

HOUSE RECORD

Second Year of the 156th Session of the General
Court

Calendar and Journal of the 2000 Session

Vol. 22

Concord N.H.

Thursday, May 5, 2000

No. 39

HOUSE JOURNAL No. 14 (cont.)

Thursday, April 20, 2000

(Rep. MacGillivray in the Chair)

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 337, 458, 459, 461, 464, 467, 468, 469, 470, 471 and Senate Joint Resolution numbered 1 and Senate Concurrent Resolutions numbered 5 and 6 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, SJR AND SCR_s

First, second reading and referral

SB 337-FN, requiring any new resident applying for a permanent driver's license to be checked through the National Crime Information Center (NCIC) for outstanding warrants or court defaults, as a precondition to issuance, and authorizing interest penalties on unpaid violations.
(Transportation)

SB 458, increasing the salary of the executive secretary of the retirement system and changing the title to executive director. (Executive Departments and Administration)

SB 459, relative to underinsured motorists. (Commerce)

SB 461, establishing a committee to study the creation of a flag to honor all police departments in the state. (Executive Departments and Administration)

SB 464, relative to the use of municipal and school district facilities for stunt biking and relative to the sale of bicycles at public auction. (Judiciary)

SB 467, relative to the exemption from regulation of certain elevating devices. (Labor, Industrial and Rehabilitative Services)

SB 468, relative to the family division of the courts and relative to the jurisdiction of the family division in Rockingham county. (Judiciary)

SB 469, relative to mutual insurance holding companies. (Commerce)

SB 470, relative to the administrative authority of the board of trustees for the regional community-technical colleges. (Education)

SB 471, relative to authorizing the town of Seabrook to establish a reserve fund for tax stabilization related to the decommissioning of the Seabrook nuclear plant and ratifying article 12 of the 1999 Seabrook annual town meeting. (Municipal and County Government)

SJR 1, a resolution concerning the status of the White Mountain National Forest within the U.S. Forest Service's forest management plan. (State-Federal Relations and Veterans Affairs)

SCR 5, a resolution urging the New England states and New York to consider cooperative strategies to address the challenge of the high cost of prescription medicines. (Health, Human Services and Elderly Affairs)

SCR 6, a resolution urging the President and Congress to address the challenge of high prescription medication prices. (State-Federal Relations and Veterans Affairs)

senate messages

concurrence

HB 427, relative to the laws requiring a prescription to possess hypodermic needles and modifying the drug paraphernalia laws applying to syringes.

HB 1143-FN, relative to renaming New Hampshire route 28 in the town of Wolfeboro as the "Gary Parker Memorial Highway."

HB 1149, commemorating the anniversary of the founding of certain branches of the United States armed forces.

HB 1151, establishing a committee to study the creation of a New Hampshire local government records management trust and to consider funding alternatives.

HB 1156, establishing June 20th each year as Destroyer Escort Day.

HB 1160, relative to access to the enhanced 911 system.

HB 1191-FN-L, relative to the adoption of charter school and open enrollment provisions in cooperative school districts and authorized regional enrollment areas.

HB 1194, relative to the composition of planning boards in certain cities.

HB 1265-FN, relative to registration of certain antique OHRVs.

HB 1322, relative to the regulation of certain outdoor advertising devices.

HB 1357-FN, relative to the sale of state-owned property in the towns of Belmont and Laconia.

HB 1373, relative to payments of first and second mortgage home loans.

HB 1382-FN, making it a felony for inmates to harass corrections personnel and others by propelling bodily fluids.

HB 1390, establishing a commission to study the relationship between public health and the environment.

HB 1422-FN, relative to the composition of and procedures for the appellate board of the department of employment security.

HB 1450-FN, relative to hearings and appeals of equal pay claims.

HB 1465, extending the reporting date of the committee to study the non-group health insurance market.

HB 1614, naming 2 bridges.

HCR 24, a resolution to relative to integration of people with disabilities.

HCR 33, a resolution establishing a joint New Hampshire-Vermont legislative cooperative effort regarding the Connecticut river.

nonconcurrence

HB 1109, relative to the modification of spousal support orders.

HB 1169, relative to gates and bars on class VI roads.

HB 1171, restricting the payment of salaries to suspended judicial officers.

HB 1327, relative to residency of prisoners for purposes of voter registration.

accedes to request for committee of conference

HB 1212, relative to extending the reporting date of the open adoption study committee and relative to persons eligible to adopt.

The President appointed Sens. Trombly, Squires and Pignatelli.

enrolled bill amendment

HB 1368-FN, establishing a Civil War memorials commission for the construction and maintenance of New Hampshire Civil War monuments and memorials.

Amendment (4185-EBA)

Amend RSA 21-K:22 as inserted by section 1 of the bill by replacing line 3 with the following:

distinct from all other funds. All monetary gifts, grants, and donations accepted pursuant to RSA 21-K:21 shall be

Adopted.

RECESS

(Rep. Whalley in the Chair)

RESOLUTION

Rep. Keith Herman offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 460 shall be by this resolution read a first and second time by the therein listed title, and referred to the therein designated committee.

Adopted.

INTRODUCTION OF SENATE BILL

First, second reading and referral

SB 460-FN, establishing a grant program to reimburse eligible districts served by municipal waste combustors. (Science, Technology and Energy)

senate messages

concurrence

HB 310, providing that the department of agriculture, markets, and food shall not conduct meat inspections unless and until such time as the United States Department of Agriculture withdraws its meat inspection program from the state.

HB 1102, relative to accessibility of veterans' disability payments in divorce cases.

HB 1131-FN, relative to license revocations and suspensions.

HB 1163, relative to the date of decision for appeals of zoning matters.

HB 1195, making technical changes to the law regulating acupuncture.

HB 1244, relative to the use of certain needle technology.

HB 1344-FN, expanding the used oil program.

HB 1404, creating a study committee to address mechanisms for the preservation or disposal of state records.

HB 1406, relative to transition service.

HB 1410, relative to the joint health council.

HB 1412, relative to electric customer-generators.

HB 1454, relative to deputy conservation officers in the fish and game department.

HB 1457, establishing a committee to study all aspects of the condominium act established under RSA 356-B.

HB 1459, requiring the state police to record and update information relative to the charges of criminal and civil non-support.

HB 1483, establishing a committee to study the application of non-conventional veterinary procedures for domestic animals.

HB 1492-FN, relative to clarifying the state's stalking statute.

HB 1494-FN, establishing penalties for attempts to purchase firearms illegally.

HCR 20, a resolution urging Congress to stop the collection of certain kinds of information from patients in a home health care setting.

HCR 30, urging the United States Environmental Protection Agency to adopt recently proposed new emission standards for heavy-duty vehicles, at least as stringent as originally proposed, and to adopt a second phase of emission standards for heavy-duty vehicles and reductions in the sulfur content of highway diesel fuel.

nonconcurrency

HB 1253, establishing a 4-year term for the commissioner of the department of corrections.

concurrence with amendments

SB 311, relative to the recovery of public assistance.

SB 320, relative to ratifying the Inter-Lakes cooperative school district meeting held on March 8, 2000; and relative to ratifying the Plainfield school district annual meeting held on March 10, 2000.

SB 325, relative to denial, revocation or suspension of a child care provider license, permit or registration for certain felony convictions.

SB 327, relative to responsibility of the employee and perjury under workers' compensation.

SB 372, relative to certain engineering businesses.

SB 394-FN, making miscellaneous changes in the insurance laws.

SB 402-FN, relative to employee reimbursement for work-related expenses.

SB 416-FN, relative to licensure of dietitians.

SB 426-FN, relative to boat dealers and repairers.

SB 431, relative to certain secondary vocational education programs.

enrolled bill amendments

HB 427, relative to the laws requiring a prescription to possess hypodermic needles and modifying the drug paraphernalia laws applying to syringes.

Amendment 4260-EBA)

Amend RSA 318:52-c, I(a) as inserted by section 1 of the bill by replacing it with the following:

I.(a) Hypodermic syringes, needles or any instrument adapted for the administration of drugs by injection shall not be sold except in registered pharmacies. No person shall sell, furnish, or give to any person [~~or persons other than a duly licensed physician, dentist, veterinarian, nurse, midwife certified pursuant to RSA 326-D, podiatrist, pharmacist, or embalmer, or a hospital, sanitarium, clinical laboratory or any other medical institution or a state or governmental agency, or a regular dealer in medical, dental or surgical supplies, or a resident physician or intern or advanced registered nurse practitioner of a hospital, sanitarium or other medical institution~~], **under 18 years of age**, an instrument commonly known as a hypodermic syringe, hypodermic needle or any instrument adapted for the administration of drugs by injection without the written or oral

prescription of a duly licensed physician, dentist, veterinarian, or advanced registered nurse practitioner. Such prescription shall contain the name and address of the patient, the date of the prescription, the description of the instrument prescribed, and the number of instruments prescribed.

Amend RSA 318:52-e as inserted by section 3 of the bill by replacing it with the following:

318:52-e Control or Possession of Hypodermic or Like Instruments Without Prescription Prohibited **for Minors**. No person **under 18 years of age** shall have under ~~[his or her]~~ **such person's** control or possess a hypodermic syringe, hypodermic needle, or any instrument adapted for the administration of drugs by injection, ~~[except a duly licensed physician, dentist, nurse, pharmacist, podiatrist, midwife certified pursuant to RSA 326-D, veterinarian, embalmer, a manufacturer or dealer in embalming supplies, registered wholesale druggist, manufacturing pharmacist, manufacturer of surgical instruments, official of any government having possession of the articles covered by this section by reason of his or her official duties, paramedical personnel acting under the direction of a physician, dentist, or advanced registered nurse practitioner, employees of a hospital, sanitarium or other licensed medical institution acting under the direction of its superintendent or officer in immediate charge, a carrier or messenger engaged in the transportation of such articles during the official performance of his or her duties, or a]~~ **unless the** person ~~[who]~~ has received a written or oral prescription issued under RSA 318:52-c. For the purpose of this subdivision, no such prescription shall be valid which has been outstanding for more than one year. ~~[Provided, however, that the industrial use of hypodermic syringes, needles or instruments in any manufacturing process not utilizing drugs shall not be prohibited, so long as such use is under the proper supervision of a designated person or persons; and such hypodermic syringes, needles or instruments may be purchased for such use from a registered drug store without a written or oral prescription issued under RSA 318:52-e.]~~

Adopted.

HB 1156, establishing June 20th each year as Destroyer Escort Day.

Amendment (4250-EBA)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Contingency. If HB 1149 of the 2000 legislative session becomes law, then RSA 4:13-i as inserted by section 1 of this act shall be renumbered as RSA 4:13-j.

Adopted.

HB 1200-FN, relative to the application of education property tax hardship relief to estate planning trusts.

Amendment (4261-EBA)

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

AN ACT relative to the application of education property tax hardship relief to estate planning trusts and relative to eligibility for hardship relief.

Adopted.

HB 1357-FN, relative to the sale of state-owned property tin the towns of Belmont and Laconia.

Amendment (4262-EBA)

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

2 Repeal. 1988, 243, relative to retaining certain state-owned land overlooking Lake

Adopted.

enrolled bills report

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills, 305, 1143, 1149, 1151, 1160, 1161, 1191, 1194, 1265, 1322, 1334, 1368, 1373, 1382, 1390, 1422, 1450, 1465, 1583 and 1614 and Senate Bills 186, 307, 313, 322, 339, 364, 370, 390, 407, 417, 443, 455 and 456.

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

RECESS

(Speaker Sytek in the Chair)

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 15

Thursday, May 4, 2000

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

Prayer was offered by House Chaplain, Reverend Hays M. Junkin, Rector of Saint Andrew's Episcopal Church in Hopkinton.

Compassionate Creator of all, words fail us as we attempt to give thanks for the many blessings we share as free citizens of New Hampshire and of our beloved United States. Give us courage to speak from our hearts. Give us wisdom to speak with integrity. Give us compassion to speak with fairness. Give us humility to listen before we speak. At this day's end may it be said that we tried to do our best with the gifts You have given to us, and that no one in our care has been forgotten. Amen.

Reps. Bouchard and Daigle led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Patricia Cote, Paul Perkins and Searles, the day, illness.

Reps. Batula, Belvin, Bergin, Emerton, David Flanders, Fortnam, Franks, Guest, Hansen, Hoadley, MacNeil, Martin, Mikowski, Marsha Pelletier, Rowe, Rosen, Thomas and Williams, the day, important business.

Rep. DiFruscia, the day, death in the family.

Rep. Tate, the day, illness in the family.

INTRODUCTION OF GUESTS

Maine State Rep. Earl Richardson, guest of Rep. Kennedy. Nate Morin and Seth Woodward, guests of Rep. Woodward. The 4th grade class from the Conway Elementary School, guests of Reps. Sullivan, Dickinson and Mock. Ivan Bareav, Veniamin Koutouzov, Nikolai Materov, Alexandre Jgoutov and Inna Fradkina, guests of the House.

(Clerk's Note)

When less than two-thirds of the elected membership is present, Part II, Article 20 of the state constitution requires the assent of two-thirds of those present and voting to render their acts and proceedings valid.

Without objection, the Speaker called for Senate Messages.

senate messages

HB 235 FN-A, increasing exemptions under the interest and dividends tax. (Amendment printed SJ 4/13/00)

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

Adopted by the necessary two-thirds.

HB 312, relative to the carrying of firearms in courthouses. (Amendment printed SJ 4/20/00)

Rep. Welch moved that the House concur.

Adopted by the necessary two-thirds.

HB 505-FN, establishing a special license plate for veterans. (Amendment printed SJ 4/20/00)

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

Adopted by the necessary two-thirds.

The Speaker appointed Reps. Packard, Letourneau, John Flanders and Peter Cote.

HB 522, relative to the public's access to sex offender registry information. (Amendment printed SJ 4/13/00)

Rep. Welch moved that the House concur.

Adopted by the necessary two-thirds.

HB 1242, relative to the standard for modification of a child custody order. (Amendment printed SJ 4/20/00)

Rep. Dowling moved that the House concur.

Adopted by the necessary two-thirds.

HB 1559-FN, establishing a committee to study the organization and functions of the New Hampshire state port authority. (Amendment printed SJ 4.20/00)

Rep. Mercer moved that the House concur.

Adopted by the necessary two-thirds

(Clerk's Note)

The constitutionally required two-thirds of the membership was declared present.

senate messages (cont'd.)

HB 542-FN-A, repealing the legacies and succession tax. (Amendment printed SJ 4/6/00)

parliamentary situation

The Speaker explained that the Senate had returned to the House for Concurrence with an amendment, **HB 542**, repealing the legacies and succession tax. Under House Rule 35(e), it needs a two-thirds majority for the House to consider because legislation substantially similar to the language contained in the Senate amendment was Indefinitely Postponed by the House last session.

motion to consider

Reps. Chandler and Burling moved that the House consider the Senate Amendment to ***HB 542***, repealing the legacies and succession tax.

Rep. Burling spoke in favor and yielded to questions.

Reps. Hager, Vaillancourt, Benjamin Moore, Kennedy and Hess spoke against.

Rep. Wallin spoke in favor.

Rep. McGuirk spoke against and yielded to questions.

Rep. Chandler requested a roll call; sufficiently seconded.

The question being the motion to consider the senate amendment to HB 542.

