

HOUSE RECORD

Second Year of the 155th Session of the General
Court

Calendar and Journal of the 1998 Session

Vol. 20

Concord N.H.

Tuesday, June 30, 1998

No. 64

HOUSE JOURNAL No. 18 (cont.)

Thursday, June 18, 1998

(Rep. Lozeau in the Chair)

ENROLLED BILL 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 (2288-EBA)

Amend RSA 104:5, II as inserted by section 3 of the bill by replacing it with the following:

II. The sheriff and the sheriff's deputies and bailiffs shall perform the duties of crier of the court.

Adopted by the necessary two-thirds.

HB 529, relative to excluding from the definition of subdivision the placement and maintenance of wireless communication facilities.

Amendment (2276-EBA)

Amend RSA 672:14, IV as inserted by section 2 of the bill by replacing line 1 with the following:

IV. The rent, lease, development, or grant of an easement to a person for the purpose of placing

Amend RSA 672:14, IV as inserted by section 2 of the bill by replacing line 8 with the following:

plan, or regulatory authority over wireless communications facilities.

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 (2278-EBA)

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

AN ACT allowing courts to impose extended terms of imprisonment upon persons of any age who meet other criteria for extended terms and upon persons who have committed certain crimes against persons under 13 years of age.

Adopted by the necessary two-thirds.

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

Amendment (2279-EBA)

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

I. The public utilities commission is encouraged to form a working group to examine that portion of the

Adopted by the necessary two-thirds.

HB 798, relative to the regulation of health clubs.

Amendment (2287-EBA)

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

3 Bond Requirements. Amend RSA 358-I:2, I and II to read as follows:

I. Any person, corporation, partnership, association, or other entity operating or intending to

Adopted by the necessary two-thirds.

HB 1000-FN-L, relative to a 10-year transportation plan, authorizing construction on the Spaulding turnpike, to the radio system upgrade for the department of transportation, an exclusion from seasonal weight limits for certain vehicles, and requiring the commissioner of transportation to conduct a feasibility study.

Amendment (2270-EBA)

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

AN ACT relative to a 10-year transportation plan, authorizing construction on the Spaulding Turnpike, making an appropriation for a radio system upgrade for the department of transportation, excluding certain vehicles from seasonal weight limits, and requiring the commissioner of transportation to conduct a feasibility study.

Amend RSA 240:3, X as inserted by section 1 of the bill by replacing line 14 with the following:

(g) Various statewide pavement marking (annual project)

Amend RSA 240:5, IV(a) as inserted by section 1 of the bill by replacing line 1 with the following:

(a) nh 175a holderness-plymouth replace bridge (bridge st) over pemigewasset river

Amend section 2 of the bill by replacing lines 3-5 with the following:

II-d. Construct a second barrel on the Spaulding Turnpike from exits 12 to 16 with related interchange improvements from exits 11 to 16, as needed.

II-e. Construct improvements to the Spaulding Turnpike/US 4/NH 16 extending from

Amend section 7 of the bill by replacing line 4 with the following:

the findings and any recommendations to the president of the senate, the speaker of the house, and

Adopted by the necessary two-thirds.

HB 1196, relative to prohibiting the sale of lead fishing sinkers and lead jigs in fresh waters of the state, relative to lead studies and reports, and establishing a lead education program concerning the effects of lead on loons and other water birds and wildlife.

Amendment (2280-EBA)

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

AN ACT relative to prohibiting the sale of lead fishing sinkers and lead jigs in fresh waters of the state and establishing a lead education program concerning the effects of lead on loons and other water birds and wildlife.

Amend the bill by replacing lines 1-4 of section 2 with the following:

2 New Subdivision; Lead Education Program. Amend RSA 207 by inserting after section 59 the following new subdivision:

Lead Education Program

207:60 Lead Education Program.

Adopted by the necessary two-thirds.

HB 1205-FN, making technical corrections to the securities laws and relative to the filing fee for securities in a combined prospectus offered for sale in New Hampshire by a mutual fund.

Amendment (2274-EBA)

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

AN ACT making technical corrections to the securities laws, relative to the filing fee for securities in a combined prospectus offered for sale in New Hampshire by a mutual fund, and establishing a committee to study the impact of eliminating the filing fee for certain securities in a combined prospectus.

Amend section 4 of the bill by replacing lines 1-2 with the following:

4 Committee Established.

I. There is established a committee to study the anticipated net fiscal impact of the elimination of the filing fee for securities in a combined prospectus which are not

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.

Amendment (2281-EBA)

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

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.

Adopted by the necessary two-thirds.

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

Amendment (2292-EBA)

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

AN ACT extending the term of office of the student member of the university system board of trustees.

Amend section 2 of the bill by replacing lines 2-4 with the following:

as follows:

I. The terms of office of the appointed and elected members, except the student member,

Adopted by the necessary two-thirds.

HB 1371, requiring the collection of certain data on children and parents in the state case registry for use in child support enforcement and relative to options for the disclosure of social security numbers on driver's licenses.

Amendment (2282-EBA)

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

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

Adopted by the necessary two-thirds.

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

Amendment (2268-EBA)

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

AN ACT relative to agreements for telecommunications-related uses of the state highway system and state-owned railroad rights-of-way.

Amend RSA 228:31-a as inserted by section 2 of the bill by replacing line 8 with the following:

properly assessed real estate taxes and subject to local zoning and planning requirements. Said devices

Adopted by the necessary two-thirds.

HB 1517-FN-A-L, establishing a fund for dredging to maintain harbors in New Hampshire and making an appropriation to the town of Greenville for the Greenville Water Supply Project.

Amendment (2283-EBA)

Amend the bill by inserting after section 5 the following new section and renumbering the original section 6 to read as 7:

6 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.

Adopted by the necessary two-thirds.

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

Amendment (2284-EBA)

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

AN ACT relative to primary petitions, the preparation of voting materials, and format options for disclosing 1998 campaign information, and prohibiting candidates from multi-seat districts from being nominated by more than one party.

Amend section 4 of the bill by replacing line 2 with the following:

state candidate may file reports, as required by RSA 664:7, on a computer disk, in addition to a

Adopted by the necessary two-thirds.

HB 1655-FN-A, relative to the authority of the length of service awards program committee, and making an appropriation therefor, and relative to establishment of deferral compensation plan trusts and to increasing the number of members on the deferred compensation commission.

Amendment (2286-EBA)

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

AN ACT relative to the authority of the length of service awards program committee, and making an appropriation therefor, relative to establishment of deferral compensation plan trusts, and relative to the membership, duties, and authority of the deferred compensation commission.

Adopted by the necessary two-thirds.

SB 197-FN, relative to final dispositional orders in child protection cases. (Amendment printed SJ 20, 6/18/98)

Adopted by the necessary two-thirds.

SB 205-FN-L, establishing a special school district to provide special education for eligible inmates in the state prison system. (Amendment printed SJ 20, 6/18/98)

Adopted by the necessary two-thirds.

SB 400, relative to withdrawal of a school district from an area district. (Amendment printed SJ 20, 6/18/98)

Adopted by the necessary two-thirds.

SB 421-FN, relative to timber harvesting and penalties for timber trespass and deceptive forestry practices. (Amendment printed SJ 20, 6/18/98)

Adopted by the necessary two-thirds.

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. (Amendment printed SJ 20, 6/18/98)

Adopted by the necessary two-thirds.

SB 502-FN, allowing federal judges to perform marriages after obtaining a special license. (Amendment printed SJ 20, 6/18/98)

Adopted by the necessary two-thirds.

RECESS

(Rep. Nowe in the Chair)

ENROLLED BILL AMENDMENTS

HB 1217, relative to balancing the operating budget; relative to the city of Manchester's bonding authority for airport projects; reducing the projected revenues from the Andersen consulting revenue recoupment effort; and making certain appropriations.

Amendment (2291-EBA)

Amend the bill by replacing all after section 11 with the following:

12 Governor's Budget; Form and Contents. Amend RSA 9:3, I(c) to read as follows:

(c) If the estimated revenues of the state for the ensuing biennium as set forth in the budget on the basis of existing laws, plus the estimated amounts in the treasury at the close of the year in progress available for expenditure in the ensuing biennial period is less than the aggregate recommended for the ensuing biennial period as contained in the budget, the governor shall make recommendations to the legislature in respect to the manner in which such deficit shall be met, whether by an increase in the state tax or the imposition of new taxes, increased rates on existing taxes, or otherwise; and if the aggregate of such estimated revenues, plus estimated balances in the treasury is greater than such recommended appropriations for the ensuing biennial period, the governor shall make such recommendations in reference to the application of such surplus to the reduction of debt or otherwise, to the reduction in taxation, or to such other action as in the governor's opinion is in the interest of the public welfare. ***The governor's operating budget shall not use bonded indebtedness to fund operating appropriations. Nothing contained herein shall prohibit the use of projected lapses in determining compliance with this section.***

13 Contingency. If HB 1456 of the 1998 session becomes law then section 12 of this act shall take effect 60 days after its passage and section 2 of this act shall not take effect. If HB 1456 of the

1998 session does not become law then section 12 of this act shall not take effect and section 2 of this act shall take effect 60 days after its passage.

14 Effective Date.

- I. Sections 1 and 3 of this act shall take effect 60 days after its passage.
- II. Sections 2 and 12 of this act shall take effect as provided in section 13 of this act.
- III. The remainder of this act shall take effect upon its passage.

Adopted by the necessary two-thirds.

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

Amendment (2290-EBA)

Amend the bill by replacing all after section 12 with the following:

13 Prohibited Sales. Amend RSA 179:5, I to read as follows:

I. No licensee, salesperson, ***direct shipper, common carrier, delivery agent***, nor any other person, shall sell or give away or cause or allow or procure to be sold, delivered or given away any liquor or beverage to a person under the age of 21 or to an intoxicated individual. ***For all deliveries of packages by common carrier or delivery agent marked "alcoholic beverages" or "alcoholic products," the addressee shall sign a delivery receipt.*** In no case shall any section of this title be so construed as to permit sale of liquor or beverages in any so-called saloon or speakeasy.

14 Contingency. If HB 1131 of the 1998 legislative session becomes law, then section 13 of this act shall take effect July 1, 1998, at 12:01 a.m. and section 10 of this act shall not take effect. If HB 1131 does not become law, then section 10 of this act shall take effect July 1, 1998 and section 13 of this act shall not take effect.

15 Effective Date.

- I. Sections 10 and 13 of this act shall take effect as provided in section 14.
- II. The remainder of this act shall take effect July 1, 1998.

Adopted by the necessary two-thirds.

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

Amendment (2277-EBA)

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

AN ACT making an appropriation to the department of cultural affairs for the purpose of funding participation of the state in the Smithsonian Festival of American Folklife.

Adopted by the necessary two-thirds.

RECESS

(Rep. Gleason in the Chair)

ENROLLED BILL AMENDMENT

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

Amendment (2294-EBA)

Amend RSA 287-D:1, III(a)(3) as inserted by section 2 of the bill by replacing line 1 with the following:

(3) Register with the secretary of state and, if required under RSA 7:19-32,

Amend RSA 287-D:2-b, I(c) as inserted by section 4 of the bill by replacing line 4 with the following:

the persons assisting shall be submitted to the chief of police prior to the scheduled game of chance event.

Amend RSA 287-D:2-b, III as inserted by section 4 of the bill by replacing line 3 with the following:

shall be produced upon request of the sweepstakes commission. When games of chance are conducted at a

Amend RSA 287-D:2-b, VI as inserted by section 4 of the bill by replacing lines 3-4 with the following:

game of chance licensed under this chapter, or rent, lease, sublease, or otherwise provide any hall or game of chance paraphernalia for the conduct of games of chance licensed under this chapter.

Adopted by the necessary two-thirds.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 170, 204, 529, 555, 559, 587, 630, 686, 707, 747, 798, 1000, 1100, 1103, 1109, 1118, 1123, 1169, 1182, 1196, 1205, 1217, 1234, 1246, 1284, 1295, 1297, 1303, 1307, 1310, 1311, 1336, 1339, 1350, 1369, 1371, 1384, 1389, 1417, 1435, 1448, 1471, 1481, 1496, 1498, 1501, 1514, 1517, 1520, 1531, 1540, 1555, 1558, 1561, 1562, 1573, 1575, 1655, 1629 and 1652 and Senate Bills numbered 10, 102, 197, 205, 335, 344, 352, 370, 376, 400, 421, 440, 445, 451, 473, 488, 490, 494 and 502.

Rep. Nowe, Sen. Barnes for the Committee

RECESS

(Speaker Sytek in the Chair)

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 19

Tuesday, June 30, 1998

The House assembled at 1:00 p.m. and was called to order by the Speaker.

Her Excellency, Governor Jeanne Shaheen, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Representative Sidney Lovett.

O Lord, now that we've had the mug shot, would You kindly turn the rain down after this evening that our state may dry out, may find in the renewal of life the courage to seek Your will, to give up foolishness and replace it with insight, refreshment and power to do the right thing for our people. Bless the Governor and her family, the members of the Supreme Court and all our judges and all the legislators, town committees and selectmen that New Hampshire may flourish in its way to bring new life to the young, comfort to the elders and the search for justice and truth to a new level. This we ask in the name of our creator and sustainer. Amen.

