
Lessard, Rudy	Letendre, Evelyn	Lozeau, Donnalee	Luebkert, Bernard
MacGillivray, Jeffrey	McCarty, Winston	McGough, Tim	McRae, Karen
Mercer, Robert	Milligan, Robert	Mittelman, David	Murphy, Robert
Pepino, Leo	Riley, Frances	Searles, Stanley, Sr.	Thulander, O. Alan

Wheeler, Robert	Wright, George		
MERRIMACK			
Anderson, Eric	Brown, Mary	Chandler, Earle	Crowell, Peter
Davis, Francis	Hager, Elizabeth	Hoadley, Elizabeth	Larrabee, David
Leber, William	Lockwood, Robert	Nichols, Avis	Pfaff, Terence
Wallner, Mary Jane	Whalley, Michael		
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Camm, Kevin
Christie, Andrew, Jr.	Cooney, Richard	Dalrymple, Janeen	Dowd, Sandra
Dowling, Patricia	Flanagan, Natalie	Flanders, John, Sr.	Francoeur, Sheila
Gleason, John	Griffin, Mary	Henderson, Warren	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Klemm, Arthur, Jr.	Kobel, Rudolph
Langone, John	Letourneau, Robert	Major, Norman	Malcolm, Kenneth
McCarthy, John, Jr.	McKinney, Betsy	Mikowski, Walter	Nowe, Ronald
Packard, Sherman	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Rubin, George	Sapareto, Frank	Stickney, Nancy	Stone, Joseph
Stritch, C. Donald	Tufts, J. Arthur	Varrell, Thomas	Verani, Giovanni
Welch, David	Weyler, Kenneth		
STRAFFORD			
Cossette, Larry	Musler, George	Torr, Ann	Torr, Franklin
Wall, Janet			
SULLIVAN			
Adler, Rudolf	Leone, Richard	Schotanus, Merle	
NAYS 117			
BELKNAP			
Pilliod, James			
CARROLL			
Kenney, Joseph	Lyman, L. Randy		
CHESHIRE			
DePecol, Benjamin	Manning, Joseph	McGuirk, Paul	Meader, David

Richardson, Barbara	Robertson, Timothy	Russell, Ronald	
COOS			
Bradley, Paula	Hawkinson, Marie	Mears, Edgar	
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Below, Clifton
Copenhaver, Marion	Guaraldi, Lawrence	Guest, Robert	Ham, Bonnie
Lovett, Sidney	Luker, Elsa	Nordgren, Sharon	
HILLSBOROUGH			
Ackerman, Philip	Amidon, Eleanor	Arnold, Thomas, Jr.	Barry, William, III
Batula, Peter	Buckley, Raymond	Carlson, Donald	Chabot, Ernest
Chabot, Robert	Cote, David	Daigle, Robert	Durham, Susan
Dyer, Merton	Emerton, Lawrence, Sr.	Fields, Dennis	Foster, Linda
Gage, Ruth	Gagnon, Eugene	Ginsburg, Ruth	Golding, William
Hall, Betty	Hart, Nick	Lefebvre, Roland	MacAuslan, Rita
MacIntyre, Doris	Martin, Mary	Melcher, Harold	Messier, Irene
Peterson, Andrew	Reidy, Frank	Rowe, Robert	Sargent, Maxwell
Turgeon, Roland	Vaillancourt, Steve	White, Donald	Williams, Carol
MERRIMACK			
Burney, Carol	Crosby, Toni	Daneault, Gabriel	DeStefano, Stephen
Dunn, Miriam	Fraser, Marilyn	French, Barbara	Jacobson, Alf
Lamach, Bernard	Morrill, Olive	Seldin, Gloria	St. Cyr, Gerard
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Bishop, Franklin	Cushing, Robert	Dodge, Robert
Dunham, Vivian	Gibbons, Paul	Guthrie, Joseph	Hutchinson, Rebecca
Kane, Cecelia	Kelley, Jane	Langley, Jane	Micklon, Stephanie
O'Keefe, Patricia	Pitts, Jacqueline	Schanda, Frank	Vaughn, Charles
STRAFFORD			
Berube, Roger	Brennan, William	DeChane, Marlene	Dunlap, Patricia
Estabrook, Iris	Hemon, Roland	Kaen, Naida	Keans, Sandra
Knowles, William	McKinley, Robert	Merrill, Amanda	Merritt, Deborah

Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spear, Barbara	Sullivan, Henry	Twardus, Joseph	Vachon, Dennis
Vincent, Francis			
SULLIVAN			
Burling, Peter	Cloutier, John	Donovan, Thomas	Ferland, Brenda
Lindblade, Eric	Wiggins, Celestine		

and lacking the necessary two-thirds the motion failed.

MOTION TO LAY ON THE TABLE

Rep. Wheeler moved that ***SB 491-FN***, relative to residential care facilities, be laid upon the table.

On a division vote, 154 members having voted in the affirmative and 96 in the negative, the motion failed lacking the necessary two-thirds.

MOTION TO SUSPEND RULES

Rep. Burling moved that the Rules be so far suspended as to permit the referral of ***SB 491-FN***, relative to residential care facilities, to the Committee on Health, Human Services and Elderly Affairs, spoke in favor and withdrew his motion.

SENATE MESSAGES

CONCURRENCE WITH AMENDMENTS

SB 342, relative to capital appropriations for the Glencliff home for the elderly and for certain department of safety projects, relative to approval of certain leases by state agencies, and relative to renovations to certain state office buildings.

SB 405-FN, relative to a specific time period by which the state is required to have an audited financial statement available to the public.

SB 417-FN, continuing the court modernization fund and its source of funding from penalty assessments and making an appropriation for maintenance of the new judicial branch administration building.

SB 462-FN, establishing certain commissions relative to educational issues, and making an appropriation therefor, and making an appropriation to the New Hampshire Veterans' Home.

SB 464-FN, relative to limitations from civil liability for volunteers and relative to state agency preparedness for the year 2000 computer problem.

SB 492, amending the charter of the union school district of Keene.

SB 500, relative to the use of credit data for certain insurance purposes.

SB 504-FN, relative to members of predecessor systems of the New Hampshire retirement system.

ACCEDES TO REQUESTS FOR COMMITTEES OF CONFERENCE

HB 707-L, providing that the telecommunications poles and lines be subject to the property tax.

The President appointed Sens. Frederick King, Gordon and Blaisdell.

HB 1196, relative to coordinating and compiling studies and establishing a lead education program concerning the effects of lead on water birds and other wildlife.

The President appointed Sens. Johnson, Cohen and Russman.

HB 1371, requiring the collection of certain data on children and parents in the state case registry for use in child support enforcement.

The President appointed Sens. Squires, Hollingworth and Podles.

HB 1517-FN-A-L, establishing a fund for dredging to maintain harbors in New Hampshire.

The President appointed Sens. Squires, Frederick King and Cohen.

NONCONCURS WITH AMENDMENT

REQUESTS COMMITTEE OF CONFERENCE

SB 66, allowing a state resident to obtain a license for a pistol or revolver for life.

