

HOUSE RECORD

Second Year of the 160th General Court Calendar and Journal of the 2008 Session

Vol. 30

Concord, N.H.

Wednesday, January 2, 2008

No. 7

HOUSE JOURNAL No. 1

Wednesday, January 2, 2008

This day, January 2, 2008, the first Wednesday following the first Tuesday in January, being the day designated by the Constitution (Art. 3rd, Part 2nd) for assembling of the second-year session of the 160th General Court of the State of New Hampshire, at the Capitol in the city of Concord, the Speaker convened the 2006 House of Representatives and called the session to order at 11:00 a.m.

Prayer was offered by House Chaplain, Reverend Jared Rardin, Pastor of the South Congregational Church in Concord.

O Holy and loving God, on this first day of the new session and this second day of 2008, we begin with gratitude. Thank You. Thank You for our lives, for our families and friends, and for the myriad blessings we take for granted. I thank You for each and every person in this chamber. Thank You for the work this body has already done to bless the lives of many in New Hampshire, particularly those who are now experiencing long-sought opportunities and fresh new dreams.

O God, even as our attention turns to national politics this week, Bless our work in this new session. As many very familiar issues return to the table, surprise us all with large doses of grace and inspiration. Scale the walls of our disagreement with ladders of Your ingenuity. Oil the hinges of our minds with reminders that all things are possible with You. Above all, help us to recognize in one another glimpses of Your divine image and to give thanks for the rare privilege and the weighty responsibility of shaping policies which guard the common wealth and the well-being of all of New Hampshire's citizens, from the wealthy to the marginalized, from the well-established to the recently-arrived, from the youngest to the oldest.

We offer to You this morning our heartfelt prayers for those in this chamber and those in our daily circles who are living with illness. And we pray especially today for Ed Mears, for Peter Cote and for Mike Whalley. We pray also for those who are lonely in spirit or who are struggling simply to find shelter or to put food on the table. Let our work, and Your healing grace, attend most of all to their needs. In Your Holy Name we pray. Amen.

Rep. Russell Ingram, member from Salem, led the Pledge of Allegiance.

The National Anthem was sung by Hailey Bowie, a 7th grader at Gorham Middle School and granddaughter of Representative Mears.

LEAVES OF ABSENCE

Reps. Arsenault, Butcher, Peter Cote, Crane, DeChane, Stephanie Eaton, Fesh, Forsing, Hubbard, John Kelley, Levesque, Marsh, Mears, Nowe and Kimberly Shaw, the day, illness. Rep. Ahlgren, Billian, Jennifer Brown, Coughlin, French, Hebert, Levasseur, Martineau, Owen, Pelkey, Priestley, Reed, Reeves, Wickson and Whalley, the day, important business. Rep. Tupper, the day, illness in the family. Rep. King, the day, death in the family.

INTRODUCTION OF GUESTS

Kelsey and Haley Plifka, daughters of Rep. Plifka. Patricia Heard, Georgia Heard O'Brien and Leo O'Brien, daughters and grandson of Rep. Heard. Daniel and Deanne Sanville, guests of Rep. Phinizy. Joan Henson, Sara and John Pelling, and Jack, Oscar and Abigail Pelling; wife, daughter, son-in-law and grandchildren of Rep. Henson. Mary Matheson, mother of Rep. Matheson. Lee Adams and Joyce Thomas, guests of the Speaker. Former Rep. Paula Bradley and former Chief of Staff, Lee Marden, guests of the House.

Paul Sanders of Westmoreland, page for the day.

COMMUNICATION

September 28, 2007

The Honorable Speaker of the House Terie N. Norelli
N.H. House of Representatives
State House
107 North Main St.
Concord, NH 03301

Dear Madam Speaker,

For health reasons, and with regrets, I am writing to you to tender my resignation from my position as representative for Rockingham County District 1, effective October 1, 2007.

I have enjoyed representing my District and wish to thank my constituents who have faithfully voted for me through the many years of service.

I will miss the friends I have made, past and present, as well as the support staff and State officials who have always been so kind to me. I have many great memories.

My interest in State government will always remain with me and I thank each and every person whom I have served with and wish them continued success.

Sincerely,
Robert A. Johnson
294 Ye Olde Canterbury Rd
PO Box 11
Northwood, NH 03261

The Speaker accepted the resignation with regret.

COMMUNICATION

November 20, 2007

Hon. Terie Norelli
Speaker
New Hampshire House of Representatives

Dear Terie:

It is with great regret that I must resign my seat in the House. It has been the most challenging and rewarding experience of my life. I am deeply grateful for the treasured friendships I have made over the thirteen years.

I am particularly sad to leave those elegant portraits which hang behind your podium. Five of them are standing with their hands resting on important documents, except for President Lincoln whose hand is extended wondering where his document is.

Thanks to all those unselfish Reps who advised and guided me over the years. It is a unique body. Speaking of bodies I am seeing one primary and six specialists right now and if it weren't for health issues I'd be up there doing battle. But I am afraid that all the fight has gone out of me.

With love and best wishes for everyone and keep up the good work you are doing.

Sincerely,
Jane Kelley

The Speaker accepted the resignation with regret.

COMMUNICATION

November 28, 2007

Ms. Karen Wadsworth
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Karen:

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

Rockingham County District No. 10

Don Petterson, d, Brentwood (150 Pickpocket Rd) 03833

Sincerely,
William M. Gardner
Secretary of State

INTRODUCTION OF DEAN OF THE HOUSE

Rep. Laura Pantelakos from Portsmouth was recognized as Dean of the House and was escorted by Reps. Edwards and Fontas to her new seat in Representatives Hall.

CALL OF THE ROLL

With 306 members having answered the call, the Speaker declared a quorum present.

HOUSE RESOLUTION NO. 20

Memorializing State Representative Bruce F. Hunter of Goffstown

WHEREAS, it is with great sorrow that we learned of the death of our friend and colleague, Bruce F. Hunter of Goffstown, a valued and respected member of the House of Representatives who was in his eighth term representing the residents of Goffstown and Weare in Hillsborough County District #7; and,

WHEREAS, Bruce F. Hunter accomplished his committee work with distinction during his three terms on the Committee on Public Protection and Veterans Affairs, one term on the Committee on Criminal Justice and Public Safety, three terms on the Finance Committee and in his current term as a member of the Committee on Municipal and County Government; and

WHEREAS, Bruce F. Hunter served his community of Goffstown as a Selectman for three terms, where he was known for his compassion and his willingness to help others with their problems – whether large or small; and

WHEREAS, Bruce F. Hunter was a staunch supporter of local law enforcement who, along with his wife, Edna, raised the funds to implement the local Halloween Safety Program; and

WHEREAS, a veteran with six years of service in the United States Navy, Bruce F. Hunter was a Life Member of both the Veterans of Foreign Wars and the American Legion, affiliations which he honored through his work in the House of Representatives on legislation related to the New Hampshire Veteran's Cemetery by his highly motivated efforts to secure a site and create the plans necessary to apply to the federal government via the Veterans Administration for the necessary funding; now, therefore, be it

RESOLVED, by the New Hampshire House of Representatives in Regular Session convened, that Bruce F. Hunter be granted the highest praise and accolades for his dedicated service to his community, his state and his country, and be it further

RESOLVED, that expressions of heartfelt sympathy be extended to the members of his family and a suitable copy of this Resolution be prepared for presentation to them. Offered by the House of Representatives.

Unanimously endorsed by a rising moment of silent prayer.

HOUSE RESOLUTION NO. 27

Memorializing State Representative George F. Brown of Rochester

WHEREAS, we have learned with great sorrow of the death of our friend and colleague George F. Brown of Rochester, who was serving his fifth term representing the people of the Lilac City as a respected and valued member of the House of Representatives; and

WHEREAS, George F. Brown was a member of many committees in the House, including Public Protection and Veterans Affairs in 1993-94, Wildlife and Marine Resources as well as Constitutional and Statutory Revision in 1995-96, Election Law from 1997 through 2000 and Executive Departments and Administration in 2007; and

WHEREAS, George F. Brown was known to be a thoughtful committee member, asking questions that were to the point when necessary and participating fully in discussions, quietly stating his opinions; and

WHEREAS, George F. Brown also contributed to his community of Rochester by serving on its school board, planning commission, City Council and as President of the Rochester Little League; and

WHEREAS, George F. Brown was a United States Navy veteran and an active member of several fraternal organizations; and

WHEREAS, to be in the company of George F. Brown was an enjoyable experience, as he was a likeable, nice and friendly man, now, therefore, be it

RESOLVED, by the New Hampshire House of Representatives in Regular Session convened, that George F. Brown be granted the highest praise and accolades for his dedicated service to his community, his state and his country, and be it further

RESOLVED, that expressions of heartfelt sympathy be extended to the members of his family and a suitable copy of this Resolution be prepared for presentation to them.

Offered by the House of Representatives

Unanimously endorsed by a rising moment of silent prayer.

MOTION TO PRINT REMARKS

Rep. Foster moved that the remarks made during the introduction of the former Speakers of the House be printed in the Permanent Journal.

Adopted.

INTRODUCTION OF FORMER SPEAKERS

Speaker Norelli: Welcome back everyone. It was very nice to see so many of you at the reception this morning for the former Speakers. I think this was a great way to begin a new year, by connecting with our past. It is an honor to have hosted the former Speakers at the reception and to give us all an opportunity to either meet them for the first time or to renew old friendships. On behalf of the House, I would like to thank Governor Lynch and the Executive Council for allowing us to use the Council Chambers for the reception this morning.

There are presently ten living Speakers of the New Hampshire House and we have eight of them here with us today. Speakers Stewart Lamprey and John Tucker decided that they really rather prefer the sunny weather of Florida to shoveling a foot of snow and so they will not be with us today.

Last year, I was able to introduce Stewart Lamprey when he was spotted sitting up in the gallery of the House. Stewart Lamprey served as Speaker from 1959-1964, succeeding Doug Scamman, Sr., and also served as President of the New Hampshire Senate from 1965-1969. Speaker Lamprey has asked that Rep. Drisko make some remarks on his behalf and Rep. Drisko is now recognized to address the House.

Rep. Drisko: Thank you, Madam Speaker. I have been conscripted by the Honorable Stewart Lamprey, former Speaker to bring his regrets at not being able to attend this recognition reception. He does, however, report that it is sunny and mild in Florida and he hopes that this Hall will not be shrouded in a cloud of envy and he also hopes that his messenger will not be shot.

Speaker Norelli: Rep. Drisko forgot to add that we are all welcome down to Florida to visit. It is an honor and a privilege for me to introduce Governor Walter Peterson. Governor Peterson served as Speaker of this House from 1965-1968 and then as Governor from 1969-1973. Please join me in welcoming and thanking Governor Peterson for his many years of service.

Governor Peterson: In case you think I had a residue of influence left, I said that I would rather speak late so I could purloin everything that everybody else said. You know how it goes. So, of course, here I am left entirely to my own resources. When in doubt and you can't remember your best stories, be statesman like. I could not be more serious when I think back about the eight years I spent in the House. Two of them as Majority Leader and two terms, four years as Speaker of the House and I think I have been very fortunate to have many interesting experiences over the years. The personal associations and the sense of interacting with people, campaigning for the job, in which you interacted with people up close and saw how they really lived. I can remember going to see Stacey Cole while he was milking the cows, for example. I won't go into much detail about that. If you have ever had that experience, it is unforgettable. You can't do that without, once we meet together, having a profound sense of how important the 400 member House is and how important it is to try to maintain it. That may not be the politically correct thing to say. I could give you all kinds of examples on the other side, but I resolve all my doubts in trying to keep our government about as close as we can to the people. I don't know any better way to do it. I liked it a little better before we created mini senatorial districts. I liked it better when you could meet your legislator at the town post office or wherever the meeting places were. Progress, isn't it wonderful? When I think of the House, I think of legendary characters like Larry Pickett, for example, who was one of the greatest orators. One of the things you notice when you come back is how many have left us. Some of the people you think about with great fondness and sometimes with other feelings, noble, though they may be. There are still memories of

experiences always with me. I was privileged to serve as Governor and that was great in a different way. I can honestly stand before you and say that there is no experience that I have had in my lifetime in the political arena – managing campaigns, running for office and the rest that came even close to serving as the Speaker of the House. The reason that I say this is because of the splendid contribution, voluntary and yet doing so much credit to this House of Representatives. It is good to share this moment with you. Thank you very much for the opportunity to be here.

Speaker Norelli: Marshall Cobleigh served as Speaker of this House from 1969-1972. Speaker Cobleigh's contemporaries may not have always agreed with him, but they certainly knew where he stood. Speaker Cobleigh has chronicled his years in politics in a book entitled, "We Ain't Making Sausage Here." Please join me in recognizing Speaker Cobleigh.

Speaker Cobleigh: Thank you. I had two claims as Speaker. One, I was standing up here presiding and John Bednar from Hudson was trying to trick me with parliamentary inquiries, which he did about three times a week and I had the rule book out. The members were all saying "Why does Cobleigh have the rule book out this time?" They did not know that the Democrat Leader had come up to me and said, "I don't want to alarm you, Marshall, but Capt Gage is in the back of the Hall with a pistol and he says he is going to shoot you." I was trying to find a rule that says how to take a gun away from a guy that says he wants to shoot you. My Sergeant-at-Arms was 86 years old so that wasn't going to be a big help. Finally, I picked up the phone at the podium and I called the Governor's office. I said "This is Marshall and I need to talk to Pete right away. This is an emergency." Pete came on the phone and said, "What's up, Marshall?" I said, "How do you take a gun away from a guy who is trying to shoot you in the House?" It is 11:15 in the morning and Governor Peterson profoundly said, "Marshall, have you been drinking?" And the other claim to fame that I had is that my grandfather is the one who sponsored allowing women to vote in New Hampshire. He was the Chairman of Judiciary which was the same as Majority Leader in those days and he sponsored it and 35 years after he was dead, I get elected because people still thought it was him they were voting for. The big thing about that now is when I was a Representative there was always one women chairman and it was always the token minor committee. When I became Speaker, I appointed five women as chairmen and six as vice chairmen. I agree with Walter that the most impressive thing about being Speaker is the friendships you make here and the people you meet. I look at these seats and remember who used to sit in them and they were dear friends. It was a great experience and I told the legislature in my prorogue speech that I would like to come back here someday when people vote their conscience and ignored the polls and did what they believe is right because John Quincy Adams said, "If you vote what you believe, you may be alone, but you will have principle." So with that, that is my advice to all of you. I will close this brief talk the way I closed every talk I ever made up here. It is my credo and I offer it to you for consideration. I am only one, but I am one. I cannot do everything, but I can do something. What I can do, by the grace of God, I will do. Thank you.

Speaker Norelli: Well, I guess we can see that he had just a few stories for a book. Our next honoree is a familiar face in the halls of the State House. George Roberts served as Speaker from 1975-1980 and was instrumental in the acquisition of the Legislative Office Building from the federal government as well as the Upham-Walker House. Speaker Roberts was also President of the National Conference of State Legislatures from 1979-1980. Please join me in recognizing Speaker George Roberts.

Speaker Roberts: Good morning, Madam Speaker, Governor-Speaker Peterson, Speaker Cobleigh and all the other Speakers outside the door. It is great to be back standing here for several purposes. One is that I get a better perspective here than I do in the balcony. It gives me a brief opportunity to explain, I think, probably some of the strong things that happen to you as a 14-year legislator. I heard some of the remarks of Speaker Cobleigh that you look around and even looking at the seats, you see the ghosts of people who served with you. As a member, you would see the freshman that hopefully you did something for or were

friendly to because in New Hampshire we never get rid of each other. I think, in part, because we are so big that it forces us to create clusters and relationships that cross a lot of different interests. Marshall indicated about appointments. One of the great things to happen to this legislature was that Stewart Lamprey, Walt Peterson and Marshall Cobleigh, myself and others that went through the role of Speaker, tried to change things to benefit the institution. Marshall, I made half of my chairs women and half the vice chairs women and I was happy to have their support. It was an era, then, that it was sort of a new thing. There was a liberation going on between women in New Hampshire because they went one step further and further and even some, Madam Speaker, dreamed to be the Speaker and that was attainable by two, so far, in history. I would end with something which I think is significant that I took from the legislature and was able to apply elsewhere. A year ago, I went to Afghanistan for about 35 days. I did a project with U.S. Aide, which is a division of a contractor for the United States-State Department. We had several missions. We were supposed to help create the first legitimate legislative body that they have had in Afghanistan in 30 years. Prior to that, some staff had come to New Hampshire and other states to look at the operations. Just the physical operations and the staff operations of many legislatures. Two came here, unbeknownst to some, to look at the mammoth legislative body having looked at others. They ended up in their constitution with 245 members in the House and some 85 members in their Senate. The first thing they did, they built auditorium style with separate seats and they thought they could separate the women from the men. The first day they convened, there were some discussion about seating. We suggested it might make some sense just to use regions and then take the senior person because there is a lot of difference to older people, so give them the best seats. We ended up really scrambling the seating locations with the men and the women. They had 35 parties so they had no Majority and Minority party to begin with and one of the things they said was "How can we organize?" We are not supposed to tell people how to do things, but I did suggest they organize like many conventions that are starting up in organizations that are just beginning. I said, "Choose the elder member." There was one that had been in the last parliament. "Then choose a women to be his Deputy to give some balance." Then they added another one, a male, to give balance to that Deputy. They did it on the first ballot, which I was surprised. We helped them develop prior to their eight-day orientation, the rules of the House, a code of ethics and a special committee that was quasi Judicial to try to get some reimbursement for people who had their homes taken and their property damaged during this 30 year chaos that they had gone through. I was stuck, a little bit, and I asked my colleagues from Connecticut and he said, "Why don't we use the New Hampshire House rules?" We went through them and figured out some of the things that would not be appropriate and they adopted them without debate. So on the first day with the legislature convened, with Vice President Cheney and other dignitaries there, they adopted the rules of the House, they adopted a code of ethics, they elected a Speaker and they elected their formal procedure for speaking and how to do it. They did one other thing on our advice. They only built one small podium in the front. I said, "You know, it makes it a lot easier and less personal if you have two." The next day, a second one was built. They were very easy to work with because they had a deep respect for what they thought a democracy could be despite all their background. But even more so, quietly, without publication, they were using the essence of the English and the American parliamentary system. I was glad to be involved in that and as a member of our legislature, you can look back, hopefully successful and see that this at least started the seeds in the right place. I would like to say just one more thing, Madam Speaker. It is great to speak to a group that is quiet. Walter Peterson, I think, told me when he was trying to get me to vote for him for Speaker, which was an easy task, but I played a little hard. He said, "Remember, the people you meet here, you undoubtedly will see many of them all during your life and somewhere, someone, who you probably know the least, will end up being Speaker and you might still be here as a member, so treat everyone as you wish to be treated." This is a body that, because of its size, demands

the courtesies and the nice things you can do day to day. One of the nice things in my day, Madam Speaker, is that you invited us to be with you for a short time to say how much we love this institution and will continue to support the politics of this State, whether it be Republicans or Democrats so we can have an independent democratic constitutional republic. Thank you.

Speaker Norelli: John Tucker served as Speaker of the House from 1981-1986 and has asked Rep. Foose to read some remarks. Rep. Foose is recognized to address the House.

Rep. Foose: Thank you, Madam Speaker. John asked me to read this to you. "It is with sincere regret that previous commitments prevent me from joining you on this special occasion. My experience as a member of the New Hampshire General Court will always be treasured. Among those experiences was the opportunity to work with each of the former Speakers being honored today, some for as long as four decades. It has been an honor and a privilege to have served New Hampshire in this House and to have known each of the leaders before you today. My thanks to Speaker Norelli for making this unique event possible. I will trust Rep. Foose to bring some of the breakfast home to New London for my return. In closing, one admonition: in the legislative session ahead, simply do what is right for New Hampshire. My heart and my thoughts are with you.

Speaker Norelli: Our next honoree served as Speaker of the House from 1986-1990 and again from 2004-2006. I know it is a source of great pride for Doug Scamman that his father once wielded the gavel here in this House and it was an honor for me to succeed Doug as Speaker. I ask that you welcome Speaker Scamman back today.

Speaker Scamman: Thank you, Madam Speaker, former Speakers, members of the House, members of the staff. It certainly is a pleasure to be back here. I keep saying I am surprised I get back here again. It is a pleasure no matter under what circumstances. I must say that I can remember seven different decades in this Hall. In the forties, my dad was a Rep. and he sat right in 5-001 and I sat there. Back then, the children sat in their father's seat or their mother's seat and we let them in the Hall. Times change and that has changed. All the memories of the wonderful people that I have served with, that I have met then, makes me realize that it is the highlight of being a member of this House and certainly is a honor to be Speaker of such a great, great House. To have friends of all walks, whether they are Democrats or Republicans, they are all leaders in their own communities. All of you are people that are chosen from your own communities because you have some leadership skills and you have more skills than other people. I really think that is the basic greatness of this House. When I was quite young, one of my father's brothers said, "You know your father could have gone a lot further in politics, but he bent into the wind instead of with the wind." You know, that always stuck with me and I always bent into the wind if the wind was blowing the wrong way, because I was so proud of my father. I think that is one of the reasons why I believe in the way I ran the House. Everyone runs the House differently. The way I believe the House should be run and the way it is most effective. It is the most represented body in the world when you think of how few people each one of you represent. You come up here and, I believe, I want to treat you like I treat myself. I never told anyone how they had to vote and I don't think we should do that. I think we should give the strength to the committees. Make sure the people get appointed on the committees where they have the experience and let them do the work. I think that former Speaker Cobleigh referred to that. If you do that, people make up their own minds, they study the facts and in our committee system, you do have plenty of opportunity to learn the facts about all the bills. You can make the best judgment and I think that's the success of our form of government. I think that I probably should not do this, Madam Speaker, but you know this session the key item that will be discussed is the constitutional amendment for education. I hope you all will look at it and say, who do we want to be making the judgment as to how we fund education. The constitutional amendment is the only way we are going to get this body to be the one that decides that. No matter how you feel, we need to have this body be the one that makes that decision. Madam Speaker, I ask people to think about that and try to come up with a

compromise that works for all. I think I will sit down because I did probably overstep my bounds there, but I guess I have one more thing I want to say. Marshall Cobleigh was my first Speaker and Governor Peterson was my first Governor. I can remember Marshall Cobleigh up here. He would be talking on the phone with his business, he would be running the debate and he would be talking to some legislator here. Now that was something to behold. Everybody has their strengths. Marshall had several, but it was something to behold to see this young man doing that type of activity. I have a great relationship with all of the Speakers that have come in here and the one that follows me, we roomed together for twenty years so he and I had quite a relationship. We promised never to tell any secrets. Thank you, Madam Speaker.

Speaker Norelli: Harold Burns became the first Speaker from Coos County in nearly 100 years when he was elected in 1990, serving until 1996. Speaker Burns later served a term in the State Senate and continues to operate an insurance business in his hometown of Whitefield. Please join me in recognizing Speaker Harold Burns.

Speaker Burns: Thank you very much. My high school motto was "Opportunity comes by chance, but preparedness never." When I accepted the job as Speaker, I said I'd done this all in 22 short years. You see, anyone that has served 22 years, there is a good chance that you will move forward and become Speaker. Believe me, it is the most thrilling and greatest thing you can do. The other thing is I want to be sure to congratulate you on giving all of your time and making the laws for the State of New Hampshire. The other thing that I always used to tell the members of the House, especially my caucus, "Be sure to remember that the 3 minute speech is the great speech." I hope that everyone will remember that throughout the year and will make it great. Thank you.

Speaker Norelli: Speaker Burns, I am afraid that some of us are still trying to learn that 3 minute rule. The office of Speaker of the New Hampshire House dates to 1684 when citizens met as a Colonial Legislature. It wasn't until 1996, the same year that I was first elected to the House, that this body was presided over by a woman. Donna Sytek served as the first female Speaker of the House from 1996-2000 and it is truly an honor for me to welcome her back today.

Speaker Sytek: Thank you so much, Madam Speaker, members of the House and distinguished former Speakers. What a special privilege it is to come back today. While we were waiting in the hall, the former Speakers were sharing stories about days gone by. At some point, you will be sharing your stories about your time here. I wanted to point out that every Speaker leaves a legacy, leaves his or her mark on the House. I never had the privilege of serving when Governor Peterson was Speaker, but it was during his time as Governor that we had the last tax reform in this State. It has been over 30 years and you can appreciate what a huge accomplishment that is to do tax reform and that will be his lasting legacy. He got rid of the stock and trade tax and implemented the BPT. That is a significant achievement and you know what it's like because you will be dealing with it this session. He was followed by Marshall Cobleigh and it has been mentioned that Marshall's legacy was to appoint so many women to positions of influence. It turned out okay, didn't it? Look where we have come. Following him was George Roberts, [sitting] right behind me and who has my back. George was the first Speaker that I served under. I came here in 1977. His legacy is one that you use every day. It was under his leadership that we bought the Legislative Office Building. Before that, committees met in bank buildings and basements everywhere. To have the legislature have its own building! I notice that it is still the original furniture. He was roundly criticized at the time because the chairs costs \$250 and they went after him with a vengeance. I think from the benefit of hindsight, we can see what a remarkable accomplishment that was. Following him was John Tucker and I am sorry that he is not here. You loved to be here when he was Speaker because he had this wonderful baritone voice. He could read the telephone book and you would be mesmerized. He was a wonderful Speaker and served for three terms and was the one who appointed me to my first chairmanship so I will always be in his debt. Following him was Doug Scamman.

Previous Speakers had bought buildings. There was the LOB that came under George Roberts. The Upham-Walker House came under John Tucker. They kind of had this edifice complex going on but, Doug was not to be outdone. He built a highway. The famous Scamman-Parr expressway. That is Route 101 and it was very controversial at the time, but those of us who ride to the seacoast on 101 can thank him for that. We can also thank him for reminding us of the importance of digging down, drilling into a budget. He had expertise in that area and that was a focus of his administration. He was followed by Harold Burns who brought us computers. You all take it for granted, but this was a new thing. To be able to do status of a bill, to be able to send emails to people, this was just a remarkable change in the way that we did business. I was happy to serve under Speaker Burns because he made our work so much easier to do. It made it so much more accountable to the people that we served. Then it was my turn to be Speaker and I was thinking, what did I leave you? I am looking around. The window treatments – I did those. In looking back the other things I did are not quite so tangible. It was during my administration that we had, you may have heard about it, the Claremont decision. We have left that legacy for you to figure out. Good luck with that. The other thing that happened during my administration was we had bomb scares at the State Library and as a result of that, we really beefed up the legislative security. It is a real organization now. Before, it was a bunch of retirees who would go out and shoo you away if you parked in the wrong space. Now, we have a professional security team and that was before 9-11. It was because of threats to our safety. We balanced the security issues with our tradition of openness here in New Hampshire. The final thing that happened to me during my short time here was we had the first impeachment in modern times. There was no book. You can't get the book out and say this is how to do it. We had to make it up as we went along. We realized that every decision we made at that time was establishing a precedent and would be the way it would be done in the future. It was an unpleasant task but it was a privilege to be able to shape the way that important constitutional proceedings are conducted. It was fun to think about the time that I spent here, but as I go away, I have been out for almost eight years now - there have been three elections since I left, I am pleased to see so many people that I served with before. So many people that I have met doing the other things that I do now. I want to remind you of the privilege you have of being here to represent the people of New Hampshire and the obligation you have to conduct yourself ethically and in a manner that people can admire because you are always going to be an elected official. Whether you are doing things in your public life or your private life, it all reflects on the institution. Many people have given a lot of their lives to making this institution better. I hope you count yourselves among them and so that when you leave you will be able to point to a legacy that you have left to future generations. I wish you good luck and a successful session. Thank you for the opportunity to speak.

Speaker Norelli: Our final honoree is currently serving his 13th term in this House, two of them as Speaker. Gene Chandler has also served as the House Majority Leader as well as Chairman of the Public Works committee, and, in keeping with his North Country roots, adorned a wall in the Speaker's office with a moose head. A lot of people ask me what happened to it. I will have to find out. Please join me in recognizing Speaker Gene Chandler.

Speaker Chandler: Thank you very much, Madam Speaker and thank you for organizing today. It is truly an honor to be joined by so many distinguished former Speakers up here so congratulations to you all. Over the years I have been in the House, for a few, I don't know how many, but quite a few, I have made many friends and certainly have lots of stories. In the interest in keeping those friends, I am not going to tell you any of the stories. I will say quickly that one of the things that I am most proud of was being able to serve with my father and brother during the same session here. That was quite an honor and I really enjoyed doing that. I am obviously very proud to have presided over this institution for 4 years and just remind everybody now, and I hope and am sure that all of you do, just what an honor it is to be part of what is, without question in my mind and I think shared by everyone, the

greatest voice of democracy in this country-the New Hampshire House of Representatives.
Thank you.

The House Clerk read a proclamation from the Governor, John H. Lynch.

STATE OF NEW HAMPSHIRE

**By His Excellency
John Lynch, Governor**

A Proclamation

**SPEAKER OF THE HOUSE DAY
JANUARY 2, 2008**

WHEREAS, The New Hampshire House of Representatives is the largest state legislative body in the United States; and

WHEREAS, The duly elected members of that body have, from 1684 to the present, chosen one of their own to serve as Speaker of the House; and

WHEREAS, Individuals serving as Speaker of the House have gone on to serve as members and as President of the New Hampshire Senate, as Governor of the State, as members of the United States House of Representatives and the United States Senate, and in one case, as President of the United States; and

WHEREAS, Those individuals chosen to serve as Speaker of the House have possessed and displayed attributes of patience, humor, strength, and leadership as they have presided over many disparate issues that have come before that body; and

WHEREAS, We wish to honor those talented men and women chosen by their peers to lead the New Hampshire House of Representatives; and

WHEREAS, In addition to Speaker Terie Norelli, there are nine former living Speakers of the New Hampshire House of Representatives;

NOW THEREFORE, I, JOHN H. LYNCH, GOVERNOR of the State of New Hampshire, do hereby proclaim **January 2, 2008** as **SPEAKER OF THE HOUSE DAY** in New Hampshire.

Given at the Executive Chamber in Concord, this 31st day of December, in the year of
Our Lord two thousand and seven, and the independence of the United States of
America, two hundred and thirty-two

John H. Lynch, Governor

Speaker: I would like to, once again, thank all of the former Speakers, not just for coming today, for their service and for their words of wisdom as we head into the second year of our session here. I want to thank them for their words of wisdom and I hope we heed them and it is certainly an honor to follow after such wonderful people. Thank you all, once again.

AMENDMENT TO HOUSE RULES

Reps. Wallner and Hess moved that the House adopt an amendment to House Rule 64, proposed by the Rules Committee, adding the following deadlines for legislative action in the second-year session:

Thursday, January 31, 2008	Last day to report House bills going to a second committee
Thursday, February 7, 2008	Last day to act on House bills going to a second committee
Thursday, February 21, 2008	Last day to report all House bills not in a second committee
Thursday, March 13, 2008	Last day to report all remaining House bills

Thursday, March 20, 2008	Last day to act on House bills: CROSSOVER
Thursday, April 10, 2008	Last day to report Senate bills going to a second committee
Thursday, April 17, 2008	Last day to act on Senate bills going to a second committee
Thursday, May 8, 2008	Last day to report all Senate bills
Thursday, May 15, 2008	Last day to act on Senate bills
Wednesday, May 21, 2008	Last day to form Committees of Conference
Friday, May 30, 2008	Last day to sign Committee of Conference reports
Thursday, June 5, 2008	Last day to act on Committee of Conference reports

Adopted by the necessary two-thirds.

RESOLUTION

Rep. Wallner offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 1126 through 1149, 1151 through 1174, 1176 through 1199, 1201 through 1224, 1226 through 1249, 1251 through 1274, 1276 through 1299, 1301 through 1324, 1326 through 1349, 1351 through 1374, 1376 through 1399, 1401 through 1424, 1426 through 1449, 1451 through 1474, 1476 through 1499, 1501 through 1524, 1526 through 1549, 1551 through 1574, 1576 through 1599, 1601 through 1624 and 1626 through 1629, House Joint Resolutions numbered 10 through 12, House Concurrent Resolutions numbered 10 through 17, House Resolutions numbered 21 through 26 and Constitutional Amendment Concurrent Resolutions numbered 21 through 30 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS, HJRS, HCRS, HRS, AND CACRS

First, second reading and referral

HB 1126, relative to eligibility for the supervisory level certificate for commercial pesticides applicators. (J. Knowles, Hills 27; Bedrick, Rock 4; Renzullo, Hills 27: Executive Departments and Administration)

HB 1127, relative to determining a bargaining unit in public employee labor relations. (J. Knowles, Hills 27; M. Knowles, Hills 27; Bedrick, Rock 4: Labor, Industrial and Rehabilitative Services)

HB 1128, mandating the commissioner of the department of environmental services to conduct an examination of Willand Pond in the Dover/Somersworth area. (Hofemann, Straf 6; Fargo, Straf 4; Berube, Straf 2; Brennan, Straf 1; Watson, Straf 1: Resources, Recreation and Development)

HB 1129, relative to special number plates for municipal police department vehicles. (Tholl, Coos 2; Nedeau, Belk 3; D. Eaton, Ches 2; W. Knowles, Straf 6; Welch, Rock 8: Transportation)

HB 1130, relative to repealed DWI laws. (Tholl, Coos 2; Welch, Rock 8; W. Knowles, Straf 6: Criminal Justice and Public Safety)

HB 1131, relative to protection of poll workers' employment. (Hall, Hills 5: Election Law)

HB 1132, creating an exception to the wiretapping statute for a recording device used in conjunction with a TASER or other similar electroshock device. (Tholl, Coos 2; W. Knowles, Straf 6; Welch, Rock 8: Criminal Justice and Public Safety)

HB 1133, relative to the age of majority for purposes of pornography-related offenses. (N. Elliott, Hills 19; Baldasaro, Rock 3; Villeneuve, Hills 18: Criminal Justice and Public Safety)

HB 1134-FN, including upkeep and improvements of the state park system within the land and community heritage investment program. (N. Elliott, Hills 19; Hopfgarten, Rock 5; Villeneuve, Hills 18; Ulery, Hills 27: Resources, Recreation and Development)

HB 1135, establishing a commission to study enabling counties to have taxing authority and

impose county taxes. (Weed, Ches 3; Osborne, Merr 12; Butynski, Ches 4: Municipal and County Government)

HB 1136, relative to automated external defibrillators. (Hamm, Merr 4; Gile, Merr 10; Welch, Rock 8; Weare, Rock 14; Levasseur, Hills 11: Health, Human Services and Elderly Affairs)

HB 1137, relative to contracts with illegal aliens. (Kurk, Hills 7; Rowe, Hills 6; Stepanek, Hills 6: Commerce)

HB 1138, relative to on-line patient information. (Kurk, Hills 7: Health, Human Services and Elderly Affairs)

HB 1139, relative to party access to voter information. (Kurk, Hills 7; C. Chase, Hills 2: Election Law)

HB 1140, relative to insuring personal jewelry. (L'Heureux, Hills 19; Nowe, Rock 9; Roberge, Dist 9: Commerce)

HB 1141, establishing a committee to study parking for wheelchair-lift vans. (L'Heureux, Hills 19; L. Ober, Hills 27; Roberge, Dist 9; Downing, Dist 22: Transportation)

HB 1142, relative to licensure requirements for bird breeders. (Laliberte, Graf 10; Mulholland, Graf 10: Fish and Game)

HB 1143, relative to penalties for failure to provide outdoor dogs with necessary shelter. (Skinder, Sull 1; Bettencourt, Rock 4; Espieffs, Ches 3; B. Browne, Straf 4; Butler, Carr 1; Roberge, Dist 9: Environment and Agriculture)

HB 1144, allowing veterans discharged under honorable conditions to be eligible for the veterans' property tax credit. (Weare, Rock 14: Municipal and County Government)

HB 1145, designating the Senator Otto Oleson Scenic Overlook in Jefferson. (B. Shaw, Hills 16; Stohl, Coos 1: Public Works and Highways)

HB 1146, relative to immunity for school personnel using necessary force to protect pupils. (Mooney, Hills 19; Barry, Hills 19; O'Neil, Hills 19; Roberge, Dist 9; Kenney, Dist 3; Barnes, Dist 17: Judiciary)

HB 1147, relative to statements of financial condition by counties. (Rodeschin, Sull 2; Cloutier, Sull 4; Skinder, Sull 1; Ferland, Sull 5; Odell, Dist 8: Municipal and County Government)

HB 1148, relative to enforcement of parenting plans. (Solomon, Graf 10: Children and Family Law)

HB 1149, relative to the operation and maintenance of the Gunstock Area in Gilford. (J. Thomas, Belk 5: Municipal and County Government)

HB 1151, relative to reporting dates for the instream flow pilot program. (Kappler, Rock 2; Spang, Straf 7; Hubbard, Straf 1; Hassan, Dist 23: Resources, Recreation and Development)

HB 1152-FN, relative to annual reports filed by business corporations. (Hawkins, Hills 18; Graham, Hills 18; Roberge, Dist 9: Commerce)

HB 1153, relative to physician assistants and physicians regulation by the board of medicine. (Baroody, Hills 13: Executive Departments and Administration)

HB 1154, establishing a commission to study flooding in the town of Bradford, specifically Lake Massasecum, Lake Todd, and the watershed. (French, Merr 5; Janeway, Dist 7: Resources, Recreation and Development)

HB 1155-FN-A, making an appropriation of certain revenues to the board of nursing. (Schulze, Hills 26; Harding, Graf 11; Millham, Belk 5; French, Merr 5: Finance)

HB 1156, relative to workers' compensation insurance premium calculations for certain corporation officers or limited liability company members. (Vachon, Straf 3; Hamm, Merr 4: Labor, Industrial and Rehabilitative Services)

HB 1157, relative to requirements for approval of village plan alternative subdivisions. (Bishop, Rock 2; Mooney, Hills 19; DiFruscia, Rock 4; Welch, Rock 8; Nowe, Rock 9; Barnes, Dist 17: Municipal and County Government)

HB 1158-FN-A, increasing the exemption for persons 65 years of age and older and establishing a credit for persons 70 years of age and older under the interest and dividends

tax. (Rowe, Hills 6; Mooney, Hills 19; Haefner, Hills 27; Ulery, Hills 27; Kenney, Dist 3: Ways and Means)

HB 1159, establishing a conditional early release bond. (Ulery, Hills 27; Nowe, Rock 9; Rodeschin, Sull 2: Criminal Justice and Public Safety)

HB 1160, establishing the women's health protection act. (Itse, Rock 9; Dumaine, Rock 3: Judiciary)

HB 1161, relative to the definition of truancy. (Stiles, Rock 15; Reeve, Belk 4; Gargas, Hills 5; J. Day, Rock 13; Clegg, Dist 14: Education)

HB 1162, relative to supervised driving time by persons completing driver education. (L. Ober, Hills 27; Packard, Rock 3: Transportation)

HB 1163, relative to town or district bonds or notes. (Bettencourt, Rock 4: Municipal and County Government)

HB 1164, relative to the counting of charter school pupils in the definition of average daily membership in residence. (Dunn, Ches 3: Education)

HB 1165, relative to department of transportation traffic control regulations. (Graham, Hills 18: Public Works and Highways)

HB 1166, relative to rate setting for interpreters for the deaf and hard of hearing. (Reeve, Belk 4; R. Day, Hills 7: Education)

HB 1167, relative to substituting generically equivalent drug products. (Wendelboe, Belk 1: Health, Human Services and Elderly Affairs)

HB 1168, relative to acceptance of property donated to towns and village districts. (Manney, Hills 7: Municipal and County Government)