Reps. Lockwood and Amanda Merrill led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Champagne, DePecol, Gagnon, Healy, Noyes, O'Rourke and Paul Taylor, the day, illness.

Reps. Boutin, Mary Brown, Coes, Connolly, Crosby, Dalrymple, Dunham, Emerton, Feuerstein, Hoadley, Laflam, Letendre, McKinley, Moynihan, Marsha Pelletier, Peterson, St. Hilaire, Seldin, Simmons, Steere and Vogl, the day, important business.

Reps. Bergin, Bickford and Rice, the day, illness in the family.

Rep. Tara Reardon, the day, birth in the family.

INTRODUCTION OF GUESTS

Roger Zerber, guest of the Keene Delegation. Michael Raby, guest of Reps. Phinney, Cobbin and Weber. Former NH Rep. David Scanlan, guest of Reps. Cobbin and Weber. Marjorie Leber and Jason and Alex Barton, wife and grandchildren of Rep. Leber. Patricia Holmes, guest of Rep. DeChane. Patricia Davis, guest of Rep. Francis Davis. Dorothy Natsi and Denise Langlois, sisters of Rep. Carol

Williams. Laurie Boyce, wife of Rep. Boyce. Javier Majan, guest of Rep. Guaraldi. Mattias Saker and Chris Olotsson, guests of Rep. Babson. Matt Eaton, guest of Rep. Benjamin Moore.

SPECIAL GUESTS

The Salem High School Class L State Championship varsity softball team, guests of the House.

COMMUNICATIONS

June 24, 1998

Karen Wadsworth, Clerk of the House

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Rockingham 21, E. Albert Weare, r, Seabrook (30 Forest Court) 03874

William M. Gardner, Secretary of State

June 25, 1998

Donna Sytek, Speaker of the House

This is to inform you that I hereby resign from the New Hampshire House, effective this date. This action is necessary due to my relocating out of Hillsborough County District. 30.

Philip M. Ackerman, Hills. 30

The Speaker accepted the resignation with regret.

July 1, 1998

Donna Sytek, Speaker of the House

It is with great sadness that in my third term I must resign my seat for Strafford District 8, Durham. I have relocated to Concord and thus may no longer serve the people of Durham.

I wish to thank you, Democratic Leader Peter Burling and Deputy Democratic Leader Amanda Merrill for your support over the past term. The General Court has been the best educational experience I have ever had, and for that I am truly grateful. I wish the members the courage to move forward on Claremont III, and regret I will not be part of the solution.

Deborah F. Merritt, Straff 8

The Speaker accepted the resignation with regret.

COMMITTEE ASSIGNMENT

Rep. E. Albert Weare on Election Law

GOVERNOR'S VETO MESSAGE ON hb 1310

To the Honorable Members of the General Court:

I have this day vetoed House Bill 1310, An Act relative to legislative approval of expenditure of federal and other funds and relative to proportionate share payments for county nursing homes.

The citizens of New Hampshire are fortunate that some of their needs are met through gifts, bequests, and grants that are made to the State. Under current law, the approval of the governor and council is required before any such gifts, bequests or grants can be accepted.

H.B. 1310 would impose yet another layer of bureaucracy to the process of the State accepting such gifts, bequests or grants by requiring the approval of the Fiscal Committee for any with a value in excess of \$100,000.

This legislation is bad public policy for a number of reasons.

By requiring that the acceptance of outside funding be approved by the Fiscal Committee, the process will be slowed considerably by this new and unnecessary level of bureaucratic intervention.

Let me illustrate how H.B. 1310 would operate in practice. Many federal grants require that the governor designate one state agency to apply for and administer grants that are intended to support the work of more than one state agency. The Office of the Attorney General, for example, administers many federal grants that support the work of other state criminal justice agencies. Under H.B. 1310, the Attorney General would not only have to get the approval of the governor and council to accept the federal grants and distribute them to other state agencies, as is required under current law, but would also have to get the approval of the Fiscal Committee to both accept and distribute the grants to other state agencies. Then, under the provisions of H.B. 1310, the other state agencies would *also* be required to obtain Fiscal Committee approval to accept the money from the Office of the Attorney General. This makes no sense.

H.B. 1310 will complicate what is already a time-consuming and labor intensive approval process for state agencies. This will unnecessarily interfere with executive agencies' efforts to seek new and creative sources of revenue enhancement in order to stretch limited state general funds, and will increase the time period before federal and private funds are available to serve the public. H.B. 1310 merely adds another layer of bureaucracy without any apparent corresponding benefit to the public. Legislation should be aimed at making government more efficient, not adding layers of bureaucratic review, paperwork and time for no compelling reason.

In addition, H.B. 1310 expands the role of the legislative Fiscal Committee into the day-to-day management of executive branch operations. The legislature now has overall policy authority over executive branch expenditures through the budget process. The provisions of H.B. 1310 skew our system of checks and balances by vesting inordinate day-to-day management authority in the legislative branch. This is unacceptable, and may well violate the separation of powers doctrine enshrined in our State Constitution.

Moreover, I believe H.B. 1310 would result in an unconstitutional delegation of the authority of the General Court to just a sole committee thereof.

I recognize that H.B. 1310 was amended in the senate to include the provisions regarding Medicaid proportionate share payments to counties for county nursing homes. It is estimated that if these provisions were enacted \$787,130 in total additional dollars would be shared by our ten county governments. I would support the enactment of the proportionate share provisions into law. It is unfortunate that these provisions were amended onto H.B. 1310, particularly since my administration had made known my opposition to H.B. 1310.

Our constitutional system of government is based upon a clear division of authority among the three branches and upon the principle that legislation is to be enacted only after consideration of the full General Court. In furtherance of my duty to uphold these constitutional mandates, I have found it necessary to veto House Bill 1310.

Jeanne Shaheen, Governor

The question being, notwithstanding the Governor's veto, shall **HB 1310**, relative to legislative approval of expenditure of federal and other funds and relative to proportionate share payments for county nursing homes, become law?

Reps. Linda Foster and Burling spoke against.

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

As required by the State Constitution, a roll call was taken.

YEAS 185 NAYS 140			
YEAS 185			
BELKNAP			
Bartlett, Gordon Boriso, Thomas Boyce, Robert Calvert, Alice			
Golden, Paul	Holbrook, Robert	Rosen, Ralph	Turner, Robert
Veazey, John			
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene Cooper, Kipp	
Dickinson, Howard, Jr.	Foster, Robert	Howard, Godfrey	Kenney, Joseph

Lyman, L. Randy	MacDonald, Kenneth	Mock, Henry	Patten, Betsey
Philbrick, Donald			
CHESHIRE			
Avery, Stephen	Hunt, John	McNamara, Wanda	Metzger, Katherine
Royce, H. Charles	Smith, Edwin		
COOS			
Davis, Perley	Guay, Lawrence	Horton, Lynn	Merrill, Gerald
Pratt, Leighton	Tholl, John, Jr.		
GRAFTON			
Akins, Ralph	Alger, John	Brown, Channing	Cobbin, Philip
Eaton, Stephanie	Guaraldi, Lawrence	Hill, Richard	Hinman, Harry
MacNeil, Allen	Mirski, Paul	Phinney, William	Teschner, Douglass
Trelfa, Richard	Weber, Phil	Williams, William, Jr.	
HILLSBOROUGH			
Alukonis, David	Amidon, Eleanor	Arnold, Thomas, Jr.	Batula, Peter
Belvin, William	Briefs, Geoffrey Brundige, Robert		Burke, M. Virginia
Calawa, Leon, Jr.	Carlson, Donald	Chabot, Ernest	Chabot, Robert
Christiansen, Lars	Clay, Susan	Clegg, Robert, Jr.	Daniels, Gary
Dawe, Eileen	Dokmo, CynthiaDurham, Susan Dyer, Merton		
Fenton, James	Flora, Kathleen	Golding, William	Goulet, Maurice
Hansen, Herbert	Herman, Keith	Holley, Sylvia	Holt, David
Hunter, Bruce	Jean, Loren	Kurk, Neal	L'Heureux, Robert
LaRose, Richard	Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey
MacIntyre, Doris	Marcinkowski, Michael	McCarty, Winston	McGough, Tim
McRae, Karen	Mercer, Robert	Messier, Irene	Milligan, Robert
Mittelman, David	Morello, Michael	O'Hearn, Jane	Piteri, Dawn
Riley, Frances	Rowe, Robert	Sargent, Maxwell	Searles, Stanley, Sr.
Tate, Joan	Thulander, O. Alan	Wheeler, Robert	White, Donald
Wright, George			
MERRIMACK			
Adams, Stephen	Anderson, Eric	Chandler, Earle	Davis, Francis

Hager, Elizabeth	Hess, David	Jacobson, Alf	Krueger, Patricia
Lamach, Bernard	Langer, Ray	Larrabee, David	Lavoie, Gerard
Leber, William	Marshall, Kenneth	Nichols, Avis	Pfaff, Terence
Whalley, Michael	Whittemore, James		
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Camm, Kevin
Carson, Gregory	Case, Margaret	Christie, Andrew, Jr.	Cooney, Richard
Cote, Patricia	Dearborn, Bruce	Dodge, Robert	Dolan, Richard
Dowd, Sandra	Fesh, Robert	Flanagan, Natalie	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	Lovejoy, Marian	Major, Norman	Malcolm, Kenneth
McCarthy, John, Jr.	McKinney, Betsy	Mikowski, Walter	Moore, Benjamin
Nowe, Ronald	Packard, Sherman	Rabideau, Marie	Raynowska, Bernard
Reardon, Neil	Rubin, George	Sapareto, Frank	Smith, Kevin
Stickney, Nancy	Stone, Joseph	Stritch, C. Donald	Tufts, J. Arthur
Varrell, Thomas	Verani, Giovanni	Weare, Everett	Welch, David
Weyler, Kenneth			
STRAFFORD			
Cossette, Larry	Spear, Barbara	Torr, Franklin	
SULLIVAN			
Adler, Rudolf	Flint, Gordon	Kibbey, David	Leone, Richard
Schotanus, Merle			
NAYS 140			
BELKNAP			
Pilliod, James	Salatiello, Thomas		
CARROLL			
None			
CHESHIRE			

Bonneau, Sarah	Burnham, Daniel	Doucette, Richard	Lynch, Margaret
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	Meadar, David
Pratt, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Russell, Ronald			
COOS			
Bradley, Paula	Coulombe, Henry	Coulombe, Yvonne	Hawkinson, Marie
Mears, Edgar			
GRAFTON			
Almy, Susan	Below, Clifton	Copenhaver, Marion	Guest, Robert
Ham, Bonnie	Lovett, Sidney	Nordgren, Sharon	
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Baroody, Benjamin	Buckley, Raymond
Cardin, Lori	Clemons, Jane	Cote, David	Cote, Peter
D'Allesandro, Lou	Daigle, Robert	Drabinowicz, A. Theresa	Dwyer, Paul, Sr.
Fields, Dennis	Foster, Joseph	Foster, Linda	Franks, Suzan
Gage, Ruth	Ginsburg, Ruth	Gosselin, Gerald	Haettenschwiller, Alphonse
Hall, Betty	Hart, Nick	Jean, Claudette	Johnson, Lionel
Konys, Christine	Lefebvre, Roland	Leishman, Peter	Leonard, Peter
Lynde, Harold	Martin, Mary	McCarthy, William	McDonald, James, Sr.
Melcher, Harold	Murphy, Robert	Perkins, Paul	Reidy, Frank
Turgeon, Roland	Vaillancourt, Steve	Welch, Donald	Williams, Carol
MERRIMACK			
Burney, Carol	Daneault, Gabriel	DeStefano, Stephen	Dunn, Miriam
Fraser, Marilyn	French, Barbara	Gile, Mary	Lockwood, Robert
Moore, Carol	Owen, Derek	St. Cyr, Gerard	Wallin, Jean
Wallner, Mary Jane	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Cushing, Robert
Downing, Michael	Frechette, Joseph	Gibbons, Paul	Heath, John
Hutchinson, Rebecca	Kane, Cecelia	Kelley, Jane	Micklon, Stephanie
Norelli, Terie	O'Keefe, Patricia	Pantelakos, Laura	Pitts, Jacqueline

Sabella, Norma	Schanda, Frank	Syracusa, Anthony	Vaughn, Charles
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	DeChane, Marlene	Dunlap, Patricia	Estabrook, Iris
Grassie, Anne	Hemon, Roland	Heon, Richard	Kaen, Naida
Keans, Sandra	Knowles, William	Lundborn, Raymond	McCann, William, Jr.
Merrill, Amanda	Merritt, Deborah	Musler, George	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Sullivan, Henry	Taylor, Kathleen	Torr, Ann	Twardus, Joseph
Vincent, Francis	Wall, Janet		
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Lindblade, Eric	Palmer, Lorraine	Robb-Theroux, Amy
Wiggins, Celestine			

and the veto was sustained, lacking the Constitutionally required two-thirds.

