

HOUSE RECORD

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Court

Calendar and Journal of the 1999 Session

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Concord N.H.

Thursday, April 29, 1999

No. 47

HOUSE JOURNAL No. 15 (cont.)

Thursday, April 22, 1999

(Rep. Chandler in the Chair)

RESOLUTION

Rep. Kurk offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 742, shall be by this resolution read a first and second time by the therein listed title, sent for printing, and referred to the therein designated committee.

Adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 742, defining "domestic employee" for purposes of workers' compensation. (Daniels, Hills 13: Labor, Industrial and Rehabilitative Services)

RESOLUTION

Rep. Kurk offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 11, 13, 24, 47, 129, 134, 145, 170, 176, 186, 187, 192, 193, 207, 208 and 216 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 11-FN-A, relative to the filing fee for securities in a combined prospectus offered for sale in New Hampshire by a mutual fund. (Commerce)

SB 13, relative to the bonding authority of joint boards in joint maintenance agreements and relative to the eligibility of joint maintenance agreement districts for school building aid. (Education)

SB 24, extending the application of certain provisions of the child protection act to all children in out-of-home placements. (Children and Family Law)

SB 47-FN, relative to compensation for time lost by fish and game conservation officers for injuries received in the line of duty, and restoring certain leave time for a conservation officer injured while on duty on August 19, 1997. (Executive Departments and Administration)

SB 129-L, requiring school districts to disclose any reimbursements received to offset special education expenditures. (Finance)

SB 134-FN, relative to medicaid reimbursement rates and dental care. (Finance)

SB 145-FN-A, relative to state financial aid for state fairs, and making an appropriation therefor. (Finance)

SB 170-FN-A, establishing a parents as teachers pilot program in Sullivan county and making an appropriation therefor. (Education)

SB 176-FN-A, relative to technology support for individuals and making an appropriation therefor. (Health, Human Services and Elderly Affairs)

SB 186-FN, relative to additional cost of living adjustments and increased minimum allowances for certain retired group II members, and relative to requiring spousal acknowledgement of a member's election of an optional retirement allowance. (Executive Departments and Administration)

SB 187-FN-L, relative to payment of group health insurance premiums for eligible retired teachers in the New Hampshire retirement system. (Executive Departments and Administration)

SB 192, relative to vital records. (Health, Human Services and Elderly Affairs)

SB 193-FN, relative to holiday pay for certain state employees. (Executive Departments and Administration)

SB 207, relative to authorizing bonds for the construction and renovation of regional vocational education centers. (Finance)

SB 208-FN, establishing a "parents as scholars" program. (Education)

SB 216-FN, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces. (Executive Departments and Administration)

senate message

concurrence

HB 90, removing the prohibition on adoption and foster parenting by homosexual persons.

HB 229, changing the registration fee requirement of the commercial feed law.

HB 238-FN-A, allowing the production and sale of American ginseng in the state of New Hampshire and making an appropriation therefor.

HB 307, establishing a committee to study the negotiated risk agreements when patients desire to remain in a facility over the recommendations of the department of health and human services.

HB 418, relative to accounts and reporting dates of certain funds in the fish and game department.

HB 520, relative to an open season for chukar partridge.

RECESS

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 16

Thursday, April 29, 1999

The House assembled at 10:00 a.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, Reverend Dr. Scott Erickson, Chaplain of St. Paul's School in Concord.

Almighty God, our Heavenly Father, we thank You for these Your Servants, who seek to serve New Hampshire in a spirit of justice and truth. We pray You to send down upon all who hold office in this state the spirit of wisdom and charity, that with steadfast purpose they may faithfully serve in their offices to promote the well-being of all people. We pray especially today that Your guidance will allow these, our representatives, to work hard on behalf of our children - that together in a spirit of cooperation we will find ways to provide an excellent education to all young people in New Hampshire. We pray also for our friends in Littleton, Colorado, who grieve in these difficult days of loss. May we in New Hampshire work hard to make our schools safe places for all students and adults. And we pray for peace in our land, but especially in Kosovo. May we never be fearful to do what is right, and to uphold all people in love. These things we ask in thankfulness for the tasks that lie ahead in this House. Amen.

Reps. Langer and Fields led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Courchesne, Doucette, Golden, Hansen, Hunter, McColgan and Searles, the day, illness.

Reps. Bergin, Berube, Burkush, Chabot, Peter Cote, Cox, Domingo, Dwyer, David Flanders, Claudette Jean, MacNeil, James McDonald, Norelli, O'Neil, Pantelakos, Shultis, Edwin Smith, Tholl, Weatherspoon and Zolla, the day, important business.

Reps. Nolan-Piteri and Mendenhall, the day, illness in the family.

INTRODUCTION OF GUESTS

Hillsborough County Commissioners Carol Holden and Rhona Charbonneau, guests of the Hillsborough Delegation. Mary Dugano and Claire Chicoine, nieces of Rep. Cecelia Kane. Persis Gow, mother-in-law of Rep. Whalley. Patrick Wood, husband of Rep. Wood. Joshua Brothers, son of Rep. Brothers. Alice Johnson, Betty Cheney, and Patty Blackwood, guests of Rep. Ham. Cara Hard, daughter of Rep. Gibbons. Katherine, Alice and Dennis Sheehan, granddaughters and guest of Rep. Christiansen. Ed and Loretta Silva, guests of Rep. Vaillancourt.

enrolled bills report

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bills 90, 207, 218, 229, 238, 288, 307, 355, 418, 490, and 520 and Senate Bills 65 and 130.

Rep. Ronald Nowe and Sen. Disnard, for the Committee

senate message

requests concurrence with amendment

HB 210, reinstating the corporate charter of C. A. B. Real Estate, Inc. (Amendment printed SJ 14, 4/20/99)

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

Adopted.

HB 358, relative to the term of office for members of the state board of education. (Amendment printed SJ 15, 4/22/99)

Rep. O'Hearn moved that the House concur and spoke in favor.

Adopted.

COMMITTEE REPORTS

CONSENT CALENDAR

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

HB 585, relative to preserving the use of state park lands for their original purposes, removed by Rep. Wiggins.

Consent Calendar adopted.

HB 333, relative to contracts between participating providers and managed care entities. OUGHT TO PASS WITH AMENDMENT

Rep. Keith R. Herman for Commerce: The bill creates in statute a specified time frame for which physicians have to review contracts with insurance companies. There are concerns that physicians don't have enough time to review contracts and thus enter agreements, which are somehow detrimental to the physician. The amendment changes the time from 90 days to 60, eliminates the requirement that new language be highlighted, and adds an applicability clause to only affect contracts after the effective date of this bill. The medical society strongly supported this bill, and the committee feels this will have little effect on health care costs. Vote 12-1.

Amendment (0915h)

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

1 New Paragraph; Review Required. Amend RSA 420-J:8 by inserting after paragraph VI the following new paragraph:

VII. A health carrier shall allow a participating provider 60 days from the postmarked date to review any proposed contract and any modifications to an existing contract.

2 Applicability. This act shall not apply to contracts entered into prior to the effective date of this act.

3 Effective Date. This act shall take effect January 1, 2000.

AMENDED ANALYSIS

This bill requires health carriers to allow the contracting participating provider 60 days from the postmarked date to review the proposed contract or any modification to an existing contract.

HB 371, relative to warranty coverage and liability for loss under a motor vehicle lease. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Commerce: The topics in this bill have been covered in the amendment to HB 331. Therefore, the committee found this bill inexpedient to legislate. Vote 13-0.

HB 469, raising the medical payments coverage under automobile insurance policies. OUGHT TO PASS WITH AMENDMENT

Rep. Stephen G. Avery for Commerce: This bill raises the limits for minimum medical payments coverage under automobile insurance policies from \$1,000 to \$5,000. The testimony indicated that practically all policies today were already at \$5,000 and that the \$1,000 figure really wasn't sufficient to cover medical costs anymore. The cost for additional coverage ranges from \$20 to \$45 depending on value of automobile. Vote 16-2.

Amendment (0693h)

Amend the bill by replacing section 1 with the following:

1 Minimum Medical Coverage Payments Increased. Amend RSA 264:16, I to read as follows:

I. Any motor vehicle liability policy, as defined in RSA 259:61, covering a private passenger automobile and issued with respect to any motor vehicle registered or principally garaged in this state, shall provide coverage therein or supplemental thereto in an amount equal to or greater than ~~than [\$1,000]~~ **\$5,000** per person for medical costs incurred as a result of injuries sustained in an accident involving the insured vehicle by the driver and passengers in said vehicle. ~~[Provided that said]~~ **Such** coverage shall apply only to medical costs incurred during one year following the date the injuries are sustained.

AMENDED ANALYSIS

This bill raises the limits for minimum medical payments coverage under automobile insurance policies from \$1,000 to \$5,000.

HB 473, relative to small group health insurance. OUGHT TO PASS WITH AMENDMENT

Rep. Dennis P. Vachon for Commerce: The committee believes that this is an important issue warranting further study. The individual health insurance market continues to face difficult times despite measures adopted by the Insurance Department and this Legislature in prior years. It is self-evident that the marketplace is unable to effectively deal with this issue and that further governmental regulation may have to occur in order to increase the affordability and access to quality and choice health care for individuals also known as the non-group market. Vote 13-0.

Amendment (0623h)

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

AN ACT establishing a committee to study the non-group health insurance market.

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

1 Committee Established. There is established a committee to study the issue of encouraging health insurance carriers to insure individuals from the non-group market.

2 Membership and Compensation.

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Three members of the senate, appointed by the president of the senate.

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

3 Duties. The committee shall study ways to encourage health insurance carriers to insure individuals from the non-group market.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 1999.

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

AMENDED ANALYSIS

This bill establishes a committee to study ways to encourage health insurance carriers to insure individuals from the non-group market.

HB 511, relative to the sale of certain mixed or prepared alcohol products. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Commerce: This bill would have expanded the distribution of 48 proof distilled spirits such as rum, vodka, cordials and schnapps to more than 1400 retail outlets throughout the state. The Liquor Commission does not believe that it will increase revenues to the state and, most importantly, many of these drinks have a large following in the under 21 population and the enforcement problems would greatly increase. This bill was opposed by the Retail Grocers and the Liquor Commission. Vote 13-0.

HB 528, adding penalty provisions to the unfair claim settlement practices by insurers law. RE-REFER TO COMMITTEE

Rep. Dennis P. Vachon for Commerce: The committee has chosen to accede to the request of the prime sponsor to re-refer this bill to the committee for further study. The issue of creating a private cause of action against insurance carriers is potentially very controversial and may require fine-tuning of the existing statutes referred to. Vote 10-3.

HB 693-FN, limiting access to certain business records. RE-REFER TO COMMITTEE

Rep. Joseph D. Kenney for Commerce: This bill, as introduced, addressed the ongoing process of out-of-state revenue departments auditing New Hampshire businesses who appear to have done business in that state. The bill was amended in committee to require any agency of another state to request business records disclosure by certified mail and to allow thirty days for that business to respond by certified mail. If the New Hampshire business does not respond within thirty days, the business would not have the protection of a court order. The National Federation of Independent Businesses spoke in favor of this amendment opposing the intrusion of out-of-state auditors without notice. The Commissioner of Department of Revenue Administration opposed the bill due to the fact there are safeguards in place to address reasonable cause and NEXUS if an out-of-state auditor comes into a New Hampshire business. The commissioner felt the 17 - 25 million dollars a year revenue collected by New Hampshire in other states could be in jeopardy by this bill. The committee felt this bill should be re-referred to allow further work on a more defined procedure for out-of-state auditors to follow. Vote 13-0.

HB 346-FN-A, relative to permissible fireworks. OUGHT TO PASS WITH AMENDMENT

Rep. Everett A. Weare for Criminal Justice and Public Safety: There have been several changes to the laws and regulations dealing with the handling, storage, and selling of fireworks in recent years. It has resulted in safer, more manageable procedures in dealing with fireworks. This bill allows a permit procedure for permissible fireworks separate from the permit procedure for display fireworks. It also authorizes the director of safety to approve or delete items from the list of permissible fireworks as submitted by the Permissible Fireworks Review Committee. It further sets forth restrictions, on who may obtain a permit to sell permissible fireworks and who may work as an employee selling permissible fireworks. Vote 13-0.

Amendment (0679h)

Amend RSA 160-B:6, VI as inserted by section 8 of the bill by replacing it with the following:

VI. A person who has a federal permit issued in accordance with *the provisions of* title 18, United States Code, governing fireworks, a state license issued pursuant to this section, and a local permit issued pursuant to this section may sell **display and consumer** fireworks; however, such a person shall only sell ~~them~~ **display fireworks** to a person who shows a certificate of competency issued pursuant to RSA158:9-f, or who shows a license for the storage of ~~class B~~ **display** fireworks issued pursuant to RSA 158:9-c, or a license to sell ~~[at wholesale as provided in]~~ **display and consumer fireworks pursuant to** this chapter. Any sale which the seller makes shall be recorded, and the record, at a minimum, shall contain a copy of the purchaser's certificate of competency and display permit and, in the case of a wholesale sale, the purchaser's retail number from the state of residence, IRS tax identification number or such other information as the commissioner shall specify by rule adopted pursuant to RSA 541-A.

Amend RSA 160-C:3, III as inserted by section 14 of the bill by replacing it with the following:

III. The state license may be issued to an applicant who, at the time such license is issued, possesses a permit issued in accordance with the provisions of Title 18, United States Code, governing fireworks, and a permit issued pursuant to RSA160-C:3, I. No license shall be issued for the sale of permissible fireworks unless the applicant establishes that it will locate its business in a permanent structure which meets all applicable fire safety codes, building codes, zoning codes, and the requirements of local ordinances. No license for the sale of permissible fireworks shall be issued to any person who has been convicted of any offense involving fireworks or explosives within the 2 years prior to the application or who has been found to have violated any fireworks or explosives laws, rules, or regulations within the 2 years prior to the application. No license shall be issued to any person under 21 years of age.

Amend RSA 160-C:3 as inserted by section 14 of the bill by inserting after paragraph IX the following new paragraph:

X. No licensee shall employ a person to handle or sell fireworks who has been convicted of any offense involving fireworks or explosives within the past 2 years or who has been found to have violated any fireworks or explosives laws, rules, or regulations within the past 2 years.