YEAS 100 NAYS 250

YEAS 100

BELKNAP

Boriso, Thomas

CARROLL

Dickinson, Howard

CHESHIRE

Avery, Stephen

DePecol, Benjamin

Doucette, Richard

Lerandean, Alfred

Lynch, Margaret

Riley, William

Roberts, William

Russell, Ronald

Smith, Edwin

COOS

Gallus, John

Horton, Lynn

Landers, Dana

Mears, Edgar

Rodrigue, Robert

GRAFTON

Brothers, Richard

Densmore, Jessica

Ham, Bonnie

Harmon, Hobart

LaMott, Paul

Picconi, Al

Ward, Brien

HILLSBOROUGH

Baroody, Benjamin	Buckley, Raymond	Burkush, James	Clemons, Jane
Cote, David	Cote, Peter	Daigle, Robert	Desmarais, Vivian
Desrosiers, William	Dwyer, Paul Sr	Foster, Linda	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Johnson, Lionel	Keye, Harvey
Konys, Christine	Lefebvre, Roland	Leishman, Peter	Leonard, Peter
Martel, Andre	McColgan, Philip Jr	McDonald, James Sr	McDonough-Wallace, Alice
Moriarty, Mary	Murphy, Robert	Reidy, Frank	Simon, Anthony
Turgeon, Roland	White, John		

MERRIMACK

Virtue, Carolyn	Wallin, Jean
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ROCKINGHAM

Belanger, Ronald	Blanchard, MaryAnn	Cooney, Richard	Dowling, Patricia
Downing, Michael	Flanagan, Natalie	Hutchinson, Karen	Johnson, Robert
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Langone, John
Morse, Charles	O'Keefe, Patricia	Pantelakos, Laura	Pitts, Jacqueline
Priestley, Anne	Raynowska, Bernard	Rubin, George	Sapareto, Frank
Schanda, Frank	Shelton, Richard	Shultis, Elizabeth	Splaine, James
Stritch, C Donald	Vaughn, Charles		

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	DeChane, Marlene	Domingo, Baldwin	Heon, Richard
Kaen, Naida	Lundborn, Raymond	Musler, George	Rollo, Michael
Snyder, Clair	Taylor, Kathleen	Tsiros, William	Twardus, Joseph

SULLIVAN

Burling, Peter	Donovan, Thomas Jr	Flint, Gordon Sr
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NAYS 250

BELKNAP

Bartlett, Gordon	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Johnson, James	Lawton, David	Millham, Alida	Pilliod, James
Rice, Thomas	Russell, David	Turner, Robert	Wendelboe, Francine
Wood, Jane			

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Howard, Godfrey
Kenney, Joseph	Lyman, L Randy	Mock, Henry	Patten, Betsey
Sullivan, P Judith	Torressen, Gary		

CHESHIRE

Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Hunt, John
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	Meader, David
Mitchell, McKim	Pratt, Irene	Pratt, John	Richardson, Barbara
Robertson, Timothy	Rose, William	Royce, H Charles	Zerba, Roger

COOS

Davis, Perley	Guay, Lawrence	Merrill, Gerald	Pratt, Leighton
Tholl, John Jr	Woodward, David		

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Cobb, John
Copenhaver, Marion	Dudley, Terri	Eaton, Stephanie	Gilman, G Michael
Hall, David	Hinman, Harry	Marshall, Gene	Mirski, Paul
Nordgren, Sharon	Phinney, William	Scanlan, David	Solow, Martha
Weber, Phil			

HILLSBOROUGH

Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr
Arthur, Rose	Beaupre, Roland	Bergeron, Lucien	Brundige, Robert

Bruno, Pierre	Calawa, Leon Jr	Carlson, Donald	Chabot, Robert
Christiansen, Lars	Clegg, Robert Jr	Coughlin, Pamela	Craig, James
Curran, James	Dalianis, Griffin	Daniels, Gary	Dawe, Eileen
Dokmo, Cynthia	Drabinowicz, A Theresa	Durham, Susan	Dyer, Merton
Fenton, James	Fields, Dennis	Fletcher, Richard	Flora, Kathleen
Ford, Nancy	Gagnon, Eugene	Garrish, Linda	Goulet, Maurice
Haettenschwiller, Alphonse	Hall, Betty	Herman, Keith	Herman, Richard
Holley, Sylvia	Hunter, Bruce	Jean, Claudette	Jean, Loren
Kurk, Neal	L'Heureux, Robert	LaPorte, George	LaRose, Richard
Lasky, Bette	Lessard, Rudy	Lozeau, Donnalee	Lynde, Harold
MacGillivray, Jeffrey	McCarthy, William	McCarty, Winston	McGough, Tim
McRae, Karen	Melcher, Harold	Mercer, Robert	Messier, Irene
Milligan, Robert	Moran, Edward	Mosher, William	Nolan-Piteri, Dawn
O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean	Pepino, Leo
Reeves, Sandra	Sarette, John	Sargent, Maxwell	Thulander, O Alan
Vaillancourt, Steve	Wall, Nancy	White, Donald	Withee, Dennis

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Brewster, Richard
Chase, George	Crosby, Toni	Daneault, Gabriel	Davis, Francis
Feuerstein, Martin	Fraser, Marilyn	French, Barbara	Gile, Mary
Hess, David	Jacobson, Alf	Kennedy, Richard	Langer, Ray
Larrabee, David Sr	Lavoie, Gerard	Leber, William	Lockwood, Priscilla
Marple, Richard	Marshall, Kenneth	Maxfield, Roy	Moore, Carol
Nichols, Avis	Owen, Derek	Potter, Frances	Poulin, Dave
Reardon, Tara	Rodd, Beth	Rosenfield, Jay	Seldin, Gloria
Soltani, Tony	St Cyr, Gerard	Wallner, Mary Jane	Whalley, Michael
Whittemore, James	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Bridle, Russell
Case, Margaret	Christie, Andrew Jr	Clark, Martha	Clark, Vivian
Cox, Russell	Fesh, Robert	Flanders, John Sr	Francoeur, Sheila

Gibbons, Paul	Gleason, John	Grant, Kenneth	Griffin, Mary
Hamel, Albert	Henderson, Warren	Hutchinson, Rebecca	Kelley, Jane
Kelley, William	Kobel, Rudolph	Langley, Jane	Letourneau, Robert
Lovejoy, Marian	Major, Norman	McKinney, Betsy	Moore, Benjamin
Norelli, Terie	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
O'Neil, Michael	Packard, Sherman	Putnam, Ed II	Quandt, Marshall
Rabideau, Marie	Reardon, Neil	Ruffner, Walter	Sabella, Norma
Stickney, Nancy	Stone, Joseph	Tufts, J Arthur	Varrell, Thomas
Weare, Everett	Weatherspoon, Jackie	Welch, David	Weyler, Kenneth
Whittier, John	Zolla, William		

STRAFFORD

Bickford, David	Cossette, Larry	Dunlap, Patricia	Estabrook, Iris
Grassie, Anne	Johnson, Nancy	Keans, Sandra	Knowles, William
Lent, Donald	McKinley, Robert	Pelletier, Arthur	Rogers, Rose Marie
Smith, Marjorie	Spang, Judith	Spear, Barbara	Torr, Franklin
Vachon, Dennis	Wall, Janet	Woods, Phyllis	

SULLIVAN

Allison, David	Cloutier, John	Jones, Constance	Kibbey, David
Leone, Richard	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine			

and the motion failed.

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

parliamentary situation

The Speaker explained that the Senate had passed a bill, **SB 329**, relative to the display of tobacco products. Under House Rule 35(e), it needs a two-thirds majority for the House to introduce because substantially similar legislation was voted Inexpedient to Legislate by the House last session.

motion for introduction

RESOLUTION

Rep. Hunt offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 329 shall be by this resolution read a first and second time by the therein listed title, and referred to the therein designated committee.

Rep. Hunt spoke against.

The motion failed.

committee of conference report on sb 143

Committee of Conference Report on SB 143-FN, an act relative to penalties for incest.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 4 with the following:

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

Conferees: Sens. Pignatelli, Dist. 13; Squires, Dist. 12 and Brown, Dist. 16

Conferees: Reps. Welch, Rock. 18; Lozeau, Hills. 30; Tholl, Coos 5 and Knowles, Straf. 11

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.

SB 315, changing the form for writs of execution, removed by Rep. Mirski.

Consent Calendar adopted.

SB 349, relative to the sale of the marital residence or other real property in a domestic proceeding.
OUGHT TO PASS WITH AMENDMENT

Rep. Edward P. Moran, Jr. for Children and Family Law: This bill sets parameters for the court in issuing temporary orders regarding the marital residence in a divorce, separation, or annulment proceeding. This may include the sale of the marital residence with prior written consent of both parties. Absent this mutual consent, however, the bill would allow the sale of the marital residence prior to the final hearing, only if the court is not satisfied that the party residing in the marital residence has the financial capability to pay the property obligations as they come due. Vote 11-1.

Amendment (4184h)

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

AN ACT relative to the sale of the marital residence in a domestic proceeding.

Amend RSA 458:16, I (h) as inserted by section 1 of the bill by replacing it with the following:

(h) Ordering the sale of the marital residence provided that both parties have previously filed a written stipulation with the clerk of the court explicitly agreeing to the sale of the property prior to the final hearing on the merits. If the parties have not so stipulated, the sale of the marital residence shall not be ordered prior to the final hearing as long as the court deems the party residing within the marital residence to have sufficient financial resources to pay the debts or obligations generated by the property, including mortgage payments, taxes, insurance, and ordinary maintenance, as those debts and obligations come due.

AMENDED ANALYSIS

This bill sets forth circumstances allowing the court, in a divorce, separation, or annulment proceeding, to issue an order for temporary relief which may include the sale of the marital residence with the prior written consent of both parties. Absent this consent, the bill prohibits the sale of the marital residence prior to the final hearing provided the court deems the party residing within the marital residence to have sufficient financial resources to pay the debts or obligations generated by the property.

SB 386-FN-L, relative to names on birth certificates and affidavits of paternity. OUGHT TO PASS

Rep. Edward P. Moran, Jr. for Children and Family Law This bill requires that when a court has determined the paternity of a minor child, each final order made shall be forwarded by the court to the city or town clerk where the birth occurred for entry on the birth certificate. This is simply to ensure that the court's finding be recorded at the appropriate place in a timely manner. Vote 12-0.

SB 97, relative to charitable trusts which are institutional funds. OUGHT TO PASS WITH AMENDMENT

Rep. Joseph D. Kenney for Commerce: This bill allows the governing body or trustee or trustees managing a charitable trust which is an institutional fund to appropriate expenditures from the realized and unrealized net appreciation in the fair value of the charitable trust. The committee felt there is a need to create a more flexible investment environment for charitable trust funds, which in the past were restricted to a principal investment policy. Vote 12-0.

Amendment (4251h)

Amend the bill by replacing section 1 with the following:

1 Management of Institutional Funds; Declaration of Purpose. Amend RSA 292-B:1 to read as follows:

292-B:1 Declaration of Purpose. It is hereby declared to be in the public interest and to be the policy of the state to promote, by all reasonable means, the maintenance and growth of eleemosynary institutions by encouraging them ***and those who manage one or more charitable trusts which are for the sole benefit of eleemosynary institutions or other charitable purposes*** to establish and continue investment policies, without artificial constraints, which will provide them with the means to meet the present and future needs of such eleemosynary institutions ***and charitable purposes*** pursuant to the provisions of this act. To this end it is hereby declared to be in the public interest and to be the policy of the state to encourage such institutions ***and those who manage charitable trusts for the benefit of such institutions or other charitable purposes*** to adopt investment policies whose objective is to obtain the highest possible total rate of return consistent with the standard of prudence.

Amend the bill by replacing section 4 with the following:

4 Definition of Historic Dollar Value; Gift Instrument. Amend RSA 292-B:1-a, IV-VI to read as follows:

IV. "Governing board" means the body responsible for the management of an institution or of an institutional fund ***or a trustee or trustees of a charitable trust***.

V. "Historic dollar value" means the aggregate fair value in dollars of (i) an endowment fund at the time it became an endowment fund, (ii) each subsequent donation to the fund at the time it is made, and (iii) each accumulation made pursuant to a direction in the applicable gift instrument at the time the accumulation is added to the fund. The determination of historic dollar value made in good faith by the institution ***or one who holds the institutional fund*** is conclusive.

VI. "Gift instrument" means a will, deed, grant conveyance, agreement, memorandum, writing, or other governing document (including the terms of any institutional solicitations from which an institutional fund resulted) under which property is transferred to or held ***for or*** by an institution as an institutional fund.

SB 343, relative to disclosures concerning sexual offenders in sales of real property. INEXPEDIENT TO LEGISLATE

Rep. Sheila T. Francoeur for Commerce: This bill would require residential property disclosure statements encouraging purchasers to exercise due diligence in checking public information records on sexual offenders. The committee believes that the disclosure of sex offenders in a neighborhood is not, and should not be, the responsibility of the sellers of real property or their agent. The purpose of Megan's Law is to allow concerned citizens a means of obtaining a list of convicted sex offenders from their local police, not requiring others to provide second or third hand information. Vote 12-0.

SB 350, adding business development to the law governing industrial development authorities. OUGHT TO PASS

Rep. Stephen G. Avery for Commerce: This bill adds business development to RSA 162-G, the law governing industrial development authorities. It authorizes governmental units to enter into lease subsidy contracts and to accept grants to carry out the purposes of RSA 162-G. It also clarifies certain provisions of the law. There was strong support for adding business development to the law. Vote 12-0.

SB 351, making certain changes in the laws relative to fraternal benefit societies and health service corporations. OUGHT TO PASS

Rep. Stephen G. Avery for Commerce: This bill makes certain clarifications in the law regarding fraternal benefit societies. It will give the Insurance Department greater flexibility in investigations and allows the fraternal society to be more flexible in how they invest their funds. This bill also changes the expiration date on licenses issued to health service corporations from April 1st to June 14th. The bill is supported by the Insurance Department. Vote 12-0.

SB 369, establishing a committee to conduct a study on the need for standards to protect health information privacy. INEXPEDIENT TO LEGISLATE

Rep. Sheila T. Francoeur for Commerce: This bill would have established a committee to study the need for standards to protect health information privacy. The committee instructed the Insurance Department to draft a set of standards based on the National Association of Insurance Commissioners model and circulate to all the appropriate agencies, as well as members of the Commerce Committee for comment. After review, the department will recommend legislation for next session. Vote 13-0.

SB 418, relative to liquor liability insurance coverage. REFER INTERIM FOR STUDY

Rep. Stephen G. Avery for Commerce: This bill would allow the liquor commission to require, as a condition of the issuance, renewal, or reinstatement of any license that the licensee provide a certificate of insurance for liquor liability when they have violated the prohibition on serving minors or intoxicated persons, and making those establishments financially viable when accidents occur because of their negligence. During the hearing and subsequent subcommittee sessions, many different views and suggestions came to light. The committee strongly supports the commission's efforts to curb underage drinking and wants time to come up with a bill that covers all of aspects of this problem. The committee will come out with an improved bill for the next session. Vote 13-0.

SB 452, increasing to \$25 per game date the amount operators of bingo games may be reimbursed for out-of-pocket expenses. OUGHT TO PASS

Rep. Frank M. Schanda for Criminal Justice and Public Safety: This bill increases the amount of money, operators of bingo games maybe reimbursed for out of pocket expenses to \$25 per game date. This bill does not mandate that organizations adopt this policy. It merely enables organizations to do so, if their respective board of directors so chooses. There was no opposition to this bill at the public hearing. Vote 12-0.

SB 305, relative to payments to defeat eviction for nonpayment of rent. OUGHT TO PASS

Rep. Sandra B. Keans for Judiciary: This bill simply clears up a loophole in the tenant/landlord statutes. Currently a tenant gets up to 3 chances to pay arrearages in a year. This legislation defines the year as a "12 month period". All sides were in agreement that this is the intent of the law. Vote 12-0.

SB 308, relative to the adoption of a minor child by the natural grandparents and relative to de novo appeals to the superior court in abuse and neglect proceedings before the family division in Grafton and Rockingham counties. OUGHT TO PASS WITH AMENDMENT

Rep. Peter F. Bergin for Judiciary: This bill as, amended, will enable the adoption of a minor child by grandparents without going through lengthy procedures as is presently the case. The court may

proceed directly to a hearing and decree in cases where the grandparent or grandparents seek to adopt a minor child provided the parents of the minor child have consented to the adoption and that the child has resided with the grandparent(s) at least 3 years prior to the adoption. The bill also provides that a de novo appeal to the superior court in abuse and neglect proceedings shall be provided in cases before the family division of the courts. Vote 12-0.

Amendment (4161h)

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

AN ACT relative to the adoption of a minor child by the grandparent or grandparents and relative to de novo appeals to the superior court in abuse and neglect proceedings before the family division of the courts.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Adoption; Adoption by Grandparent or Grandparents. Amend RSA 170-B:14 by inserting after paragraph IV the following new paragraph:

V. Notwithstanding the provisions of RSA 170-B:14, I and II, where a grandparent or grandparents seek to adopt the minor child, the court may proceed to a hearing and a decree without an investigation when both of the following circumstances are met:

(a) The parents of the minor child have consented to the adoption; and

(b) The minor child has resided with the grandparent or grandparents for at least 3 years prior to filing the petition for adoption.

Amend RSA 170-B:15, III (b) as inserted by section 2 of the bill by replacing it with the following:

(b) May issue a final decree of adoption where a grandparent or grandparents seek to adopt a minor child pursuant to RSA 170-B:14, V; or

Amend RSA 169-C:28, II as inserted by section 3 of the bill by replacing it with the following:

II. This section shall apply to all appeals under this chapter, including appeals in proceedings before the family division of the courts.

AMENDED ANALYSIS

This bill provides that upon the fulfillment of certain criteria, the court may proceed directly to a hearing and decree in cases where the grandparent or grandparents seek to adopt a minor child. The bill also provides that a de novo appeal to the superior court in abuse and neglect proceedings shall be provided in cases before the family division of the courts.

SB 346, relative to court appearances by certain business owners. INEXPEDIENT TO LEGISLATE

Rep. John M. Pratt for Judiciary: It was the unanimous judgment of the committee that procedures presently exist within the court system to accomplish the purpose proposed by this legislation and therefore this legislation was not needed. Vote 13-0.

SB 312, relative to fluoride. INEXPEDIENT TO LEGISLATE

Rep. Jay Rosenfield for Municipal and County Government: This bill would have changed the percentage of town, city, or village water district voters needed to put a fluoridation question on a warrant or ballot from 10% to 5%. A change to 5% would make it easier to introduce the issue to fluoridate as well as to remove it from water supply systems. Testimony pro and con was heard from people on both sides of the fluoridation issue. The Municipal & County Government Committee felt that the status of fluoridation should not be in constant flux, and voted this bill ITL by an overwhelming majority. Vote 13-1.