GOVERNOR'S VETO MESSAGE ON HB 1384

June 26, 1998

To the Honorable Members of the General Court:

I have this day vetoed House Bill 1384, An Act making an appropriation to the department of cultural affairs for the purpose of funding participation of the state in the Smithsonian Festival of American Folklife.

I support the work of the New Hampshire Commission on the Smithsonian Festival of American Folklife. I believe that New Hampshire's selection by the Smithsonian Institute to be featured "*on the mall*" in Washington D.C. next summer is an honor that all the citizens of New Hampshire can be proud of and will benefit from. I would like to personally congratulate all of those who are working so hard to raise from the private sector the dollars necessary to share New Hampshire with the world next summer in our nation's capital. I hope that many of our residents will visit our nation's capital to join in this celebration of New Hampshire's cultural history and folklife.

I, however, cannot support the funding of this important effort by the diversion of \$200,000 from our strategic travel and tourism marketing program. We have just begun what is forecasted to be our busiest summer tourism season ever, and we need to make every effort to ensure that this level of tourism activity continues.

My administration recognizes the importance of the travel and tourism industry to the people and economy of New Hampshire. Since I became Governor, the State has targeted unprecedented

resources toward developing and promoting this industry. The biennial budget passed last year included an increase of one million dollars per year for advertising and marketing. These additional dollars are earmarked to fund a strategic promotional campaign to introduce new markets to the New Hampshire secret and are necessary to increase our meals and rooms tax revenues to the levels projected in the biennial budget. I believe that to interrupt this program by siphoning off a full twenty percent of its funding is penny wise but pound foolish.

Just this spring I convened the first ever Governor's Summit on Travel and Tourism. Of the many recommendations made by the more than seventy-five participants representing all sectors of the New Hampshire economy, one that rang the loudest was the need for continued and additional support for promotion and advertising of what New Hampshire has to offer to tourists from around the country and the world. The benefits to New Hampshire are tremendous. Recent studies show that for every dollar spent in tourism advertising over eight dollars are raised in state and local revenues and fees. Additionally, every new dollar introduced by the travel and tourism industry turns over more than 75 times in the New Hampshire economy. Promoting New Hampshire is a good investment.

Promoting New Hampshire as a travel and tourism destination and the Smithsonian Festival of American Folklife are not mutually exclusive, however, and should and will complement each other. The Office of Travel and Tourism Development has identified more than \$50,000 in contracted and in-kind services which it will provide to the Commission during fiscal year 1999. The chair of the Smithsonian Commission and the private sector fundraising leadership team welcome this alternative approach as they, too, recognize the importance of preserving the integrity of our existing marketing and promotion plan.

Following New Hampshire's presentation "*on the mall*" in Washington, the exhibit will come home for all of us to enjoy and appreciate. I am committed to seeing that there are state funds available in the next biennial budget to aid in the re-staging of this exhibit.

Because there is a more fiscally sound way for the State to participate in the work of the Smithsonian Commission, I am, today, vetoing H.B. 1384.

Jeanne Shaheen, Governor

The question being, notwithstanding the Governor's veto, shall ***HB 1384***, making appropriation to the department of cultural affairs for the purpose of funding participation of the state in the Smithsonian Festival of American Folklife, become law?

Rep. Avery spoke against.

As required by the State Constitution, a roll call was taken.

YEAS 18 NAYS 306	
YEAS 18	
BELKNAP	
Boyce, Robert	Holbrook, Robert

CARROLL
None
CHESHIRE
None
COOS
Merrill, Gerald
GRAFTON
Brown, Channing
HILLSBOROUGH
Belvin, William Clegg, Robert, Jr. Herman, Keith Kurk, Neal
O'Hearn, Jane
MERRIMACK
None
ROCKINGHAM
Carson, Gregory Fesh, Robert McCarthy, John, Jr. Moore, Benjamin
Sapareto, FrankStritch, C. Donald Tufts, J. Arthur
STRAFFORD
Cossette, Larry Torr, Franklin
SULLIVAN
None
NAYS 306
BELKNAP
Bartlett, GordonBoriso, ThomasCalvert, Alice Golden, Paul
Pilliod, James Rosen, Ralph Salatiello, Thomas Turner, Robert
Veazey, John
CARROLL
Babson, David, Jr. Bradley, Jeb Chandler, GeneCooper, Kipp
Dickinson, Howard, Jr. Foster, Robert Howard, Godfrey Kenney, Joseph
Lyman, L. Randy MacDonald, Kenneth Mock, Henry Patten, Betsey
Philbrick, Donald
CHESHIRE

Avery, Stephen	Bonneau, Sarah	Burnham, Daniel	Doucette, Richard
Hunt, John	Lynch, Margaret	Lynott, Margaret	Manning, Joseph
McGuirk, Paul	McNamara, Wanda	Meader, David	Metzger, Katherine
Pratt, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Royce, H. Charles	Russell, Ronald	Smith, Edwin	
COOS			
Bradley, Paula	Coulombe, Henry	Coulombe, Yvonne	Davis, Perley
Guay, Lawrence	Hawkinson, Marie	Horton, Lynn	Mears, Edgar
Pratt, Leighton	Tholl, John, Jr.		
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Below, Clifton
Cobbin, Philip	Copenhaver, Marion	Eaton, Stephanie	Guaraldi, Lawrence
Guest, Robert	Ham, Bonnie	Hill, Richard	Hinman, Harry
Lovett, Sidney	MacNeil, Allen	Mirski, Paul	Nordgren, Sharon
Phinney, William	Teschner, Douglass	Trelfa, Richard	Weber, Phil
Williams, William, Jr.			
HILLSBOROUGH			
Allen, W. Gordon	Alukonis, David	Ameen, W.	Amidon, Eleanor
Arnold, Thomas, Jr.	Baroody, Benjamin	Batula, Peter	Briefs, Geoffrey
Brundige, Robert	Buckley, Raymond	Burke, M. Virginia	Calawa, Leon, Jr.
Cardin, Lori	Carlson, Donald	Chabot, Ernest	Chabot, Robert
Christiansen, Lars	Clay, Susan	Clemons, Jane	Cote, David
Cote, Peter	D'Allesandro, Lou	Daigle, Robert	Daniels, Gary
Dawe, Eileen	Dokmo, Cynthia	Drabinowicz, A. Theresa	Durham, Susan
Dwyer, Paul, Sr.	Dyer, Merton	Fenton, James	Fields, Dennis
Flora, Kathleen	Foster, Joseph	Foster, Linda	Gage, Ruth
Ginsburg, Ruth	Golding, William	Gosselin, Gerald	Goulet, Maurice
Haettenschwiller, Alphonse	Hall, Betty	Hansen, Herbert	Hart, Nick
Holley, Sylvia	Holt, David	Hunter, Bruce	Jean, Claudette
Jean, Loren	Johnson, Lionel	Konys, Christine	L'Heureux, Robert
LaRose, Richard	Lefebvre, Roland	Leishman, Peter	Leonard, Peter

Lessard, Rudy	Lozeau, Donnalee	Lynde, Harold	MacGillivray, Jeffrey
MacIntyre, Doris	Marcinkowski, Michael	Martin, Mary	McCarthy, William
McCarty, Winston	McDonald, James, Sr.	McGough, Tim	McRae, Karen
Melcher, Harold	Mercer, Robert	Messier, Irene	Milligan, Robert
Mittelman, David	Morello, Michael	Murphy, Robert	Perkins, Paul
Piteri, Dawn	Reidy, Frank	Riley, Frances	Rowe, Robert
Sargent, Maxwell	Searles, Stanley, Sr.	Tate, Joan	Thulander, O. Alan
Turgeon, Roland	Vaillancourt, Steve	Welch, Donald	Wheeler, Robert
White, Donald	Williams, Carol	Wright, George	
MERRIMACK			
Adams, Stephen	Anderson, Eric	Burney, Carol	Chandler, Earle
Daneault, Gabriel	Davis, Francis	DeStefano, Stephen	Dunn, Miriam
Fraser, Marilyn	French, Barbara	Gile, Mary	Hager, Elizabeth
Hess, David	Jacobson, Alf	Krueger, Patricia	Lamach, Bernard
Langer, Ray	Larrabee, David	Lavoie, Gerard	Leber, William
Lockwood, Robert	Marshall, Kenneth	Moore, Carol	Nichols, Avis
Owen, Derek	Pfaff, Terence	St. Cyr, Gerard	Wallin, Jean
Wallner, Mary Jane	Whalley, Michael	Whittemore, James	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Blanchard, MaryAnn	Camm, Kevin	Case, Margaret	Christie, Andrew, Jr.
Clark, Martha	Cooney, Richard	Cote, Patricia	Cushing, Robert
Dearborn, Bruce	Dodge, Robert	Dolan, Richard	Dowd, Sandra
Downing, Michael	Flanagan, Natalie	Flanders, John, Sr.	Francoeur, Sheila
Frechette, Joseph	Gibbons, Paul	Gleason, John	Griffin, Mary
Guthrie, Joseph	Heath, John	Henderson, Warren	Hutchinson, Rebecca
Johnson, Robert	Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane
Langone, John	Letourneau, Robert	Lovejoy, Marian	Major, Norman
Malcolm, Kenneth	McKinney, Betsy	Micklon, Stephanie	Mikowski, Walter
Norelli, Terie	Nowe, Ronald	O'Keefe, Patricia	Packard, Sherman

Pantelakos, Laura	Pitts, Jacqueline	Rabideau, Marie	Raynowska, Bernard
Reardon, Neil	Rubin, George	Sabella, Norma	Schanda, Frank
Smith, Kevin	Stickney, Nancy	Stone, Joseph	Syracusa, Anthony
Varrell, Thomas	Vaughn, Charles	Verani, Giovanni	Weare, Everett
Welch, David	Weyler, Kenneth		
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	DeChane, Marlene	Dunlap, Patricia	Estabrook, Iris
Grassie, Anne	Hemon, Roland	Heon, Richard	Kaen, Naida
Keans, Sandra	Knowles, William	Lundborn, Raymond	McCann, William, Jr.
Merrill, Amanda	Merritt, Deborah	Musler, George	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spear, Barbara	Sullivan, Henry	Taylor, Kathleen	Torr, Ann
Twardus, Joseph	Vincent, Francis	Wall, Janet	
SULLIVAN			
Adler, Rudolf	Allison, David	Burling, Peter	Cloutier, John
Donovan, Thomas	Ferland, Brenda	Flint, Gordon	Kibbey, David
Leone, Richard	Lindblade, Eric	Palmer, Lorraine	Robb-Theroux, Amy
Schotanus, Merle	Wiggins, Celestine		

and the veto was sustained, lacking the Constitutionally required two-thirds.

SENATE MESSAGE

The Senate has voted to sustain the Governor's vetoes on the following entitled bills:

SB 301, relative to teacher renomination and the application of teacher professional and performance standards.

SB 417, 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.

REMOVED FROM THE TABLE

Reps. Wheeler and Burling moved that ***HB 643-FN***, establishing an industry average performance system for air pollution control and establishing certain pollution control funds, be removed from the table.

Adopted.

SUSPENSION OF RULES

Reps. Wheeler and Burling move that the House Rules be suspended to permit consideration at the present time and passage of **HB 643-FN**, establishing an industry average performance system for air pollution control and establishing certain pollution control funds.

Adopted by the necessary two-thirds.

CONSIDERATION OF HOUSE BILL 643

The pending question is the adoption of the committee amendment.

Amendment (0291h)

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

1 New Chapter; Industry Average Performance System for Air Pollution Control. Amend RSA by inserting after chapter 125-K the following new chapter:

CHAPTER 125-L

Industry Average Performance System

for Air Pollution Control

125-L:1 Purpose.

I. The general court finds that the general level of air pollution in New Hampshire is greater than desirable for public health and ecological integrity, and that considerable reduction of air pollutant emissions from current levels, at a rate consistent with the continued well-being of the state's economy, is a desirable goal.

II. The general court further finds that based on current scientific evidence, there is no threshold level at which air pollution reduction ceases to be of benefit. Therefore, the goal of the state's air pollution control strategy shall be to provide for continual improvement in air quality and continuing reduction in air pollutant emissions at an appropriate rate given the relative costs and benefits of air pollution emission reductions, rather than setting specific goals and terminating programs upon reaching those goals.

III. The purpose of this chapter is to establish a cost-effective system of air pollution control which can provide for continual improvement in air quality and maximize air pollution emission reductions for every dollar spent.

IV. The legislature has identified two categories of pollution sources, electric utilities and light motor vehicles, which produce more total pollution than other categories of pollution sources, and where cost-effective pollution reductions can be achieved. Even though future legislation would be necessary to add additional categories of pollution sources, it is the intent of the legislature that no additional categories of pollution sources be added, due to interstate considerations, until similar pollution reduction initiatives are adopted in other states.