HB 1169, relative to parental approval of a student's participation in human sexuality instruction in public schools. (Hopfgarten, Rock 5; N. Elliott, Hills 19; Mooney, Hills 19: Education)

HB 1170-FN, requiring that certain contributions be reported to the secretary of state before they may be used by a candidate. (Splaine, Rock 16: Election Law)

HB 1171, establishing a commission to study air quality issues in public school buildings. (Beck, Hills 2; J. Day, Rock 13; Daler, Hills 4; Millham, Belk 5; Borden, Rock 18; Janeway, Dist 7: Education)

HB 1172-FN, changing the name of the pari-mutuel commission to the racing and charitable gaming commission. (F. Sullivan, Hills 12; Baroody, Hills 13; Pilotte, Hills 16; Weyler, Rock 8; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 1173, relative to the definition of a trust. (Bishop, Rock 2; Mooney, Hills 19; DiFrancia, Rock 4; Welch, Rock 8; Barnes, Dist 17: Judiciary)

HB 1174, relative to condominium association meetings. (P. Preston, Graf 8; B. Williams, Graf 8: Commerce)

HB 1176, relative to jury duty. (Kepner, Rock 15; J. Day, Rock 13: Judiciary)

HB 1177, relative to prohibited interests in on-premises liquor licensees. (Hunt, Ches 7: Commerce)

HB 1178, relative to the definition of beverage. (Hunt, Ches 7: Commerce)

HB 1179, including certain nonprofit organizations under the right-to-know law. (Franklin, Sull 2: Judiciary)

HB 1180, relative to the definitions of "law enforcement officer" and "judicial officer" under the capital murder law. (Emerton, Hills 7; Welch, Rock 8; W. Knowles, Straf 6; Mooney, Hills 19; Shurtleff, Merr 10; Letourneau, Dist 19: Criminal Justice and Public Safety)

HB 1181, naming the Manchester district courthouse the Armand Capistran district courthouse. (Simon, Hills 11: Public Works and Highways)

HB 1182, relative to appraisals of property with off-site views. (Itse, Rock 9; L. Ober, Hills 27: Municipal and County Government)

HB 1183, relative to meeting with legal counsel under the right-to-know law. (Splaine, Rock 16: Judiciary)

HB 1184, relative to religious practices of children placed outside the home pursuant to RSA

169-C. (Itse, Rock 9; Bedrick, Rock 4: Children and Family Law)

HB 1185, relative to the preservation of religious freedom. (Itse, Rock 9: Judiciary)

HB 1186, reducing the membership of 2 legislative oversight committees. (Kaen, Straf 7; J. Thomas, Belk 5; Hassan, Dist 23: Science, Technology and Energy)

HB 1187, regulating disclosure of personal information obtained in the course of business. (J. Thomas, Belk 5: Commerce)

HB 1188, relative to grounds for modification of parental rights and responsibilities. (McRae, Hills 7: Children and Family Law)

HB 1189, relative to the development and enforcement of the parenting plan. (McRae, Hills 7; Matarazzo, Hills 20: Children and Family Law)

HB 1190, establishing a commission to study issues related to child support. (McRae, Hills 7; Matarazzo, Hills 20: Children and Family Law)

HB 1191, relative to environmental investigations in tax lien and tax sale proceedings. (Walz, Merr 13: Municipal and County Government)

HB 1192, repealing the statute on exceptions to the solemnization of marriage. (Bedrick, Rock 4; Nielsen, Sull 4: Judiciary)

HB 1193-L, relative to planning and zoning enforcement decisions. (J. Day, Rock 13; Henson, Rock 13; T. Russell, Rock 13: Municipal and County Government)

HB 1194, relative to theft of stones from stone walls. (J. Day, Rock 13; T. Russell, Rock 13; Henson, Rock 13; Kepner, Rock 15; Fuller Clark, Dist 24: Criminal Justice and Public Safety)

HB 1195, relative to health care provider reimbursement for services to patients without health insurance. (Nord, Rock 1; Tupper, Merr 6; Wall, Straf 7; Butler, Carr 1; J. Hammond, Hills 3; Hassan, Dist 23; Fuller Clark, Dist 24: Commerce)

HB 1196, relative to the procedure for amending municipal charters. (Winters, Hills 17; Infantine, Hills 13: Municipal and County Government)

HB 1197, relative to liquor advertising. (Winters, Hills 17: Commerce)

HB 1198, limiting the annual interest that may be charged on small loans. (Marsh, Rock 17; John Kelley, Hills 26: Commerce)

HB 1199, relative to the residency requirement for the elderly property tax exemption. (L. Ober, Hills 27: Municipal and County Government)

HB 1201, allowing communities to conduct point of dispensing exercises to test emergency management operations plans, allowing certain health professionals to administer actual medications during such exercises, and granting immunity to physicians who prescribe drugs to be administered during such exercises. (L. Ober, Hills 27: Executive Departments and Administration)

HB 1202, relative to monitoring privately owned water distribution programs. (Fargo, Straf 4; Kappler, Rock 2; Gottling, Sull 3; Spang, Straf 7: Resources, Recreation and Development)

HB 1203, relative to bicycles. (G. Andersen, Graf 11: Transportation)

HB 1204, relative to the number of write-in votes required to receive a party's nomination. (C. Chase, Hills 2; Ehlers, Merr 9: Election Law)

HB 1205-FN-L, relative to the recall of selectmen. (Lister, Rock 7: Municipal and County Government)

HB 1206, relative to park and ride facilities. (Campbell, Hills 24; R. Williams, Merr 11; Rausch, Rock 5; Jennifer Brown, Straf 5; Kenney, Dist 3: Public Works and Highways)

HB 1207, relative to standards for highway and bridge construction. (Cloutier, Sull 4: Public Works and Highways)

HB 1208, allowing dental hygienists to engage in independent practice. (Reagan, Rock 1: Executive Departments and Administration)

HB 1209, establishing a 6-year transportation improvement plan. (Graham, Hills 18; Campbell, Hills 24; Cloutier, Sull 4; Lerandean, Ches 6; Rausch, Rock 5; Clegg, Dist 14: Public Works and Highways)

HB 1210, establishing a commission to study whistleblower protection for public employees.

(Gionet, Graf 3; Chandler, Carr 1; Bulis, Graf 1; Ingram, Rock 4: Labor, Industrial and Rehabilitative Services)

HB 1211, relative to postsecondary career courses approved by the postsecondary education commission. (N. Elliott, Hills 19; Mooney, Hills 19; Hogan, Hills 25: Education)

HB 1212, prohibiting sexual harassment in private postsecondary career schools. (N. Elliott, Hills 19; Mooney, Hills 19; Hogan, Hills 25: Education)

HB 1213, establishing a commission to study the juvenile justice system. (Itse, Rock 9; Walz, Merr 13: Children and Family Law)

HB 1214, establishing a committee to study adjustable rate mortgages. (Mulholland, Graf 10; Laliberte, Graf 10: Commerce)

HB 1215, relative to the New Hampshire-Vermont interstate waste compact. (Phinizy, Sull 5; Jillette, Sull 2; Donovan, Sull 4; Cloutier, Sull 4; Rodeschin, Sull 2: Environment and Agriculture)

HB 1216, establishing a committee to study archiving of county attorney records. (Gagnon, Sull 4; Gottling, Sull 3: Municipal and County Government)

HB 1217, relative to violations of conditional release by delinquent children. (Itse, Rock 9: Children and Family Law)

HB 1218, relative to signs at polling places. (Vaillancourt, Hills 15: Election Law)

HB 1219, relative to exempting fish and game department volunteers from financial disclosure requirements. (Abbott, Rock 12; Skinder, Sull 1; Greco, Merr 7; Henson, Rock 13; L'Heureux, Hills 19; Gallus, Dist 1: Fish and Game)

HB 1220, establishing a commission to study the taxation of alternative fuel and electric-powered motor vehicles for the purpose of funding improvements to the state's highways and bridges. (Cloutier, Sull 4; Cyr, Straf 3; Brennan, Straf 1; Lerandeau, Ches 6; F. Tilton, Belk 4; Clegg, Dist 14: Public Works and Highways)

HB 1221, relative to the rights and powers of cemetery trustees. (L. Brown, Straf 3: Municipal and County Government)

HB 1222, prohibiting writing a text message while driving. (Campbell, Hills 24; Rodeschin, Sull 2; Roberge, Dist 9: Transportation)

HB 1223-FN-L, relative to exemptions from local ordinances for excavation sites. (Leishman, Hills 6; Emerton, Hills 7: Municipal and County Government)

HB 1224-FN-L, relative to the definition of an adequate education. (Hess, Merr 9: Education)

HB 1226, allowing the town of Bristol to establish a capital reserve fund for use of the water works and sewer department. (B. Williams, Graf 8; Lovett, Graf 8; P. Preston, Graf 8; Reynolds, Dist 2: Municipal and County Government)

HB 1227, clarifying when persons elected may assume certain offices. (Bishop, Rock 2: Election Law)

HB 1228, relative to sales of motor fuel by the department of transportation to certain nonprofit corporations. (Graham, Hills 18: Public Works and Highways)

HB 1229, requiring the office of energy and planning to maintain a map of the state's lands under conservation or development restrictions. (Bishop, Rock 2; Welch, Rock 8; Mooney, Hills 19; DiFruscia, Rock 4; Nowe, Rock 9; Barnes, Dist 17: Resources, Recreation and Development)

HB 1230, requiring pharmacists to charge an insured person the usual and customary price or the copayment, whichever is less, of filling a prescription. (Rosenwald, Hills 22; Harding, Graf 11; McLeod, Graf 2; Estabrook, Dist 21: Commerce)

HB 1231, repealing the advisory panel on cancer and chronic diseases and the tobacco use advisory committee. (MacKay, Merr 11; Almy, Graf 11: Health, Human Services and Elderly Affairs)

HB 1232, relative to the regulation by the fish and game department of baiting of game birds. (Bulis, Graf 1; Martineau, Hills 16; Greco, Merr 7; L'Heureux, Hills 19; Stohl, Coos 1; Letourneau, Dist 19: Fish and Game)

HB 1233, relative to the privilege of habeas corpus. (Winters, Hills 17; Butler, Carr 1; Burling, Dist 5; Fuller Clark, Dist 24: Criminal Justice and Public Safety)

HB 1234, relative to drug trafficking. (Winters, Hills 17: Criminal Justice and Public Safety)

HB 1235, relative to motorist duties when approaching highway emergencies. (Packard, Rock 3; Letourneau, Dist 19: Transportation)

HB 1236, relative to motor vehicle laws. (R. Williams, Merr 11: Transportation)

HB 1237, establishing a committee to study liquor advertising. (Hunt, Ches 7: Commerce)

HB 1238, relative to “course of conduct” in the stalking statute. (Mooney, Hills 19; Gile, Merr 10; Roberge, Dist 9: Criminal Justice and Public Safety)

HB 1239, relative to the legislative youth advisory council. (Gargas, Hills 5; Bettencourt, Rock 4; Odell, Dist 8; Kelly, Dist 10: Children and Family Law)

HB 1240, relative to disqualification of certain election officers and relative to arrangement of polling places. (Weed, Ches 3: Election Law)

HB 1241-FN-A, requiring a discount to wholesalers on cash purchases of tobacco tax stamps. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13: Ways and Means)

HB 1242, relative to the prohibition on employee consumption of beverage or liquor. (Kaelin, Hills 4: Labor, Industrial and Rehabilitative Services)

HB 1243, amending the timeframes for involuntary civil commitment of sexually violent predators. (Welch, Rock 8; Tholl, Coos 2: Criminal Justice and Public Safety)

HB 1244, relative to auditable basis policies. (DeStefano, Merr 13; Spratt, Hills 3: Commerce)

HB 1245, relative to insurance department records, investigations, and enforcement. (DeStefano, Merr 13; Spratt, Hills 3: Commerce)

HB 1246, relative to insurance policy denial provisions. (Reardon, Merr 11; Spratt, Hills 3; DeStefano, Merr 13; Marshall Quandt, Rock 13: Commerce)

HB 1247, relative to revolving accounts for public, educational, and governmental access to cable. (Daniels, Hills 6: Municipal and County Government)

HB 1248, allowing a designated selectman to sign town payrolls. (Daniels, Hills 6: Municipal and County Government)

HB 1249, relative to gasoline and diesel fuel prices. (Daniels, Hills 6: Commerce)

HB 1251, requiring wrecker operators to make certain reports to the department of transportation. (Cyr, Straf 3; Chandler, Carr 1; Cloutier, Sull 4; Lerandeau, Ches 6: Transportation)

HB 1252, limiting civil liability of liquefied petroleum gas providers under certain circumstances. (Ingretson, Graf 5: Judiciary)

HB 1253-FN-L, relative to the ability of towns to recoup money lent to homeowners upon foreclosure. (Rodeschin, Sull 2; Skinder, Sull 1; Reagan, Rock 1; Jasper, Hills 27; Stepanek, Hills 6; Odell, Dist 8: Municipal and County Government)

HB 1254, relative to the ability of towns to regulate the storage and use of deicing chemicals. (Fargo, Straf 4: Municipal and County Government)

HB 1255, relative to declarations filed by candidates for office. (Vaillancourt, Hills 15: Election Law)

HB 1256, relative to safety training for certain public school extracurricular activities. (J. Tilton, Merr 6; Butynski, Ches 4: Education)

HB 1257, relative to license suspensions for persons driving a vehicle while possessing drugs. (J. Tilton, Merr 6; Butynski, Ches 4: Criminal Justice and Public Safety)

HB 1258, relative to vehicle impoundment following an arrest for DWI or refusing consent to a blood alcohol test. (J. Tilton, Merr 6; Butynski, Ches 4: Criminal Justice and Public Safety)

HB 1259, authorizing communities to establish municipal housing commissions. (Cooney, Graf 7; DeStefano, Merr 13; Foster, Hills 4; Fuller Clark, Dist 24: Municipal and County Government)

HB 1260-L, relative to growth management ordinances. (Cooney, Graf 7; Theberge, Coos 4; Patten, Carr 4: Municipal and County Government)

HB 1261, establishing a commission to investigate a program in which senior year of high school may be spent at a community college. (Bedrick, Rock 4; Ryan, Merr 2: Education)

HB 1262, relative to continuing medical education requirements for persons licensed by the board of medicine. (Pilotte, Hills 16; F. Sullivan, Hills 12; Baroody, Hills 13; DeVries, Dist 18: Executive Departments and Administration)

HB 1263, relative to the protection of existing property uses. (Renzullo, Hills 27; Clegg, Dist 14: Municipal and County Government)

HB 1264, relative to prohibiting ATV and trail bike use on state-owned rail trails acquired using federal funds. (Drisko, Hills 5; P. McMahon, Merr 3; Cilley, Dist 6: Resources, Recreation and Development)

HB 1265, establishing a duty for owners of businesses and institutions to provide protection to customers and employees and liability for failure to provide protection. (Renzullo, Hills 27; Itse, Rock 9: Judiciary)

HB 1266, allowing 50 caliber pistols to take game animals in the state. (Lawrence, Hills 27: Fish and Game)

HB 1267, allowing municipalities to adopt a non-wartime veterans' property tax credit. (Lawrence, Hills 27: Municipal and County Government)

HB 1268, establishing a commission to study creating incentives for electricity conservation and efficiency by consumers. (Borden, Rock 18; Fuller Clark, Dist 24: Science, Technology and Energy)

HB 1269, authorizing local governing bodies to place certain properties on a conservation priority list and requiring owners of land designated as conservation priority land to notify the municipality before offering the land for sale. (Borden, Rock 18; Spang, Straf 7; Stiles, Rock 15: Municipal and County Government)

HB 1270, relative to limiting rights of reversion in real property. (McEachern, Rock 16; Splaine, Rock 16: Judiciary)

HB 1271, relative to 2008 contribution reports by candidates. (Splaine, Rock 16: Election Law)

HB 1272, relative to "meetings" under the right-to-know law. (Splaine, Rock 16: Judiciary)

HB 1273, establishing a commission to study "clean elections" funding. (Splaine, Rock 16; Butler, Carr 1; Fuller Clark, Dist 24: Election Law)

HB 1274, relative to certain securities professional designations and securities administration. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Weyler, Rock 8: Commerce)

HB 1276, relative to the regulation of auctions and auctioneers by the board of auctioneers. (Pilotte, Hills 16; F. Sullivan, Hills 12; DeVries, Dist 18: Executive Departments and Administration)

HB 1277, relative to the definition of farm. (O'Connell, Hills 6; Phinizy, Sull 5: Environment and Agriculture)

HB 1278, relative to the purchase of computer services and supplies for state agencies. (Estes, Graf 7: Executive Departments and Administration)

HB 1279, relative to the scope of certain insurance laws. (Reardon, Merr 11; DeStefano, Merr 13; Spratt, Hills 3: Commerce)

HB 1280, repealing divorce based on irreconcilable differences and replacing it with divorce based on mutual consent. (N. Elliott, Hills 19; Ulery, Hills 27; Villeneuve, Hills 18; Baldasaro, Rock 3: Children and Family Law)

HB 1281, prohibiting public schools from requiring health insurance as a condition of enrollment. (N. Elliott, Hills 19; Baldasaro, Rock 3; Villeneuve, Hills 18; Hopfgarten, Rock 5: Education)

HB 1282, amending the pre-engineering technology curriculum. (Major, Rock 8; Bettencourt, Rock 4; Kaen, Straf 7; J. Thomas, Belk 5; J. Garrity, Rock 6; D'Allesandro, Dist 20; Downing, Dist 22; Odell, Dist 8; Fuller Clark, Dist 24: Education)

HB 1283-L, relative to temporary deferrals of property tax based on income. (Drisko, Hills 5; Gargas, Hills 5: Municipal and County Government)

HB 1284, establishing a commission to consider the feasibility of adopting Atlantic Daylight Savings Time. (McEachern, Rock 16: State-Federal Relations and Veterans Affairs)

HB 1285, relative to organization of or withdrawal from a school administrative unit. (Stiles, Rock 15; O'Neil, Hills 19; J. Day, Rock 13: Education)

HB 1286-FN, relative to the licensing of mortgage bankers, mortgage brokers, and mortgage originators. (Reardon, Merr 11; D'Allesandro, Dist 20: Commerce)

HB 1287, establishing a commission to study negotiated plea agreements. (L. Hammond, Graf 11; Shurtleff, Merr 10; Hamm, Merr 4; Burrige, Ches 3; Fontas, Hills 24: Criminal Justice and Public Safety)

HB 1288, allowing pharmacists to administer influenza vaccines. (Wendelboe, Belk 1; Rosenwald, Hills 22: Executive Departments and Administration)

HB 1289, relative to court-ordered placements for a child in need of services. (Gile, Merr 10; Moran, Hills 18; Blanchard, Merr 10: Children and Family Law)

HB 1290-L, establishing a committee to study insurance coverage and related issues for children required to do community service. (Blanchard, Merr 10; Essex, Hills 1: Children and Family Law)

HB 1291, requiring persons under 18 years of age to wear ski helmets. (Blanchard, Merr 10; Flockhart, Rock 13: Children and Family Law)

HB 1292, relative to amending the charter of Dartmouth college. (Mooney, Hills 19; N. Elliott, Hills 19; Wendelboe, Belk 1; Itse, Rock 9; O'Neil, Hills 19; Roberge, Dist 9: Commerce)

HB 1293, relative to eligibility requirements for the state animal population control program. (Phinzy, Sull 5; Rausch, Rock 5; Wells, Rock 8: Environment and Agriculture)

HB 1294, establishing the offense of public urination or defecation. (Shurtleff, Merr 10; Harvey, Hills 21: Criminal Justice and Public Safety)

HB 1295, establishing a commission to study issues relating to stormwater. (Spang, Straf 7; Borden, Rock 18; Cilley, Dist 6: Resources, Recreation and Development)

HB 1296, relative to health insurance coverage in the event of divorce or legal separation. (Hunt, Ches 7; Chandler, Carr 1: Commerce)

HB 1297, relative to licenses for aquaculture issued by the fish and game department. (Henson, Rock 13; Abbott, Rock 12: Fish and Game)

HB 1298-FN, making changes to the veterinary/medical/optometric education program. (Ryan, Merr 2; Webb, Merr 2: Education)

HB 1299, establishing a commission to study the feasibility of creating a preschool incentive fund program. (Gile, Merr 10; J. Johnson, Ches 6; Gargas, Hills 5; P. Allen, Ches 6; Julie Brown, Straf 1; Fuller Clark, Dist 24: Education)

HB 1301, relative to the definition of service dogs. (J. Tilton, Merr 6; Butynski, Ches 4; Parkhurst, Ches 4: Criminal Justice and Public Safety)

HB 1302-FN, relative to enforcement of gambling laws. (Schmidt, Straf 4: Executive Departments and Administration)

HB 1303-FN, relative to limiting games of chance. (Bergin, Hills 6; Schmidt, Straf 4; Fuller Clark, Dist 24: Executive Departments and Administration)

HB 1304, authorizing Plymouth state university to award doctoral degrees. (Rous, Straf 7; Cooney, Graf 7; Estes, Graf 7; P. Preston, Graf 8; Stiles, Rock 15; Reynolds, Dist 2; D'Allesandro, Dist 20; Kelly, Dist 10: Education)

HB 1305-FN-L, relative to filing for election to town offices. (Manney, Hills 7: Election Law)

HB 1306, relative to the removal of commercial signs placed on public property. (Splaine, Rock 16; McEachern, Rock 16; Clemons, Hills 24: Municipal and County Government)

HB 1307, making technical corrections to town audit and reporting requirements. (Patten, Carr 4; Theberge, Coos 4: Municipal and County Government)

HB 1308-FN-A, relative to the business profits tax deduction for reasonable compensation. (Almy, Graf 11; Major, Rock 8; Mulholland, Graf 10; John Kelley, Hills 26: Ways and Means)

HB 1309-FN-A, relative to the definition of “cigarette.” (Almy, Graf 11; Rosenwald, Hills 22; Butynski, Ches 4; Pilliod, Belk 5; Odell, Dist 8: Ways and Means)

HB 1310, relative to information for property tax assessments of commercial and industrial properties. (Almy, Graf 11; Patten, Carr 4: Municipal and County Government)

HB 1311, relative to impaired driver intervention programs. (Almy, Graf 11; Butynski, Ches 4; Welch, Rock 8; Tholl, Coos 2; L. Hammond, Graf 11: Criminal Justice and Public Safety)

HB 1312, establishing a committee to study allowing municipalities to enforce ordinances by citation. (Nordgren, Graf 9; Burling, Dist 5: Municipal and County Government)

HB 1313, relative to voting by the chairman of the retirement system board of trustees. (P. McMahon, Merr 3; Janeway, Dist 7: Executive Departments and Administration)

HB 1314, relative to animal cruelty. (Webb, Merr 2; Kepner, Rock 15: Environment and Agriculture)

HB 1315, allowing municipalities to adopt a home improvement property tax credit for homes 75 years old or older. (Webb, Merr 2; Fuller Clark, Dist 24: Municipal and County Government)

HB 1316, establishing a committee to study the use of mercury in childhood vaccines. (Essex, Hills 1; Phinzy, Sull 5; Kenney, Dist 3: Health, Human Services and Elderly Affairs)

HB 1317, relative to firearms proficiency requirements for armed security guards. (Ulery, Hills 27: Criminal Justice and Public Safety)

HB 1318, relative to temporary plates issued by motor vehicle dealers. (Packard, Rock 3: Transportation)

HB 1319, relative to the reasonable cost of medical support for dependent children. (Moran, Hills 18; Wallner, Merr 12; Sgambati, Dist 4: Commerce)

HB 1320, establishing a commission to promote the celebration of Martin Luther King, Jr. Civil Rights Day. (Splaine, Rock 16: Executive Departments and Administration)

HB 1321, relative to the inspection of juvenile detention facilities. (Moran, Hills 18: Children and Family Law)

HB 1322, relative to hearings for incapacitated persons admitted to state institutions by their guardians. (Baxley, Merr 6; Hassan, Dist 23: Judiciary)

HB 1323, relative to certification of out-of-state placements in juvenile proceedings. (Butynski, Ches 4; Hassan, Dist 23: Children and Family Law)

HB 1324, relative to amending zoning ordinances at official ballot town meetings. (Hopfgarten, Rock 5: Municipal and County Government)

HB 1326, relative to access to voter information. (Hopfgarten, Rock 5; Humphries, Merr 9; Sorg, Graf 3; Villeneuve, Hills 18: Election Law)

HB 1327, relative to domicile for purposes of voter eligibility. (Hopfgarten, Rock 5; Sorg, Graf 3; Humphries, Merr 9; Villeneuve, Hills 18: Election Law)

HB 1328, relative to disciplining school employees. (Dunn, Ches 3; Burrige, Ches 3; Espiefs, Ches 3: Education)

HB 1329, relative to the authority of elected municipal authorities in dealing with municipal utilities. (Wendelboe, Belk 1: Municipal and County Government)

HB 1330, relative to the process for nonrenewal of teacher contracts. (Dunn, Ches 3; Espiefs, Ches 3; Burrige, Ches 3: Education)

HB 1331, relative to the duties and authority of the town budget committee. (Hamm, Merr 4; Mulholland, Graf 10: Municipal and County Government)

HB 1332-L, relative to uniform solid waste reporting standards. (Hamm, Merr 4; McLeod, Graf 2; Drisko, Hills 5; Tupper, Merr 6; Owen, Merr 4: Environment and Agriculture)

HB 1333, relative to post-foreclosure eviction actions. (Dokmo, Hills 6: Judiciary)

HB 1334-FN, increasing the fee for a tobacco products retailer's license, establishing a tobacco use prevention and cessation program fund, and designating the increase to such fund. (W. Chase, Ches 1: Ways and Means)

HB 1335, establishing a commission to study the effects of post-traumatic stress disorder and traumatic brain injury suffered by New Hampshire soldiers and veterans returning from Iraq and Afghanistan. (Carson, Rock 3; Baldasaro, Rock 3; Bettencourt, Rock 4; Clegg, Dist 14; Kenney, Dist 3: State-Federal Relations and Veterans Affairs)

HB 1336, requiring the department of education to develop a plan to educate school personnel to recognize stress-related issues in children whose parents have served in Iraq or Afghanistan. (Carson, Rock 3; Baldasaro, Rock 3; Bettencourt, Rock 4; Clegg, Dist 14; Kenney, Dist 3: Education)

HB 1337, relative to private actions under the consumer protection act. (Francoeur, Hills 26; Rochette, Hills 20: Commerce)

HB 1338, allowing towns and cities to receive state funding for preventive mosquito control programs on all lands within the municipality. (Howard, Rock 12; Hassan, Dist 23: Municipal and County Government)

HB 1339, establishing an optional mortgage loan payment program for payment of property taxes and municipal charges of qualifying elderly homeowners. (D. Smith, Hills 22; French, Merr 5; Gould, Rock 5; Rosenwald, Hills 22; Reagan, Rock 1; Kenney, Dist 3; Gallus, Dist 1; Janeway, Dist 7; Sgambati, Dist 4; Clegg, Dist 14: Municipal and County Government)

HB 1340, relative to the special account of the judicial retirement system. (Hager, Merr 12: Executive Departments and Administration)

HB 1341-FN-A, making an appropriation to the department of administrative services for an energy audit and system evaluation of the state house. (D. Eaton, Ches 2; Bouchard, Merr 11; Campbell, Hills 24; Kurk, Hills 7; Gallus, Dist 1: Finance)

HB 1342, relative to travel pay for certain employees. (Donovan, Sull 4; Jillette, Sull 2; Converse, Sull 4: Labor, Industrial and Rehabilitative Services)

HB 1343, prohibiting the placing on file or masking of convictions incurred by holders of commercial driver licenses. (R. Williams, Merr 11: Transportation)

HB 1344, relative to negotiations between public employers and employees. (Mickelonis, Straf 1: Labor, Industrial and Rehabilitative Services)

HB 1345, establishing a commission to study vehicle dealer licenses. (Cooney, Graf 7; Hatch, Coos 3; R. Elliott, Rock 4: Transportation)

HB 1346, relative to the regulation of junk dealers, scrap metal dealers and pawnbrokers. (Snow, Rock 1; Case, Rock 1; Schmidt, Straf 4; Cilley, Dist 6: Municipal and County Government)

HB 1347, establishing a committee to review the Revised Statutes Annotated and recommend revision or removal of obsolete laws or references. (Snow, Rock 1: Judiciary)

HB 1348, relative to the milk producers emergency relief fund. (Snow, Rock 1: Environment and Agriculture)

HB 1349, relative to membership on the council on resources and development. (Snow, Rock 1; Fuller Clark, Dist 24: Resources, Recreation and Development)

HB 1351, relative to fish and game license and registration agents. (Reed, Merr 2; Ryan, Merr 2: Fish and Game)

HB 1352, relative to biennial reporting on the comprehensive state development plan. (Snow, Rock 1; Fuller Clark, Dist 24: Public Works and Highways)

HB 1353, relative to local control of water resources. (Kurk, Hills 7; Harvey, Hills 21; Buco, Carr 1; D'Allesandro, Dist 20: Resources, Recreation and Development)

HB 1354, relative to security in the state house and legislative office building. (Kjellman, Merr 5: Legislative Administration)

HB 1355-FN, exempting alternative and renewable fuels from the road toll. (J. Knowles, Hills 27; Bedrick, Rock 4; Renzullo, Hills 27: Public Works and Highways)

HB 1356-FN, prohibiting the use of certain information to underwrite motor vehicle insurance coverage. (Hatch, Coos 3; Ryan, Merr 2; Marsh, Rock 17; D. Eaton, Ches 2: Commerce)

HB 1357-FN, relative to extensions of time for filing returns and making payments under the interest and dividends tax for deployed members of the United States armed forces. (McRae, Hills 7; Weyler, Rock 8; Moran, Hills 18; Marshall Quandt, Rock 13: Ways and Means)

HB 1358-FN, relative to custom vehicles. (Reuschel, Hills 14: Transportation)

HB 1359-FN, relative to fees for public records. (Ulery, Hills 27: Ways and Means)

HB 1360-FN-A, repealing the court civil filing fee surcharge. (Rowe, Hills 6; Mooney, Hills 19; Itse, Rock 9; Villeneuve, Hills 18; Ulery, Hills 27; Kenney, Dist 3: Ways and Means)

HB 1361-FN, requiring the continuation of the appointment of marital masters by election within the judicial district and requiring marital masters to be New Hampshire residents. (Emiro, Rock 3: Judiciary)

HB 1362-FN, establishing a selection process for compulsory assistant election official service. (Hall, Hills 5: Election Law)

HB 1363-FN, relative to fees charged by the registry of deeds. (Sorg, Graf 3: Municipal and County Government)

HB 1364-FN, relative to public employee collective bargaining negotiations under the public employee labor relations act. (Burrige, Ches 3; Dunn, Ches 3; DeJoie, Merr 11; Reuschel, Hills 14; L. Hammond, Graf 11; DeVries, Dist 18; Kelly, Dist 10; D'Allesandro, Dist 20: Labor, Industrial and Rehabilitative Services)

HB 1365-FN, relative to changes in the rates of highway tolls. (Renzullo, Hills 27; Lund, Rock 5; Hogan, Hills 25; Vaillancourt, Hills 15; Kenney, Dist 3: Public Works and Highways)

HB 1366, establishing a committee to study implementation of a new statewide budget system. (Estes, Graf 7; D. Eaton, Ches 2: Finance)

HB 1367, establishing a committee to study implementation of a new state financial accounting system. (Estes, Graf 7; D. Eaton, Ches 2: Finance)

HB 1368-FN-A, establishing a financial benefit for returning New Hampshire national guard and army reserve unit members and making an appropriation therefor. (Carson, Rock 3: Finance)

HB 1369-FN-A-L, relative to the amount of meals and rooms taxes retained by operators collecting the tax. (Vaillancourt, Hills 15: Ways and Means)

HB 1370, establishing a pilot program for an integrated juvenile justice information sharing system. (Millham, Belk 5; Pilliod, Belk 5; Reeve, Belk 4; Arsenault, Belk 4; Bettencourt, Rock 4; Sgambati, Dist 4: Children and Family Law)

HB 1371, extending certain studies. (MacKay, Merr 11: Legislative Administration)

HB 1372-FN, relative to allowing driveway construction permit fees. (Cloutier, Sull 4; Cyr, Straf 3; Brennan, Straf 1; Lerandeau, Ches 6; Graham, Hills 18: Public Works and Highways)

HB 1373-FN-A-L, establishing an income tax. (Kennedy, Rock 13: Ways and Means)

HB 1374, establishing a division of homeland security and emergency management in the department of safety. (J. Flanders, Rock 8: Executive Departments and Administration)

HB 1376, relative to insurance penalties. (Spratt, Hills 3; DeStefano, Merr 13: Commerce)

HB 1377, relative to state highway rest areas and welcome centers. (Cyr, Straf 3; Lerandeau, Ches 6; Carole Brown, Merr 8; Graham, Hills 18; Chandler, Carr 1; Cloutier, Sull 4: Public Works and Highways)

HB 1378, relative to insurance taxes and fees. (Spratt, Hills 3; DeStefano, Merr 13: Commerce)

HB 1379, relative to the authority of state agencies to prohibit state employees from lawfully carrying a firearm. (Soucy, Hills 17; Welch, Rock 8; Hogan, Hills 25: Criminal Justice and Public Safety)

HB 1380, relative to the procedure for amending a birth record. (Lawrence, Hills 27: Health, Human Services and Elderly Affairs)

HB 1381, relative to game operators acting on behalf of charitable organizations. (Butynski, Ches 4: Executive Departments and Administration)

HB 1382, adopting the uniform prudent management of institutional funds. (Foose, Merr 1: Commerce)

HB 1383, adopting the uniform child abduction prevention act. (Foose, Merr 1: Children and Family Law)

HB 1384, relative to the regulation of designated agents by the New Hampshire real estate commission, and relative to the disclosure of certain property conditions. (D. Eaton, Ches 2; Campbell, Hills 24; Chandler, Carr 1; Clegg, Dist 14; DeVries, Dist 18; Cilley, Dist 6; Gallus, Dist 1: Commerce)

HB 1385, waiving medical records fees for persons applying for Supplemental Security Income (SSI) or Social Security Disability Income (SSDI). (Donovan, Sull 4; French, Merr 5; Emerton, Hills 7; Jillette, Sull 2; Fuller Clark, Dist 24: Health, Human Services and Elderly Affairs)

HB 1386, relative to a grandparent's rights to access court and case records involving a grandchild. (Crane, Hills 21; Kenney, Dist 3: Children and Family Law)

HB 1387, relative to reimbursement rates for foster care respite providers. (Crane, Hills 21; Kenney, Dist 3: Children and Family Law)

HB 1388, requiring the department of health and human services to gather statistical information relative to medications prescribed to children in court-ordered placements and establishing a commission to study the issue. (Crane, Hills 21; Kenney, Dist 3: Children and Family Law)

HB 1389, requiring hospitals to report on criteria for placing patients on waiting lists for organ transplants. (Crane, Hills 21; Kenney, Dist 3: Health, Human Services and Elderly Affairs)

HB 1390, relative to educational improvement and accountability. (Rous, Straf 7; Kelly, Dist 10: Education)

HB 1391-FN, prohibiting the investment of state funds in the energy sectors of countries that have been identified by the United States Department of State as state sponsors of terrorism. (Mooney, Hills 19; Bedrick, Rock 4; Rowe, Hills 6; Lasky, Hills 26; Bettencourt, Rock 4; Letourneau, Dist 19; Roberge, Dist 9; Barnes, Dist 17; Clegg, Dist 14: State-Federal Relations and Veterans Affairs)

HB 1392-FN, relative to prohibited activities of lobbyists. (Vaillancourt, Hills 15; Drisko, Hills 5; Ehlers, Merr 9: Legislative Administration)

HB 1393-FN, requiring hepatitis C cases to be reported to the department of health and human services. (M. Clark, Hills 18: Health, Human Services and Elderly Affairs)

HB 1394-FN, relative to procedures for approvals of nursing education programs. (Schulze, Hills 26; Millham, Belk 5; Harding, Graf 11; Skinder, Sull 1; Fuller Clark, Dist 24: Executive Departments and Administration)

HB 1395-FN, establishing the AIDS drug assistance program fund. (Schulze, Hills 26; MacKay, Merr 11; Donovan, Sull 4; Fuller Clark, Dist 24: Health, Human Services and Elderly Affairs)

HB 1396-FN, relative to requiring prescriptions to be ordered pursuant to a practitioner-patient relationship. (Rosenwald, Hills 22; Case, Rock 1; Miller, Straf 7: Health, Human Services and Elderly Affairs)

HB 1397-FN, relative to retention of political expenditure receipts. (Splaine, Rock 16; C. Chase, Hills 2: Election Law)

HB 1398-FN, requiring that certain political contributions be made in cash. (Splaine, Rock 16; C. Chase, Hills 2: Election Law)

HB 1399-FN, relative to the limit for political contributions. (Splaine, Rock 16; C. Chase, Hills 2: Election Law)

HB 1401-FN, adopting the uniform environmental covenants act. (Foosse, Merr 1: Environment and Agriculture)

HB 1402-FN, relative to community health centers. (McLeod, Graf 2; Hager, Merr 12; Nordgren, Graf 9; MacKay, Merr 11; Emerson, Ches 7; Fuller Clark, Dist 24; Janeway, Dist 7; Kenney, Dist 3: Commerce)

HB 1403-FN, relative to the performance of an abortion when there is a reasonable expectation of viability. (Dumaine, Rock 3; Itse, Rock 9; Boyce, Belk 5; N. Elliott, Hills 19: Judiciary)

HB 1404-FN, relative to liability insurance for passenger rail service. (Leishman, Hills 6; Lasky, Hills 26; Bergin, Hills 6; Ryan, Merr 2: Transportation)

HB 1405-FN, regulating outdoor wood-fired boilers. (Shattuck, Hills 1; Essex, Hills 1; Mack, Hills 1; French, Merr 5; Jillette, Sull 2; Janeway, Dist 7; Hassan, Dist 23: Science, Technology and Energy)

HB 1406, authorizing a special license and limiting liability for retired physicians, dentists, nurses, and nurse practitioners offering volunteer services. (Kennedy, Rock 13; T. Russell, Rock 13: Judiciary)

HB 1407, relative to permission to discharge a firearm in the compact part of a town or city. (Welch, Rock 8; Tholl, Coos 2; L'Heureux, Hills 19; L. Hammond, Graf 11; Weyler, Rock 8: Municipal and County Government)

HB 1408-L, relative to the right-to-know law. (J. Thomas, Belk 5; Espieffs, Ches 3; Osborne, Merr 12; Casey, Rock 11: Judiciary)

HB 1409, creating a right of first refusal for a municipality in which certain utility property or stock is proposed to be sold by a utility. (Harvey, Hills 21; Bucu, Carr 1; D'Allesandro, Dist 20; Cilley, Dist 6: Municipal and County Government)

HB 1410, relative to the age requirement for fighting brush and forest fires. (Kurk, Hills 7: Criminal Justice and Public Safety)

HB 1411, relative to information concerning the presence or range of threatened species. (Kurk, Hills 7; Theberge, Coos 4; Phinzy, Sull 5; Gallus, Dist 1: Fish and Game)

HB 1412, establishing a commission to study appointing or contracting with a fleet manager for state-owned motor vehicles. (Weyler, Rock 8; M. Smith, Straf 7; D. Eaton, Ches 2; Stepanek, Hills 6; Graham, Hills 18; D'Allesandro, Dist 20; Gatsas, Dist 16; Gallus, Dist 1; Barnes, Dist 17: Public Works and Highways)