SB 340, extending the reporting date of the committee to study the problems and possible regulation of outdoor lighting. OUGHT TO PASS

Rep. Paul A McGuirk for Municipal and County Government: The Committee studying the issue of outdoor lighting has requested an extension of its report date to November 1, 2000 and the Municipal & County Government Committee unanimously agreed to this request. Vote 14-0.

SB 344, relative to appointment of housing consumers to housing authority boards. OUGHT TO PASS

Rep. Marilyn A. Fraser for Municipal and County Government: The bill simply provides for the appointment of a sixth commissioner to a municipal housing authority board. Such sixth commissioner shall be a public housing resident of one of the projects administered by that housing authority board. A federal regulation in 1998 requires that a public housing resident be on the board. Rather than asking a standing member to step-down in order to appoint such a resident it seemed more prudent to add a sixth member. Vote 14-0.

SB 347-L, relative to the contributory retirement system of the city of Manchester. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill would have allowed the City of Manchester to amend its retirement system by way of the Municipal Charter amendment procedures provided by RSA 49-B. This would change the current procedure that also requires legislative approval of any such changes. The sponsor appeared before the Committee to inform us that subsequent to the passage of this bill by the Senate, he received additional information from interested parties and is now opposed to it. He requested we report it Inexpedient to Legislate and we voted to do so unanimously. Vote 14-0.

SB 330, establishing a committee to study the impact of water withdrawals on instream flows. OUGHT TO PASS WITH AMENDMENT

Rep. Michael W. Downing for Resources, Recreation and Development: This bill establishes a committee to study the impact of water withdrawals on instream flows and the impact of instream flow rules on littoral and riparian property owners, including agriculture and business and industrial operations. It further allows the committee to review the proposed rules which will not be allowed to go into effect prior to July 1, 2001. The committee will then have time to evaluate the rules and their actual effect after they have been implemented and recommend the necessary changes. The committee felt that this provided the necessary oversight as these rules are developed and implemented. Vote 19-0.

Amendment (4244h)

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

AN ACT establishing a committee to study the impact of water withdrawals on instream flows and the impact of instream flow rules on entities that withdraw water or are affected by instream flows.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the impact of water withdrawals on instream flows and the impact of instream flow rules on entities that withdraw water or are affected by instream flows, including the relationship between water withdrawals and instream flows on rivers designated for protection under RSA 483 and the potential need for the incorporation of criteria for the maintenance of instream flow into water quality standards under RSA 485-A:8.

Amend the bill by replacing section 3 with the following:

3 Duties.

I. The committee shall study the impact of water withdrawals on instream flows and the impact of instream flow rules on entities that withdraw water or are affected by instream flows, including the relationship between water withdrawals and instream flows on rivers designated for protection under RSA 483 and the potential need for the incorporation of criteria for the maintenance of instream flow into water quality standards under RSA 485-A:8. The committee shall evaluate the instream flow provisions of RSA 483, as implemented by the department of environmental services, and shall recommend changes to RSA 483 and/or RSA 485-A to accomplish the purposes of watershed management for maintenance of instream flows.

II. The committee shall evaluate the effects of instream flow regulation on the rights of littoral and riparian property owners, including agriculture and business and industrial operations.

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

6 Establishment of Protected Instream Flows; Rulemaking. Notwithstanding any other provision of law, no rules relative to instream flows under RSA 483:9-c, I shall take effect prior to July 1, 2001.

AMENDED ANALYSIS

This bill establishes a committee to study the impact of water withdrawals on instream flows and the impact of instream flow rules on entities that withdraw water or are affected by instream flows.

SB 376, relative to the jurisdiction of the public utilities commission to determine consequential damages. OUGHT TO PASS WITH AMENDMENT

Rep. Jeffrey C. MacGillivray for Science, Technology and Energy: The bill as amended contains two provisions regarding municipal acquisitions of utility property. The original bill addressed a situation that occurs when a municipality acquires utility property and a determination of

consequential damages (acquisition price of the utility property) must be made. The committee amendment clarifies that the utility shall be allowed to have consequential damages determined by federal regulators or by state regulators, but not both. The committee amendment also adds a provision requested by municipalities considering purchasing hydroelectric generation facilities within their borders. To reduce financing costs, this provision allows municipalities to jointly issue municipal revenue bonds or notes to finance the purchase of these hydroelectric generation facilities, if they choose. Vote 13-0.

Amendment (4049h)

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

AN ACT relative to the jurisdiction of the public utilities commission to determine consequential damages, and authorizing municipalities to jointly issue municipal revenue bonds for the purchase of hydro-electric generation facilities.

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

1 Findings. The general court finds that when a municipality acquires utility property, the utility should not be allowed to seek determination of consequential damages before both federal and state regulatory agencies, but instead shall be allowed to have consequential damages determined by exactly one regulatory agency, either federal or state, as provided by the federal regulatory agency.

2 New Section; Aggregate Municipal Revenue Bonds. Amend RSA 38 by inserting after section 13 the following new section:

38:13-a Aggregate Municipal Revenue Bonds. If the commission orders divestiture of generation facilities in the implementation of electric utility restructuring under RSA 374-F, any municipality which has voted to acquire a hydro-electric facility as provided in RSA 38 may jointly issue with any other municipality which has also voted to acquire a hydro-electric facility as provided in RSA 38 municipal revenue bonds and notes pursuant to RSA 33-B as may be necessary and expedient for the purpose of defraying the cost of purchasing or taking such hydro-electric generation facilities. Such municipal revenue bonds or notes may be in the aggregate of the total cost of purchasing or taking such generation facilities as set forth in RSA 33-B:3 and may be issued in the joint names of any such municipalities in accordance with their respective interests therein. In all other respects, the provisions of RSA 33-B shall apply to the issuance of such municipal revenue bonds and notes.

3 Amend RSA 38:33 to read as follows:

38:33 Consequential Damages. ~~[To the extent that]~~ ***In matters over which*** the Federal Energy Regulatory Commission does not have jurisdiction, ***or has jurisdiction but chooses to grant jurisdiction to the state,*** the commission shall determine, to a just and reasonable extent, the consequential damages such as stranded investment in generation, storage, or supply arrangements resulting from the purchase of plant and property from a utility and shall establish an appropriate recovery mechanism for such damages. The commission need not make such a determination when the municipality and utility agree upon the sale of utility plant and property.

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

AMENDED ANALYSIS

This bill authorizes municipalities to jointly issue municipal revenue bonds for the purchase of hydro-electric generation facilities. This bill clarifies the Federal Energy Regulatory Commission's authority to determine consequential damages in matters over which the commission does not have jurisdiction or has chosen to grant jurisdiction to the state.

REGULAR CALENDAR

SB 454, relative to penalties for engaging in the business of retail installment sales of motor vehicles after failure to renew a retail seller's license. OUGHT TO PASS

Rep. Joseph D. Kenney for Commerce: This bill establishes fines for failure to renew a retail seller's license prior to the license expiration date. Presently, the fine for retail installment sales of motor vehicles after failure to renew a retail seller's license is \$25 per day. The committee felt that a fine should not exceed \$250 on the first occurrence of failure to renew and \$500 for any subsequent occurrence. This approach is more practical and would not over penalize sellers who forgot to renew their license. Also, this bill would change the license renewal date from January 1 to May 1 as requested by the NH Banking Department. Vote 10-3.

Adopted and ordered to third reading.

SB 420-FN, increasing the penalty for people convicted of purposeful cruelty to animals taking place in front of children and with intent to intimidate them and relative to criminal threatening.

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

Rep. John E. Tholl, Jr. for the Majority of Criminal Justice and Public Safety: This bill provides that a person convicted of purposeful cruelty to animals while in the presence of a child under the age of 13 and with the intent of intimidating, threatening, coercing, or terrorizing such child may be sentenced to a term of imprisonment not exceeding 9 years.. The original bill called for a mandatory minimum sentence of 1 year to a maximum of 9 years. The amendment removes the mandatory section and leaves the increased maximum of 9 years. Vote 9-3.

Reps. Robert M. Fesh, Everett A. Weare and Frank D. Callaghan for the Minority of Criminal Justice and Public Safety: Cruelty to animals is already a class B felony punishable by up to 3 1/2 to 7 years in prison and is easier to prove. This is feel good legislation and not needed. RSA 644:8,III-a already provides that a person is guilty of a class B felony in New Hampshire, if he or she purposely beats, cruelly whips, tortures or mutilates any animal or causes any animal to be beaten, cruelly whipped, tortured, or mutilated. This legislation would be the first and only one in the nation like it. New Hampshire already has laws to protect all people of all ages not just those 13 years of age and under. This is unnecessary legislation.

Amendment (4203h)

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

AN ACT increasing the maximum penalty for people convicted of purposeful cruelty to animals taking place in front of children and with intent to intimidate them and relative to criminal threatening.

Amend RSA 644:8, III-a(b) as inserted by section 4 of the bill by replacing it with the following:

(b) A person who commits a crime under subparagraph III-a(a) with the purpose of intimidating, threatening, coercing, or terrorizing a person under 13 years of age and while in the presence of such person under 13 years of age shall be guilty of a felony and may be sentenced to a maximum of 9 years imprisonment.

AMENDED ANALYSIS

This bill provides that a person convicted of purposeful cruelty to animals while in the presence of a child under the age of 13 and with the intent of intimidating, threatening, coercing, or terrorizing such person may be sentenced to a term of imprisonment not exceeding 9 years. This bill makes the act of committing or threatening to commit cruelty to animals with the purpose of intimidating, threatening, coercing, or terrorizing another person a criminal threatening offense. This bill also provides that such an act that is committed with the use of a deadly weapon shall be a class B felony.

Majority amendment adopted.

Rep. Fesh spoke against.

Rep. Tholl spoke in favor and yielded to questions.

Rep. Daniels requested a roll call; sufficiently seconded.

The question being the adoption of the majority report.

YEAS 166 NAYS 173

YEAS 166

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Johnson, James	Millham, Alida
Salatiello, Thomas	Turner, Robert		

CARROLL

Bradley, Jeb	Chandler, Gene	Howard, Godfrey	Kenney, Joseph
Lyman, L Randy	Patten, Betsey		

CHESHIRE

Avery, Stephen	Batchelder, Robert	Burnham, Daniel	Doucette, Richard
Hunt, John	Lerandeau, Alfred	Lynch, Margaret	McGuirk, Paul

Meador, David	Mitchell, McKim	Pratt, Irene	Richardson, Barbara
Riley, William	Roberts, William	Robertson, Timothy	Royce, H Charles
Smith, Edwin			

COOS

Davis, Perley	Gallus, John	Horton, Lynn	Landers, Dana
Mears, Edgar	Merrill, Gerald	Pratt, Leighton	Tholl, John Jr
Woodward, David			

GRAFTON

Brothers, Richard	Cobb, John	Copenhaver, Marion	Densmore, Jessica
Dudley, Terri	Eaton, Stephanie	Harmon, Hobart	LaMott, Paul
Marshall, Gene	Nordgren, Sharon	Scanlan, David	

HILLSBOROUGH

Alukonis, David	Baroody, Benjamin	Buckley, Raymond	Calawa, Leon Jr
Cote, David	Cote, Peter	Coughlin, Pamela	Daigle, Robert
Desrosiers, William	Durham, Susan	Fields, Dennis	Ford, Nancy
Foster, Linda	Gagnon, Eugene	Goulet, Maurice	Hall, Betty
Jean, Claudette	Keye, Harvey	Konys, Christine	L'Heureux, Robert
LaRose, Richard	Leonard, Peter	MacGillivray, Jeffrey	McCarty, Winston
McColgan, Philip Jr	McDonough-Wallace, Alice	McGough, Tim	Moriarty, Mary
Murphy, Robert	O'Hearn, Jane	Reidy, Frank	Sarette, John
Sargent, Maxwell	Thulander, O Alan		

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Crosby, Toni
Fraser, Marilyn	French, Barbara	Gile, Mary	Hess, David
Jacobson, Alf	Moore, Carol	Poulin, Dave	Reardon, Tara
Rodd, Beth	Wallner, Mary Jane	Whalley, Michael	Yeaton, Charles

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Blanchard, MaryAnn	Case, Margaret
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Christie, Andrew Jr	Clark, Martha	Downing, Michael	Flanagan, Natalie
Flanders, John Sr	Grant, Kenneth	Griffin, Mary	Hamel, Albert
Henderson, Warren	Kane, Cecelia	Kelley, Jane	Kobel, Rudolph
Langone, John	Lovejoy, Marian	McKinney, Betsy	Norelli, Terie
Nowe, Ronald	Noyes, Richard	O'Keefe, Patricia	O'Neil, Michael
Packard, Sherman	Pantelakos, Laura	Priestley, Anne	Quandt, Marshall
Rabideau, Marie	Rubin, George	Ruffner, Walter	Sabella, Norma
Sapareto, Frank	Schanda, Frank	Shelton, Richard	Splaine, James
Stone, Joseph	Tufts, J Arthur	Vaughn, Charles	Welch, David

STRAFFORD

Berube, Roger	Brennan, William	Brown, Julie	DeChane, Marlene
Dunlap, Patricia	Estabrook, Iris	Grassie, Anne	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Knowles, William	Lent, Donald
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Spear, Barbara	Twardus, Joseph	Wall, Janet
Woods, Phyllis			

SULLIVAN

Allison, David	Burling, Peter	Jones, Constance	Leone, Richard
Robb-Theroux, Amy	Young, David		

NAYS 173

BELKNAP

Boyce, Robert	Czech, Stanley	Holbrook, Robert	Lawton, David
Pilliod, James	Rice, Thomas	Russell, David	Wendelboe, Francine

CARROLL

Babson, David Jr	Dickinson, Howard	Mock, Henry	Sullivan, P Judith
Torressen, Gary			

CHESHIRE

Blaisdell, Michael
Russell, Ronald

Lynott, Margaret
Zerba, Roger

Manning, Joseph

Rose, William

COOS

Guay, Lawrence

Rodrigue, Robert

GRAFTON

Akins, Ralph

Alger, John

Almy, Susan

Gilman, G Michael

Hall, David

Ham, Bonnie

Hinman, Harry

Mirski, Paul

Phinney, William

Ward, Brien

HILLSBOROUGH

Ahern, Richard

Andrews, Frederick

Arnold, Thomas Jr

Arthur, Rose

Beaupre, Roland

Bergeron, Lucien

Brundige, Robert

Bruno, Pierre

Burkush, James

Carlson, Donald

Chabot, Robert

Christiansen, Lars

Clegg, Robert Jr

Clemons, Jane

Craig, James

Curran, James

Dalianis, Griffin

Daniels, Gary

Dawe, Eileen

Desmarais, Vivian

Drabinowicz, A Theresa

Dyer, Merton

Fenton, James

Fletcher, Richard

Flora, Kathleen

Garrish, Linda

Ginsburg, Ruth

Goley, Jeffrey

Gorman, Mary

Haettenschwiller,
Alphonse

Herman, Keith

Herman, Richard

Holley, Sylvia

Hunter, Bruce

Jean, Loren

Johnson, Lionel

Kurk, Neal

LaPorte, George

Lefebvre, Roland

Leishman, Peter

Lessard, Rudy

Lozeau, Donnalee

Lynde, Harold

Martel, Andre

McCarthy, William

McDonald, James Sr

McRae, Karen

Melcher, Harold

Mercer, Robert

Messier, Irene

Milligan, Robert

Moran, Edward

Mosher, William

Nolan-Piteri, Dawn

O'Connell, Timothy

Ouellette, Dean

Pepino, Leo

Reeves, Sandra

Simon, Anthony

Turgeon, Roland

Vaillancourt, Steve

Wall, Nancy

White, Donald

White, John

Withee, Dennis

MERRIMACK

Brewster, Richard

Chase, George

Daneault, Gabriel

Davis, Francis

Feuerstein, Martin

Kennedy, Richard

Langer, Ray

Larrabee, David Sr

Lavoie, Gerard	Leber, William	Lockwood, Priscilla	Marple, Richard
Marshall, Kenneth	Maxfield, Roy	Nichols, Avis	Owen, Derek
Potter, Frances	Rosenfield, Jay	St Cyr, Gerard	Virtue, Carolyn
Wallin, Jean	Whittemore, James		

ROCKINGHAM

Abbott, Dennis	Beaulieu, Jon	Bridle, Russell	Clark, Vivian
Cooney, Richard	Cox, Russell	Dowling, Patricia	Fesh, Robert
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Hutchinson, Karen
Hutchinson, Rebecca	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Kelley, William	Langley, Jane	Letourneau, Robert	Major, Norman
Morse, Charles	Nowe, Mary Lou	Pitts, Jacqueline	Putnam, Ed II
Raynowska, Bernard	Reardon, Neil	Shultis, Elizabeth	Stickney, Nancy
Stritch, C Donald	Varrell, Thomas	Weare, Everett	Weatherspoon, Jackie
Weyler, Kenneth	Whittier, John	Zolla, William	

STRAFFORD

Bickford, David	Brown, George	Callaghan, Frank	Cossette, Larry
Domingo, Baldwin	Heon, Richard	Lundborn, Raymond	McKinley, Robert
Musler, George	Pelletier, Arthur	Torr, Franklin	Tsiros, William
Vachon, Dennis			

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Flint, Gordon Sr	Kibbey, David
Phinizy, James	Tuthill, John	Wiggins, Celestine	

and the majority report failed.