125-L:2 Definitions. In this chapter:

I. "Commissioner" means the commissioner of the department of environmental services.

II. "Light motor vehicle" means a motor vehicle of less than 8,500 pounds gross vehicle weight.

III. "Major air pollutant" means:

(a) Carbon monoxide;

(b) Nitrogen oxides; or

(c) Sulfur dioxide.

IV. "Nitrogen oxides" means nitric oxide (NO) or nitrogen dioxide (NO₂).

V. "Ton" means 2,000 pounds.

125-L:3 Principles and Goals.

I. To provide cost-effective flexibility for air pollution emission reductions, and to allow for differing circumstances, differing existing equipment, and differing available pollution reduction options, polluters shall be allowed the option of reducing pollution from their own sources or paying into a fund that will directly or indirectly pay for air pollution reductions by others. To provide maximum benefit for every dollar spent, all economic incentives shall be strictly connected to actual physical reductions in amounts of air pollutant emissions. An integrated system shall be established for regulating all air pollutants, so that air pollution control expenditure decisions for all pollutants can be considered as a package.

II. Because under this chapter the state collects and distributes funds within individual categories of polluters, the legislature may choose to include separate categories of polluters in this regulatory system one at a time.

III. The goal for improvement in air pollutant emissions is 3 to 5 percent compounded reduction per year. At this rate, air pollutant emissions will be halved every 15 to 25 years. Pollution control fee rates shall be set to achieve overall emission reduction of that magnitude.

IV. The pollution control fee rates for various major air pollutants should be based on the best available scientific data for relative damage done by the major air pollutants. Such evidence may include, but shall not be limited to, federal Environmental Protection Agency standards for the various major air pollutants, current levels of air pollution concentrations, other public health data, and other environmental and ecological integrity data.

V. The pollution control fee rates shall be set by the legislature.

VI. Since many air pollution controls require significant capital expenditures with sizable lifetimes, the state hereby adopts a stable, slowly changing air pollution control regulatory system. New major air pollutants shall be added only after they have been accepted as a serious problem for several years, and after their relative toxicities have been established by repeated

scientific research. Pollution control fee rate ratios among major air pollutants should be adjusted slowly, and only on the basis of repeated scientific research. Changes shall be announced in advance so that adequate time is available to plan and execute additional pollution reduction measures prior to the change. The goal of this regulatory system of economic incentives is to encourage air pollution reduction, not to collect reparations.

125-L:4 Pollution Control Fee Rate.

I. A pollution control fee rate shall be established for each major air pollutant, in terms of dollars per ton to the nearest whole dollar. The rate shall be calculated by multiplying the base pollution control fee rate of paragraph II by any automatic adjustments in accordance with paragraph III, and multiplying the total by the inflation adjustment provided for in paragraph IV.

II. The base pollution control fee rate for each major air pollutant shall be:

(a) For carbon monoxide, \$175 per ton.

(b) For nitrogen oxides:

(1) \$2,275 per ton during the months of May through September,
inclusive; and

(2) \$775 per ton during the months of October through April,
inclusive.

(c) For sulfur dioxide:

(1) \$455 per ton during the months of May through September,
inclusive; and

(2) \$275 per ton during the months of October through April,
inclusive.

III. If the actual total annual major air pollutant emissions in any odd-numbered year, starting in 2001, calculated in dollars based on the pollution control fee rates listed in paragraph II, exceed the target upper limit for any year, specified in paragraph V, then all base pollution control fee rates shall be permanently increased by the ratio of the actual total annual major air pollutant emissions for that year to the target upper limit for that year.

IV. Whenever the commissioner determines that the cost of living, as measured by the federal CPI-U index, or its successor, as determined by the Bureau of Labor Statistics, shall have increased by 5 percent or more from January 1, 1998, or from the date used for the previous adjustment under this paragraph, the commissioner shall establish a corresponding inflation adjustment which shall take effect at the beginning of the next calendar month.

V.(a) The target upper limit for the year 2001 shall be the total of the following amounts, evenly distributed by month throughout the year, calculated in dollars based on the base pollution control fee rates listed in paragraph II:

(1) 300,000 tons of carbon monoxide,

(2) 56,000 tons of nitrogen oxides, and

(3) 48,000 tons of sulfur dioxide.

(b) The target upper limit for any odd-numbered year after 2001 shall be 92 percent of the target upper limit for the year 2 years prior to that year.

125-L:5 Categories of Polluters; Implementation.

I.(a) There is established a retail electricity pollution control fund for the purposes of collecting money from electricity generation sellers who generate electricity within New Hampshire and distributing all money collected to end-user consumers of electricity within the state on a monthly basis.

(b) The commissioner shall determine emissions for all electricity generation sellers who generate electricity within New Hampshire and 1996 average emission rate levels for each facility in New Hampshire. For facilities without continuous emission monitoring, emission rates shall be determined based on the scientifically best available data.

(c) All electricity generation sellers who generate electricity within New Hampshire shall pay into the fund the amount determined in RSA125-L:4 for all emissions in New Hampshire on or after the date that money may be collected and distributed from the fund pursuant to subparagraph I(g), less the following credits and exemptions:

(1) A credit against this payment shall be allowed for existing electricity generation sellers who generate electricity within New Hampshire. For the Public Service Company of New Hampshire, or its assignees or successors in interest, the total of credit per month for all facilities shall be, for each of the following periods, calculated in dollars based on the pollution control fee rates established in RSA 125-L:4 for that month:

May, 1999 through April, 2000 900 tons of nitrogen oxides

and 4300 tons of sulfur dioxide

May, 2000 through April, 2001 880 tons of nitrogen oxides

and 4200 tons of sulfur dioxide

May, 2001 through April, 2002 860 tons of nitrogen oxides

and 4100 tons of sulfur dioxide

May, 2002 through April, 2003 840 tons of nitrogen oxides

and 4000 tons of sulfur dioxide

May, 2003 through April, 2004 820 tons of nitrogen oxides

and 3900 tons of sulfur dioxide

After April, 2004 800 tons of nitrogen oxides

and 3800 tons of sulfur dioxide

(2) Any unused credits may be carried over to future months, without expiration date, and may be transferred or assigned to any other entity. They may only be used as credits against payments to the fund established in subparagraph I(a).

(3)(A) Between the effective date of this chapter and the day before the date that money may be collected and distributed from the fund pursuant to subparagraph I(g), any facility that reduces its emission rate from 1996 average emission rate levels shall receive a credit against future payments due under this chapter.

(B) The credit earned for any day for a facility shall be equal to the number of kilowatt-hours sold from that facility's production, times the credit earned per kilowatt-hour sold. The credit earned per kilowatt-hour sold shall be the amount by which the emissions payment per kilowatt-hour sold, calculated under RSA 125-L:4, based on actual emissions, is less than the emissions payment per kilowatt-hour for that facility, calculated for that day under RSA 125-L:4, if its emissions were 90 percent of its average emissions per kilowatt-hour sold during the year 1996, or 90 percent of its maximum allowable emissions per kilowatt-hour sold under current federal and other state regulations, whichever is less.

(4) Any facility existing as of May 21, 1996 that, as of that date, was selling 50percent or more of its annual output under a qualified facility rate order or contract pursuant to RSA 362-A shall be exempt from making any payments into the retail electricity pollution control fund for the duration of that rate order, contract, or any renegotiated arrangement thereto approved by the public utilities commission. Between the effective date of this chapter and the expiration of that rate order, contract, or arrangement, any such facility that reduces its emission rate to less than 90 percent of its 1996 average emission rate levels shall receive a credit against future payments under this chapter, calculated as provided in subparagraph I(c)(3)(B), which may be transferred in accordance with subparagraph I(c)(2).

(d) All amounts received by the retail electricity pollution control fund each month shall be distributed to all end-user consumers of electricity within the state based on consumption during that month. Funds shall be distributed as a lump sum to each electricity distribution service provider for all of its customers and applied as a credit against customer bills.

(e) The commissioner shall be responsible for determining all amounts due to the fund, and for notifying the public utilities commission of these amounts. The public utilities commission shall be responsible for calculating all amounts due from the fund.

(f) The public utilities commission shall be responsible for collecting all amounts required by this paragraph, depositing them to the retail electricity pollution control fund, and distributing the funds in accordance with this chapter.

(g) No money shall be collected or distributed from the retail electricity pollution control fund until any rules required to be adopted to implement this paragraph become effective, or May1,1999, whichever is later.

(h) All payments made pursuant to this paragraph by a public utility shall be recoverable to the same extent and subject to the same conditions as any environmental expenditure mandated by law.

II.(a) There is established a light motor vehicle pollution control account for the purpose of accounting for all net funds collected from any increases or discounts established pursuant to this chapter from all motor vehicle registrations of light motor vehicles under RSA 261:141, III(g).

(b) The commissioner of the department of safety, after consulting with the commissioner, shall determine the dollar amount of discounts in motor vehicle registration fees for different categories of light motor vehicles in accordance with the pollution control fee rates and other provisions of this chapter. This determination shall include procedures for handling different weight classes which have been assigned differing emission limits under the federal Clean Air Act.

(c) Any light motor vehicle manufactured to a standard less stringent than 1998 federal standards shall be treated for purposes of this chapter the same as a vehicle meeting the 1998 federal standards.

(d) The commissioner of the department of safety shall provide that emissions category information be added to the motor vehicle registration form of light motor vehicles to identify categories of vehicles with pollution emissions at rates less than 1998 federal standards.

(e) The commissioner of the department of safety shall determine the necessary increase in the motor vehicle registration fee for light motor vehicles not qualifying for a discount. This increase shall be sufficiently large to accommodate the discounts determined in subparagraph II(b) and retain a positive or zero balance in the light motor vehicle pollution control account, and may be large enough so that registration fees will not need to be changed more often than once every 12 months. The commissioner of the department of safety shall then determine the necessary dollar amount adjustments in motor vehicle registration fees under RSA 261:141, III(g) in accordance with this chapter. All adjustments in motor vehicle registration fees shall be in multiples of \$.60 per year (\$.05 per month).

(f) Light motor vehicle registration fees shall not be changed pursuant to this chapter until after the effective date of any rules required to be adopted to implement this chapter; or the date on which the commissioner of the department of safety certifies that at least 10 percent of all light motor vehicles registered in New Hampshire, or at least 50 percent of all light motor vehicles of a completed model year registered in New Hampshire, qualify for a registration fee discount of at least \$5 per year; or April 1, 2000, whichever is latest.

125-L:6 Rulemaking Authority; Contingent Authority for Chapter.

I. The commissioner may prepare draft rules, pursuant to RSA 541-A:

(a) For the determination of emissions for each facility generating electricity pursuant to RSA 125-L:5, I(b).

(b) To calculate payments and credits, and determine amounts due to the retail electricity pollution control fund.

(c) For such other purposes as necessary to implement this chapter.

II. The commissioner of the department of safety may prepare draft rules, pursuant to RSA 541-A:

(a) To add emissions category information to motor vehicle registration forms pursuant to RSA 125-L:5, II(d).

(b) To determine discounts in motor vehicle registration fees pursuant to RSA 125-L:5, II(b).

(c) For the determination of changes in motor vehicle registration fees under RSA 125-L:5, II(e).

(d) To determine the percentage of light motor vehicles qualifying for registration fee discounts.

(e) For such other purposes as necessary to implement this chapter.

III. The public utilities commission may prepare draft rules, pursuant to RSA 541-A:

(a) To determine all amounts due from the retail electricity pollution control fund.

(b) To provide for the collection and distribution of funds in accordance with RSA 125-L:5, I.

(c) For such other purposes as necessary to implement this chapter.

IV.(a) The addition of emissions category information to motor vehicle registration forms as described in RSA 125-L:5, II(d) and any necessary rulemaking, may begin on the effective date of this chapter.

(b) All other rulemaking under RSA 541-A authorized by this chapter shall not begin until the commissioner has:

(1) Certified that the federal Environmental Protection Agency will allow the state to substitute emission reductions achieved under this chapter for part or all of federal motor vehicle emission testing requirements which would otherwise be necessary;

(2) Studied the emissions reductions expected under this chapter and compared them with those required to substitute for motor vehicle emission testing; and

(3) Submitted a report on this study to the speaker of the house, senate president, governor, and state library.

(c) Fund collections, fund payments, and changes in motor vehicle registration fees pursuant to this chapter, and the submission of any draft rules for approval by the joint legislative committee on administrative rules, shall not begin until the legislature has received the study required by this paragraph and authorized implementation in future legislation.

125-L:7 Integration with Other Air Pollution Control Programs. Any payment under this chapter shall not excuse anyone from the obligation to comply with all other applicable laws.

125-L:8 Annual Report. The department of environmental services shall study possible modifications to this chapter, and shall annually report findings and recommendations of the study

to the governor and council, speaker of the house, senate president, house clerk, senate clerk, and state library by October 31. This study shall include recommendations on:

I. Any desirable changes to the base pollution control fee rates, based on scientifically valid evidence, including studies of pollutant transport, differences in pollutant impact depending on location, and differences in pollutant impact depending on temperature or other meteorological variables.