Amend RSA 160-C:15, I as inserted by section 14 of the bill by replacing it with the following:

I. Within 30 days of receiving the recommendation of the permissible fireworks review committee, the commissioner shall determine whether an item should be classified as a permissible firework under this chapter. The commissioner shall establish a list of items that have been classified as permissible fireworks.

Amend section 21 of the bill by replacing paragraph II with the following:

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

Referred to Finance.

HB 508, relative to the nude photography of 16 and 17 year old subjects. INEXPEDIENT TO LEGISLATE

Rep. Patricia M. O'Keefe for Criminal Justice and Public Safety: This bill establishes requirements for the nude photography of 16 and 17 year old subjects and imposes criminal penalties for unauthorized nude photography. While recognizing the potential for exploitation of 16 and 17 year olds in regard to nude photography, the committee agreed that definitions of "art," partial nudity and other areas of the bill were too broad to define for the purposes of this bill. Issues related to this topic were felt to be best resolved between the parents/guardians and their adolescent children within the context of the family unit. The committee recommends Inexpedient to Legislate. Vote 13-0.

HB 683-FN, requiring teachers and school administrators to report incidents of disruptive behavior by students. RE-REFER TO COMMITTEE

Rep. Patricia M. O'Keefe for Criminal Justice and Public Safety: This bill adds criminal threatening by students to the list of offenses governed by RSA 193-D, the safe school act. The bill also requires parents to notify schools of such behavioral tendencies and provides a penalty for parental obstruction of reporting efforts. In this case the parent would be guilty of a class B felony. The majority of the committee has serious doubt about the wisdom of creating felony penalties for this activity. The subject matter, disruptive behavior by students in our schools, was the subject of a recent visit to the Police Standards and Training Academy by the Criminal Justice and Public Safety Committee and the House Education Committee. The CJ&PS Committee plans to study the subject of student violence before the next session and this bill would give the committee a vehicle for any legislation that may result from this study. The committee voted **re**-refer to committee for study Vote 14-0.

HB 532, establishing a commission to study early childhood education. OUGHT TO PASS WITH AMENDMENT

Rep. Iris Estabrook for Education: This bill establishes a commission to identify and recommend services, which enrich home learning environments for young children through parenting education and support. Recent research on early brain development provides compelling evidence of the importance of early stimulation in maximizing children's potential for learning. Thus, the committee strongly supports further examination of ways parents, working with their communities and the legislature, can promote school readiness. Vote 18-1.

Amendment (0226h)

Amend the bill by replacing section 3 with the following:

3 Membership; Organization; Meetings.

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

(a) Three members of the house of representatives, one of whom shall be the chairperson of the education committee or designee, appointed by the speaker of the house.

(b) Two members of the senate, one of whom shall be the chairperson of the education committee or designee, appointed by the president of the senate.

II. The commission shall also consist of the following non-voting members:

(a) Two members appointed by the governor.

(b) One member appointed by the chairperson or other duly authorized executive officer of the New Hampshire Pediatric Society.

(c) Two members appointed by the chairperson of the New Hampshire Child Care Advisory Committee.

(d) One member appointed by the chairperson or other duly authorized executive officer of Good Beginnings.

(e) One member representing Early Headstart, appointed by the chairperson of the New Hampshire Headstart Directors' Association.

(f) One member appointed by the chairperson or other duly authorized executive officer of the Family Resource Center Network.

(g) One member appointed by the chairperson or other duly authorized executive officer of the New Hampshire Headstart Parents Association.

(h) One member representing the university of New Hampshire cooperative extension program, appointed by the chancellor of the university system of New Hampshire.

III. The commission may consult with such other individuals and organizations as it deems necessary.

IV. Commission members shall serve without compensation. Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

V. The commission may hold its meetings at such times and in such places as it deems appropriate.

SB 119, relative to the withdrawal of a pupil from school. OUGHT TO PASS

Rep. Elizabeth K. Hoadley for Education: The Committee has real concern about the number of students who choose to leave high school. Still, to require a 16 or 17 year old student to wait as many as 60 days between deciding to withdraw and actually withdrawing would have little effect on lowering that number. Early interventions, no doubt, have far more impact on student withdrawals. Vote 12-2.

HB 315, permitting the distribution of certain campaign materials at polling places. INEXPEDIENT TO LEGISLATE

Rep. George F. Brown for Election Law: The committee felt that the intent of this bill was good. However, we felt that implementation would prove problematic. Poll officials would find it difficult to monitor the placement of campaign materials and ensure their compliance with the requirements of the law. Vote 12-0.

HB 689-FN, relative to campaign contributions and expenditures. OUGHT TO PASS WITH AMENDMENT

Rep. James R. Splaine for Election Law: This amendment totally replaces the content of the entire bill and creates a study committee of four (4) house members appointed by the speaker and two (2) senate members appointed by the senate president. By November 1st the committee is to report back on any suggestions relative to campaign contributions and expenditures, including campaign financing alternatives. The committee held a well-attended three (3)-hour public hearing and unanimously agreed the content of the original bill deserves further analysis and examination. Vote 15-0.

Amendment (0890h)

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

AN ACT establishing a committee to study campaign contributions and expenditures.

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

1 Committee Established. There is established a committee to study campaign contributions and expenditures.

2 Membership and Compensation.

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

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

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

3 Duties. The committee shall study campaign contributions and expenditures, including campaign financing alternatives.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 1999.

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

AMENDED ANALYSIS

This bill establishes a committee to study campaign contributions and expenditures.

HB 289, relative to eligibility for child day care assistance. RE-REFER TO COMMITTEE

Rep. Joseph E. Stone for Finance: This bill provided that where dependent children reside with a caretaker relative who is not included in the assistance group, the income of such caretaker relative shall not under any circumstances be used to determine eligibility for any family assistance program. The Department of Health and Human Services after further review of the statute, policy and rule has determined that caretaker relatives could qualify for child assistance without regard to the caretaker relatives' income. As promised, they are reviewing their records to identify any caretaker relatives who were incorrectly denied child care assistance based on income. With this in mind the Committee has voted to re-refer the bill and await a confirmation that the department has indeed reviewed all of their records and have made sure no one has been denied child care assistance. At that time the committee will make its final recommendation. Vote 24-0.

HB 488, relative to the definition of a developmentally delayed child in the provision of special education services. OUGHT TO PASS

Rep. Charles L. Vaughn for Finance: Based on a change in federal public law, the bill expands the definition of a developmentally delayed child (DDC) to include children ages 6 to 9. DDC designation and evaluation currently begins at age 3 and ends after age 5. The Department of Education indicates that the expanded definition can be used for problem children who do not fit neatly into one of thirteen categories of special education coding for which they must also qualify. As a result, the bill may result in the provision of more appropriate services at potentially lower cost. The new definition will not change the number of children eligible for services. Thus there should be no negative fiscal impact to the state or school districts. Vote 24-0.

HCR 12, urging the United States Congress to enact legislation which prohibits the federal government from recouping state tobacco settlement funds. OUGHT TO PASS

Rep. David J. Alukonis for Finance: This bill concerns the \$206 billion settlement agreement between 46 states and the 5 largest tobacco manufacturers. Pursuant to this settlement, New Hampshire is slated to receive in excess of \$1.3 billion over the next 25 years. The Committee believes that New Hampshire and each of the other states which is party to the agreement are best suited to receive these funds and are best able to determine the most responsible ways and means to utilize the settlement funds. This resolution urges the U.S. Congress to enact legislation which will deny efforts by the Federal Health Care Financing Administration to collect any portions of these funds or any other efforts by the federal government to earmark or impose any other restrictions on any state's use of the tobacco settlement funds. Vote 23-0.

HB 440, relative to access to copies of patient medical records. INEXPEDIENT TO LEGISLATE

Rep. Eileen P. Dawe for Health, Human Services and Elderly Affairs: After much testimony was heard from all concerned and an investigation by the subcommittee, it was found that in most cases, patients receive copies of their records for a reasonable fee or at no charge. Patient records are transferred to a new provider at the patient's request at no charge. State law requires physicians to release medical records regardless of whether the patient has an outstanding bill. It was felt that the

free enterprise system is working well and that most problems stem from isolated cases or major court trials. Vote 17-0.

SB 19, extending the reporting date of the state substance abuse treatment delivery system committee. OUGHT TO PASS

Rep. Robert Chabot for Health, Human Services and Elderly Affairs: The committee voted unanimously to extend the reporting date of the state substance abuse treatment delivery system committee. Vote 16-0.

CACR 13, relating to the administrative office of the courts. Providing that there shall be an independent administrative office of the courts; that rulemaking authority shall be transferred from the chief justice of the supreme court to the administrative office of the courts; and that the actions of the administrative office of the courts shall be subject to the approval of the legislature. INEXPEDIENT TO LEGISLATE

Rep. James W. Craig for Judiciary: This CACR seeks to repeal Article 73-a of the second part of the constitution in order to create an independent administrative office of the courts. It also seeks to transfer rulemaking authority from the chief justice of the supreme court to the independent administrative office of the courts and to make the actions of the administrative office of the courts subject to the approval of the legislature. The committee felt that the existing administrative office of the courts is performing the task of administering the courts as required by the constitution and there is therefore no need for the proposed changes. Given the above, the committee felt that this legislation would violate Part 1st, Art. 37 requiring that the three branches of government "ought to be kept as separate from, and independent of, each other, as the nature of a free government will admit....". The committee had discussion concerning the last sentence of 2nd Part, Art 73-a which stated, "the rules so promulgated shall have the force and effect of law", but felt that this CACR was not the proper vehicle in which to address concerns regarding that sentence. Vote 13-0.

HB 251, relative to official ballot procedures. OUGHT TO PASS WITH AMENDMENT

Rep. Betsey L. Patten for Municipal and County Government: This bill adds two dates that SB 2 towns and school districts may choose to hold their second session – the second Tuesday of April or the second Tuesday of May. The teacher nomination notification date has been amended to read "within 15 days" of the adoption of the school budget but no "notification shall occur later than the Friday following the second Tuesday in May." The amendment also clarifies, for SB 2 towns and districts, that final budgets and question shall be printed in the annual report which has to be available at least one week prior to the second session. Vote 14-0.

Amendment (0913h)

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

1 Town Meetings; When Held. Amend RSA 39:1 to read as follows:

39:1 Meetings, When Held. A meeting of every town shall be held annually on the second Tuesday of March, ***or in accordance with RSA 40:13 if that provision is adopted in the town,*** for the choice of town officers and the transaction of all other town business. A town meeting may be warned by the selectmen, when, in their opinion, there shall be occasion therefor. In no event shall a special town meeting be held on the biennial election day.

2 Reference to Meeting Time Lines. Amend RSA 40:13, II and II-a to read as follows:

II. The warrant for any annual meeting shall prescribe the place, day and hour for each of 2 separate sessions of the meeting, and notice shall be given ~~[in accordance with paragraph H-a]~~ **as otherwise provided in this section. Final budgets and ballot questions shall be printed in the annual report made available to the legislative body at least one week before the date of the second session of the annual meeting.**

II-a. Notwithstanding any other provision of law, all local political subdivisions which adopt this subdivision, **who have not adopted an April or May election date under RSA 40:14, X**, shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting:

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the first Tuesday in January.

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in January.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a and RSA 675:3 shall be held on or before the third Tuesday in January.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in January.

3 New Paragraphs; April Time Line; May Time Line; Voter Checklist. Amend RSA 40:13 by inserting after paragraph II-a the following new paragraphs:

II-b. Notwithstanding any other provision of law, all political subdivisions which hold their annual meetings in April shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting.

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the first Tuesday in February.

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in February.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a and RSA 675:3 shall be held on or before the third Tuesday in February.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in February.

II-c. Notwithstanding any other provision of law, all political subdivisions which hold their annual meetings in May shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting:

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the first Tuesday in March.

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in March.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a and RSA 675:3 shall be held on or before the third Tuesday in March.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in March.

II-d. The voter checklist shall be updated in accordance with RSA 669:5 for each session of the annual meeting.

4 Reference to April and May Meetings. Amend RSA 40:13, III to read as follows:

III. The first session of the annual meeting, which shall be for the transaction of all business other than voting by official ballot, shall be held between the first and second Saturdays following the last Monday in January, inclusive of those Saturdays[-]; ***between the first and second Saturdays following the last Monday in February, inclusive of those Saturdays; or between the first and second Saturdays following the last Monday in March, inclusive of those Saturdays*** at a time prescribed by the local political subdivision's governing body.

5 Reference to April and May Meetings. Amend RSA 40:13, VII to read as follows:

VII. The second session of the annual meeting, to elect officers of the local political subdivision by official ballot, to vote on questions required by law to be inserted on said official ballot, and to vote on all warrant articles from the first session on official ballot, shall be held on the second Tuesday in March, ***the second Tuesday in April, or the second Tuesday in May, as applicable***. Notwithstanding RSA 669:1, 670:1, or 671:2, the second session shall be deemed the annual election date for purposes of all applicable election statutes including, but not limited to, RSA 669:5, 669:19, 669:30, 670:3, 670:4, 670:11, 671:15, 671:19, and 671:30-32; and votes on zoning ordinances, historic district ordinances, and building codes under RSA 675.

6 Method of Adopting Official Ballot Referendum Form of Meeting; Wording of Question. Amend RSA 40:14, V to read as follows:

V. The wording of the question shall be: "Shall we adopt the provisions of RSA 40:13 to allow official ballot voting on all issues before the (local political subdivision) ***on the second Tuesday of (month)?***"

7 New Paragraphs; Date for Local Elections and Second Session of the Annual Meeting. Amend RSA 40:14 by inserting after paragraph IX the following new paragraphs:

X. In a local political subdivision which has not adopted RSA 40:13 and in which the adoption of RSA 40:13 is to be voted on, the question shall specifically state whether the date for local elections and the second session shall be the second Tuesday in March, the second Tuesday in April, or the second Tuesday in May.

XI. A local political subdivision which has adopted the provisions of RSA 40:13 may change the date for local elections and the second session as follows:

(a) The question may be inserted on the warrant for either an annual or special meeting, either by the local governing body or by petition under RSA 39:3 or RSA 197:6.