HB 1413, relative to the elimination of sign-off requirements for payroll manifests. (Stepanek, Hills 6; Hansen, Hills 6; Rowe, Hills 6; O'Connell, Hills 6; Bragdon, Dist 11: Municipal and County Government)

HB 1414-FN, increasing the fee for bail commissioners. (Mooney, Hills 19; Rowe, Hills 6; Barry, Hills 19; C. Christensen, Hills 19; Roberge, Dist 9: Ways and Means)

HB 1415, relative to civil unions and marriages between parties of the same sex contracted outside of New Hampshire. (Mooney, Hills 19; Hopfgarten, Rock 5; Rowe, Hills 6; Roberge, Dist 9; Barnes, Dist 17; Letourneau, Dist 19: Judiciary)

HB 1416, establishing a committee to study methods and procedures for making the general court paperless. (Kaelin, Hills 4; Fuller Clark, Dist 24: Legislative Administration)

HB 1417, relative to banning the sale of low-efficiency light bulbs. (Kaelin, Hills 4; G. Andersen, Graf 11: Commerce)

HB 1418, extending Medicaid to prevent gaps in coverage under the New Hampshire healthy kids program. (Daler, Hills 4; DeJoie, Merr 11; Carolyn Brown, Carr 1; Donovan, Sull 4; Case, Rock 1; Hassan, Dist 23; Sgambati, Dist 4; Fuller Clark, Dist 24: Commerce)

HB 1419-FN, relative to voting machine costs. (Vachon, Straf 3: Finance)

HB 1420, relative to the applicability of zoning ordinances to auto salvage yards. (Baldasaro, Rock 3; Villeneuve, Hills 18; Bedrick, Rock 4; Hutchinson, Rock 3; Clegg, Dist 14: Municipal and County Government)

HB 1421, relative to an exemption from the indoor smoking act for certain restaurants. (Buco, Carr 1; Carolyn Brown, Carr 1; Chandler, Carr 1; Kenney, Dist 3; Gallus, Dist 1: Commerce)

HB 1422, establishing a commission on the prevention of childhood obesity. (Schulze, Hills 26; Stiles, Rock 15; Gile, Merr 10; Gargasz, Hills 5; Daler, Hills 4; Foster, Dist 13; Roberge, Dist 9: Health, Human Services and Elderly Affairs)

HB 1423-L, establishing a commission on larviciding. (T. Russell, Rock 13; Henson, Rock 13; J. Day, Rock 13; MacKay, Merr 11; Pilliod, Belk 5; Fuller Clark, Dist 24: Health, Human Services and Elderly Affairs)

HB 1424, relative to notice of meetings of county conventions. (Cloutier, Sull 4; Converse, Sull 4: Municipal and County Government)

HB 1426-FN-A, relative to motor fuel import fees. (Simon, Hills 11: Ways and Means)

HB 1427-FN-A, relative to the fuel oil import fee. (Simon, Hills 11: Ways and Means)

HB 1428, naming a portion of the Franconia Notch Parkway after Corporal Bruce McKay. (McLeod, Graf 2; Bucu, Carr 1; Tholl, Coos 2; Baldasaro, Rock 3; Letourneau, Dist 19; DeVries, Dist 18: Public Works and Highways)

HB 1429, relative to private landfills. (McLeod, Graf 2; Tupper, Merr 6: Environment and Agriculture)

HB 1430, relative to the application of animal cruelty laws to horse and dog race tracks. (Vaillancourt, Hills 15; Schmidt, Straf 4; Splaine, Rock 16; Cooney, Graf 7; Roberge, Dist 9: Environment and Agriculture)

HB 1431-FN, establishing a permanent state defense force. (Itse, Rock 9; Weyler, Rock 8; Heard, Carr 3; Dumaine, Rock 3: State-Federal Relations and Veterans Affairs)

HB 1432, relative to the intent of living wills. (Itse, Rock 9; Villeneuve, Hills 18; N. Elliott, Hills 19: Judiciary)

HB 1433, relative to the terms general court of New Hampshire and state of New Hampshire in legislation. (Itse, Rock 9: Legislative Administration)

HB 1434, relative to the regional greenhouse gas initiative and authorizing cap-and-trade programs for controlling carbon dioxide emissions. (Kaen, Straf 7; Harvey, Hills 21; Barry, Hills 19; Hassan, Dist 23; Fuller Clark, Dist 24; Bragdon, Dist 11; Odell, Dist 8; Larsen, Dist 15: Science, Technology and Energy)

HB 1435, requiring certain food programs to comply with Centers for Disease Control/Institute of Medicine standards. (Rosenwald, Hills 22; Stiles, Rock 15; MacKay, Merr 11; French, Merr 5; O'Neil, Hills 19; Foster, Dist 13: Education)

HB 1436, relative to requiring inclusion of an automatic continuation clause in collectively bargained agreements with public employees. (DiFruscia, Rock 4; Bishop, Rock 2: Labor, Industrial and Rehabilitative Services)

HB 1437, establishing a committee to study whether the state of New Hampshire shall establish a policy that victims of negligent or intentional tortious acts shall recover losses incurred as a result of such acts. (DiFruscia, Rock 4; Bishop, Rock 2; Weyler, Rock 8; Cilley, Dist 6: Judiciary)

HB 1438, relative to a capital appropriation for the construction of the Hampton-Exeter district courthouse. (Stiles, Rock 15; Flockhart, Rock 13; Weare, Rock 14; Nowe, Rock 9; J. Day, Rock 13; Estabrook, Dist 21; Hassan, Dist 23; Fuller Clark, Dist 24; Barnes, Dist 17: Public Works and Highways)

HB 1439, relative to a moratorium on large groundwater withdrawals intended for commercial bottling use. (Bucu, Carr 1; Cunningham, Carr 3; Bridgham, Carr 2; Heard, Carr 3: Resources, Recreation and Development)

HB 1440, relative to reciprocity with the state of Maine for registration of OHRVs and snowmobiles. (Bucu, Carr 1; Kenney, Dist 3: Resources, Recreation and Development)

HB 1441-L, relative to use of the terms "selectwoman" and "selectperson." (J. Day, Rock 13; Kepner, Rock 15; T. Russell, Rock 13; Flockhart, Rock 13; Fuller Clark, Dist 24: Municipal and County Government)

HB 1442-FN-A-L, relative to the taxation of farm buildings and land under farm buildings. (Stohl, Coos 1; Patten, Carr 4; Theberge, Coos 4; Schmidt, Straf 4; Gallus, Dist 1: Municipal and County Government)

HB 1443, establishing a commission to study relocating the state library and establishing an executive office building. (Campbell, Hills 24; D. Eaton, Ches 2; D'Allesandro, Dist 20: Public Works and Highways)

HB 1444-FN-L, relative to vacancies in county offices. (Nedeau, Belk 3; J. Thomas, Belk 5: Municipal and County Government)

HB 1445-FN-A-L, increasing the road toll and designating the increase for the highway and bridge betterment account. (King, Coos 1; Weed, Ches 3; Osborne, Merr 12: Public Works and Highways)

HB 1446, relative to changes to the school building aid statutes and to the schoolhouses statutes. (Weyler, Rock 8; Cloutier, Sull 4; M. Smith, Straf 7; Stepanek, Hills 6; Gallus, Dist 1; Odell, Dist 8: Education)

HB 1447-FN, relative to Medicaid for employed adults with disabilities. (Donovan, Sull 4; Emerton, Hills 7; Jillette, Sull 2; Bleyler, Graf 9; Skinder, Sull 1; Fuller Clark, Dist 24; Hassan, Dist 23: Health, Human Services and Elderly Affairs)

HB 1448-FN, relative to documents prepared by the department of transportation and fees for such documents. (Cloutier, Sull 4; Pilotte, Hills 16; Ingram, Rock 4: Public Works and Highways)

HB 1449-FN-L, allowing county commissioners to be interim administrators of the county nursing home. (Skinder, Sull 1; Gottling, Sull 3; Phinizy, Sull 5: Municipal and County Government)

HB 1451, relative to the transportation of deer by certain persons not issued a deer tag. (L'Heureux, Hills 19; Gallus, Dist 1: Fish and Game)

HB 1452-FN-L, relative to the impact fee for development affecting state highways. (Graham, Hills 18: Municipal and County Government)

HB 1453, relative to civil liability for damage to protective barriers. (G. Richardson, Merr 4; Bettencourt, Rock 4; Cloutier, Sull 4: Public Works and Highways)

HB 1454, relative to electoral college electors. (Matarazzo, Hills 20; Gile, Merr 10: Election Law)

HB 1455, increasing the amount of the veteran's property tax credit and enabling municipalities to extend the veterans' property tax credit to include all veterans who have been honorably discharged. (Mickelonis, Straf 1; Brennan, Straf 1: Municipal and County Government)

HB 1456, naming route 202 in Strafford county the Charles E. Smith Memorial Highway. (Julie Brown, Straf 1; M. Rollo, Straf 2; W. Knowles, Straf 6; DeChane, Straf 3; Cilley, Dist 6: Public Works and Highways)

HB 1457, allowing smoking in smoking bars. (Butler, Carr 1; Bucu, Carr 1; Chandler, Carr 1; Cilley, Dist 6: Commerce)

HB 1458, relative to milk producers and hauling and stop charges. (Phinizy, Sull 5; Skinder, Sull 1; Sad, Ches 2; Snow, Rock 1; Fuller Clark, Dist 24; Janeway, Dist 7: Environment and Agriculture)

HB 1459-FN-A, relative to modular building standards and fees. (Chandler, Carr 1; Merrow, Carr 3; Bucu, Carr 1; Butler, Carr 1: Commerce)

HB 1460, requiring the public utilities commission provide cost recovery for construction of generation assets by Public Service Company of New Hampshire. (Bulis, Graf 1; Theberge, Coos 4; Gionet, Graf 3; Chandler, Carr 1; Odell, Dist 8; Gallus, Dist 1: Science, Technology and Energy)

HB 1461, relative to penalties for vehicle overload. (Ryan, Merr 2; Reed, Merr 2: Transportation)

HB 1462-FN, establishing the office of personal financial education in the treasury. (Harding, Graf 11; Hager, Merr 12; P. McMahon, Merr 3; Reardon, Merr 11; Moran, Hills 18; Janeway, Dist 7; Roberge, Dist 9; Kelly, Dist 10: Executive Departments and Administration)

HB 1463, allowing municipalities to grant a property tax exemption for residential property of qualified low income persons in need of property tax relief. (Houde, Sull 1: Municipal and County Government)

HB 1464, relative to the availability of proposed amendments to bills and resolutions. (Winters, Hills 17; Mooney, Hills 19; Butler, Carr 1; Nord, Rock 1; Clegg, Dist 14; Fuller Clark, Dist 24: Legislative Administration)

HB 1465, establishing a committee to study the feasibility of requiring state government to consider using open source software when acquiring new software. (Baxley, Merr 6: Executive Departments and Administration)

HB 1466, relative to the inventory fund in the department of safety and relative to the costs and production of number plates. (J. Flanders, Rock 8: Transportation)

HB 1467, establishing a commission to study the feasibility of constructing a state hospital facility to treat certain youths addicted to heroin or cocaine. (R. Elliott, Rock 4; Bedrick, Rock 4; Bettencourt, Rock 4: Health, Human Services and Elderly Affairs)

HB 1468, relative to mosquito control policy for lands managed by the fish and game department. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Weyler, Rock 8; J. Day, Rock 13; Plifka, Ches 4; Clegg, Dist 14; Kenney, Dist 3; Barnes, Dist 17; Gallus, Dist 1; Letourneau, Dist 19: Fish and Game)

HB 1469, relative to public employee terms of employment, bargaining units, and dispute resolution. (DeJoie, Merr 11: Labor, Industrial and Rehabilitative Services)

HB 1470, relative to vehicular pursuits by police officers. (Bouchard, Merr 11; Shurtleff, Merr 10; Pantelakos, Rock 16; Tholl, Coos 2; R. Williams, Merr 11: Criminal Justice and Public Safety)

HB 1471, relative to time limits for excavating and dredging permits. (Spang, Straf 7; Weyler, Rock 8; O'Connell, Hills 6; Webb, Merr 2; Irwin, Hills 3; Janeway, Dist 7: Resources, Recreation and Development)

HB 1472, relative to workforce housing. (Potter, Merr 10; Cooney, Graf 7; Almy, Graf 11; DeStefano, Merr 13; Cilley, Dist 6; Sen. Reynolds, Dist 2: Municipal and County Government)

HB 1473, restricting the placement of fertilizer within 250 feet of the reference line of any property. (Borden, Rock 18; Kepner, Rock 15; Fuller Clark, Dist 24: Environment and Agriculture)

HB 1474-FN, relative to the construction and operation of shooting ranges. (Baldasaro, Rock 3; Bedrick, Rock 4; Hutchinson, Rock 3; Welch, Rock 8; Kenney, Dist 3; Clegg, Dist 14; Letourneau, Dist 19: Municipal and County Government)

HB 1476, relative to shooting ranges. (Baldasaro, Rock 3; Hutchinson, Rock 3; Bedrick, Rock 4; Villeneuve, Hills 18; Clegg, Dist 14; Letourneau, Dist 19; Kenney, Dist 3: Municipal and County Government)

HB 1477, relative to cellular phone and satellite television records for child support enforcement. (Moran, Hills 18: Children and Family Law)

HB 1478, relative to the quorum for meetings of the equalization standards board. (Patten, Carr 4; Schmidt, Straf 4; DeVries, Dist 18: Municipal and County Government)

HB 1479-FN, relative to the sale of tobacco products and the appeals process concerning the seizure of illegal tobacco products. (Almy, Graf 11; Hatch, Coos 3; Hamm, Merr 4: Commerce)

HB 1480, authorizing the commissioner of revenue administration to deny certain tobacco licenses. (Almy, Graf 11; J. Kelley, Hills 26; Hamm, Merr 4; Hatch, Coos 3: Commerce)

HB 1481, relative to identification of registered sex offenders on the state website. (R. Elliott, Rock 4; Bedrick, Rock 4: Criminal Justice and Public Safety)

HB 1482-FN-L, requiring schools and school libraries to install Internet filters. (Price, Hills 26; Welch, Rock 8; Dunn, Ches 3; W. Knowles, Straf 6: Education)

HB 1483, requiring instruction in Internet safety. (Price, Hills 26; Welch, Rock 8; Dunn, Ches 3; W. Knowles, Straf 6: Education)

HB 1484, establishing a commission to study retail health clinics. (Emerton, Hills 7; MacKay, Merr 11; DeJoie, Merr 11; Leishman, Hills 6; Carolyn Brown, Carr 1; D'Allesandro, Dist 20; Gallus, Dist 1: Executive Departments and Administration)

HB 1485, relative to state reimbursement under the housing security guarantee program. (Wallner, Merr 12; M. Smith, Straf 7; D'Allesandro, Dist 20: Finance)

HB 1486, enabling municipalities to establish term limits for elected officials. (Hopfgarten, Rock 5: Municipal and County Government)

HB 1487, establishing a commission to study the creation of an advanced dental hygiene practitioner to increase access to oral health care. (M. Rollo, Straf 2; S. Merrick, Coos 2: Health, Human Services and Elderly Affairs)

HB 1488, establishing a committee to study the feasibility of establishing pro se law libraries. (Franklin, Sull 2; Wall, Straf 7: Judiciary)

HB 1489, prohibiting the start of public school until after Labor Day. (Foose, Merr 1: Education)

HB 1490, adopting the uniform child custody jurisdiction and enforcement act. (Foose, Merr 1: Children and Family Law)

HB 1491, establishing a committee to study the ownership and disposition of rangeways. (Owen, Merr 4; Snow, Rock 1: Municipal and County Government)

HB 1492, relative to prescriptions under the controlled drug act. (Price, Hills 26; Rosenwald, Hills 22: Health, Human Services and Elderly Affairs)

HB 1493, relative to the commission to study the state highway trust fund. (Bouchard, Merr 11; Cloutier, Sull 4; Graham, Hills 18; Benn, Graf 9; Burling, Dist 5; Letourneau, Dist 19; D'Allesandro, Dist 20: Public Works and Highways)

HB 1494, relative to the office of register of probate. (Theberge, Coos 4; Bennett Moore, Rock 15; Osborne, Merr 12; Stohl, Coos 1; Patten, Carr 4; Gallus, Dist 1: Judiciary)

HB 1495-FN, relative to parental notification. (Wendelboe, Belk 1; L. Ober, Hills 27; Mooney, Hills 19; Emerson, Ches 7; D. Smith, Hills 22; Headd, Rock 3; Gionet, Graf 3; Hogan, Hills 25; Chandler, Carr 1; Itse, Rock 9; Fesh, Rock 5; Miller, Straf 7; Boutin, Merr 9; Renzullo, Hills 27; Garcia, Rock 4; Dumaine, Rock 3; Manning, Hills 7; Ingbretson, Graf 5; Baldassaro, Rock 3; C. Christiansen, Hills 19; Ulery, Hills 27; Guthrie, Rock 8; Humphries, Merr 9; Bedrick, Rock 4; R. Elliott, Rock 4; N. Elliott, Hills 19; Kappler, Rock 2: Judiciary)

HB 1496-FN, establishing motor vehicle learners' permits and relative to youth operators' licenses. (E. Merrick, Coos 2; Ingersoll, Coos 4; Hatch, Coos 3; Tholl, Coos 2; Gallus, Dist 1; Roberge, Dist 9: Transportation)

HB 1497-FN, requiring proof of motor vehicle liability insurance prior to selling a motor vehicle to a person under 21 years of age. (Mooney, Hills 19; Batula, Hills 19; O'Neil, Hills 19; L'Heureux, Hills 19; Barry, Hills 19; Roberge, Dist 9: Commerce)

HB 1498-FN, relative to notification of a parent or guardian by medical professionals when treating a minor. (Mooney, Hills 19; Rowe, Hills 6; Bragdon, Dist 11; Roberge, Dist 9: Judiciary)

HB 1499-FN-A, replacing the electricity consumption tax with an electricity generation tax. (Mack, Hills 1; Hatch, Coos 3; Essex, Hills 1; Janeway, Dist 7: Science, Technology and Energy)

HB 1501-FN, relative to the penalty for certain sexual assault cases where the perpetrator is under 21 years of age. (L. Hammond, Graf 11; G. Andersen, Graf 11; Hamm, Merr 4; Tupper, Merr 6: Criminal Justice and Public Safety)

HB 1502-FN, relative to disposal of used needles. (Knox, Carr 4; Snow, Rock 1; Powers, Rock 16: Health, Human Services and Elderly Affairs)

HB 1503-FN-A, making an appropriation to fund the reporting of hospital infections by the department of health and human services. (Hess, Merr 9; Lund, Rock 5; Batula, Hills 19: Finance)

HB 1504-FN-L, directing New Hampshire to withdraw from the No Child Left Behind Act. (Ingbreton, Graf 5: Education)

HB 1505-FN, establishing the New Hampshire birth conditions program. (Daler, Hills 4; Matarazzo, Hills 20; Pilliod, Belk 5; French, Merr 5; Sgambati, Dist 4; Fuller Clark, Dist 24: Health, Human Services and Elderly Affairs)

HB 1506-FN, establishing a restricted mail registry in the department of justice. (Nord, Rock 1; Kurk, Hills 7; Beaulieu, Hills 17: Commerce)

HB 1507, exempting the land and buildings of Masonic lodges from property taxation. (Weyler, Rock 8; D. Smith, Hills 22: Municipal and County Government)

HB 1508-FN, relative to prohibited influence of voters and persons intending to vote. (Pierce, Graf 9: Election Law)

HB 1509-FN-A, establishing certain fees for operators of games of chance for the purpose of funding the education trust fund. (Butynski, Ches 4; F. Sullivan, Hills 12; Marsh, Rock 17: Executive Departments and Administration)

HB 1510-FN-A, redefining tobacco products and increasing the tax on tobacco products other than cigarettes. (W. Chase, Ches 1; E. Merrick, Coos 2: Ways and Means)

HB 1511-FN-A, relative to fees for laboratory services and establishing a laboratory services fund. (McLeod, Graf 2; Nordgren, Graf 9; MacKay, Merr 11: Ways and Means)

HB 1512-FN-L, relative to disposition of motor vehicle fines. (Simon, Hills 11: Ways and Means)

HB 1513-FN, relative to an evidence-based prescription drug education program. (Rosenwald, Hills 22; Nordgren, Graf 9; Case, Rock 1; Harding, Graf 11: Health, Human Services and Elderly Affairs)

HB 1514-FN-A, establishing the New Hampshire state health investment program corporation and continually appropriating a special fund. (J. Hammond, Hills 3; McEachern, Rock 16; Wall, Straf 7; Beck, Hills 2; Beauchesne, Merr 8: Health, Human Services and Elderly Affairs)

HB 1515-FN, prohibiting “at will” employment and creating a database of employee terminations. (Mickelonis, Straf 1: Labor, Industrial and Rehabilitative Services)

HB 1516-FN, relative to the divestiture of New Hampshire retirement assets relating to Sudan. (Fontas, Hills 24; S. Merrick, Coos 2; Edwards, Hills 26; Casey, Rock 11; Bedrick, Rock 4; Clegg, Dist 14: Executive Departments and Administration)

HB 1517-FN, relative to parental consent for abortions. (N. Elliott, Hills 19; Hogan, Hills 25; Garcia, Rock 4; Ulery, Hills 27; Dumaine, Rock 3: Judiciary)

HB 1518-FN, relative to prescription drug marketing, restrictions, and disclosure. (Donovan, Sull 4; B. Richardson, Ches 5; Franklin, Sull 2; Jillette, Sull 2; MacKay, Merr 11: Commerce)

HB 1519-FN, relative to the determination of gainful occupation for a group II member receiving a disability retirement allowance from the retirement system. (B. Shaw, Hills 16: Executive Departments and Administration)

HB 1520-FN, allowing service in the Peace Corps to be purchased as creditable service in the retirement system. (Benn, Graf 9; Graham, Hills 18; Emerton, Hills 7; Kurk, Hills 7; Fuller Clark, Dist 24; Janeway, Dist 7; Hassan, Dist 23: Executive Departments and Administration)

HB 1521-L, relative to Franklin Highway in the town of Andover. (Baxley, Merr 6: Public Works and Highways)

HB 1522, relative to care standards for farm animals. (Vaillancourt, Hills 15; Gile, Merr 10; McCarthy, Rock 5; Skinder, Sull 1; Roberge, Dist 9: Environment and Agriculture)

HB 1523, relative to the use of clotheslines. (Harvey, Hills 21; Borden, Rock 18; Owen, Merr 4; Devine, Rock 7; Janeway, Dist 7: Municipal and County Government)

HB 1524-FN, relative to speed limits and keeping right except to pass. (D. Smith, Hills 22; Vaillancourt, Hills 15; L. Hammond, Graf 11; Emerton, Hills 7; Gallus, Dist 1: Transportation)

HB 1526, relative to the use of the name or image of a protected person. (Baldasaro, Rock 3; Carson, Rock 3; Villeneuve, Hills 18; Haefner, Hills 27; Kenney, Dist 3; Clegg, Dist 14; Letourneau, Dist 19: State-Federal Relations and Veterans Affairs)

HB 1527, relative to charitable organizations and games of chance. (Marsh, Rock 17; Kurk, Hills 7; J. Kelley, Hills 26; Schmidt, Straf 4; Estabrook, Dist 21; Fuller Clark, Dist 24: Executive Departments and Administration)

HB 1528-FN, relative to suspension of a driver's license for gasoline theft. (Cloutier, Sull 4; Jillette, Sull 2; Donovan, Sull 4; Odell, Dist 8: Transportation)

HB 1529, relative to permitting chambers of commerce to conduct games of chance. (Stiles, Rock 15; Hawkins, Hills 18; McGuirk, Rock 15; Gatsas, Dist 16; Odell, Dist 8; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 1530, relative to access to mental health practitioners. (Powers, Rock 16: Commerce)

HB 1531, relative to allowing a cause of action for identity theft. (Ulery, Hills 27; D. Smith, Hills 22: Judiciary)

HB 1532, relative to snow and obstruction removal from parking spaces designated for disabled persons. (L'Heureux, Hills 19: Commerce)

HB 1533, relative to the office of the state treasurer. (P. McMahon, Merr 3; Franklin, Sull 2; Weyler, Rock 8; Janeway, Dist 7: Executive Departments and Administration)

HB 1534, relative to the misuse of social security numbers. (Renzullo, Hills 27; Kurk, Hills 7; Hogan, Hills 25: Judiciary)

HB 1535, relative to establishing a factual data base for wetland decision accountability. (Camm, Rock 8: Resources, Recreation and Development)

HB 1536, relative to periodic payments of judgments. (McEachern, Rock 16: Judiciary)

HB 1537, relative to the definition of milk. (Phinizy, Sull 5; Skinder, Sull 1; Sad, Ches 2; Snow, Rock 1; Janeway, Dist 7; Fuller Clark, Dist 24: Environment and Agriculture)

HB 1538, relative to mineral extraction, mining, and reclamation in New Hampshire. (Spang, Straf 7; Phinizy, Sull 5; Y. Thomas, Coos 4; Odell, Dist 8; Fuller Clark, Dist 24: Resources, Recreation and Development)

HB 1539, relative to the political party representation of members of the fish and game commission. (Abbott, Rock 12; Greco, Merr 7; Henson, Rock 13; Skinder, Sull 1: Fish and Game)

HB 1540-FN, relative to coverage for clinical trials under the children's health insurance program and the state Medicaid program. (Mickelonis, Straf 1; Brennan, Straf 1; Watson, Straf 1: Commerce)

HB 1541, relative to service in the Vietnam Conflict for purposes of qualification for the veterans' property tax credit. (Buco, Carr 1: Municipal and County Government)

HB 1542-L, relative to burials in cemeteries. (B. Richardson, Ches 5; Gile, Merr 10; Gargas, Hills 5; Donovan, Sull 4; Roberge, Dist 9: Health, Human Services and Elderly Affairs)

HB 1543-FN, relative to the citizen's petition for redress of grievances by the legislature. (Itse, Rock 9; Ingbretson, Graf 5; Villeneuve, Hills 18; Dumaine, Rock 3; Hopfgarten, Rock 5: Judiciary)

HB 1544-FN, relative to the development of effective energy efficiency measures. (G. Andersen, Graf 11: Science, Technology and Energy)

HB 1545-FN-A, establishing a waiver option for live-racing tracks. (Wendelboe, Belk 1; Cooney, Graf 7: Ways and Means)

HB 1546-FN, allowing the local chief of police to object to games of chance licenses for charitable organizations. (Tholl, Coos 2; Schmidt, Straf 4; J. Kelley, Hills 26; Fuller Clark, Dist 24: Executive Departments and Administration)

HB 1547-FN-L, repealing a fee charged by the registry of deeds. (Chandler, Carr 1; Merrow, Carr 3; Patten, Carr 4; Gatsas, Dist 16: Ways and Means)

HB 1548-FN, relative to benefits for state employees who serve with a national guard unit or army reserve unit in Iraq or Afghanistan. (Carson, Rock 3: Executive Departments and Administration)

HB 1549-FN, relative to the duration of the disability requirement for aid to the permanently and totally disabled. (Donovan, Sull 4; Skinder, Sull 1; Jillette, Sull 2; Butcher, Ches 3: Health, Human Services and Elderly Affairs)

HB 1551-FN, relative to fees for special number plates for veterans. (Kjellman, Merr 5: Transportation)

HB 1552-FN, relative to establishing a single liquor commissioner. (McEachern, Rock 16; Marshall Quandt, Rock 13: Executive Departments and Administration)

HB 1553-FN, banning sales of cigarettes through vending machines and banning the distribution of free samples of tobacco products. (Butynski, Ches 4; E. Merrick, Coos 2; Almy, Graf 11; Pilliod, Belk 5: Commerce)

HB 1554-FN, relative to challenges of voters. (Pierce, Graf 9: Election Law)

HB 1555-FN, relative to an E-Z Pass discount for residents of Merrimack. (Stepanek, Hills 6; Mooney, Hills 19; Itse, Rock 9; Weyler, Rock 8; Rodeschin, Sull 2; Roberge, Dist 9; Gallus, Dist 1; Clegg, Dist 14: Public Works and Highways)

HB 1556-FN-A, establishing a property tax relief program. (Kurk, Hills 7; Houde, Sull 1; Fuller Clark, Dist 24: Municipal and County Government)

HB 1557, relative to enforcement of modular building standards. (Buco, Carr 1; Merrow, Carr 3: Commerce)

HB 1558-FN, requiring disclosure of fees by automobile dealers. (Moran, Hills 18; Gile, Merr 10; Walz, Merr 13; Itse, Rock 9: Commerce)

HB 1559-FN, requiring home confinement for certain drug possession crimes. (Ingbreton, Graf 5: Criminal Justice and Public Safety)

HB 1560-FN-A-L, relative to the pharmaceutical assistance program and making an appropriation therefor. (Ehlers, Merr 9; Donovan, Sull 4; DeJoie, Merr 11; Case, Rock 1; Nord, Rock 1: Health, Human Services and Elderly Affairs)

HB 1561, establishing an energy conservation and efficiency board. (Andersen, Graf 11; Fuller Clark, Dist 24: Science, Technology and Energy)

HB 1562, relative to procedures of the site evaluation committee. (Andersen, Graf 11: Science, Technology and Energy)

HB 1563-FN, authorizing public academies to receive public funds for renovation and expansion of regional vocational education programs. (Rausch, Rock 5; Graham, Hills 18; Letourneau, Dist 19; Fuller Clark, Dist 24: Education)

HB 1564-FN, relative to the regulation of commercial mobile services by the public utilities commission. (Sprague, Straf 2: Science, Technology and Energy)

HB 1565-FN-L, relative to notice of video or audio surveillance in a business or public building. (Splaine, Rock 16; Kurk, Hills 7: Criminal Justice and Public Safety)

HB 1566-FN, prohibiting automated teller machine skimming devices. (Emerton, Hills 7: Commerce)

HB 1567-FN, permitting the possession of marijuana in certain quantities. (Weed, Ches 3; Vaillancourt, Hills 15; L. Hammond, Graf 11: Criminal Justice and Public Safety)

HB 1568-FN, relative to endangering the public water supply. (Cunningham, Carr 3; Heard, Carr 3; Bucu, Carr 1; Butler, Carr 1: Criminal Justice and Public Safety)

HB 1569-FN, relative to the use of drugs on wildlife. (Skinder, Sull 1; Plifka, Ches 4: Fish and Game)

HB 1570-FN, relative to one-day temporary plates. (Cooney, Graf 7: Transportation)

HB 1571-FN-L, relative to inspection of construction or alteration of publicly accessible buildings for compliance with accessibility standards, and making an appropriation therefor. (T. Russell, Rock 13; Hawkins, Hills 18; J. Day, Rock 13; Miller, Straf 7; Fuller Clark, Dist

24: Commerce)

HB 1572-FN, establishing cancer research number plates. (Kepner, Rock 15; Hubbard, Straf 1: Transportation)

HB 1573-FN-L, relative to hazardous and dilapidated buildings. (Theberge, Coos 4; King, Coos 1; Ingersoll, Coos 4; Osborne, Merr 12; Y. Thomas, Coos 4; Gallus, Dist 1: Municipal and County Government)

HB 1574-FN-A, increasing the beer tax. (Osborne, Merr 12; Weed, Ches 3; Cooney, Graf 7; Theberge, Coos 4; French, Merr 5: Ways and Means)

HB 1576-FN, relative to the employment of veterans on certain national holidays. (Emiro, Rock 3: State-Federal Relations and Veterans Affairs)

HB 1577-FN-A-L, relative to revenue sharing between the state and municipalities of vehicle fines and forfeitures. (Weed, Ches 3; Schmidt, Straf 4: Ways and Means)

HB 1578-FN, relative to insurance fraud. (Reardon, Merr 11; DeStefano, Merr 13; Spratt, Hills 3: Commerce)

HB 1579-FN, relative to setback requirements from wetlands. (J. Day, Rock 13: Resources, Recreation and Development)

HB 1580-FN, relative to witness fees and writs for depositions. (Ulery, Hills 27: Judiciary)

HB 1581-FN-L, relative to the formation of stormwater utility districts. (Fargo, Straf 4: Municipal and County Government)

HB 1582-FN, relative to eligibility decisions under the Temporary Assistance to Needy Families (TANF) program. (B. Richardson, Ches 5; Davis, Merr 7; Julie Brown, Straf 1; Gargas, Hills 5; Donovan, Sull 4; Sgambati, Dist 4; Estabrook, Dist 21; Fuller Clark, Dist 24: Health, Human Services and Elderly Affairs)

HB 1583-FN, requiring the bureau of emergency communications to develop and maintain a statewide emergency notification system. (J. Thomas, Belk 5; Levesque, Hills 5; Harding, Graf 11; Friedrich, Graf 6: State-Federal Relations and Veterans Affairs)

HB 1584-FN-A, establishing a fund to cover the costs of recycling electronic waste. (Harvey, Hills 21; Fuller Clark, Dist 24: Science, Technology and Energy)

HB 1585-FN, relative to regulation of fuel gas fitters by the state fire marshal. (Wendelboe, Belk 1: Executive Departments and Administration)

HB 1586-FN, relative to housing assistance for recipients of Temporary Assistance to Needy Families (TANF). (Donovan, Sull 4; Schulze, Hills 26; Skinder, Sull 1; Jillette, Sull 2; MacKay, Merr 11; Fuller Clark, Dist 24: Health, Human Services and Elderly Affairs)

HB 1587-FN, relative to patient health care information. (Rosenwald, Hills 22; Kurk, Hills 7; MacKay, Merr 11; McLeod, Graf 2; Harding, Graf 11; Estabrook, Dist 21; Hassan, Dist 23; Gallus, Dist 1; DeVries, Dist 18: Health, Human Services and Elderly Affairs)

HB 1588-FN, relative to the verification of the state of residency of an unemancipated minor seeking an abortion in New Hampshire. (N. Elliott, Hills 19; Mooney, Hills 19; Ulery, Hills 27; Dumaine, Rock 3; Roberge, Dist 9: Judiciary)

HB 1589-FN, prohibiting the lethal injection of any substance as part of the abortion process. (N. Elliott, Hills 19; Mooney, Hills 19; Dumaine, Rock 3; Hogan, Hills 25; Garcia, Rock 4; Roberge, Dist 9: Judiciary)

HB 1590-FN, establishing a DWI fatality memorial sign program. (Ehlers, Merr 9; Spaulding, Hills 18; Roberge, Dist 9: Public Works and Highways)

HB 1591-FN, relative to vehicles traded to automobile dealers. (G. Andersen, Graf 11: Commerce)

HB 1592-FN-A, requiring road toll revenues to be spent on highways and bridges. (Winters, Hills 17: Public Works and Highways)

HB 1593-FN-A-L, establishing a flat rate education income tax and relative to the statewide enhanced education tax and certain other taxes. (Osborne, Merr 12; Phinzy, Sull 5; Weed, Ches 3; Cooney, Graf 7: Ways and Means)

HB 1594-FN, relative to hazardous material reporting requirements and establishing fees for hazardous materials facilities and employees. (Snow, Rock 1; DeJoie, Merr 11; Nord,

Rock 1; B. Williams, Graf 8; Hamm, Merr 4; Hassan, Dist 23: Environment and Agriculture)
HB 1595-FN, relative to driver's license renewals by persons engaged in overseas government service. (Ryan, Merr 2; B. Richardson, Ches 5; Reed, Merr 2; Burling, Dist 5: Transportation)
HB 1596-FN-L, relative to fees charged by the motor vehicle division. (R. Williams, Merr 11: Ways and Means)
HB 1597-FN, relative to workers' compensation compliance. (Hunt, Ches 7; Chandler, Carr 1: Labor, Industrial and Rehabilitative Services)
HB 1598-FN, relative to the salary ranges for unclassified state officers. (Hawkins, Hills 18; Weyler, Rock 8: Executive Departments and Administration)
HB 1599-FN, relative to allowable deductibles in the individual insurance market. (Hunt, Ches 7: Commerce)
HB 1601-FN-A, relative to funding for certain capital projects of the Pease development authority. (Weyler, Rock 8; Cloutier, Sull 4: Public Works and Highways)
HB 1602-FN, relative to dependent health insurance coverage. (Hunt, Ches 7; Chandler, Carr 1: Commerce)
HB 1603-FN-A, establishing a penalty for payment of a state obligation with an invalid form of payment. (Chandler, Carr 1; Campbell, Hills 24; Clegg, Dist 14: Ways and Means)
HB 1604-FN, relative to the electronic toll collection system. (Cyr, Straf 3: Transportation)
HB 1605-FN, making certain technical changes in the insurance laws. (Spratt, Hills 3; DeStefano, Merr 13; McLeod, Graf 2: Commerce)
HB 1606-FN-A, relative to the rate of highway tolls. (Vaillancourt, Hills 15; Hinkle, Hills 19; Stepanek, Hills 6; Renzullo, Hills 27; Roberge, Dist 9: Public Works and Highways)
HB 1607-FN, relative to compensation and annual leave for firefighters. (McLeod, Graf 2; Stohl, Coos 1; Solomon, Graf 10; Harding, Graf 11; Burling, Dist 5; Fuller Clark, Dist 24: Labor, Industrial and Rehabilitative Services)
HB 1608-FN, requiring insurance coverage for colorectal screening for adults in New Hampshire. (DeJoie, Merr 11: Commerce)
HB 1609-FN, relative to misrepresentation as an owner of a service dog. (Parkhurst, Ches 4; Lasky, Hills 26; J. Tilton, Merr 6; Shurtleff, Merr 10; Roberge, Dist 9; Cilley, Dist 6: Criminal Justice and Public Safety)
HB 1610-FN, relative to motor carriers. (Ulery, Hills 27: Transportation)
HB 1611-FN, relative to physical restraints used for involuntary commitments. (MacKay, Merr 11; Bleyler, Graf 9; Rosenwald, Hills 22; Pilliod, Belk 5; Hassan, Dist 23; Sgambati, Dist 4; Kenney, Dist 3: Health, Human Services and Elderly Affairs)
HB 1612-FN-L, relative to county and state obligations for costs for nursing care and services, and for court orders for children services. (Osborne, Merr 12; Bouchard, Merr 11; Tholl, Coos 2; Weed, Ches 3; Phinizy, Sull 5: Finance)
HB 1613-FN, making changes to certain statutes relating to crimes against children. (Shurtleff, Merr 10; Tholl, Coos 2: Criminal Justice and Public Safety)
HB 1614-FN, relative to illegal immigration. (Ulery, Hills 27; Lund, Rock 5; L. Ober, Hills 27; Villeneuve, Hills 18; Gionet, Graf 3: Criminal Justice and Public Safety)
HB 1615-FN-A, relative to the rural health and primary care program administered by the department of health and human services and making an appropriation therefor. (McLeod, Graf 2; E. Merrick, Coos 2; Nordgren, Graf 9; Butler, Carr 1; Burling, Dist 5: Health, Human Services and Elderly Affairs)
HB 1616-FN, relative to financial aid for students losing aid due to registering to vote. (Pierce, Graf 9: Election Law)
HB 1617-FN, relative to the registration of repossessors. (Ulery, Hills 27: Executive Departments and Administration)
HB 1618-FN-A, relative to motor vehicle fees and motor vehicle violation fines and relative to appropriations from the highway fund. (Weyler, Rock 8; M. Smith, Straf 7; D. Eaton, Ches 2; Stepanek, Hills 6; Lund, Rock 5; Gallus, Dist 1: Ways and Means)

HB 1619-FN, requiring sex offender counseling for female inmates incarcerated in a state or county correctional facility. (Reever, Belk 4; Arsenault, Belk 4: Criminal Justice and Public Safety)