The President appointed Sens. Francoeur, David Wheeler and Whipple.

Rep. David moved that the House refuse to accede and spoke in favor.

Adopted by the necessary two-thirds.

SB 352, relative to continuing education requirements for electrologists.

The President appointed Sens. David Wheeler, Katherine Wheeler and Podles.

Rep. Mercer moved that the House accede.

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Goulet, Stickney, Holley and Gile.

SB 421, relative to timber harvesting and penalties for timber trespass.

The President appointed Sens. Gordon, Francoeur and Whipple.

Rep. Royce moved that the House accede.

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Royce, Crowell, Adler and Downing.

SB 440-FN-L, relative to fines payable to the division of motor vehicles; allowing civil bench warrants for defaults on such fines; authorizing bail commissioners to receive certain civil fines and fees, and authorizing bail commissioners to receive certain civil fines and fees, and authorizing the division of motor vehicles to report those in default to a consumer reporting agency.

The President appointed Sens. Podles, Gordon and Pignatelli.

Rep. Packard moved that the House accede.

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Packard, Bartlett, Franklin Torr and Peter Cote.

SB 475-FN-L, relative to medicaid reimbursement rates and dental care.

The President appointed Sens. David Wheeler, Francoeur and Blaisdell.

Rep. Kurk moved that the House accede.

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Dowling, Thulander, Kurk and Wheeler.

SB 494, establishing the voluntary small employer health insurance purchasing alliance.

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

Rep. Hunt moved that the House accede.

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Herman, Hurt, Syracuse and Francoeur.

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 256-FN, establishing uniform adjudicative proceedings for state agencies. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

HB 490, relative to the confidentiality of medical information. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

HB 559-FN, allowing courts to impose an extended term of imprisonment upon persons of any age who have committed certain crimes against persons under 13 years of age. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Lyman, Flora, Mikowski and Schanda.

HB 587-FN, relative to the system benefits charge. (Amendment printed SJ 18, 6/4/98)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Jeb Bradley, Kurk, Below and MacGillivray.

HB 651-FN-L, relative to electric rate reduction financing. (Amendment printed SJ 18, 6/4/98)

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

Adopted by the necessary two-thirds.

HB 682-FN-L, requiring the division of state police to maintain a central offender registry and relative to public access to information contained in the registry. (Amendment printed SJ 19, 6/10/98)

Rep. David Welch moved that the House concur.

Rep. Knowles spoke in favor.

Adopted by the necessary two-thirds.

HB 686-FN-A, relative to financing child day care facilities. (Amendment printed SJ 18, 6/4/98)

Rep. Emerton moved that the House concur.

Adopted by the necessary-two-thirds.

HB 749-FN, relative to disability retirement benefits for retirement system members permanently incapacitated for duty. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Dyer, Mercer, Klemm and Robertson.

HB 774-FN, relative to child support, custodial rights, and visitation. (Amendment printed SJ 19, 6/10/98)

Rep. John McCarthy moved that the House concur and spoke in favor.

Adopted by the necessary two-thirds.

HB 1011-FN, making it a felony to operate certain gambling business and prohibiting possession of gambling machines unless specifically authorized under state law. (Amendment printed SJ 19, 6/10/98)

Rep. Henderson spoke in favor.

Rep. Vaillancourt spoke against.

Rep. Vaillancourt requested a roll call; sufficiently seconded.

The question being the motion to concur.

YEAS 174 NAYS 34			
YEAS 174			
BELKNAP			
Boyce, Robert	Holbrook, Robert	Rosen, Ralph	Thomas, John
Turner, Robert			
CARROLL			
Bradley, Jeb	Chandler, Gene Lyman, L. Randy	MacDonald, Kenneth	
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Burnham, Daniel	DePecol, Benjamin	Hunt, John	McNamara, Wanda
Meador, David	Metzger, Katherine	Richardson, Barbara	Robertson, Timothy
Royce, H. Charles			
COOS			
Davis, Perley	Guay, Lawrence	Horton, Lynn	Pratt, Leighton
Tholl, John, Jr.			
GRAFTON			
Alger, John	Almy, Susan	Below, Clifton	Copenhaver, Marion
Guaraldi, Lawrence	Guest, Robert	Hinman, Harry	LaMott, Paul

Lovett, Sidney	Nordgren, Sharon	Teschner, Douglass	
HILLSBOROUGH			
Ackerman, Philip	Amidon, Eleanor	Arnold, Thomas, Jr.	Barry, William, III
Boutin, David	Buckley, Raymond	Burke, M. Virginia	Calawa, Leon, Jr.
Carlson, Donald	Clegg, Robert, Jr.	Daigle, Robert	Daniels, Gary
Dokmo, Cynthia	Durham, Susan	Dwyer, Paul, Sr.	Dyer, Merton
Emerton, Lawrence, Sr.	Fields, Dennis	Flora, Kathleen	Foster, Linda
Golding, William	Goulet, Maurice	Hart, Nick	Herman, Keith
Holley, Sylvia	Holt, David	Hunter, Bruce	Kurk, Neal
Lefebvre, Roland	Lozeau, Donna	lee	Luebker, Bernard
MacAuslan, Rita	MacGillivray, Jeffrey	MacIntyre, Doris	Martin, Mary
McCarty, Winston	McGough, Tim	McRae, Karen	Melcher, Harold
Mercer, Robert	Messier, Irene	Milligan, Robert	Mittelman, David
Peterson, Andrew	Reidy, Frank	Riley, Frances	Rowe, Robert
Sargent, Maxwell	Searles, Stanley, Sr.	Thulander, O. Alan	Turgeon, Roland
Vaillancourt, Steve	Wheeler, Robert	White, Donald	Williams, Carol
Wright, George	MERRIMACK		
Anderson, Eric	Brown, Mary	Chandler, Earle	Crowell, Peter
Daneault, Gabriel	Davis, Francis	Fraser, Marilyn	French, Barbara
Hager, Elizabeth	Larrabee, David	Leber, William	Lockwood, Robert
Morrill, Olive	Nichols, Avis	Pfaff, Terence	Rogers, Katherine
Seldin, Gloria	Wallner, Mary Jane	Whalley, Michael	Whittemore, James
Yeaton, Charles	ROCKINGHAM		
Abbott, Dennis	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Christie, Andrew, Jr.	Dalrymple, Janeen	Dodge, Robert	Dowling, Patricia
Flanagan, Natalie	Flanders, John, Sr.	Francoeur, Sheila	Gleason, John
Henderson, Warren	Kane, Cecelia	Kobel, Rudolph	Langley, Jane
Langone, John	Letourneau, Robert	Major, Norman	Malcolm, Kenneth
McKinney, Betsy	Micklon, Stephanie	Nowe, Ronald	Rabideau, Marie
Reardon, Neil	Sapareto, Frank	Schanda, Frank	Stone, Joseph