II. The practicality and desirability of adding additional major air pollutants to this chapter.

2 Motor Vehicle Registration Fees; Reference Added. Amend RSA 261:141, III(g) to read as follows:

(g) For all motor vehicles other than those in RSA 261:141, I:

0-3000 lbs. \$19.20 (\$1.60 per month)

3001-5000 lbs. \$31.20 (\$2.60 per month)

5001-8000 lbs. \$43.20 (\$3.60 per month)

8001-73,280 lbs. \$.84 per hundred lbs.

gross

weight[-], *provided*

that

the fees may be

adjusted

pursuant to RSA125-

L:5, II.

3 Initial Report by the Department of Environmental Services. In addition to the requirements of RSA 125-L:8, the department of environmental services report due October 31, 1998 shall include specific recommendations on:

I. The practicality and desirability of making pollution control fee rates for nitrogen oxides depend on outdoor air temperature rather than just the month of the year.

II. The current state of knowledge regarding differences among different physical and chemical components of particulate matter and differences among volatile organic compounds, and the additional information needed before they could be considered for addition to the list of major air pollutants.

III. The current state of knowledge regarding mercury and the additional information needed before it could be considered for addition to the list of major air pollutants.

4 Legislative Intent; Report of Department of Environmental Services Due October 31, 2001. It is the intent of the legislature that the credits described in RSA 125-L:5, I(c)(1) for the periods

following April, 2004 are subject to legislative review. The department of environmental services, in the annual report due October 31, 2001 pursuant to RSA 125-L:8, shall include specific recommendations for appropriate dollar amounts for the credits for the periods following April, 2004.

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

Rep. Jeb Bradley spoke against.

The amendment failed.

Reps. Wheeler and Burling offered a floor amendment.

Floor Amendment (2297h)

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

AN ACT making an appropriation to the office of
emergency management.

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

1 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 January 1998. 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.

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

AMENDED ANALYSIS

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

Reps. Burling and Kurk spoke in favor.

Adopted.

Reps. Wheeler and Burling offered a floor amendment.

Floor Amendment (2299h)

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

AN ACT making an appropriation to the office of emergency management and relative to
proportionate share payments for county nursing homes.

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

2 New Section; Proportionate Share Payments; Fiscal Committee Approval. Amend RSA167 by inserting after section 18-g the following new section:

167:18-h County Nursing Homes; Proportionate Share Payments by State; County Transfers to the State. Proportionate share payments to county nursing homes and county intergovernmental transfers to the state shall be made each state fiscal year in accordance with the following conditions. All payment levels specified are at the aggregate level and apportioned to each facility in a percentage equal to that facility's proportion of total county nursing home medicaid utilization. If the federal government makes adjustments to any proportionate share payments that have been made by the state, the amounts due under this section shall be amended accordingly and adjusted payments shall be made to or from the state as necessary:

I. Payment shall be made to the counties in each year of the biennium in an amount equal to the maximum permissible by federal regulations.

II. The counties shall be responsible for making intergovernmental transfers to the state in each year of the biennium in an amount equal to 50 percent of the first \$12,500,000 each year in proportionate share payments.

III. The counties shall be responsible for making intergovernmental transfers to the state in each year of the biennium in an amount equal to 100 percent of any amount in excess of \$12,500,000 up to \$25,000,000 each year.

IV. The intergovernmental transfer of funds received in each year of the biennium in excess of the initial \$25,000,000 in proportionate share funds shall be distributed in the following manner: the counties shall retain 25 percent of the proportionate share funds and transfer to the state 75 percent of the proportionate share funds in each year.

3 Effective Date.

I. Section 2 of this act shall take effect June 30, 1998.

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

AMENDED ANALYSIS

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

The bill also clarifies proportionate share payments to county nursing homes.

Reps. Burling and Kurk spoke in favor.

Adopted.

The question now being the adoption of the Committee Report, Ought to Pass as Amended.

Report adopted and Ordered to third reading.

MOTION TO SUSPEND RULES

Rep. Weber moved that the Rules be so far suspend as to permit the late drafting and introduction of a resolution under Part II, Article 100 (b) of the New Hampshire Constitution, to place the question of holding a Constitutional Convention on the ballot.

Reps. Hager and Burling spoke in favor.

Rep. Lozeau spoke in favor and yielded to questions.

Rep. Cobbin requested a roll call; sufficiently seconded.

The question being the motion to suspend the rules.

YEAS 193 NAYS 129			
YEAS 193			
BELKNAP			
Bartlett, Gordon Boriso, Thomas Boyce, Robert Calvert, Alice			
Pilliod, James Rosen, Ralph Turner, Robert Veazey, John			
CARROLL			
Bradley, Jeb Cooper, Kipp Dickinson, Howard, Jr. Foster, Robert			
Howard, Godfrey Kenney, JosephLyman, L. Randy MacDonald, Kenneth			
Mock, Henry Patten, Betsey Philbrick, Donald			
CHESHIRE			
Avery, Stephen Hunt, John McNamara, Wanda Metzger, Katherine			
Riley, William Royce, H. Charles Smith, Edwin			
COOS			
Davis, Perley Guay, Lawrence Horton, Lynn Merrill, Gerald			
Pratt, Leighton Tholl, John, Jr.			
GRAFTON			
Akins, Ralph Alger, John Below, Clifton Cobbin, Philip			
Eaton, Stephanie Guaraldi, Lawrence Hill, Richard Hinman, Harry			
MacNeil, Allen Phinney, William Teschner, Douglass Trelfa, Richard			
Weber, Phil			
HILLSBOROUGH			

Alukonis, David	Amidon, Eleanor	Arnold, Thomas, Jr.	Baroody, Benjamin
Batula, Peter	Belvin, William	Briefs, Geoffrey	Brundige, Robert
Buckley, Raymond	Burke, M. Virginia	Calawa, Leon, Jr.	Chabot, Ernest
Christiansen, Lars	Clay, Susan	Clegg, Robert, Jr.	Cote, Peter
Daigle, Robert	Daniels, Gary	Dawe, Eileen	Drabinowicz, A. Theresa
Durham, Susan	Dyer, Merton	Fenton, James	Flora, Kathleen
Ginsburg, Ruth	Golding, William	Goulet, Maurice	Haettenschwiller, Alphonse
Hansen, Herbert	Herman, Keith	Holley, Sylvia	Holt, David
Hunter, Bruce	Jean, Loren	Johnson, Lionel	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Lefebvre, Roland	Lozeau, DonnaLee
MacGillivray, Jeffrey	MacIntyre, Doris	Marcinkowski, Michael	Martin, Mary
McCarty, Winston	McGough, Tim	McRae, Karen	Mercer, Robert
Messier, Irene	Milligan, Robert	Mittelman, David	Morello, Michael
O'Hearn, Jane	Piteri, Dawn	Reidy, Frank	Riley, Frances
Rowe, Robert	Sargent, Maxwell	Searles, Stanley, Sr.	Tate, Joan
Thulander, O. Alan	Turgeon, Roland	Vaillancourt, Steve	Wheeler, Robert
White, Donald	Wright, George		
MERRIMACK			
Adams, Stephen	Anderson, Eric	Chandler, Earle	Davis, Francis
French, Barbara	Hager, Elizabeth	Krueger, Patricia	Lamach, Bernard
Larrabee, David	Lavoie, Gerard	Leber, William	Marshall, Kenneth
Nichols, Avis	Owen, Derek	Pfaff, Terence	Whalley, Michael
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Camm, Kevin	Carson, Gregory
Case, Margaret	Christie, Andrew, Jr.	Clark, Martha	Cushing, Robert
Dearborn, Bruce	Dodge, Robert	Dowd, Sandra	Fesh, Robert
Flanagan, Natalie	Flanders, John, Sr.	Gleason, John	Griffin, Mary
Guthrie, Joseph	Henderson, Warren	Johnson, Robert	Katsakiores, Phyllis
Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane	Letourneau, Robert
Lovejoy, Marian	Major, Norman	Malcolm, Kenneth	McCarthy, John, Jr.
McKinney, Betsy	Mikowski, Walter	Moore, Benjamin	Norelli, Terie

Nowe, Ronald	O'Keefe, Patricia	Pitts, Jacqueline	Rabideau, Marie
Raynowska, Bernard	Reardon, Neil	Sapareto, Frank	Smith, Kevin
Stickney, Nancy	Stone, Joseph	Tufts, J. Arthur	Verani, Giovanni
Weare, Everett	Welch, David	Weyler, Kenneth	
STRAFFORD			
Cossette, Larry	DeChane, Marlene	Hemon, Roland	Kaen, Naida
McCann, William, Jr.	Merrill, Amanda	Musler, George	Pelletier, Arthur
Rollo, Michael	Spear, Barbara	Taylor, Kathleen	Torr, Franklin
SULLIVAN			
Adler, Rudolf	Burling, Peter	Cloutier, John	Flint, Gordon
Leone, Richard	Schotanus, Merle	Wiggins, Celestine	
NAYS 129			
BELKNAP			
Golden, Paul	Holbrook, Robert	Salatiello, Thomas	
CARROLL			
Babson, David, Jr.			
CHESHIRE			
Bonneau, Sarah	Burnham, Daniel	Doucette, Richard	Lynch, Margaret
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	Meador, David
Pratt, John	Richardson, Barbara	Robertson, Timothy	Russell, Ronald
COOS			
Bradley, Paula	Coulombe, Henry	Coulombe, Yvonne	Hawkinson, Marie
Mears, Edgar			
GRAFTON			
Almy, Susan	Brown, Channing	Copenhaver, Marion	Guest, Robert
Ham, Bonnie	Lovett, Sidney	Mirski, Paul	Nordgren, Sharon
Williams, William, Jr.			
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Cardin, Lori	Carlson, Donald
Chabot, Robert	Clemons, Jane	Cote, David	D'Allesandro, Lou

Dokmo, Cynthia	Dwyer, Paul, Sr.	Fields, Dennis	Foster, Joseph
Foster, Linda	Gage, Ruth	Gosselin, Gerald	Hall, Betty
Hart, Nick	Jean, Claudette	Konys, Christine	Leishman, Peter
Leonard, Peter	Lessard, Rudy	Lynde, Harold	McCarthy, William
McDonald, James, Sr.	Melcher, Harold	Murphy, Robert	Perkins, Paul
Welch, Donald	Williams, Carol		
MERRIMACK			
Burney, Carol	Daneault, Gabriel	DeStefano, Stephen	Dunn, Miriam
Fraser, Marilyn	Gile, Mary	Jacobson, Alf	Langer, Ray
Lockwood, Robert	Moore, Carol	St. Cyr, Gerard	Wallin, Jean
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Blanchard, MaryAnn	Cooney, Richard
Cote, Patricia	Dolan, Richard	Downing, Michael	Francoeur, Sheila
Frechette, Joseph	Gibbons, Paul	Heath, John	Hutchinson, Rebecca
Kane, Cecelia	Katsakiores, George	Kelley, Jane	Langone, John
Micklon, Stephanie	Packard, Sherman	Pantelakos, Laura	Rubin, George
Sabella, Norma	Schanda, Frank	Stritch, C. Donald	Syracusa, Anthony
Varrell, Thomas	Vaughn, Charles		
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	Dunlap, Patricia	Estabrook, Iris	Grassie, Anne
Heon, Richard	Keans, Sandra	Knowles, William	Lundborn, Raymond
Merritt, Deborah	Rogers, Rose Marie	Smith, Marjorie	Snyder, Clair
Sullivan, Henry	Torr, Ann	Twardus, Joseph	Vincent, Francis
Wall, Janet			
SULLIVAN			
Allison, David	Donovan, Thomas	Ferland, Brenda	Kibbey, David
Lindblade, Eric	Palmer, Lorraine	Robb-Theroux, Amy	

and the motion failed, lacking the necessary two-thirds.

SENATE MESSAGE

SENATE RESOLUTION TO DISPOSE OF OUTSTANDING BILLS

The Senate of the state of New Hampshire passed the following Resolution on June 10, 1998.

RESOLUTION

That all bills left in Committee, Laid on the Table or not acted upon by the body in any manner with the exception of those sent to the Court for an opinion of the Justices be by this resolution made Inexpedient to Legislate.

SB 359, providing immunity to the state and public employees for any harm resulting from certain computer errors in the millennium changeover.

SB 369, relative to the appeal of disciplinary actions of the New Hampshire real estate commission.

HB 480, revising the law relative to protection of persons from domestic violence.

HB 721, authorizing municipalities to restrict the advertising of alcohol and tobacco through the exercise of zoning powers.

HB 1368, relative to distribution services and metering and billing in electric utility restructuring.

(Clerk's Note)

OUTSTANDING BILLS

At the time of recess the following bill remained Laid on the table.

HB 1577-FN-A, relative to campaign finance expenditure and contribution reform.

The following bill was introduced in the House but no action was taken lacking the necessary two-thirds vote of those present and voting.

SB 491-FN, relative to residential care facilities.