HB 1620-FN-A-L, adding a fee to motor vehicle fines for use by law enforcement agencies. (Winters, Hills 17: Ways and Means)

HB 1621-FN, relative to requiring a refundable deposit on beverage containers. (Hall, Hills 5; Estes, Graf 7: Environment and Agriculture)

HB 1622-FN-A, allowing counties to implement a first-time offender alcohol and substance treatment program, requiring the department of justice to administer grants to counties for such program, and making an appropriation therefor. (Fontas, Hills 24; Pantelakos, Rock 16: Criminal Justice and Public Safety)

HB 1623-FN, relative to penalties for possession of marijuana. (Fontas, Hills 24; Edwards, Hills 26; Weed, Ches 3: Criminal Justice and Public Safety)

HB 1624-FN, relative to a one day/one trial jury duty pilot program. (Nord, Rock 1; DiFruscia, Rock 4: Judiciary)

HB 1626-FN, relative to a new bridge over the Merrimack River. (Campbell, Hills 24; Jasper, Hills 27; Lasky, Hills 26; Renzullo, Hills 27; L. Ober, Hills 27; Clegg, Dist 14; Gottesman, Dist 12: Public Works and Highways)

HB 1627, establishing a committee to study procedures and standards used by the state in public service contracts. (Pilotte, Hills 16; Beck, Hills 2; L. Ober, Hills 27: Executive Departments and Administration)

HB 1628, relative to renewable energy generation incentive programs. (Kaelin, Hills 4: Science, Technology and Energy)

HB 1629-FN-A-L, relative to the evaluation of recycling and energy conversion options for grease trap wastes at the Winnepesaukee river basin program's Franklin wastewater treatment facility and making an appropriation therefor. (Schmidt, Straf 4: Resources, Recreation and Development)

HJR 10, a resolution urging congress to allow for the interstate sale of state inspected meat and poultry. (Phinizy, Sull 5; Haefner, Hills 27; Sad, Ches 2; O'Connell, Hills 6; Essex, Hills 1; Cilley, Dist 6; Janeway, Dist 7; Reynolds, Dist 2: Environment and Agriculture)

HJR 11, a resolution requesting the United States Department of Agriculture to provide redress for price reporting errors in milk prices. (Phinizy, Sull 5; Essex, Hills 1; O'Connell, Hills 6; Sad, Ches 2; Haefner, Hills 27; Cilley, Dist 6; Reynolds, Dist 2: Environment and Agriculture)

HJR 12, a resolution relative to support for research into colony collapse disorder. (Phinizy, Sull 5; Haefner, Hills 27; Sad, Ches 2; O'Connell, Hills 6; Essex, Hills 1; Cilley, Dist 6; Reynolds, Dist 2; Fuller Clark, Dist 24: Environment and Agriculture)

HCR 10, urging communities to conduct handicap parking awareness days. (L'Heureux, Hills 19; L. Ober, Hills 27; Roberge, Dist 9: Transportation)

HCR 11, urging municipalities to establish an annual free tire collection day. (Laliberte, Graf 10: Municipal and County Government)

HCR 12, urging the federal government to withdraw the United States from the North American Free Trade Agreement (NAFTA). (Winters, Hills 17; Soucy, Hills 17; Itse, Rock 9; Hinkle, Hills 19; Barnes, Dist 17: State-Federal Relations and Veterans Affairs)

HCR 13, urging Congress to create an Office of the National Nurse. (Moody, Rock 12; Emerson, Ches 7; French, Merr 5; T. Russell, Rock 13; Millham, Belk 5; Hassan, Dist 23; Fuller Clark, Dist 24: State-Federal Relations and Veterans Affairs)

HCR 14, urging Congress to establish the Homeowners and Bank Protection Act. (B. Richardson, Ches 5; French, Merr 5: State-Federal Relations and Veterans Affairs)

HCR 15, commemorating the commissioning of the USS New Hampshire. (Mooney, Hills 19; J. Flanders, Rock 8; Rowe, Hills 6; Baldasaro, Rock 3; Haefner, Hills 27; Gatsas, Dist 16; Letourneau, Dist 19; Roberge, Dist 9; Kenney, Dist 3; Barnes, Dist 17: State-Federal Relations and Veterans Affairs)

HCR 16, urging Congress to rescind a law allowing the President to exercise federal control over the state national guard without consent of the governor. (Daniels, Hills 6: State-Federal Relations and Veterans Affairs)

HCR 17, encouraging the use of reusable shopping bags. (Pierce, Graf 9; Reynolds, Dist 2: Environment and Agriculture)

HR 21, urging Congress to oppose any attempt to remove the phrase “In God We Trust” from United States currency. (Lund, Rock 5; Haefner, Hills 27; Hogan, Hills 25; Villeneuve, Hills 18; Boyce, Belk 5: State-Federal Relations and Veterans Affairs)

HR 22, urging that the federal government enforce existing immigration law. (Ulery, Hills 27; Renzullo, Hills 27; Gionet, Graf 3: State-Federal Relations and Veterans Affairs)

HR 23, declaring a supra-national government such as a North American union unconstitutional. (Itse, Rock 9: State-Federal Relations and Veterans Affairs)

HR 24, petitioning Congress to commence impeachment procedures. (Hall, Hills 5: State-Federal Relations and Veterans Affairs)

HR 25, urging Congress to fully implement the Secure Fence Act of 2006. (Renzullo, Hills 27; Ulery, Hills 27; Crane, Hills 21; Hogan, Hills 25: State-Federal Relations and Veterans Affairs)

HR 26, expressing regret that New Hampshire’s United States Senators voted to deny the District of Columbia the right to be represented in the Congress. (Rosenwald, Hills 22; Splaine, Rock 16; Fuller Clark, Dist 24: State-Federal Relations and Veterans Affairs)

CACR 21, relating to: local public education. Providing that: the local political subdivision responsible for public education shall have the power to determine curriculum, set standards, and determine funding, and that the legislature may provide supplemental funding. (Ingbretson, Graf 5; Hopfgarten, Rock 5: Education)

CACR 22, relating to: the membership of the senate. Providing that: the senate shall consist of 36 members. (Schmidt, Straf 4; Fuller Clark, Dist 24: Legislative Administration)

CACR 23, relating to: parental rights. Providing that: the State shall not abridge the right of parents to control the welfare and education of their children. (Itse, Rock 9; Ingbretson, Graf 5; Dumaine, Rock 3: Children and Family Law)

CACR 24, relating to: prohibiting any new tax on personal income. Providing that: no new tax on personal income shall be levied by the state of New Hampshire. (Bettencourt, Rock 4: Ways and Means)

CACR 25, relating to: state participation in federal programs. Providing that: the state shall not participate in unfunded and partially funded federally mandated programs. (Bergin, Hills 6; Dokmo, Hills 6; Leishman, Hills 6: State-Federal Relations and Veterans Affairs)

CACR 26, relating to: the state senate. Providing that: state senators shall be 25 years of age or older. (Mickelonis, Straf 1: Legislative Administration)

CACR 27, relating to: the election of a state auditor. Providing that: the state auditor shall be elected to a term of 4 years and shall be responsible for auditing the accounts of the treasurer. (Phinizy, Sull 5; DiFruscia, Rock 4; Ferland, Sull 5: Executive Departments and Administration)

CACR 28, relating to: compensation of members of the legislature. Providing that: compensation of members of the legislature be increased to \$100 per week. (DiFruscia, Rock 4; Phinizy, Sull 5; Bishop, Rock 2: Legislative Administration)

CACR 29, relating to: education. Providing that: the recognition of local control of education in the New Hampshire constitution is reestablished. (Itse, Rock 9: Education)

CACR 30, relating to: the oath of office. Providing that: the name of the state in the oath of office be corrected. (Itse, Rock 9; Villeneuve, Hills 18: Judiciary)

MOTION TO VACATE

Rep. Foster moved that the House vacate the reference of:

HB1201, allowing communities to conduct point of dispensing exercises to test emergency

management operations plans, allowing certain health professionals to administer actual medications during such exercises, and granting immunity to physicians who prescribe drugs to be administered during such exercises, to the Committee on Executive Departments and Administration.

HB 1319, relative to the reasonable cost of medical support for dependent children and **HB 1418**, extending Medicaid to prevent gaps in coverage under the New Hampshire healthy kids program, to the Committee on Commerce.

HB 1359, relative to fees for public records and **HB 1545**, establishing a waiver option for live-racing tracks, to the Committee on Ways and Means.

HB 1502, relative to disposal of used needles and **HB 1514**, establishing the New Hampshire state health investment program corporation and continually appropriating a special fund, to the Committee on Health, Human Services and Elderly Affairs.

HB1538, relative to mineral extraction, mining, and reclamation in New Hampshire, to the Committee on Resources, Recreation and Development.

HB 1583, requiring the bureau of emergency communications to develop and maintain a statewide emergency notification system, to the Committee on State-Federal Relations and Veterans Affairs.

Adopted.

The Speaker referred:

HB 1201 and **HB 1418** to the Committee on Health, Human Services and Elderly Affairs.

HB 1319 to the Committee on Children and Family Law.

HB 1359 to the Committee on Judiciary.

HB 1538 and **HB 1502** to the Committee on Environment and Agriculture.

HB1514 to the Committee on Commerce.

HB 1583 to the Committee on Science, Technology and Energy.

HB 1545 to the Committee on Executive Departments and Administration.

COMMITTEE REPORTS – RETAINED BILLS

CONSENT CALENDAR

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

HB 584-FN, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age, removed by Rep. Tholl.

HB 432-FN, relative to age requirements for cocktail lounges, removed by Rep. Pantelakos.

HB 358, relative to the procedure for listing candidates on state election ballots, removed by Rep. Winters.

HB 173-FN-A, relative to the promotion, acquisition, and retention of a large animal veterinarian in those areas of the state where there is a need, and making an appropriation therefor, removed by Rep. Vaillancourt.

HB 640-FN, relative to requiring reimbursement of search and rescue costs of the fish and game department, removed by Rep. Skinder.

HB 45, relative to addresses on motor vehicle registrations, removed by Rep. Ryan.

HB 449-FN, relative to motor vehicle inspections, removed by Rep. Vaillancourt.

HB 647, relative to indicating citizenship on drivers' licenses and nondrivers' identification cards, removed by Rep. Renzullo.

HB 585-FN, requiring all animal shelter facilities, pet shops and commercial kennels to collect a neutering deposit when placing a cat or dog that has not been neutered, removed by Rep. Vaillancourt.

HB 777-FN-A, relative to agricultural exemptions from alteration of terrain permitting requirements and penalties for site development, removed by Rep. Jasper.

Consent Calendar adopted.

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

HB 502-FN-A-L, allowing foster families to receive subsidies for foster children attending postsecondary educational facilities and establishing a scholarship fund for foster children.
OUGHT TO PASS WITH AMENDMENT.

Rep. Beth R. Arsenault for Children and Family Law: This bill extends medicaid coverage to students through age 20 who are attending post secondary schools and who were in foster care on their 18th birthday. The bill also establishes a study committee to examine other state programs that extend support services to former foster children such as extending health care benefits to age 21 for those who are attending college. Vote 18-0.

Amendment (2664h)

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

AN ACT extending Medicaid coverage through age 20 to individuals who were foster children and are attending postsecondary school.

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

1 New Paragraph; Medical Assistance; Juveniles. Amend RSA 167:6 by inserting after paragraph V the following new paragraph:

V-a. For purposes of this section, a person shall be eligible to receive medical assistance who is under the age of 21, attending college, full-time or part-time, as defined by the educational institution and either

(a) Who was in foster care under the legal responsibility of the department on his or her 18th birthday pursuant to RSA 169-C, RSA 169-D, RSA 463; or RSA 170-B; or

(b) Who was in foster care under the legal responsibility of the department on his or her 17th birthday pursuant to RSA 169-B.

2 Committee Established. There is established a committee to study the state of Washington program that extends foster care and support services to youths who are in state-supervised foster care on their eighteenth birthday, provided such youths are enrolled in a postsecondary educational program and retain a grade point average of at least 2.0 on a 4.0 scale, or its equivalent, in such a program and the feasibility of extending health care benefits for children past age 21.

3 Membership and Compensation.

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of which will be a member of the committee on children and family law.

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

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

4 Duties. The committee shall study:

I. The state of Washington program, and any other state program, that extends foster care and support services to youths who are in state-supervised foster care on their eighteenth birthdays provided such youths are enrolled in a postsecondary educational program and retain a grade point average of at least 2.0 on a 4.0 scale, or its equivalent, in such a program; and

II. The feasibility of extending health care benefits for children past age 21 and for those who are unable to participate in juvenile justice programs because they are over 17 years old.

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

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2008.

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

AMENDED ANALYSIS

This bill redefines which juveniles may be able to receive public medical assistance.

This bill also establishes a study committee to study the state of Washington program, and other state programs, that extend foster care and support services to certain juveniles and the feasibility of extending healthcare benefits for children over 21 years old and certain children over 17 years old.

Referred to the Committee on Finance.

***HB 537*, establishing a task force on homeless teenagers. OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Hull Richardson for Children and Family Law: This bill enables legislators and representatives of various agencies involved with homeless teenagers to solicit information and testimony from youth and young adults who are or have been homeless. Task force members will study the educational, social and financial needs of teenagers leaving the foster care system and special education system and identify the type and adequacy of available transition services and make recommendations for proposed legislation. Vote 17-0.

Amendment (2613h)

Amend the bill by replacing paragraph III of section 3 with the following:

III. Study the educational, social, and financial needs of teenagers leaving the foster care system and special education system and identify the type and adequacy of available transition services.

Amend the bill by replacing paragraph V of section 3 with the following:

V. Solicit information and testimony from youth and young adults who are or have been homeless and from agencies and organizations that provide services to homeless youth and young adults, including school assistance and other educational programs, runaway and homeless youth programs, mental health and substance abuse prevention and treatment programs, and New Hampshire Legal Assistance.

Amend the bill by replacing sections 4 and 5 with the following:

4 Chairperson; Quorum. The members of the task force shall elect a chairperson from among the members. The first meeting of the task force shall be called by the first-named house member. The first meeting of the task force shall be held within 45 days of the effective date of this section. The task force shall hold a minimum of 6 meetings. Six members of the task force shall constitute a quorum.

5 Report. The task force shall report its findings and make recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before September 1, 2009.

***HB 682*, relative to the court's authority to award parental rights and responsibilities to a "psychological parent." OUGHT TO PASS WITH AMENDMENT.**

Rep. Carolyn M. Gargas for Children and Family Law: This bill establishes factors the court may consider in awarding supplemental or substitute guardianship of a minor to provide continuity to a minor's existing parental relationships. Vote 15-0.

Amendment (2614h)

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

AN ACT relative to guardianship of a minor.

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

1 Guardianship of Minors and Estates of Minors; Conduct of Hearing; Best Interests of the Child. Amend RSA 463:8, III to read as follows:

III.(a) Except as set forth in subparagraph (b), the burden of proof shall be on the petitioner to establish by a preponderance of the evidence that a guardianship of the person is in the best interests of the minor.

(b) If a parent objects to the establishment of the guardianship of the person requested by a non-parent, the court shall set a date for the hearing specified in this section. The burden of proof shall be on the petitioner to establish by clear and convincing evidence that the best interests of the minor require substitution or supplementation of parental care and supervision to provide for the essential physical and safety needs of the minor or to prevent specific, significant psychological harm to the minor.

(c) Supplemental or substitution guardianship of the person may be used to provide continuity to a minor's existing parental relationships which have been maintained for an extended period of time. In such cases, the court shall consider the continuity and quality of the relationship between the petitioner and the minor child, shall be guided by the best interest of the child, and may consider, but not be limited to, the following factors:

(1) The legal parent or parents, with whom the child had been residing prior to the consent, consented either in writing, orally, or by actions to the petitioner's formation of a parent-like relationship with the child.

(2) The petitioner and the child lived together in the same household.

(3) The petitioner assumed the obligation of parenthood by taking responsibility for the child's care and development, including financial support.

(4) The petitioner has been in a parental role for a length of time sufficient to establish with the child a bonded, dependent relationship, parental in nature, which would be detrimental to the child if dissolved.

~~[(c)]~~ (d) The burden of proof shall be on the petitioner for the guardianship of the estate of a minor to establish by a preponderance of the evidence that the guardianship is necessary to provide for the proper management of the property and financial affairs of the minor.

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

AMENDED ANALYSIS

This bill establishes factors the court may consider in awarding supplemental or substitution guardianship of a minor to provide continuity to a minor's existing parental relationships.

HB 702, relative to the court's jurisdiction over persons between ages 18 and 21 in abuse and neglect cases. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Deanna S. Rollo for Children and Family Law: This bill establishes the procedure for the court to continue or close the case of a child over 18 years of age who had previously consented to continued jurisdiction of the court under RSA 169-C. The bill also permits the Department of Health and Human Services to provide a voluntary service plan to a person under 21 years of age who had been abused or neglected as a child. Vote 15-0.

Amendment (2512h)

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

AN ACT relative to continued jurisdiction in child protection cases.

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

1 Child Protection Act; Continued Jurisdiction. Amend RSA 169-C:4, II to read as follows:

II. The court may, with the consent of the child, retain jurisdiction over any child, who, prior to his **or her** eighteenth birthday, was found to be neglected or abused and who is attending school until such child completes high school or until his **or her** twenty-first birthday, whichever occurs first; and the court is authorized to and shall make such orders relative to the support and maintenance of said child during the period after the child's eighteenth birthday as justice may require.

II-a. A child who has consented to the continued jurisdiction of the court pursuant to paragraph II, may revoke his or her consent and request that the case be closed. The revocation of consent and request to close a case shall be made in writing and filed with the court. Upon receipt of the request, the court shall forward copies to all parties of record at their last known address. If no party objects within 10 business days of the date the court forwarded copies of the request to the parties, the court shall accept the child's revocation of consent and shall close the case. If a party objects the court may, after consideration of the objection, either grant the request and close the case without hearing or schedule the matter for hearing. If the matter is scheduled for hearing, the court shall accept the child's revocation of consent and close the case unless the court finds that immediate closure would create a risk of substantial harm to the child. If the court finds that immediate closure would create a risk of substantial harm to the child, the court shall continue the matter for a period not to exceed 30 days and direct that the department work with the child to develop an independent living plan which shall include referrals to appropriate services. If at the end of such period, the child still wishes to revoke his or her consent and to request that the case be closed, the court shall accept the revocation of consent and close the case.

2 New Paragraph; Child Protection Act; Voluntary Service Plan. Amend RSA 169-C:34 by inserting after paragraph V the following new paragraph:

V-a. Notwithstanding any other provision of law to the contrary, the department may, pursuant to a voluntary service plan that is developed and provided for the child by the department, offer voluntary services to any child who prior his or her eighteenth birthday was found to be neglected or abused, who was in legal custody of the department as of his or her eighteenth birthday, and who is less than 21 years of age.

3 Effective Date. This act shall take effect January 1, 2009.

AMENDED ANALYSIS

This bill establishes the procedure for the court to continue or close the case of a child over 18 years of age who had previously consented to continued jurisdiction of the court under RSA 169-C. The bill also permits the department of health and human services to provide a voluntary service plan to a person under 21 years of age who had been abused or neglected as a child.

HB 841, relative to the appointment of parenting coordinators. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Eileen C. Flockhart for Children and Family Law: This bill establishes a procedure for the certification of parenting coordinators in divorce and parenting cases. It changes the name of marital mediators to family mediators. It also renames the board of marital mediators, as the Board of Family Mediator and Parenting Coordinator Certification, and establishes the board's authority and duties relative to parenting coordinators. Vote 12-2.

Amendment (2610h)

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

AN ACT relative to the appointment of parenting coordinators and establishing the family mediator and parenting coordinator certification board.

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

1 New Section; Parental Rights and Responsibilities; Parenting Coordinators. Amend RSA 461-A by inserting after section 11 the following new section:

461-A:11-a Appointment of Parenting Coordinator.

I. In this section, “parenting coordinator” means a certified parenting coordinator under RSA 328-C.

II. If both parents agree to the appointment of a parenting coordinator, reasons the court may order that a parenting coordinator be appointed include, but are not limited to:

- (a) Demonstrated pattern of high conflict.
- (b) Re-occurring litigation of certain issues.
- (c) The well-being of a minor child is placed at risk by the parents’ inability to co-parent civilly.
- (d) One or both parents are chemically dependent or mentally ill.

III. Even if both parents agree to the appointment of a parenting coordinator, reasons the court may order that a parenting coordinator not be appointed include, but are not limited to:

- (a) A showing of undue hardship to a party.
- (b) An agreement between the parties for alternate dispute resolution.
- (c) A history of physical or emotional abuse.
- (d) A parenting coordinator is not available within a reasonable period of time.

IV. The court shall specify the authority of the parenting coordinator, including which issues may be arbitrated in a particular case, in the appointment order. The role of the parenting coordinator is to promote the best interests of the child or children by assisting the parents to implement any part of the parenting plan or other duties as designated by the court including:

- (a) Educating the parents about effective communication and their child’s needs.
- (b) Facilitating resolution of ongoing disagreements on the following issues:
 - (1) Minor alterations in parenting schedule which do not alter the basic time share allocation.
 - (2) Child care arrangements.
 - (3) Parenting exchanges and transportation responsibility.
 - (4) Medical, dental, and vision care.
 - (5) Psychological counseling and related arrangements for the children.
 - (6) Education, including but not limited to, school choice, tutoring, and participation in special education programs.
 - (7) Discipline.
 - (8) Manner and methods of communication between parties and each party and the child or children.
 - (9) Schedule and conditions of telephone or electronic communication with the child or children.
 - (10) Other issues as the parents may agree or the court may order.
- (c) Arbitrating issues such as those listed in subparagraph (b), except as provided in paragraph VII.

V. Either parent or the parenting coordinator may seek a further order of the court to clarify or change the list of issues set out in the appointment order.

VI. The appointment order shall specify the duration of appointment, which shall be for a specified number of hours or a period of time that is one year or less.

VII. A parenting coordinator shall not have the authority to decide:

- (a) Termination of parenting plans or court orders.
- (b) Changes in the parenting schedule other than minor alterations, as specified in subparagraph IV(b)(1).
- (c) Modification of parenting plans other than the issues listed in paragraph IV.
- (d) The need for supervised visitation by either parent.
- (e) Relocation of the residence of children.

- (f) Formal or informal religious training.
- (g) Legal residence of a child for school attendance.
- (h) The need for psychological or psychiatric treatment for either parent.

VIII. After a decision by the parenting coordinator, either party may, by motion, submit the disputed issue for a de novo hearing by the court. The decision of the parenting coordinator shall remain in effect until the court enters an order.

IX. The parenting coordinator shall have access to nonparties and, if the parties agree to a release, to privileged information, including school officials, physicians, mental health providers, guardians ad litem, other professionals involved with the family, and related court records.

X. The parents shall be responsible for the parenting coordinator's fee in the proportion ordered by the court. The court shall determine the parents' ability to pay as evidenced by financial affidavits as filed with the court. The parties shall sign an agreement with the parenting coordinator as to the fee, hourly rate, and deposit, if any.

XI. A parenting coordinator shall submit a written report to the court and to the parties on decisions and recommendations as often as ordered by the court. In the report, the parenting coordinator may give an opinion regarding whether the parenting coordination is succeeding and should continue. Parties may file an objection to the report with the court within 10 days.

XII. The court shall remove the parenting coordinator:

- (a) On the request and agreement of both parties;
- (b) On the motion of a party or by sua sponte, if good cause is shown; or
- (c) By request of the parenting coordinator.

2 Family Mediators and Parenting Coordinators. The title of chapter 328-C is repealed and reenacted to read as follows:

CHAPTER 328-C

FAMILY MEDIATORS AND PARENTING COORDINATORS

3 Family Mediators and Parenting Coordinators. RSA 328-C:1 through 328-C:3 are repealed and reenacted to read as follows:

328-C:1 Purpose. The purpose of this chapter is to protect and assist the public by providing standards for the practice of family mediation and parenting coordination, training and continuing education for certified family mediators, certified parenting coordinators, certified family mediator training programs, and parenting coordinator training, and disciplinary procedures for violating ethical rules and requirements.

328-C:2 Definitions. In this chapter:

I. "Board" means the board of family mediator and parenting coordinator certification established by RSA 328-C:4.

II. "Certified family mediator" means a person certified under the provisions of this chapter to act as a family mediator.

III. "Certified family mediator training program" means a program that has been certified under this chapter to provide the instructional training required for certified family mediators.

IV. "Certified parenting coordinator" means a person certified under the provisions of this chapter to act as a parenting coordinator.

V. "Family mediation" means a process by which an impartial third person or persons, with the consent of the parties, assists and enables the parties to a divorce or parenting case to work together to reach a mutually satisfactory settlement of the issues involved.

VI. "Family mediator" means an impartial third person who, with the consent of the parties to a divorce or parenting case, assists and enables the parties to work together to reach a mutually satisfactory settlement of the issues in a dispute.

VII. "Parenting coordination" means a child-focused dispute resolution process in which an impartial parenting coordinator assists high conflict parents to implement their

parenting plan by facilitating the resolution of their disputes in a timely manner, educating parents about children's needs and how to communicate effectively, and with the prior approval of the parties or of the court, making arbitration decisions within the scope of the court order or appointment contract.

VIII. "Parenting coordinator" means a person who assists the parties in resolving issues related to parenting by educating them about communication skills and children's needs, by mediating disputes, and, if necessary, by arbitrating disputes.

328-C:3 Misrepresentation. No person or entity shall use the title of certified parenting coordinator, certified family mediator, certified family mediator training program, certified marital mediator, or certified marital mediator training program, or use or advertise any title or description which conveys the impression that the person or entity is so certified, unless the person or program has been certified under this chapter.

4 Board of Family Mediator and Parenting Coordinator Certification. Amend the introductory paragraph of RSA 328-C:4, I to read as follows:

I. There shall be a board of ~~[marital]~~ **family mediator and parenting coordinator** certification consisting of the following 9 members:

5 Duties of the Board of Family Mediator and Parenting Coordinator Certification. Amend RSA 328-C:4-a to read as follows:

328-C:4-a Duties of the Board. The board shall:

I. Compile and maintain a list of certified ~~[marital]~~ **family** mediators, ~~[and]~~ certified ~~[marital]~~ **family** mediator training programs, **and certified parenting coordinators** and make such list available to the general public online through the official Internet site for the state of New Hampshire.

II. Establish procedures and fees for the applications for certification, reinstatement of certification, and renewal of certification of ~~[marital]~~ **family** mediators, ~~[and of marital]~~ **family** mediator training programs, **and parenting coordinators**.

III. Establish eligibility requirements for the certification, renewal certification, and reinstatement certification of ~~[marital]~~ **family** mediators, ~~[and marital]~~ **family** mediator training programs, **and parenting coordinators**.

IV. Establish ~~[marital mediator]~~ training and continuing education requirements **for family mediators and parenting coordinators**.

V. Adopt ethical standards and standards of practice for ~~[marital]~~ **family** mediators **and parenting coordinators**.

VI. Investigate complaints and take necessary disciplinary action as authorized by this chapter.

VII. Establish reporting requirements for certified training programs.

6 Qualifications of Family Mediators. Amend the section heading of RSA 328-C:5 to read as follows:

328-C:5 **Family Mediator** Qualifications.

7 Confidentiality of Information; Reference Added. Amend the introductory paragraph of RSA 328-C:5-a, I to read as follows:

I. Unless waived by the person to whom the information pertains, the following information relative to certified ~~[marital]~~ **family** mediators **and parenting coordinators**, applicants for certification, and formerly certified **family or marital mediators and parenting coordinators**, which may be in the possession of the board shall be confidential and shall not be subject to disclosure, except as provided in paragraph II, absent an order of the court:

8 Confidentiality of Information; Reference Added. Amend RSA 328-C:5-a, II to read as follows:

II. Notwithstanding paragraph I and RSA 91-A, the board may disclose to any New Hampshire court with the authority to appoint a ~~[marital]~~ **family** mediator **or parenting coordinator**, or which possesses oversight authority over the professional activities of individuals who may serve as ~~[marital]~~ **family** mediators **or parenting coordinators**, any

records, documents, or information in the possession of the board relating to a certified ~~[marital]~~ **family** mediator **or parenting coordinator**, an applicant for certification, or a formerly certified **family or** marital mediator **or parenting coordinator**, except for his or her social security number.

9 Continuing Education for Family Mediators. Amend the section heading of RSA 328-C:6 to read as follows:

328-C:6 **Family Mediator** Continuing Education.

10 New Section; Parenting Coordinator Qualifications, Certification, and Continuing Education. Amend RSA 328-C by inserting after section 6 the following new section:

328-C:6-a Parenting Coordinator Qualifications, Certification, and Continuing Education.

I. To be certified as a parenting coordinator, a person shall:

- (a) Have completed at least 8 hours of training in mediation, and
- (b) Have completed a 3-hour training program in domestic violence, in accordance with board requirements, within the last 3 years; and
- (c) Have completed at least 14 hours of training in parenting coordination. This training shall be approved by the board and shall include topics in child development, family dynamics, parenting coordination skills, and decision-writing; and
- (d)(1) Hold a master of science degree in family studies for at least 3 years with 6 hours of additional training in RSA 458, relative to divorce, and RSA 461-A, relative to parenting law; or

- (2) Be a family law attorney for at least 3 years, with 6 hours of additional training in child development and parenting plans; or

- (3) Be a mental health practitioner for at least 3 years with 6 hours of additional training in RSA 458, relative to divorce, and RSA 461-A, relative to parenting law.

II. Certification as a parenting coordinator shall be valid for 3 years.

III.(a) To be recertified, an applicant shall complete 12 hours of relevant continuing education, which shall include 3 hours of education in parenting coordination skills and 3 hours of education in domestic violence, in accordance with board requirements.

(b) The continuing education requirements for recertification as a parenting coordinator may include hours also used to meet certified family mediator recertification requirements or other relevant certification or licensing requirements, as permitted by the board.

11 Disciplinary Action; Reference to Parenting Coordinator Added. Amend RSA 328-C:7, II to read as follows:

II. The board shall investigate and resolve complaints against certified ~~[marital]~~ **family** mediators, ~~[and]~~ certified ~~[marital]~~ **family** mediator training programs, **and certified parenting coordinators**. The board shall hold a hearing in compliance with rules adopted under RSA 541-A prior to taking any disciplinary action specified under this section. In the alternative, the board may informally resolve complaints by agreement of the parties.

12 Disciplinary Action; Reference to Parenting Coordinator Added. Amend RSA 328-C:7, IV to read as follows:

IV. The board shall establish disciplinary procedures, penalties, and sanctions for certified ~~[marital]~~ **family** mediators **and parenting coordinators**, which may include revocation of certification, suspension of certification, written warning, fine, written reprimand, imposition of supplemental training requirements or supervised training requirements, supplemental education, treatment and counseling, including treatment, and counseling for alcohol and substance abuse.

13 New Paragraphs; Rulemaking Relative to Parenting Coordinators. Amend RSA 328-C:8 by inserting after paragraph II the following new paragraph:

III. The board shall adopt rules for parenting coordinators pursuant to RSA 541-A relative to:

(a) The definitions of “family law practitioner” and “mental health practitioner.”
(b) The eligibility requirements and application procedures for certification and renewal of certification.

(c) The content of the training programs in mediation, divorce and parenting law, child development, parenting plans, domestic violence, and parenting coordination required for the eligibility of some applicants to obtain certification or re-certification.

(d) Continuing education required for eligibility for renewal of certification.

(e) Disciplinary procedures and sanctions consistent with RSA 328-C:7.

(f) Fees authorized by this chapter.

IV. The board may adopt rules for parenting coordinators pursuant to RSA 541-A relative to:

(a) The content of all application forms, which forms may require a notarized affidavit stating that the information provided in the application is complete and accurate.

(b) The application process, requirements and criteria for temporary renewal of certification, conditional certification and reinstatement of certification.

(c) Arbitration engaged in by parenting coordinators.

(d) Ethical standards.

(e) Procedures for processing complaints against parenting coordinators and for the informal resolution and referral of complaints.

14 Privileged Communications. Amend RSA 328-C:9, II to read as follows:

II. Nothing said by the parties during ~~marital~~ **family** mediation sessions shall be admissible in further divorce **or parenting** proceedings.

15 Administratively Attached to Judicial Council. Amend RSA 328-C:13 to read as follows:

328-C:13 Board of ~~Marital~~ **Family Mediator and Parenting Coordinator** Certification Administratively Attached. The board of ~~marital~~ **family mediator and parenting coordinator** certification established under RSA 328-C:4 shall be administratively attached, under RSA 21-G:10, to the judicial council established in RSA 494.

16 Initial Appointment of Parenting Coordinators. Prior to the effective date of rules adopted pursuant to RSA 328-C:8, III, the court may appoint as a parenting coordinator any person who, for at least 3 years, has held a masters of science degree in family studies or who has practiced either family law or family therapy, and has completed 8 hours of mediation training and 14 hours of parenting coordination training.

17 Effect of Name Change from Marital Mediator to Family Mediator. Nothing in this act shall affect a marital mediator or marital mediator training program validly certified as such on the effective date of this act, except that such person or program shall be known as a certified family mediator or certified family mediator training program on or after the effective date of this act.

18 Marital Mediator and Mediation Changed to Family Mediator or Mediation. Amend the following RSA provisions by replacing “marital” with “family”: RSA 328-C:4, I(f); 328-C:5; 328-C:6; 328-C:7; 328-C:8; 328-C:9; 328-C:10; 458:15-c, I; and 461-A:1, III.

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

AMENDED ANALYSIS

This bill:

I. Establishes a procedure for the certification of parenting coordinators and appointment of parenting coordinators in divorce and parenting cases.

II. Changes the name of marital mediators to family mediators.

III. Renames the board of marital mediator certification the board of family mediator and parenting coordinator certification and establishes the board’s authority and duties relative to parenting coordinators.

Referred to the Committee on Executive Departments and Administration.

HB 31-FN, requiring the licensure of property and casualty insurance appraisers. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert F. Matheson for Commerce: The purpose of this bill was to make insurance appraisers more accountable for the determination of the damage to property. It was retained by the committee. A similar bill, HB 169, which subjected insurance appraiser to penalties if they knowingly underestimate a claim, was sent to the house floor and eventually was signed into law by the governor. This makes HB 31-FN unnecessary. Vote 18-0.

HB 116, limiting access to certain business records. **REFER FOR INTERIM STUDY.**

Rep. Joel F. Winters for Commerce: A house tradition, this bill is introduced, retained, and referred to interim study each session. Some of our neighboring states have been over-zealous in attempting to collect taxes from New Hampshire businesses. For years, keeping this bill 'pending' has achieved the goal of putting them on notice that certain procedures must be followed. Vote 17-1.

HB 442-FN, prohibiting unconscionable prices for essential commodities during a declared state of emergency. **REFER FOR INTERIM STUDY.**

Rep. Matthew S. Houde for Commerce: After four work sessions, no consensus was reached on HB 442-FN. The subject matter, which would have made it an unfair trade practice to charge an unconscionable price for a commodity during a declared state of emergency, has been before the committee (and the General Court) before. This version, however, did not retain a central provision of a previous incarnation (HB 1621, 2006) (a provision for the Office of the Attorney General to initiate an investigation). It was not clear to the members this time around, however, exactly how this provision of HB 1621, upon which consensus within the committee had been reached in the past, would operate (i.e., exactly how the Attorney General would petition the court and whether any party would have an opportunity to refute the evidence presented), and the issue was not resolved before the vote on HB 442-FN. Thus, it is recommended that HB 442-FN be referred for interim study so that the best components of each can be incorporated into a new bill and clarification can be obtained from the Office of the Attorney General. Vote 16-2.

HB 492, relative to consumer protection in telecommunication contracts. **INEXPEDIENT TO LEGISLATE.**

Rep. James R. Martin for Commerce: This bill would regulate contracts for telecommunications service entered into between businesses and telecommunication service providers. It does not affect individual consumers who purchase off tariffs filed with the Public Utilities Commission. The bill requires telecommunication carriers to keep records in perpetuity and to refund any overcharges regardless of when the error occurred or when it was discovered and regardless of what the contract between the carrier and business provided in that regard. The bill would invalidate all contract provision requiring notice of errors in a reasonable period of time. The bill requires a minimum penalty of \$1,000.00 for each error. The bill would dramatically increase the costs of telecommunications services to businesses in New Hampshire. Vote 17-1.

HB 560-FN, relative to insurance coverage for prostate cancer testing. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen P. Spratt for Commerce: This bill, a bill mandating coverage for prostate testing, was introduced by the sponsors as a bill intended to raise awareness for prostate cancer. Testimony given during committee hearings established that coverage was already in place. The bill was retained to gather more information. In work sessions the committee heard testimony again from providers regarding coverage and no additional information from the bill's supporters. The committee was also aware of the governor's intent to proclaim

September “Prostate Cancer Awareness” month. With no additional information available and both awareness and coverage addressed, the committee voted to find the bill inexpedient to legislate. Vote 17-1.

HB 858-FN*, relative to a discount medical plan organization. **OUGHT TO PASS WITH AMENDMENT.*

Rep. Susi Nord for Commerce: This bill was entered at the request of the NH Insurance Department to address gaps in the consumer protection statutes regarding discount medical plans. These plans may be a component of a traditional insurance plan, but they are not considered insurance and may also be purchased independently. For example, a discount medical plan may offer discounts on eye glasses if purchased at a specific store. This benefit may be part of an insurance plan, but may also be totally separate from one’s health insurance. Unfortunately some consumers were signing up for these plans thinking they were actually purchasing a regular insurance plan and only finding out what they had purchased after an injury or illness. The NHID also heard complaints that some plans were sold where the local vendors did not exist or did not otherwise honor the plan as expected. The conflict arose that since these plans are not actual insurance, they should fall under the Attorney General’s office under the Consumer Protection Act, but the substance was more in line with what the NH Insurance Department deals with on a daily basis. That confusion was compounded by the problem that some of these plans are sold by insurance companies who are regulated by NHID, not the Attorney General. HB 858 puts all discount medical plans under the jurisdiction of the Insurance Department and creates regulations regarding disclosure and notification so that consumers can make informed purchasing decisions and the confusion can be minimized. Vote 17-0.

Amendment (2469h)

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

1 New Chapter; Discount Medical Plan Organization. Amend RSA by inserting after chapter 415-H the following new chapter:

CHAPTER 415-I

DISCOUNT MEDICAL PLAN ORGANIZATION

415-I:1 Title. This chapter shall be known as the Discount Medical Plan Act.

415-I:2 Purpose. The purpose of this chapter is to promote the public interest by establishing standards for discount medical plans to protect consumers from unfair or deceptive marketing, sales, or enrollment practices and to facilitate consumer understanding of the role and function of discount medical plan organizations in providing access to medical or ancillary services.

415-I:3 Definitions. In this chapter:

I. “Ancillary services” includes, but is not limited to, audiology, dental, vision, mental health, substance abuse, chiropractic and podiatry services.

II. “Commissioner” means the insurance commissioner.

III. “Discount medical plan” means a business arrangement or contract in which a person, in exchange for fees, dues, charges, or other consideration, offers access for its members to providers of medical or ancillary services and the right to receive discounts on medical or ancillary services provided under the discount medical plan from those providers. “Discount medical plan” does not include:

(a) Any discount arrangement that involves the transfer of insurance risk from a subscriber to another entity, or arrangement or contract for claim processing functions.

(b) A plan that does not charge a membership or other fee to the member to use the plan’s discount medical card.

(c) A plan that provides a Medicare Part D prescription drug benefit in accordance with the requirements of the federal Medicare Prescription Drug Improvement and Modernization Act of 2003.