Rep. Daniels moved Inexpedient to Legislate.

Adopted.

SB 219-FN-L, establishing a procedure for providing educational improvement assistance to local school districts and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Warren C. Henderson for Education: The Education Committee devoted extraordinary effort to crafting its position on school accountability. The House position on school accountability was established by the recent passage of HB 1521. Our school accountability bill keeps parents, teachers

and our communities informed and involved in school improvement. It permits the state to offer any available assistance which school districts request and establishes a meaningful partnership among all those who share our commitment to education. SB 219 contains many of the elements in HB 1521, but it includes the objectionable provisions that could lead to a "state takeover" of targeted schools. SB 219, while undoubtedly well intended, transfers far too much power away from our schools into the state bureaucracy. SB 219 doesn't even have the provision to audit the Department of Education, a concept embraced by all sides in the House. Because of its broad inconsistencies with the established House position on school accountability, the committee recommends the bill be found inexpedient to legislate. Vote 12-4.

Rep. Burling requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 211 NAYS 125

YEAS 211

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Millham, Alida
Pilliod, James	Rice, Thomas	Russell, David	Turner, Robert
Wendelboe, Francine			

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Lyman, L Randy	Mock, Henry
Patten, Betsey	Sullivan, P Judith	Torressen, Gary	

CHESHIRE

Avery, Stephen	Hunt, John	Lynott, Margaret	Manning, Joseph
Roberts, William	Rose, William	Royce, H Charles	Smith, Edwin

COOS

Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Merrill, Gerald	Pratt, Leighton	Tholl, John Jr	Woodward, David

GRAFTON

Akins, Ralph	Alger, John	Brothers, Richard	Cobb, John
Dudley, Terri	Eaton, Stephanie	Gilman, G Michael	Hall, David
Ham, Bonnie	Harmon, Hobart	Hinman, Harry	LaMott, Paul
Marshall, Gene	Mirski, Paul	Phinney, William	Scanlan, David
Ward, Brien			

HILLSBOROUGH

Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr	Beaupre, Roland
Brundige, Robert	Bruno, Pierre	Calawa, Leon Jr	Carlson, Donald
Chabot, Robert	Christiansen, Lars	Clegg, Robert Jr	Coughlin, Pamela
Dalianis, Griffin	Daniels, Gary	Dawe, Eileen	Desmarais, Vivian
Durham, Susan	Dyer, Merton	Fenton, James	Fields, Dennis
Fletcher, Richard	Flora, Kathleen	Ford, Nancy	Gagnon, Eugene
Goulet, Maurice	Herman, Keith	Holley, Sylvia	Hunter, Bruce
Jean, Loren	Johnson, Lionel	Kurk, Neal	L'Heureux, Robert
LaPorte, George	LaRose, Richard	Leishman, Peter	Lessard, Rudy
Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre	McCarthy, William
McCarty, Winston	McDonald, James Sr	McGough, Tim	McRae, Karen
Mercer, Robert	Messier, Irene	Milligan, Robert	Moran, Edward
Mosher, William	Nolan-Piteri, Dawn	O'Connell, Timothy	O'Hearn, Jane
Ouellette, Dean	Pepino, Leo	Reeves, Sandra	Sargent, Maxwell
Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve	Wall, Nancy
White, Donald	Withee, Dennis		

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Brewster, Richard	Chase, George
Davis, Francis	Feuerstein, Martin	Hess, David	Kennedy, Richard
Langer, Ray	Larrabee, David Sr	Lavoie, Gerard	Leber, William
Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth	Maxfield, Roy
Nichols, Avis	Poulin, Dave	Whalley, Michael	Whittemore, James

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bridle, Russell
Case, Margaret	Christie, Andrew Jr	Clark, Vivian	Cooney, Richard

Cox, Russell	Dowling, Patricia	Fesh, Robert	Flanagan, Natalie
Flanders, John Sr	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Grant, Kenneth	Griffin, Mary	Hamel, Albert	Henderson, Warren
Hutchinson, Karen	Katsakiores, George	Katsakiores, Phyllis	Kelley, William
Kobel, Rudolph	Langley, Jane	Langone, John	Letourneau, Robert
Lovejoy, Marian	Major, Norman	McKinney, Betsy	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	O'Neil, Michael
Packard, Sherman	Priestley, Anne	Putnam, Ed II	Quandt, Marshall
Rabideau, Marie	Raynowska, Bernard	Reardon, Neil	Rubin, George
Ruffner, Walter	Sabella, Norma	Sapareto, Frank	Stickney, Nancy
Stone, Joseph	Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas
Weare, Everett	Welch, David	Weyler, Kenneth	Whittier, John
Zolla, William			

STRAFFORD

Bickford, David	Callaghan, Frank	Cossette, Larry	Dunlap, Patricia
McKinley, Robert	Musler, George	Spear, Barbara	Torr, Franklin
Tsiros, William	Woods, Phyllis		

SULLIVAN

Flint, Gordon Sr	Jones, Constance	Kibbey, David	Leone, Richard
Young, David			

NAYS 125

BELKNAP

Salatiello, Thomas

CARROLL

None

CHESHIRE

Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Doucette, Richard
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Lerandeau, Alfred	Lynch, Margaret	Meador, David	Mitchell, McKim
Pratt, Irene	Richardson, Barbara	Riley, William	Robertson, Timothy
Zerba, Roger			

COOS

Landers, Dana	Mears, Edgar	Rodrigue, Robert
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GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Nordgren, Sharon
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HILLSBOROUGH

Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Bergeron, Lucien
Buckley, Raymond	Burkush, James	Clemons, Jane	Cote, David
Cote, Peter	Craig, James	Curran, James	Daigle, Robert
Drabinowicz, A Theresa	Foster, Linda	Garrish, Linda	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty
Herman, Richard	Jean, Claudette	Keye, Harvey	Konys, Christine
Lefebvre, Roland	Leonard, Peter	Lynde, Harold	McColgan, Philip Jr
McDonough-Wallace, Alice	Melcher, Harold	Moriarty, Mary	Murphy, Robert
Reidy, Frank	Sarette, John	Simon, Anthony	White, John

MERRIMACK

Bouchard, Candace	Crosby, Toni	Daneault, Gabriel	Fraser, Marilyn
French, Barbara	Gile, Mary	Jacobson, Alf	Moore, Carol
Owen, Derek	Potter, Frances	Reardon, Tara	Rodd, Beth
Rosenfield, Jay	St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean
Wallner, Mary Jane	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Downing, Michael
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Kelley, Jane
Norelli, Terie	O'Keefe, Patricia	Pantelakos, Laura	Pitts, Jacqueline

Schanda, Frank	Shelton, Richard	Shultis, Elizabeth	Splaine, James
Vaughn, Charles	Weatherspoon, Jackie		

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Brown, Julie
DeChane, Marlene	Domingo, Baldwin	Estabrook, Iris	Grassie, Anne
Heon, Richard	Johnson, Nancy	Kaen, Naida	Knowles, William
Lent, Donald	Lundborn, Raymond	Pelletier, Arthur	Rogers, Rose Marie
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Spang, Judith
Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis	Wall, Janet

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Phinizy, James	Robb-Theroux, Amy	Tuthill, John	Wiggins, Celestine

and the report was adopted.

SB 360, adopting a pupil safety and violence prevention act. OUGHT TO PASS WITH AMENDMENT

Rep. Susan B. Durham for Education: The committee agreed with the intent of this bill, that New Hampshire children attend a public school that is safe by developing a policy to address harassment and violence. The amendment replaces the bill because the committee felt local school boards should develop a policy that addresses bullying and harassment. The policy would address prevention, with opportunities to encourage awareness, knowledge, and skills of school employees to respond to pupil safety, and with a required report to superintendents of incidents of harassment that could provoke violence. Vote 12-5.

Amendment (4198h)

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

1 New Chapter; Pupil Safety and Violence Prevention. Amend RSA by inserting after chapter 193-E the following new chapter:

CHAPTER 193-F

Pupil Safety and Violence Prevention

193-F:1 Title. This chapter shall be known, and may be cited as the "Pupil Safety and Violence Prevention Act of 2000."

193-F:2 Purpose and Intent. The general court hereby finds that all pupils have the right to attend public schools that are safe, secure, and peaceful. One of the legislature's highest priorities

must be to protect our children from violence by dealing with harassment, including "bullying", in our public schools.

193-F:3 Pupil Safety and Violence Prevention.

I. Each local school board shall adopt a pupil safety and violence prevention policy which addresses pupil harassment, also known as "bullying", and which is consistent with the provisions of this chapter.

II. Any school employee, or employee of a company under contract with a school or school district, who has witnessed or has reliable information that a pupil has been subjected to insults, taunts, or challenges, whether verbal or physical in nature, which are likely to intimidate or provoke a violent or disorderly response shall report such incident to the principal, or designee who shall in turn report the incident to the superintendent.

III. The remedy required in paragraph II shall be defined by the local school board. The local school board may provide opportunities for educators to have the knowledge and skills to prevent and respond to acts covered by this chapter.

IV. A school employee, or employee of a company under contract with a school or school district, who has reported violations under this chapter to the principal, or designee or who has intervened under paragraph II, shall be immune from any cause of action which may arise from the failure to remedy the reported incident.

193-F:4 Specific Curriculum Not Required. Nothing in this chapter requires the inclusion of any curriculum, textbook, presentation, or other material in any program or activity conducted by an educational institution. The omission of any curriculum, textbook, presentation, or other material in any program or activity conducted by an educational institution is not a violation of this chapter.

2 New Paragraph; Duties of the State Board of Education; Technical Assistance Advisory Relative to Pupil Safety and Violence Prevention Added. Amend RSA 186:11 by inserting after paragraph XXXV the following new paragraph:

XXXVI. PUPIL SAFETY AND VIOLENCE PREVENTION. Develop and distribute to school districts a technical assistance advisory for the purpose of providing guidance to school districts on the implementation of pupil safety and violence prevention policies as required under RSA 193-F.

3 Effective Date. This act shall take effect January 1, 2001.

AMENDED ANALYSIS

This bill requires that each school district adopt, implement, and enforce its own pupil safety and violence prevention policy and provides that the state board of education shall issue a technical assistance advisory to school districts offering guidance on how to proceed.

Rep. Durham yielded to questions.

Rep. O'Hearn spoke in favor and yielded to questions.

Rep. O'Hearn requested a roll call; sufficiently seconded.

The question being the adoption of the amendment.

YEAS 238 NAYS 108

YEAS 238

BELKNAP

Boriso, Thomas	Czech, Stanley	Holbrook, Robert	Millham, Alida
Russell, David	Salatiello, Thomas	Turner, Robert	Wendelboe, Francine
Wood, Jane			

CARROLL

Bradley, Jeb	Chandler, Gene	Howard, Godfrey	Kenney, Joseph
Lyman, L Randy	Mock, Henry	Patten, Betsey	Sullivan, P Judith

CHESHIRE

Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
DePecol, Benjamin	Doucette, Richard	Lerandeau, Alfred	Lynch, Margaret
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	Meader, David
Mitchell, McKim	Pratt, Irene	Richardson, Barbara	Roberts, William
Robertson, Timothy	Rose, William	Royce, H Charles	Russell, Ronald
Smith, Edwin	Zerba, Roger		

COOS

Davis, Perley	Gallus, John	Landers, Dana	Mears, Edgar
Rodrigue, Robert	Tholl, John Jr		

GRAFTON

Copenhaver, Marion	Densmore, Jessica	Eaton, Stephanie	Gilman, G Michael
Ham, Bonnie	Johnson, Gary	LaMott, Paul	Marshall, Gene
Nordgren, Sharon	Scanlan, David	Ward, Brien	

HILLSBOROUGH

Andrews, Frederick	Baroody, Benjamin	Bergeron, Lucien	Brundige, Robert
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Bruno, Pierre	Buckley, Raymond	Burkush, James	Carlson, Donald
Chabot, Robert	Cote, David	Cote, Peter	Coughlin, Pamela
Curran, James	Daigle, Robert	Daniels, Gary	Dawe, Eileen
Dokmo, Cynthia	Drabinowicz, A Theresa	Durham, Susan	Dyer, Merton
Fields, Dennis	Flora, Kathleen	Ford, Nancy	Foster, Linda
Gagnon, Eugene	Garrish, Linda	Ginsburg, Ruth	Haettenschwiller, Alphonse
Hall, Betty	Herman, Keith	Herman, Richard	Holley, Sylvia
Jean, Claudette	Konys, Christine	L'Heureux, Robert	LaPorte, George
LaRose, Richard	Lasky, Bette	Leishman, Peter	Lessard, Rudy
Lozeau, Donnalee	MacGillivray, Jeffrey	McCarthy, William	McCarty, Winston
McColgan, Philip Jr	McDonald, James Sr	McDonough-Wallace, Alice	McGough, Tim
Melcher, Harold	Mercer, Robert	Moran, Edward	Moriarty, Mary
Murphy, Robert	Nolan-Piteri, Dawn	O'Hearn, Jane	Ouellette, Dean
Pepino, Leo	Reidy, Frank	Sarette, John	Sargent, Maxwell
Vaillancourt, Steve	White, John	Withee, Dennis	

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fraser, Marilyn
French, Barbara	Gile, Mary	Hess, David	Jacobson, Alf
Kennedy, Richard	Langer, Ray	Larrabee, David Sr	Leber, William
Maxfield, Roy	Moore, Carol	Nichols, Avis	Owen, Derek
Potter, Frances	Reardon, Tara	Rodd, Beth	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Whalley, Michael
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Beaulieu, Jon	Blanchard, MaryAnn	Case, Margaret
Christie, Andrew Jr	Clark, Martha	Clark, Vivian	Cooney, Richard
Cox, Russell	Dowling, Patricia	Downing, Michael	Flanagan, Natalie
Flanders, John Sr	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Hamel, Albert	Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane

Langley, Jane	Lovejoy, Marian	Moore, Benjamin	Norelli, Terie
Noyes, Richard	O'Keefe, Patricia	Pantelakos, Laura	Pitts, Jacqueline
Rabideau, Marie	Reardon, Neil	Ruffner, Walter	Sabella, Norma
Schanda, Frank	Shelton, Richard	Shultis, Elizabeth	Splaine, James
Stone, Joseph	Stritch, C Donald	Tufts, J Arthur	Vaughn, Charles
Weatherspoon, Jackie	Welch, David	Whittier, John	Zolla, William

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	Cossette, Larry	DeChane, Marlene	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary	Grassie, Anne
Heon, Richard	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Lent, Donald	Lundborn, Raymond	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Spear, Barbara	Taylor, Kathleen	Torr, Franklin
Tsiros, William	Twardus, Joseph	Vachon, Dennis	Wall, Janet

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Flint, Gordon Sr	Leone, Richard	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine	Young, David		

NAYS 108

BELKNAP

Bartlett, Gordon	Boyce, Robert	Johnson, James	Lawton, David
Pilliod, James	Rice, Thomas		

CARROLL

Babson, David Jr	Dickinson, Howard	Torressen, Gary
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CHESHIRE

Hunt, John	Riley, William
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COOS

Horton, Lynn	Merrill, Gerald	Pratt, Leighton	Woodward, David
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GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Cobb, John	Dudley, Terri	Hall, David	Harmon, Hobart
Hinman, Harry	Mirski, Paul	Phinney, William	Weber, Phil

HILLSBOROUGH

Ahern, Richard	Alukonis, David	Arnold, Thomas Jr	Arthur, Rose
Beaupre, Roland	Calawa, Leon Jr	Christiansen, Lars	Clegg, Robert Jr
Craig, James	Dalianis, Griffin	Desmarais, Vivian	Fenton, James
Fletcher, Richard	Goley, Jeffrey	Gorman, Mary	Goulet, Maurice
Hunter, Bruce	Jean, Loren	Johnson, Lionel	Kurk, Neal
Lefebvre, Roland	Leonard, Peter	Lynde, Harold	Martel, Andre
McRae, Karen	Messier, Irene	Milligan, Robert	Mosher, William
O'Connell, Timothy	Reeves, Sandra	Simon, Anthony	Thulander, O Alan
Turgeon, Roland	Wall, Nancy	White, Donald	

MERRIMACK

Brewster, Richard	Chase, George	Lavoie, Gerard	Lockwood, Priscilla
Marple, Richard	Marshall, Kenneth	Poulin, Dave	Rosenfield, Jay
Soltani, Tony	Whittemore, James		

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Bridle, Russell	Corbin, C David
Fesh, Robert	Grant, Kenneth	Griffin, Mary	Hutchinson, Karen
Kelley, William	Kobel, Rudolph	Langone, John	Letourneau, Robert
Major, Norman	McKinney, Betsy	Morse, Charles	Nowe, Mary Lou
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Priestley, Anne
Putnam, Ed II	Quandt, Marshall	Raynowska, Bernard	Rubin, George
Sapareto, Frank	Stickney, Nancy	Varrell, Thomas	Weare, Everett

Weyler, Kenneth

STRAFFORD

Bickford, David

McKinley, Robert

Musler, George

Woods, Phyllis

SULLIVAN

Jones, Constance

Kibbey, David

Phinizy, James

and the amendment was adopted.