(b) A public hearing shall be held by the local governing body on the question at least 15 days, but not more than 30 days, before the question is to be voted on. In multi-town districts, a public hearing shall be held in each town embraced by the district, none of which shall be held on the same day. Notice of the hearing shall be posted in at least 2 public places in the town, or in at least 2 public places in each town of multi-town districts, and published in a newspaper of general circulation at least 7 days prior to the date of the hearing.

(c) The wording of the question shall be substantially similar to the following: "Shall we change the date for elections and the second session from the second Tuesday in _____ to the second Tuesday in _____, which would change the date for the first session to a date between the first and second Saturdays after the last Monday in _____, inclusive."

(d) A simple majority in the affirmative of those voting on the question shall be required to change the date; provided, however, that if the question appears on the ballot for a multi-town school district, the vote in each town or city comprising the district shall be tallied separately, and this section shall not be deemed adopted by the district unless it receives a majority vote from each and every such town and city, tallied separately. Only votes in the affirmative or negative shall be included in the calculation of the majority.

(e) A vote to change the dates of the meeting shall apply to the annual meeting next following the vote.

8 Teacher Nomination Notification Date. Amend RSA 189:14-a, I(a) to read as follows:

I.(a) Any teacher who has a professional standards certificate from the state board of education and who has taught for one or more years in the same school district shall be notified in writing on or before April 15 ***or within 15 days of the adoption of the district budget by the legislative body, whichever is later***, if that teacher is not to be renominated or reelected, ***provided that no notification shall occur later than the Friday following the second Tuesday in May***.

9 Election of Town Officers; Dates. Amend RSA 669:1, I to read as follows:

I. All towns shall hold an election annually for the election of town officers on the second Tuesday in March, except those towns which have adopted ***an alternative date under RSA 40:14 or those towns which have adopted*** the provisions of RSA 31:94-a and have, by majority vote at ~~the~~ ***a*** previous town meeting, decided to elect officers on the second Tuesday in May.

10 New Paragraph; Optional Change of Election Dates; Official Ballot Referendum. Amend RSA669:1 by inserting after paragraph III the following new paragraph:

IV. Any local political subdivision which has not adopted RSA 40:13, the official ballot referendum form of meeting, but whose voting checklist comprises all or part of the checklist for a school district which has adopted an April or May election date under RSA 40:14, may, by vote of the legislative body, vote to coordinate its elections with the school district's elections and to hold its elections on the same April or May date as the school district. Such local political subdivision may, in addition, vote to hold the second session of its annual meeting, for transacting all business not required to be voted on by official ballot, within 2 weeks of the election date at a time and date determined by the governing body. The joint elections shall be held at a time and place determined

by, and shall be supervised by, the election officials of the local political subdivision, coordinated as set forth in RSA 671:25 and RSA 671:26, with costs allocated in the same manner as in previous years or as may be mutually agreed upon by the governing bodies. A vote under this paragraph may be rescinded by the local political subdivision in like manner. No vote under this section shall take effect until the annual election next following such vote.

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

AMENDED ANALYSIS

This bill affects changes to the laws regarding local political subdivisions which have adopted official ballot voting, including:

I. Providing a time line for April meetings.

II. Providing a time line for May meetings.

III. Changing the teacher nomination notification date.

IV. Enabling certain political subdivisions to coordinate their annual meetings with school districts that have matching or partly matching voter checklists.

V. Amending the wording of the question to be put before the legislative body of a municipality regarding adoption of the official ballot referendum form of meeting.

HB 385, increasing the time window for holding the first session of a town meeting in political subdivisions which have adopted the official ballot. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government: This bill would have extended the window of time for holding the first session of annual meetings in SB-2 towns from seven days to twenty-one days to allow time to have annual town reports ready for the deliberative session. This extended window would reduce the time to distribute absentee ballots and have them returned to the towns from thirty days down to sixteen days and therefore was not practical. This Committee noted that HB 251 allows SB 2 towns to have an April date for their second session which would give more time for the assembling and printing of the annual town reports. Vote 15-0.

HB 507-L, relative to the taxability of certain appurtenant land to a taxable building. RE-REFER TO COMMITTEE

Rep. Linda T. Foster for Municipal and County Government: The Committee believes that the material contained in HB 507-L deserves further study. The fact that the minimum property tax exemption of \$150,000 for private school dormitories, dining rooms and kitchens currently authorized by law was enacted so many years ago, when it supposedly represented the entire valuation of Dartmouth College at the time, underscores the need for comprehensive re-examination of this issue. Vote 15-2.

HB 562, relative to the date of decision for appeals of zoning matters. OUGHT TO PASS WITH AMENDMENT

Rep. David W. Hess for Municipal and County Government: This bill, as originally introduced, sought to clarify and standardize when the appeal period begins to run on motions for rehearing and

appeals from local planning board and ZBA decisions. Three statutes currently on the books are all different and have caused uncertainty and confusion. The amendment adopted by the Committee introduces even more uniformity into these laws by 1) making all of the appeal periods the same, and 2) requiring that land use boards file their written decisions and written minutes of the meeting at which those decisions are made, within 144 hours of the decision. Vote 14-0.

Amendment (0868h)

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

1 Local Land Use Board; Issuance of Decision. Amend RSA 676:3, II to read as follows:

II. Whenever a local land use board ~~issues a decision~~ ***votes to approve or disapprove an application or deny a motion for rehearing***, the ***minutes of the meeting at which such vote is taken, including the written*** decision, shall be placed on file in the board's office and shall be made available for public inspection within ~~72~~ ***144*** hours ~~[after the decision is made]~~ ***of such vote***. Boards in towns that do not have an office of the board that has regular business hours shall file copies of their decisions with the town clerk.

2 Rehearing and Appeal Procedures; Beginning of Period to Request Rehearing. Amend RSA677:2 to read as follows:

677:2 Motion for Rehearing of Board of Adjustment, Board of Appeals, and Local Legislative Body Decisions. Within ~~[20]~~ ***30*** days after any order or decision of the zoning board of adjustment, or any decision of the local legislative body or a board of appeals in regard to its zoning ~~[has been filed and first becomes available for public inspection in the office of the respective board or body or of its clerk or secretary]~~, the selectmen, any party to the action or proceedings, or any person directly affected thereby may apply for a rehearing in respect to any matter determined in the action or proceeding, or covered or included in the order, specifying in the motion for rehearing the ground therefor; and the board of adjustment, a board of appeals, or the local legislative body, may grant such rehearing if in its opinion good reason therefor is stated in the motion. This ~~[20]~~ ***30***-day time period shall be counted in calendar days beginning with the ~~[next working day during which the office of the board is open to the public following the day on which the decision is rendered]~~ ***date upon which the board voted to approve or disapprove the application; provided however, that if the petitioner shows that the minutes of the meeting at which such vote was taken, including the written decision, were not filed within 144 hours of the vote pursuant to RSA676:3, II, the petition shall be timely if filed within 30 days of the date the minutes, including the written decision, became available***. If the decision complained against is that made by a town meeting, the application for rehearing shall be made to the board of selectmen, and, upon receipt of such application, the board of selectmen shall hold a rehearing within 30 days after receipt of the petition. Following the rehearing, if in the judgment of the selectmen the protest warrants action, the selectmen shall call a special town meeting.

3 Rehearing and Appeal Procedures; Beginning of Appeals Period. Amend RSA 677:4 to read as follows:

677:4 Appeal from Decision on Motion for Rehearing. Any person aggrieved by any order or decision of the zoning board of adjustment or any decision of the local legislative body may apply, by petition, to the superior court within 30 days after the ~~[action complained of has been filed and first becomes available for public inspection in the office of the respective board or body or of its clerk or secretary, setting]~~ ***date upon which the board voted to deny the motion for rehearing; provided however, that if the petitioner shows that the minutes of the meeting at which***

such vote was taken, including the written decision, were not filed within 144 hours of the vote pursuant to RSA 676:3, II, the petition shall be timely if filed within 30 days of the date the minutes, including the written decision, became available. The petition shall set forth that such decision or order is illegal or unreasonable, in whole or in part, and specifying the grounds upon which the decision or order is claimed to be illegal or unreasonable. ~~[The date of filing shall be considered to be the next working day during which the office of the board is open to the public following the day on which the order or decision is rendered.]~~ For purposes of this section, "person aggrieved" includes any party entitled to request a rehearing under RSA 677:2.

4 Rehearing and Appeal Procedures; Court Review. Amend RSA 677:15, I to read as follows:

I. Any persons aggrieved by any decision of the planning board concerning a plat or subdivision may present to the superior court a petition, duly verified, setting forth that such decision is illegal or unreasonable in whole or in part and specifying the grounds upon which the same is claimed to be illegal or unreasonable. Such petition shall be presented to the court within 30 days after the ~~[decision of the planning board has been filed and first becomes available for public inspection in the office of the planning board or of its clerk or secretary]~~ ***date upon which the board voted to approve or disapprove the application; provided however, that if the petitioner shows that the minutes of the meeting at which such vote was taken, including the written decision, were not filed within 144 hours of the vote pursuant to RSA 676:3, II, the petition shall be timely if filed within 30 days of the date the minutes, including the written decision, became available.*** This paragraph shall not apply to planning board decisions appealable to the board of adjustment pursuant to RSA 676:5, III.

5 Effective Date. This act shall take effect January 1, 2000.

AMENDED ANALYSIS

This bill clarifies what day the period starts for filing of zoning board of adjustment motions for rehearings, zoning board of adjustment appeals, and planning board appeals.

This bill also requires that any local land use board shall place on file and make available for public inspection the minutes, including the written decision, of any meeting where the board voted to approve or disapprove an application or any motion for rehearing, within 144 hours of such vote. A board's failure to comply shall result in an extension of the period for filing an appeal or motion for rehearing.

HB 696-FN-L, relative to the taxation of land held by municipalities for water supply purposes. REFER TO COMMITTEE

Rep. Linda T. Foster for Municipal and County Government: The Committee unanimously agrees that protecting our municipal water supplies is crucial to the state's well being. The Committee believes, however, that HB 696-FN-L, relating to the taxation of land used for this purpose, needs further consideration in order to prevent undue or extreme consequences. Vote 14-0.

HB 727-FN, establishing an outdoor lighting code. OUGHT TO PASS WITH AMENDMENT

Rep. Robert W. Brundige for Municipal and County Government: The amendment to this bill creates a statutory committee to study the issues and possible regulation of outdoor lighting. The study committee was requested by the prime sponsor and was endorsed by virtually every witness who testified before the Committee. Vote 15-0.

Amendment (0911h)

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

AN ACT establishing a committee to study the problems and possible regulation of outdoor lighting.

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

1 Committee Established. There is established a committee to study the problems and possible regulation of outdoor lighting.

2 Membership and Compensation.

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

(a) Three members of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house.

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

3 Technical Assistance. The commissioner of transportation may, within 30 days of being notified of the establishment of the committee, designate a person from the department of transportation to provide technical assistance to the committee. Such assistance shall be limited to issues involving the department's responsibility to light state roadways and facilities, or which otherwise impact departmental operations. The committee may, upon the request of the commissioner, extend the time in which this designation may be made for an additional period of 30 days.

4 Duties.

I. The committee shall study the possible need for the regulation of outdoor lighting in order to provide standards and guidelines for improving the efficiency, visibility, and safety of New Hampshire's nighttime environment through the judicious and responsible use of outdoor lighting, and to minimize intrusion and interference from outdoor lighting with regards to spilling over property lines, unwanted intrusion into homes, and unnatural illumination of wild areas, which can affect the instinctive cycles of flora and fauna.

II. In performing its duties, the committee shall attempt to define the concepts of "light pollution" and "light trespass" in a manner suitable for inclusion in any statute or other regulation that may result from this study. The committee may receive testimony and other information in any manner which may assist it in its work. The committee shall hear from any person interested in the subject matter of this study and shall make every effort to include in its proceedings representatives of the electric power industry, lighting fixture manufacturers, construction trades, building organizations, business community, wildlife preservation and protection organizations, environmental groups, groups interested in astronomy, and groups concerned with the unnecessary or wasteful use of outdoor illumination.

5 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held as soon as possible but no later than 45 days after the effective date of this section. Four members of the committee shall constitute a quorum.

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before July 1, 2000.

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

AMENDED ANALYSIS

This bill establishes a committee to study the problems and possible regulation of outdoor lighting.

SB 91, designating segments of the Cold River as protected under the rivers management and protection program. OUGHT TO PASS

Rep. MaryAnn N. Blanchard for Resources, Recreation and Development: This bill represents two and a half years of effort by "Friends of the Cold River" in the different communities through which the Cold River flows: Lempster, Acworth, Langdon, Alstead and Walpole. The protection measures afforded by the Rivers Management and Protection Act were unanimously endorsed by the boards of selectmen and conservation commissions of the affected towns and demonstrates strong local involvement and approval. Vote 11-3.

HB 581-L, relative to deposits on water meters. OUGHT TO PASS WITH AMENDMENT

Rep. Donald B. White for Science, Technology and Energy: This is an enabling bill to allow, if they wish, utilities to obtain security deposits from tenants for all utility services. Currently, security deposits can only be collected for gas and electric services. This bill also will protect owners from liability in case of tenant default. Vote 15-0.

Amendment (0940h)

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

AN ACT relative to deposits on utility meters.

Amend the bill by replacing section 1 with the following:

1 Municipal Utilities; Security Deposits from Tenants; Utilities Services. Amend RSA 38:23 to read as follows:

38:23 Security Deposits from Tenants. Notwithstanding any other provision of law, any public utility, including any municipal corporation, providing ~~[electricity or gas]~~ **utility** services other than for resale to a customer who is not the owner of the premises serviced by the utility and who has a separate ~~[electric or gas]~~ meter, for the premises serviced, may obtain a security deposit from the customer only, and shall not obtain a security deposit from the owner of the premises. The owner of the premises shall not be liable for the failure of a tenant to pay the utility bill when such

tenant's premises has a separate meter, and the utility shall not have any lien on the property of the landlord under RSA 38:22 for the tenant's failure to pay the utility bill.

AMENDED ANALYSIS

This bill allows a public utility to obtain security deposits from tenants with separate meters.