Stritch, C. Donald	Varrell, Thomas Verani, Giovanni	Welch, David
Weyler, Kenneth		
STRAFFORD		
Brennan, William	Cossette, Larry DeChane, Marlene	Dunlap, Patricia
Hemon, Roland Kaen, Naida	McKinley, Robert	Merrill, Amanda
Merritt, Deborah	Musler, George Rogers, Rose Marie	Rollo, Michael
Snyder, Clair	Spear, Barbara Torr, Ann	Torr, Franklin
Twardus, Joseph	Vachon, Dennis Wall, Janet	
SULLIVAN		
Burling, Peter	Cloutier, John Donovan, Thomas	Ferland, Brenda
Leone, Richard Lindblade, Eric	Schotanus, Merle	Wiggins, Celestine
NAYS 34		
BELKNAP		
Pilliod, James		
CARROLL		
Dickinson, Howard, Jr.		
CHESHIRE		
None		
COOS		
None		
GRAFTON		
Brown, Channing	Ham, Bonnie	
HILLSBOROUGH		
Chabot, Robert Christiansen, Lars	Fenton, James	Gage, Ruth
Gagnon, Eugene	Ginsburg, Ruth Hall, Betty	Jean, Loren
LaRose, Richard	Lessard, Rudy	Murphy, Robert
MERRIMACK		
Burney, Carol	Jacobson, Alf	Lamach, Bernard
		St. Cyr, Gerard
ROCKINGHAM		
Camm, Kevin	Cooney, Richard	Dunham, Vivian Gibbons, Paul

Griffin, Mary	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Mikowski, Walter	Raynowska, Bernard	Vaughn, Charles	
STRAFFORD			
Berube, Roger	Keans, Sandra	Sullivan, Henry	Vincent, Francis
SULLIVAN			
None			

and the motion was adopted by the necessary two-thirds.

Rep. Berube voted nay and intended to vote yea.

Rep. David Lawton declared a conflict of interest and did not participate.

HB 1156-FN-L, relative to primary elections and absentee ballots. (Amendment printed SJ 19, 6/10/98)

Rep Arndt moved that the House concur.

Adopted by the necessary two-thirds.

HB 1169-L, clarifying the authority of the ballot law commission relative to the examination of programs used to count voted. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Arndt, Arnold, Buckley and Ann Torr.

HB 1174, establishing a committee to study the state substance abuse treatment delivery system and relative to certain tests for alcohol concentration. (Amendment printed SJ 18, 6/4/98)

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

Adopted by the necessary two-thirds.

HB 1236-L, relative to limitations on the amendment of warrant articles in official ballot voting. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Metzger, McGuirk, Flint and Patricia Cote.

HB 1272-L, requiring the long range capital planning and utilization committee and the Skyhaven airport operation commission to develop a plan to transfer the Skyhaven airport to a local public entity. (Amendment printed SJ 19, 6/10/98).

Rep. Gene Chandler moved that the House concur, spoke in favor and yielded to questions.

Adopted by the necessary two-thirds.

HB 1281, requiring managed care plans to permit a woman to select an obstetrician-gynecologist as a primary care physician or to obtain access for certain obstetrical or gynecological services. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

HB 1290-FN, relative to the authority of the state fire marshal. (Amendment printed SJ 19, 6/10/98)

Rep. David Welch moved that the House concur and spoke in favor.

Adopted by the necessary two-thirds.

HB 1297-FN-A, establishing a program of integrated pest management and continually appropriating an integrated pest management fund.

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Babson, Leighton Pratt, Brennan and Franklin Torr.

HB 1303-FN, continually appropriating boating fees and other revenues to the division of safety services. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Klemm, Franklin Torr, Robert Johnson and Lynch.

HB 1337-FN, making technical corrections in laws related to the department of corrections. (Amendment printed SJ 19, 6/10/98)

Rep. Mercer moved that the House concur.

Rep. Dyer spoke in favor.

Adopted by the necessary two-thirds.

HB 1389-FN-L, relative to agreements for telecommunications-related uses of the state highway system. (Amendment printed SJ 18, 6/4/98)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. McCarty, Leber, Belvin and D'Allesandro.

HB 1515-FN, relative to discharge of persons imprisoned for failure to pay a penalty assessment or an administrative fee. (Amendment printed SJ 19, 6/10/98)

Rep. David Welch moved that the House concur.

Rep. Christie spoke in favor.

Adopted by the necessary two-thirds.

HB 1531-FN, relative to reimbursement for removal of petroleum storage facilities from the oil pollution control fund. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Whalley, Royce, David Cote and Holbrook.

HB 1553-FN, prohibiting the possession or use of rohypnol, ketamine, and GHB. (Amendment printed SJ 18, 6/4/98)

Rep. David Welch moved that the House concur.

Rep. Flora spoke in favor.

Adopted by the necessary two-thirds.

HB 1568, relative to the timing of special school district meetings. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

HB 1575, relative to highway modifications on lands acquired through the land conservation investment program. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Schotanus, Calawa, Gene Chandler and DeStefano.

HB 1588, relative to causing injury to a police dog or horse. (Amendment printed SJ 19, 6/10/98)

Rep. David Welch moved that the House concur.

Rep. Christie spoke in favor.

Adopted by the necessary two-thirds.

HB 1623, relative to a waiting period before a cat or ferret may be euthanized, relative to requirements for cats, ferrets, and dogs transferred from animal shelter facilities, and relative to ferret rabies suspects. (Amendment printed SJ 19, 6/10/98)

Rep. Musler moved that the House nonconcur and request a Committee of Conference, and spoke in favor.

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Trelfa, Phinney, David and Owen.

RECONSIDERATION

Having voted with the prevailing side, Rep. Musler moved that the House reconsider its action whereby it nonconcurrent and requested a Committee of Conference on **HB 1623**, relative to a waiting period before a cat or ferret may be euthanized, relative to requirements for cats, ferrets, and dogs transferred from animal shelter facilities, and relative to ferret rabies suspects, and spoke in favor.

Reconsideration prevailed by the necessary two-thirds..

REQUESTS CONCURRENCE WITH AMENDMENTS (CONT'D.)

HB 1623, relative to a waiting period before a cat or ferret may be euthanized, relative to requirements for cats, ferrets, and dogs transferred from animal shelter facilities, and relative to ferret rabies suspects. (Amendment printed SJ 19, 6/10/98)

Rep. Musler moved that the House concur.

Adopted by the necessary two-thirds.

HB 1631-FN, extending the moratorium on new nursing beds. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

HB 1657, extending the consultant's reporting date for surveying the department of youth development services' facilities. (Amendment printed SJ" 18, 6/4/98)

Rep. Franklin moved that the House concur.

Rep. Lozeau spoke in favor.

Adopted by the necessary two-thirds.

HB 1659, prohibiting the use of eminent domain powers by public utilities to take private property for the construction and operation of electric generating plants. (Amendment printed SJ 18, 6/4/98)

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

Adopted by the necessary two-thirds.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1114, 1209, 1320, 1328, 1456 and HJR 24 and Senate Bills numbered 161, 316, 320, 362, 371, 479 and 486.

Rep. Pfaff, Sen. Barnes for the Committee

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 Thursday, June 18, 1998 at 10:30 a.m.

Adopted by the necessary two-thirds.