Rep. Bruno requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 233 NAYS 113

YEAS 233

BELKNAP

Boriso, Thomas

Holbrook, Robert

Millham, Alida

Pilliod, James

Russell, David

Salatiello, Thomas

Turner, Robert

Wood, Jane

CARROLL

Bradley, Jeb

Chandler, Gene

Howard, Godfrey

Kenney, Joseph

Lyman, L Randy

Mock, Henry

Patten, Betsey

Torressen, Gary

CHESHIRE

Avery, Stephen

Batchelder, Robert

Blaisdell, Michael

Burnham, Daniel

DePecol, Benjamin

Doucette, Richard

Lerandean, Alfred

Lynch, Margaret

Lynott, Margaret

Manning, Joseph

McGuirk, Paul

Meador, David

Mitchell, McKim

Pratt, Irene

Richardson, Barbara

Riley, William

Roberts, William

Robertson, Timothy

Rose, William

Royce, H Charles

Russell, Ronald

Smith, Edwin

Zerba, Roger

COOS

Davis, Perley	Gallus, John	Horton, Lynn	Landers, Dana
Mears, Edgar	Rodrigue, Robert	Tholl, John Jr	

GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Eaton, Stephanie
Ham, Bonnie	Johnson, Gary	LaMott, Paul	Marshall, Gene
Nordgren, Sharon	Scanlan, David	Ward, Brien	

HILLSBOROUGH

Ahern, Richard	Baroody, Benjamin	Brundige, Robert	Buckley, Raymond
Burkush, James	Carlson, Donald	Chabot, Robert	Cote, David
Cote, Peter	Coughlin, Pamela	Craig, James	Curran, James
Daigle, Robert	Dawe, Eileen	Dokmo, Cynthia	Drabinowicz, A Theresa
Durham, Susan	Dyer, Merton	Fields, Dennis	Flora, Kathleen
Ford, Nancy	Foster, Linda	Gagnon, Eugene	Garrish, Linda
Ginsburg, Ruth	Goulet, Maurice	Haettenschwiller, Alphonse	Hall, Betty
Herman, Richard	Holley, Sylvia	Jean, Claudette	Konys, Christine
L'Heureux, Robert	LaPorte, George	LaRose, Richard	Lasky, Bette
Leishman, Peter	Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey
McCarthy, William	McCarty, Winston	McColgan, Philip Jr	McDonald, James Sr
McDonough-Wallace, Alice	McGough, Tim	Melcher, Harold	Mercer, Robert
Messier, Irene	Moriarty, Mary	Murphy, Robert	Nolan-Piteri, Dawn
O'Hearn, Jane	Pepino, Leo	Reidy, Frank	Sarette, John
Sargent, Maxwell	Turgeon, Roland	Vaillancourt, Steve	White, John

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Fraser, Marilyn	French, Barbara
Gile, Mary	Hess, David	Jacobson, Alf	Kennedy, Richard
Larrabee, David Sr	Leber, William	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Nichols, Avis	Owen, Derek	Potter, Frances
Reardon, Tara	Rodd, Beth	St Cyr, Gerard	Virtue, Carolyn
Wallin, Jean	Wallner, Mary Jane	Whalley, Michael	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Beaulieu, Jon	Blanchard, MaryAnn	Case, Margaret
Christie, Andrew Jr	Clark, Martha	Cox, Russell	Dowling, Patricia
Downing, Michael	Flanagan, Natalie	Flanders, John Sr	Francoeur, Sheila
Gibbons, Paul	Gleason, John	Griffin, Mary	Hamel, Albert
Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane	Langley, Jane
Lovejoy, Marian	Norelli, Terie	Noyes, Richard	O'Keefe, Patricia
O'Neil, Michael	Pantelakos, Laura	Pitts, Jacqueline	Priestley, Anne
Rabideau, Marie	Reardon, Neil	Ruffner, Walter	Sabella, Norma
Schanda, Frank	Shelton, Richard	Shultis, Elizabeth	Splaine, James
Stickney, Nancy	Stone, Joseph	Stritch, C Donald	Tufts, J Arthur
Vaughn, Charles	Weatherspoon, Jackie	Welch, David	Zolla, William

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	Cossette, Larry	DeChane, Marlene	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary	Grassie, Anne
Heon, Richard	Johnson, Nancy	Kaen, Naida	Knowles, William
Lent, Donald	Lundborn, Raymond	Pelletier, Arthur	Rogers, Rose Marie
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Spang, Judith
Spear, Barbara	Taylor, Kathleen	Torr, Franklin	Twardus, Joseph
Vachon, Dennis	Wall, Janet		

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Flint, Gordon Sr	Leone, Richard	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine	Young, David		

NAYS 113

BELKNAP

Bartlett, Gordon	Boyce, Robert	Czech, Stanley	Johnson, James
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Lawton, David

Rice, Thomas

Wendelboe, Francine

CARROLL

Babson, David Jr

Dickinson, Howard

Sullivan, P Judith

CHESHIRE

Hunt, John

COOS

Merrill, Gerald

Pratt, Leighton

Woodward, David

GRAFTON

Akins, Ralph

Alger, John

Brothers, Richard

Cobb, John

Dudley, Terri

Gilman, G Michael

Hall, David

Harmon, Hobart

Hinman, Harry

Mirski, Paul

Phinney, William

Weber, Phil

HILLSBOROUGH

Alukonis, David

Andrews, Frederick

Arnold, Thomas Jr

Arthur, Rose

Beaupre, Roland

Bergeron, Lucien

Bruno, Pierre

Calawa, Leon Jr

Christiansen, Lars

Clegg, Robert Jr

Dalianis, Griffin

Daniels, Gary

Desmarais, Vivian

Fenton, James

Fletcher, Richard

Goley, Jeffrey

Gorman, Mary

Herman, Keith

Hunter, Bruce

Jean, Loren

Johnson, Lionel

Kurk, Neal

Lefebvre, Roland

Leonard, Peter

Lynde, Harold

Martel, Andre

McRae, Karen

Milligan, Robert

Moran, Edward

Mosher, William

O'Connell, Timothy

Ouellette, Dean

Reeves, Sandra

Simon, Anthony

Thulander, O Alan

Wall, Nancy

White, Donald

Withee, Dennis

MERRIMACK

Brewster, Richard

Chase, George

Feuerstein, Martin

Langer, Ray

Lavoie, Gerard

Lockwood, Priscilla

Marple, Richard

Poulin, Dave

Rosenfield, Jay

Soltani, Tony

Whittemore, James

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Bridle, Russell	Clark, Vivian
Cooney, Richard	Corbin, C David	Fesh, Robert	Grant, Kenneth
Hutchinson, Karen	Kelley, William	Kobel, Rudolph	Langone, John
Letourneau, Robert	Major, Norman	McKinney, Betsy	Moore, Benjamin
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Packard, Sherman
Putnam, Ed II	Quandt, Marshall	Raynowska, Bernard	Rubin, George
Sapareto, Frank	Varrell, Thomas	Weare, Everett	Weyler, Kenneth
Whittier, John			

STRAFFORD

Bickford, David	Keans, Sandra	McKinley, Robert	Musler, George
Tsiros, William	Woods, Phyllis		

SULLIVAN

Jones, Constance	Kibbey, David	Phinizy, James
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and the report was adopted.

Ordered to third reading.

HB 2000-FN-L, relative to a 10-year transportation plan. OUGHT TO PASS WITH AMENDMENT

Rep. David J. Alukonis for Finance: This bill re-establishes a "blueprint" for state highway construction over the next ten years. First established in 1986, the legislature re-visits the plan biennially in order to make adjustments in priorities and funding as conditions and funding sources have changed. The current proposal reflects a very aggressive program of highway construction and rehabilitation projects as a result of increased federal highway funds earmarked for New Hampshire via the Federal Transportation Efficiency Act for the 21st Century (TEA 21). In most categories, federal funds increase about 50% with a total baseline federal distribution to New Hampshire of over \$140 million per year. The plan calls for a complete utilization of available federal funds. In general, for every eight dollars received from the federal government, two state dollars must be used as a match.

As a result of the increase in federal funds, the plan calls for: 1.) Funding \$270 million for highway projects left unfunded in the previous plan; and 2.) Funding of \$180 million for some 38 projects recommended by the Department and Regional Planning Commissions.

Of special note in the proposal is the significant measure of federal funding which will be used on the state's turnpike system. While non-turnpike funds have historically been used on the turnpikes, the current plan substantially increases such funding to a level of \$150 million over the next ten years. The increased federal funds available, combined with an additional \$100 million turnpike bond

which will be paid by turnpike toll revenue, will virtually complete all anticipated turnpike projects which have been planned for many years.

The committee believes that there is a sustainable level of state funding available to support the entire program (turnpike and non-turnpike) without additional fees or increases in gasoline taxes, turnpike tolls, or decreases in turnpike toll discounts throughout the life of the current federal apportionment. However, for the years subsequent to the end of the current federal authorization (after 2004), the committee is less confident that a sustainable level of funding will be available. It is for this reason that the funding and priorities of the ten-year plan will be reviewed by the legislature once again in two years and every two years thereafter. The plan provides flexibility for the state to consider the possible removal of all or some of the tollbooths over the next ten to twenty years. The future of the tolls and the turnpike system is the subject of a study currently being conducted by a private consultant. That study, which will be received this summer, will illustrate the financial impacts of removing or reducing various tolls throughout the state.

HB 2000 does not change the current toll structure, nor does it call for the removal or addition of any present or future tollbooths. All such future actions will require additional legislative review and determination.

The increased federal funds available are not grants, but rather, are matches for various categories of highway construction projects. As such, they cannot be used to offset other current state expenditures (i.e. acceptance of the federal funds cannot be used to reduce the gasoline tax). The \$150 million of federal funds which will be used for turnpike projects is part of a \$345 + million federal obligation which can only be used on the highways that are part of the 800 miles of the National Highway System. These highways include all interstate highways, the turnpike system, proposed Manchester Airport access road, and other major state highways such as routes 2, 9, 101, 106, and 302. These National Highway System funds cannot be used on other state or local highways. This shift of federal funds to the turnpike system will not imperil the remainder of state and local highway responsibilities.

The committee amendment has four parts. Two changes made by the amendment correct for minor technical issues as noted by the committee and the department. The third aspect of the amendment adds a footnote to a certain budget line item in the Department of Transportation's budget for FY 2000. The footnote permits for an existing appropriation of \$425,000 not to lapse until the end of the biennium. This change was made at the request of the department. The last portion of the committee amendment creates a legislative study committee to study the priority and funding of the turnpike projects as well as the policy of using federal funds for turnpike projects. Vote 22-0.

Amendment (4176h)

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

AN ACT relative to a 10-year transportation plan and establishing a committee to study the transportation plan projects.

Amend RSA 240:1 as inserted by section 1 of the bill by replacing it with the following:

240:1 Legislative Intent. This plan is predicated on the report submitted to the legislature by the governor dated January, 2000 and is intended to serve as the guideline for transportation projects in the state for the next decade.

Amend RSA 240:3, II as inserted by section 1 of the bill by inserting after subparagraph II(d) the following:

(e) NH 16/ Newington - Dover Widen turnpike including Little Bay
US 4/ 11238 bridges from Gosling Road to Dover toll
Spldg Tpk

Amend RSA 240:10, II(c) as inserted by section 1 of the bill by deleting it.

Amend the bill by replacing section 2 with the following:

2 Budget Footnote Added. Amend 1999, 159:1, 04, 01, 01, 01 as follows:

Strike out: FY 2000 FY 2000

92 Maintenance - critical repairs	425,000	425,000
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Insert in place thereof:

92 Maintenance - critical repairs F	425,000	425,000
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3 Committee Established. There is established a committee to study the priority and funding of projects included in the 10-year transportation plan, established under RSA 240.

4 Membership and Compensation.

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

(a) Four members of the house of representatives, including a member of the house public works and highway committee and a member of the house finance committee, appointed by the speaker of the house.

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

II. The committee shall solicit information from the commissioner of the department of transportation and from any other relevant source.

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

5 Duties. The committee shall study the priority and funding of projects included in the 10-year transportation plan, established under RSA 240. The committee's study shall also include the policy of using federal funds for turnpike projects.

6 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. Five members of the committee shall constitute a quorum.

7 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, 2000.

8 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill updates the 10-year transportation plan to maintain the highways and bridges in the state.

This bill also adds a budget footnote to 1999, 159:1.

This bill also establishes a committee to study the priority and funding of the projects included in the 10-year transportation plan.

Rep. McCarty asked if the question was divisible. The Speaker ruled that the question was not divisible.

Rep. McCarty spoke against and yielded to questions.

Rep. Alukonis spoke in favor and yielded to questions.

Rep. McCarty requested a roll call; sufficiently seconded.

The question being the adoption of the amendment.

YEAS 247 NAYS 97

YEAS 247

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Lawton, David	Pilliod, James	Russell, David
Salatiello, Thomas	Turner, Robert	Wendelboe, Francine	Wood, Jane

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Howard, Godfrey
Kenney, Joseph	Lyman, L Randy	Mock, Henry	Sullivan, P Judith

CHESHIRE

Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
DePecol, Benjamin	Doucette, Richard	Hunt, John	Lerandeau, Alfred
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meador, David	Mitchell, McKim	Pratt, Irene	Richardson, Barbara
Riley, William	Roberts, William	Rose, William	Royce, H Charles
Russell, Ronald	Smith, Edwin	Zerba, Roger	

COOS

Davis, Perley	Gallus, John	Horton, Lynn	Landers, Dana
Mears, Edgar	Merrill, Gerald	Pratt, Leighton	Rodrigue, Robert
Tholl, John Jr	Woodward, David		

GRAFTON

Akins, Ralph	Alger, John	Brothers, Richard	Densmore, Jessica
Dudley, Terri	Gilman, G Michael	Ham, Bonnie	Harmon, Hobart
Hinman, Harry	LaMott, Paul	Marshall, Gene	Nordgren, Sharon
Scanlan, David	Ward, Brien		

HILLSBOROUGH

Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr	Arthur, Rose
Bruno, Pierre	Burkush, James	Carlson, Donald	Chabot, Robert
Cote, David	Coughlin, Pamela	Curran, James	Dalianis, Griffin
Daniels, Gary	Dawe, Eileen	Dokmo, Cynthia	Drabinowicz, A Theresa
Durham, Susan	Dyer, Merton	Fenton, James	Flora, Kathleen
Foster, Linda	Gagnon, Eugene	Garrish, Linda	Goley, Jeffrey
Gorman, Mary	Goulet, Maurice	Haettenschwiller, Alphonse	Herman, Keith
Holley, Sylvia	Hunter, Bruce	Jean, Claudette	Jean, Loren
Johnson, Lionel	Konys, Christine	Kurk, Neal	LaRose, Richard
Lasky, Bette	Leishman, Peter	Lessard, Rudy	Lozeau, Donnalee
MacGillivray, Jeffrey	McColgan, Philip Jr	McGough, Tim	Melcher, Harold
Mercer, Robert	Moran, Edward	Mosher, William	Murphy, Robert

Nolan-Piteri, Dawn	O'Hearn, Jane	Pappas, Marc	Pepino, Leo
Reeves, Sandra	Reidy, Frank	Sarette, John	Sargent, Maxwell
Thulander, O Alan	Wall, Nancy	White, Donald	Withee, Dennis

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Crosby, Toni
Davis, Francis	Feuerstein, Martin	Hager, Elizabeth	Hess, David
Jacobson, Alf	Kennedy, Richard	Larrabee, David Sr	Lavoie, Gerard
Leber, William	Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth
Moore, Carol	Nichols, Avis	Potter, Frances	Reardon, Tara
Rosenfield, Jay	Wallner, Mary Jane	Whalley, Michael	

ROCKINGHAM

Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Bridle, Russell	Case, Margaret	Christie, Andrew Jr	Clark, Martha
Clark, Vivian	Cooney, Richard	Cox, Russell	Dowling, Patricia
Downing, Michael	Fesh, Robert	Flanagan, Natalie	Flanders, John Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Grant, Kenneth
Griffin, Mary	Hamel, Albert	Henderson, Warren	Hutchinson, Rebecca
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Letourneau, Robert	Lovejoy, Marian	Major, Norman	McKinney, Betsy
Moore, Benjamin	Morse, Charles	Norelli, Terie	Noyes, Richard
O'Keefe, Patricia	O'Neil, Michael	Packard, Sherman	Pantelakos, Laura
Priestley, Anne	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Ruffner, Walter	Sapareto, Frank	Schanda, Frank	Shelton, Richard
Splaine, James	Stone, Joseph	Stritch, C Donald	Tufts, J Arthur
Varrell, Thomas	Vaughn, Charles	Weare, Everett	Welch, David
Weyler, Kenneth	Whittier, John	Zolla, William	