The following bills remain in the possession of the House Finance Committee:

CACR 44, relating to clarifying the phrase "proportional and reasonable" in the constitution. Providing that: to the extent local property taxes are used to fund an adequate education, tax rates among different local taxing districts shall be proportional and reasonable if, utilizing real property valuations equalized throughout the state, the lowest tax rate utilized by any one local taxing district is not less than 50 percent of the highest tax rate utilized by any other local taxing district.

CACR 46, relating to the right of each educable child to an adequate education, and the proportionality and reasonableness of local taxes for education. Providing that the right of every child to an adequate education shall be enforced by appropriate legislation, that the state may delegate to its political subdivisions the duty to provide an adequate education, and that a tax imposed to implement such a delegated duty shall be proportional and reasonable.

CACR 47, relating to use of personal income taxes. Providing that the general court shall use net revenues from personal income taxes exclusively for educational purposes.

CACR 48, relating to restricting any statewide property tax to education funding. Providing that all revenues resulting from a statewide property tax shall be used exclusively for elementary and secondary education.

CACR 51, relating to establishing a restricted education trust fund. Providing that an education trust fund be established, that all moneys designated for the purpose of state aid to education shall be directly transferred to such trust fund, and that the moneys in such trust fund shall be used exclusively for state aid to education.

HB 1666-FN-A-L, establishing a new statewide tax on land values to fund a constitutionally adequate education.

HB 1668-FN-A-L, establishing a personal income tax and a statewide school property tax to fund public education and making an appropriation therefor.

HB 1669-FN-A-L, adding a capital gains tax to the interest and dividends tax, and designating all revenues from the interest and dividends tax for funding education.

HB 1670-FN-A-L, relative to a statewide school tax on income for purposes of funding a constitutionally adequate education and making an appropriation therefor.

HB 1671-FN-A-L, establishing a securities transfer excise tax to meet state obligations in funding education.

HB 1672-FN-A-L, replacing the business profits tax and the business enterprise tax with a reform business tax and establishing a committee to recommend a rate for the reform business tax.

HB 1673-FN-L, requiring the state board of education to establish a uniform salary schedule for public school teachers.

HB 1674-FN-A-L, establishing a proportional statewide property tax to provide equal per student funding for state-mandated education and funding for kindergarten and making an appropriation therefor.

HB 1675-FN-A-L, establishing a referendum for a new taxation plan to fund public education.

HB 1676-FN-A-L, relative to collection by the state of local property taxes paid by business, industrial, and public utility properties and redistribution to municipalities for education purposes on a per pupil basis.

HB 1677-FN-A-L, authorizing towns and cities to determine the method of local taxation used to support public education.

HB 1678-FN-L, authorizing school districts to establish local educational standards and perform local education program assessments.

HB 1679-FN-A-L, relative to local property taxation and state aid to support public education.

HB 1680-FN-A-L, relative to administration of retiree's health benefits by the New Hampshire retirement system and making an appropriation therefor.

HB 1681-FN-A, increasing the tobacco tax on all tobacco products and designating the increase in revenue for the advancing better classrooms program.

UNANIMOUS CONSENT

Reps. Amanda Merrill and Merritt addressed the House.

Rep. Lockwood moved that the remarks made by Rep. Amanda Merrill be printed in the Journal.

Adopted.

Rep. Amanda Merrill: Thank you, Madam Speaker. I have found a song called "Turn Around" coming into my head lately as I try to get used to the idea of no longer being a member of the House. I guess that is not surprising since it is a song about the passage of time and about change. If I had the voice of some of my colleagues, like the Senator from Durham, Sen. Wheeler, or Rep. Kurk, I might sing a few bars for you, but, I don't. So, instead I'll just share the first few words of the song. "Where are you going my little one, little one? Where are you going my baby, my own? Turn around and you're two. Turn around and you're four. Turn around and you're a young girl going out of the door".

Ten years ago, an old high school friend who was serving in the legislature called me to see if I might be interested in running. I continue to thank Rep. Cushing for that recruiting effort. Back then, Mary Chambers who was the Democratic Leader, followed up with a call of her own reassuring me that it didn't matter if I wasn't much for making speeches because there were already plenty of people in Concord who were. So I filed. My daughter was two.

She went door-to-door with me campaigning, charming voters from her stroller. Today she is a young girl, soon a young woman and she is often going out the door. My son went off to first grade when I went off to my first primary election. In two years he will leave us for college. Unless perhaps, UNH reinstates baseball.

It has been a decade of great learning and change for all of us. I have learned in my five terms that there are indeed House members who can give a great speech. I have marveled at others who know just how to ask the right question at the right time. I have to come to appreciate still others who keep a committee working with their good humor and patience. Ours is a House of many talents and thank goodness because we need them all. I've learned something about radioactive waste and lobbying laws, air pollution and adequacy in education. Like all of you, I've had boundless opportunity to learn combined always with the responsibility of applying those lessons to decisions that matter. It has been a privilege and a joy to be entrusted with that duty.

For letting me have such an opportunity I, of course, thank the voters of Durham and since I started out before redistricting also the folks of Madbury and Lee. I thank the voters also for providing me with wonderful delegation friends. For making these past ten years such a rich experience I have many of you to thank as well as colleagues of the past. My first chairman on the old Science, Technology and Energy Committee was Bill Hatch and our ranking Democrat was Susan Spear. I learned quickly about the great differences of opinion in that one undersized committee room. I put in my first research request at Legislative Services and got back my first cover letter from Rich Lambert ending with the now familiar quote, "Please do not hesitate to contact me if I can be of further assistance." I've taken Rich and his colleagues up on their offer many times since. That first term I also found a home away from home in the Democratic office, enjoying ever since the excellent

care and advice of Donald Manning, Kay Cushman and the others who have joined them over the years. I shared many laughs with my carpooling companion, Rep. Gilmore whom some of you remember and once progress brought Dunkin Donuts to Route 4, a few chocolate frostedds that I didn't need, too. I had the good fortune to succeed my good friend, Rick Trombly, on the Environment and Agriculture Committee where Betty Greene and George Musler served as co-chairmen with great fairness and faith in their committee members and our researcher, Joel Anderson, kept us all organized. I learned the satisfactions of working together toward consensus and coming up with something to be proud of. I got to experience that sense of committee purpose and achievement again this year with the members of the Education Committee. Madam Speaker, I remember that during my first or second term a student from UNH worked with me for a while as part of a course she was taking. She wanted to interview people around the State House and she asked in particular if I could suggest a woman legislator whom I considered to be especially effective. I sent her to you, Madam Speaker, as I would today. My admiration and best wishes go to you. Finally, I turn to thank a fellow member of the legislative class of 1988, my friend and colleague, Peter Burling. It has been quite a two-year ride, especially the spin in the Corvette. Peter represents the Democratic Caucus with style, skill and dedication. He respects and relishes the differences of opinion and outlook that is the hallmark of our caucus. He has worked twice as hard as I these past two years and yet has the generosity of spirit to always greet me in the office or on the phone with, "Hey, partner." I will miss that partnership as I shall miss the community of this House. I thank you all for being such an important part of my life and in the words of another song about time, "See you in September," if not sooner.

SENATE MESSAGE

CONCURRENCE

HB 643-FN, making an appropriation to the office of emergency management and relative to proportionate share payments for county nursing homes.

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 at the call of the Chair.

Adopted.

LATE SESSION

Third reading and final passage

HB 643-FN, making an appropriation to the office of emergency management and relative to proportionate share payments for county nursing homes.

RECESS MOTION

Rep. Wheeler moved that the House stand in recess for the purpose of introduction of bills, receiving Senate Messages, forming Committees of Conference, Enrolled Bill Amendments and Enrolled Bill reports only.

Adopted.

The House recessed at 2:35 p.m.

RECESS

(Rep. Pfaff in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 643.

Rep. Pfaff for the Committee

BILLS SIGNED BY THE GOVERNOR

Chap. 164, **SB 140**, relative to the obligations of joint owners to the nuclear decommissioning financing fund and relative to the membership of the nuclear decommissioning financing committee. (eff. Sec. 3, as in sec. 4; remainder 6/11/98)

Chap. 165, **HB 147**, relative to disclosure of certain information relating to tobacco products. (eff. 8/14/98)

Chap. 166, **HB 1112**, relative to the placement of articles on the official ballot. (eff. 8/14/98)

Chap. 167, **HB 1131**, relative to the sale of liquor and beverages and relative to enforcement of the liquor laws. (eff. 7/1/98)

Chap. 168, **HB 1167**, relative to a reapproval process for community mental health programs and area agencies. (eff. 8/14/98)

Chap. 169, **HB 1189**, increasing the limits of direct off-premises sales from breweries. (eff. 7/1/98)

Chap. 170, **HB 1262**, relative to authority for the board of medicine to employ a medical review subcommittee administrator. (eff. 7/1/98)

Chap. 171, **HB 1374**, relative to increasing the minimum amount of a state capital improvement project requiring competitive bidding, relative to contracts for major capital projects of the departments of fish and game and resources and economic development, and relative to acquisition of a certain piece of property in Piermont, New Hampshire. (eff. Secs. 1-5, 8/14/98; remainder 7/1/98)

Chap. 172, **HB 1407**, clarifying the unlawful practice of medicine and podiatry. (eff. 1/1/99)

Chap. 173, **HB 1421**, relative to review of drugs by the board of nursing and the joint health council. (eff. 8/14/98)

Chap. 174, **HB 1428**, relative to teacher certification, recertification, and professional preparation programs. (eff. 8/14/98)

Chap. 175, **HB 1527**, relative to unauthorized switching of telecommunications or energy-related service providers. (eff. 6/15/98)

Chap. 176, **HB 1529**, reinstating the corporate charters of Hampstead Garage, Inc., Shannon Ridge Development, Inc., and Raycor Corporation. (eff. 6/15/98)

Chap. 177, **HB 1597**, relative to providing more cost-effective special education services. (eff. 8/14/98)

Chap. 178, **HB 1605**, establishing a study committee on marine patrol services. (eff. 6/15/98)

Chap. 179, **SB 100**, establishing a New Hampshire film and television commission. (eff. Sec. 4, 6/1/98; remainder 8/4/98)

Chap. 180, **SB 308**, relative to the board of directors of Delta Dental Plan of New Hampshire, Inc. (eff. 7/1/98)

Chap. 181, **SB 319**, establishing a committee to study the parole system and methods to increase its efficiency. (eff. 6/15/98)

Chap. 182, **SB 365**, relative to including the upper and lower Merrimack Rivers, the Lamprey River, the Swift River, and the mainstream and north branch of the Contoocook River under the shoreland protection act and deleting the deadline for local approval of the designation of the Exeter River as a rural river. (eff. 6/15/98)

Chap. 183, **SB 379**, establishing an immunization registry. (eff. 8/14/98)

Chap. 184, **SB 396**, requiring the commissioner of the department of youth development services to submit a quality assessment report to the legislature and to the juvenile justice commission. (eff. 8/14/98)

Chap. 185, **SB 392**, relative to requirements for law enforcement personnel who conduct interviews of minors. (eff. 1/1/99)

Chap. 186, **SB 446**, relative to estate planning by a guardian. (eff. 7/1/98)

Chap. 187, **SB 487**, relative to the general powers and duties of a guardian over the estate of the minor. (eff. 1/1/99)

Chap. 188, **SB 506**, requiring certain reports relative to independent review under managed care. (eff. 8/14/98)

Chap. 189, **SB 331**, eliminating work certificates for 16 and 17 year old youths. (eff. w/o sig. 8/15/98)

Chap. 190, **HB 1568**, relative to the timing of special school district meetings. (eff. Sec 8, 1/15/99; remainder 6/16/98)

Chap. 191, **SB 341**, relative to the implementation of electric utility restructuring. (eff. 6/17/98)

Chap. 192, **HB 1113**, relative to reports of town and school district meetings to be certified to the department of revenue administration and legalizing the 1997 annual meeting of the Ossipee Corner

Light and Power Precinct and the 1998 annual meeting of the town of Greenfield. (eff. Sec. 1, 8/17/98; remainder 6/18/98)

Chap. 193, **HB 1114**, relative to registration procedures for the use of antique plates. (eff. 8/17/98)

Chap. 194, **HB 1121**, making technical corrections to the election laws. (eff. 8/17/98)

Chap. 195, **HB 1209**, revising the interagency agreement for special education. (eff. 6/18/98)

Chap. 196, **HB 1221**, relative to the acceptance of personal property donated to towns or village districts. (eff. 8/17/98)

Chap. 197, **HB 1238**, establishing a committee to study ways to manage land use and to preserve and protect the state's farmland, rural and community character, and environmental quality against low density sprawl and the loss of sense of place. (eff. 6/18/98)

Chap. 198, **HB 1245**, relative to the management of New Hampshire retirement system funds by the board of trustees. (eff. 6/18/98)

Chap. 199, **HB 1298**, requiring health care providers to wear identification. (eff. 1/1/99)

Chap. 200, **HB 1312**, adopting the 1995 revisions to article 5 of the uniform commercial code relative to letters of credit. (eff. 1/1/99)

Chap. 201, **HB 1320**, amending provisions of the advisory committee on the education of students with disabilities. (eff. 6/18/98)