LATE SESSION

Third reading and final passage

SB 440, relative to fines payable to the division of motor vehicles; allowing civil bench warrants for defaults on such fines; authorizing bail commissioners to receive certain civil fines and fees, and authorizing the division of motor vehicles to report those in default to a consumer reporting agency.

SB 483-FN, exempting certain businesses from the electronic filing requirement under the meals and rooms tax.

SB 488-FN, directing the department of environmental services to create a model for managing the flow of water in the Winnepesaukee River watershed and creating an advisory committee.

SB 324-FN, relative to entertainers on premises of an on-sale liquor licensee and relative to penalties for manufacture, sale, and possession of false identification.

SB 475, relative to medicaid reimbursement rates and dental care.

SB 363-L, relative to notification to and jurisdiction of municipalities concerning governmental use of property.

SB 427, establishing a revolving fund for loans for intrastate energy pipeline facilities improvements.

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 and forming Committees of Conference only.

Adopted by the necessary two-thirds.

The House recessed at 5:45 p.m.

RECESS

(Rep. Emerton in the Chair)

ENROLLED BILL AMENDMENTS

HB 1311, adopting the 1994 revisions to article 8 of the uniform commercial code relative to investment securities.

Amendment (2042-EBA)

Amend the bill by replacing all after section 21 of the bill with the following:

22 Territorial Application of Chapter; Parties Power to Choose Applicable Law. Amend RSA382-A:1-105(2) to read as follows:

(2) Where one of the following provisions of this Act specifies the applicable law, that provision governs and a contrary agreement is effective only to the extent permitted by the law (including the conflict of laws rules) so specified:

Rights of creditors against sold goods. Section 2-402.

Applicability of the Article on Leases. Sections 2A-105 and 2A-106.

Applicability of the Article on Bank Deposits and Collections. Section 4-102.

Applicability of the Article on Investment Securities. Section [~~8-106~~] **8-110**.

Perfection provisions of the Article on Secured Transactions. Section 9-103.

Governing law in the Article on Fund Transfers. Section 4A-507.

Letters of Credit. Section 5-116.

23 Other Definitions. Amend RSA 382-A:9-105(2) and (3) to read as follows:

(2) Other definitions applying to this Article and the sections in which they appear are:

"Account." Section 9-106.

"Attach." Section 9-203.

"Commodity contract." Section 9-115.

"Commodity customer." Section 9-115.

"Commodity intermediary." Section 9-115.

"Construction mortgage." Section 9-313 (1).

"Consumer goods." Section 9-109(1).

"Control." Section 9-115.

"Equipment." Section 9-109(2).

"Farm products." Section 9-109(3).

"Fixture." Section 9-313(1).

"Fixture filing." Section 9-313(1).

"General intangibles." Section 9-106.

"Inventory." Section 9-109(4).

"Investment property." Section 9-115.

"Lien creditor." Section 9-301(3).

"Proceeds." Section 9-306 (1).

"Purchase money security interest." Section 9-107.

"United States." Section 9-103. (3)

(3) The following definitions in other Articles apply to this Article:

"Broker." Section 8-102.

"Certificate Security." Section 8-102.

"Check." Section 3-104.

"Clearing corporation." Section 8-102.

"Contract for sale." Section 2-106.

"Control." Section 8-106.

"Delivery." Section 8-301.

"Entitlement holder." Section 8-102.

"Financial asset." Section 8-102.

"Holder in due course." Section 3-302.

"Letter of Credit". Section 5-102.

"Note." Section 3-104.

"Proceeds of a Letter of Credit". Section 5-114(a).

"Sale." Section 2-106.

"Securities intermediary." Section 8-102.

"Security." Section 8-102.

"Security certificate." Section 8-102.

"Security entitlement." Section 8-102.

"Uncertificated security." Section 8-102.

24 Definitions; Account; General Intangibles. Amend RSA 382-A:9-106 to read as follows:

382-A:9-106 Definitions: "Account"; "General Intangibles". "Account" means any right to payment for goods sold or leased or for services rendered which is not evidenced by an instrument or chattel paper, whether or not it has been earned by performance. "General intangibles" means any personal property (including things in action) other than goods, accounts, chattel paper, documents, instruments, rights to proceeds of written letters of credit, ***investment property***, and money. All rights to payment earned or unearned under a charter or other contract involving the use or hire of a vessel and all rights incident to the charter or contract are accounts.

25 Perfection of Security Interest in Instruments, Documents, Proceeds of a Written Letter of Credit and Goods Covered by Documents; Perfection by Permissive Filing; Temporary Perfection Without Filing or Transfer of Possession. Amend RSA 382-A:9-304 to read as follows:

382-A:9-304 Perfection of Security Interest in Instruments, Documents, Proceeds of a Written Letter of Credit, and Goods Covered by Documents; Perfection by Permissive Filing; Temporary Perfection Without Filing or Transfer of Possession.

(1) A security interest in chattel paper or negotiable documents may be perfected by filing. A security interest in the rights to proceeds of a written letter of credit can be perfected only by the secured party's taking possession of the letter of credit. A security interest in money or instruments (other than ~~[certificated securities or]~~ instruments which constitute part of chattel paper) can be perfected only by the secured party's taking possession, except as provided in subsections (4) and (5) of this section and subsections (2) and (3) of Section 9-306 on proceeds.

(2) During the period that goods are in the possession of the issuer of a negotiable document therefor, a security interest in the goods is perfected by perfecting a security interest in the document, and any security interest in the goods otherwise perfected during such period is subject thereto.

(3) A security interest in goods in the possession of a bailee other than one who has issued a negotiable document therefor is perfected by issuance of a document in the name of the secured party or by the bailee's receipt of notification of the secured party's interest or by filing as to the goods.

(4) A security interest in instruments [~~(other than certificated securities)~~], **certificated securities**, or negotiable documents is perfected without filing or the taking of possession for a period of 21 days from the time it attaches to the extent that it arises for new value given under a written security agreement.

(5) A security interest remains perfected for a period of 21 days without filing where a secured party having a perfected security interest in an instrument [~~(other than a certificated security)~~] **a certificated security**, a negotiable document or goods in possession of a bailee other than one who has issued a negotiable document therefor

(a) makes available to the debtor the goods or documents representing the goods for the purpose of ultimate sale or exchange or for the purpose of loading, unloading, storing, shipping, transshipping, manufacturing, processing or otherwise dealing with them in a manner preliminary to their sale or exchange, but priority between conflicting security interests in the goods is subject to subsection (3) of Section 9-312; or

(b) delivers the instrument **or certificated security** to the debtor for the purpose of ultimate sale or exchange or of presentation, collection, renewal or registration of transfer.

(6) After the 21-day period in subsections (4) and (5) perfection depends upon compliance with applicable provisions of this Article.