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	Callaghan, Frank
Cossette, Larry	Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary
Grassie, Anne	Heon, Richard	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Knowles, William	Lent, Donald	Lundborn, Raymond

McKinley, Robert
Smith, Marjorie
Tsiros, William
Woods, Phyllis

Musler, George
Snyder, Clair
Twardus, Joseph

Pelletier, Arthur
Spear, Barbara
Vachon, Dennis

Rollo, Michael
Torr, Franklin
Wall, Janet

SULLIVAN

Allison, David
Leone, Richard
Young, David

Burling, Peter
Phinizy, James

Cloutier, John
Robb-Theroux, Amy

Kibbey, David
Wiggins, Celestine

NAYS 97

BELKNAP

Johnson, James

Millham, Alida

Rice, Thomas

CARROLL

Dickinson, Howard

Patten, Betsey

Torressen, Gary

CHESHIRE

Robertson, Timothy

COOS

None

GRAFTON

Almy, Susan
Hall, David

Cobb, John
Johnson, Gary

Copenhaver, Marion
Mirski, Paul

Eaton, Stephanie
Phinney, William

HILLSBOROUGH

Ahern, Richard
Brundige, Robert
Cote, Peter
Dwyer, Paul Sr

Baroody, Benjamin
Buckley, Raymond
Craig, James
Fields, Dennis

Beaupre, Roland
Calawa, Leon Jr
Daigle, Robert
Fletcher, Richard

Bergeron, Lucien
Clegg, Robert Jr
Desmarais, Vivian
Ginsburg, Ruth

Hall, Betty	Herman, Richard	L'Heureux, Robert	LaPorte, George
Lefebvre, Roland	Leonard, Peter	Lynde, Harold	Martel, Andre
McCarthy, William	McCarty, Winston	McDonald, James Sr	McDonough-Wallace, Alice
McRae, Karen	Messier, Irene	Milligan, Robert	Moriarty, Mary
O'Connell, Timothy	Ouellette, Dean	Simon, Anthony	Turgeon, Roland
Vaillancourt, Steve	White, John		

MERRIMACK

Brewster, Richard	Chase, George	Daneault, Gabriel	Fraser, Marilyn
French, Barbara	Gile, Mary	Langer, Ray	Owen, Derek
Poulin, Dave	Rodd, Beth	Soltani, Tony	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Whittemore, James	Yeaton, Charles

ROCKINGHAM

Blanchard, MaryAnn	Corbin, C David	Hutchinson, Karen	Johnson, Robert
Kelley, Jane	Kelley, William	Langley, Jane	Langone, John
Nowe, Mary Lou	Nowe, Ronald	Pitts, Jacqueline	Putnam, Ed II
Quandt, Marshall	Rubin, George	Sabella, Norma	Shultis, Elizabeth
Stickney, Nancy	Weatherspoon, Jackie		

STRAFFORD

Brown, George	Brown, Julie	DeChane, Marlene	Domingo, Baldwin
Rogers, Rose Marie	Spang, Judith		

SULLIVAN

Donovan, Thomas Jr	Flint, Gordon Sr	Jones, Constance	Tuthill, John
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and the amendment was adopted.

Report adopted and ordered to third reading.

SUSPENSION OF RULES

Rep. Chandler moved that the Rules be so far suspended as to permit referral to a second committee after the deadline on **SB 401**, establishing the New Hampshire land and community heritage investment program and making an appropriation therefor..

Adopted by the necessary two-thirds.

SB 401-FN-A-L, establishing the New Hampshire land and community heritage investment program and making an appropriation therefor. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.

Rep. H. Charles Royce for the Majority of Resources, Recreation and Development: Senate Bill 401, as amended, establishes the Land and Community Heritage Investment Program (LCHIP) to conserve and preserve New Hampshire's most important natural, cultural and historical resources. LCHIP would provide matching grants to municipalities and nonprofit organizations for the conservation, preservation and restoration of these critical resources. There will be an authority composed of 18 members of whom 12 are voting (quorum of 7) and includes the designees of 6 state agencies who are nonvoting members. This board shall establish criteria for acquisition of lands and other natural, cultural and historical resources. The committee amended the bill to provide a 50 percent match. By doing this the amendment eliminates the preferential treatment given in the original bill to those property wealthy communities better able to increase their percentage of the match. The committee also amended the bill to eliminate the participation of state agencies because it believes it to be unfair for the state agencies, which can come to the legislature with capital requests anyway, to compete with municipal and nonprofit applicants for these limited resources. Also, state agencies continue to have the ability to seek federal matching grants. LCHIP respects private property rights: all projects are willing seller and willing buyer only. Senate Bill 401 as amended confers no new regulatory authority to the state and prohibits LCHIP from using the state's power of eminent domain to enter any resource into the program. The majority of the Resources, Recreation and Development Committee believes that the LCHIP will go down in history as a milestone -- a moment when we acted together on behalf of this wonderful place we call New Hampshire. Periodically, the people of this state have banded together with their officials to do something truly visionary with the state's natural resources. In 1901, we joined hands to create the White Mountain National Forest. In the 1930's, we worked together to establish the State Parks System. In the 1960's, it was Current Use Assessment. And in the 1980's, it was the Trust for New Hampshire Lands and the LCIP, which conserved 100,000 acres. Once again in 2000, the enactment of the Land and Community Heritage Investment Program will be one of those major milestones. Vote 18-1.

Rep. Amy E. Robb-Theroux for the Minority of Resources, Recreation and Development: SB 401 is arguably the most important conservation legislation that this House has considered in the last decade. There is tremendous bi-partisan, broadbased support for this legislation: 250 attended the hearing on the bill, over 5,000 pledge cards supporting SB 401 were presented at the hearing, and 104 communities from Coos to the sea passed town meeting or city council resolutions supporting this initiative. It is the product of over two years of hard work by a legislatively created commission and coalition supported by 116 organizations. The bill as amended and supported by the majority of the committee represents a hard fought and fragile compromise. The minority believes it is important for the House to know what was left out of the bill as the result of this compromise. First, the bill eliminated any opportunity for state agencies, most notably DRED and Fish and Game, to submit applications and compete for land conservation funding. While the focus of the program is appropriately on community based projects, the minority feels strongly that there will be potential state park or wildlife refuge projects that are best initiated by our state land managing agencies. In addition, New Hampshire, which annually sends much more in tax dollars to Washington, D.C. than it receives, may lose the opportunity to compete for millions in federal matching funds by not allowing state agencies to participate in this program. Second, the bill changes the municipal match

percentage from 40:60 to 50:50. This change will make it more difficult for the communities with less property wealth to compete for matching funds. Because the program is strictly voluntary, the minority favors restoring the 40:60 match percentage recommended by the NH Land and Community Heritage Commission. The concessions made by the majority of the committee to get this legislation to the full House compromises the integrity of the bill and the work of the NH Land and Community Heritage Commission.

Amendment (4259h)

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

1 New Chapter; Land and Community Heritage Investment Program. Amend RSA by inserting after chapter 227-L the following new chapter:

CHAPTER 227-M

Land and Community Heritage Investment Program

227-M:1 Purpose. The general court finds that in order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development should be balanced with careful protection of the state's most important natural, cultural, and historical resources. Permanent protection of these resources, through acquisition of lands, buildings, and other physical assets, or interests in these assets, must be accomplished along with their planned long-term stewardship. The general court further recognizes the importance of public-private partnerships to achieve these ends. To protect and preserve New Hampshire's natural, cultural, and historical resources for this and future generations, the general court establishes in this chapter the New Hampshire land and community heritage investment program. The intent of the program is to conserve and preserve this state's most important natural, cultural, and historical resources through the acquisition of lands, and cultural and historical resources, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life.

227-M:2 Definitions. In this chapter:

I. "Authority" means the New Hampshire land and community heritage investment authority.

II. "Board" means the board of directors of the New Hampshire land and community heritage investment authority.

III. "Building" means a construction made by humans and created to shelter human activity.

IV. "Easement interests" means conservation, historic preservation, or scenic easements, development rights, or any other similar protective interest in real property held in perpetuity.

V. "Eligible resource" means a natural, cultural, or historical resource including archaeological sites; historic buildings and structures which house cultural events and programs; historic properties including buildings and structures; historic and cultural lands and features;

ecologically significant lands; existing and potential public water supply lands; farmland; forestland; habitat for rare species or important wildlife; lands for recreation; riverine, lake, estuarine, and ocean shorelands; scenic areas and viewsheds; and wetlands and associated uplands.

VI. "Monitoring" means the regular and systematic gathering of information about a resource asset to identify changes to the property over time to ensure that it is being used in accordance with any easement interest restrictions or other legal obligations entered into under this chapter.

VII. "Resource asset" means the lands, buildings, structures, and other physical assets or the easement interests in the lands, buildings, structures, and other physical assets that comprise the real property of an eligible resource.

VIII. "Stewardship" means planning for and taking the necessary actions over the long term to successfully preserve and protect the natural, cultural, or historical value of a resource asset. Such actions include, as applicable, managing the resource asset in accordance with all legal obligations entered into under this chapter, performing regular maintenance and upkeep, providing for necessary monitoring, educating or informing those that might negatively impact upon the resource asset about the need and/or legal obligation to protect and preserve it, paying tax or in-lieu-of tax obligations, obtaining liability insurance, and securing sufficient levels of financial resources to carry out all such necessary actions.

227-M:3 Land and Community Heritage Investment Program Established. There is hereby established the New Hampshire land and community heritage investment program. The program shall acquire resource assets, through voluntary negotiations with property owners and utilization of all available federal, state, local, private, and other matching funds and incentives. The program shall also provide funding for restoration and rehabilitation of cultural and historical resources and for certain costs associated with the acquisition of resource assets. All deeds or other documents evidencing purchase of any fee interest or other easement interest in resources under this chapter shall be drawn and held in the name of the municipality, other political subdivision, or qualified publicly-supported nonprofit corporation purchasing the interest through the use of program funds. All easement interests and legal obligations that are attached in perpetuity to any property shall be recorded in the deed. The state of New Hampshire shall hold an executory interest in all easement interests acquired by the program and held by municipalities, other political subdivisions, or qualifying nonprofit corporations. There shall be no power by the state of New Hampshire to take any resource by eminent domain, nor shall any funds made available by this program be used to take by eminent domain except in cases involving the voluntary quieting of title. All acquisition projects shall involve a willing seller and willing buyer, or a willing donor of resource assets.

227-M:4 New Hampshire Land and Community Heritage Authority Established; Board of Directors.

I. There is hereby established the New Hampshire land and community heritage investment authority, a body corporate and politic. The authority is constituted a public instrumentality of the state. The exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions. The authority shall be a nonprofit corporation organized under RSA 292.

II. The authority shall be governed by a board of directors composed of 18 members. Voting members shall not appoint designees to act in their places. The chairperson shall be elected from among the public members. Board membership shall be as follows:

- (a) Two members of the senate, to be appointed by the senate president.
- (b) Two members of the house of representatives, to be appointed by the speaker of the house.
- (c) Eight public members, to be appointed by the governor and council:
 - (1) Two of whom shall represent cultural and historic resource interests;
 - (2) One of whom shall represent natural resources interests;
 - (3) One of whom shall represent outdoor recreation interests;
 - (4) One of whom shall represent business or real estate interests;
 - (5) One of whom shall represent municipal interests;
 - (6) One of whom shall represent local planning interests; and
 - (7) One of whom shall represent regional planning commissions.
- (d) The director of the office of state planning, or designee.
- (e) The commissioner of the department of cultural resources, or designee.
- (f) The commissioner of the department of resources and economic development, or designee.
- (g) The commissioner of the department of environmental services, or designee.
- (h) The commissioner of the department of agriculture, markets, and food, or designee.
- (i) The executive director of the department of fish and game, or designee.

III. Members appointed under subparagraphs II(d) through II(i) shall be advisory, non-voting members.

IV.(a) The terms of the state agency members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 10 successive years.

(b) Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, incapacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filled for the unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Seven voting members shall constitute a quorum. Decisions shall be made by a majority of those present and voting. Each member appointed under subparagraphs II(a) through (c) shall have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chairperson.

VI. Board members shall not be subject to civil liability for acts performed in accordance with their duties under this chapter.

227-M:5 Powers and Duties of the Authority. The authority shall have all the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter and shall:

I. Adopt bylaws for the regulation of its affairs and the conduct of its business.

II. Adopt criteria and guidelines for:

(a) The acquisition of resource assets;

(b) The restoration or rehabilitation of cultural and historical buildings or structures; and

(c) The stewardship and monitoring of resource assets on which program funds are expended.

III. Adopt definitions deemed important or necessary to carry out the purposes of this chapter.

IV. Oversee and direct the expenditure of funds deposited in the trust fund of the New Hampshire land and community heritage investment program in accordance with the purposes of this chapter. This includes, but is not limited to, the authority to draw upon funds for acquisition of resource assets, or related program purposes, and for the administrative costs of the program.

V. Make and execute contracts for services necessary to carry out the purposes of this chapter or necessary and convenient for the exercise of its powers and functions.

VI. Temporarily acquire real property or interests in real property, only when such acquisition is necessary or appropriate to protect or secure any investment in which the authority has an interest.

VII. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council, and filed with the state library. The report shall detail the activities of the program during the past year including a listing of all resource assets acquired and restoration and rehabilitation projects undertaken, along with the associated expenditures. All administrative costs shall be provided, as well as a complete financial accounting of the trust fund established under RSA 227-M:7. The report shall also include a historical summary of the program's activities to date. A copy of the report shall be made available to any interested person. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

VIII. In addition, the authority may:

(a) Adopt an official seal.

(b) Maintain an office and hire staff.

(c) Apply for and accept from any source gifts and donations of: money, including money from appropriate fundraising activities; labor, equipment, and supplies; land and other real property; interests in land and other real property; federal, local, private, and other matching funds and incentives; and other assets to be deposited in the fund for the purposes of this chapter and to aid the authority in the conduct of its affairs.

227-M:6 Executive Director. The board of directors shall nominate one or more persons for appointment by the governor and council to serve as executive director. The executive director shall serve a term of 5 years, with reappointment or a vacancy to be filled in the same manner as the original appointment. At the request of the board, the governor and council may remove the executive director for cause. The executive director shall:

I. Coordinate the activities of state agencies directly involved with the administration of the program in accordance with this chapter.

II. Evaluate the eligible resources proposed for protection or restoration under this program, and determine if these resources meet the criteria of the program, subsequent to instruction by the board.

III. At the direction of the board, administer the affairs of the program and be directly responsible for executing all policies of the board.

227-M:7 Trust Fund Established; Administration.

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community heritage investment program. Moneys in the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be non-lapsing.

II. The state treasurer is instructed to invest the sums deposited in the fund in a prudent manner consistent with the purposes of this chapter. Interest earned on moneys in the fund shall accrue to the fund to the extent allowed under federal law.

III. No funds of any state agency shall be transferred to the trust fund without specific authorization from the general court. Federal funds accepted by the governor and council for purposes similar to those of this chapter may be deposited in the trust fund without general court authorization.

227-M:8 Program Administration; Eligible Applicants; Matching Funds.

I. The authority shall distribute funds to further the purposes of this chapter only to eligible applicants. Eligible applicants shall include:

(a) Municipalities or other political subdivisions of the state; and

(b) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c) of the Internal Revenue Code.

II. Other parties wishing to participate in the program may partner with one or more eligible applicants. The applicant must demonstrate the commitment of the owner of the assets to participate in the proposed action.

III. Financial assistance to eligible applicants shall be provided through grants and block grants (grants to another organization for re-granting). Financial assistance may only be expended on eligible resources for the following purposes:

- (a) Acquisition of real property in fee simple.
- (b) Acquisition of easement interests in real property.
- (c) Restoration or rehabilitation of buildings or structures which are publicly-owned, or which are owned by a qualified publicly-supported nonprofit corporation.
- (d) Surveys, appraisals, title work, and other legal or ancillary work necessary to carry out acquisitions .
- (e) Resource inventories and planning.
- (f) Other professional services.

IV. The authority shall not fund more than 50 percent of the appraised market value of any resource asset acquisition or more than 50 percent of any other expense eligible for financial assistance under RSA 224-M:8, III(c)-(f).

V. All eligible applicants are required to provide a level of matching resources that is no less than 50 percent of the appraised market value for any resource asset acquisition and that is no less than 50 percent of any other expense for which financial assistance is sought under RSA 224-M:8, III(c)-(f). A minimum of one half of the applicant's minimum match requirement must be provided in cash to be used in the purchase of the resource asset. Nothing shall prevent the eligible applicant from using all cash to fulfill the match requirements of the program. The balance, if any, of the match requirement may be met through any combination of:

- (a) In-kind services;
- (b) The appraised market value of donated real property or interest in real property, provided such real property is located in the municipality or municipalities in which the applicant property is located;
- (c) Expenses specified under RSA 224-M:8, III(d)-(f), incurred or to be incurred; or
- (d) A one-time investment in a stewardship endowment fund established by the applicant for the resource asset.