IV. "Discount medical plan organization" means an entity that, in exchange for fees, dues, charges, or other consideration, provides access for discount medical plan members to providers of medical or ancillary services and the right to receive medical or ancillary services from those providers at a discount. "Discount medical plan organization" does not include a provider that offers discounts to its own patients without any cost or fee of any kind to the patient.

V. "Health care professional" means a physician, pharmacist, or other health care practitioner who is licensed, accredited, or certified to perform specified medical or ancillary services within the scope of his or her license, accreditation, certification, or other appropriate authority and consistent with state law.

VI. "Health carrier" means an entity subject to the insurance laws and rules of this state, or subject to the jurisdiction of the commissioner, that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, a nonprofit hospital and health service corporation, or any other entity providing a plan of health insurance, health benefits, or medical or ancillary services.

VII. "Marketer" means a person or entity that markets, promotes, sells, or distributes a discount medical plan, including a private label entity that places its name on and markets or distributes a discount medical plan pursuant to a marketing agreement with a discount medical plan organization.

VIII. "Medical services" means any service, supply or drug intended for the maintenance care of, or preventive care for, the human body or the care, or treatment of an illness or dysfunction of, or injury to, the human body. "Medical services" includes, but is not limited to, physician care, inpatient care, hospital surgical services, emergency services, ambulance services, laboratory services, pharmaceutical supplies, prescription drugs, and medical equipment and supplies. "Medical services" does not include ancillary services.

IX. "Member" means any individual who pays fees, dues, charges, or other consideration for the right to receive the benefits of a discount medical plan.

X. "Participating provider" means any health care professional or facility that has contracted, directly or indirectly, with a discount medical plan organization to provide medical or ancillary services to members.

XI. "Person" means an individual, a corporation, a partnership, an association, a joint venture, a joint stock company, a trust, an unincorporated organization, any similar entity, or any combination of the foregoing.

XII. "Provider" means an institution or individual that offers medical or medically-related services in a health care setting.

XIII. "Third party administrator" means a third party administrator as defined by RSA 402-H.

415-I:4 Applicability and Scope.

I. This chapter applies to all discount medical plan organizations doing business in or from this state.

II. This chapter shall not apply to any discount medical plan offered by, or in cooperation with, or pursuant to an agreement with the state of New Hampshire or any political subdivision of the state.

415-I:5 Registration Requirement.

I. Before doing business in or from this state as a medical discount plan organization, a person or entity:

(a) Shall be authorized to transact business in this state under RSA 293-A or RSA 294-A; and

(b) Shall register with the commissioner to operate as a discount medical plan organization on a form prescribed by the commissioner. The registration form shall be filed annually by June 1 of each year.

II. The provisions of subparagraph I(b) shall not apply to any person licensed in this state as a health insurer, hospital service corporation, medical service corporation or fraternal benefit society, or any affiliate owned or controlled by such health insurer, hospital service corporation, medical service corporation or fraternal benefit society, which may offer medical discount plans in this state pursuant to such licensure and in accordance with the provisions of this chapter.

415-I:6 Suspension and Revocation of Registration.

I. The commissioner may suspend or revoke the registration of a discount medical plan organization to operate in the state if the commissioner finds that any of the following conditions exist:

(a) The discount medical plan organization is not operating in compliance with this chapter.

(b) The discount medical plan organization has advertised, merchandised, or attempted to merchandise its services in such a manner as to misrepresent its services or capacity for service or has engaged in a deceptive, misleading, or unfair practice.

(c) The discount medical plan organization is not fulfilling its obligations as a discount medical plan organization.

II. If the commissioner has cause to believe that grounds for the non-renewal, suspension, or revocation of the registration exists, the commissioner shall notify the discount medical plan organization in writing stating the grounds for the action and may pursue a hearing on the matter.

III. When the registration of a discount medical plan organization is suspended or revoked, the discount medical plan organization shall proceed, immediately following the effective date of the order of revocation or, in the case of a non-renewal, the date of expiration of the license, to wind up its affairs transacted. The discount medical plan organization shall not engage in any further advertising, solicitation, collecting of fees, or renewal of contracts.

IV. In lieu of or in addition to revoking a discount medical plan organization's registration under paragraph II, whenever the discount medical plan organization has been found to have violated any provision of this chapter, the commissioner may:

(a) Issue and cause to be served upon the organization charged with the violation a copy of the findings and an order requiring the organization to cease and desist from engaging in the act or practice that constitutes the violation; and

(b) Impose a civil penalty of not more than \$2,500 for each violation.

V. Each registered discount medical plan organization shall notify the commissioner immediately whenever the discount medical plan organization's certificate of registration or other form of authority, to operate as a discount medical plan organization in another state is suspended, revoked, or non-renewed in that state.

415-I:7 Examinations and Investigations.

I. The commissioner may examine or investigate the business and affairs of any discount medical plan organization as necessary to protect the interests of the residents of this state.

II. An examination or investigation conducted as provided in paragraph I shall be performed in accordance with RSA 400-A:37.

III. The commissioner may:

(a) Order any discount medical plan organization or applicant that operates a discount medical plan organization to produce any records, books, files, advertising and solicitation materials or other information; and

(b) Take statements under oath to determine whether the discount medical plan organization or applicant is in violation of the law or is acting contrary to the public interest.

IV. The discount medical plan organization or applicant that is the subject of the examination or investigation shall pay the expenses reasonably incurred in conducting the examination or investigation. Failure by the discount medical plan organization or applicant

to pay the expenses is grounds for denial of authority to operate as a discount medical plan organization or revocation of a registration as a discount medical plan organization.

415-I:8 Fees; Refund Requirements; Bundling of Services.

I. A discount medical plan organization may charge a periodic charge as well as a reasonable one-time processing fee for a discount medical plan.

II. If a member cancels his or her membership in the discount medical plan within the first 30 days after the date of receipt of the written document for the discount medical plan described in RSA 415-I:11, IV, the member shall receive a reimbursement of all periodic charges.

(a) Cancellation occurs when notice of cancellation is given to the discount medical plan organization.

(b) Notice of cancellation is deemed given when delivered by hand or deposited in a mailbox, properly addressed and postage prepaid to the mailing address of the discount medical plan organization or e-mailed to the e-mail address of the discount medical plan organization.

III. A discount medical plan organization shall return within 30 days any periodic charge charged or collected after the member has given the discount medical plan organization notice of cancellation.

IV. If the discount medical plan organization cancels a membership for any reason other than nonpayment of fees by the member, the discount medical plan organization shall reimburse within 30 days all periodic charges collected for membership from the date of cancellation to the member.

415-I:9 Provider Agreements; Participating Provider Listing Requirements.

I.(a) A discount medical plan organization shall have a written provider agreement with all participating providers. The written provider agreement shall be entered into directly with the provider or indirectly with a provider network to which the provider belongs.

(b) An agreement between a discount medical plan organization and a participating provider shall include the following:

(1) A list of the medical or ancillary services and products to be provided at a discount;

(2) The amount or amounts of the discounts or, alternatively, a fee schedule that reflects the provider's discounted rates; and

(3) A statement that the provider will not charge members more than the discounted rates.

(c) An agreement between a discount medical plan organization and a provider network shall require that the provider network have written agreements with its providers that:

(1) Contain the provisions described in subparagraph (b);

(2) Authorize the provider network to contract with the discount medical plan organization on behalf of the provider; and

(3) Require the provider network to maintain an up-to-date list of its contracted providers and to provide the list on a monthly basis to the discount medical plan organization.

(d) An agreement between a discount medical plan organization and an entity that contracts with a provider network shall require that the entity, in its contract with the provider network, require the provider network to have written agreements with its providers that comply with subparagraph (c).

(e) The discount medical plan organization shall maintain a copy of each active provider agreement into which it has entered.

II. Each discount medical plan organization shall maintain on an Internet website page an up-to-date list of the names and addresses of the providers with which it has contracted directly or through a provider network. The Internet website address shall be

prominently displayed on all of its advertisements, marketing materials, brochures, and discount medical plan cards.

415-I:10 Marketing Requirements.

I. A discount medical plan organization may market directly or contract with other marketers for the distribution of its product.

II. The discount medical plan organization shall have an executed written agreement with a marketer prior to the marketer's marketing, promoting, selling, or distributing the discount medical plan.

III. The agreement between the discount medical plan organization and the marketer shall prohibit the marketer from using advertising, marketing materials, brochures, and discount medical plan cards without the discount medical plan organization's approval in writing.

IV. The discount medical plan organization shall be bound by and responsible for the activities of the marketer that are within the scope of the marketer's agency relationship with the organization.

V. A discount medical plan organization shall approve in writing all advertisements, marketing materials, brochures, and discount cards used by marketers to market, promote, sell, or distribute the discount medical plan prior to their use.

VI. Upon request, a discount medical plan organization shall provide to the commissioner any advertising, marketing materials, and brochures regarding a discount medical plan requested by the commissioner.

415-I:11 Marketing Restrictions and Disclosure Requirement.

I. All advertisements, marketing materials, brochures, discount medical plan cards, and any other communications of a discount medical plan organization provided to prospective members and members shall be truthful and not misleading in fact or in implication.

II. An advertisement, any marketing material, brochure, discount medical plan card, or other communication is misleading in fact or in implication if it has a capacity or tendency to mislead or deceive based on the overall impression that it is reasonably expected to create within the segment of the public to which it is directed.

III. A discount medical plan organization shall not:

(a) Except as a disclaimer of any relationship between discount medical plan benefits and insurance or as a description of an insurance product connected with a discount medical plan, use in its advertisements, marketing material, brochures, and discount medical plan cards the term insurance.

(b) Use in its advertisements, marketing material, brochures, and discount medical plan cards the terms "health plan," "coverage," "copay," "copayments," "deductible," "preexisting conditions," "guaranteed issue," "premium," "PPO," "preferred provider organization," or other terms in a manner that could mislead an individual into believing that the discount medical plan is health insurance.

(c) Use language in its advertisements, marketing material, brochures, and discount medical plan cards with respect to being registered by the state insurance department in a manner that could mislead an individual into believing that the discount medical plan is insurance or has been endorsed by the state.

(d) Make misleading, deceptive, or fraudulent representations regarding the discount or range of discounts offered by the discount medical plan or the access to any range of discounts offered by the discount medical plan.

(e) Have restrictions on access to discount medical plan providers, including, except for hospital services, waiting periods and notification periods.

(f) Pay providers any fees for medical or ancillary services or collect or accept money from a member to pay a provider for medical or ancillary services provided under the discount medical plan unless the discount medical plan organization has an active certificate

of authority to act as a health carrier or as a third party administrator in accordance with RSA 402-H:11.

IV.(a) Each discount medical plan organization shall make the following disclosures to prospective members.

(1) That the plan is not insurance.

(2) That the discounts for medical or ancillary services provided under the plan are available only from participating providers and will vary depending on the provider and medical or ancillary service received.

(3) That the discount medical plan organization does not make payments to providers for the medical or ancillary services received under the discount medical plan.

(4) That the plan member is obligated to pay for all medical or ancillary services, but will receive a discount from those providers that have contracted with the discount medical plan organization.

(5) The toll-free telephone number and Internet website address for the licensed discount medical plan organization for prospective members and members to obtain additional information about and assistance on the discount medical plan and up-to-date list of providers participating in the discount medical plan.

(6) Information that generally describes or summarizes the terms and conditions of the discount medical plan, including any limitations or restrictions on the refund of any processing fees or periodic charges associated with the discount medical plan.

(b) The disclosures required under subparagraph IV(a) shall be in writing in at least 12-point font and shall be provided along with any enrollment forms given to a prospective member and on the first content page of any advertisements, marketing materials, or brochures made available to the public relating to the discount medical plan. If the initial contact with a prospective member is by telephone, the disclosures required under subparagraph IV(a) shall be made orally and included in the initial written materials that describe the benefits under the discount medical plan provided to the prospective or new member.

(c) Each discount medical plan organization shall provide to each new member a written document that contains the terms and conditions of the discount medical plan. This written document shall be clear and include the following information:

(1) The name of the member.

(2) The benefits to be provided under the discount medical plan.

(3) Any processing fees and periodic charges associated with the discount medical plan, including any limitations or restrictions on the refund of any processing fees and periodic charges.

(4) The mode of payment for any processing fees and periodic charges and procedures for changing the mode of payment.

(5) Any limitations, exclusions, or exceptions regarding the receipt of discount medical plan benefits.

(6) Procedures for obtaining discounts under the discount medical plan, such as requiring members to contact the discount medical plan organization to make an appointment with a provider on the member's behalf.

(7) Cancellation procedures, including information on the member's 30-day cancellation rights and refund requirements and procedures for obtaining refunds.

(8) Renewal, termination, and cancellation terms and conditions.

(9) Procedures for adding new members to a family discount medical plan, if applicable.

(10) Procedures for filing complaints under the discount medical plan organization's complaint system and information that, if the member remains dissatisfied after completing the organization's complaint system, the plan member may contact his or her local state insurance department.

(11) The name and mailing address of the licensed discount medical plan organization or other entity where the member can make inquiries about the plan, send cancellation notices, and file complaints.

415-I:12 Notice of Change in Name or Address. Each discount medical plan organization shall provide the commissioner at least 30 days' advance notice of any change in the discount medical plan organization's name, address, principal business address or mailing address, or Internet website address.

415-I:13 Administrative Penalties. In addition to the penalties and other enforcement provisions of this chapter, any person who willfully violates this chapter is subject to administrative penalties of up to \$2,500 per violation.

415-I:14 Injunctions.

I. In addition to the penalties and other enforcement provisions of this chapter, the commissioner may seek both temporary and permanent injunctive relief when:

(a) A discount medical plan is being operated by a person or entity that is not registered pursuant to this chapter; or

(b) Any person, entity, or discount medical plan organization has engaged in an activity prohibited by this chapter or rule adopted pursuant to this chapter.

II. The commissioner's authority to seek injunctive relief is not conditioned on having conducted any proceeding pursuant to the provisions of RSA 400-A:15 or RSA 541-A.

415-I:15 Additional Penalties. Any violation of RSA 415-A:11, I, II, and III shall constitute an unfair or deceptive act or practice within the meaning of RSA 417:4.

415-I:16 Rules. The commissioner may adopt rules, pursuant to RSA 541-A, to carry out the provisions of this chapter.

415-I:17 Severability. If any provision of this chapter, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or applications, and to this end the provisions of this chapter are severable.

2 New Paragraph; Fees. Amend RSA 400-A:29 by inserting after paragraph XXI the following new paragraph:

XXII. Discount Medical Plan Organizations

(a) Original Application \$300

(b) Renewal \$150

3 Applicability. Any person doing business in or from this state as a discount medical plan organization on or before the effective date of this chapter shall have 6 months following the effective date of this chapter to come into compliance with the requirements of this chapter.

4 Repeal. RSA 358-R, relative to prescription discount cards, is repealed.

5 Effective Date. This act shall take effect January 1, 2009.

AMENDED ANALYSIS

This bill establishes registration and operational requirements for discount medical plan organizations.

This bill also repeals the law relative to prescription discount cards.

This bill is a request of the insurance department.

HB 35, establishing a commission to study human trafficking issues in New Hampshire.

INEXPEDIENT TO LEGISLATE.

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: SB 192 has already passed and a commission is already in place. Meetings are already being held. This bill is not needed. Vote 15-0.

HB 159, establishing a committee to study the need for a classification system for criminal offenders. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Welch for Criminal Justice and Public Safety: This bill, as amended, creates

an entity where members are drawn from various areas of the criminal and juvenile justice system including the defense bar, New Hampshire Civil Liberties Union, law enforcement and most important, the court system. This same group had been in existence several years ago and was very informative and beneficial to all members. Problem solving was a main benefit. The original bill would have created a committee to study the need for a classification for criminal offenders. We currently do recognize the need and such a system is in place. The original bill is not necessary but during the study it was mentioned that the original Interbranch Criminal and Juvenile Justice Council was a forum where similar discussions did take place. The amendment recreates the original council in statute so that it will become the forum for identifying and solving problems within the justice community. Vote 15-0.

Amendment (2604h)

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

AN ACT establishing an interbranch criminal and juvenile justice council.

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

1 New Chapter; Interbranch Criminal and Juvenile Council. Amend RSA by inserting after chapter 651-D the following new chapter:

CHAPTER 651-E

INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL

651-E:1 Council Established. There is established an interbranch criminal and juvenile justice council to provide leadership, communication, and coordination among those involved in or affected by the criminal and juvenile justice systems.

651-E:2 Membership and Compensation.

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

- (a) The governor, or designee.
- (b) Two members of the senate, appointed by the president of the senate.
- (c) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (d) The chief justice of the supreme court, or designee.
- (e) The attorney general, or designee.
- (f) The commissioner of the department of corrections, or designee.
- (g) The commissioner of the department of safety, or designee.
- (h) The director of the division of juvenile justice, department of health and human services, or designee.
- (i) The director of the division of field services, department of corrections, or designee.
- (j) The director of the police standards and training council, or designee.
- (k) The director of victim/witness services, department of justice, or designee.
- (l) The chief justice of the superior court, or designee.
- (m) The administrative judge of the district court and family division, or designee.
- (n) The executive director of the judicial council.
- (o) The president of the county attorneys affiliate of the New Hampshire Association of Counties, or designee.
- (p) The president of the county corrections superintendents affiliate of the New Hampshire Association of Counties, or designee.
- (q) The president of the New Hampshire Association of Chiefs of Police, or designee.
- (r) The executive director of the New Hampshire Public Defender, or designee.
- (s) The president of the New Hampshire Association of Criminal Defense Lawyers, or designee.

- (t) The executive director of the New Hampshire Civil Liberties Union, or designee.
- (u) The chairperson of the governor's commission on alcohol and drug abuse, or designee.

II. Legislative members of the council shall receive mileage at the legislative rate when attending to the duties of the council.

651-E:3 Duties. The council shall:

- I. Identify, study, develop, and implement effective criminal and juvenile justice policy.
- II. Promote the effective allocation and use of public and private resources within the criminal and juvenile justice system.
- III. Foster effective communication, understanding, cooperation, and coordination among those involved in, or affected by, the criminal and juvenile justice system.
- IV. Inform and engage the public regarding criminal and juvenile justice matters.

651-E:4 Chairperson; Quorum. The members of the council shall elect a chairperson from among the members. The first meeting of the council shall be called by the speaker of the house of representatives or the speaker's designee. The first meeting of the council shall be held within 45 days of the effective date of this section. Twelve members of the council shall constitute a quorum.

651-E:5 Report. The council shall submit an annual report beginning on November 1, 2008, together with 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.

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

AMENDED ANALYSIS

This bill establishes the interbranch criminal and juvenile justice council.

HB 214, relative to discovery in criminal matters. **REFER FOR INTERIM STUDY.**
Rep. John E. Tholl for Criminal Justice and Public Safety: The bill would have repealed RSA 604:1-a Relative to discovery in criminal matters. Testimony indicated that there were problems with current law that created problems for the prosecution having to provide multiple discoveries of the same materials on the same case. The defense properly pointed out that timely discovery is necessary to protect the accused's rights and to move the trial along in a timely manner. The solution chosen by the committee was to have the Supreme Court address this matter through Rules. This is currently in the works. The committee decided to refer this bill for interim study in order to ensure that this important issue is addressed in a timely manner. Vote 15-0.

HB 260-FN, relative to bail agents and recovery agents. **REFER FOR INTERIM STUDY.**
Rep. William V. Knowles for Criminal Justice and Public Safety: This bill is being recommended for interim study. The committee retained the bill this summer because the contents are encompassed in HB 776. We do not at this time know the disposition of HB 776 which is in the Executive Departments and Administration Committee, therefore interim study is recommended. Vote 15-0.

HB 291, relative to licensure of fireworks sellers. **OUGHT TO PASS WITH AMENDMENT.**
Rep. David A. Welch for Criminal Justice and Public Safety: This bill changes the licensing for sale of display and consumer fireworks and the sale of permissible fireworks to a renewable license to expire on May 1st of each year. Section 3 of the bill makes the first license a pro-rated license to equalize the fees for all applicants. There was no opposition from the Fire Marshall or those dealers who attended the subcommittee meetings. Some licenses expire in July which does not make sense for those engaged in retail sales of

permissible fireworks. Vote 15-0.

Amendment (2554h)

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

1 Fireworks; Requirements for Sale of Display and Consumer Fireworks; License Renewal. Amend RSA 160-B:6, II to read as follows:

II. After the person has obtained a municipal permit to sell display and consumer fireworks, such person may apply for a state license to sell display and consumer fireworks. Upon application of any person, the commissioner, or a person designated by the commissioner, may issue a license authorizing the applicant to sell or market display and consumer fireworks in this state ~~[for not more than one year from the date of issue]~~, provided the person has first obtained a permit to sell display and consumer fireworks pursuant to RSA 160-B:6, I. The license shall bear the name, address, description, and signature of the licensee. The license shall be displayed at all times, openly and publicly, at the licensee's place of business. The license shall be issued within a reasonable time after application. ***The license shall be valid for not more than one year from the date of issue and may be renewed on May 1 of the following year. The initial licensing fee shall be pro-rated to correspond with the initial date of issue.***

2 Fireworks; Requirements for the Sale of Permissible Fireworks; License Renewal. Amend RSA 160-C:3, II to read as follows:

II. After the person has obtained a municipal permit to sell permissible fireworks, the person may apply for a state license to sell permissible fireworks. Upon application of any person, the commissioner or designee may issue a license authorizing the applicant to sell or market permissible fireworks in this state ~~[for not more than one year from the date of issue]~~, provided the person has first obtained a permit to sell fireworks pursuant to RSA 160-C:3, I. The license shall bear the name, address, description, and signature of the licensee. The license shall be displayed at all times, openly and publicly, at the licensee's place of business. ***The license shall be valid for not more than one year from the date of issue and may be renewed on May 1 of the following year. The initial license fee shall be pro-rated to correspond with the initial date of issue.***

3 Fireworks Licenses for 2009 Pro-Rated. Fireworks licenses issued or renewed between January 1, 2009 and May 1, 2009 shall be pro-rated to provide for the May 1 renewal date established in sections 1 and 2 of this act.

4 Effective Date. This act shall take effect January 1, 2009.

AMENDED ANALYSIS

This bill establishes an May 1 renewal date for fireworks licenses.

HB 373, relative to unlawful possession of alcohol by a minor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John E. Tholl for Criminal Justice and Public Safety: This bill, as amended, provides that anyone under the age of 21 who has in his or her possession or has consumed an alcoholic beverage shall be guilty of a violation. It further allows the court to impose a fine, or in lieu of any portion or all of the fine, impose community service. It also permits the court to order treatment and services. The committee is well aware of the tragic consequences of underage consumption of alcoholic beverages on our youth and society in general. The committee was unanimous in approving this legislation with the amendment to prevent the tragedies that result from underage drinking, the loss of life, the injuries, and the criminal acts that but for the consumption of alcoholic beverages would not have occurred as well as the damage done to youthful maturing bodies and brains of our youth. Vote 15-0.

Amendment (2511h)

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

1 Unlawful Possession of Alcohol by a Minor. RSA 179:10 is repealed and reenacted to read as follows:

179:10 Unlawful Possession of Alcohol by a Minor.

I. Except as provided in RSA 179:23, any person under the age of 21 years who has in his or her possession any liquor or alcoholic beverage, or who has consumed any alcoholic beverage, shall be guilty of a violation and shall be fined a minimum of \$300. Any second and subsequent offense shall be fined at least \$600. For purposes of this section, alcohol concentration as defined in RSA 259:3-b of .02 or more shall be prima facie evidence of consumption. In lieu of any or all portions of such fines, the court may impose community service for such period as the court deems appropriate under the circumstances. In addition to the penalties provided in this section, the court may, in its discretion, impose further penalties authorized by RSA 263:56-b.

II. Except for persons convicted on the basis of having consumed an alcoholic beverage, any person under the age of 21 years convicted of unlawful possession of liquor or beverage shall forfeit the same, and it shall be disposed of as the court directs. The proceeds, if any, shall be paid to the municipality in which the offense was committed.

2 Effective Date. This act shall take effect January 1, 2009.

HB 535-FN, establishing a regional license suspension hearing pilot program.
INEXPEDIENT TO LEGISLATE.

Rep. David A. Welch for Criminal Justice and Public Safety: This bill would establish a regional license suspension hearing pilot program in Cheshire County. It was pointed out that the leasing of a facility and personnel salary would amount to an estimated \$110,000 annually. The subcommittee never met and it was the recommendation of the whole committee that if such a need existed there would have been more attention paid to the subject matter. There are no funds for such a pilot program. Vote 15-0.

HB 581-FN, relative to the penalty for purposely mistreating service dogs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill was amended to change the title of the bill from service dogs to service animals to be all inclusive in recognition of the fact that other animals, such as monkeys, are being used as service providers to humans. It also provides a definition for "service animal." Vote 15-0.

Amendment (2606h)

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

AN ACT relative to the penalty for purposely mistreating service animals.

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

1 Cruelty to Service Animals. Amend RSA 167-D:9, II to read as follows:

II. Any person who purposely tortures, beats, kicks, strikes, mutilates, injures, or disables a **hearing ear dog, guide dog, search and rescue dog, service dog, or other service animal** or who purposely causes the death of ~~[a service]~~ **such dog or animal** shall be guilty of a class ~~[A misdemeanor]~~ **B felony**.

2 Service Animals; Definition Added. Amend RSA 167-D:1 by inserting after paragraph XI the following new paragraph:

XII. "Service animal" means any animal which assists a human being.

3 Effective Date. This act shall take effect January 1, 2009.

AMENDED ANALYSIS

This bill increases the penalty from a class A misdemeanor to a class B felony for cruelty to service animals to make it consistent with existing law relative to cruelty to any animal.

HB 589-FN, relative to the calculation of concurrent and consecutive terms of imprisonment.
OUGHT TO PASS WITH AMENDMENT.

Rep. Lee M. Hammond for Criminal Justice and Public Safety: Under present statutes, prisoners who are serving consecutive terms of less than four years each can never qualify for sentence review. This bill rectifies an unjust situation created by the wording of current law. Vote 15-0.

Amendment (2470h)

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

1 Incarceration Under Suspended Sentence. Amend RSA 651:20, I(a) to read as follows:

(a) Any person sentenced to state prison shall not bring a petition to suspend sentence until such person has served at least 4 years or 2/3 of his minimum sentence, whichever is greater, and not more frequently than every 3 years thereafter. ***For the purposes of this subparagraph:***

(1) For concurrent terms of imprisonment, the minimum term shall be satisfied by serving the longest minimum term imposed, and the maximum term shall be satisfied by serving the longest maximum term.

(2) For consecutive terms of imprisonment, the minimum terms of each sentence shall be added to arrive at an aggregate minimum term, and the maximum terms of each sentence shall be added to arrive at an aggregate maximum term.

2 Effective Date. This act shall take effect January 1, 2009.

AMENDED ANALYSIS

This bill establishes a method for the calculation of minimum and maximum concurrent and consecutive terms of imprisonment for the purpose of petitioning to suspend sentence.

HB 595-FN, establishing a sentence reduction method for state prisoners. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The committee feels there should be a clemency board in place. A prisoner who has a good record while in prison should have a place to go to ask for a reduction in sentence. The commissioner will adopt the rules and recommendation. Vote 15-0.

Amendment (2476h)

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

AN ACT requiring the commissioner of the department of corrections to adopt rules establishing a policy on and procedures for an internal clemency board to review and make recommendations on requests for sentence modifications.

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

1 New Subparagraph; Powers and Duties of Commissioner. Amend RSA 21-H:8, III by inserting after subparagraph (e) the following new subparagraph:

(f) A policy on and procedures for an internal clemency board to review each request for sentence modification pursuant to RSA 651:20 and to provide a recommendation on each request to the sentencing court.

2 Effective Date. This act shall take effect January 1, 2009.

AMENDED ANALYSIS

This bill requires the commissioner of the department of corrections to adopt rules establishing a policy on and procedures for an internal clemency board to review and make recommendations on requests for sentence modifications.

HB 632-FN, relative to the penalty for death resulting from the trafficking of controlled drugs. **OUGHT TO PASS.**

Rep. William V. Knowles for Criminal Justice and Public Safety: This legislation clarifies when a person is responsible for the death of another when such person manufactures, sells or dispenses certain drugs and the injection, inhalation or ingestion of the substance is a

substantial contributing factor in causing the death. In determining an appropriate sentence the factors are outlined for the court. Vote 15-0.

HB 730, increasing the maximum fine for speeding in a highway construction or maintenance zone. **OUGHT TO PASS.**

Rep. Everett A. Weare for Criminal Justice and Public Safety: The present law provides a maximum penalty of \$500 dollars for speeding in a highway construction zone. This bill will increase the maximum penalty to \$1,000 in a highway construction or maintenance zone, which is presently the maximum penalty for speeding. Vote 15-0.

HB 773, excluding noise violations from the crime of disorderly conduct. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: This bill would repeal RSA 664:2, III which specifies that loud or unreasonable noises in a private place which can be heard in a public place or other private places, which noises would disturb a person of average sensibilities, are a breach of the peace, or a public inconvenience, annoyance or alarm. The committee sees no reason to eliminate this section of the statute which has as its intention to protect the public peace. Vote 14-0.

HB 792-FN, prohibiting convicted felons from profiting from their crimes. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The committee feels this issue can be handled by a civil suit by the victim. We did not feel a new law was necessary when there is already a way the victim can get relief. Vote 15-0.

HB 842, establishing safety requirements and procedures for firefighters. **REFER FOR INTERIM STUDY.**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: There are issues with this bill that need more time to resolve. Various involved parties agreed that this would provide an opportunity to attempt to find common ground. Vote 15-0.

SB 201, authorizing certain Keene state college campus safety officers to detain individuals pending arrest or protective custody. **INEXPEDIENT TO LEGISLATE.**

Rep. John E. Tholl for Criminal Justice and Public Safety: The bill had an admirable purpose, to allow Keene State security to apprehend and detain those persons who violate enumerated statutes and then turn them over to Keene police to answer for their offenses. However, the detaining of a person to answer for a crime/offense constitutes an arrest. One law enforcement officer may pass his/her probable cause to another law enforcement officer, but a non law enforcement security officer may not do so. This would then necessitate the Keene police officer getting an arrest warrant for the offender as the Keene officer did not have probable cause to make an arrest because he was not present when the offense/crime was committed. The suggestion was made to make them law enforcement officers rather than security officers but Keene State chose not to do so. Neither the sponsor nor the committee was able to craft a means of overcoming this obstacle that would be constitutional. Vote 15-0.

HB 79, relative to the safety of school bus stops. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E. Shaw for Education: The committee is in agreement with the ITL recommendation of its subcommittee. School bus issues arise locally, and policies and procedures exist within the local districts to deal with safety issues as needed. An appeal process is already in place. State agency resources are available when needed. Vote 12-0.

HB 330, establishing a task force to study the feasibility of supplying laptop computers to all

7th grade children in the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Scott A. Merrick for Education: The committee agrees that supplying laptop computers to certain school students warrants further study and recommends ought to pass with amendment. Vote 14-1.

Amendment (2653h)

Amend section 2 of the bill by replacing paragraph I with the following:

I. The members of the task force shall be as follows:

- (a) Two members of the house of representatives, one of whom shall be from the education committee, appointed by the speaker of the house of representatives.
- (b) Two members of the senate, appointed by the president of the senate.
- (c) Two members from the department of education, appointed by the commissioner of the department of education.
- (d) One school principal, appointed by the governor.
- (e) Three public school teachers, appointed by the governor.
- (f) Two computer technology professionals, appointed by the governor.
- (g) Two 7th graders from public schools, appointed by the governor.
- (h) One business administrator, appointed by the New Hampshire Association of School Business Officials.
- (i) One member from the New Hampshire Advantage Foundation, appointed by the Foundation.

HB 578-FN, providing a definition of an adequate education and establishing an adequacy board. **INEXPEDIENT TO LEGISLATE.**

Rep. Scott A. Merrick for Education: The committee voted to recommend inexpedient to legislate on all of the adequacy bills except HB 927, which will incorporate all adequacy concerns and issues. The committee did look at, and consider all of the bills but felt it would be easier to operate under one bill, rather than seven. All of the adequacy bills, however, have been considered by the definition and costing committees and will continue to be discussed as the state legislature works toward defining and funding an adequate education. Vote 13-0.

HB 642-FN, relative to educational accountability programs. **INEXPEDIENT TO LEGISLATE.**

Rep. Sharon M. Carson for Education: This bill required the New Hampshire department of education to report annually on all monies received and expended in New Hampshire under NCLB. Additionally, it set up a committee to study New Hampshire's education accountability program. The committee and the New Hampshire department of education reached an agreement under which the New Hampshire department of education will report on NCLB in its annual report to the governor. Also, since education accountability program legislation has been filed for the upcoming session, the committee believes the concerns outlined in the bill will be addressed then. Vote 12-0.

HB 677-FN, relative to special education procedural safeguards and the dispute resolution process. **INEXPEDIENT TO LEGISLATE.**

Rep. Nancy F. Stiles for Education: This bill was one of the Special Education bills retained last session. The proposed changes in that bill have been addressed in HB 766. Vote 15-0.

HB 765-FN, relative to procedures for determination of special education costs, payment liability, and rate setting. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Scott A. Merrick for Education: The issues of student residency and financial liability proved too complex to solve within the context of the special education bills, and the committee recommends a separate study committee to address this issue. Vote 17-0.

Amendment (2643h)

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

AN ACT establishing a committee to study the financial liability for placement of a child with a disability.

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

1 Committee Established. There is established a committee to study the financial liability for placement of a child with a disability.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study the financial liability for placement of a child with a disability, and may solicit advice and information from any person or organizations with relevant expertise.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2008.

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

AMENDED ANALYSIS

This bill establishes a committee to study the financial liability for placement of a child with a disability.

HB 865-FN*, relative to an adequate education and state education grants. **INEXPEDIENT TO LEGISLATE.*

Rep. Scott A. Merrick for Education: The committee voted to recommend ITL on all of the adequacy bills except HB 927, which will incorporate all adequacy concerns and issues. The committee did look at, and consider all of the bills but felt it would be easier to operate under one bill, rather than seven. All of the adequacy bills, however, have been considered by the definition and costing committees and will continue to be discussed as the state legislature works toward defining and funding an adequate education. Vote 12-1.

HB 916*, relative to nonpublic or private schools receiving public funds. **INEXPEDIENT TO LEGISLATE.*

Rep. J. Timothy Dunn for Education: This bill would require private schools receiving public funds to comply with all relevant education, labor and health and safety laws in place for public schools. Clearly the bill needed an amendment. No amendment was forthcoming; therefore the committee voted unanimously to recommend ITL. Vote 14-0.

HB 919*, relative to the high school curriculum for New Hampshire history. **INEXPEDIENT TO LEGISLATE.*

Rep. J. Timothy Dunn for Education: At first reading, this bill may seem quite sound in that it requires US history and NH history to get equal time in social studies curriculum. However, that presented problems for current curriculum structure. Further, it placed in statute museum visits, historic site renovation projects and the like to fulfill course

requirements. Upon investigation it was discovered that education frameworks already encourage all of what this bill contains. Vote 13-1.

SB 173, relative to regulation of private postsecondary career schools. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Karen K. McRae for Education: The committee previously retained this bill in order to clarify the changes in the structure of the relevant postsecondary education statutes. These statutes deal with the licensing of career schools and certain exempted entities. The amendment reflects these clarifications. Vote 15-0.

Amendment (2652h)

Amend the bill by replacing section 1 with the following:

1 Private Postsecondary Career Schools; Definitions. Amend RSA 188-D:19 to read as follows:

188-D:2 Postsecondary Education Commission. There is hereby established a postsecondary education commission ~~[of 22 members]~~ with the following membership:

I. The president of the university of New Hampshire; the president of Keene state college; the president of Plymouth state university; the chancellor of the university system **of New Hampshire**; a president of one of the institutions of the community college system of New Hampshire, to be chosen by the board of trustees of the community college system;

II. Two members to be appointed by the trustees of the university system of New Hampshire, one of whom shall be a full-time undergraduate student who is a resident of the state, and whose term shall ~~[cease]~~ **expire** upon graduation ~~[or change of status as such undergraduate]~~ **or when the member is no longer a full-time** student;

III. The commissioner of **the department of** education and the chancellor of the community college system of New Hampshire;

IV. One ~~[member]~~ **full-time student** to be appointed by the board of trustees of the ~~[department of regional community technical colleges]~~ **community college system of New Hampshire** who shall be a representative of the ~~[regional community technical institute and colleges]~~ **community college system of New Hampshire** who shall be a ~~[full-time student at one of these institutions and a]~~ resident of the state and whose term shall expire upon graduation or when the member is no longer a full-time student;

V. Six representatives of the private 4-year colleges in New Hampshire appointed by the governor and council on recommendation by the New Hampshire College and University Council, with no more than one representative from any one college;

VI. One full-time undergraduate student of a private 4 year college in the state of New Hampshire, to be appointed by the governor and council ~~[from a list of at least 5 students submitted]~~ **on recommendation** by the New Hampshire College and University Council, who shall be a resident of New Hampshire and whose term shall expire upon graduation or change of status from a full-time student;

VII. One member to be appointed by the governor and council as a representative from ~~[the following type of college or school: junior college, proprietary school, junior or senior college and community college]~~ **a for-profit college or university** not a member of the New Hampshire College and University Council;

VIII. Four members to be appointed by the governor and council who shall be residents of the state and of the lay public, having no official connection with any ~~[postsecondary educational institution]~~ **college, university, or private postsecondary career school** as an employee, trustee or member on a board of directors ~~[of any educational institution]~~.

IX. One member to be appointed by the governor and council on recommendation by the New Hampshire Council for Professional Education, who shall be a resident of the state and a representative of a private postsecondary career school. The terms of appointed members, except as indicated above, shall be for 5

years and until a successor is appointed and qualified. Vacancies shall be filled for the unexpired term. ***Twelve members of the commission shall constitute a quorum.*** Amend RSA 188-D:19, I(g) as inserted by section 2 of the bill by replacing it with the following:

(g) "Physical presence" means any physical location ~~[or]~~, place of contact, ~~[including a New Hampshire]~~ telephone exchange, or ~~[a New Hampshire]~~ mail drop ***in this state***, and if an individual is conducting one or more of the following activities within this state:

- (1) Advertising.
- (2) Solicitation of potential students.
- (3) Enrollment of students.
- (4) Providing student services.
- (5) Student mentoring.
- (6) Instruction of students.

Amend RSA 188-D:19, II as inserted by section 2 of the bill by inserting after subparagraph (k) the following new subparagraphs:

(l) ***Entities offering training in the trades that have been approved by a state agency with appropriate jurisdiction, including but not limited to the plumbers' board, the electricians' board, and the office of the state fire marshal.***

(m) ***Computer technology vendors that offer fee based training on courses of instruction in the use of hardware or software if the course is offered to purchasers of such hardware or software, or to the purchaser's employees, by a person who manufactures and sells, develops and sells, or supports the hardware or software, and if the seller is not primarily engaged in the business of providing courses of instruction in the use of the hardware or software.***

Amend RSA 188-D:20 as inserted by section 3 of the bill by replacing it with the following:

188-D:20 Licenses and Fees.

I. Prior to registering or renewing a business or trade name, or soliciting students for enrollment, an entity maintaining a physical presence in this state shall be reviewed by the ~~[postsecondary education commission]~~ ***executive director*** to determine if the entity requires a license. The executive director, in consultation with the postsecondary education commission, shall establish procedures to accomplish this review.