Chap. 202, **HB 1328**, extending the exemption period for motor vehicle titles and relative to penalties and bond requirements imposed on certain motor vehicle dealers, transporters, and repairers. (eff. varied)

Chap. 203, **HB 1347**, preserving relationships between siblings who are separated as a result of court ordered out-of-home placements. (eff. 6/18/98)

Chap. 204, **HB 1361**, relative to rulemaking authority, subpoena powers, and establishment of civil penalties by the board of professional engineers, and relative to retired status for land surveyors. (eff. 7/1/98)

Chap. 205, **HB 1447**, relative to approval by the legislative body of cost items in a collective bargaining agreement. (eff. 8/17/98)

Chap. 206, **HB 1493**, relative to clarifying school district liability for certain placements of children pursuant to juvenile proceedings. (eff. 6/18/98)

Chap. 207, **HB 1513**, relative to vehicle emissions control equipment and testing. (eff. 6/18/98)

Chap. 208, **HB 1539**, relative to property tax billing procedures for land parcels having multiple owners. (eff. 6/18/98)

Chap. 209, **HB 1543**, relative to disbursement of income of persons held or imprisoned in a county department of corrections facility. (eff. 1/1/99)

Chap. 210, **HJR 24**, 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. (eff. 6/18/98)

Chap. 211, **SB 161**, relative to a master plan of Odiorne Point State Park. (eff. 7/1/98)

Chap. 212, **SB 316**, establishing a committee to study participation in driver training programs for older drivers. (eff. 6/18/98)

Chap. 213, **SB 320**, relative to notice by a state agency to certain persons of proposed rulemaking activity. (eff. 8/17/98)

Chap. 214, **SB 321**, relative to creating a joint maintenance high school in certain towns. (eff. 8/17/98)

Chap. 215, **SB 362**, relative to classification of certain department of corrections personnel in the retirement system. (eff. 7/1/98)

Chap. 216, **SB 371**, requiring health carriers to provide certain information to health care providers and consumers. (eff. 1/1/99)

Chap. 217, **SB 391**, exempting personal property which is subject to taxation under the legacies and successions tax from the 2 percent tax on transfers of personal property of nonresident decedents. (eff. 7/1/98)

Chap. 218, **SB 415**, relative to the authority of zoning boards of adjustment to grant variances from certain zoning ordinances. (eff. 8/17/98)

Chap. 219, **SB 479**, establishing a committee to study the supervision of juvenile delinquents on probation or parole. (eff. 6/18/98)

Chap. 220, **SB 486**, relative to old age and survivors' insurance. (eff. 1/1/99)

Chap. 221, **SB 507**, establishing a committee to study pharmaceutical assistance for the elderly. (eff. 8/17/98)

Chap. 222, **HB 1456**, relative to the budget making process. (eff. 6/22/98)

Chap. 223, **HB 1100**, relative to the design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the 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, making adjustments to the operating budget for fiscal year 1999 and relative to agreements between the state and the city of Laconia regarding the lakes region correctional facility and the transfer of certain property. (eff. 6/24/98)

Chap. 224, **HB 272**, relative to boat docking facilities. (eff. 8/23/98)

Chap. 225, **HB 1106**, relative to special deer permits. (eff. 6/24/98)

Chap. 226, **HB 1141**, relative to authorizing the use of appropriated funds for the design study for conversion of the Walker building on the New Hampshire hospital grounds and for renovation of a certain state office building; relative to extending an appropriation to the University System for construction on the Diamond Library and an appropriation to the department of administrative services for the Plaistow district court; and relative to capital appropriations for certain department safety projects. (eff. 6/24/98)

Chap. 227, **HB 1201**, relative to the use of motor vehicle repair plates. (eff. 8/23/98)

Chap. 228, **HB 1208**, authorizing the housing finance authority to sell or transfer certain land. (eff. 8/23/98)

Chap. 229, **HB 1223**, repealing the alternative fuel motor vehicle law. (eff. 8/23/98)

Chap. 230, **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. (eff. 6/24/98)

Chap. 231, **SB 10**, relative to funds for prearranged funerals or burial plans. (eff. 8/23/98)

Chap. 232, **SB 53**, relative to payment by the retirement system of certain medical benefits for group II members and for certain permanent firemen on disability retirement. (eff. 8/23/98)

Chap. 233, **SB 68**, 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. (eff. 8/23/98)

Chap. 234, **SB 191**, relative to mental health providers. (eff. 10/31/98)

Chap. 235, **SB 197**, relative to final dispositional orders in child protection cases. (eff. 1/1/99)

Chap. 236, **HB 490**, relative to the confidentiality of medical information. (eff. 6/24/98)

Chap. 237, **HB 616**, relative to jury selection reforms. (eff. 1/1/99)

Chap. 238, **HB 676**, relative to distribution of proceeds from the sale of tax-deeded property and repurchase of tax-deeded property by a former owner. (eff. 6/25/98)

Chap. 239, **HB 682**, relative to public access to records and information regarding registered criminal offenders. (eff. 1/1/99)

Chap. 240, **HB 730**, relative to aggravated felonious sexual assault. (eff. 1/1/99)

Chap. 241, **HB 747**, establishing a wildlife habitat stamp or license for persons engaged in taking wild animals or birds and continually appropriating funds for wildlife habitats. (eff. 1/1/99)

Chap. 242, **HB 774**, relative to child support, custodial rights, and visitation. (eff. 10/23/98)

Chap. 243, **HB 784**, relative to changing the amount of estimated expenditures per pupil beyond which the department of education is liable for the cost of school district borrowing. (eff. 7/1/99)

Chap. 244, **HB 1109**, allowing prepayment of property taxes before April 1 and allowing abatement procedures to be applicable to certain payments in lieu of taxes for properties within the airport district on the former Pease Air Force Base. (eff. 8/24/98)

Chap. 245, **HB 1129**, relative to the penalty and substance abuse treatment for multiple DWI offenders who have previously successfully completed a multiple DWI offender intervention detention center program. (eff. 1/1/99)

Chap. 246, **HB 1156**, relative to primary elections and absentee ballots. (eff. 6/25/98)

Chap. 247, **HB 1174**, establishing a committee to study the state substance abuse treatment delivery system. (eff. 8/24/98)

Chap. 248, **HB 1182**, establishing an oversight committee to review the allocation of funds disbursed for the developmental disabilities waitlist. (eff. Sec. 2, 7/2/02; remainder 8/24/98)

Chap. 249, **HB 1191**, relative to limiting the liability of municipalities and school districts for damages caused by winter weather hazards. (eff. 1/1/99)

Chap. 250, **HB 1205**, making technical corrections to the securities laws, relative to the filing fee for securities in a combined prospectus offered for sale in New Hampshire by a mutual fund, and establishing a committee to study the impact of eliminating the filing fee for certain securities in a combined prospectus. (eff. Sec. 4, 6/25/98; remainder 7/1/98)

Chap. 251, **HB 1558**, relative to games of chance. (eff. 8/24/98)

Chap. 252, **HB 1636**, relative to the executive director of fish and game and the fish and game commission. (eff. 8/24/98)

Chap. 253, **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 and relative to exemption for electric generation companies from public utility status. (eff. Sec. 1-2, as in Sec. 3; Sec. 4 as in Sec. 5; remainder 6/25/98)

Chap. 254, **SB 405**, relative to a specific time period by which the state is required to have an audited financial statement available to the public. (eff. 8/24/98)

Chap. 255, **SB 464**, relative to limitations from civil liability for volunteers and relative to state agency preparedness for the year 2000 computer problems. (eff. Secs. 3-4, 6/25/98; remainder 1/1/99)

Chap. 256, **SB 473**, relative to child day care providers and clarifying the procedures for background criminal checks for school employees and volunteers. (eff. Sec. 5, as in Sec. 7; remainder 1/1/99)

Chap. 257, **SB 476**, relative to ambulatory surgical facilities. (eff. Sec. 4, 7/1/00; remainder 6/30/98)

Chap. 258, **SB 492**, amending the charter of the union school district of Keene. (eff. Secs. 1 and 2, as in Sec. 3; remainder 7/1/98)

Chap. 259, **SB 494**, establishing a committee to study the feasibility of allowing private nonprofit small business health care insurance purchasing groups to form and conduct business in New Hampshire. (eff. 7/25/98)

Chap. 260, **SB 495**, relative to the university system study committee. (eff. 6/25/98)

Chap. 261, **HB 485**, relative to limited electrical energy producers. (eff. 8/25/98)

Chap. 262, **HB 587**, relative to the system benefits charge and the composition of the nuclear decommissioning financing committee. (eff. Sec. 3, as in Sec. 4; remainder 6/26/98)

Chap. 263, **HB 651**, establishing a committee to study electric rate reduction financing. (eff. 8/25/98)

Chap. 264, **HB 1496**, relative to energy facility evaluation. (eff. 6/26/98)

Chap. 265, **SB 427**, establishing a revolving fund for loans for intrastate energy pipeline facilities improvements. (eff. 8/25/98)

Chap. 266, **SB 445**, relative to penalties for personal use of walking disabled motor vehicle plates or placards by persons not issued the plates or placards. (eff. 1/1/99)

Chap. 267, **SB 462**, establishing certain commissions relative to educational issues, and making an appropriation therefor, and making an appropriation to the New Hampshire Veterans' Home. (eff. 6/6/98)

Chap. 268, **HB 1501**, relative to amending certain provisions of the charter school law. (eff. Sec. 1, 1/1/99; remainder 7/1/98)

Chap. 269, **HB 1652**, establishing a pilot program relative to the administration of medications in residential care facilities. (eff. Sec. 5, 12/31/00; remainder 7/1/98)

Chap. 270, **SB 205**, establishing a special school district to provide special education for eligible inmates in the state prison system. (eff. 7/1/99)

Chap. 271, **SB 400**, relative to withdrawal of a school district from an area district. (eff. Sec. 3, 7/1/98; remainder 8/25/98)

Chap. 272, **SB 503**, relative to the New Hampshire community-technical college system. (eff. varied)

Chap. 273, **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. (eff. 8/25/98)

Chap. 274, **SB 317**, relative to the time for consideration of applications to planning boards. (eff. 8/25/98)

Chap. 275, **SB 335**, relative to polling hours in towns. (eff. 8/25/98)

Chap. 276, **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 a certain state office building. (eff. Secs. 4 and 6, as in Sec. 7; remainder 6/26/98)

Chap. 277, **SB 346**, establishing a task force to study the foster care system. (eff. Sec. 5, 11/1/00; 8/25/98)

Chap. 278, **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. (eff. 8/25/98)

Chap. 279, **SB 352**, relative to continuing education requirements for electrologists. (eff. 8/25/98)

Chap. 280, **SB 354**, requiring insurance coverage for hospitalization and anesthesia for dental procedures for certain patients. (eff. 1/1/99)

Chap. 281, **SB 363**, relative to notification to and jurisdiction of municipalities concerning governmental use of property. (eff. 8/25/98)

Chap. 282, **SB 370**, establishing an international trade corridor and border crossing planning and development advisory committee. (eff. 8/25/98)

Chap. 283, **SB 376**, relative to animal cruelty. (eff. 1/1/99)

Chap. 284, **SB 377**, authorizing the organization of merchant banks to provide equity financing and related services to small businesses. (eff. 8/25/98)

Chap. 285, **SB 402**, codifying the pet overpopulation committee. (eff. 6/26/98)

Chap. 286, **SB 421**, relative to timber harvesting and penalties for timber trespass and deceptive forestry practices and relative to persons who are not required to file an intent to cut. (eff. 1/1/99)

Chap. 287, **SB 423**, relative to eligibility for cost of living adjustments for retired members or beneficiaries in the New Hampshire retirement system. (eff. 8/25/98)

Chap. 288, **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. (eff. varied)

Chap. 289, **SB 444**, requiring the New Hampshire real estate commission to notify licensees of proposed rules changes, changes in adopted rules, and changes in New Hampshire law. (eff. 1/1/99)

Chap. 290, **SB 451**, relative to the accessibility of pupil assessment materials and the anonymity of pupil assessment results. (eff. 1/1/99)

Chap. 291, **SB 497**, relative to disbursement of tobacco-related funds received by the state. (eff. 8/25/98)

Chap. 292, **SB 498**, clarifying the definition of "right of custody" with respect to the crime of interference with custody. (eff. 1/1/99)

Chap. 293, **SB 500**, relative to the use of credit data for certain insurance purposes. (eff. 8/25/98)

Chap. 294, **SB 502**, allowing federal judges to perform marriages after obtaining a special license. (eff. 8/25/98)

Chap. 295, **SB 504**, relative to members of predecessor systems of the New Hampshire retirement system. (eff. 7/1/98)

Chap. 296, **HB 170**, exempting temporary, demountable, plastic-covered greenhouses from property taxation. (eff. 7/1/99)

Chap. 297, **HB 204**, 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. (eff. Sec. 4, 7/1/99; remainder 1/1/99)

Chap. 298, **HB 256**, establishing model rules on adjudicative proceedings for state agencies. (eff. 7/1/98)