HCR 5, encouraging WMUR-TV to extend radio station coverage to areas of New Hampshire north of Franconia Notch. OUGHT TO PASS WITH AMENDMENT

Rep. Jessica E. Densmore for Science, Technology and Energy: In response to the need to be able to provide emergency information to the residents of the northern three counties of New Hampshire, this resolution encourages New Hampshire Public Radio to provide radio broadcast signal to Coos, Grafton, and Carroll counties. The committee reviewed the radio coverage maps and determined that there are areas that have inadequate radio broadcast signal. Vote 15-0.

Amendment (0942h)

Amend the resolution by replacing the title of the resolution with the following:

A RESOLUTION encouraging New Hampshire Public Radio to extend its broadcast signal to northern areas of New Hampshire.

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

Whereas, all New Hampshire citizens should have access to timely information in the event of a disaster; and

Whereas, New Hampshire Public Radio broadcasts vital emergency management information and is an integral part of the Emergency Broadcast System; and

Whereas, certain residents of Coos, Carroll, and Grafton counties do not have access to a New Hampshire-based public radio broadcast signal; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That the general court of New Hampshire hereby encourages New Hampshire Public Radio to extend its broadcast signal to northern areas of New Hampshire; and

That copies of this resolution, signed by the speaker of the house of representatives and the president of the senate, be forwarded by the house clerk to the station manager and news director at New Hampshire Public Radio and to the members of the Federal Communications Commission.

AMENDED ANALYSIS

This concurrent resolution encourages New Hampshire Public Radio to extend its broadcast signal to northern areas of New Hampshire.

HJR 2, urging that federal air pollution programs not punish early adopters of air pollution control technology. OUGHT TO PASS WITH AMENDMENT

Rep. Terie T. Norelli for Science, Technology and Energy: In the past, federal policy rewarded operators of more polluting plants by awarding them more emission credits than cleaner plants. This resolution urges that future legislation avoid the use of baseline emissions to determine allowance allocation, or at least use dates far enough in the past so as to not discourage early investment in emission controls. Vote 14-0.

Amendment (0935h)

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

Whereas, the federal Clean Air Act has in the past allocated pollution allowances, which are items of commercial value, to pollution sources based on emissions existing on arbitrary baseline dates, where higher emissions equated to being granted more allowances; and

Whereas, such a policy has rewarded dirtier operators by allocating to them more allowances than their cleaner competitors, and further, has unfairly served to punish operators who have happened to install expensive air pollution controls shortly before the baseline dates; and

Whereas, these past actions have made it more difficult to encourage polluters to reduce emissions prior to regulatory deadlines; now, therefore, be it

Resolved by the Senate and House of Representatives in General Court convened:

That future federal air pollution legislation should avoid using baseline pollution as a basis for allocation of allowances or other items of commercial value;

That to the extent that the federal government chooses to continue to use baseline emissions to determine allowance allocation, either to individual polluters or to states, that it choose a baseline date far enough in the past in order that recently-improved sources are not placed at a competitive disadvantage against dirtier competitors that have not made such investments and have smaller capital and operating costs as a result; and

That such care with baselines be used not only for sulfur dioxide and nitrogen oxide emissions, but also for any other emissions which the federal government may subsequently choose to control with allowance-based mechanisms; and

That copies of this resolution be sent by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the chairpersons of committees of the United States Congress having jurisdiction over the Clean Air Act, the Administrator of the United States Environmental Protection Agency, and each member of the New Hampshire congressional delegation.

HJR 3, urging ISO-New England to adopt policies furthering the state's interest in electric utility restructuring. OUGHT TO PASS WITH AMENDMENT

Rep. Jeb E. Bradley for Science, Technology and Energy: This resolution urges the newly formed operator of the New England electric transmission system to make certain policy changes. Those suggested policy changes include expediting interconnection studies to the transmission grid in order to encourage building of new generating capacity. The resolution also urges efforts to create wholesale markets for electricity price exchanges and that the cost of electricity transmission be properly allocated to reflect actual costs to customers. Vote 15-0.

Amendment (0873h)

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

Whereas, the Independent System Operator-New England (ISO-New England) operates the transmission portion of the electric power grid of New England and implements policies regarding electric power transmission, its pricing, and interconnections to the grid; and

Whereas, the policies of ISO-New England appear to have created a situation where electricity suppliers seeking to build new electric plants need interconnection studies, and the interconnection studies are performed in an order unrelated to the progress made by the suppliers in procuring other permits required for construction and operation; and

Whereas, past policies of the New England Power Pool (NEPOOL) appear to have not adequately distinguished between actual available reserves and less-available reserves, having caused a threat to the financial viability of future plants by overvaluing less-available reserves; and

Whereas, delays have occurred at ISO-New England in implementing wholesale markets for the exchange of electricity and reserves; and

Whereas, equitable apportionment of transmission charges throughout the NEPOOL Control Area is important, and charges should be apportioned wherever possible to match charges with costs through some cost-sensitive charge mechanism, so there is no incentive to overuse underpriced parts of the system and transfer costs to the rest of the system's customers; now, therefore, be it

Resolved by the Senate and House of Representatives in General Court convened:

That the general court hereby urges ISO-New England to modify its policies so that the order in which interconnection studies are performed for new suppliers be related to the progress made by these suppliers in procuring other permits required for construction and operation; and

That the general court hereby urges ISO-New England to modify its policies so that greater care be given to ensure that resources qualifying as reserves are actually available to be called upon by the ISO and also that the same resource not be counted as reserves in multiple power pools or control areas; and

That the general court hereby urges ISO-New England to continue its efforts to implement wholesale markets for the exchange of electricity and reserves; and

That the general court hereby urges NEPOOL to modify its policies so that apportionment of transmission cost recovery appropriately reflect cost responsibility; and

That the general court hereby urges the Federal Energy Regulatory Commission to cooperate with ISO-New England in pursuit of these goals; and

That copies of this resolution be sent by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the chairpersons of committees of the United States Congress having jurisdiction over electricity regulation, the chairman of the United States Federal Energy Regulatory Commission, each member of the New Hampshire congressional delegation, NEPOOL, and ISO-New England.

HJR 9, urging the United States Congress and federal Environmental Protection Agency to eliminate federal requirements for oxygenate additives for gasoline. OUGHT TO PASS WITH AMENDMENT

Rep. Terie T. Norelli for Science, Technology and Energy: The federal Clean Air Act requires oxygenates be added to gasoline in non-attainment areas. Recent auto improvements have reduced the air pollution benefits and the use of oxygenate Methyl Tertiary-Butyl Ether (MTBE) has degraded water quality to an extent that may offset its air pollution benefits. Although the water threat could be lessened in the short-term by substituting conventional gas, an Environmental Protection Agency (EPA) waiver would be required. This resolution urges congress to eliminate the oxygenate requirement without new requirements for air pollution reductions, that the EPA grant New Hampshire a short-term waiver without requiring substitute reductions, and the future reductions should utilize incentive-based programs rather than command-and-control measures. Vote 16-0.

Amendment (0937h)

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

Whereas, the federal Clean Air Act has required that oxygenates be added to gasoline for the purpose of reducing air pollution, and in particular, ground-level ozone and carbon monoxide; and

Whereas, automobile improvements over the last several years have considerably reduced the benefits of oxygenates for controlling carbon monoxide emissions by eliminating much of the carbon monoxide which would be emitted in the absence of oxygenates; and

Whereas, automobile improvements over the last several years have likewise, considerably reduced the benefits of oxygenates for controlling hydrocarbon emissions; and

Whereas, substantial evidence has been developed over the last few years that, in much of the country, the formation of ground-level ozone is not significantly dependent upon amounts of hydrocarbon emissions; and

Whereas, questions have been raised as to whether one oxygenate in common use, methyl t-butyl ether (MTBE), is degrading water quality to an extent that more than offsets its limited and decreasing benefits for air pollution control; and

Whereas, the threat that MTBE poses to the water resources of New Hampshire could be lessened in the short term by substituting conventional gasoline, which contains a much lower concentration of MTBE, for reformulated gasoline in the 4 southern counties (Hillsborough, Merrimack, Rockingham, and Strafford) required by federal regulation to use reformulated gasoline; and

Whereas such gasoline substitution is not possible in New Hampshire without the Environmental Protection Agency granting the state a waiver to do so; now, therefore, be it

Resolved by the Senate and House of Representatives in General Court convened:

That Congress should eliminate the oxygenate requirements of the federal Clean Air Act without imposing any new federal requirements to reduce air pollution; and

That the Environmental Protection Agency should expeditiously grant New Hampshire the short-term waivers necessary to permit the substitution of conventional gasoline for reformulated gasoline, without requiring substitute air emission reduction strategies as part of the state's air pollution implementation plan; and

That such gasoline substitution should be allowed prior to the completion of the ongoing, long-term comparative risk studies that will eventually identify the relative health and environmental costs and benefits of using gasoline formulations that have reduced MTBE levels; and

That when a better understanding has been reached of the comparative risks of different gasoline formulations, the Environmental Protection Agency should utilize incentive-based programs, rather than command-and-control measures, to further reduce MTBE levels in gasoline, provided that such reduction is consistent with the comparative risk analyses; and

That copies of this resolution be sent by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the chairpersons of committees of the United States Congress having jurisdiction over the Clean Air Act, the Administrator of the United States Environmental Protection Agency, and each member of the New Hampshire congressional delegation.

AMENDED ANALYSIS

This house joint resolution urges:

I. Congress to eliminate the oxygenate requirement of the Clean Air Act without imposing new requirements to reduce air pollution.

II. The Environmental Protection Agency to grant New Hampshire waivers to permit the substitution of conventional gasoline for reformulated gasoline without requiring substitute air emission reduction strategies as part of the state's air pollution implementation plan.

III. That such gasoline substitution be allowed prior to the completion of ongoing comparative risk studies.

IV. That after the comparative risks of different gasoline formulations are better understood, the Environmental Protection Agency utilize incentive-based programs to reduce MTBE levels in gasoline.

SB 41, correcting a reference in provisions relating to hunting and fishing licenses for members of the armed services. OUGHT TO PASS WITH AMENDMENT

Rep. Richard P. Brewster for Wildlife and Marine Resources: Those who were or are currently in the United States Coast Guard felt that having a law worded "Members of the Armed Forces and Coast Guard" fails to clearly indicate that members of the Coast Guard are at all times members of the Armed Forces even during peace time when they are under the supervision of the United States Transportation Department. This change in wording eliminates any confusion in this matter by adding all five names of the branches of the United States Armed Forces. Vote 13-0.

Amendment (0933h)

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

AN ACT clarifying references in provisions relating to hunting and fishing licenses for members of the United States army, navy, marines, air force, and coast guard.

Amend the bill by replacing section 1 with the following:

1 Fishing and Hunting Licenses; Members of the United States Army, Navy, Marines, Air Force, and Coast Guard. Amend the section heading of RSA 214:3 and RSA 214:3, I and II to read as follows:

214:3 Members of the ~~[Armed Forces]~~ ***United States Army, Navy, Marines, Air Force,*** and Coast Guard.

I. Any resident of this state who is on regular active duty in ~~[any branch of the armed forces, including the coast guard,]~~ ***the United States army, navy, marines, air force, or coast guard*** and who is permanently stationed outside of the state, may acquire at no charge, upon application to the executive director and subject to the restrictions of title XVIII, a special license to hunt and fish during any period while on leave or furlough.

II. Any nonresident who is on regular active duty in ~~[any branch of the armed forces, including the coast guard,]~~ ***the United States army, navy, marines, air force, or coast guard*** and who is permanently stationed within the state, may purchase regular hunting and fishing licenses or combination licenses, subject to the restrictions of title XVIII, at the same fee as is charged a legal resident of the state.

AMENDED ANALYSIS

This bill clarifies certain references in provisions relating to hunting and fishing licenses for members of the United States army, navy, marines, air force, or coast guard.

SB 160, establishing a committee to study and identify or establish the duties of the fish and game commission. OUGHT TO PASS WITH AMENDMENT

Rep. George W. Chase for Wildlife and Marine Resources: This bill, as passed by the senate, addresses the need to clarify the duties of the members of the Fish and Game Commission. The Wildlife and Marine Resources Committee amended the original bill to ensure that at least one of the three members appointed from the house shall be a member of the Wildlife and Marine Resources Committee. The other three members of the study committee shall be appointed from the senate by the president of the senate. Vote 14-0.

Amendment (0882h)

Amend paragraph I(b) of section 2 of the bill by replacing it with the following:

(b) Three members of the house of representatives, one of whom shall be a member of the wildlife and marine resources committee, appointed by the speaker of the house.

Amend the bill by replacing section 6 with the following:

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

REGULAR CALENDAR

HB 317, relative to the display of tobacco products. INEXPEDIENT TO LEGISLATE

Rep. Tim S. McGough for Commerce: This bill would have placed many restrictions on the display and sale of tobacco products designed to prevent underage use of cigarettes and tobacco products. The majority of Commerce felt that enactment of this legislation would not accomplish the objective of those concerned about youth smoking, and that the issues raised by the subcommittee discussions will be addressed by the study committee created by HB 369. Vote 11-5.

Adopted.

HB 369, relative to tobacco use violations by minors and establishing a committee on teen tobacco use prevention and education. OUGHT TO PASS WITH AMENDMENT

Rep. Tim S. McGough for Commerce: This bill, as amended, creates a study committee to examine prevention and early intervention of youth smoking and tobacco use and the effectiveness of tobacco use education programs. This study committee will consider issues raised during discussions of HB 317 and this bill. Vote 12-1.

Amendment (0633h)

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

AN ACT establishing a committee on educational programs on tobacco use for minors.

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

1 Committee Established. There is established a committee to study youth tobacco use prevention and education.

2 Membership and Compensation.

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

(a) Four members of the house of representatives, one from the house children and family law committee, one from the house commerce committee, one from the house health, human services and elderly affairs committee, and one from the house criminal justice and public safety committee, appointed by the speaker of the house of representatives.

(b) Three members of the senate, one from the senate public affairs committee, one from the senate judiciary committee, and one from the senate public institutions, health and human services committee, appointed by the president of the senate.

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

3 Duties. The committee shall study prevention and early intervention of youth smoking and tobacco use and the effectiveness of tobacco use education programs. The committee shall solicit information from appropriate sources, including but not limited to law enforcement, social service, and health education organizations.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, the commissioners of health and human services and education, and the state library on or before November 1, 1999.