26 When Possession by Secured Party Perfects Security Interest Without Filing. Amend RSA382-A:9-305 to read as follows:

382-A:9-305 When Possession by Secured Party Perfects Security Interest Without Filing. A security interest in goods, instruments [~~(other than certificated securities)~~], money, negotiable documents or chattel paper may be perfected by the secured party's taking possession of the collateral. A security interest in the rights to proceeds of a written letter of credit can be perfected only by the secured party's taking possession of the letter of credit. If such collateral other than goods covered by a negotiable document is held by a bailee, the secured party is deemed to have

possession from the time the bailee receives notification of the secured party's interest. A security interest is perfected by possession from the time possession is taken without relation back and continues only so long as possession is retained, unless otherwise specified in this Article. The security interest may be otherwise perfected as provided in this Article before or after the period of possession by the secured party.

27 Contingency; HB 1312. If HB 1312 of the 1998 session becomes law then sections 22-26 of this act shall take effect January 1, 1999 at 12:01 a.m. and sections 2, 5, 8, 9, 15, and 16 shall not take effect. If HB 1312 of the 1998 session does not become law then sections 22-26 of this act shall not take effect and sections 2, 5, 8, 9, 15, and 16 shall take effect January 1, 1999.

28 Effective Date.

I. Sections 2, 5, 8, 9, 15, 16, and 22-26 of this act shall take effect as provided in section 27.

II. The remainder of this act shall take effect January 1, 1999.

Adopted by the necessary two-thirds.

HB 1295-FN, relative to reimbursing the state medical assistance program.

Amendment (2027-EBA)

Amend section 2 of the bill by replacing line 1 with the following:

2 New Paragraph; Procedure for Disbursement of Settlements. Amend RSA167:14-a by

Adopted by the necessary two-thirds.

HB 1435-L, relative to board of tax and land appeals jurisdiction over town line disputes, relative to time limits for abatement and appeal of a land use change tax, relative to the vote required for a legislative body of a municipality to accept a street, and relative to allowing municipalities to except islands from certain requirements concerning streets.

Amendment (2047-EBA)

Amend RSA 74:7-a, I as inserted by section 2 of the bill by replacing lines 6-8 with the following:

~~grounds of improper assessment valuation]~~ **of an appraisal under RSA 75:1**, but shall not lose the right to apply for, or appeal the denial of, any other type of tax relief **including an appeal under RSA 72:34-a, an appraisal under RSA 75:11, or a land use change tax under RSA 79-**

Adopted by the necessary two-thirds.

HB 1498, authorizing emergency medical care providers to inform patients of transport options.

Amendment (2020-EBA)

Amend section 1 of the bill by replacing lines 1-3 with the following:

1 New Section; Transport Options. Amend RSA 151-B by inserting after section 10-a the following new section:

151-B:10-b Transport Options. Emergency medical care providers licensed under this chapter

Adopted by the necessary two-thirds.

HB 1562, repealing the authority of the department of health and human services to request certain controlled drugs.

Amendment (2026-EBA)

Amend section 2 of the bill by replacing it with the following:

2 Repeal. RSA 318-B:17, II and III, relative to the department's authority to request controlled drugs, are repealed.

Adopted by the necessary two-thirds.

HB 1652, establishing a pilot program relative to the administration of medications in residential care facilities.

Amendment (2099-EBA)

Amend subparagraph I(b)(2) of section 2 of the bill by replacing line 1 with the following:

(2) Cognitive state shall be determined by bureau of health facilities,
department of

Amend subparagraph I(c)(4)(E) of section 2 of the bill by replacing line 1 with the following:

(E) The resident shall be assessed utilizing the state's needs
assessment no more

Amend subparagraph I(c)(4)(G) of section 2 of the bill by replacing line 2 with the following:

shall be denied, except as deemed appropriate by the consulting RN.

Adopted by the necessary two-thirds.

RECESS

(Rep. Dyer in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 204-FN-L, granting responsibility for court security and custody and control of prisoners while in the courthouse to the county sheriff and providing for state reimbursement of the sheriff for the costs of such security services. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Hunter, David Welch, Knowles and Kurk.

HB 1000, relative to a 10-year transportation plan, authorizing construction on the Spaulding Turnpike, and relative to the radio system upgrade for the department of transportation. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Gene Chandler, Calawa, Gerald Merrill and D'Allesandro.

HB 1336-FN, defining medical necessity for insurance purpose. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Hunt, Herman, Hurt and Syracuse.

HB 1341, relative to temporary seasonal docks on lakes and ponds. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Whalley, David Lawton, Royce and Rowe.

HB 1417-L, relative to involvement in mediation in collective bargaining negotiations by certain municipalities. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Daniels, Turner, Clegg and Jane Kelley.

HB 1541, creating a position in the insurance department. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Hunt, Fuller Clark, Herman and Hurt.

HB 1558-FN-L, relative to games of chance. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Hess, Teschner, Pantelakos and Nichols.

HB 1655-FN-A, relative to the authority of the length of service awards program committee, and making an appropriation therefor. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Dodge, Dyer, Mercer and Thulander.

NONCONCURS WITH AMENDMENT

REQUESTS COMMITTEE OF CONFERENCE

SB 437-FN, requiring a one year mandatory prison sentence for a third DWI conviction.

The President appointed Sens. Gordon, Podles and Pignatelli.

Rep. Dolan moved that the House accede.

Adopted by the necessary two-thirds.

The Chair appointed Reps. Christie, Morrill, Knowles and Schanda.

RECESS

(Rep. Lindblade in the Chair)

SENATE MESSAGE

REQUESTS CONCURRENCE WITH AMENDMENT

HB 1555-FN, relative to including revocable trusts for medicaid estate recovery purposes. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Thulander, Camm, Frances Riley and Wallner.

RECESS

(Rep. Rogers in the Chair)

ENROLLED BILL AMENDMENTS

SB 313, requiring the compliance with the Military Selective Service Act as a condition to receiving certain state education and employment benefits, and clarifying the procedure for making Persian Gulf War service bonus payments. (Amendment printed SJ 19, 6/10/98)

Adopted by the necessary two-thirds.

SB 402, codifying the pet overpopulation committee. (Amendment printed SJ 19, 6/10/98)

Adopted by the necessary two-thirds.

RECESS

(Rep. O'Hearn in the Chair)

SENATE MESSAGE

REQUESTS CONCURRENCE WITH AMENDMENT

HB 1520-FN, relative to primary petitions, political expenditures, and the jurisdiction of the ballot law commission. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Arndt, Horton, Lozeau and Joseph Foster.

RECESS

(Rep. Kurk in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1246, relative to enforcement of oil spillage laws. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Royce, Whalley, Adler and Downing.

HB 1307, relative to penalties for habitual offenders. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Hunter, Christie, David Welch and Schanda.

HB 1310, relative to legislative approval of expenditure of federal and other funds. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Kurk, Holbrook, Robert Johnson and DeStefano.

HB 1350-FN-A, relative to vocational student organizations and making an appropriation for vocational organization advisors. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. O'Hearn, Larrabee Amanda Merrill and Dowd.

HB 1545-FN, increasing the salaries and changing the terms of office of the labor commissioner and the deputy labor commissioner. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Langer, Dyer, Murphy and Kurk.

NONCONCURS WITH AMENDMENTS

REQUESTS COMMITTEES OF CONFERENCE

SB 312, relative to the health care transition fund.