Chap. 299, **HB 529**, relative to excluding from the definition of subdivision the placement and maintenance of wireless communication facilities. (eff. 6/1/99)

Chap. 300, **HB 555**, exempting an individual's pensions and individual retirement accounts from bankruptcy attachment. (eff. 1/1/99)

Chap. 301, **HB 559**, allowing courts to impose extended terms of imprisonment upon persons of any age who meet other criteria for extended terms and upon persons who have committed certain crimes against persons under 13 years of age. (eff. 8/25/98)

Chap. 302, **HB 630**, relative to additional voluntary contributions to provide for early retirement by members of the retirement system. (eff. 6/30/98)

Chap. 303, **HB 686**, relative to financing child day care facilities. (eff. 6/26/98)

Chap. 304, **HB 707**, providing that telecommunications poles and lines be subject to the property tax. (eff. 4/1/98)

Chap. 305, **HB 798**, relative to the regulation of health clubs. (eff. 1/1/99)

Chap. 306, **HB 1000**, relative to a 10-year transportation plan, authorizing construction on the Spaulding Turnpike, making an appropriation for a radio system upgrade for the department of transportation, excluding certain vehicles from seasonal weight limits, and requiring the commissioner of transportation to conduct a feasibility study. (eff. Secs 5 and 7, 6/26/98; remainder 8/25/98)

Chap. 307, **HB 1103**, relative to the state representative districts of towns. (eff. 8/25/98)

Chap. 308, **HB 1118**, relative to the expiration of contact lens prescriptions and relative to continuing education for ophthalmic dispensers. (eff. 1/1/99)

Chap. 309, **HB 1123**, relative to the control of wolf hybrids. (eff. 6/26/98)

Chap. 310, **HB 1145**, relative to the definition of "livestock." (eff. 8/25/98)

Chap. 311, **HB 1169**, clarifying the authority of the ballot law commission relative to the examination of programs used to count votes. (eff. 6/26/98)

Chap. 312, **HB 1196**, relative to prohibiting the sale of lead fishing sinkers and lead jigs in fresh waters of the state and establishing a lead education program concerning the effects of lead on loons and other water birds and wildlife. (eff. Sec. 3, 1/1/00; remainder 6/26/98)

Chap. 313, **HB 1217**, relative to balancing the operating budget; relative to the city of Manchester's bonding authority for airport projects; reducing the projected revenues from the Andersen consulting revenue recoupment effort; and making certain appropriations. (eff. Secs. 1 and 3, 8/25/98; Secs. 2 and 12, as in Sec. 13; remainder 6/26/98)

Chap. 314, **HB 1226**, creating the educational credential of master teacher and clarifying the procedures for background criminal checks for school employees and volunteers. (eff. 8/25/98)

Chap. 315, **HB 1234**, establishing an office of volunteerism. (eff. 8/25/98)

Chap. 316, **HB 1246**, relative to enforcement of oil spillage laws. (eff. 1/1/99)

Chap. 317, **HB 1272**, 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 and establishing the Skyhaven airport maintenance and operations fund. (eff. 6/26/98)

Chap. 318, **HB 1279**, relative to the procedures for vacating uninhabitable or unsafe buildings. (eff. 8/25/98)

Chap. 319, **HB 1281**, requiring managed care plans to permit a woman to obtain access to certain obstetrical or gynecological services without the requirement of prior authorization by a primary care provider. (eff. 1/1/99)

Chap. 320, **HB 1284**, directing the liquor commission to study and investigate the location of a new liquor store and possible welcome center and New Hampshire products store in the city of Keene. (eff. 6/26/98)

Chap. 321, **HB 1290**, relative to the authority of the state fire marshal and adding a member to the fire standards and training commission. (eff. 1/1/99)

Chap. 322, **HB 1295**, relative to reimbursing the state medical assistance program. (eff. 1/1/99)

Chap. 323, **HB 1297**, establishing a program of integrated pest management and continually appropriating an integrated pest management fund. (eff. Secs. 1 and 2, 7/1/99; remainder 7/1/98)

Chap. 324, **HB 1303**, continually appropriating boating fees and other revenues to the division of safety services. (eff. 7/1/99)

Chap. 325, **HB 1307**, relative to penalties for habitual offenders. (eff. 1/1/99)

Chap. 326, **HB 1311**, adopting the 1994 revisions to article 8 of the uniform commercial code relative to investment securities. (eff. Secs. 2, 5, 8, 9, 16 and 22-26, as in Sec. 27; remainder 1/1/99)

Chap. 327, **HB 1314**, relative to enforceable provisions in retail installment contracts for motor vehicles. (eff. 1/1/99)

Chap. 328, **HB 1331**, relative to granting a special trapping license to persons aged 68 or over. (eff. 1/1/99)

Chap. 329, **HB 1336**, defining medical necessity for managed care insurance purposes and relative to discontinued health coverage. (eff. Sec. 2, as in Sec. 3; Sec. 3, 6/26/98; remainder 8/25/98)

Chap. 330, **HB 1338**, establishing a study committee to examine the adoption of articles 41, 72-a and 73-a of the second part of the New Hampshire constitution. (eff. 8/25/98)

Chap. 331, **HB 1339**, regulating the sale by mail of liquor, wine, and beer and making an appropriation therefor. (eff. Secs. 10 and 13, as in Sec. 14; remainder 7/1/98)

Chap. 332, **HB 1345**, requiring drivers of motor vehicles to obey school crossing guards. (eff. 9/1/98)

Chap. 333, **HB 1350**, relative to vocational student organizations and making an appropriation therefor. (eff. Sec. 4, 6/26/98; remainder 7/1/98)

Chap. 334, **HB 1369**, extending the term of office of the student member of the university system board of trustees. (eff. 8/25/98)

Chap. 335, **HB 1371**, requiring the collection of certain data on children and parents in the state case registry for use in child support enforcement. (eff. Sec. 2, 10/1/98; remainder 7/1/99)

Chap. 336, **HB 1387**, relative to the state art fund. (eff. Secs. 2 and 3, as in Sec. 4; remainder 8/25/98)

Chap. 337, **HB 1389**, relative to agreements for telecommunications-related uses of the state highway system and state-owned railroad rights-of-way. (eff. 6/26/98)

Chap. 338, **HB 1397**, reestablishing the investment tax credit against the business profits tax under the community development finance authority. (eff. 7/1/98)

Chap. 339, **HB 1402**, allowing the members of the general court dental insurance and relative to excess appropriations for state employee health insurance benefits for fiscal year 1998. (eff. Sec. 1, 8/25/98; remainder 6/26/98)

Chap. 340, **HB 1411**, establishing a committee to study the feasibility of creating a nonprofit, public corporation to facilitate the availability of affordable health insurance for the uninsured and underinsured by organizing large purchasing groups of subsidized and non-subsidized subscribers and establishing the individual health insurance market mandatory risk sharing plan. (eff. 8/25/98)

Chap. 341, **HB 1417**, relative to involvement in mediation in collective bargaining negotiations by certain municipalities. (eff. 8/25/98)

Chap. 342, **HB 342**, relative to filling a vacancy in the position of a county officer, and prohibiting the private practice of the Coos county attorney. (eff. 8/25/98)

Chap. 343, **HB 1434**, simplifying the charter amendment procedure for the purpose of establishing official ballot voting. (eff. 8/25/98)

Chap. 344, **HB 1435**, 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. (eff. 8/25/98)

Chap. 345, **HB 1448**, relative to confidential communication between victims and counselors. (eff. 8/25/98)

Chap. 346, **HB 1455**, relative to the publication of administrative rules. (eff. 8/25/98)

Chap. 347, **HB 1459**, relative to the specificity of administrative rules and the identification of state and federal law in the rulemaking process. (eff. 8/25/98)

Chap. 348, **HB 1471**, allowing loss of familial relationship damages in wrongful death actions. (eff. 1/1/99)

Chap. 349, **HB 1481**, granting rulemaking authority to the executive director of fish and game to determine the legal length of lobsters. (eff. 1/1/99)

Chap. 350, **HB 1498**, authorizing emergency medical care providers to inform patients of transport options. (eff. 8/25/98)

Chap. 351, **HB 1509**, relative to the content of motor vehicle registrations. (eff. 8/25/98)

Chap. 352, **HB 1514**, changing the date by which the legislature must set the medicaid enhancement tax. (eff. 8/25/98)

Chap. 353, **HB 1515**, defining court-imposed "fine" to include penalty assessments and certain administrative fees. (eff. 1/1/99)

Chap. 354, **HB 1516**, requiring a criminal background investigation for certain department of health and human services personnel who come into direct contact with children. (eff. RSA 170-G:8-c, V, 1/1/99; remainder 8/25/98)

Chap. 355, **HB 1517**, establishing a fund for dredging to maintain harbors in New Hampshire and making an appropriation to the town of Greenville for the Greenville Water Supply Project. (eff. 7/1/99)

Chap. 356, **HB 1520**, relative to primary petitions, the preparation of voting materials, and format options for disclosing 1998 campaign information, and prohibiting candidates from multi-seat districts from being nominated by more than one party. (eff. Sec. 3, 6/26/98; remainder 1/1/99)

Chap. 357, **HB 1531**, relative to reimbursement for removal of petroleum storage facilities from the oil pollution control fund. (eff. 1/1/98)

Chap. 358, **HB 1540**, allowing non-banks to establish cash dispensing machines. (eff. 8/25/98)

Chap. 359, **HB 1553**, prohibiting the possession or use of rohypnol, ketamine, and GHB. (eff. 6/26/98)

Chap. 360, **HB 1555**, relative to including revocable trusts for medicaid estate recovery purposes. (eff. 1/1/99)

Chap. 361, **HB 1561**, preventing computer pornography and child exploitation and increasing penalties for possession under the child pornography laws. (eff. 1/1/99)

Chap. 362, **HB 1562**, repealing the authority of the department of health and human services to request certain controlled drugs. (eff. 1/1/99)

Chap. 363, **HB 1573**, changing the name of the department of cultural affairs to the department of cultural resources and changing the qualifications for the director of the division of the arts. (eff. 8/25/98)

Chap. 364, **HB 1575**, relative to highway modifications on lands acquired through the land conservation investment program. (eff. 1/1/99)

Chap. 365, **HB 1588**, making it a felony to cause bodily injury to a police dog or horse. (eff. 1/1/99)

Chap. 366, **HB 1600**, relative to the multiple DWI offender intervention detention center program. (eff. 6/26/98)

Chap. 367, **HB 1606**, relative to liability for response to hazardous materials accidents. (eff. 8/25/98)

Chap. 368, **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. (eff. 8/25/98)

Chap. 369, **HB 1629**, relative to walking disability plates and placards. (eff. 8/25/98)

Chap. 370, **HB 1631**, extending the moratorium on new nursing home beds. (eff. 8/25/98)

Chap. 371, **HB 1655**, relative to the authority of the length of service awards program committee, and making an appropriation therefor, relative to establishment of deferral compensation plan trusts, and relative to the membership, duties, and authority of the deferred compensation commission. (eff. 6/26/98)

Chap. 372, **HB 1657**, extending the consultant's reporting date for surveying the department of youth development services' facilities and amending certain references to Pine Crest-YDC. (eff. 6/26/98)

Chap. 373, **SB 102**, relative to the possession of certain weapons in the commission of a violent crime. (eff. 1/1/99)

Chap. 374, **SB 324**, relative to entertainers on premises of an on-sale liquor licensee and relative to penalties for manufacture, sale and possession of false identification. (eff. 1/1/99)

Chap. 375, **SB 336**, relative to small group and individual insurance. (eff. 8/25/98)

Chap. 376, **SB 344**, relative to trustees. (eff. 1/1/99)

Chap. 377, **SB 358**, relative to the term physician in health care provider contracts. (eff. 8/25/98)

Chap. 378, **SB 372**, relative to forms and rates for large scale commercial insurance policies. (eff. 8/25/98)

Chap. 379, **SB 457**, relative to the eligibility of employment program participants for workers' compensation. (eff. 6/26/98)

Chap. 380, **SB 465**, 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. (eff. Sec. 2, 1/1/99; remainder 8/25/98)

Chap. 381, **SB 471**, creating the presumption that a juvenile charged with a negligent homicide driving while intoxicated offense shall be certifiable as an adult. (eff. 1/1/99)

Chap. 382, **SB 472**, relative to filing security interests under the Uniform Commercial Code. (eff. Secs. 2 and 13, 7/1/01; remainder 8/25/98)

Chap. 383, **SB 483**, exempting certain businesses from electronic filing requirement under the meals and rooms tax and making an appropriation therefor. (eff. 1/1/98)

Chap. 384, **SB 488**, 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. (eff. Sec. 5, as in Sec. 4; remainder 8/25/98)

Chap. 385, **SB 490**, relative to life and accident and health insurance and relative to certain salaries. (eff. Secs. 3 and 4, 6/24/98; remainder 8/23/98)

Chap. 386, **HB 1337**, making technical corrections in laws related to the department of corrections. (eff. varied)