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

AMENDED ANALYSIS

The bill establishes a committee to study youth tobacco use prevention and education.

Adopted.

Report adopted and ordered to third reading.

HB 408, relative to drug formularies under managed care entities. OUGHT TO PASS WITH AMENDMENT

Rep. Keith R. Herman for Commerce: This bill, as amended, is a compilation of several pieces of legislation designed to make it easier and more practical for consumers to access pharmaceuticals prescribed by doctors but not reimbursed by insurance companies. The bill requires insurance companies to disclose to the patients that they are subject to plan formularies. The bill requires all insurers to have an exception process for patients to receive reimbursement for medically necessary drugs not on a plan formulary. The bill requires insurance companies to provide 45 days notice prior to removing a drug from a formulary, which will allow the consumer to consult with their doctor to apply for an exception or change medication. Finally, the bill requires all insurance companies to submit information on formularies to the Insurance Department for reference by consumers. The committee is proud to have worked out an amendment, which is generally agreed upon by all parties. The committee recognizes this legislation as an important step to alleviate certain consumer protection concerns. Vote 19-0.

Amendment (0706h)

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

1 New Section; Prescription Drugs. Amend RSA 420-J by inserting after section 7-a the following new section:

420-J:7-b Prescription Drugs.

I.(a) Every health benefit plan that provides prescription drug benefits is required to provide prospective enrollees, and annually to covered persons, a description of the prescription drug benefit plan. Among the specific items that shall be included in the description are:

(1) The procedure a covered person must follow to obtain drugs and medications that are subject to a plan list or plan formulary.

(2) A description of the drug formulary and the plan's exception process.

(3) A description of the extent to which a covered person will be reimbursed for the cost of a drug that is not on a plan list or formulary.

(b) Health carriers shall provide upon request additional information to covered persons related to specific drugs that are not on the formulary.

II. Every health benefit plan that provides prescription drug benefits shall maintain an expeditious exception process, not to exceed 48 hours, by which covered persons may obtain coverage for a medically necessary nonformulary prescription drug. The exception process shall begin when the prescribing provider has provided the health benefit plan with the clinical rationale for the exception.

III. Every health plan that provides prescription drug benefits shall notify covered persons of changes to the plan list or plan formulary, provide an explanation of the exception process by which a covered person can access nonformulary medically necessary prescription drugs, and provide a toll-free telephone number through which a covered person can request additional information. Upon notification to covered persons, the health benefit plan shall allow at least 45 days before implementation of any formulary change.

IV. Every health benefit plan that provides prescription drug benefits shall maintain, as part of its records, all of the following information, which shall be made available to the commissioner upon request: the complete drug formulary or formularies of the plan, if the plan maintains a formulary, including a list of prescription drugs on the formulary of the plan by major therapeutic category with an indication of whether any drugs are preferred over the other drugs.

2 Effective Date. This act shall take effect January 1, 2000.

AMENDED ANALYSIS

This bill requires managed care entities that provide prescription drug benefits and maintain one or more drug formularies to provide to enrollees a description of the prescription drug benefit plan.

The bill also requires every managed care entity that provides prescription drug benefits to maintain an expeditious exception process by which providers may obtain authorization for a medically necessary nonformulary prescription drug.

Adopted.

Report adopted and ordered to third reading.

HB 434, providing that health care providers shall determine the appropriate course of patient treatment. RE-REFER TO COMMITTEE

Rep. Martha Fuller Clark for Commerce: This bill raises very profound and complex questions about how health care and health costs decisions are being made within the existing covered benefits of our health insurance plans. The challenge is to find a way to insure continued quality of care within a system, which is also cost effective. To restrict physicians unduly from recommending needed care

will harm all of us. To allow health costs to increase without review and control is also unacceptable. There is no easy answer to this dilemma. For that reason, the majority of the committee voted 11-9 to send HB 434 to study so that they can continue to examine the very difficult issues raised by this legislation. Vote 11-9.

Adopted.

HB 526, limiting fees charged by financial institutions for use of electronic customer service terminals. INEXPEDIENT TO LEGISLATE

Rep. Sheila T. Francoeur for Commerce: The intent of this bill was to limit fees charged by financial institutions for the use of electronic service terminals (ATMs). As the number of these machines has increased statewide, this has become an issue of convenience and customer choice versus cost. As this bill would apply only to ATMs owned by financial institutions and not to non-bank ATMs, the committee felt that the competitive market will be the final arbiter and the customer will make the choice of using an ATM that has the lowest fee or no fee at all. Vote 18-2.

Adopted.

HB 602-FN, establishing the office of the health insurance consumer advocate. OUGHT TO PASS WITH AMENDMENT

Rep. Keith R. Herman for Commerce: There is little doubt that consumers need access to reliable, consistent, unbiased information when resolving health care issues. In addition, consumers need a "place" to turn when problems arise with insurance companies. HB 602-FN creates a new position in the Insurance Department. The new "Health Care Consumer Assistant" will be dedicated to handling consumer complaints in addition to receiving complaints. The assistant will compile information for the Legislature to use in formulating future consumer protections. The amendment, brought in by the Insurance Department, reduces the number of positions required and alters the time from advocate to consumer assistant. The amendment also establishes the position as a classified position. The committee feels this is more reliable for the consumer instead of having a political appointee. Since the Insurance Department is financed by the domestic insurance companies through an assessment, there will be cost to the state to implement this position. Vote 20-0.

Amendment (0756h)

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

AN ACT establishing the position of health insurance consumer assistant.

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

1 New Paragraph; Position Established; Health Insurance Consumer Assistant. Amend RSA400-A:6 by inserting after paragraph VII the following new paragraph:

VIII. The commissioner shall appoint a health insurance consumer assistant who shall perform the following functions:

(a) Provide information and referral assistance to consumers about health insurance options and the means of obtaining health insurance coverage and services. The assistant shall not recommend specific commercially offered products.

(b) Educate and assist enrollees in understanding their rights and responsibilities under health benefit plans, including the associated rights and responsibilities conferred or imposed by state and federal law and regulation.

(c) Provide comparative information to consumers on the performance of health carriers and health benefit plans by collecting performance measurement and consumer satisfaction data in a format that is both useful and understandable to consumers.

(d) Receive, investigate and attempt to resolve the complaints of individual health insurance consumers, and, when requested by the consumer, assist with grievances and independent external reviews under RSA 420-J.

(e) Collect data on health insurance consumer complaints and inquiries and create a responsive data tracking system for consumer complaints, inquiries, and concerns while preserving confidentiality, identify health insurer practices or policies that have an impact upon consumer rights and interests, prepare information for the public, agencies, legislators and others regarding the common problems and concerns of health insurance consumers, and act as an information resource both inside and outside the department in the development of policies and programs that protect health insurance consumer rights and interests.

(f) Perform such other duties and exercise such other powers as the commissioner may authorize.

2 Health Insurance Consumer Assistant; Salary. The commissioner shall, subject to the rules of the division of personnel, have authority to fill the position of health insurance consumer assistant position, as established in RSA 400-A:6, VIII as inserted by section 1 of this act, at labor grade 29.

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

AMENDED ANALYSIS

This bill establishes the position of health insurance consumer assistant within the insurance department.

On a division vote, 273 members having voted in the affirmative and 26 in the negative, the amendment was adopted.

Report adopted and referred to Finance.

motion to special order

Rep. O'Hearn moved that **HB 487**, relative to the adoption of bonds or notes in certain school districts and municipalities, be made a Special Order, in the regular calendar order, for the next session day.

Adopted.

regular calendar (cont'd.)

HB 518-FN-L, relative to a joint maintenance agreement to build a single high school involving the towns of Northwood, Nottingham, and Strafford. INEXPEDIENT TO LEGISLATE

Rep. Susan B. Durham for Education: This bill would allow state building aid for a school built on leased land. The committee sought out the opinion of the Attorney General's office and learned of an opinion from the early 1980's, which said that a long-term lease does not equate to ownership for purposes of state building aid. It was felt that application of building aid to projects on leased land would be subject to challenge. Vote 16-3.

Rep. O'Hearn moved Re-Commit to Committee and spoke in favor.

Adopted.

HB 699-FN-A, establishing the granite state scholars program and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Iris Estabrook for Education: This bill establishes the Granite State Scholars program, which provides recognition for highly qualified New Hampshire high school graduates, and a state match for private funds raised by New Hampshire public institutions of higher education to be used for incentive grants to Granite State Scholars. These grants will encourage our most capable high school graduates to remain in state, addressing the serious problem of "brain drain" (due to other New England institutions offering far more grant aid). The state's limited financial commitment will be leveraged to create a much larger scholarship aid endowment. Top graduates from around the state will continue to access the program through this endowment, well beyond the period of state financial outlay and far into the future. This approach to serious issues in public higher education is recommended by recent reports of the Public Higher Education Study Committee and the Postsecondary Education Commission. The amendment makes technical changes overlooked on drafting; providing rulemaking authority to the Postsecondary Education Commission to administer the program and changes in the appropriation dates to cover both years of the biennium, as intended. Vote 17-1.

Amendment (0721h)

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

1 New Paragraph; Postsecondary Education Commission; Rulemaking for Granite State Scholars Program Added. Amend RSA 188-D:8-a by inserting after paragraph II the following new paragraph:

III. Administration of the granite state scholars program as established in RSA 188-D:38.

2 New Subdivision; Granite State Scholars Program. Amend RSA 188-D by inserting after section 35 the following new subdivision:

Granite State Scholars Program

188-D:36 Program Established; Intent. There is hereby established the granite state scholars program for the benefit of highly qualified New Hampshire residents pursuing programs of study at

public colleges and universities within the state. The intent of the program is to encourage eligible New Hampshire residents to pursue public postsecondary education within the state by offering grant-based financial aid to such students.

188-D:37 Definitions. In this subdivision:

I. "Participating institution" means any public institution within the state which has been authorized by the postsecondary commission under RSA 188-D to award either an associate's degree or a bachelor's degree, or both.

II. "Endowment fund" means the granite state scholars financial aid endowment fund.

III. "Program" means the granite state scholars program.

188-D:38 Program Administration.

I. The state board of education shall adopt rules, under RSA 541-A, relative to student and institutional eligibility criteria.

II. The postsecondary education commission shall adopt rules pursuant to RSA 541-A necessary to administer the program and the state board of education shall provide student and institutional eligibility criteria to the postsecondary education commission.

188-D:39 Granite State Scholar Designation; Special Recognition.

I. The granite state scholar designation shall be made for any New Hampshire resident who graduates in the top 10 percent of his or her class from an accredited New Hampshire high school, and who receives a combined score of 1200 or more on the Scholastic Aptitude Test I, or the equivalent score on the ACT Assessment examination. The granite state scholar designation shall be determined using class rank and standardized test scores taken no later than January 31 of the student's senior year in high school.

II. The state board of education shall adopt rules, pursuant to RSA 541-A, relative to establishing the granite state scholar designation in high schools that do not calculate class rank, in non-accredited high schools, and for home schooled students.

III. Granite state scholars shall receive special recognition from the governor and shall be eligible for grants from the endowment fund established in this subdivision.

188-D:40 Granite State Scholars Financial Aid Endowment Fund Established.

I. All moneys appropriated for the purposes of this subdivision shall be used to provide leveraged incentive grants to participating institutions in New Hampshire for the establishment of an endowment fund according to the provisions of this subdivision.

II. Participating institutions shall establish a separate endowment fund for the deposit of private contributions and gifts for the purposes of the program. Gifts or contributions may come from any source, including, but not limited to, private individuals or corporations, trusts, or foundations.

188-D:41 Grants.

I. Each private gift or contribution made shall be matched by state funds in accordance with the dollar amount of the individual gift or contribution. The annual matching amount of state funds for each individual private gift or contribution shall be as follows:

\$1-\$99,999	50 percent state matching grant
\$100,000-\$999,999	75 percent state matching grant
\$1,000,000 or more	100 percent state matching grant

II. Participating institutions shall maintain an accounting of all gifts and contributions made to the program, and shall forward a report of such accounting to the postsecondary education commission no later than May 1 of each fiscal year.

III. On June 1 of each fiscal year, the postsecondary education commission shall distribute matching funds to participating institutions based on documented gifts and contributions received during the preceding 12 months. State matching funds shall be deposited into the endowment fund established at each participating institution or the participating institution's foundation.

IV. Grant awards shall be made on the basis of merit and need, and the participating institution may determine the most suitable method of grant disbursement to granite state scholars enrolling at the participating institution. Grant awards shall only be conferred upon verification of high school graduation and achievement of the academic criteria set forth in this subdivision.

V. If the state matching funds are insufficient to meet the grant amounts required under paragraph I of this section, grants shall be calculated and disbursed according to a percentage derived by dividing the actual state matching funds appropriated by the amount of state funds necessary to meet full matching grant amounts.

188-D:42 Investment of State Matching Funds.

I. A participating institution shall invest all funds in the endowment fund provided that:

(a) All earnings including interest, dividends, equity appreciation, and any other form of increased value shall be reinvested in the endowment fund or distributed to granite state scholars.

(b) The historic dollar value of the endowment fund as defined in RSA 292-B:1-a, V shall not be invaded, transferred, or used for any purpose other than the program.

(c) The funds are invested consistent with the provisions of RSA 292-B.

3 Appropriation. The sum of \$5,000,000 for the fiscal year ending June 30, 2000, and the sum of \$5,000,000 for the fiscal year ending June 30, 2001, are hereby appropriated to the postsecondary education commission for the purposes of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

4 Applicability. Section 5 of this act shall take effect at such time as the commissioner of the postsecondary education commission certifies to the secretary of state that \$25,000,000 or more in state funds has been appropriated for the purposes of this act.

5 Prospective Repeal. RSA 188-D:41, I-III, and RSA 188-D:41, V, as inserted by section 2 of this act, relative to matching funds provided to the granite state scholars program, are repealed.

6 Effective Date.

I. Section 5 of this act shall take effect as provided in section 4.

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

Adopted.

Report adopted and referred to Finance.

SPECIAL ORDER

HB 389, relative to procedures for apportioning state representatives among counties and among legislative districts. INEXPEDIENT TO LEGISLATE

Rep. Raymond Buckley for Election Law: While the sponsor's bill has some merit, the Committee strongly feels that we must not tie the hands of the next legislature as they undertake the arduous process of redistricting. During the 2001-2002 term Congressional, Executive Council, State Senate and House, and County Commission districts must be redrawn. To successfully accomplish this task great skills and long negotiations must be utilized to create the fairest plan. We believe we should allow the next legislature the greatest latitude in accomplishing this task Vote 12-0.