II. ~~[If the postsecondary education commission determines that a license is required,]~~ A private postsecondary career school maintaining a physical presence in this state shall register to obtain a license or license renewal from the postsecondary education commission. The license shall be issued or renewed pursuant to rules, adopted under RSA 541-A, by the executive director, in consultation with the postsecondary education commission. The rules shall establish minimum criteria, including but not limited to, financial stability, educational program, administrative and staff qualifications, business procedures, facilities, equipment, and ethical practices to be met by licensees, ***and criteria for rejecting a licensing applicant and for suspending or revoking a license.*** ~~[In no case shall a license or license renewal be issued to any school, which has not met the requirements of RSA 188-D:20 a or RSA 188-D:20 b.]~~

III. ~~[The executive director, in consultation with the postsecondary education commission, may establish reasonable fees for administration of this subdivision, including fees for licenses, renewals, penalties, reimbursement for consultants, complaint investigation, and enforcement.]~~ ***A school that is not required to obtain a license may apply for a license and, upon issuance of the license, shall be subject to the provisions of RSA 188-D:19 through RSA 188-D:28. Such school may voluntarily surrender its license and revert to its original status.***

IV. ***The executive director, in consultation with the postsecondary education commission, shall adopt rules pursuant to RSA 541-A to establish reasonable fines, reimbursement rates for consultants, and procedures for complaint investigations***

and enforcement actions, which are necessary for the administration of this subdivision.

V. A private postsecondary career school which the executive director has determined requires a license shall, prior to the issuance of a license, comply with RSA 188-D:20, RSA 188-D:20-a, and RSA 188-D:20-b.

Amend RSA 188-D:20-b as inserted by section 5 of the bill by replacing it with the following:

188-D:20-b Student Tuition Guaranty Fund.

I.(a) A student tuition guaranty fund is hereby established within the postsecondary education commission and shall be administered by the **executive director** ~~[postsecondary education commission. In lieu of the surety bond required in 188-D:20-a, the executive director, in consultation with the postsecondary education commission, may require a private postsecondary career school seeking the issuance or renewal of a license to participate in the student tuition guaranty fund.]~~

(b) The fund shall be funded from an annual fee to be established by the ~~[postsecondary education commission]~~ **executive director and** assessed against each school duly licensed by the postsecondary education commission and all applicants for a license under RSA 188-D:20.

(c) **The funds shall be placed in an interest-bearing account in the office of the state treasurer and the state treasurer shall deposit all interest earned on the funds into the account.**

(d) The fund shall be used to reimburse students when a school has failed to faithfully perform its contractual obligations for tuition and instructional fees in the event of a school closing, and the expense of investigating and processing the claims. **The owner of a school which fails to perform its contractual obligations shall be personally liable to reimburse the fund for the difference between the per student amount paid into the fund by the school and the amount paid out of the fund to a student to settle a claim made against the school.**

II. The executive director, in consultation with the postsecondary education commission, shall adopt rules, pursuant to RSA 541-A, relative to the administration and maintenance of the fund.

Amend RSA 188-D:26 as inserted by section 7 of the bill by replacing it with the following:

188-D:26 Rulemaking Authority. The **executive director in consultation with the postsecondary education** commission shall adopt such rules, **pursuant to RSA 541-A**, as may be necessary in order to carry out the provisions of this subdivision.

Amend RSA 292:8-kk, I as inserted by section 9 of the bill by replacing it with the following:

I. When any institution of higher learning ceases the regular conduct of instruction, either temporarily or permanently, whether or not the corporation is dissolved, the **original written** academic record, or a legible, certified copy thereof **as defined by the institution**, of each student who has been registered for instruction at the institution shall be forwarded to the postsecondary education commission together with an explanation of the institution's credit and grading system. The postsecondary education commission shall preserve these records and upon request of the individual concerned, shall furnish a certified copy, or reasonable number of such copies, of the individual's record. The fee for each record so furnished to be paid to the commission shall be ~~[a reasonable fee based on average fees collected by United States institutions]~~ **sufficient to cover related costs.**

Amend the bill by inserting after section 9 the following and renumbering the original section 10 to read as 11:

10 Private Postsecondary Career Schools; Fees for Licenses. The executive director, in consultation with the postsecondary education commission, shall develop a new fee schedule for licenses and license renewals for private postsecondary career schools as required under RSA 188-D:20, and shall submit such fee schedule to the house and senate education committees and the house and senate ways and means committees no later than September

1, 2008. Such fees shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses for the previous fiscal year.
Referred to the Committee on Ways and Means.

SB 179-FN-A, establishing an automated external defibrillator advisory commission.
INEXPEDIENT TO LEGISLATE.

Rep. Kimberley S. Casey for Education: The language and intent of this bill to establish an automated external defibrillator advisory commission was covered by HB 911, Chapter 62, 2007 which passed the House and Senate with (mostly) identical language. Therefore, further retention or action on this bill was unnecessary. Vote 13-0.

HB 156, relative to the membership of the ballot law commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Charles F. Weed for Election Law: The committee is developing a more comprehensive bill which will collect the diverse charges for and may recommend new tasks for the commission. It will also recommend restrictions on who might be appointed and will recommend increased membership. This bill was related specifically to membership on the Ballot Law Commission. Vote 17-0.

HB 241, relative to permissible campaign contributions by business organizations and labor unions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James R. Splaine for Election Law: The committee has spent much time during the past year discussing the way in which contributions and expenditures by corporations, businesses, partnerships, and unions are made to candidates or used to influence political decisions, as well as how those contributions and expenditures are reported. The committee recommends this bill because it preserves important core elements of current New Hampshire law. New Hampshire has had prohibitions of direct contributions from their treasuries by corporations since 1911, and in 1955 added the prohibition by unions. This has helped prevent political corruption and excessive influence-peddling in the political process of our state. A court decision in 1999 declared outright prohibition of corporate donations to be unconstitutional, thus creating an imbalance since now corporations can contribute directly from their treasury, but unions cannot. In an effort to truly level the field, this bill continues our traditional prohibition of such direct donations by corporations, businesses, partnerships and unions but allows those organizations to create a political action committee. This guarantees their right to participate in the democratic process while also ensuring full disclosure to the Office of Secretary of State, and thus the public, of their expenditures and contributions. Therefore, passage of HB 241 will accomplish important two goals: 1 – level the field for the constitutional right of business organizations and unions to participate in the political process; and, 2 – provide full disclosure reporting for transparency of their expenditures and donations, so the voters will know to whom they are giving funding, and other ways that they are attempting to influence political decision-making. Vote 14-0.

Amendment (2491h)

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

1 Political Expenditures and Contributions; Prohibited Political Contributions; Business Organizations. RSA 664:4, I is repealed and reenacted to read as follows:

I. By any business organization, or by any officer, director, executive, agent, partner, or employee acting in behalf of such business organization. This shall not prohibit the establishment by a business organization of a political committee that operates as a separate entity from the business organization, provided that the committee's expenditures and contributions are made through a separate, segregated account consisting only of voluntary contributions solicited from individuals. The provisions of this section shall not apply to sole proprietorships.

2 Political Expenditures and Contributions; Prohibited Political Contributions; Labor Unions; Segregated Account Exception. Amend RSA 664:4, III to read as follows:

III. By any labor union or group of labor unions, or by any officer, director, executive, agent, or employee acting in behalf of such union or group of unions; or by any organization representing or affiliated with any such union or group of unions, or by any officer, director, executive, agent, or employee acting in behalf of such organization. ***This shall not prohibit the establishment by a labor union or group of labor unions of a political committee that operates as a separate entity from the labor union or group of labor unions, provided that the committee's expenditures and contributions are made through a separate, segregated account consisting only of voluntary contributions solicited from individuals.***

3 Repeal. RSA 664:4, II, relative to prohibited political contributions by partnerships, is repealed.

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

HB 285, prohibiting municipalities and state and local officials from entering into nondisclosure agreements with vendors of voting machines with respect to the purchase or lease of voting machines. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard B. Drisko for Election Law: The intent of this bill is to initiate a process to develop a system requirement specification for a voting machine. This system will provide: (a) verifiably valid and accurate vote counting and reporting of election results, (b) preservation of paper ballots and voting machine data, and (c) public confidence in the integrity and transparency of the system and the voting process. The bill also provides for an evaluation and procurement process under the Secretary of State's Office. Vote 14-3.

Amendment (2632h)

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

AN ACT relative to voting machines.

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

1 New Sections; Voting Machines. Amend RSA 656 by inserting after section 40 the following new sections:

656:40-a System Requirements Specification.

I. The secretary of state shall appoint a system requirements specification group consisting of 10 members, one of whom shall be designated as chairman, selected for their expertise in electronic hardware and software design, knowledge of voting and election process requirements, and, with regard to at least one member, experience in procurement policy and practices. The group may solicit assistance from any source to assure that its recommendations comply with applicable technical, environmental, and legal standards. The group shall meet at the call of the chairman and shall receive mileage at the state employees rate when attending to the duties of the group.

II. The system requirements specification group shall develop system requirements specifications for voting machines approved under this subdivision. The specifications shall assure that voting machines achieve the following:

- (a) Verifiably valid and accurate vote counting and reporting of election results.
- (b) Preservation of paper ballots and voting machine data.
- (c) Public confidence in the integrity and transparency of the system and the voting process.

III. The system requirements specification group shall quarterly report its results to the system requirements specification evaluation committee established in RSA 656:40-b and to the secretary of state.

656:40-b System Requirements Specification Evaluation Committee.

I. There is hereby established a system requirements specification evaluation committee. The members of the committee shall be as follows:

(a) Three members of the system requirements specification group established in RSA 656:40-a, including the chairman of the group, appointed by the secretary of state.

(b) Three persons who are town moderators at the time of appointment, appointed by the secretary of state.

(c) Three persons, two of whom are town clerks at the time of appointment and one of whom is a city clerk at the time of employment, nominated by the New Hampshire City and Town Clerks' Association and subsequently shall be appointed by the secretary of state.

(d) Two members of the standing committee with jurisdiction over election law of the house of representatives, appointed by the speaker of the house of representatives.

(e) Two members of the standing committee with jurisdiction over election law of the senate, appointed by the president of the senate.

II. Members of the committee who are not state employees shall receive mileage at the state employees rate when attending to the duties of the committee.

III. Members of the committee appointed under subparagraphs I(d) and (e) shall serve for terms that are coterminous with their terms in office.

IV. The chairman of the system requirements specification group shall also be the chairman of the system specifications evaluation committee and shall call the first meeting.

V. The committee shall review the system requirements specifications submitted to it under RSA 656:40-a. The review shall include a public hearing and the deliberations of the committee shall be public. Upon completing its review, the committee shall develop a system description for use in requests for proposals that it will report to the ballot law commission.

2 Action by Ballot Law Commission; Acquisition of Voting Machines. RSA 656:41 is repealed and reenacted to read as follows:

656:41 Action by Ballot Law Commission; Acquisition of Voting Machines.

I. Within 30 days of receiving the report of the system requirements specification evaluation committee required by RSA 656:40-b, V, the ballot law commission shall review the report and hold a public hearing on whether or not to approve the report. If the commission does not approve the report, the commission shall send written notice of its decision, and the reasons therefor, to the system requirements specification evaluation committee and request that the committee submit a revised report to the ballot law commission within 30 days. If the commission decides to approve the report, it shall direct the secretary of state to reconvene the system requirements specification evaluation committee to implement a request for proposals process for purchases and or leases of voting machines. The request for proposals shall incorporate the system description reported by the system requirements specification evaluation committee.

II. The request for proposals shall result in a contract between the state and one or more vendors for purchases and leases by the state and by municipalities of voting machines meeting the requirements established under this subdivision. The contract shall specify terms and conditions and maximum costs for purchases and leases. Contract documents shall become a matter of public record.

III. No vendor other than a vendor contracting with the state under this section may sell or lease any voting machine in this state after the effective date of this section. Any vendor entering into a contract under this section may only sell or lease voting machines according to the terms of the contract.

3 Applicability. The provisions of this act shall not affect the use of any voting machine approved prior to the effective date of this act. The provisions of this act shall not affect any purchases or leases of voting machines made prior to the effective date of this act.

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

AMENDED ANALYSIS

This bill changes the procedure for approving and the requirements for purchasing and leasing voting machines.

HB 555*, relative to certain disclosures by campaign workers. **INEXPEDIENT TO LEGISLATE.*

Rep. Shawn N. Jasper for Election Law: While many members of the committee were sympathetic to the goal of the bill, the reality is that, even though work sessions were held on the bill, there is no reasonable way to accomplish the goal of this legislation. The bill would have required that anyone who was employed by a candidate or political organization disclose the terms of their employment and remuneration package every time they mentioned their employer on the air, on television or in print. As we saw in the last election, doing so without making some disclosure, brings much unwanted publicity to a campaign and is most likely more effective than any law could be. Vote 16-0.

HB 574-FN-L*, relative to preservation of electronic voting machine data. **INEXPEDIENT TO LEGISLATE.*

Rep. Claudia A. Chase for Election Law: Several bills were retained in order to deal with the issue of electronic voting equipment. We amended two of the bills and declared this one inexpedient to legislate. Vote 16-0.

HB 201-FN-A*, relative to recycling and reconstituting the recycling market development steering committee. **INEXPEDIENT TO LEGISLATE.*

Rep. Burton W. Williams for Environment and Agriculture: The content of this bill was addressed in two other bills. Vote 16-0.

HB 540-FN-A*, relative to solid waste reduction, establishing a solid waste disposal fee, and renaming the recycling market development steering committee. **INEXPEDIENT TO LEGISLATE.*

Rep. Burton W. Williams for Environment and Agriculture: The content of this bill, identifying a source of revenue to fund solid waste management programs, was addressed to the committee's satisfaction in HB 503. Vote 17-0.

HB 830-FN-A*, relative to milk support prices in New Hampshire. **INEXPEDIENT TO LEGISLATE.*

Rep. James G. Phinizy for Environment and Agriculture: This bill, similar in nature and concept to House Bill 407 and Senate Bill 235, was held over in order to effect any technical changes to the two programs established in HB 407 and SB 235. As there were no immediate changes to the legislation passed which provided direct emergency relief and a long term support program, the committee no longer required this title. At present, the Department of Agriculture has dispersed the funds allocated through HB 407. It did so very efficiently within about one month of the application deadline date. There are currently only about eleven appeals before the emergency relief appeals board regarding minor, perfunctory technicalities. The board granted the majority of the appeals and is awaiting clarification of such criteria as herd status or production figures before settling the last several appeals. Vote 16-0.

HB 837*, relative to easements and the land and community heritage investment program and creating a farm viability program. **OUGHT TO PASS WITH AMENDMENT.*

Rep. David E. Essex for Environment and Agriculture: This bill originally sought to amend the LCHIP statute to clarify the intent of allowing "term," or temporary, easements on conserved land only if they are granted in connection with a farm viability program. Since the establishment of such a program depends on the ongoing work of a study commission that has not issued its report, the committee majority recommends an amendment that makes the original technical corrections and leaves the establishment of a farm viability program as a possibility for future legislation. Vote 17-0.

Amendment (2582h)

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

AN ACT relative to easement interests under the land and community heritage investment program.

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

1 Easement Interest; Farm Viability Programs. Amend RSA 227-M:2, IV to read as follows:

IV. "Easement interests" means conservation, historic preservation, or scenic easements, development rights, or any other similar protective interest in real property held in perpetuity, or a term easement *that is* held for a specific period of time and not in perpetuity ***as part of a farm viability program***.

2 New Definition; Farm Viability Program. Amend RSA 227-M:2 by inserting after paragraph V the following new paragraph:

V-a. "Farm viability program" means a program overseen by an eligible applicant under RSA 227-M:8, I that preserves farmland:

(a) By enhancing the long-term viability of farms, principally through assistance in business plan development and implementation; and

(b) By requiring term easements on farms participating in such a program and receiving assistance funded through this chapter.

3 Public Access; Agricultural Term Easements. Amend the introductory paragraph of RSA 227-M:15 and RSA 227-M:15, I to read as follows:

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 ~~[except as provided in paragraph I]~~ ***or shall be for the term of any farm viability term easement***. 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 access to 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. ~~[Such term easements as described in RSA 227-M:2, IV will be granted where participation in such program fosters farm viability entered into by the authority or the department of agriculture, markets, and food.]~~

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

AMENDED ANALYSIS

This bill restricts term easements used in the land and community heritage investment program to those that are a part of a farm viability program.

HB 839, establishment of maximum retail fluid milk prices. **INEXPEDIENT TO LEGISLATE.**

Rep. James G. Phinizy for Environment and Agriculture: As in the case of HB 830, this bill was retained in order to address possible ancillary issues surrounding dairy producers, sharply lower "farmgate" milk prices and production costs. There are several areas regarding milk quality and pricing to be considered; however, these areas of concern due to their complexity deserve full public hearings before the committee and are filed under separate titles for the next session. It is interesting to note that even-though prices to the farmer are "up" to near-term highs, production costs are managing to keep pace. For example, grain prices are continuing to accelerate at about a 33% increase from a high of last year. Vote 16-0.

HB 329, relative to fire equipment servicing certification program. **INEXPEDIENT TO**

LEGISLATE.

Rep. Maurice L. Pilotte for Executive Departments and Administration: This bill originally proposed creating an exemption for electricians licensed by the electrician's board from voluntary certification of persons engaged in the inspection, installation, and servicing of portable fire extinguishers and fixed fire extinguishing systems, fire sprinkler systems, and fire alarm and detection systems. The Advisory Committee on Portable Fire Extinguisher and Fixed Fire Extinguishing Systems, Fire Sprinkler Systems, and Fire Alarm and Detection Systems (established in RSA 153:5-b), the Bureau of Electrical Safety and Licensing and the Electrical Contractors Business Association have come to an agreement on administrative rules in re training required for electricians who wish to qualify for this voluntary certification. Vote 14-0.

HB 561-FN, relative to pharmacy benefit managers. **INEXPEDIENT TO LEGISLATE.**

Rep. Alida I. Millham for Executive Departments and Administration: This is the second time around for this bill. The committee still has concerns about transparency and openness to consumers about pharmacy benefit contracts, but has determined that we have not yet found an approach without unintended consequences, which seems to sometimes be the way with commercial contract issues. Vote 13-2.

HB 594-FN, granting group II retirement system status to certain positions in the department of corrections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ken Hawkins for Executive Departments and Administration: This bill, as introduced, would give Group II benefits to 59 employees at the Concord State Prison who are presently Group I. After reviewing each job classification and job description, the committee voted to include eleven of these positions in Group II. The supplemental job descriptions explicitly identify security responsibilities for these positions making them eligible for Group II. Vote 14-0.

Amendment (2616h)

Amend the bill by replacing section 1 with the following:

1 Department of Corrections; Authorization for Transfer to Group II.

I. Pursuant to the provision of RSA 100-A:3, IX, the following positions in the department of corrections classified as group I positions are deemed to have met the requirement of RSA 100-A:1, VII(b) and shall be transferred to group II status in the New Hampshire retirement system:

<u>Position Title</u>	<u>Position Number</u>
Carpentry Supervisor I	12978
Carpentry Supervisor I	15470
Carpentry Supervisor I	41483
Electrician Supervisor II	12940
Electrician Supervisor II	41481
Electronic Technician I	16917
Electronic Technician I	18798
License Plate Shop Manager	8T424
Maintenance Mechanic II	15448
Plumber Supervisor I	41482
Warehouseman	41514

II. The provisions of RSA 100-A:3, II-b shall apply to positions transferred by this act.

Referred to the Committee on Finance.

HB 596-FN, relative to a retirement system calculation exemption for certain retired teachers of the Concord school district. **INEXPEDIENT TO LEGISLATE.**

Rep. John Reagan for Executive Departments and Administration: This issue regarding past

benefits for some Concord teachers is still under consideration by the New Hampshire Retirement System. It is not necessary for the legislature to address this request at this time. Vote 14-0.

HB 696*, reclassifying certain positions in the insurance department. **INEXPEDIENT TO LEGISLATE.*

Rep. Maurice L. Pilotte for Executive Departments and Administration: The committee opposed this bill because it involves an inappropriate approach to job re-classification for unclassified employees. Prior to the 2000 session of the general court, requests to change classification were regularly referred to the Executive Departments and Administration Committee. It was decided that it would be advisable to remove such requests from the political arena and refer them to an outside consultant who would make recommendations to a joint committee on employee classification. The joint committee can concur and assign a temporary classification and subsequently file legislation to make necessary changes in statute. As a result of the discussion about the request to classify these positions in the insurance department, the joint committee on employee classification has adopted specific protocols and time-frames for processing such requests. Vote 14-0.

HB 763-FN*, establishing the licensure and regulation of residential and building inspectors. **INEXPEDIENT TO LEGISLATE.*

Rep. Alida I. Millham for Executive Departments and Administration: How to regulate home inspectors is an issue this committee has been struggling with for several legislative terms. The proposals are either too skimpy or too detailed and the people involved cannot agree on what is good policy. An ITL of this bill means the parties go back to the drawing board and come back with a proposal that protects the people of New Hampshire and promotes good public policy for Home Inspectors. Vote 13-2.

HB 771-FN*, extending medical and surgical benefits to domestic partners. **INEXPEDIENT TO LEGISLATE.*

Rep. Ken Hawkins for Executive Departments and Administration: This bill would have given medical benefits to domestic partners of state employees, but it is not needed as that has been negotiated in the latest union contract. Vote 13-0.

HB 776-FN*, establishing the licensure and regulation of private investigators. **REFER FOR INTERIM STUDY.*

Rep. Ken Hawkins for Executive Departments and Administration: This bill would establish the licensure and regulation of private investigators. The consensus of the committee, after much discussion, was that more study was needed to address concerns brought forward by the Police Chiefs Association, the Public Defenders Office, New Hampshire Judicial Council, and the New Hampshire Association of Criminal Defense Lawyers. Vote 15-0.

HB 779-FN*, relative to funding of retirement system benefits and supplemental allowances. **INEXPEDIENT TO LEGISLATE.*

Rep. John Reagan for Executive Departments and Administration: The governor's commission continues to deliberate on the issues surrounding the future of public employees' retirement benefits including COLA's and medical allowances. The commission will not conclude its findings until December. It would be premature to act on this bill until that research can be fully considered by the legislature. Vote 13-0.

HB 908-FN*, relative to the licensure and regulation of massage therapists and registration of somatic and bodywork practitioners. **REFER FOR INTERIM STUDY.*

Rep. Alida I. Millham for Executive Departments and Administration: There was no agreement on parts of this proposed legislation. Good public policy regarding massage

therapy and other body work modalities is important. Rather than find this bill inexpedient to legislate, it was deemed that putting the bill into interim study would give the committee some influence in encouraging all the parties to work on a workable piece of law-making. Vote 15-0.

SB 146-FN, relative to allowing service credit for certain court system employment. **OUGHT TO PASS.**

Rep. Daniel J. Sullivan for Executive Departments and Administration: This bill allows a group of county and municipal court employees, whose employment predates the January 1, 1984 conversion of their retirement system to the New Hampshire Retirement System, to carry over their service time. The committee recommends this bill as a clarification of the benefit status of this small group of workers. Vote 13-0.
Referred to the Committee on Finance.

SB 166-FN, relative to port moorings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B. Schmidt for Executive Departments and Administration: This bill as amended has two components related to the use of moorings (scarce and valuable coastal commodities) that are managed by the Pease Development Authority Division of Ports and Harbors. The first provision gives the division the ability to establish a program for temporary seasonal moorings. The second provision creates a reconsideration process for mooring permits that have lapsed. While reconsideration of an appeal decision made by the division director is rarely necessary, SB 166 does give mooring holders one more option to explain their situations to the Pease Development Authority Board of Directors. Vote 15-1.

Amendment (2641h)

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

1 Division of Ports and Harbors; Powers and Duties; Moorings; Hearing. Amend RSA 12-G:42, VI-VII to read as follows:

VI. Administer and enforce permit programs for the placement and use of moorings, ***including temporary seasonal moorings***, and state-owned slips in state tidal waters, including waiting lists for such permits.

VII. Set and collect fees for mooring and state-owned slip permits and waiting lists for such permits. The authority shall establish fees for state-owned slips in ports, harbors, and state tidal waters. Fees shall not be charged for state-owned slips in ports, harbors, or state tidal waters securing vessels discharging cargo that is subject to the federal Harbor Maintenance Tax imposed pursuant to 26 U.S.C. sections 4461-4462. The fees for state-owned slips shall be paid into the harbor dredging and pier maintenance fund established under RSA 12-G:46. ***If a mooring holder fails to submit a complete mooring application by the annual deadline, including any applicable late application filing period, and a mooring permit is not issued, then following reconsideration by the division director, said applicant may file an appeal with the board. The authority shall establish in rules the timeframe and standards for consideration of such an appeal.***

2 Division of Ports and Harbors; Rules. Amend RSA 12-G:42, XI(c) to read as follows:

(c) Fees relating to the mooring permits, ***including temporary seasonal moorings***, and mooring wait lists shall be designed to recover all of the budget expenses associated with implementation of the mooring permit and wait list system as well as a reasonable portion of the budget expenses consistent with the purposes of RSA 12-G:42, III, VI, and VII; RSA 12-G:43, I(a) and (c); and RSA 12-G:50.

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

AMENDED ANALYSIS

This bill:

I. Allows a person to appeal when mooring permit is not issued because the application is submitted after the annual deadline.

II. Authorizes temporary seasonal moorings.

SB 251, allowing the board of medicine to issue licenses for physicians to engage in a correctional institution medical practice. **REFER FOR INTERIM STUDY.**

Rep. Maurice L. Pilotte for Executive Departments and Administration: We acknowledge that there is a serious staffing problem for doctors, especially doctors of psychiatry, in the correctional environment. There is no disagreement that this problem has been exacerbated by the passage of the sexual predator law. The medical society has agreed to create a correctional care ad hoc committee which will include input from the board of medicine. This ad hoc committee will attempt to find a solution to the problem and make recommendations for future legislation to the ED & A committee. Vote 14-0.

HB 181-FN-A, establishing a tuition voucher program for New Hampshire national guard members and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert A. Foose for Finance: The committee received a recommendation from the Deputy Adjutant General that consideration of this bill be deferred until the next biennium because of a delay in developing an appropriate support structure. The delay was caused in part because of the General's staff's service in Afghanistan. Vote 15-1.

HB 374-FN-A, increasing the appropriation to the firemen's relief fund. **INEXPEDIENT TO LEGISLATE.**

Rep. David L. Smith for Finance: Although the state has had a very long history of supporting this organization, due to other financial commitments we are not in a position to increase that current support of \$6,000 per year to \$40,000 per year. Representatives of the firemen's fund understand our position, and they have the cash reserves to meet immediate needs. This organization does much to encourage volunteer firemen in our communities, which is in the best interest of the state. The return of this request will be expected in the next budgeting year, and hopefully it will be favorably received. However this bill is recommended ITL due to lack of our funds, and adequacy of theirs. Vote 20-3.

HB 415-FN, establishing a geothermal assessment project. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bernard L. Benn for Finance: The use of geothermal technology provides a renewable and clean source of energy. This technology has been a proven renewable technology that is extremely viable in New Hampshire. However, the state does not have adequate geological data to prepare maps and/or provide information on the geology that would support the use of geothermal applications. Despite this lack there has been a growing and successful use of geothermal technologies in our state. This bill provides methodology for collecting needed data from existing construction projects that drill exploratory hydrothermal wells or from projects that drill at least 3 boreholes 1,000 or more feet deep on one site. Many other states already have such a program as this. The data provided from these drillings will be provided to the New Hampshire Department of Environmental Services, which will, in turn, compile the data into a usable format available to the public. This legislation will ensure that New Hampshire has needed information to support further use of this renewable energy and there will be no cost to the state for this program. Vote 23-0.

Amendment (2578h)

Amend paragraph II of section 1 of the bill by replacing it with the following:

II. The state geologist shall make a preliminary report of the results of the geothermal assessment project to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or

before July 1, 2010. The state geologist shall make a final report of the results of the geothermal assessment project to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before July 1, 2011.

Amend section 1 of the bill by inserting after paragraph II the following new paragraph:

III. Any person exploring hydrothermal or geothermal resources, or any person installing a geothermal energy system who drills at least 3 boreholes 1,000 or more feet deep on one site, shall report to the state geologist a description or log of the geological formations and materials encountered in the borehole that achieved the greatest depth. The report shall include any temperature measurements from fluids or temperatures measured at the bottom of one of the boreholes. Each report shall be prepared by a geologist licensed in this state within 30 days of the completion of drilling.

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

2 Repeal. Section 1 of this act, relative to the geothermal assessment project, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect July 2, 2011.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires the state geologist to conduct a geothermal assessment project. This bill also requires the reporting of geologic information by persons installing geothermal systems or exploring hydrothermal or geothermal resources.

HB 628-FN-A, establishing the New Hampshire Rx advantage program and continually appropriating a special fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry A. Emerton for Finance: This bill would establish a state-sponsored discount pharmacy program run by the Department of Health and Human Services to provide reduced priced prescription drugs to qualified New Hampshire residents. The policy of this bill was passed during the 2007 session. Due to the numerous questions about the fiscal note as prepared by the department and the complexity of the bill, the committee did not have enough information and time to bring the bill forward. It is hoped that when further cost estimates are available, appropriate action could be taken. Vote 22-0.

HB 643-FN, relative to the distribution of tobacco settlement funds. **INEXPEDIENT TO LEGISLATE.**

Rep. Sharon L. Nordgren for Finance: This bill was voted ITL by the Finance Committee. The proposal in the bill is laudable, but the budget we passed last year contained over \$6M for the NH Cancer Plan and it is the assumption of the Finance Committee that many of the goals of this bill will be met with this significant financial support. The Finance Committee would recommend that any further consideration of the proposals brought forth in HB 643 be considered at the start of the budget process as the Health and Human Services Department generates its budget recommendations to the Governor. Vote 22-0.

HB 861-FN, allowing certain active duty members of the United States armed forces and their dependents to attend public postsecondary institutions at the in-state resident tuition rate. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert A. Foose for Finance: The committee received assurances from both the university system and the community college system that the two institutions would take prompt action to handle this request administratively. Prior to the final vote of the full committee, both systems completed the necessary policy changes to accomplish the intent of the bill. Vote 19-0.

HB 887-FN, allowing certain members of the United States armed forces, including the

reserve component, and veterans who qualify for the Montgomery GI Bill, to take courses tuition free at public postsecondary institutions. **INEXPEDIENT TO LEGISLATE.**
Rep. Kenneth H. Gould for Finance: The committee heard several bills dealing with tuition assistance for military and their dependents. There is a need to do more research on people helped and people who fall through the cracks. The problem has been partially solved by the University of New Hampshire through its own change in policy. Other remedies will be forthcoming in the next session if necessary. Vote 20-0.

HB 893-FN, relative to long-term care. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry A. Emerton for Finance: Long term care is of great importance to the citizens of New Hampshire, not only to give our older citizens efficient and proper care, but to allow them to remain in their own homes at much less cost to all involved. This bill's purpose was to strengthen New Hampshire's Long Term Care program. It would have established a presumptive eligibility process; provide for an annual report on the availability and need for quality long term care services; and require that the department estimate the full cost of adequately funding long term care services to assist in the budgetary process. However the committee determined that some of the bill's requirements have been incorporated into other bills. Also questions concerning the presumptive eligibility rules have to be resolved; and definitive costs relative to the bill's implementation have not been determined. For these reasons, while supporting the bill's intent, at this time the committee concluded that the bill was inexpedient to legislate. Vote 22-0.

HB 910-FN, relative to state reimbursement to sheriffs' departments for the costs associated with court bailiffs. **INEXPEDIENT TO LEGISLATE.**

Rep. David L. Smith for Finance: This bill addresses moving bailiffs' compensation from \$65 per day to \$20.00 per hour. A pay adjustment is now long overdue. However, although the committee recognizes the need to positively deal with this pay issue, there are two other bills (SB 79 AND HB 369) which are better bills which address other sheriff department issues more comprehensively. Due to this other legislation, the sponsor of HB 910 and the Hillsborough County Sheriff requested that we recommend ITL on this bill. Vote 22-0.

HB 563, relative to obtaining birth certificates for stillborn children. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This bill allows individuals to request a certificate of stillbirth under the fetal death statute. The sponsors were responding to the requests of constituents who wanted a tangible recognition of a stillbirth. The amendment places the actual certificate in statute. This amendment provides clarification of an issue that caused the bill to be retained. Vote 20-0.

Amendment (2633h)

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

1 New Section; Certificate of Stillbirth. Amend RSA 5-C by inserting after section 75 the following new section:

5-C:75-a Certificate of Stillbirth. The director shall establish a certificate of stillbirth for a fetal death, as defined in RSA 5-C:1, XII, occurring in this state on the following form:

New Hampshire Certificate of Stillbirth

Name of Parents: _____

Date of Stillbirth: _____

Place of Stillbirth: _____

Name parents choose: _____

(optional)

Issued by New Hampshire division of vital records administration

Director of vital records

Date

2 New Paragraph; Reporting of Fetal Deaths. Amend RSA 5-C:74 by inserting after paragraph IV the following new paragraph:

V. Upon request, the division shall complete and issue to the parent or parents a certificate of stillbirth for a fetal death, as defined in RSA 5-C:1, XII, on the form established pursuant to RSA 5-C:75-a.

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

AMENDED ANALYSIS

This bill requires the director of the division of vital records administration to establish a certificate of stillbirth.

HB 603-FN, establishing a task force on mental health costs and requiring the commissioner of the department of corrections to enroll any person being released from a correctional facility in any available free or reduced cost drug program. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne S. Butcher for Health, Human Services and Elderly Affairs: The Commission to Develop a Comprehensive State Mental Health Plan, the Governor's Commission on Alcohol and Other Drugs, the Correctional Health Care study group, and other groups are addressing the issues raised in this bill. The departments of corrections and of health and human services recently signed a memorandum of understanding to improve planning for release, including enrollment of those eligible in medicaid. The committee believes that an additional task force is not necessary. Vote 19-0.

HB 740-FN, relative to mental health services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert G. Bridgham for Health, Human Services and Elderly Affairs: This bill as amended makes small modifications in the statutes governing the mental health services system. It updates the titles of key administrators in the system and modifies the description of the process and terms of their appointment to be consistent with practice. It permits the sharing of clinical information between a community health program and a mental health in-patient program when essential to the care and treatment of a patient. It allows the individual providing continuing treatment in a community mental health program, whether a psychiatrist or an ARNP, to revoke the conditional discharge of a patient, under defined conditions. An earlier version of the bill contained modifications in the definition of "mental illness" and the process of extending involuntary admissions; these were eliminated at the request of DHHS. Vote 20-0.

Amendment (2626h)

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

1 Mental Health Services System; Bureaus Established. RSA 135-C:6 is repealed and reenacted to read as follows:

135-C:6 Bureaus Established; Staffing.

I. There shall be established within the department the bureau of behavioral health services, which shall include, but not be limited to, New Hampshire hospital, Glenclyff home, and community mental health services.

II. The commissioner shall appoint a person duly qualified by training and experience to serve as chief executive officer of New Hampshire hospital and perform such duties as are assigned by the commissioner.

III. The commissioner shall appoint a chief operating officer of New Hampshire hospital. Such person shall be, through training and experience, qualified to serve and shall perform such duties as are assigned by the commissioner.

IV. The commissioner may establish one or more positions of unit director and senior physician, psychiatrist, dentist, and director of nursing and shall appoint qualified personnel

to these positions. The commissioner may abolish these positions because of a change in organization, lack of work, unappropriated or insufficient funds, or like reasons.

V. The commissioner shall appoint a person duly qualified by training and experience to serve as administrator of the Glenclyff home and perform such duties as are assigned by the commissioner.

VI. There shall be established a medical director, who shall be responsible for providing oversight and advice on the clinical services and treatment within the state mental health services system. The commissioner shall appoint or designate a person duly qualified by training and experience to fulfill these responsibilities and to perform such other duties as are assigned by the commissioner.

VII. The annual salary of each person appointed to a position established under this section and his or her right to maintenance shall be in accordance with RSA 94:1-5.

VIII. Each person appointed under this section shall serve subject to the following provisions:

(a) The commissioner may terminate the appointee from the position for either:
(1) Good cause, which shall include, but not be limited to malfeasance, misfeasance, or insubordination; or

(2) The abolition of a position because of a change in organization, lack of work, unappropriated or insufficient funds, or like reasons.

(b) Termination shall be made only after written notice to the appointee stating the reasons for the decision. Within 10 days after receipt of the notice of the termination, the appointee may appeal the termination in writing to the commissioner. Within 20 days of receiving the notice of appeal, the commissioner shall conduct a hearing in accordance with rules adopted under RSA 541-A. Within 10 days after completion of the hearing process, the commissioner shall render a written decision either upholding or reversing the termination. If the commissioner reverses the termination, the appointee shall be reinstated and all pay and benefits lost during the time of the appeals process shall be restored to the appointee.

2 New Paragraph; Mental Health Services System; Disclosure of Certain Information. Amend RSA 135-C:19-a by inserting after paragraph II the following new paragraph:

II-a. Notwithstanding RSA 329:26 and RSA 330-A:32, when the medical director, or designee, determines that obtaining information is essential to the care and treatment of a person admitted pursuant to RSA 135-C:27 - RSA 135-C:55 and the consent of the person admitted cannot be obtained, the designated receiving facility may request and any community mental health program which has previously provided services to such person shall immediately provide information about the person including medications prescribed, known medication allergies, services provided and other information essential to the medical and psychiatric care of the person admitted. The facility may disclose information necessary to identify the person and the facility which is requesting the information. No community mental health program which discloses otherwise confidential information to a designated receiving facility following a request made pursuant to this program shall be civilly or criminally liable for disclosing such information.

3 Nonemergency Involuntary Admissions; Revocation of Conditional Discharge. Amend RSA 135-C:51 to read as follows:

135-C:51 Revocation of Conditional Discharge.

I. If a psychiatrist **or ARNP, as defined in RSA 135-C:2, II-a**, at a community mental health program providing continuing treatment on an outpatient basis to a person conditionally discharged pursuant to RSA 135-C:50, reasonably believes that:

(a) The person has violated a condition of the discharge; or

(b) A condition or circumstance exists which may create a potentially serious likelihood of danger to the person or to others, the psychiatrist **or ARNP** may conduct or cause to be conducted by a treatment team member or an emergency service staff member, an examination of the person to determine if the conditional discharge should be revoked. ~~[The]~~ **Before an** examination may be conducted ~~[only after the person has been given], a~~

written notice ~~[of]~~ **shall be prepared identifying** the belief, and the reasons therefor, that a violation of the conditional discharge has occurred or other circumstances or condition exists which may create a potentially serious likelihood of danger to the person or to others. **The written notice shall be offered to and read to the person prior to conducting an examination.**

II. **A reasonable effort shall be made to find the person, in order to offer and read the notice required under paragraph I.** If the person ~~[refuses to]~~ **cannot be located or** consent to an examination ~~[under paragraph I]~~ **cannot be obtained**, the psychiatrist or other representative of the community mental health program may sign a complaint. Upon issuance of such a complaint, any law enforcement officer shall take custody of the person and immediately deliver him **or her** to the place specified in the complaint.

III. If the psychiatrist **or ARNP**, following the examination the psychiatrist **or ARNP** conducted or caused to be conducted of the person, finds that the person either has violated a condition of the discharge or is in such a mental condition as a result of mental illness as to create a potentially serious likelihood of danger to himself **or herself** or to others, he **or she** may temporarily revoke the conditional discharge. If the conditional discharge is temporarily revoked, the psychiatrist, **or ARNP**, or designee, shall ~~[inform the person affected in writing]~~ **prepare, offer to and read to the person a written notice** giving the reasons for the revocation and the psychiatrist **or ARNP** shall identify the receiving facility to which the person is to be delivered.