The President appointed Sens. Squires, David Wheeler and Katherine Wheeler.

Rep. Lozeau moved that the House accede.

Adopted by the necessary two-thirds.

The Chair appointed Reps. Belvin, Camm, Thulander and Frances Riley.

SB 437-FN, requiring a one year mandatory prison sentence for a third DWI conviction.

The President appointed Sens. Gordon, Podles and Pignatelli.

Rep. Lozeau moved that the House accede.

Adopted by the necessary two-thirds.

The Chair appointed Reps. Christie, Morrill, Knowles and Schanda.

SB 473-FN, relative to child day care providers.

The President appointed Sens. Gordon, Squires and Katherine Wheeler.

Rep. Lozeau moved that the House accede.

Adopted by the necessary two-thirds.

The Chair appointed Reps. Emerton, Batula, Estabrook and Dowling.

SB 488-FN, directing the department of environmental services to create a model for managing the flow of water in the Winnepesaukee River watershed and creating an advisory committee.

The President appointed Sens. Russman, Patenaude and Cohen.

Rep. Lozeau moved that the House accede.

Adopted by the necessary two-thirds.

The Chair appointed Reps. Royce, Whalley, Rowe and Downing.

SB 490-FN, relative to life and accident and health insurance and relative to certain salaries.

The President appointed Sens. Squires, Danaïs and Katherine Wheeler.

Rep. Lozeau moved that the House accede.

Adopted by the necessary two-thirds.

The Chair appointed Reps. Hunt, Herman, Syracuse and Klemm.

RECESS

(Rep. Gene Chandler in the Chair)

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1471, allowing loss of familial relationship damages in wrongful death actions. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two thirds.

The Chair appointed Reps. John McCarthy, Bergin, Wall and Lionel Johnson.

HB 1561-FN, preventing computer pornography and child exploitation and increasing penalties for possession under the child pornography laws. (Amendment printed SJ 19, 6/10/98)

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Hunter, Christie, David Welch and Schanda.

ACCEDES TO REQUESTS FOR COMMITTEES OF CONFERENCE

HB 204-FN-L, granting responsibility for court security and custody and control of prisoners while in the courthouse to the county sheriff and providing for state reimbursement of the sheriff for the costs of such security services.

The President appointed Sens. Frederick King, Roberge and McCarley.

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

The President appointed Sens. Russman, Danaïs and John King.

HB 555, exempting an individual's pensions and individual retirement accounts from bankruptcy attachment.

The President appointed Sens. David Wheeler, Francoeur and Katherine Wheeler.

HB 559-FN, allowing courts to impose an extended term of imprisonment upon persons of any age who have committed certain crimes against persons under 13 years of age.

The President appointed Sens. Roberge, Cohen and Francoeur.

HB 583-FN-L, relative to felonious disarming of a law enforcement officer.

The President appointed Sens. David Wheeler, Francoeur and Blaisdell.

HB 587-FN, relative to the system benefits charge and the composition of the nuclear decommissioning financing committee.

The President appointed Sens. Rubens, Francoeur and Larsen.

HB 630-FN-L, relative to additional voluntary contributions to provide for early retirement by members of the retirement system.

The President appointed Sens. Francoeur, David Wheeler and Hollingworth.

HB 749-FN, relative to disability retirement benefits for retirement system members permanently incapacitated for duty.

The President appointed Sens. Fraser, Squires and Blaisdell.

HB 798, relative to the regulation of health clubs.

The President appointed Sens. Gordon, Squires and Larsen.

HB 1000-FN-L, relative to a 10-year transportation plan, authorizing construction on the Spaulding Turnpike, and relative to the radio system upgrade for the department of transportation.

The President appointed Sens. Frederick King, Fraser and Cohen.

HB 1100-FN, relative to the design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the population cap and closing date for the lakes region department of corrections facility, authorizing the department of corrections to establish 2 additional halfway houses and appoint additional probation and parole officers, and making adjustments to the operating budget for fiscal year 1999.

The President appointed Sens. Frederick King, Fraser and Larsen. Alternate: Sen. Gordon.

HB 1103-L, relative to the state representative districts of towns.

The President appointed Sens. Roberge, Rubens and McCarley.

HB 1205-FN, making technical corrections to the securities laws.

The President appointed Sens. Fraser, Danais and Blaisdell.

HB 1217, relative to balancing the operating budget.

The President appointed Sens. Blaisdell, Danais and Frederick King.

HB 1236-L, relative to limitations on the amendment of warrant articles in official ballot voting. The President appointed Sens. Roberge, Rubens and McCarley.

HB 1246, relative to enforcement of oil spillage laws.

The President appointed Sens. Francoeur, Patenaude and Cohen.

HB 1297-FN-A, establishing a program of integrated pest management and continually appropriating an integrated pest management fund.

The President appointed Sens. Russman, Cohen and Johnson.

HB 1303-FN-A-L, continually appropriating boating fees and other revenues to the division of safety services.

The President appointed Sens. Russman, Patenaude and Pignatelli.

HB 1307, relative to penalties for habitual offenders.

The President appointed Sens. Podles, Gordon and Cohen.

HB 1310, relative to legislative approval of expenditure of federal and other funds.

The President appointed Sens. Frederick King, Barnes and Blaisdell.

HB 1336, defining medical necessity for managed care insurance purposes and relative to discontinued health coverage.

The President appointed Sens. Squires, Danais and Katherine Wheeler.

HB 1341, relative to temporary seasonal docks on lakes and ponds.

The President appointed Sens. Danais, Patenaude and McCarley.

HB 1350-FN-A, relative to vocational student organizations and making an appropriation for vocational organization advisors.

The President appointed Sens. Frederick King, Johnson and John King.

HB 1369, revising the student membership the university system of New Hampshire board of trustees.

The President appointed Sens. Rubens, McCarley and Danais.

HB 1389-FN-L, relative to agreements for telecommunications-related uses of the state highway system.

The President appointed Sens. Russman, Cohen and Patenaude.

HB 1417-L, relative to involvement in mediation in collective bargaining negotiations by certain municipalities.

The President appointed Sens. Francoeur, McCarley and Roberge.

HB 1471, allowing loss of familial relationship damages in wrongful death actions.

The President appointed Sens. Squires, Francoeur and Cohen.

HB 1481, granting rulemaking authority to the executive director of fish and game to determine the legal length of lobsters.

The President appointed Sens. Cohen, Roberge and Johnson.

HB 1520-FN, relative to primary petitions, political expenditures, and the jurisdiction of the ballot law commission.

The President appointed Sens. Barnes, Patenaude and McCarley.

HB 1531-FN, relative to reimbursement for removal of petroleum storage facilities from the oil pollution control fund.

The President appointed Sens. Russman, Cohen and Frederick King.

HB 1540-FN, allowing non-banks to establish cash dispensing machines.

The President appointed Sens. Fraser, Blaisdell and Johnson.

HB 1541-FN-A, creating a position in the insurance department.

The President appointed Sens. Squires, Francoeur and Hollingworth.