Rep. MacGillivray spoke against.

Rep. Buckley spoke in favor.

On a division vote, 247 members having voted in the affirmative and 76 in the negative, the report was adopted.

regular calendar (cont'd.)

HB 534, eliminating party designations in the election of party officers. INEXPEDIENT TO LEGISLATE

Rep. James R. Splaine for Election Law: This bill would eliminate party designations in the election of candidates for county office. The Committee felt the current process for election of county office is a good system and allows for competent candidates to run. The idea offered by the sponsor to eliminate party designations is intriguing, but it is too big a change and is not needed at this time. Vote 10-3.

Adopted.

HB 380, repealing the Interstate Solid Waste Compact. INEXPEDIENT TO LEGISLATE

Rep. Suzan L. R. Franks for Environment and Agriculture: This act required the repeal of the New Hampshire-Vermont Interstate Solid Waste Compact. The Committee recognized repeal of this Compact requires passage by the legislatures of both New Hampshire and Vermont as well as an act of the United States Congress. Therefore, this proposal would be better represented by an HJR at a future date. Vote 14-0.

Adopted.

HB 55-FN-A, setting the rate for the medicaid enhancement tax for the biennium ending June 30, 2001. OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth L. Weyler for Finance: The medicaid enhancement tax expires on May 30. This bill continues the existing rate at 6%. The money collected is returned to the hospitals as the uncompensated care pool payments. As a result of the payments back to the hospitals a federal match at 50% is projected to yield \$54 million for FY2000, and \$56 million for FY 2001. These moneys go to the general fund, and the lack of this tax could cause problems for balancing the budget. The amendment is for the effective date. Vote 24-0.

Amendment (0875h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect May 30, 1999.

Adopted.

Report adopted and ordered to third reading.

HB 559-FN-A, authorizing vanity plates or decals for OHRV registrations. OUGHT TO PASS

Rep. Robert G. Holbrook for Finance: This bill establishes a vanity plate or decal program for OHRV (Off-Highway Recreation Vehicles) registered by residents of New Hampshire. Fees for the vanity plates will be deposited in a fund to be used by the Fish and Game Department for cost of issuing the vanity plates and decals and for OHRV training programs. The estimate of revenue is \$73,440, with \$18,360 to cover the cost of plates and decals and the balance for OHRV training programs. Vote 23-0.

Rep. Holbrook spoke to the report.

Adopted and ordered to third reading.

HB 561-FN, reducing lab analysis fees of chemical analyses of water. OUGHT TO PASS

Rep. Steve Vaillancourt for Finance: This bill changes, in some cases increasing and in some cases decreasing but in all cases by small amounts, the fees for water analyses required by the federal Safe Drinking Water Act. The Finance Committee has no problem with the schedule as proposed by the Department of Environmental Services and approved by the Resources, Recreation and Development Committee. In all, more than three dozen different fees are involved (for such items in water as lead and copper, organic compounds, haloacetic acids, etc.). While the bill is expected to result in a decrease in state revenues, it is not expected to be substantial. To oppose this attempt to establish a

more realistic assessment on water testing would constitute the type of micromanagement Finance would not wish to engage in. The Committee heard no testimony in opposition to the bill. Vote 24-0.

Adopted and ordered to third reading.

HB 639-FN, relative to motor vehicle registration fees for antique motor vehicles and motorcycles. OUGHT TO PASS

Rep. Vivian R. Clark for Finance: This bill was passed by the Transportation Committee and the House because it eliminates preferential fees for vehicles which, although they qualify as antiques, are actually used for ordinary transportation. It will create a small net increase in general fund revenues and in distributions to local communities. Vote 24-0.

Adopted and ordered to third reading.

SB 17, relative to funeral arrangements. OUGHT TO PASS

Rep. James Pilliod for Health, Human Services and Elderly Affairs: This much needed bill authorizes next of kin or designated agent as defined in statute, to manage several after-death arrangements for disposition of a body previously only managed by funeral directors. This includes transportation, cremation, burial and other necessary procedures. Vote 15-1.

Adopted and ordered to third reading.

SPECIAL ORDER

CACR 22, relating to 7-year terms for state judges. Providing that all state judges appointed on or after January 1, 2001 be commissioned for 7-year terms, which may be renewed. RE-REFER TO COMMITTEE

Rep. Dennis J. Withee for Judiciary: This amendment seeks to change the constitution so that judges must be re-appointed, commissioned, and sworn to subsequent 7-year terms. Excellent testimony supporting both sides of the issue was received and considered by the committee. Since the committee will be studying similar legislation this summer, the majority voted to have the contents of CACR 22 as part of its judicial reform package. The minority of the committee believes that this amendment should be found ITL because the House has already re-referred HB 53 which contains similar material. Vote 11-8.

Adopted.

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

regular calendar (cont'd.)

HB 297-FN, permitting a jury trial in the superior court for violations of the state law against discrimination for a certain time period or with the written assent of the commission for human rights after an action has been filed with the commission. OUGHT TO PASS

Rep. Sandra B. Keans for Judiciary: This bill has to do with changes in the process of going to the Human Rights Commission for instances of discrimination. Currently, a complainant can be denied the opportunity to examine witnesses under oath at a hearing before the commission before the case

is thrown out, simply on the basis of staff investigation. This legislation would allow a complainant in the very early stages (90 days) to opt out and file in Superior court. At this time if a complaint gets denied by one commissioner, there is no appeal process no matter what the merits of the case. This bill is a result of a study committee. Vote 11-4.

Rep. Mock moved Re-commit to Committee and spoke in favor.

Adopted.

HB 551, relative to employers who are subject to state law against discrimination. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Andrew R. Peterson for the Majority of Judiciary: The committee carefully considered HB 551, together with the prime sponsor's proposed amendment, including substantial effort by the subcommittee. The Judiciary committee to a person strongly supports protecting New Hampshire citizens from all discrimination. However, the majority of the members found that the bill was too broad an expansion of the New Hampshire law on discrimination and could lead to serious unintended consequences which would, at a minimum, require ore study. Our particular concerns related to the application of the law to religious institutions, private social clubs and sectarian schools. The majority found that New Hampshire law currently provides strong protections against discriminatory practices and felt the proposed bill was not the appropriate vehicle to strengthen these laws at this time. Vote 11-3.

Rep. Tony F. Soltani for the Minority of Judiciary: As of this date New Hampshire law permits overt and explicit acts of discrimination committed by non-profit organizations. "Non-profit" is not the same as "tax exempt" where IRS rules impose restrictions on the expenditures. To become a non-profit is easy; one must file five (5) signatures with the town clerk. You may then expend all the income of the organization as salary; but not profit. Under this exception (which practically swallows the rule) employers can, without breaking New Hampshire law, fire workers because of their race, sex, sexual orientation and even pregnancy. The legislature as a body should establish the public policy of this state as being against discrimination regardless of the profit status of the employer. It is wrong to fire a mother because she has a child, as it is wrong not to hire a man because he is black. It is just as wrong when a non-profit does it as when it is done by a for-profit company. For several years we have demanded that employers in the private for-profit sector behave in a manner consistent with our moral standards. We have prohibited them from discrimination and afforded victims of discrimination a direct and inexpensive forum through the New Hampshire Human Rights Commission. It is only proper to expect the non-profit sector to join the rest of the civilization and it is only right to accord the same degree of dignity to their workers. We cannot cross the threshold of the millennium without acknowledging the self-evident truth that all people are created equal by their creator and are entitled to certain inalienable rights.

Rep. Mock moved Re-commit to Committee and spoke in favor.

HB 585, relative to preserving the use of state park lands for their original purposes. INEXPEDIENT TO LEGISLATE

Rep. Richard T. Cooney for Resources, Recreation and Development: The intent of this bill is to preserve state park lands for their original purpose. The committee sympathizes with this intent but feels it would inhibit many legitimate leasing arrangements in state lands. Restrictions on donated lands can be implemented by the donee by putting restrictions in the deeds. Vote 15-1.

Reps. Wiggins and Sapareto spoke against.

Rep. Royce spoke in favor.

Rep. Royce requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 199 NAYS 147			
YEAS 199			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Lawton, David	Lawton, Robert	Rosen, Ralph
Salatiello, Thomas	Thomas, John	Wendelboe, Francine	
CARROLL			
Chandler, Gene	Dickinson, Howard	Kenney, Joseph	Lyman, L Randy
MacDonald, Kenneth	Mock, Henry	Patten, Betsey	Philbrick, Donald
Sullivan, P Judith	Torressen, Gary		
CHESHIRE			
Avery, Stephen	Hunt, John	Manning, Joseph	Meador, David
Roberts, William	Rose, William	Royce, H Charles	Zerba, Roger
COOS			
Davis, Perley	Glines, Sara	Guay, Lawrence	Horton, Lynn
Merrill, Gerald	Pratt, Leighton	Woodward, David	
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Dudley, Terri
Eaton, Stephanie	Gilman, G Michael	Ham, Bonnie	Harmon, Hobart
Hinman, Harry	Marshall, Gene	Mirski, Paul	Scanlan, David
Ward, Brien	Weber, Phil		
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr
Batula, Peter	Beaupre, Roland	Belvin, William	Brundige, Robert
Bruno, Pierre	Calawa, Leon, Jr	Carlson, Donald	Christiansen, Lars
Clegg, Robert, Jr	Clemons, Jane	Coughlin, Pamela	Dalianis, Griffin

Daniels, Gary	Dawe, Eileen	Desrosiers, William	Durham, Susan
Emerton, Lawrence	Fenton, James	Fields, Dennis	Fletcher, Richard
Flora, Kathleen	Gagnon, Eugene	Goley, Jeffrey	Goulet, Maurice
Herman, Keith	Holley, Sylvia	Jean, Loren	Johnson, Lionel
Kurk, Neal	LaRose, Richard	Lessard, Rudy	Lozeau, Donnalee
MacGillivray, Jeffrey	Martel, Andre	McCarty, Winston	McDonough-Wallace, Alice
McGough, Tim	Mercer, Robert	Mosher, William	Murphy, Robert
O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean	Pappas, Marc
Perkins, Paul	Peterson, Andrew	Reeves, Sandra	Rowe, Robert
Sarette, John	Sargent, Maxwell	Tate, Joan	Thulander, O Alan
Turgeon, Roland	Vaillancourt, Steve	Wall, Nancy	White, Donald
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Brewster, Richard	Daneault, Gabriel
Davis, Francis	Feuerstein, Martin	Fortnam, Janet	Hager, Elizabeth
Hess, David	Hoadley, Elizabeth	Kennedy, Richard	Larrabee, David, Sr
Lavoie, Gerard	Leber, William	Lockwood, Priscilla	Marple, Richard
Marshall, Kenneth	Maxfield, Roy	Nichols, Avis	Rodd, Beth
Whalley, Michael			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Bridle, Russell	Case, Margaret	Christie, Andrew, Jr	Clark, Vivian
Cooney, Richard	Cote, Patricia	Dalrymple, Janeen	Dearborn, Bruce
Dowling, Patricia	Downing, Michael	Fesh, Robert	Flanagan, Natalie
Flanders, John, Sr	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Griffin, Mary	Henderson, Warren	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langone, John	Letourneau, Robert	Lovejoy, Marian
Major, Norman	McKinney, Betsy	Mikowski, Walter	Moore, Benjamin
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
Packard, Sherman	Priestley, Anne	Rabideau, Marie	Raynowska, Bernard
Reardon, Neil	Rubin, George	Ruffner, Walter	Stickney, Nancy

Stone, Joseph	Tufts, J Arthur	Varrell, Thomas	Verani, Giovanni
Weare, Everett	Welch, David	Weyler, Kenneth	
STRAFFORD			
Bickford, David	Callaghan, Frank	Cossette, Larry	Kaen, Naida
Knowles, William	Lundborn, Raymond	McKinley, Robert	Musler, George
Pelletier, Arthur	Spear, Barbara	Torr, Franklin	Vincent, Francis
Wall, Janet	Woods, Phyllis		
SULLIVAN			
Kibbey, David	Robb-Theroux, Amy	Young, David	
NAYS 147			
BELKNAP			
Johnson, James	Millham, Alida	Pilliod, James	Rice, Thomas
CARROLL			
Babson, David, Jr	Bradley, Jeb	Howard, Godfrey	
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	DePecol, Benjamin
Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret	McGuirk, Paul
Mitchell, McKim	Pratt, Irene	Pratt, John	Richardson, Barbara
Riley, William	Robertson, Timothy	Russell, Ronald	
COOS			
Hawkinson, Marie	Landers, Dana	Mears, Edgar	Rodrigue, Robert
GRAFTON			
Brothers, Richard	Cobb, John	Copenhaver, Marion	Densmore, Jessica
Hall, David	Johnson, Gary	Phinney, William	Picconi, Al
Solow, Martha			
HILLSBOROUGH			
Arthur, Rose	Baroody, Benjamin	Bergeron, Lucien	Buckley, Raymond
Cote, David	Craig, James	Curran, James	Daigle, Robert
Desmarais, Vivian	Dokmo, Cynthia	Drabinowicz, A	Ford, Nancy
Foster, Linda	Gagnon, Paul	Garrish, Linda	Ginsburg, Ruth

Gorman, Mary	Haettenschwiller, Alphonse	Haley, Robert	Hall, Betty
Herman, Richard	Keye, Harvey	Konys, Christine	L'Heureux, Robert
LaPorte, George	Leishman, Peter	Leonard, Peter	Lynde, Harold
Martin, Mary	McCarthy, William	McRae, Karen	Melcher, Harold
Messier, Irene	Milligan, Robert	Moriarty, Mary	Pepino, Leo
Reidy, Frank	Simon, Anthony	White, John	Williams, Carol
Withee, Dennis			
MERRIMACK			
Bouchard, Candace	Chase, George	Crosby, Toni	Fraser, Marilyn
French, Barbara	Gile, Mary	Jacobson, Alf	Langer, Ray
Moore, Carol	Owen, Derek	Potter, Frances	Reardon, Tara
Seldin, Gloria	St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	DiFruscia, Anthony
Dolan, Richard	Dunham, Vivian	Grant, Kenneth	Hamel, Albert
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Kelley, Jane
Langley, Jane	O'Keefe, Patricia	Pitts, Jacqueline	Putnam, Ed, II
Quandt, Marshall	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Shelton, Richard	Splaine, James	Stritch, C Donald	Vaughn, Charles
Whittier, John			
STRAFFORD			
Brennan, William	Brown, George	Brown, Julie	DeChane, Marlene
Dunlap, Patricia	Estabrook, Iris	Heon, Richard	Johnson, Nancy
Keans, Sandra	Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Taylor, Kathleen	Twardus, Joseph
Vachon, Dennis			
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Flint, Gordon, Sr
Jones, Constance	Leone, Richard	McIntyre, Sara	Phinizy, James

Tuthill, John	Wiggins, Celestine		
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and the report was adopted.