IV. A law enforcement officer shall take custody of the person whose conditional discharge was temporarily revoked under paragraph III and deliver him **or her**, together with a copy of the notice and the reasons for the temporary revocation, to the receiving facility identified by the psychiatrist, where he **or she** shall be personally examined by the administrator of the facility or ~~[his]~~ designee and the reasons for temporary revocation of the discharge shall be reviewed. Following such examination and review, if the administrator of the facility or ~~[his-qualified]~~ designee finds that the person conditionally discharged has violated a condition of the discharge or is in such a mental condition as a result of mental illness as to create a potentially serious likelihood of danger to himself **or herself** or to others, he **or she** may revoke absolutely the conditional discharge. ~~[He shall provide to such person written notice]~~ **The administrator of the facility, or designee, shall prepare, offer to and read to the person a written notice** of the reasons for the absolute revocation. The person whose conditional discharge has been absolutely revoked shall be subject to the terms and conditions of the order of involuntary admission made pursuant to RSA 135-C:34-54 from which conditional discharge was granted as if the conditional discharge had not been granted.

4 Reference Changes. Amend RSA 21-P:7-c, I to read as follows:

I. All security officers of the hospital security force shall possess such police powers as are granted to them by the commissioner of safety pursuant to RSA 21-P:4, XI. All officers of the hospital security force hired after the effective date of this paragraph shall be required to meet the training standards required generally of police officers by the police standards and training council pursuant to RSA 188-F and in addition shall receive additional training in dealing with persons with mental illness as specified by the commissioner of safety after consultation with the ~~[superintendent]~~ **chief executive officer** of the New Hampshire hospital.

5 Reference Changes. Amend RSA 94:1-a, I(b) as follows:

I. Strike out:

- | | |
|--|--------------------------|
| (a) FF New Hampshire hospital | assistant superintendent |
| (b) FF Glencliff home | superintendent |
| (c) GG New Hampshire hospital | superintendent |
| (d) HH Department of health and human services | superintendent |

II. Insert:

- | | |
|-------------------------------|-------------------------|
| (a) FF New Hampshire hospital | chief operating officer |
| (b) FF Glencliff home | administrator |
| (c) HH New Hampshire hospital | chief executive officer |

6 Glencliff Home; Reference Change. Amend RSA 94:5, I(c)(1) to read as follows:

(1) ~~superintendent~~ **administrator**;

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

AMENDED ANALYSIS

This bill makes changes to RSA 135-C to make it consistent with the reorganization of the department of health and human services.

HB 235, relative to the recognition of out-of-state marriages. **INEXPEDIENT TO LEGISLATE.**

Rep. Bette R. Lasky for Judiciary: This subject matter is dealt with in the civil union statute, RSA 457-A. Vote 18-1.

HB 269, prohibiting “pretexting” as a means of obtaining personally identifiable information. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen J. Shurtleff for Judiciary: This bill deals with “pretexting” which is defined as obtaining personal information about an individual, without the individual’s consent, or by using a ruse. This bill has some merit, but is so broadly written that it could have unintended consequences. As was pointed out by the attorney general’s office, this bill would have a chilling effect on law enforcement. Police officers often use “pretexting” in order to affect an arrest. Under this bill a police officer could be charged with a criminal offense. Vote 20-0.

HB 359-FN, relative to recovery of medical assistance from an estate. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Anthony R. DiFruscia for Judiciary: The bill as amended clarifies present practice by the department of health and human services with additions. First, upon the death of a spouse who has received medical assistance, the surviving spouse shall not be liable for recovery. Second, the bill makes it clear that if the recipient of joint property or a remainder interest paid fair market value for the property at interest during the lifetime of the deceased, the property recipient will not be subject to recovery. Third, the bill exempts joint interests and remainder interests created prior to July 1, 2005, the effective date of the legislation allowing recovery, as these property interests vested before the enactment of the law. Finally, the bill requires that written notice shall be given in all cases stating what categories of recipients are exempt by reason of familial status, and how others may obtain a waiver in case of hardship. Vote 19-0.

Amendment (2547h)

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

1 Recovery of Assistance. Amend RSA 167:14-a, VI to read as follows:

VI.(a) For purposes of recovering the costs of medical assistance, the estate of a recipient shall include all property, real or personal, which at the time of a recipient's death was held by the recipient in joint tenancy with rights of survivorship, tenancy in common, or life estate~~[-without regard to the date that such title or interest was established.]~~ **for all such title or interest established on or after July 1, 2005. Recovery shall be limited to the value of the recipient's ownership interest and in no case shall such amount exceed the total amount of medical assistance provided to the deceased recipient, nor shall recovery extend to any interest in property, real or personal, for which a non-recipient owner paid fair market value at the time said ownership interest was acquired.**

(b) No sooner than 45 days from the death of the recipient, the department shall provide the other joint owner or owners notice of the department's claim. **Written notice shall include a description of all categories of individuals exempt from recovery by reason of familial status as allowed under 42 U.S.C. section 1396p(b)(2) and RSA 167:16-a, IV, as well as the availability and method of requesting a hardship waiver.** Within 30 days of the receipt of notification of the department's claim, the joint owner or owners shall acknowledge receipt of the department's claim and, provided that there shall not be undue hardship imposed upon the surviving joint owner or owners, either tender an amount equal to the deceased recipient's interest in the identified property and/or financial instrument to the state of New Hampshire toward the deceased's medical assistance bill, but such amount shall not exceed the total amount of medical assistance provided to the deceased recipient, or enter into a binding agreement to make such payment as soon as is practicable. If the joint owner or owners refuse to acknowledge receipt of the department's claim or to tender payment or fail to fulfill the agreement to pay without good cause, as required by this paragraph, the commissioner may bring an action in superior court **or probate court, as the case may be**, to compel such payment. Nothing in this paragraph shall be interpreted or applied so as to violate RSA 167:16-a~~[-IV]~~ or 42 U.S.C. section 1396p(b)(2)(A) **and (B)** prohibiting recovery when the recipient is survived by a spouse, minor children, or disabled children **or when the recipient is survived by either siblings or children under certain circumstances.**

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

AMENDED ANALYSIS

This bill limits recovery of assistance to property interests created on or after July 1, 2005. It also limits recovery to the value of the interest held by the recipient of the assistance. The bill also requires the department to provide written notice of the procedure for obtaining a hardship waiver and those persons who are exempt from recovery by state and federal law.

HB 369-FN, relative to state reimbursement for costs of bailiffs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen J. Shurtleff for Judiciary: This bill will raise the current per diem rate for court security officers from \$65 a day to \$100 a day. Our court security officers provide an outstanding service to our state in maintaining the security and integrity of our state's court facilities. This bill will help to maintain the level of expertise and professionalism needed in our changing society. Vote 20-0.

Amendment (2486h)

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

AN ACT relative to state reimbursement and payment for costs of bailiffs.

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

1 Fees of Sheriffs; Reimbursement and Payment by State for Costs of Bailiffs. Amend RSA 104:31, X to read as follows:

X. The state shall reimburse the sheriff's office, **and shall pay per diem judicial branch court security officers**, within available funds appropriated by the legislature, ~~[\$65]~~ **\$100** for each full day and ~~[\$35]~~ **\$50** for each half day, plus traveling expenses to attend any official business, for any person employed as a bailiff ~~[by the sheriff's office]~~. For the purpose of this paragraph, a half day shall be defined as a day in which a bailiff works 4 hours or less. The state shall reimburse the counties, within available funds appropriated by the legislature, for all costs associated with employing court bailiffs, if those costs are the result of job requirements imposed by federal and state governments.

2 Effective Date. This act shall take effect July 1, 2009.

AMENDED ANALYSIS

This bill increases the amount the state is required to reimburse sheriffs' offices for the costs of bailiffs and the amount the state is required to pay per-diem judicial court security officers employed as bailiffs.

Referred to the Committee on Finance.

HB 522, requiring the supreme court to notify the legislature of any pending cases or matters before the court which involve constitutional issues regarding current law or pending legislation. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen J. Shurtleff for Judiciary: The committee believes that this bill would cause unnecessary work and additional expense to the N.H. Supreme Court. Furthermore the bill may cross the boundary of separation of powers, between the legislative and judicial branches of government. For the legislature to demand that the judiciary review every bill that is filed goes far beyond the role of the court. Every criminal case has the potential of raising a constitutional issue. Asking the court to notify the legislature of pending criminal cases which may involve constitutional issues could raise constitutional questions before cases are adjudicated. Vote 19-1.

HB 786-FN, relative to compensation for retired full-time justices for service after retirement. **INEXPEDIENT TO LEGISLATE.**

Rep. Janet G. Wall for Judiciary: This bill addresses compensation for retired full-time justices for service after retirement. The committee, having heard from the chief administrative judge from each court and from the judicial council, agreed that this is an important issue. There is no need for this bill, however, because it was incorporated nearly verbatim into HB 2, Chapter 263, 2007, together with an annual appropriation of \$200,000 for 2008 and 2009. Vote 20-0.

HB 814-FN, relative to the judicial retirement plan. **INEXPEDIENT TO LEGISLATE.**

Rep. Janet G. Wall for Judiciary: The substance of this bill was incorporated into SB 178, Chapter 313, 2007 which has already been signed into law. The new law now allows for a retired member to be appointed to the judicial retirement system board of trustees; changes the method for determining and funding supplemental allowances (COLAs); permits a quorum of 4 trustees at a board meeting if 4 out of 7 members attend; and requires reports to be made to the fiscal committee of the general court and to the executive departments and administration committees of both the House and the Senate. Vote 20-0.

HB 671, relative to certain data used for workers' compensation rates. **INEXPEDIENT TO LEGISLATE.**

Rep. William J. Infantine for Labor, Industrial and Rehabilitative Services: The committee felt that the procedures that are in place for workers compensation classification code disputes are sufficient and that no further legislation is needed. Vote 10-1.

HB 91-FN, relative to registration fees for lobbyists and requiring registration of employers of lobbyists. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael S. Rollo for Legislative Administration: This bill, as amended, clarifies what activities constitute lobbying, who is a lobbyist and a lobbyist's duty to register and report their activities with the secretary of state. Under this amendment, registered lobbyists will continue to report fees, expenditures, political contributions, honorariums and expense reimbursements. The amendment permits individuals with pertinent expertise, who do not make their living as lobbyists, and who are generally not considered lobbyists to participate in executive and legislative task forces without having to register as a lobbyist, as long as the convening authority files a statement with the secretary of state's office listing the subject matter and participants involved, and the anticipated duration of the group or meeting. Under the existing law, a lobbyist only has to report political contributions they make to

candidates. By eliminating the language that limits what information regarding political contributions must be reported, the committee intends to require lobbyists to report all political contributions made by the lobbyist pursuant to RSA 664 in his or her professional or personal capacity, including to political committees or political action committees, not only those contributions made to a specific candidate. The amendment also changes, at the urging of the secretary of state, the reporting dates for financial disclosures by lobbyists to coincide with other filing dates received by that office. Lastly, the amendment exempts volunteers who assist the state with non-policy setting or decision making functions, such as individuals who stock ponds for the fish and game department and maintain trails at state parks from having to file financial disclosure forms. Executive branch department heads will have to submit to the secretary of state the names of the exempt volunteers who perform this type of work. The current requirement that these volunteers file financial disclosure forms is a barrier to obtaining volunteers. Without volunteers, these activities would require additional state expenditures, so the committee recommends eliminating the reporting requirements in these circumstances. Vote 9-0.

Amendment (2509h)

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

AN ACT relative to lobbyist registration and statements, repealing the restriction on simultaneous employment and public service, and relative to regulation of volunteer public service.

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

1 Lobbyist Registration; Registration Required. RSA 15:1, I is repealed and reenacted to read as follows:

I.(a) The following persons shall register as lobbyists with the secretary of state:

(1) Any person who works as an independent contractor or who provides services for a fee for another to represent the other for the purposes specified in paragraph II including, but not limited to, an attorney, or a legislative or government relations representative;

(2) Any person who is an employee of any other person or employer, and who works in a representative capacity exclusively for the purposes specified in paragraph II; and

(3) Any person who is an employee of any other person or employer, who is employed for purposes in addition to or other than the purposes specified in paragraph II, and who spends more than 75 hours in a calendar year working in a representative capacity for the purposes specified in paragraph II.

(b) Each person described in subparagraphs (a)(1) and (2) shall register no later than 10 business days after engaging in the activities specified in paragraph II. Each person described in subparagraph (a)(3) shall register no later than 10 business days following completion of 75 hours of such work. Each registration shall report the existence of a relationship between a single client and either a single lobbyist or a partnership, firm, or corporation with one or more partners, members, or employees of a firm acting as a lobbyist.

2 Expiration Date. Amend RSA 15:1, IV to read as follows:

IV. All registrations required under this section shall expire on December [4] **31**.

3 New Paragraph; Exclusions From Requirements. Amend RSA 15:1 by inserting after paragraph IV the following new paragraph:

V. The following communications are excluded from the regulation imposed by this chapter and shall not be considered in a determination of whether a person is required to register and report as a lobbyist:

(a) Public testimony before a legislative committee or sub-committee;

(b) Public testimony before any entity subject to RSA 91-A, the right-to-know law;

(c) A written document filed in the course of a public proceeding or any other communication that is made on the record in a public proceeding;

(d) Communication made by a public official acting in the public official's official capacity;

(e) Communication made by a representative of a media organization if the purpose of the communication is gathering or disseminating news and information to the public;

(f) Communication made in a speech, article, publication, or other material that is distributed and made available to the public, or through radio, television, cable television, the internet, or other medium of mass communication;

(g) Communication made in writing which becomes a public record subject to the provisions of RSA 91-A, the right-to-know law, provided in response to a written request by a legislative or executive branch official; and

(h) Attendance or participation in executive and legislative branch task forces, work groups, stakeholder groups, and other similar meetings which are not subject to RSA 91-A, provided that, prior to or concurrent with the convening of any such group or meeting, the convening authority files with the secretary of state a statement listing the subject matter, participants, and anticipated duration of the group or meeting and provides a copy to the participants. The secretary of state shall make available a form to effectuate the purpose of this filing requirement.

4 Lobbyist Statements. Amend RSA 15:6, II to read as follows:

II. Lobbyists shall file statements no later than the ~~[second Friday]~~ **last Wednesday** of each ~~[month]~~ **January, April, July, and October** covering all fees received and expenditures, contributions, honorariums, or expense reimbursements made during the previous month, **since the last required filing**, from fees received at any time from a lobbying client or employer or from funds otherwise provided by the lobbyist, partnership, firm, or corporation, or from the client or employer. **The first statement filed by persons who register as lobbyists pursuant to RSA 15:1, I(a)(3) shall cover all fees received and expenditures or expense reimbursements made from such fees received and funds provided during the 75 hours worked prior to registration.**

5 Lobbyist Statements. Amend RSA 15:6, V(f)-(h) to read as follows:

(f) ~~[For each political contribution made that is reportable pursuant to RSA 664:~~

~~(1) The name of the candidate.~~

~~(2) The office the candidate is seeking.~~

~~(3) The value of the contribution.~~

~~(4) If the contribution is an in-kind contribution, a brief description of the~~

~~contribution.~~

~~(g)~~ For all expenditures for salaries, benefits, support staff, and office expenses, related directly or indirectly to lobbying, a statement of the total aggregate expenses for salaries, support staff, and office expenses related directly or indirectly to lobbying shall satisfy the requirement that an itemized statement of these expenses be filed.

~~(h)~~ **(g)** The following statement followed by a line for each person filing the form to sign and date the form: "I have read RSA 15[, RSA 15-B, and RSA 664] and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief." ~~[This statement shall be made under oath before a notary public or justice of the peace.]~~

6 Gifts; Exclusion From Definition. Amend RSA 15-B:2, V(c)(5) and (6) to read as follows:

(5) Objects **or services** which primarily serve an informational purpose provided in the ordinary course of business, such as reports, books, maps, or charts.

(6) Money in any form, an object, or an intangible thing **or service** of economic value, where the donor's act of giving is purely private and personal in nature and the money, object, or intangible thing **or service** of economic value would have been given and received even if the person were not an elected official, public official, public employee, constitutional official, or legislative employee.

7 New Subparagraph; Definition of Gift; Exclusion Added. Amend RSA 15-B:2, V(c) by inserting after subparagraph (12) the following new subparagraph:

(13) Information or advice concerning any state law or rule, any legislation pending or proposed before the general court, or any pending or proposed administrative rule.

8 Executive Branch; Code of Ethics; Appointee and Volunteer Service. RSA 21-G:25 is repealed and reenacted to read as follows:

21-G:25 Ethical Standards for Appointee and Volunteer Public Service. Appointee and volunteer public service within the executive branch is an honorable tradition that should be encouraged and maintained. Appointees and volunteers shall not use such public service, directly or indirectly:

I. For personal financial gain; or

II. To facilitate nonpublic communications with executive branch officials for the purpose of promoting or advancing any matter on behalf of themselves, their employers or business associates, or any other third party.

9 Purpose; Financial Disclosure. The general court finds that many public spirited citizens perform volunteer service for the state each year under circumstances where their service does not create any appreciable opportunity to influence the setting of public policy, the expenditure of state funds, or the selection of vendors for the state. Recognizing that the purpose of financial disclosure is to ensure the public has access to information about the financial interests of those who act on the public's behalf when setting public policy, spending state funds, or choosing vendors to do work for the state, requiring volunteers who do not perform such actions to file statements of financial interests does not advance the purpose of the statute and may chill volunteerism. The general court intends to exempt from financial disclosure requirements those individuals who serve the state solely in a volunteer capacity and whose service does not afford any appreciable opportunity to influence public policy or spending, including but not limited to individuals who assist with search and rescue, teach hunter safety, work on recreational trails, or assist with the annual Easter egg hunt.

10 Financial Disclosure; Filing. Amend RSA 15-A:3 to read as follows:

15-A:3 Persons Required to File.

I. The following persons shall file a statement of financial interests as required by this chapter:

~~[I.]~~ (a) All candidates who file for state or county office.

~~[II.]~~ (b) All persons filing an acceptance of nomination form for state or county office.

~~[III.]~~ (c) Every person appointed by the governor, governor and council, president of the senate, or the speaker of the house of representatives to any board, commission, committee, board of directors, authority, or equivalent state entity whether regulatory, advisory, or administrative in nature.

~~[IV.]~~ (d) All agency heads.

~~[V.]~~ (e) Any public official designated, due to the responsibilities of the position, by the agency head.

~~[VI.]~~ (f) The secretary of state and the treasurer, and any of their subordinates designated, due to the responsibilities of the position, by the secretary of state or treasurer.

~~[VII.]~~ (g) All persons elected to state or county office, and all persons appointed to such elective office to fill a vacancy; and

~~[VIII.]~~ (h) Any person, not employed by or working under contract for the state, who is acting on behalf of the governor or an agency while engaged in state business.

II.(a) Any person who is otherwise subject to the filing requirements of paragraph I (h) shall be exempt from filing a statement of financial interests provided the head of the executive branch entity for whom the individual is volunteering certifies in a public register of volunteers, to be maintained by the secretary of state, that the volunteer's work for the state:

(1) *Does not directly or indirectly influence the setting of public policy;*
(2) *Does not directly or indirectly influence decisions on how state funds will be expended; and*

(3) *Does not directly or indirectly influence the selection of vendors for the state.*

(b) *The secretary of state shall establish a public register of volunteers for the state that shall include the name and town or city of residence of the volunteer and the executive branch entity for whom the volunteer work is done. The name and residence of exempt volunteers shall not be listed for volunteers who provide service occurring at a single event that does not exceed one day in duration, provided the head of the executive branch entity accepting the volunteer service submits a brief description of the event and an estimate of the number of volunteers to the secretary of state for inclusion in the register.*

(c) *The head of any executive branch entity that accepts volunteer work shall cause a list of volunteers who qualify for this exemption to be certified to the secretary of state. An annual certification shall be submitted not later than the last Wednesday in January listing all exempt volunteers who are expected to volunteer during that calendar year. A certification shall be submitted no later than the last Wednesday of each month certifying all new exempt volunteers who started service with that entity during the previous month.*

11 Executive Branch Volunteer List. Each head of an executive branch entity that accepts volunteer work shall cause a list of volunteers providing service to the state on the effective date of this act who qualify for the exemption set forth in RSA 15-A:3, II to be submitted to the secretary of state within 60 days of the effective date of this act.

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

AMENDED ANALYSIS

This bill changes the registration requirements for lobbyists and the frequency and content of the statements required to be filed. The bill repeals the restriction on simultaneous employment and public service, and exempts certain appointed and volunteer service from the financial disclosure requirements. The bill also establishes an executive branch public register of volunteers.

HB 255, establishing a committee to study the implementation and use of growth management ordinances. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary R. Cooney for Municipal and County Government: The committee decided that the issue had been studied before in previous sessions and the consensus was that a new bill should be filed addressing the proper use of growth management ordinances and giving municipalities guidance in crafting such ordinances. A new bill has been filed for the 2008 Session. Vote 12-0.

HB 270, allowing municipalities to adopt a homestead exemption for property tax assessments on a person's principal place of residence. **INEXPEDIENT TO LEGISLATE.**
Rep. Jessie L. Osborne for Municipal and County Government: This legislation would cause increased cost shifting for the local residential and business property tax payers by an indeterminate amount. The number of residents eligible for this homestead exemption could be substantial and huge problems exist with determining the assets that could be counted as income. The Department of Revenue Administration indicated that it will increase the costs of administration for setting the local property tax rates. There are in existence numerous ways for the elderly, blind, disabled, veterans and low and moderate income residents to obtain credits or exemptions. This subject is also in HB 617 which the committee has recommended be put in interim study. Vote 12-0.

HB 294-FN, relative to current use taxation of certain farm buildings. **INEXPEDIENT TO**

LEGISLATE.

Rep. Betsey L. Patten for Municipal and County Government: The bill fixed the assessing practice of placing the highest and best use valuation on farm buildings other than residences by adding the land under those buildings into the current use assessment. However, there was no support to change the current use statute. Another bill will be introduced in 2008 that will address this issue in a new section of current use statutes. Vote 13-0.

HB 315, relative to criminal background checks of municipal employees through the New Hampshire state police. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne S. Laliberte for Municipal and County Government: The bill allows municipalities to obtain criminal background checks through the state police. It is necessary to pass the bill to allow background checks through the FBI data base. Municipalities can obtain the background investigations on candidates for town employment who work with children or elderly, who can enter homes and/or who handle money. Vote 14-0.

Amendment (2447h)

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

AN ACT relative to criminal background checks of prospective municipal employees through the division of state police.

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

1 New Section; Municipal Employee Background Investigations. Amend RSA 41 by inserting after section 9-a the following new section:

41:9-b Employee Candidate Background Checks.

I. The governing body of a town, or a town manager in a town which has adopted the provisions of RSA 37, may require a background investigation and a criminal history records check on any candidate for employment in a position in the town that requires the employee to work with or around children or elderly persons, enter the homes of citizens, or collect or manage money, prior to a final offer of employment. The town may extend a conditional offer of employment to a candidate, with a final offer of employment subject to a successfully completed criminal history records check.

II. A candidate for employment in a position which the governing body or town manager determines requires a background investigation and a criminal history records check shall submit to the town a notarized criminal history records release form, as provided by the division of state police, which authorizes the release of the person's criminal records, if any. The candidate shall submit with the release form a complete set of fingerprints taken by an authorized employee of the town or as otherwise directed by the governing body or town manager. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the town may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where a candidate has lived during the past 5 years.

III. The town shall submit the criminal history records release form and applicant finger print card to the division of state police, which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of state police shall report any criminal conviction information to the town governing body or town manager. The town may submit information electronically, in accordance with procedures established by the division of state police. The town shall maintain the confidentiality and security of all criminal history records information received pursuant to this paragraph.

IV. The governing body may require the candidate to pay the actual costs of the background investigation and the criminal history records check.

V. In this section, “candidate for employment” shall include candidates for volunteer positions in the municipality.

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

AMENDED ANALYSIS

This bill allows municipalities to obtain background investigations and criminal history records checks on prospective employees through the division of state police.

HB 331, relative to the withholding of building permits in certain cases. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betsey L. Patten for Municipal and County Government: The amendment revises the time frame for design review process before the local planning board by giving that board the discretion to announce the end of the design review. The planning board also will have the opportunity to establish specific rules of procedure relating to the design review process that will be part of its regulations. Vote 12-0.

Amendment (2411h)

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

AN ACT relative to time limits on design review.

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

1 Building Permits to be Withheld in Certain Cases; Plat or Application Subject of Notice. Amend RSA 676:12, VI to read as follows:

VI. The provisions of paragraph I shall not apply to any plat or application which has been the subject of notice by the planning board pursuant to RSA 676:4, I(d) prior to the first legal notice of a proposed change in a building code or zoning ordinance or any amendment thereto. No proposed subdivision or site plan review or zoning ordinance or amendment thereto shall affect a plat or application which has been the subject of notice by the planning board pursuant to RSA 676:4, I(d) so long as said plat or application was the subject of notice prior to the first legal notice of said change or amendment. The provisions of this paragraph shall **also** apply to proposals submitted to a planning board for design review pursuant to RSA 676:4, II(b), provided that a formal application is filed with the planning board within 12 months of the end of the design review process. ***At a public meeting, the board may determine that the design review process of an application has ended and shall inform the applicant in writing with 10 days of such determination.***

2 Board’s Procedures on Plats; Design Review Phase. Amend RSA 676:4, II(b) to read as follows:

(b) Design review phase. The board or its designee may engage in nonbinding discussions with the applicant beyond conceptual and general discussions which involve more specific design and engineering details; provided, however, that the design review phase may proceed only after identification of and notice to abutters, holders of conservation, preservation, or agricultural preservation restrictions, and the general public as required by subparagraph I(d). ***The board may establish reasonable rules of procedure relating to the design review process, including submission requirements.*** Statements made by planning board members shall not be the basis for disqualifying said members or invalidating any action taken.

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

AMENDED ANALYSIS

This bill permits the planning board to establish rules of procedure relating to the design review process and to determine when the process has ended.

HB 335, defining “unnecessary hardship” for purposes of zoning variances. **REFER FOR INTERIM STUDY.**

Rep. Jessie L. Osborne for Municipal and County Government: The committee had several

questions about what the term “economically viable” meant and felt that it needed more information regarding use variance and area variance as it relates to economically viable. The committee members recommended that the bill be sent for Interim Study to decide on the definition of “economically viable” and how this would affect hardship ordinances. Vote 11-2.

HB 474, excluding septic and sewage treatment facilities from the tax exemption for water and air pollution control facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betsey L. Patten for Municipal and County Government: The Department of Environmental Services (DES) has the authority to grant a local tax exemption on the value, in whole or in part, of any facility, device, application or installation that would reduce, control or eliminate any source of air or water pollution. The amendment removes any private septic and sewer treatment systems that have as their primary purpose treatment or disposal of human waste from the allowable exemption. The committee agrees that the amendment closes a loophole that erodes the local property tax base. Vote 12-0.

Amendment (0769h)

Amend RSA 72:12-a, I as inserted by section 1 of the bill by replacing it with the following:

I. Any person, firm or corporation which builds, constructs, installs, or places in use in this state any treatment facility, device, appliance, or installation wholly or partly for the purpose of reducing, controlling, or eliminating any source of air or water pollution shall be entitled to have the value of said facility and any real estate necessary therefor, or a percentage thereof determined in accordance with this section, exempted from the taxes levied under this chapter for the period of years in which the facility, device, appliance, or installation is used in accordance with the provisions of this section. This paragraph shall not apply to privately-owned landfills or ancillary facilities located at such landfills, ***or to private septic and sewage treatment systems that have as their primary purpose treatment or disposal of human waste.***

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

2 Effective Date. This act shall take effect April 1, 2008.

HB 617-FN-L, establishing a property tax relief program and fund and making an appropriation therefor. **REFER FOR INTERIM STUDY.**

Rep. Jessie L. Osborne for Municipal and County Government: This bill would repeal the current law dealing with low and moderate income property tax exemptions and establish a relief fund. The Department of Revenue Administration testified that this would be very costly to the state. Upon examination, the committee found that this bill was so complicated and that the funding mechanism was probably not doable and therefore, recommended that the bill be sent for Interim Study to preserve the subject matter. The prime sponsor introduced an amendment which looked promising, but was so different in scope that it warranted a full hearing. The full committee suggested that the prime sponsor submit a new bill based on the amendment in order to have a full hearing on the subject matter. Vote 12-0.

HB 734, establishing a committee to study requiring certain nonresidential property owners to submit income and expense information for determining property value for tax purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. Betsey L. Patten for Municipal and County Government: The assessors in the state of New Hampshire would like to have more information regarding commercial, rental and industrial properties. However, requesting “income and expense” information is now associated with private business enterprise and financial and proprietary information. The committee chose to find a different nomenclature for the property operating expenses of commercial, rental or industrial properties in the upcoming session. Vote 12-0.

SB 172-FN-L, allowing counties to share correctional facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric G. Stohl for Municipal and County Government: This bill allows a county to contract with the state or another county for the reception and confinement of prisoners committed to or who are ordered to be detained at a county facility. The bill was retained by the committee awaiting action in the Senate on a similar bill – HB 566. The Senate passed and the Governor signed HB 566 into law. There now is not any need for SB 172-and the committee unanimously recommends the bill be Inexpedient to Legislate. Vote 15-0.

SB 236, extending the authority for police mutual aid. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bennett F. Moore for Municipal and County Government: The bill, as amended, will permit police officers to respond to named incidents in jurisdictions in the state, other than their own, when requested to do so by such jurisdiction. Such permission will not supersede any police mutual aid agreement that may exist covering the officer and the requesting jurisdiction. Responding officers will remain employees of their home departments for insurance purposes. Vote 13-0.

Amendment (2408h)

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

1 Police Mutual Aid Extended Authority. Amend RSA 105:13 to read as follows:
105:13 Extended Authority.

I. The authority of any duly authorized police officer, constable or watchman of any town **or city** shall extend to any other city or town in the state, provided that the chief law enforcement officer of the requesting town or city has executed with the chief law enforcement officer of the responding town **or city** a written agreement which sets forth the terms and conditions under which such assistance may be requested or rendered. The executed agreement shall constitute authorization for every request for assistance, and for any assistance rendered in accordance with the terms and conditions of the written agreement, regardless of whether the responding police officer, constable, or watchman is named in the agreement. In an emergency situation, the ranking on-duty law enforcement official of a town or city is authorized to make an oral request for assistance to the ranking on-duty law enforcement official in the responding town, subject to the terms and conditions of such written agreement, and the authority of the responding police officer, constable, or watchman shall extend to the requesting town. The written agreement shall remain in full force and effect until terminated by the mutual consent of the chief law enforcement officers of each town or city, or until 10 days after the chief law enforcement officer of one town or city has received notification from the chief law enforcement officer of the other town or city of his **or her** intention to terminate.

II. *Where no written agreement exists or no officer is available, any duly authorized police officer, constable, or watchman shall have temporary police authority in another jurisdiction in the state, when requested by a law enforcement officer from such jurisdiction in the state to render assistance to such officer under such officer's direction in an emergency for the purposes of making an arrest or effecting custody of a detainee, conducting a search, quelling a disturbance, providing traffic or crowd control, or securing a crime scene, until relieved by the requesting officer or otherwise directed by the ranking on-duty officer of the requesting jurisdiction.*

III. *Where no written agreement exists or no officer is available, any duly authorized police officer, constable, or watchman from a nearby town or city may exercise temporary police authority as necessary to respond to a crime in progress, traffic accident, natural or human-caused disaster, disturbance in progress, or other emergency, if requested by a public safety dispatch center authorized to*

dispatch for the jurisdiction where the event is occurring, because there is no local officer or state trooper available for immediate response and in the judgment of the dispatch center the public safety requires an immediate response. Such officer's authority shall terminate when relieved by an officer with authority in the jurisdiction receiving the assistance, unless the officer with authority requests assistance pursuant to paragraph II.

IV. When providing assistance under this section the officer shall remain an employee of his or her respective department.

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

AMENDED ANALYSIS

This bill expands the circumstances under which police officers of a municipality may render assistance to police officers in another municipality.

HB 282, relative to administration of road tolls. **INEXPEDIENT TO LEGISLATE.**

Rep. David B. Campbell for Public Works and Highways: The capital budget bill (HB 25) established a study commission to investigate the administration, efficiencies and costs of collecting the road toll (better known as the "gas tax"), and the possibility of transferring some or all of those duties from the Department of Safety to the Department of Revenue. That commission has introduced legislation for the current session, so this bill is no longer necessary. Vote 13-0.

HB 582-FN-A, relative to the bridge over the Merrimack River. **INEXPEDIENT TO LEGISLATE.**

Rep. David B. Campbell for Public Works and Highways: While the committee recognizes that there are only two Merrimack River crossings between the Massachusetts line and Manchester, this bill is not appropriate to solve that transportation problem. The bill locates the bridge between the towns of Merrimack and Litchfield and is funded by a bridge toll. The Merrimack legislative delegation and town council were adamant in their opposition to a toll bridge. No new bridge can be built without a toll. Additionally, legislation is being filed to enable private financing of a third Merrimack River bridge in an alternative location between Nashua and Hudson. Vote 14-0.

HB 823-FN, relative to state and municipal contracting practices for public works. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin T. Tilton for Public Works and Highways: This bill would add to the cost of state contracts and likely would diminish the number of contractors willing to compete for state contracts. While some of the requirements of the bill are admirable, contractors can adopt them now if deemed positive to them. Vote 12-1.

HB 485, exempting tidal waters from the general rules for vessels operating on water. **INEXPEDIENT TO LEGISLATE.**

Rep. David H. Russell for Resources, Recreation and Development: This bill was introduced in order to remove the "headway speed only" law on the Cocheco River that runs from the Piscataqua River to Dover. The committee retained the bill in order to go on a field trip to investigate. We agreed unanimously that the river is far too narrow and curvy, and anything over headway speed would be dangerous as well as ecologically harmful. Vote 14-0.

HB 810, establishing a commission to prepare a master plan for Mount Sunapee state park, Sunapee state beach, Pillsbury state park, Wadleigh state park, Rollins state park, and Winslow state park. **INEXPEDIENT TO LEGISLATE.**

Rep. Lawrence M. Kappler for Resources, Recreation and Development: The committee unanimously agreed that establishing a commission at a regional level would be in conflict with the Department of Resources and Economic Development's current strategic planning

at the state level which will include the input of regional groups. Vote 14-0.

HB 467, establishing a state climate change policy commission and developing a climate action plan and to report on climate change issues. **INEXPEDIENT TO LEGISLATE.**
Rep. Jacqueline A. Cali-Pitts for Science, Technology and Energy: The Governor's Climate Change Task Force closely mimics HB 467 thereby making HB 467 unnecessary at this time. Vote 14-0.

HB 287, requiring the seller to provide notice to the buyer of privately owned land or property known, or in an area historically known, to have been inhabited by Native Americans. **INEXPEDIENT TO LEGISLATE.**
Rep. Jane Wood for State-Federal Relations and Veterans Affairs: This bill originally put the burden on sellers of real estate. The goal was to protect the buyer from the seller knowingly hiding information that could cause the buyer's property to lose value. The committee quickly ascertained that there were too many liability issues involved with both the original bill and a couple of proposed amendments. Our study of this retained bill brought out the need for cooperation by several state agencies, and education of local boards and commissions regarding the need for historic and cultural preservation. The division of historical resources needs to be involved at the outset of the land planning development process. Educating planning boards and conservation commissions in all of our 234 municipalities is beyond the scope of this bill and our ability to accomplish. The same is true for getting the department of environmental services (DES), the department of resources and economic development (DRED), fish and game, and other departments to be proactive and coordinate with DHR. The committee believes that through cooperation this matter could be properly addressed rather than making a new law. Vote 12-0.

HCR 7, urging federal action on the earned income tax credit and other tax benefits related to child custody. **INEXPEDIENT TO LEGISLATE.**
Rep. Doreen Howard for State-Federal Relations and Veterans Affairs: The committee vote reflects the unanimous consensus that HCR 7 tax credit concerns are being fully addressed at the present time in the United States Congress. Furthermore many issues concerning federal tax credits and tax deductions for children are often addressed in the final divorce decree. The committee felt that this complex tax credit issue did not fall under New Hampshire jurisdiction as New Hampshire has no income tax. Vote 10-0.

HB 121-FN, expanding eligibility for special number plates for veterans to family members of soldiers killed in action. **INEXPEDIENT TO LEGISLATE.**
Rep. Jean-Guy J. Bergeron for Transportation: After review, this bill and HB 355-FN, dealing with special plates the committee established criteria for future bills which request special plates, and will share the criteria with future bill sponsors. Some of the criteria for plates are that law enforcement needs license plates to confirm a vehicle is properly registered, identifies a state vehicle, and identifies a vehicle involvement in an accident. The committee does not recognize the purpose of license plates as raising money for public or private organizations or supporting particular causes. In addition, license plates should be easy to read and remember. Special plates can make this difficult. Vote 13-0.

HB 190, relative to the definition of "resident" for motor vehicle purposes. **INEXPEDIENT TO LEGISLATE.**
Rep. Peter F. Bergin for Transportation: The content of this bill was folded into HB 901. Please see the report on HB 901. Vote 13-0.

HB 211-FN, requiring that first-time driver's license applicants be informed of and examined on laws relating to blind pedestrians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherman A. Packard for Transportation: The bill as amended requires the Department of Safety to inform the applicant for a new or renewal driver's license of the safety issues surrounding blind pedestrians. The committee felt that it is important that the driving public be continually aware of the problems with handicapped people. Vote 13-0.

Amendment (2435h)

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

AN ACT requiring that driver's license applicants be informed of and examined on laws relating to blind pedestrians.

Amend RSA 263:6-c, I as inserted by section 1 of the bill by replacing it with the following:

I. Before issuing or renewing a driver's license, the department shall inform the applicant of the provisions of RSA 265:41 and other safety issues respecting blind pedestrians.

AMENDED ANALYSIS

This bill requires the department of safety to inform licensees of laws relating to blind pedestrians and to examine first-time driver's license applicants on such laws.

HB 296, prohibiting the use of flatbed trailers with outrigger wheels in parades.

INEXPEDIENT TO LEGISLATE.

Rep. Howard N. Cunningham for Transportation: SB 187 passed at the end of last session and was signed by the Governor to prohibit flatbed trailer wheel outrigger to be used in parades. Vote 13-0.

HB 355-FN, establishing number plates supporting New Hampshire public higher education. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert W. Williams for Transportation: The committee had over ten requests for special plates. A report of the committee findings is shown in the statement for HB 121-FN. Vote 13-0.

HB 656-FN, relative to the issuance of identification cards to individuals who lack the ability to obtain a nondriver's picture identification card. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter F. Bergin for Transportation: The committee voted ITL as the content of this bill was folded into HB 901. Please see the report on HB 190. Vote 13-0.

HB 729, relative to prohibitions on reproducing drivers' licenses and identification cards and copying information in motor vehicle records. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter F. Bergin for Transportation: This bill was an attempt to prohibit the use of a driver license from being used to identify a person who uses cash during a retail transaction and brings back the merchandise for a refund and is asked for a driver's license. Testimony was given that this is done to prevent fraud. In addition, under federal statute the banking industry is required to use a driver license as a measure of identification. This bill as written would also take away from the Department of Safety the ability to prosecute an individual for procedural reproduction of a driver's license. Vote 13-0.

HB 781-FN, relative to the duties of the department of safety. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter F. Bergin for Transportation: The bill eliminated the section which would have put the New Hampshire Hospital Security Force under the control of the Director of Division of State Police rather than the Commissioner of Safety. The amendment repeals, removes term limits for members of the motor vehicle industry board and permits the Department of Safety to establish late fees for non payment of surcharges required for the 911 fund. In addition, the amendment clarifies the annual reporting procedures required by the Department of Safety. Vote 12-1.