VI. Qualifying matching funds from the applicant may include, but are not limited to, municipal appropriations, private donations, federal funds, and monies from a conservation fund established under RSA 36-A:5.

VII. Matching beyond the minimum shall be encouraged of all applicants. The board is authorized, for a particular project, to either reduce the applicant's minimum match requirements under paragraph V or exceed the amount of financial assistance allowed under paragraph IV, but only by an affirmative vote of 2/3 of all voting members.

227-M:9 Acquisition, Restoration, and Protection Criteria and Guidelines.

I. The criteria and guidelines adopted pursuant to RSA 227-M:5, II for acquiring resource assets shall include, but shall not be limited to, the following:

(a) Imminence of threat to the land or property, such that land conservation projects in densely developed or rapidly developing areas of the state shall receive a higher ranking;

(b) Uniqueness or significance of the resource;

(c) Proximity to other protected resources;

(d) Extent to which project meets multiple objectives of the program (natural, historic, and cultural);

(e) Strength of local support, such that project applications accompanied by an affirmative vote of the governing body of the municipality or governing bodies of the municipalities in which the project is located shall receive a higher ranking;

(f) Strength of private support;

(g) Cooperation between or among communities;

(h) Extent of leverage (ability of state funds to attract other public and private funds in a cost-share arrangement);

(i) Demonstrated ability and qualifying stewardship plan of eligible applicant to provide stewardship for the resource being protected; and

(j) Extent to which benefits can be conserved only through fee acquisition of the resource asset, weighed against acquisition through easement interest.

II. Nothing in this section shall be construed to require that each acquisition of a resource asset under this chapter must meet all the criteria listed in this section.

227-M:10 Management. Any owner of a resource asset acquired in fee simple under this chapter or for which program funds have been expended for restoration or rehabilitation work, shall manage such asset in accordance with any stewardship plan approved for the asset and any legal obligations entered into under this chapter pertaining to the resource asset. The authority shall assign such management responsibilities to a state agency when the state is the owner. The program shall not manage any resource asset, except to the extent permissible under RSA 227-M:5, VI.

227-M:11 Stewardship. All applications submitted for funding resource asset acquisitions or restoration or rehabilitation projects must contain a stewardship plan. Applicants shall be allowed flexibility in devising such plans, but the authority shall make an affirmative finding that the

stewardship plan is acceptable before awarding funds. Applications to the program for activities such as resource inventories and engineering studies are not required to include stewardship plans.

227-M:12 Monitoring Endowment.

I. For every eligible resource protected under this chapter by an easement interest, a percentage of funds from the program or contributions from the applicant, as specified by the authority, shall be provided to the monitoring endowment established under RSA 162-C:8.

II. Funds added to the monitoring endowment pursuant to RSA 227-M:12, I shall be used to support monitoring by state agencies, local municipalities, and qualifying nonprofit corporations of easement interests acquired under this chapter. Such monitoring shall be to ensure that the resource protected through the program will be managed according to the legal agreements concerning easement interests in the resource.

227-M:13 Road Expansion.

I. Notwithstanding any other provisions of this chapter, the New Hampshire land and community heritage authority shall recognize that the interest and public safety and welfare may, from time to time, require minor expansion, minor modification, or minor alteration of existing roads within the state highway system. After review and approval by the authority, and notwithstanding RSA 227-M:14, the department of transportation may obtain interests in lands acquired by the authority under this chapter adjacent to state highways. Permissible expansion, modifications, or alterations under this section shall include drainage easements, slope easements, lane widening, the addition of a passing, climbing, or turning lane, or similar adjustments, but shall not include construction of a new highway or portion thereof, construction of a bypass for an existing highway, or similar major alterations. Approval shall not be granted if reasonable and prudent alternatives exist nor if individual or cumulative approvals are likely to materially impair the conservation or preservation purposes for which the parcel was originally protected. Projects determined by the authority to be outside of the scope permitted by this chapter shall require approval from the general court.

II. The review and approval process required by paragraph I shall give full consideration to the management provisions of this chapter. The department of transportation shall submit a written request to the board with plans and supporting documentation to demonstrate compliance with the provisions of this chapter. A quorum of the board, consisting of at least 7 members, shall hold a public hearing within 90 days of receipt of a complete request to release land and community heritage investment program interests. The board shall provide at least 10 calendar days notice in advance of such hearing. Notification shall be made, at the expense of the department, to the landowner, local governing body and conservation commission, abutters, the Society for the Protection of New Hampshire Forests, the Nature Conservancy, the Audubon Society of New Hampshire, the New Hampshire Wildlife Federation, and the county conservation district, or their successors. Notification of the public hearing shall be published, by the department, in a paper of general circulation in the municipality and shall be posted, by the department, in at least 2 public places. At the hearing or within 15 days after the hearing, a majority of the board's members attending the hearing shall vote to approve or deny the application, unless a time extension is requested by the department. Aggrieved parties, which include all parties who must be notified under this paragraph, may appeal the board's decision to the superior court in the same manner as planning board decisions are appealed under RSA 677:15.

III. Compensation for any interest in land obtained by the department of transportation under this section shall be at the appraised full fair market value of those property

interests at the time of the department's acquisition. Alternative forms of compensation such as replacement land with comparable conservation value, or a combination of monetary compensation and replacement land may be considered in appropriate circumstances, provided all parties owning an interest in the property agree to such terms.

IV. Compensation due to the state under this section shall be deposited in the trust fund of the New Hampshire land and community heritage investment program and used for the purposes of this chapter. Compensation due to municipalities and nonprofit organizations shall be dedicated to the acquisition, managing, or monitoring of protected lands consistent with the purposes of this chapter. Compensation due landowners shall be as specified in the deed or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

227-M:14 Public Trust. Resource assets acquired under this chapter through the use of the trust fund for the program shall be held in public trust and used and applied for the purposes of this chapter. Notwithstanding any other provision of law relating to the disposal of publicly-owned real estate, no deviation in the uses of any resource asset so acquired to uses or purposes not consistent with the purposes of this chapter shall be permitted. The sale, transfer, conveyance, or release of any resource asset from public trust is prohibited, except as provided in RSA 227-M:13.

227-M:15 Public Access; Liability. Lands and interests in lands purchased with funds from this program by any eligible applicant shall be open in perpetuity for passive recreational purposes. Language to be used in easement interests secured through the program shall approximate the intent of the following:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

II. The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in lands be available for motorized recreational uses.

III. No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

2 Land Conservation Investment Program; Management. Amend RSA 162-C:6, VII to read as follows:

VII. Compensation due to the state under this section shall be ~~maintained in a separate, non-lapsing land acquisition fund to be managed by the state treasurer. The council, as successors to the land conservation investment program board of directors, shall develop rules pursuant to RSA 541-A, whereby agencies and/or municipalities, shall have access to these funds from time to time as resources permit. Such funds must be used for the acquisition of land, or~~

~~interests in land, consistent with the purposes of this chapter]~~ ***deposited in the trust fund of the New Hampshire land and community heritage investment program established under RSA 227-M and used for the purposes of that program.*** Compensation due to municipalities shall be dedicated to the acquisition or monitoring of protected lands consistent with the purposes of this chapter. Compensation due to landowners of conservation easement lands shall be as specified in the conservation easement, deed, or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

3 Land Conservation Investment Program; Office of State Planning; Powers and Duties. Amend RSA 162-C:7 to read as follows:

162-C:7 Powers and Duties. The council shall oversee, direct, and expend funds in the monitoring endowment of the former New Hampshire land conservation investment program in accordance with the purposes of this subdivision ***and RSA 227-M:12.*** This includes, but is not limited to, the authority to draw upon funds for the administrative costs of the endowment.

4 Land Conservation Investment Program; Monitoring Endowment. Amend RSA 162-C:8, I-III to read as follows:

I. The monitoring endowment established by the board of directors pursuant to former RSA 221-A:5, III shall be maintained in perpetuity and shall be utilized by the council only for the purposes of monitoring and enforcing the property rights of persons with ownership interests in property acquired through the former land conservation investment program ***and for the purposes of RSA 227-M:12.***

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision ***and RSA 227-M:12,*** and expenditures from the endowment for those purposes shall be limited to the interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision ***and RSA 227-M:12*** within the fiscal year in which it is earned shall be added to the principal amount. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations and grants shall be added to the principal amount.

5 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, I to read as follows:

I. The director is hereby authorized to issue special conservation number plates, in lieu of other number plates. The design of these special plates shall be determined as provided in RSA 261:97-d. The plates shall retain the "live free or die" logo. Such plates shall be issued only upon application and upon payment of a [~~\$25~~] ***\$30*** fee that shall be in addition to the regular motor vehicle registration fee and any other number plate fees otherwise required.

6 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, III to read as follows:

III. Plates shall be renewed on an annual basis for [~~\$25~~] ***\$30*** per set. Of this sum, the department shall retain an amount as is necessary to recover production and administrative costs as approved by the fiscal committee of the general court. The remaining funds shall be paid to the state

treasurer and distributed as provided in RSA 261:97-b. The cost of replacement number plates shall be identical to the cost of initial number plates and the revenue from replacement number plates shall be distributed in the same manner as revenue derived from initial number plates.

7 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Distribution of Funds. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate trust fund under the administration of the state treasurer. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The state treasurer shall distribute the funds annually on July 1, ***except as provided in paragraph I-a***, as follows: \$5,000 of every \$100,000 received, up to a total of \$50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting native wild flowers; the remainder shall be distributed equally among the department of cultural resources, the department of fish and game, the department of resources and economic development, ~~and~~ the state conservation committee, ***and the New Hampshire land and community heritage investment authority***.

I-a. The state treasurer shall distribute the share of funds due the New Hampshire land and community heritage investment authority, pursuant to RSA 261:97-b, I, on the first day of each month.

8 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Use of Funds. Amend RSA 261:97-c, V-VI to read as follows:

V. The funds transferred to the New Hampshire land and community heritage investment authority shall be used for the administration of the New Hampshire land and community heritage investment program.

~~[V.]~~ ***VI.*** The funds transferred to the department of transportation shall be used for the expanded wildflower establishment program to be used in maintenance districts.

~~[VI.]~~ ***VII.*** Any funds transferred from the conservation number plate trust fund which remain unexpended at the end of the fiscal year shall be non-lapsing.

9 Initial Appointees. The terms of the initial appointees by the governor and council to the New Hampshire land and community heritage investment authority under RSA 227-M:4, II(c) shall be staggered as follows:

I. The member representing regional planning commissions and the member representing business or real estate interests shall serve a one-year term.

II. The member representing municipal interests and the member representing local planning interests shall serve a 2-year term.

III. The member representing outdoor recreation interests and the member representing natural resources interests shall serve a 3-year term.

IV. The members representing cultural and historic resource interests shall each serve a 4-year term.

10 Appropriations; New Hampshire Land and Community Heritage Authority. The sums of \$3,000,000 and \$6,000,000 are hereby appropriated to the New Hampshire land and community heritage authority established in section 1 of this act for the purposes of this act for the fiscal years ending June 30, 2001 and June 30, 2002, respectively.

11 Bonds Authorized. To provide funds for the appropriations made in section 10 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$3,000,000 for fiscal year 2001 and \$6,000,000 for fiscal year 2002 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state. Issuance of bonds for fiscal year 2001 shall be no earlier than April 1, 2001.

12 Appropriation; Administrative Costs. The sum of \$50,000 is appropriated to the New Hampshire land and community heritage authority established in section 1 of this act, for the purpose of funding administrative costs of the authority for the biennium ending June 30, 2001. The source of funds for the \$50,000 shall be as follows:

I. \$40,000 from the forest management and protection fund, established in RSA 227-G:5.

II. \$5,000 from PAU 02, 03, 01, class 20, department of agriculture, markets, and food funds for the fiscal year 2000.

III. \$5,000 from PAU 02, 03, 05, 01, class 24, department of agriculture, markets, and food funds for fiscal year 2000.

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

Adopted.

Reps. Kennedy, Fuller Clark and Royce spoke in favor.

Rep. Fuller Clark requested a roll call; sufficiently seconded.

The question being the adoption of the majority report.

YEAS 337 NAYS 6

YEAS 337

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Czech, Stanley	Holbrook, Robert
Johnson, James	Lawton, David	Millham, Alida	Pilliod, James
Rice, Thomas	Russell, David	Salatiello, Thomas	Turner, Robert
Wendelboe, Francine	Wood, Jane		

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Lyman, L Randy	Mock, Henry
Patten, Betsey	Sullivan, P Judith	Torressen, Gary	

CHESHIRE

Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
DePecol, Benjamin	Doucette, Richard	Hunt, John	Lerandeau, Alfred
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meador, David	Mitchell, McKim	Pratt, Irene	Richardson, Barbara
Riley, William	Roberts, William	Robertson, Timothy	Rose, William
Royce, H Charles	Russell, Ronald	Smith, Edwin	Zerba, Roger

COOS

Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Landers, Dana	Mears, Edgar	Pratt, Leighton	Rodrigue, Robert
Tholl, John Jr	Woodward, David		

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Cobb, John	Copenhaver, Marion	Densmore, Jessica	Dudley, Terri
Eaton, Stephanie	Gilman, G Michael	Hall, David	Ham, Bonnie
Harmon, Hobart	Hinman, Harry	Johnson, Gary	LaMott, Paul
Marshall, Gene	Nordgren, Sharon	Phinney, William	Scanlan, David
Ward, Brien			

HILLSBOROUGH

Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr
Arthur, Rose	Baroody, Benjamin	Beaupre, Roland	Bergeron, Lucien
Brundige, Robert	Bruno, Pierre	Buckley, Raymond	Burkush, James
Calawa, Leon Jr	Carlson, Donald	Chabot, Robert	Clegg, Robert Jr
Cote, David	Cote, Peter	Coughlin, Pamela	Craig, James

Curran, James	Daigle, Robert	Dalianis, Griffin	Daniels, Gary
Dawe, Eileen	Desmarais, Vivian	Dokmo, Cynthia	Drabinowicz, A Theresa
Durham, Susan	Dwyer, Paul Sr	Dyer, Merton	Fenton, James
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Foster, Linda
Gagnon, Eugene	Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey
Gorman, Mary	Goulet, Maurice	Haettenschwiller, Alphonse	Hall, Betty
Herman, Keith	Herman, Richard	Holley, Sylvia	Hunter, Bruce
Jean, Claudette	Jean, Loren	Johnson, Lionel	Konys, Christine
Kurk, Neal	L'Heureux, Robert	LaPorte, George	LaRose, Richard
Lasky, Bette	Lefebvre, Roland	Leishman, Peter	Leonard, Peter
Lessard, Rudy	Lozeau, Donnalee	Lynde, Harold	MacGillivray, Jeffrey
Martel, Andre	McCarthy, William	McCarty, Winston	McColgan, Philip Jr
McDonald, James Sr	McDonough-Wallace, Alice	McGough, Tim	McRae, Karen
Melcher, Harold	Mercer, Robert	Messier, Irene	Milligan, Robert
Moran, Edward	Moriarty, Mary	Mosher, William	Murphy, Robert
Nolan-Piteri, Dawn	O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean
Pappas, Marc	Pepino, Leo	Reeves, Sandra	Reidy, Frank
Sarette, John	Sargent, Maxwell	Simon, Anthony	Thulander, O Alan
Turgeon, Roland	Wall, Nancy	White, Donald	White, John
Withee, Dennis			

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Brewster, Richard
Chase, George	Crosby, Toni	Daneault, Gabriel	Davis, Francis
Feuerstein, Martin	Fraser, Marilyn	French, Barbara	Gile, Mary
Hager, Elizabeth	Hess, David	Jacobson, Alf	Kennedy, Richard
Langer, Ray	Larrabee, David Sr	Lavoie, Gerard	Leber, William
Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth	Moore, Carol
Nichols, Avis	Owen, Derek	Potter, Frances	Poulin, Dave
Reardon, Tara	Rodd, Beth	Rosenfield, Jay	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Whalley, Michael
Whittemore, James	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Blanchard, MaryAnn	Bridle, Russell	Case, Margaret	Christie, Andrew Jr
Clark, Martha	Clark, Vivian	Cooney, Richard	Corbin, C David
Cox, Russell	Dowling, Patricia	Downing, Michael	Fesh, Robert
Flanagan, Natalie	Flanders, John Sr	Francoeur, Sheila	Gibbons, Paul
Gleason, John	Grant, Kenneth	Griffin, Mary	Hamel, Albert
Henderson, Warren	Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane
Kelley, William	Kobel, Rudolph	Langley, Jane	Langone, John
Letourneau, Robert	Lovejoy, Marian	Major, Norman	McKinney, Betsy
Moore, Benjamin	Morse, Charles	Norelli, Terie	Noyes, Richard
O'Keefe, Patricia	O'Neil, Michael	Packard, Sherman	Pantelakos, Laura
Pitts, Jacqueline	Priestley, Anne	Putnam, Ed II	Quandt, Marshall
Rabideau, Marie	Raynowska, Bernard	Reardon, Neil	Rubin, George
Ruffner, Walter	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Stickney, Nancy
Stone, Joseph	Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas
Vaughn, Charles	Weare, Everett	Weatherspoon, Jackie	Welch, David
Weyler, Kenneth	Whittier, John	Zolla, William	

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	Brown, George
Brown, Julie	Callaghan, Frank	Cossette, Larry	DeChane, Marlene
Domingo, Baldwin	Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary
Grassie, Anne	Heon, Richard	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Knowles, William	Lent, Donald	Lundborn, Raymond
McKinley, Robert	Musler, George	Pelletier, Arthur	Rogers, Rose Marie
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Spang, Judith
Spear, Barbara	Torr, Franklin	Tsiros, William	Twardus, Joseph
Vachon, Dennis	Wall, Janet	Woods, Phyllis	

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
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Flint, Gordon Sr
Robb-Theroux, Amy

Jones, Constance
Tuthill, John

Leone, Richard
Wiggins, Celestine

Phinizy, James
Young, David

NAYS 6

BELKNAP

Boyce, Robert

CARROLL

None

CHESHIRE

None

COOS

Merrill, Gerald

GRAFTON

None

HILLSBOROUGH

Vaillancourt, Steve

MERRIMACK

None

ROCKINGHAM

Nowe, Mary Lou

Nowe, Ronald

STRAFFORD

None

SULLIVAN

Kibbey, David

and the report was adopted.