Rep. Arthur Pelletier voted Yea and intended to vote Nay.

RECESS

(Speaker Sytek in the Chair)

committee of conference report on house bill 117

Without objection, the Speaker called for the Committee of Conference report on House Bill 117.

HB 117-FN-A-L, establishing a uniform education property tax and a utility property tax, increasing the business profit and real estate transfer taxes, and including other sources of revenue to provide funding for an adequate public education and making an appropriation therefor. (Report printed SJ 16, 4/29/99)

Reps. Chandler and Burling moved that the Committee of Conference Report on House Bill 117 be adopted.

Rep. Hess spoke in favor and yielded to questions.

Reps. Hager, Mirski and Almy spoke against.

Rep. Guay spoke in favor.

(Rep. Jacobson in the Chair)

Reps. Burling and Bradley spoke in favor and yielded to questions.

Rep. Wallin requested a Quorum Count. The Speaker Pro Tem declared a quorum present.

Reps. Ward, Wallin and Rodrigue spoke against.

Rep. Sapareto spoke against and yielded to questions.

Rep. Clegg spoke in favor.

(Speaker Sytek in the Chair)

Rep. Weber spoke against.

Rep. Lozeau spoke in favor.

Rep. Chandler requested a roll call; sufficiently seconded

The question being the adoption of the Committee of Conference report.

YEAS 204 NAYS 154**YEAS 204****BELKNAP**

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Pilliod, James	Rosen, Ralph	Salatiello, Thomas
Thomas, John	Turner, Robert		

CARROLL

Bradley, Jeb	Chandler, Gene	Lyman, L Randy	MacDonald, Kenneth
Mock, Henry	Patten, Betsey		

CHESHIRE

Avery, Stephen	Blaisdell, Michael	Burnham, Daniel	Hunt, John
Lerandeau, Alfred	Meader, David	Riley, William	Rose, William
Royce, H Charles	Russell, Ronald		

COOS

Guay, Lawrence	Horton, Lynn	Mears, Edgar	Merrill, Gerald
Pratt, Leighton	Woodward, David		

GRAFTON

Akins, Ralph	Brothers, Richard	Cobb, John	Copenhaver, Marion
Densmore, Jessica	Dudley, Terri	Eaton, Stephanie	Guest, Robert
Marshall, Gene	Nordgren, Sharon	Picconi, Al	

HILLSBOROUGH

Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr
Arthur, Rose	Baroody, Benjamin	Batula, Peter	Belvin, William
Brundige, Robert	Bruno, Pierre	Buckley, Raymond	Calawa, Leon, Jr
Carlson, Donald	Clegg, Robert, Jr	Cote, David	Coughlin, Pamela
Craig, James	Dalianis, Griffin	Daniels, Gary	Dawe, Eileen
Desmarais, Vivian	Durham, Susan	Emerton, Lawrence	Fenton, James
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Ford, Nancy
Foster, Linda	Gagnon, Eugene	Ginsburg, Ruth	Goley, Jeffrey

Gorman, Mary	Goulet, Maurice	Haettenschwiller, Alphonse	Haley, Robert
Herman, Keith	Holley, Sylvia	Jean, Loren	Johnson, Lionel
Keye, Harvey	Konys, Christine	Kurk, Neal	L'Heureux, Robert
LaRose, Richard	Lefebvre, Roland	Lessard, Rudy	Lozeau, Donnalee
Lynde, Harold	Martel, Andre	McCarty, Winston	McGough, Tim
Mercer, Robert	Milligan, Robert	Moran, Edward	Moriarty, Mary
Mosher, William	Murphy, Robert	O'Connell, Timothy	O'Hearn, Jane
Pappas, Marc	Peterson, Andrew	Reeves, Sandra	Reidy, Frank
Rowe, Robert	Sarette, John	Sargent, Maxwell	Tate, Joan
Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve	Williams, Carol
Withee, Dennis			
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Hess, David
Hoadley, Elizabeth	Kennedy, Richard	Langer, Ray	Leber, William
Nichols, Avis	Reardon, Tara	Whalley, Michael	
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Belanger, Ronald	Bishop, Franklin
Blanchard, MaryAnn	Christie, Andrew, Jr	Clark, Martha	Clark, Vivian
Cooney, Richard	Cote, Patricia	Dalrymple, Janeen	DiFruscia, Anthony
Dolan, Richard	Dowling, Patricia	Downing, Michael	Dunham, Vivian
Flanders, John, Sr	Francoeur, Sheila	Griffin, Mary	Hamel, Albert
Henderson, Warren	Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Letourneau, Robert
Major, Norman	McKinney, Betsy	Mikowski, Walter	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	Packard, Sherman
Pitts, Jacqueline	Priestley, Anne	Rabideau, Marie	Reardon, Neil
Ruffner, Walter	Schanda, Frank	Shelton, Richard	Splaine, James
Stone, Joseph	Tufts, J Arthur	Varrell, Thomas	Vaughn, Charles
Verani, Giovanni	Weare, Everett	Welch, David	Whittier, John
STRAFFORD			

Brennan, William	Brown, George	Cossette, Larry	DeChane, Marlene
Estabrook, Iris	Kaen, Naida	Knowles, William	Lundborn, Raymond
McKinley, Robert	Musler, George	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spear, Barbara	Taylor, Kathleen	Torr, Franklin
Tsiros, William	Vincent, Francis	Wall, Janet	Woods, Phyllis
SULLIVAN			
Burling, Peter	Cloutier, John	Flint, Gordon, Sr	Robb-Theroux, Amy
Young, David			
NAYS 154			
BELKNAP			
Johnson, James	Lawton, David	Lawton, Robert	Millham, Alida
Rice, Thomas	Wendelboe, Francine	Wood, Jane	
CARROLL			
Babson, David, Jr	Dickinson, Howard	Howard, Godfrey	Kenney, Joseph
Philbrick, Donald	Sullivan, P Judith	Torressen, Gary	
CHESHIRE			
Batchelder, Robert	DePecol, Benjamin	Lynch, Margaret	Lynott, Margaret
Manning, Joseph	McGuirk, Paul	Mitchell, McKim	Pratt, Irene
Pratt, John	Richardson, Barbara	Roberts, William	Robertson, Timothy
Zerba, Roger			
COOS			
Davis, Perley	Glines, Sara	Hawkinson, Marie	Landers, Dana
Rodrigue, Robert			
GRAFTON			
Alger, John	Almy, Susan	Gilman, G Michael	Hall, David
Ham, Bonnie	Harmon, Hobart	Hinman, Harry	Johnson, Gary
LaMott, Paul	Mirski, Paul	Phinney, William	Scanlan, David
Ward, Brien	Weber, Phil		
HILLSBOROUGH			
Beaupre, Roland	Bergeron, Lucien	Christiansen, Lars	Clemons, Jane

Curran, James	Daigle, Robert	Desrosiers, William	Dokmo, Cynthia
Drabinowicz, A	Dyer, Merton	Gagnon, Paul	Garrish, Linda
Hall, Betty	Herman, Richard	LaPorte, George	Leishman, Peter
Leonard, Peter	MacGillivray, Jeffrey	Martin, Mary	McCarthy, William
McDonough-Wallace, Alice	McRae, Karen	Melcher, Harold	Messier, Irene
Ouellette, Dean	Pepino, Leo	Perkins, Paul	Simon, Anthony
Wall, Nancy	White, Donald	White, John	
MERRIMACK			
Brewster, Richard	Chase, George	Crosby, Toni	Daneault, Gabriel
Davis, Francis	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Jacobson, Alf
Larrabee, David, Sr	Lavoie, Gerard	Lockwood, Priscilla	Marple, Richard
Marshall, Kenneth	Maxfield, Roy	Moore, Carol	Owen, Derek
Potter, Frances	Rodd, Beth	Seldin, Gloria	Soltani, Tony
St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Beaulieu, Jon	Bridle, Russell	Case, Margaret	Corbin, C David
Dearborn, Bruce	Fesh, Robert	Flanagan, Natalie	Gibbons, Paul
Gleason, John	Grant, Kenneth	Kelley, Jane	Kobel, Rudolph
Langley, Jane	Langone, John	Lovejoy, Marian	Moore, Benjamin
O'Keefe, Patricia	Quandt, Marshall	Raynowska, Bernard	Rubin, George
Sabella, Norma	Sapareto, Frank	Stickney, Nancy	Stritch, C Donald
Weyler, Kenneth			
STRAFFORD			
Bickford, David	Brown, Julie	Callaghan, Frank	Dunlap, Patricia
Grassie, Anne	Heon, Richard	Johnson, Nancy	Keans, Sandra
Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie	Twardus, Joseph
Vachon, Dennis			
SULLIVAN			

Allison, David	Donovan, Thomas, Jr	Jones, Constance	Kibbey, David
Leone, Richard	McIntyre, Sara	Phinizy, James	Tuthill, John
Wiggins, Celestine			

and the Committee of Conference report was adopted.

Rep. Paul Gagnon voted Nay and intended to vote Yea.

Rep. Putnam did not vote and wished to be recorded against.

Rep. Zolla did not vote and wished to be recorded in favor.

remarks

Rep. Herman moved that the remarks made by Rep. Lozeau be printed in the Journal.

Adopted.

Rep. Lozeau: Thank you, Madam Speaker. After the last week or so, I have to wonder if my voice is going to hold out. For someone like me that would be quite a tragedy, indeed. For the last six or seven hours I thought about what I would say when I came before you. How do I begin? I was sitting on the bench because oftentimes when I used to get up and, let's just say, be a little bit of a trouble maker myself, I found that that bench helped me to get a sense of how people felt in the room. So I started to try to make my points. Well, I've got points and no words. It occurred to me that maybe what I should do is just talk to you the way that I have talked to some of the folks that I've been working with this week. But, I have to tell you that people have said what's easy, what's hard, what's wrong, what we should do, what we shouldn't do, when we should do it, why we should do it, who says we should do it, what's going to happen if we don't do it – you've heard all of that stuff. I want to step back and I want to tell you that our job at this stage is to deal with the practical reality of what is possible. Not what you want, not what is your favorite, not what's the best, but what is the practical reality of what is possible. We talked a lot about what we're doing as members, what we want as a House. The process we're in now is what we want as two bodies. It isn't just about what we want. It is about what we have to do together. It isn't the bi-partisan group-hug stuff. It is what the Senate says they can do in their body and what we can do in ours. When I look here and here and when I go home and I talk in front of Rotary Clubs, just like you, and I watch my school board members and my aldermen and my mayor and they want answers. When I don't think about the elected officials, when I go into the grocery store, someone happened to see me pull in with that license plate – who's idea was that? They want to know, "What are you going to do and when are you going to do it?" December 17, 1997 – boy-oh-boy – I'll tell you, when some of us signed up for this gig – who knew that *that* would be here. Somebody referred to a statesman – I came into this House when I was 25 years old. I was so overwhelmed by the just breadth of knowledge and experience that was sitting in this room. I still remember my first speech as my knees were knocking behind this very podium, as they are right now, looking at my husband and my children's godparents up in the gallery who, before they went up there, presented me with a lovely can of spinach. They said, "You can do this. You do what you believe in and you'll never regret it. But, you do take your responsibilities seriously." I thought, at 25, people are now calling me a politician because they elected me, so I guess that's what I am. What about politics? Boy, a lot of people take the easy road there. They just go around telling people what they want to hear. You know what takes courage? Telling them what they need to know. It's easy to show you what is wrong with things. It's easy to talk about line 13 with the apostrophe in the wrong place. It's easy to use words like "schemes". It's

easy to say, "Can't pass the Constitution." It's easy to do all of those things. It's hard to come together and govern. It's hard to put aside the things that are important to you. I reminded myself again this week that it is hard to sit in a Committee of Conference. And, for the first time a Committee of Conference not made up of a majority of my party where we could feel like we were having some of the same goals. But, instead, a Committee of Conference, I think in the history of this state, with two bodies with different parties in charge. Instead of thinking our goals are the same as a party, we learned to believe that our goals were the same as legislators. That goal wasn't to talk about all the things that were wrong with what we were doing and how it was different than what we could have had, but the goal was to deal in the realm of the possible. On the last day in that Committee of Conference, which was kind of today, I looked out at the audience and I held my head high as I looked towards who was in that room – we had the front row of extraordinary staff and department heads that have come together and put all of their other thoughts aside except solving the problem. In the middle was a group that wore a badge of a different color than ours, doing their job. Behind that group were more pink shirts than I think I have seen in a room, ever. I felt like, What's between me and them? We are them. That's our job. This badge means that we are their lobbyists. We are their representatives. We listen to them. When I came home at 3:30 this morning and I walked by my answering machine and saw it blinking and thought, "Do I really want to look?" I played those messages. It was kind of an unusual thing. There were six messages, one after the other from the same office. I won't tell you what kind of business it was but it was the same office. All six of those folks identified themselves as working in this office. All six of them identified a different problem that they had with what we were talking about and all six of them identified a different solution to solve the problem that was better than what we were doing. Isn't that true about us? Isn't that true about everybody that came up here and spoke? Everybody that is against this plan is against it for competing reasons. So, where are we if we do what somebody suggested – let's just tell that committee, "Forget it. You apparently didn't hear us." What does that mean to us? What does it mean to our state? It means we start over. You've heard weeks ago about a Committee of Conference – all those dastardly deeds that could occur. Things you didn't even know in the dark of night could appear in the bill that weren't in any version at all. Has that happened before up here? You bet it has. Has it happened on this watch? Never. It didn't happen this time either, because, you know what is easy? It would have been easy to sit in there and fight with the Senate and identify a new revenue source. What would you have thought of us then? How dare you choose one without us knowing. It would have been easy to identify cuts, maybe, and what would you have thought of us then? We worked in the realm of possibility. Although I know that some of you feel terribly strongly about what you should do, I feel equally strongly that when we go home, I want to spend my weekend holding my head high in the grocery store when somebody approaches me with a willingness to say maybe it's not the plan that you thought was best, but we are going to go forward and we are going to continue to work together. While we're talking about children – my 13-year old in junior high, who, frankly, has given up a great deal of his mother over the last couple of years, actually, came home and said to me one day, "Mom, in school today they talked more about that Claremont problem and one of the things the teacher said is maybe we ought to think about what we would do with ourselves next year if there wasn't school." My son said, "Don't you worry, my Mom and her friends are going to fix it. They are right on top of it." Big challenge, don't you think? But, something that he said made me think about something else about us. You know what I miss the most in this House? In the two years since I have been in leadership – I'm not just one of the people that could take the easy road - I miss my friends. I miss people not turning away looking at you, not being angry at each other, still being willing to leave holding each others hand sometimes and saying, "Wish I could have supported you. Job well done." What we have here are divisions that fight all the time. In a nation where people look to leaders, it's not here where your leaders are, it's here. You have all heard rumors about what is going on in this room. When your voters elected you they did not elect you because they thought you were a follower, they elected you because they thought you were leaders, just like the leaders that you have chosen among yourselves to lead and we have done that. We have sat in that room and we have come to you with something that is possible. I'm not ashamed of it. I believe it will be revisited and I believe good things will continue to occur. But, I