HB 1545-FN, increasing the salaries and changing the terms of office of the labor commissioner and the deputy labor commissioner.

The President appointed Sens. Barnes, Fraser and Blaisdell.

HB 1555-FN, relative to including revocable trusts for medicaid estate recovery purposes.

The President appointed Sens. Fraser, Danaïs and John King.

HB 1558-FN-L, relative to games of chance.

The President appointed Sens. Frederick King, Johnson and Pignatelli.

HB 1561, preventing computer pornography and child exploitation and increasing penalties for possession under the child pornography laws.

The President appointed Sens. Squires, Francoeur and Pignatelli.

HB 1575-FN, relative to highway modifications on lands acquired through the land conservation investment program.

The President appointed Sens. Russman, Cohen and Frederick King.

HB 1655-FN-A, relative to the authority of the length of service awards program committee, and making an appropriation therefor.

The President appointed Sens. Barnes, Blaisdell and Frederick King.

RECESS

(Rep. Gene Chandler in the Chair)

REQUESTS CONCURRENCE WITH AMENDMENT

HB 1629, relative to walking disability plates and placards.

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

Adopted by the necessary two-thirds.

The Chair appointed Reps. Packard, John Flanders, Pilliod and Turgeon.

ACCEDES TO REQUEST FOR COMMITTEE OF CONFERENCE

HB 1629-FN, relative to walking disability plates and placards.

The President appointed Sens. Podles, Gordon and Pignatelli.

CONFEREE CHANGES

SB 451-FN-L, relative to the accessibility of pupil assessment materials and the anonymity of pupil assessment results.

Rep. Snyder replaces Rep. Yeaton.

Rep. O'Hearn replaces Rep. Searles.

Rep. Belvin replaces Rep. Larrabee.

HB 1369, revising the student membership the university system of New Hampshire board of trustees.

Rep. Durham replaces Rep. Dearborn.

HB 1100-FN, relative to the design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the population cap and closing date for the lakes region department of corrections facility, authorizing the department of corrections to establish 2 additional halfway houses and appoint additional probation and parole officers, and making adjustments to the operating budget for fiscal year 1999.

Rep. Cloutier replaces Rep. Rogers.

SB 339-L, relative to the bidding for design and construction of a new medium security prison in the city of Berlin and to the closure of the lakes region facility and making appropriations therefor.

Rep. Cloutier replaces Rep. Rogers.

SB 488-FN, directing the department of environmental services to create a model for managing the flow of water in the Winnepesaukee River watershed and creating an advisory committee.

Sen. Gordon replaces Sen. Russman.

SB 437-FN, requiring a one year mandatory prison sentence for a third DWI conviction.

Rep. Mikowski replaces Rep. Morrill.

HB 1629, relative to walking disability plates and placards.

Rep. Letourneau replaces Rep. John Flanders.

RECESS

(Rep. Hunter in the Chair)

ENROLLED BILL AMENDMENTS

HB 272, relative to boat docking facilities.

Amendment (2077-EBA)

Amend RSA 482-A:3, XIII(c) as inserted by section 1 of the bill by replacing line 1 with the following:

(c) Notwithstanding the provisions of subparagraph (a), boat docking facilities may be located

Adopted by the necessary two-thirds.

HB 1182, establishing an oversight committee to review the allocation of funds dispersed for the developmental disabilities waitlist.

Amendment (2109-EBA)

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

AN ACT establishing an oversight committee to review the allocation of funds disbursed for the developmental disabilities waitlist.

Adopted by the necessary two-thirds.

HB 1224, requiring the department of environmental services to test sludge or biosolids to be used for land application and assessing fees to sludge quality certification holders.

Amendment (2081-EBA)

Amend section 2 of the bill by replacing lines 3-6 with the following:

Samples. Amend RSA 485-A:4 by inserting after paragraph XVI-b the following new paragraph:

XVI-c. To implement a program of random on-site testing and inspection of sludge or biosolids samples to be used for any land application by any person obtaining a permit under RSA485-A:4, XVI-b, provided that inspection shall not be required before the issuance of a permit.

Amend section 3 of the bill by replacing lines 2 and 3 with the following:

Application of Sludge. Amend RSA 485-A by inserting after section 5-c the following new section:

485-A:5-d Land Application of Sludge. Sludge or biosolids which are to be land applied in
New

Amend the bill by replacing section 4 with the following:

4 Authorization for Contingent Renumbering. If any other act of the 1998 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 1998 session laws.

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

Adopted by the necessary two-thirds.

HB 1331-FN, relative to granting special hunting and fishing licenses to persons aged 68 or over for trapping.

Amendment (2069-EBA)

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

AN ACT relative to granting s special trapping license to persons aged 68 or over.

Adopted by the necessary two-thirds.

SB 472-FN-L, relative to filing security interests under the Uniform Commercial Code. (Amendment printed SJ 19, 6/10/98)

Adopted by the necessary two-thirds.

RECESS

(Rep. Amanda Merrill in the Chair)

ENROLLED BILL AMENDMENTS

HB 1226-FN, creating the educational credential of master teacher and clarifying the procedures for background criminal checks for school employees and volunteers.

Amendment (2076-EBA)

Amend the bill by inserting after section 6 the following and renumbering the original section 7 to read as 8:

7 Contingency. If HB 1428 of the 1998 session becomes law, RSA 21-N:9, II(z), as inserted by section 1 of this act, shall be redesignated as RSA 21-N:9, II(bb), and RSA 186:8, IV, as inserted by section 2 of this act, shall be redesignated as RSA 186:8, V.

Adopted by the necessary two-thirds.

SB 346, establishing a task force to study the foster care system. (Amendment printed SJ 19, 6/10/98)

Adopted by the necessary two-thirds.

RECESS

BILLS SIGNED BY THE GOVERNOR

Chap. 102, **HB 497**, excluding domestic septage from regulation as sludge. (eff. 8/1/98)

Chap. 103, **HB 1120**, establishing a commission to study the effects of an jurisdiction over alternative agricultural products. (eff. 6/2/98)

Chap. 104, **HB 1128**, relative to space heaters. (eff. 1/1/99)

Chap. 105, **HB 1142**, making technical corrections on behalf of the department of revenue administration. (eff. 8/1/98)

Chap. 106, **HB 1147**, relative to corporate filings with the secretary of state. (eff. 8/1/98)

Chap. 107, **HB 1259**, relative to salary differentials for certain employees of the New Hampshire hospital. (eff. 8/1/98)

Chap. 108, **HB 1275**, relative to training for marine patrol officers. (eff. sec. 1, 8/1/98; sec. 2, 11/1/01)

Chap. 109, **HB 1300**, relative to the revenue stabilization reserve account and the health care transaction fund. (eff. 7/1/98)

Chap. 110, **HB 1333**, relative to the erection of voting booths at polling places. (eff. 8/1/98)

Chap. 111, **HB 1335**, authorizing the department of administrative services to accept donations, gifts, and grants for the purpose of funding a design to expand the veterans' home in the town of Tilton and establishing the patients' needs committee. (eff. 8/1/98)