Referred to Finance.

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

SB 315, changing the form for writs of execution. OUGHT TO PASS WITH AMENDMENT

Rep. Martha S. Solow for Judiciary: When a judgment has been made against a debtor a writ of execution may be issued by a court against the assets of the defendant in order to recover what is owed to the plaintiff. This bill alters the written form of the document to go beyond "goods and chattels" to include rights or credit, property interest, personal estate and money to satisfy the judgment. Vote 13-0.

Amendment (4157h)

Amend RSA 527:12 as inserted by section 1 of the bill by replacing it with the following:

527:12 Form. Writs of execution shall be substantially in the following form:

THE STATE OF NEW HAMPSHIRE

..... ss. To the sheriff **or deputy sheriff** of any county [~~or his deputy~~]:

[L.S.] Whereas, ..., of, by the consideration of our justices of our court of, holden at, in said County of, on the Tuesday of, recovered judgment against of for the sum of dollars, and costs taxed at, as appears of record, whereof execution remains to be done. We command you, therefore, that of the **money**, goods, chattels [~~or~~], lands, **personal estate, property interest, right or credit** of the said debtor, in your precinct, you cause to be levied and paid to the said creditor the aforesaid sums, with lawful interest thereon, and more for this writ and your own fees; and make return of this writ, with your doings thereon, to said court, to be holden at, in said county, upon the Tuesday of

Witness, ..., Esquire, the day of, ...

....., Clerk.

Adopted.

Report adopted and ordered to third reading.

senate messages

nonconcurrs with amendments

requests committees of conference

SB 403-FN-A, making an appropriation to the department of agriculture, markets, and food for the inspection of apiaries and honeybee swarms.

The President appointed Sens. Disnard, Russman and Below.

Rep. Musler moved that the House accede.

Adopted.

The Speaker appointed Reps. Scanlan, Leighton Pratt, Babson and Phinizy.

SB 431, relative to certain secondary vocational education programs.

The President appointed Sens. Larsen, McCarley and Gordon.

Rep. O'Hearn moved that the House accede.

Adopted.

The Speaker appointed Reps. Daniels, Ward, Alger and Guest.

motion to suspend rules

Rep. Marple moved that rule 40(a) be so far suspended as to permit the late drafting and introduction of a Constitutional Amendment Concurrent Resolution relative to the appointment of judges.

Rep. Marple spoke in favor.

Rep. Mock spoke against.

On a division vote, 33 members having voted in the affirmative and 306 in the negative, the motion failed.

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

SB 349, relative to the sale of the marital residence or other real property in a domestic proceeding.

SB 386-FN-L, relative to names on birth certificates and affidavits of paternity.

SB 97, relative to charitable trusts which are institutional funds.

SB 350, adding business development to the law governing industrial development authorities.

SB 351, making certain changes in the laws relative to fraternal benefit societies and health service corporations.

SB 452, increasing to \$25 per game date the amount operators of bingo games may be reimbursed for out-of-pocket expenses.

SB 305, relative to payments to defeat eviction for nonpayment of rent.

SB 308, relative to the adoption of a minor child by the natural grandparents and relative to de novo appeals to the superior court in abuse and neglect proceedings before the family division in Grafton and Rockingham counties.

SB 340, extending the reporting date of the committee to study the problems and possible regulation of outdoor lighting.

SB 344, relative to appointment of housing consumers to housing authority boards.

SB 330, establishing a committee to study the impact of water withdrawals on instream flows.

SB 376, relative to the jurisdiction of the public utilities commission to determine consequential damages.

SB 454, relative to penalties for engaging in the business of retail installment sales of motor vehicles after failure to renew a retail seller's license.

SB 360, adopting a pupil safety and violence prevention act.

HB 2000-FN-L, relative to a 10-year transportation plan and establishing a committee to study the transportation plan projects.

SB 315, changing the form for writs of execution.

unanimous consent

Reps. Garrish, Almy and Jacobson addressed the House.

Rep. Sabella moved that the remarks made by Rep. Garrish be printed in the Journal.

Adopted.

Rep. Garrish: Thank you, Madam Speaker. My esteemed colleagues, I rise today to ask your indulgence for just a few moments to speak on Holocaust remembrance. This past Tuesday, May 2nd, was observed internationally as the year 2000's day of remembrance, but the week is also recognized as a special time to remember. I am not Jewish and I do not personally know a Holocaust survivor. In my own life span there will come a time when no survivors will live an earthly life. I am, however, Christian, and I do it because it just felt right. I humbly speak to you today about something we can never forget. I reach out to you who represent every nook and cranny of our great state of New Hampshire. I reach out to you as Jews, Christians, people of many faiths, belief systems and spiritual centers. I reach out to you as parents, grandparents, sisters, brothers, neighbors and friends. I reach out to you to remember, to never forget that time in the modern civilized world that shook humanity to its core. I ask you to frame that remembrance in the awareness of a growing tide of violence between our children and the violence of hate, not only in New Hampshire and in America but also in the world. But, we must remember, not just today, this week or this year, we must remember always. We must insure that our children, their children and children for all generation measure their thoughts and actions by the principals of justice, fairness, equality and non-violence so that times like the Holocaust will never happen again; so that differences within mankind are celebrated, not eliminated. I ask you as fellow leaders to do just that. Everything we do individually and collectively must be measured by those same principles even though we may do them differently. In closing if I may paraphrase words so commonly used in the Holocaust remembrances, never again, anytime, anywhere and to anyone. Thank you.

RECESS MOTION

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

Adopted.

The House recessed at 1:05 p.m.

RECESS

bills signed by the governor

Chap. 20, **HB 1616**, relative to registration fees for certain construction equipment vehicles. (eff. 3/27/00)

Chap. 21, **HB 580**, authorizing a grant from funds appropriated to the joint promotional program for the purpose of marketing the Connecticut river area as a travel and tourism destination. (eff. 3/29/00)

Chap. 22, **HB 730**, establishing a house committee to review methods for recording committee sessions, authorizing a request for proposals, and making an appropriation therefor. (eff. 3/29/00)

Chap. 23, **HB 1136**, relative to the university system of New Hampshire board of trustees. (eff. 5/28/00)

Chap. 24, **HB 1141**, relative to access highways to public waters. (eff. 5/28/00)

Chap. 25, **HB 1186**, extending the reporting date of the Sullivan county regional refuse disposal district issues study committee. (eff. 3/29/00)

Chap. 26, **HB 1223**, changing the name, amending the duties, and extending the reporting date of the committee to study the unclassified salary structure for state officers. (eff. 3/29/00)

Chap. 27, **HB 1386**, designating segments of the Souhegan River as protected under the rivers management and protection program. (eff. 5/28/00)

Chap. 28, **HB 1397**, relative to naming a certain island in Lake Winnepesaukee in the town of Moultonborough. (eff. 3/29/00)

Chap. 29, **SB 348**, extending the committee to study the establishment of a permit system for vessels registered in another state temporarily using the waters of New Hampshire. (eff. 3/29/00)

Chap. 30, **SB 356**, extending the committee to study and identify or establish the duties of the fish and game commission. (eff. 3/29/00)

Chap. 31, **SB 362**, relative to the length of buses and single unit vehicles. (eff. 5/28/00)

Chap. 32, **HB 86**, making an appropriation for renovation of the Sawyer House at the Daniel Webster Birthplace in the city of Franklin. (eff. 4/3/00)

Chap. 33, **HB 387**, relative to local telephone calling areas, access charges, and competitive telephone services. (eff. 6/2/00)

Chap. 34, **HB 1150**, relative to voter registration for official ballot meetings. (eff. 6/2/00)

Chap. 35, **HB 1566**, relative to perambulation between states.

Chap. 36, **HB 246**, relative to personnel transfers at the department of safety. (eff. 6/6/00)

Chap. 37, **HB 1114**, relative to creditable service in the retirement system for teachers in a job-sharing position. (eff. 7/1/00)

Chap. 38, **HB 1126**, relative to repealing the prohibition on rewards for procuring employment. (eff. 6/6/00)

Chap. 39, **HB 1134**, establishing a committee to study mental health care treatment under managed care plans. (eff. 6/6/00)

Chap. 40, **HB 1196**, giving the police department of Lincoln authority to respond to emergency situations and exercise police duties in the unincorporated place of Livermore. (eff. 4/7/00)

Chap. 41, **HB 1206**, extending the reporting date of the committee studying alcohol and drug abuse prevention. (eff. 4/7/00)

Chap. 42, **HB 1225**, relative to the name of the department of fish and game. (eff. 6/6/00)

Chap. 43, **HB 1283**, establishing a commission on the education of the deaf and hard of hearing in New Hampshire. (eff. 6/6/00)

Chap. 44, **HB 1287**, relative to the membership of the water council. (eff. 6/6/00)

Chap. 45, **HB 1378**, establishing a task force to conduct an ongoing study of the feasibility of re-establishing passenger rail service on the Eastern Line from Newburyport, Massachusetts to Kittery, Maine. (eff. 6/6/00)

Chap. 46, **HB 1409**, establishing a committee to study the feasibility of reestablishing the Lawrence, Massachusetts to Manchester, New Hampshire rail service line and the Concord to Lebanon Northern passenger rail service line. (eff. 6/6/00)

Chap. 47, **HB 1455**, relative to the authority of the fish and game department for the electronic issuance of licenses, permits, stamps, and tags. (eff. 6/6/00)

Chap. 48, **HB 1523**, relative to landlord-tenant obligations. (eff. 6/6/00)

Chap. 49, **SB 341**, extending the reporting date and changing the name of the committee to study the licensure of radiologic technologists. (eff. 4/7/00)

Chap. 50, **SB 355**, relative to name changes for criminal offenders. (eff. 1/1/01)

Chap. 51, **SB 382**, relative to appeals of release or detention orders. (eff. 1/1/01)

Chap. 52, **HB 449**, requiring boating safety education. (eff. 1/1/02)

Chap. 53, **HB 568**, establishing a program for performance evaluations of judges. (eff. 4/17/00)

Chap. 54, **HB 569**, relative to the tax credit for service-connected total disability. (eff. 6/16/00)

Chap. 55, **HB 617**, relative to funding and monitoring seacoast harbor issues. (eff. 4/17/00)

Chap. 56, **HB 630**, relative to the Skyhaven airport transfer plan. (eff. 4/17/00)

Chap. 57, **HB 1179**, relative to final orders of the public utilities commission. (eff. 6/16/00)

Chap. 58, **HB 1318**, establishing a committee to study the instability of kerosene, gasoline, diesel fuel, and home heating fuel prices. (eff. 4/17/00)

Chap. 59, **HB 1362**, relative to the reconsideration of cost apportionment within a cooperative school district. (eff. 6/16/00)

Chap. 60, **HB 1435**, establishing a committee to study the immediate and long-term impact of changing methodology of communications and information technology as it applies to the right-to-know law. (eff. 4/17/00)

Chap. 61, **HB 1462**, extending the report date and changing the membership and duties of the committee to study methods to promote the use of renewable energy sources. (eff. 4/17/00)

Chap. 62, **HB 1594**, relative to the allocation of moneys in the tobacco use prevention fund. (eff. 6/16/00)

Chap. 63, **HB 1613**, exempting police officers on bicycles from certain motor vehicle laws and rules. (eff. 6/16/00)

Chap. 64, **SB 331**, requiring a report from the public utilities commission and the department of environmental services evaluating whether existing regulatory structures encourage or discourage regional cooperation for water resources management and water conservation. (eff. 6/16/00)

Chap. 65, **SB 333**, relative to signs for churches. (eff. 6/16/00)

Chap. 66, **SB 336**, relative to the issuance of fire permits. (eff. 1/1/01)

Chap. 67, **SB 357**, extending the reporting date of the study committee reviewing field activities conducted by the department of health and human services in investigating reports of abuse and neglect. (eff. 4/17/00)

Chap. 68, **HB 51**, providing for the voluntary registration of commercial maple producers and maple packers. (eff. 6/20/00)

Chap. 69, **HB 279**, relative to refinancing the cost and rehabilitation of the Chesire Bridge. (eff. 7/1/01)

Chap. 70, **HB 699**, establishing the granite state scholars program and making an appropriation therefor. (eff. 7/1/00)

Chap. 71, **HB 1110**, establishing a committee to study landlord-tenant issues. (eff. 6/20/00)

Chap. 72, **HB 1172**, providing staggered terms for agricultural advisory board members. (eff. 6/20/00)

Chap. 73, **HB 1175**, relative to license renewal for dental hygienists. (eff. 7/1/00)

Chap. 74, **HB 1199**, establishing a study committee on funding for affordable housing. (eff. 6/20/00)

Chap. 75, **HB 1234**, relative to special commissions to perform marriages in New Hampshire. (eff. 6/20/00)

Chap. 76, **HB 1235**, relative to defining surface waters. (eff. 6/20/00)

Chap. 77, **HB 1256**, clarifying certain health care laws. (eff. 6/20/00)

Chap. 78, **HB 1311**, relative to payment of employer contributions for unemployment compensation. (eff. 6/20/00)

Chap. 79, **HB 1326**, relative to managed care programs under workers' compensation. (eff. 6/20/00)

Chap. 80, **HB 1337**, repealing the New Hampshire foundation for mental health. (eff. 6/20/00)

Chap. 81, **HB 1374**, extending the reporting date for the sex offender issues study committee. (eff. 4/21/00)

Chap. 82, **HB 1416**, establishing a brownfields cleanup revolving loan fund. (eff. 6/20/00)

Chap. 83, **HB 1512**, allowing persons leaving employment under the federal family and medical leave act to be eligible for unemployment benefits. (eff. 4/21/00)

Chap. 84, **SB 76**, establishing a pilot program allowing certain economically depressed municipalities to offer tax exemptions to foster public accommodation and industrial construction. (eff. 4/1/01)

Chap. 85, **SB 381**, relative to registration fees for off-highway recreation vehicles. (eff. 7/1/00)

Chap. 86, **HB 1127**, establishing a committee to study the application and appeal procedures for excavating and dredging permits. (eff. 6/26/00)

Chap. 87, **HB 1185**, extending the report date of the committee established to study mercury source reduction and recycling issues to November 1, 2000. (eff. 4/27/00)

Chap. 88, **HB 1258**, relative to invasive plant, insect, and fungal species. (eff. 4/27/00)

Chap. 89, **HB 1264**, relative to the unlawful use of theft detection shielding devices. (eff. 4/27/00)

Chap. 90, **HB 1268**, relative to certain vehicle registrations. (eff. 1/1/01)

Chap. 91, **HB 1272**, allowing school nurses to possess and administer epinephrine for certain emergency treatment. (eff. 6/26/00)

Chap. 92, **HB 1282**, establishing a committee to study the possibility of self-insuring state employees. (eff. 6/26/00)

Chap. 93, **HB 1301**, relative to regional appointments to the state committee on aging. (eff. 6/26/00)

Chap. 94, **HB 1321**, relative to certain funds collected by order of the public utilities commission. (eff. 6/26/00)

Chap. 95, **HB 1413**, relative to the rights of ownership of cemetery plots or burial spaces. (eff. 4/27/00)

Chap. 96, **HB 1502**, relative to lead paint abatement. (eff. 6/26/00)

Chap. 97, **HB 1588**, relative to the authority of the department of transportation regarding rail safety inspections. (eff. 6/26/00)

Chap. 98, **SB 319**, relative to interstate school districts. (eff. 6/26/00)

Chap. 99, **SB 352**, repealing the equipment challenge grant program within the New Hampshire community-technical colleges. (eff. 6/26/00)

Chap. 100, **SB 377**, relative to peer support programs within the department of health and human services. (eff. 1/1/01)