refuse to let my vote be the one because of my thing – that one thing – and how many of you have said that? "I could go for that except for that one piece." I will not let that vote be what stops this. We ought to get on to the business – remember all the other important business we do here – budgets and revenues and things that we ought to do to make the actions we take today correct. I ask you to do that with me. I ask you to remember that we don't have to make it personal. We don't have to divert our eyes away. Friends that have been friends in this House for years should mend their fences and get back to the business that we are accustomed to doing with pride. I would ask that you please join me and not just because we worked hard, all of us worked hard. Please join me. Vote this bill out of here and let's continue to work on the things that are important to all of us and show our state that they elected people that could get the job done. Thank you.

protests

Pursuant to Part 2, Article 24 of the New Hampshire Constitution, Reps. Marple, Donald White, Nancy Wall, Gilman and Wendelboe requested that their protest be entered on the Journal.

The genuine issue of fact is that Article 6 of the New Hampshire Bill of Rights precludes and has precedence in the right of the people to wit: "Shall at all times have the right of electing their own teachers, and of contracting with them for their support or maintenance, or both." This explicit, self-executing language enumerates the duty of agents of the people; said substitute and agents are defined in Article 8 of the New Hampshire Bill of Rights as all "officers of government" must obligate themselves pursuant to Part 2, Article 94, Form of Government. The action taken by all voting to usurp the right of the people is what establishes the foundation of equitable relief by the people for the trespasses perpetrated upon their right as enumerated in Article 6, Bill of Rights. "Trespass on the case" will be the action of the people upon all usurpers; this protest and dissent is to be actual notice to violative agents in their personal capacities.

Pursuant to Part 2, Article 24 of the New Hampshire Constitution, Reps. Keans, Corbin, Weber, McRae and Langley protested the adoption of the Committee of Conference Report on House Bill 117, and requested that their protest be entered on the Journal.

Pursuant to Part 2, Article 24 of the New Hampshire Constitution, Rep. Weyler requested that his protest be entered on the Journal.

I, Rep. Kenneth L. Weyler, Rockingham Dist. 18, do hereby file a protest petition on the Committee of Conference report on House Bill 117. I have voted against this report for the following reasons:

- 1.The Supreme Court has introduced a right of education into the constitution which was never intended by the framers.
- 2.Not only does this amendment support the court's improper action, but it also goes against Part I, Article 6 of the Constitution by taking control of education away from the people.
- 3.The Business Enterprise Tax required a two-thirds vote to change the rate. The Amendment eliminates the super majority, and doubles the rate.
- 4.Being a member of the Finance Committee with responsibility to estimate revenues, I believe this amendment is under funded by approximately one hundred million dollars.

Pursuant to Part 2, Article 24 of the New Hampshire Constitution, Rep. Boyce requested that his protest be entered on the Journal.

The compromise proposed by the committee of conference includes several objectionable items, not the least of which is the change by a simple majority vote of the rate for the business enterprise tax while the current RSA clearly prohibits any change without a 2/3 affirmative vote. Further by this same simple majority vote it strikes the current language. This clearly illustrates that any promise made by the legislature and signed by the Governor is worth even less than the paper it is printed on. The citizens of this state can no longer count upon the government to keep its' word.

In addition, this compromise grants to the supreme court the supreme authority to determine tax policy and educational policy in the state. This violation of the constitutional duty of the legislature. The legislature cannot abrogate their duty to set tax policy to anyone, neither the court nor the people themselves. The court has affirmed this by their denial of the proposal to sent to the voters a referendum on the Claremont issue. We cannot lay this upon the people to decide and we cannot lay it upon the court.

My conscience says I must vote against this however, because there is a strong possibility that if this failed an even worse compromise would follow I have voted for this bill under protest.

Pursuant to Part 2, Article 24 of the New Hampshire Constitution, Rep. David Hall requested that his protest be entered on the Journal.

I do hereby go on record that the passage of House Bill 117 as presented by the Committee of Conference is unconstitutional by violating Part 1, Article 6, the Bill of Rights of the New Hampshire Constitution to wit: "The several parishes, bodies corporate or religious societies shall at all time have the right of electing their own teachers, and of contracting with them for their support or maintenance or both. But no person shall ever be compelled to pay towards the support of the schools of any sect or denomination. And every person, denomination or persuasion to another shall ever be established."

This bill (HB 117) subordinates all private and religious schools to the government schools adhering to the religion of secular humanism and violates them from other institutions known or seminaries and private schools included in Part 2, Article 83.

This bill (HB 117) denies numerous individuals in the state of their right of equality of men (Article 1); equality of rights (Article 2); right of conscience (Article 4); religious freedom (Article 5) and right of contract (Article 6).

Pursuant to Part 2, Article 24 of the New Hampshire Constitution, Rep. Soltani requested that his protest be entered on the Journal.

This bill is the beginning of the slide down the slippery slope of socialism and centralized control of our most valuable assets: the children of our state. It is ironic that at a time where our delegations around the world are advising former socialist soviets to shift to local control and a capitalist economy; we in New Hampshire have chosen just the opposite path. We, the representatives of our people, duly elected, have been bullied into capitulation by what Thomas Jefferson called a judicial junta. Our most sacred principle, that of representative government, has been compromised for the sake of political expedience and under pressure from a self-appointed super legislature.

reconsideration

Rep. Chandler moved that the House reconsider its action whereby it adopted the Committee of Conference Report on House Bill 117 and spoke against.

Reconsideration failed.

enrolled bill amendments

HB 79, relative to reports to the bank commissioner and to safe deposit box openings.

Amendment (0967-EBA)

Amend RSA 384:36 as inserted by section 1 of the bill by replacing lines 3 and 4 with the following:

Reserve Board's Regulation H(12 CFR 208.62), Federal Deposit Insurance Corporation regulations Part 353 (12 CFR 353.1 et seq.), and National Credit Union Administration regulations section

Adopted.

HB 92, exempting permanently disabled veterans from the requirement of reestablishing their disability status for the division of motor vehicles every 4 years to prove eligibility for special license plates.

Amendment (0966-EBA)

Amend section 1 of the bill by replacing line 6 with the following:

service-connected disability. Such proof shall only have to be made upon initial

Adopted.

remarks

Rep. Kennedy moved that the remarks made by Speaker Sytek be printed in the Journal.

Adopted.

Speaker Sytek: Before we have the third reading motion, I want to thank every member of the House for your participation in this historic day, in this historic process. Who knew what challenges we would face when we were elected and who knew how difficult it would be to achieve consensus in a body as diverse and as passionate about their ideas as the New Hampshire House and the New Hampshire Senate. I think that you can go home and hold your head high because you were here to do what you thought was best for the people of New Hampshire. I thank you as your presiding officer. I also want to thank the members of the staff, both our legislative staff who knew what the gig was when they signed up, but we had incredible help from folks in the Department of Revenue Administration. If Phil Blatsos is still outside – he may have gone home. This is a man who works for Revenue Administration. He is in charge of the "chase down the people who aren't paying their taxes division" – Revenue Discovery is what it's called. He is the numbers guy and whenever we needed a spread sheet and whenever we made one change in the formula we could call him at home, we would E-mail him – he was here at 3:30 this morning when I left and when I came in at 8:30 this morning he was here again. I hope he went home in between. But, he is not even our employee and he worked to help us. We have to acknowledge the remarkable help of all our staff. Legislative Services was here, nobody complained, they were hanging around waiting for something to happen. A remarkable effort on the part of all our staff and they deserve a round of applause.

When we needed somebody to draft these technical tax bills it was a daunting task. It required expertise that we didn't have on staff. So, we scratched our head and looked around and were able to call out of retirement a former employee of Revenue Administration who came back in spite of the fact that he is retired and trying to build a house. Val Berghaus was here well after I went home at 3:30. Val should come in and take a bow as well. He is probably happier than any of us because he can go back to building his house.

RESOLUTION

Rep. Chandler 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 333, relative to contracts between participating providers and managed care entities.

HB 469, raising the medical payments coverage under automobile insurance policies.

HB 473, establishing a committee to study the non-group health insurance market.

HB 532, establishing a commission to study early childhood education.

SB 119, relative to the withdrawal of a pupil from school.

HB 689-FN, establishing a committee to study campaign contributions and expenditures.

HB 488, relative to the definition of certain disabilities in the provision of special education services.

HCR 12, urging the United States Congress to enact legislation which prohibits the federal government from recouping state tobacco settlement funds.

SB 19, extending the reporting date of the state substance abuse treatment delivery system committee.

HB 251, relative to official ballot procedures.

HB 562, relative to the date of decision for appeals of zoning matters.

HB 727-FN, establishing a committee to study the problems and possible regulation of outdoor lighting.

SB 91, designating segments of the Cold River as protected under the rivers management and protection program.

HB 581-L, relative to deposits on utility meters.

HCR 5, encouraging New Hampshire Public Radio to extend its broadcast signal to northern areas of New Hampshire.

HJR 2, urging that federal air pollution programs not punish early adopters of air pollution control technology.

HJR 3, urging ISO-New England to adopt policies furthering the state's interest in electric utility restructuring.

HJR 9, urging the United States Congress and federal Environmental Protection Agency to eliminate federal requirements for oxygenate additives for gasoline.

SB 41, correcting a reference in provisions relating to hunting and fishing licenses for members of the armed services.

SB 160, establishing a committee to study and identify or establish the duties of the fish and game commission.

HB 369, establishing a committee on educational programs on tobacco use for minors.

HB 408, relative to drug formularies under managed care entities.

HB 55-FN-A, setting the rate for the medicaid enhancement tax for the biennium ending June30, 2001.

HB 559-FN-A, authorizing vanity plates or decals for OHRV registrations.

HB 561-FN, reducing lab analysis fees of chemical analyses of water.

HB 639-FN, relative to motor vehicle registration fees for antique motor vehicles and motorcycles.

SB 17, relative to funeral arrangements.

unanimous consent

Rep. Eaton addressed the House.

RECESS MOTION

Rep. Chandler moved that the House stand in recess for the purpose of introduction of bills, enrolled bill amendments, enrolled bill reports and receiving Senate Messages only.

Adopted.

The House recessed at 4:10 p.m.

RECESS

(Speaker Sytek in the Chair)

enrolled bill report

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bill 117.

Rep. Ronald Nowe, Sen. D'Allesandro, for the Committee

RECESS

(Rep. Clegg in the Chair)

RESOLUTION

Rep. Varrell offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 29, 59, 163 and 188 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 29-L, relative to the proper sheltering of dogs. (Criminal Justice and Public Safety)

SB 59-L, relative to bonding of animal owners convicted of animal cruelty. (Criminal Justice and Public Safety)

SB 163, establishing a commission to study methods for reducing violent incidents involving children and guns. (Criminal Justice and Public Safety)

SB 188-L, allowing school districts operating under the official ballot form of meeting to have more than one special meeting per year through court petition on an appropriation question or issue. (Municipal and County Government)

senate message

concurrence

HB 78, relative to the counting of votes when the moderator is disqualified.

HB 203, making impaired boating laws consistent with driving while intoxicated laws.

HB 214, changing the membership of and extending the reporting date for the committee to study women's health care.

HB 268-L, relative to the adoption and rescission of the official ballot form of meeting.

HB 302, relative to paint ball guns.

HB 327-L, allowing municipal governing bodies to enter into lease agreements for equipment.

HB 365, establishing a committee to study the current practice of posting roads and its effect on the economy.

HB 383, relative to the authority of the department of environmental services to assign air pollution allowances and credits.

HB 403, relative to speed limits on Turtle Town Pond in Concord.

HB 447, repealing the laws prohibiting certain promotional games.

HB 515, extending the indemnification of persons providing clinical services to the department of health and human services.

HB 558-FN, relative to solid waste management.

HB 710-FN, relative to expanding the availability of lifetime licenses for hunting and fishing.

HCR 4, a resolution urging the U.S. Secretary of Transportation to include U.S. Route 2 as a border corridor highway.

RECESS

bills signed by the governor

Chap. 11 **HB 227**, establishing a committee to study the maintenance of voter checklists. (eff. 6/18/99)

Chap. 12 **HB 253**, allowing ballots to be examined and counted prior to the opening of polls on election. (eff. 6/18/99)

Chap. 13 **HB 244**, relative to the corporate charter of the Laconia Airport Authority. (eff. 4/26/99)

Chap. 14 **HB 249**, relative to the membership of the rivers management advisory committee. (eff. 6/25/99)

Chap. 15 **HB 250**, relative to authorized regional enrollment area schools. (eff. 6/25/99)