Chap. 112, **HB 1346**, relative to certain definitions under the solid waste management act. (eff. 8/2/98)

Chap. 113, **HB 1354**, relative to fishing in the Connecticut River by residents of Vermont. (eff. 1/1/99)

Chap. 114, **HB 1396**, relative to licensure and training programs for emergency medical services instructor/coordinators. (eff. 8/1/98)

Chap. 115, **HB 1399**, revising certain information required in the state operating budget. (eff. 6/2/98)

Chap. 116, **HB 1409**, relative to licenses for taking lobster and crab. (eff. 1/1/99)

Chap. 117, **HB 1422**, changing unemployment compensation benefits. (eff. sec. 2, 3/28/99; sec. 3, 7/1/99; remainder 6/28/98)

Chap. 118, **HB 1536**, establishing a committee to study women's health care. (eff. 8/1/98)

Chap. 119, **SB 210**, relative to an exemption from licensing for day care in private homes. (eff. 8/1/98)

Chap. 120, **SB 311**, establishing the Uniform International Wills Act. (eff. 1/1/99)

Chap. 121, **SB 322**, repealing the prospective repeal relative to an exemption for certain rules regarding the radiological health program from drafting and numbering requirements of the rulemaking process. (eff. 8/21/98)

Chap. 122, **SB 360**, establishing a child and family resource group to study and make recommendations concerning the development and coordination of wellness and primary prevention programs. (eff. 6/2/98)

Chap. 123, **SB 364**, establishing a committee to study the feasibility and advisability of consolidating building trades under a single licensing board. (eff. 6/2/98)

Chap. 124, **SB 374**, relative to large water withdrawals and relative to exemptions from local planning and zoning requirements for public utilities. (eff. 8/1/98)

Chap. 125, **SB 385**, requiring the clerks of the superior courts to notify the appropriate regulatory board when a health care provider is convicted of a felony. (eff. 1/1/99)

Chap. 126, **SB 390**, relative to the application of the law governing foreign business entities to a merger or other reorganization of a gas utility. (eff. 6/2/98)

Chap. 127, **SB 394**, providing for revocation of wills by divorce. (eff. 1/1/99)

Chap. 128, **SB 395**, enacting certain provisions of the prudent investor act. (eff. 1/1/99)

Chap. 129, **SB 438**, exercising the authority of the state of New Hampshire to elect out of the federal Volunteer Protection Act of 1997. (eff. 6/2/98)

Chap. 130, **SB 441**, relative to the authority of and protections for fire chiefs. (eff. 1/1/99)

Chap. 131, **SB 448**, establishing a committee to study joint maintenance agreements in school districts. (eff. 8/1/98)

Chap. 132, **SB 505**, eliminating the separate fee for licenses master plumbers who are the sole shareholders of a plumbing corporation. (eff. 8/1/98)

Chap. 133, **HB 1468**, clarifying the legal status of home brewers of beer. (eff. 8/1/98)

Chap. 134, **HB 1291**, relative to management of the state ski areas at Mount Sunapee and Cannon Mountain. (eff. sec. 2-16, as provided in sec. 17; remainder 6/5/98)

Chap. 135, **HB 1430**, relative to waiver of filing fees and petitions for candidates for certain offices. (eff. 6/5/98)

Chap. 136, **HB 1444**, requiring a special primary for all parties if there are at least 2 candidates for election from one party and relative to political expenditure limitation amounts. (eff. 6/5/98)

Chap. 137, **HB 234**, relative to disposition by counties of funds of deceased patients of county nursing homes. (eff. 8/7/98)

Chap. 138, **HB 697**, changing the emergency shelter commission to an emergency shelter and homeless coordination commission. (eff. 8/7/98)

Chap. 139, **HB 1165**, relative to the incorporation, management, branching, and merger of banks and exempting certain New Hampshire banks from the aging requirement of the interstate acquisition and merger laws. (eff. secs. 23 & 24, 6/8/98; remainder 8/7/98)

Chap. 140, **HB 1166**, relative to the oversight committee on health and human services. (eff. 8/7/98)

Chap. 141, **HB 1172**, relative to the number of members on a municipal budget committee. (eff. 8/7/98)

Chap. 142, **HB 1193**, relative to installing vending machines at welcome and tourist information centers on state highways. (eff. 6/8/98)

Chap. 143, **HB 1198**, relative to the registration of vehicles owned by trusts. (eff. 1/1/99)

Chap. 144, **HB 1215**, establishing a committee to study the shortage of qualified and certified personnel in the delivery of services related to special education. (eff. 6/8/98)

Chap. 145, **HB 1271**, relative to the board of acupuncture licensing. (eff. 8/7/98)

Chap. 146, **HB 1274**, relative to enforcement of air pollution laws by the department of environmental services. (eff. 6/8/98)

Chap. 147, **HB 1408**, requiring a criminal background investigation for certain child care agencies. (eff. 1/1/98)

Chap. 148, **HB 1475**, relative to revising certain programs within the postsecondary education commission. (eff. 1/1/99)

Chap. 149, **HB 1563**, relative to the professional use of cannabis-type drugs. (eff. 1/1/99)

Chap. 150, **HB 1627**, relative to deposits with the state treasurer of amounts due certain stockholders and creditors on the dissolution of a corporation, and relative to the college tuition savings plan. (eff. secs. 1-3 & 6, 6/8/98; remainder 8/7/98)

Chap. 151, **HB 1630**, relative to the transportation of high-level radioactive waste. (eff. 1/1/99)

Chap. 152, **HB 1642**, relative to changing the environmental laboratory certification program administered by the department of environmental services to an accreditation program. (eff. 8/7/98)

Chap. 153, **SB 26**, preventing recovery by a nonsupporting parent in a wrongful death claim or action on behalf of the nonsupported child until child support arrearages are paid in full. (eff. 1/1/99)

Chap. 154, **SB 328**, allowing liquor and beverage licensees and other liquor and beverage industry members not licensed in New Hampshire to furnish draft beer equipment and representatives to dispense and promote their beverages at licensed beer festivals. (eff. 8/7/98)

Chap. 155, **SB 350**, relative to probate court procedures. (eff. sec. 8, 6/8/98; remainder 7/8/98)

Chap. 156, **SB 356**, relative to the bond required as a condition for filing an intent to cut or receiving a permit to cut. (eff. 8/7/98)

Chap. 157, **SB 383**, establishing a committee to study the use of telemedicine. (eff. 6/8/98)

Chap. 158, **SB 393**, relative to health insurance deductibles. (eff. 8/7/98)

Chap. 159, **SB 399**, correcting a reference in the insurance laws. (eff. 8/7/98)

Chap. 160, **SB 443**, establishing a committee to study the delivery of and funding for in-home support services for children with disabilities and their families. (eff. 6/8/98)

Chap. 161, **SB 493**, establishing a commission to determine the feasibility of a new public-private partnership to conserve New Hampshire's priority natural, cultural, and historical resources. (eff. 6/8/98)

Chap. 162, **SB 501**, relative to authorizing an attorney for prosecutions by the board of medicine and making an appropriation therefor. (eff. 7/1/98)