Amendment (2551h)

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

1 Issuance of Reports. Amend RSA 20:7 to read as follows:

20:7 Issuance of Reports. The following agency reports shall be issued annually: secretary of state, state treasurer, bank commissioner, insurance commissioner, division of personnel, commissioner of revenue administration, lottery commission, pari-mutuel commission, liquor commission, department of transportation, department of environmental services, **department of safety**, adult parole board, and the board of trustees of the state colleges and university. All other reports shall be issued biennially. All reports shall cover periods ending on June 30, and be submitted to the governor and council, **the speaker of the house of representatives, and the senate president** by October 1. Biennial reports shall cover periods ending in odd-numbered years.

2 New Subparagraphs; Functions of the Department of Safety. Amend RSA 21-P:2, II by inserting after subparagraph (e) the following new subparagraphs:

- (f) Administration and enforcement of the motor vehicle road toll laws.
- (g) Homeland security and emergency management.
- (h) Statewide enhanced 911 and emergency telecommunications services.
- (i) Operation of the fire academy and firefighter training programs.

3 Division of Safety Services Report and Budget. Amend RSA 21-P:10-b to read as follows:

21-P:10-b Division of Safety Services Report and Budget.

I. The department of safety shall submit ~~[an annual report, beginning on July 1, 2002, to the speaker of the house, president of the senate, and the governor and council which shall include, but not be limited to,]~~ **as part of the annual report required under RSA 20:7, a report on the** training and educational programs offered or contracted by the division of safety services, the revenue generated from safe boater education certificates, and the budget and revenue projections of the division.

II. In ~~[addition to or in]~~ conjunction with the operating budget of the department of safety, the department shall submit a budget for the biennium beginning July 1, 2003, and for each biennium thereafter, which shall include financial responsibility for and the costs of all training and educational programs offered or contracted by the division of safety services, the revenue generated from safe boater education certificates, and all revenues and expenditures of the navigation safety fund established in RSA 270-E:6-a.

4 Fire Standards and Training, Emergency Medical Services, and Fire Safety and Emergency Management Report and Budget. Amend RSA 21-P:12-e to read as follows:

21-P:12-e Fire Standards and Training, Emergency Medical Services, and Fire Safety ~~[and Emergency Management]~~ Report and Budget.

I. The department of safety shall submit ~~[an annual report, by October 1 of each year, to the speaker of the house of representatives, president of the senate, and the governor and council which shall include, but not be limited to,]~~ **as part of the annual report required under RSA 20:7, a report on the** training and educational programs offered or contracted by the division of fire standards and training and emergency medical services and **the activities of** the division of fire safety, the development of the technological advancements in division programs, the revenue generated from the sale of motor vehicle records, the budget and revenue projections of the 2 divisions, the degree of coordination with municipal fire and emergency medical services departments, and the extent of direct aid to municipalities and mutual aid associations.

II. In ~~[addition to or in]~~ conjunction with the operating budget of the department of safety, the department shall submit a budget for the biennium beginning July 1, 2003, and for each biennium thereafter, which shall include financial responsibility for and the costs of all programs offered or contracted by the division of fire standards and training and emergency medical services and the division of fire safety, the development of technological advancements in division

programs, the revenue generated from the sale of motor vehicle records, the extent of direct aid to municipalities and mutual aid associations, and all revenues and expenditures of the dedicated fund established in RSA 21-P:12-d.

5 New Section; Hazardous Materials Transportation Advisory Committee. Amend RSA 21-P by inserting after section 24 the following new section:

21-P:24-a Hazardous Materials Transportation Advisory Committee.

I. There is hereby established a hazardous material transportation advisory committee, that shall serve in an advisory capacity to the commissioner of safety. The committee shall consist of the following members, and shall be chaired by the director of the bureau of homeland security and emergency management or designee:

- (a) A designee of the state fire marshal.
- (b) A designee of the commissioner of transportation.
- (c) A designee of the department of environmental services.
- (d) A designee of the department of safety, appointed by the commissioner of safety.
- (e) A representative of the hazardous material carrier industries for highway, rail, air or water modes of transportation, appointed by the governor.
- (f) Two members of the senate, appointed by the president of the senate.
- (g) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (h) A local fire chief, nominated by the New Hampshire Association of Fire Chiefs and appointed by the commissioner of safety.
- (i) A local police chief nominated by the New Hampshire Association of Police Chiefs and appointed by the commissioner of safety.
- (j) One public member, nominated by the adjutant general and appointed by the commissioner of safety.

II. Members shall be appointed for renewable, 2-year terms or until their successors are duly appointed and qualified; except that the initial term for members appointed pursuant to subparagraphs I(a), (c), (e), (h), and (j) shall be for one year. The committee shall meet no less than once a year, at the call of the chair, and the chair may designate such subcommittees as he or she deems necessary to carry out the business of the committee.

III. The committee shall have the authority to:

(a) Review state and federal legislative proposals and regulations, problems with hazardous material transportation, emergency response team action plans, and training and instructional materials on the transportation of hazardous materials.

(b) Make recommendations regarding the efficacy of controls relative to the transportation of hazardous materials and the best means for applying such controls without duplication of responsibility or regulation.

(c) Make available upon request, through the bureau of homeland security and emergency management, current regulations and reference materials relative to hazardous materials, promote cooperative efforts at the state, county, local and federal levels on safety regulations and compliance, and notify the advisory council on emergency preparedness and security of any regulations or ordinances that appear to be in conflict.

IV. The committee shall routinely report to the commissioner of safety any concerns regarding air, rail, water, and roadway transportation of hazardous materials, and any necessary legislative recommendations, which the commissioner shall forward to the governor, the speaker of the house of representatives, the senate president, and the minority leaders of each chamber.

6 Division of Emergency Services, Communications and Management; Report. Amend RSA 106-H:6, VI to read as follows:

VI. File ~~[a written report on June 1 of each year to the speaker of the house, president of the senate, and the governor and council which shall include, but not be limited to,]~~ **as part of the annual report of the department of safety required under RSA**

20:7, the status of development of operational standards and training programs, the development of the data base, revenue generated from telephone subscribers, budget and revenue projections, the degree of coordination with municipalities, the extent of public use of the service and the quality of service rendered.

7 New Paragraph; Division of Emergency Services, Communications and Management; Reporting Requirement Relative to Enhanced 911 System Fund. Amend RSA 106-H:6 by inserting after paragraph VI the following new paragraph:

VII. In conjunction with the operating budget of the department of safety, the department shall submit a budget for each biennium, which shall include financial responsibility for and the costs of all programs offered or contracted by the division of emergency services, communications and management, and all revenues and expenditures of the dedicated fund established in RSA 106-H:9.

8 Commissioner of the Department of Administrative Services; Reference to 911 Services Deleted. Amend RSA 21-I:13, VIII to read as follows:

VIII. Have the authority to temporarily assign and reassign the personnel of the department among the organizational units of the department. ~~[Transfers involving enhanced 911 services shall require the concurrence of the bureau of emergency communications which administers enhanced 911 services.]~~

9 New Section; Enhanced 911 System; Late Fees on Surcharges. Amend RSA 106-H by inserting after section 9 the following new section:

106-H:9-a Late Fees on Surcharges. The commissioner, with concurrence of the commission and in accordance with RSA 541-A, is authorized to establish a late fee consisting of penalty and interest on surcharge receipts that are more than 90 days in arrears.

10 Notification of Exposure to Infectious Disease; Reference Change. Amend RSA 141-G:1, IV to read as follows:

IV. "Emergency response/public safety worker" means firefighters; police officers; employees of any prison, jail, corrections institution, or other detention facility where persons are held pending arraignment, adjudication, or disposition of a criminal charge or in protective custody, as defined in RSA 172-B:1, XIII; emergency care providers licensed under RSA ~~[151-B]~~ **153-A**; persons using wreckers as defined in RSA 259:126 for towing purposes; and other similar care providers, whether paid or volunteer.

11 New Hampshire Motor Vehicle Industry Board. Amend RSA 347-C:12, I(d)-(f) to read as follows:

(d) Appointments shall be for terms of 4 years~~[-, and no person shall be eligible to serve more than 2 successive 4 year terms]~~. Vacancies shall be filled by appointment by the governor and council for the unexpired term. ~~[Any person appointed to fill a vacancy may serve 2 additional successive terms.]~~ The members shall be at-large members, and insofar as practical, should reflect fair and equitable statewide representation.

(e) ~~[Terms of the initial board members shall be staggered with 2 members serving a term of 2 years, 2 members serving a term of 3 years, and 2 members serving a term of 4 years.]~~

~~(f)~~ Appointed members of the board may be paid a \$50 per diem for each day actually engaged in the performance of their duties and may be reimbursed their actual and necessary expenses incurred in carrying out their duties as may be authorized by the governor and council.

12 Repeal. The following are repealed:

I. RSA 21-I:13, XII, relative to clerical support by the department of administrative services for the enhanced 911 commission.

II. RSA 21-P:7-a, relative to the deputy director of state police.

III. RSA 21-P:12-f, relative to the division of information technology.

IV. RSA 106-H:6, II, relative to inclusion of the budget for the enhanced 911 system with the department of administrative services budget.

V. RSA 149-H, relative to the hazardous materials transportation advisory board.
13 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill:

I. Requires certain agency reports to be filed with the legislature in addition to the governor and council, and requires the department of safety to file its report annually rather than biennially.

II. Clarifies that the department of safety's responsibilities include administration of motor vehicle road toll laws, homeland security and emergency management; enhanced 911 services, and firefighter training.

III. Repeals the hazardous materials transportation safety board and establishes the hazardous materials transportation advisory committee.

IV. Amends references to the department of administrative services in the statutes governing the enhanced 911 system, which is now within the department of safety.

V. Removes term limits for members of the motor vehicle industry board.

VI. Permits the department of safety to establish late fees for non payment of surcharges required for the 911 fund.

Referred to the Committee on Ways and Means.

HB 878-FN, relative to drivers' licenses issued to persons 70 years of age and older and relative to the medical/vision advisory board. **INEXPEDIENT TO LEGISLATE.**

Rep. Carole J. Estes for Transportation: The bill does not improve the cost, time, or content of driver testing, and probably limits the possibility of improved future legislation. It increases the cost to a single age group, creates an inconvenience for this age group, and increases the workload of the Department of Safety (DOS). Review of DOS fatal crash statistics show that the very young (<26) and very old (>66) have the highest at fault percentages for years 1997-2006 and this bill will not address a significant part of the problem to test the under 26 driver. Future legislation, such as tiered testing, or simulator use will be limited because this bill may engender the belief that the problem is solved. In the future, there may be technologies to eliminate the inherent discrimination involved with targeting a single age group. Vote 12-0.

HB 901, relative to requirements for non-driver identification cards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter F. Bergin for Transportation: There were several bills addressing non-drivers identification. Several were consolidated into HB 901. The bill as amended will make it possible for person without a physical home to get a non-drivers identification card. It establishes several criteria for the Department of Safety to verify this. These are people who are homeless, state prison inmates who are released and need an identification card to start a new life. Also, foster children, abused and neglected children, delinquent children who reach maturity and are in need of identification. Vote 13-0.

Amendment (2518h)

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

AN ACT relative to nondriver's identification cards.

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

1 Identification Cards; Requirements. Amend RSA 260:21, II to read as follows:

II. The department shall, before issuing a card to an applicant, require the applicant to furnish proof of his *or her name*, age, and residence. ***The department shall accept the following forms of proof unless there is evidence that the item is not genuine:***

(a) A current United States passport.

(b) An armed services identification, or other photo identification issued or authenticated by the United States government, the state of New Hampshire, or a New Hampshire municipality.

(c) Two or more of the following:

(1) A certified or original birth certificate.

(2) A utility bill that is postmarked to the applicant.

(3) A lease or deed or a letter from the town or city clerk verifying the applicant's residency in the town or city.

(4) A marriage certificate or official court document if the person has changed his or her name.

(5) A non-photo identification issued or authenticated by the United States government, the state of New Hampshire, or a New Hampshire municipality.

(6) Other documentation recognized by the department for other purposes.

(d) A notarized statement mailed to the department by registered mail by the department of health and human services verifying the applicant's name, age, and residence and that the applicant is or has been in the custody of the department of health and human services under RSA 463 or under the custody or legal supervision of the department of health and human services pursuant to a proceeding under RSA 169-B, 169-C, or 169-D. This subparagraph shall only apply to applicants under 21 years of age and over 18 years of age or, in the case of a person found delinquent, over 17 years of age. The department shall also accept such a statement that does not verify residence if the applicant provides a notarized statement verifying residence from a homeless shelter or agency or organization receiving federal or state funding for homeless services on the letterhead of the shelter, agency, or organization.

2 Identification Cards; Validity. Amend RSA 260:21, IV to read as follows:

IV. The identification card shall be valid for 5 years from the date of issuance; provided, however, that a card issued pursuant to RSA 260:21, I(c) shall be valid for as long as the holder is a resident of the state **and a card issued pursuant to RSA 260:21, XI shall be valid for 2 years from the date of issuance.**

3 New Paragraph; Identification Cards; Released Inmates. Amend RSA 260:21 by inserting after paragraph X the following new paragraph:

XI. The department shall issue a nondriver's picture identification card to an inmate about to be released pursuant to RSA 651-A:6 IV, without requiring any proof of name, age, or residence. The card need not bear the inmate's new address if it is unknown prior to release.

4 New Paragraph; Terms of Release; Identification Card. Amend RSA 651-A:6 by inserting after paragraph III the following new paragraph:

IV. Prior to the release of any inmate on parole from the state prison, or upon termination of the inmate's sentence to the state prison, the commissioner and the department of safety shall provide a nondriver's picture identification card pursuant to RSA 260:21 to the inmate upon release if the inmate does not already possess a valid driver license or nondriver's picture identification card. The failure of the commissioner and the department of safety to provide the inmate with the required nondriver's picture identification card prior to appearance before the parole board shall not constitute a cause for delaying inmate's release on parole if approved.

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

AMENDED ANALYSIS

This bill specifies materials that the department of safety shall accept in order to issue a nondriver's identification card. This bill also requires the issuance of a nondriver's picture identification card to certain prison inmates upon release.

HB 145, establishing an education funding study committee. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael G. Marsh for Ways and Means: This bill seeks to establish an education funding study committee, to consider a number of possible revenue sources to fund public education. Among the sources to be studied are an income tax, several variations of a sales tax, and a tax on legalized gambling. The committee was asked to consider the amount of revenue that could be raised, the economic consequences of each revenue source on the state, and the constitutionality of each tax. In its work on this retained bill, the committee believes it has arrived at a sufficiently good understanding of each possible tax so that a study committee to gain further knowledge is no longer necessary. Accordingly, it recommends that HB 145 be found Inexpedient to Legislate. Vote 16-2.

HB 283, allocating a portion of unrefunded road tolls to the dam maintenance fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank W. Davis for Ways and Means: This bill would have transferred one-half of the unrefunded boater road tolls from the general fund to the dam maintenance fund (DMF). Currently the unrefunded road tolls are divided between the general fund and the Fish and Game. As a result of the Electric Utility Reconstructing Act of 1996, hydropower lease payments have been declining. It appeared that there would be a revenue shortfall in the DMF of more than \$600,000 for FY 2008. During 2007, DES received two one-time settlements that resulted in revenue of more than \$3 million. It is now estimated that there will be a balance in the DMF of more than \$2,000,000 for FY 2008 and more than \$800,000 for FY 2009. This bill would have raised only about one-half of the additional estimated revenue needed for FY 2010. The committee recommends inexpedient to legislate on this legislation, but to closely monitor the DMF revenue throughout FY 2008, with the expectation that new legislation would be introduced in FY 2009. Vote 18-0.

HB 385-FN, relative to licensing and insurance fees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jordan G. Ulery for Ways and Means: After the policy in this bill having been vetted by Commerce Committee, Ways and Means looked at the fee structure. The bill reorganized the licensing and permitting structure for more efficient and computerized processing of CEO's address changes, applications and the minutia of the department. Some fees were reduced (change of address to \$10 from \$25). A few new fees were added (late application for filing of CEO's) and many fees consolidated or moved to other sections. The amendment removed those sections of the bill enacted under HB 2. Vote 18-0.

Amendment (2600h)

Amend the bill by replacing section 1 with the following:

- 1 Repeal. The following are repealed:
 - I. RSA 400-A:29, IX, relative to fees for producers.
 - II. RSA 402-J:1, III, relative to scope of the producer licensing.
 - III. RSA 402-J:6, I(c), relative to application for license.

Amend the bill by deleting section 12 and renumbering the original sections 13-17 to read as 12-16, respectively.

HB 493-FN-A, expanding the meals and rooms tax on rentals to include motorized recreational vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. William A. Hatch for Ways and Means: This bill was intended to expand the rooms and meals tax to include recreational vehicles. After review, the committee determined the amount of money accrued would be minimal plus there was not a clear reason why the funds were needed. Vote 18-0.

HB 520-FN-A, establishing a state-owned casino to provide funds for public education. **INEXPEDIENT TO LEGISLATE.**

Rep. Christine C. Hamm for Ways and Means: This bill was one of three bills relating to gambling and casinos which were retained and studied by a subcommittee of seven members over the summer. While a majority of committee members believe there is value in continuing to analyze emerging developments regarding these issues, it seems unnecessary to retain more than one of the bills in order to carry on this work. For this reason, the committee recommends inexpedient to legislate on HB 520-FN-A-L. Vote 18-0.

HB 570-FN-A, increasing the fee for a wild turkey hunting license. **INEXPEDIENT TO LEGISLATE.**

Rep. Catherine Mulholland for Ways and Means: The provisions of this bill, increasing the fee for a wild turkey hunting license, were already incorporated into House Bill 2 (Chapter 263, 2007) and therefore the bill is redundant. Vote 18-0.

HB 576-FN-A, increasing certain fish and game nonresident license or permit fees. **INEXPEDIENT TO LEGISLATE.**

Rep. Catherine Mulholland for Ways and Means: The provisions of this bill, increasing certain fish and game non-resident license and permit fees, were already incorporated into House Bill 2 and therefore the bill is redundant. Vote 18-0.

HB 610-FN-A, requiring the criminal justice and public safety committee to review motor vehicle fines and extending the effective date for certain motor vehicle fine reductions. **INEXPEDIENT TO LEGISLATE.**

Rep. Norman L. Major for Ways and Means: This bill was incorporated and passed as part of HB 2, Chapter 263, 2007. As a result, the House committee on criminal justice and public safety reviewed the fines for motor vehicle violations and finds that the current fine schedule should remain in effect and that future study, based on public safety considerations, is warranted. The committee agrees with the result of the study and recommends no further action on this bill. Vote 18-0.

HB 618-FN-A, establishing a research and development credit against the business profits tax and the business enterprise taxes. **INEXPEDIENT TO LEGISLATE.**

Rep. William A. Hatch for Ways and Means: This bill establishes a research and development credit against the business and profits tax and business enterprise tax. The committee retained the bill to prepare for SB 134, which had similar intent but was capped at an amount the state could afford. SB 134 was subsequently passed with the committee's amendment, and HB 618 has fulfilled its mission. Vote 18-0.

HB 637-FN-A-L, establishing a gaming oversight authority and video lottery gaming. **INEXPEDIENT TO LEGISLATE.**

Rep. Christine C. Hamm for Ways and Means: This bill was one of three bills relating to gambling and casinos which were retained and studied by a subcommittee of seven members over the summer. While a majority of committee members believe there is value in continuing to analyze emerging developments regarding these issues, it seems unnecessary to retain more than one of the bills in order to carry on this work. For this reason, the committee recommends inexpedient to legislate on HB 637-FN-A-L. Vote 18-0.

HB 868-FN, relative to a surcharge on recording documents with the register of deeds to fund the land and community heritage investment program. **INEXPEDIENT TO LEGISLATE.**

Rep. Gilman C. Shattuck for Ways and Means: Funding for the LCHIP program has been incorporated in the General Funds Budget as part of HB 2, Chapter 263, 2007. HB 868

therefore is not needed. While funding for the first year of the biennium is by appropriation, funding for the second and subsequent years is essentially the methodology proposed in HB 868. A committee on alternative sources of LCHIP funding is established as part of HB 2; unless an alternative method of funding is recommended by the committee, the recording surcharge of HB 868 will be used after July 1, 2008. Vote 18-0.

HB 884-FN-A, increasing the rate of the tobacco tax. **INEXPEDIENT TO LEGISLATE.**
Rep. Michael G. Marsh for Ways and Means: This bill seeks to increase the rate of tax on tobacco products by 50 cents per package of 20, raising the rate to \$1.30, to help balance the state budget for the current biennium. In HB 2, Chapter 263, 2007, the House raised the tax on cigarettes by 28 cents per package, to \$1.08. Inasmuch as the rate has been increased, and additional funds are not needed at this time, the committee recommends that HB 884 be found Inexpedient to Legislate. Vote 18-0.

HB 912-FN-A-L, establishing the New Hampshire homestead plan. **REFER FOR INTERIM STUDY.**

Rep. Norman L. Major for Ways and Means: This bill as introduced I) imposes an education property tax at \$7.50 per \$1,000 of taxable value, II) establishes a homestead exemption from the education property tax for the first \$200,000 of assessed value of a homestead, III) establishes a new formula for the determination of adequate education grants to be funded by the education property tax and existing revenue sources in the education trust fund, IV) provides sustainability grants to municipalities in which the education property tax would increase by \$3.00 or more per \$1,000 of taxable value, V) provides supplemental grants to municipalities based on demonstrated need, and VI) repeals the excess education property tax payment. The committee has considered four extensive amendments that would 1) lower the property tax rate to \$5.50 per \$1,000 of taxable value, 2) change the Homestead exemption to \$150,000 of assessed value, 3) address the administration of the Homestead Exemption, 4) establish a new formula for the determination of adequate education grants to be funded by the education property tax and existing revenue sources in the education trust fund, 5) provide sustainability grants to municipalities based on demonstrated needs, and 6) repeal the excess education property tax payment. The committee feels there are still many more issues to be resolved, such as the affect of the homestead exemption on the elderly, renters, small business and the interrelationship of the various credits and exemptions, and wishes the opportunity for further study. Vote 18-0.

HB 925-FN-A, relative to state and local taxes. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank W. Davis for Ways and Means: This bill was introduced by the sponsors in an attempt to raise \$400 million in small and medium revenue sources to pay for their estimate of costs for an adequate education. The committee retained HB 925 to evaluate whether the taxes it proposed could raise needed funds. The committee determined that the objectives could be met if the legislature moved in that direction, and if major modifications (including substitution of some taxes) were made. The adequacy commission will provide a proposal of cost to the legislature in February. The committee sees no purpose in amending this legislation to go forward before the costing is complete, and the amount of revenue needed is known. Therefore, while commending the sponsors, the committee voted to recommend the bill be found inexpedient to legislate. Vote 17-1.

SB 63, authorizing the commissioner of revenue administration to extend tax filing deadlines for certain members of the armed forces. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John D. Kelley for Ways and Means: The bill allowed the commissioner of revenue to extend the tax filing deadline for any members of the armed forces or National Guard serving in a qualified hazardous duty area or combat zone. The amendment allows the

commissioner to extend the filing deadline for members of the armed forces and National Guard to file tax returns and make associated tax payments for a specified period of 180 days after return from service in a "qualifying duty location," provided such person is filing as an individual, a sole proprietor, or as the member on behalf of a single member limited liability corporation. The amendment further defines a "qualifying duty location." Vote 18-0.

Amendment (2619h)

Amend RSA 21-J:46 as inserted by section 1 of the bill by replacing it with the following:

21-J:46 Extension of Tax Filing Deadlines for Members of the Armed Forces and National Guard.

I. The commissioner of revenue administration may extend the deadline for a member of the armed forces or national guard to file tax returns and make associated tax payments up to 180 days after return from service in a qualifying duty location, provided such person is filing as an individual, a sole proprietor, or as the member on behalf of a single member limited liability corporation.

II. For the purpose of this section, a "qualifying duty location" means:

- (a) A hazardous duty area, as recognized by the Internal Revenue Service; or
- (b) A combat zone, as designated by Presidential Executive Order.

III. This section shall apply only to tax returns and associated payments under RSA 77, RSA 77-A, and RSA 77-E.

AMENDED ANALYSIS

This bill authorizes the commissioner of revenue administration to extend tax filing deadlines for the interest and dividends tax, the business profits tax, and the business enterprise tax for members of the armed forces serving in qualifying duty locations or combat zones.

BILLS REMOVED FROM CONSENT CALENDAR

HB 584-FN, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary E. Walz for Children and Family Law: Except for major crimes, this bill will allow 17 year old children charged with a crime to be treated as juveniles; they will be treated the same as children under the age of 17. They will have their cases heard in juvenile courts and be incarcerated at YDC. If they are charged with a major crime, they will, as all juveniles, continue to be eligible to be certified as an adult and have their cases heard in the adult court system. In anticipation of this law, the state built enough capacity into the new YDC facilities to accommodate 17 year olds. In passing this law, New Hampshire will join the majority of states in treating 17 year olds as juveniles. Under current law, 17 year old children find themselves in a legal limbo. They cannot drop out of school. They cannot enter into a contract and thus cannot rent an apartment. There are limitations on when and where they can work. The committee also heard extensive testimony about the immaturity of 17 year olds brains and how that impacts their ability to make judgments. The services these children need are available through the juvenile system. Furthermore, studies show that incarcerating these children in the juvenile system lowers the recidivism rate. Vote 18-0.

Amendment (2612h)

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

AN ACT including 17-year olds in the juvenile justice system.

Amendment adopted.

Rep. Tholl spoke against.

Reps. Itse and Walz spoke in favor and yielded to questions.

Rep. Bettencourt requested a roll call, sufficiently seconded.

YEAS 248 NAYS 93

YEAS 248

BELKNAP

Clark, Charles
Pilliod, James

Flanders, Donald
Reever, Judith

Millham, Alida
Wood, Jane

Morrison, Gail

CARROLL

Ahlgren, Christopher
Butler, Edward
Knox, J. David

Bridgham, Robert
Cunningham, Howard
Martin, James

Brown, Carolyn
Denley, William
Patten, Betsey

Buco, Thomas
Heard, Virginia

CHESHIRE

Allen, Peter
Chase, William
Johnson, Jane
Plifka, Stanley Jr
Sad, Tara

Burridge, Delmar
Dunn, J. Timothy
Lerandeau, Alfred
Richardson, Barbara
Weber, Lucy

Butterworth, Timothy
Eaton, Daniel
Loll, Thomas
Roberts, Kris
Weed, Charles

Butynski, William
Espieffs, Peter
Mitchell, Bonnie
Robertson, Timothy

COOS

Hatch, William
Thomas, Yvonne

Ingersoll, Paul Sr

Merrick, Evalyn

Merrick, Scott

GRAFTON

Aguiar, James
Bleyler, Ruth
Friedrich, Carol
Ingbretson, Paul
McLeod, Martha
Solomon, Peter

Almy, Susan
Cooney, Mary
Gionet, Edmond
Laliberte, Suzanne
Mulholland, Catherine
Sorg, Gregory

Andersen, Gene
Dingman, Vernon III
Hammond, Lee
Lovett, Sid
Nordgren, Sharon
Williams, Burton

Benn, Bernard
Estes, Carole
Harding, A Laurie
Matheson, Robert
Preston, Philip

HILLSBOROUGH

Baroody, Benjamin
Brunelle, Michael
Cote, David
Edwards, Andrew
Gargas, Carolyn
Gorman, Mary
Haley, Robert
Hinkle, Peyton
Irwin, Anne-Marie
Kaelin, Michael
Lasky, Bette
Mack, Ron

Beaulieu, Jane
Campbell, David
Daler, Jennifer
Essex, David
Garrity, Patrick
Goyette, Peter
Hall, Betty
Hogan, Edith
Jean, Claudette
Knowles, John
Leishman, Peter
Manney, Pamela

Beck, Catriona
Chase, Claudia
Day, Russell
Fontas, Jeffrey
Ginsburg, Ruth
Graham, John
Hammond, Jill
Holden, Randolph
Jeudy, Jean
Knowles, Mary Ann
Lisle, Carolyn
Marshall, Seth

Bergin, Peter
Clemons, Jane
Dokmo, Cynthia
Foster, Linda
Goley, Jeffrey
Hackel, Paul
Harvey, Suzanne
Infantine, William
Johnson, Stephen
Kopka, Angeline
Long, Patrick
Matarazzo, Anthony
Sr

McRae, Karen
O'Brien, Michael Sr
Pilotte, Maurice
Scannell, David
Simon, Anthony

Messier, Irene
O'Connell, Timothy
Reuschel, Michael
Schulze, Joan
Smith, David

Moran, Edward
O'Neil, James
Rosenwald, Cindy
Shattuck, Gilman
Soucy, Connie

Movsesian, Lori
Peterson, Andy
Rowe, Robert
Shaw, Barbara
Spaulding, Jayne

Spratt, Stephen
Sysyn, Mary

Stepanek, Stephen
Vaillancourt, Steve

Sullivan, Daniel
Villeneuve, Maurice

Sullivan, Francis
Winters, Joel

MERRIMACK

Beauchesne, Suzanne
Brueggemann, Donald
DeStefano, Stephen
Greco, Vincent
Kidder, David

Blanchard, Elizabeth
Clarke, Claire
Ehlers, Eileen
Hager, Elizabeth
Kjellman, Eleanor
Glynn

Bouchard, Candace
Davis, Frank
Foose, Robert
Hamm, Christine
MacKay, James

Brown, Carole
DeJoie, John
Gile, Mary
Kelly, Sally
Osborne, Jessie

Porter, Margaret
Ryan, Jim
Walz, Mary
Yeaton, Charles

Potter, Frances
Shurtleff, Stephen
Webb, Leigh

Reardon, Tara
Tilton, Joy
Wheeler, Deborah

Richardson, Gary
Wallner, Mary
Williams, Robert

ROCKINGHAM

Abbott, Dennis
Cali-Pitts, Jacqueline
Day, Judith
Garcia, Marilinda
Howard, Doreen
Katsakiores, Phyllis
McCarthy, Linda
Nord, Susi
Preston, Mark
Snow, Richard

Allen, Mary
Case, Frank
DiFruscia, Anthony
Gleason, John
Hutchinson, Karen
Kennedy, James
McEachern, Paul
Pantelakos, Laura
Robertson, Carl
Splaine, James

Borden, David
Casey, Kimberley
Emiro, Frank
Gould, Kenneth
Itse, Daniel
Kepner, Susan
Moody, Marcia
Petterson, Don
Russell, Trinka
Stiles, Nancy

Brown, C. Pennington
Charron, Gene
Flockhart, Eileen
Grote, Otto
Katsakiores, George
Lister, Charlotte
Moore, Bennett
Powers, James
Serlin, Christopher
Webber, James

STRAFFORD

Berube, Roger
Browne, Brendon
Fargo, Thomas
Miller, Joseph
Rollo, Michael
Sprague, Dale
Warren, Nancy

Brennan, William
Burke, Rachel
Grassie, Anne
Oppenheimer, Kay
Rous, Emma
Srnc, Robert

Brown, Julie
Cyr, James
Hutz, Sarah
Perry, Robert
Schmidt, Peter
Vachon, Dennis

Brown, Larry
Domingo, Baldwin
Mickelonis, Shawn
Rollo, Deanna
Smith, Marjorie
Wall, Janet

SULLIVAN

Cloutier, John
Houde, Matthew
Skinder, Carla

Converse, Larry
Jillette, Arthur Jr

Franklin, Peter
Nielsen, Ellen

Gottling, Suzanne
Phinizy, James

NAYS 93

BELKNAP

Allen, Janet
Thomas, John

Boyce, Laurie
Tilton, Franklin

Neddeau, Stephen
Tobin, William

Russell, David
Wendelboe, Fran

CARROLL

Chandler, Gene

Merrow, Harry

Stevens, Stanley

CHESHIRE

Emerson, Susan Hunt, John Parkhurst, Henry

COOS

Remick, William Stohl, Eric Tholl, John Jr

GRAFTON

Bulis, Lyle

HILLSBOROUGH

Barry, Richard	Batula, Peter	Bergeron, Jean-Guy	Christensen, Chris
Christiansen, Lars	Clark, Mark	Daniels, Gary	Elliott, Nancy
Emerton, Larry	Fletcher, Richard	Forest, Armand	Haefner, Robert
Hansen, Ryan	Hawkins, Ken	Jasper, Shawn	L'Heureux, Robert
Lawrence, James	Mooney, Maureen	Ober, Lynne	Ober, Russell III
Price, Pamela	Renzullo, Andrew	Rochette, Eric	Tahir, Saghir
Ulery, Jordan			

MERRIMACK

Anderson, Eric	Boutin, David	Hess, David	Humphries, Charlie
Lockwood, Priscilla			

ROCKINGHAM

Baldasaro, Alfred	Bedrick, Jason	Belanger, Ronald	Bettencourt, David
Bishop, Franklin	Camm, Kevin	Carson, Sharon	Dalrymple, David
Devine, James	Dumaine, Dudley	Elliott, Robert	Flanders, John Sr
Garrity, James	Griffin, Mary	Guthrie, Joseph	Headd, James
Ingram, Russell	Introne, Robert	Kappler, Lawrence	Lund, Howie
Major, Norman	McGuirk, Thomas	McKinney, Betsy	McMahon, Charles
Moore, Benjamin	Packard, Sherman	Pearson, Mark	Quandt, Marshall
Quandt, Matthew	Rausch, James	Reagan, John	Sanders, Elisabeth
Waterhouse, Kevin	Weare, Everett	Welch, David	Wells, Roger
Weyler, Kenneth	Winchell, George		

STRAFFORD

Hofemann, Roland	Knowles, William	Watson, Robert
------------------	------------------	----------------

SULLIVAN

Donovan, Thomas	Ferland, Brenda	Gagnon, Raymond	Rodeschin, Beverly
-----------------	-----------------	-----------------	--------------------

and the committee report was adopted.
Referred to Finance.

***HB 432-FN*, relative to age requirements for cocktail lounges. OUGHT TO PASS WITH AMENDMENT.**

Rep. John B. Hunt for Commerce: As introduced, this bill would bar anyone under the age of 21 from entering the cocktail lounge area of a restaurant. Given that many restaurants use these areas for overflow of their restaurants, this legislation would cause many families to wait for a table. The amendment replaces the entire bill and will create a new type of liquor license for establishments that do not want to serve food. Under current laws, only private clubs are exempt from the current food requirement which is that a restaurant must sell at least \$75,000 worth of food a year or that their liquor sales are only 50% of their revenue. HB 432 would create a Tavern license that would be \$24,000 per year

and would require the owner to have liability insurance. The owners must also be at least 25 years of age and no one under the age of 21 would be allowed to enter. The bill also allows for smaller taverns of fewer than 50 seats with a license fee of \$12,000. Under current law, restaurants with a cocktail license may stop serving food at 9:00 p.m. and it is difficult to restrict access to underage drinkers when they are already seated. The committee feels that now is the time to address the disparities in our law and will allow better enforcement of underage drinking. Finally under current law any city or town may request to the liquor commission to not issue these new licenses in their community. Vote 18-0.

Amendment (2519h)

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

AN ACT relative to certain on-premises beverage and liquor licenses.

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

1 On-Premises Beverage and Liquor Licenses; Full Service Restaurants. Amend RSA 178:21, II(a)(1) to read as follows:

(a)(1) Licenses for Full Service Restaurants. The commission may issue a license to any full service restaurant. Such license shall entitle the licensee to sell beverages and liquor at tables in the approved dining rooms of the restaurant with or without meals when the restaurant kitchen is in operation and meals are being actively promoted and served in that dining room. The dining room shall not, however, be used as a substitute for lounge operations. Licenses shall be granted only to restaurants approved by the commission and which show the commission on forms, filed with the license application, covering the 12 most recent calendar months prior to filing, that at least 50 percent of the gross sales of any such licensee is in food. Restaurants with annual food sales of at least ~~[\$75,000]~~ **\$150,000** shall be exempt from the 50 percent requirement. The commission shall at least annually review each license, and application for renewal, on the conditions stated in this paragraph.

2 On-Premises Cocktail Lounge Licenses; Full Service Restaurants; Area. Amend RSA 178:22, V(q) to read as follows:

(q) Full Service Restaurants. The commission may issue a cocktail lounge license to any full service restaurant holding a full service restaurant license under RSA 178:21, II(a)(1), to serve liquor and beverages in any room of the restaurant designated by the commission. The cocktail lounge shall be operated in conjunction with the dining rooms. No cocktail lounge shall be operated on days that the dining room is closed. No cocktail lounge shall operate before the dining room opens for meals, except if breakfast and noon meals are not offered, the cocktail lounge may operate 3 hours before the dining room opens for the evening meals. Liquor and beverages served in such room need not be consumed with meals. The commission may extend the cocktail lounge license to include the use of a dining area in the restaurant, after such area has been closed for serving meals, but not before 9:00 p.m., as an overflow area for the cocktail lounge when the lounge is filled to capacity. In the overflow area, liquor and beverages need not be served with meals. Licenses shall be granted only to such restaurants as the commission, at its discretion, shall approve and then only to such restaurants as shall demonstrate to the commission, in the manner prescribed by the commission, ***that the seating capacity of the cocktail lounge is no greater than 3 times the seating capacity of the dining room and*** that at least 50 percent of the combined restaurant and lounge and lounge sales shall fall within the category of food. Restaurants with annual food sales of at least ~~[\$75,000]~~ **\$150,000** shall be exempt from the 50 percent requirement, and the commission shall prorate the annual food sale requirements for seasonal restaurants. The commission may grant, regulate, suspend, or revoke a cocktail lounge license without affecting any other license granted to such restaurant.

3 New Subparagraph; On-Premises Cocktail Lounge Licenses; Taverns. Amend RSA 178:22, V by inserting after subparagraph (v) the following new subparagraph:

(w) Taverns.

(1)(A) The commission may issue a large tavern cocktail lounge license to

any person at least 25 years of age who operates a tavern capable of seating 50 persons or more. Such license shall allow the licensee to serve liquor and beverages to patrons within the tavern.

(B) The commission may issue a small tavern cocktail lounge license to any person at least 25 years of age who operates a tavern capable of seating less than 50 persons. Such license shall allow the licensee to serve liquor and beverages to patrons within the tavern.

(2) No person under the age of 21 shall be allowed in the tavern. The tavern may not employ any person under the age of 21.

(3) The commission shall require, as a condition of the issuance, renewal, or reinstatement of any tavern cocktail lounge license that the licensee or applicant furnish sufficient security for liquor liability of the licensee of up to a limit of \$100,000 for any one person and \$300,000 for all persons per incident. Such security may be provided by:

(A) A continuous certificate of an insurance company or surety company authorized to transact business in this state, attesting to such coverage, which shall remain in effect unless cancelled or non-renewed in accordance with RSA 417-C, with a copy of notice of cancellation or non-renewal provided to the commission; or

(B) The deposit with the commission of money or securities satisfactory to the commission. Such securities shall be of a type which may be legally purchased by a savings bank or trust funds. Money or securities so deposited shall be subject to execution to satisfy judgment for liquor liability, but otherwise shall not be subject to attachment or execution.

4 On-Premises Liquor Licenses; Fees. Amend RSA 178:29, I to read as follows:

I. On-premises licensees shall pay the following applicable fees annually:

	Supplemental Only	Beverages and Wine	Beverages and Liquor	Cocktail Lounge
Airport				\$1,200
Ballroom	\$ 45			\$1,200
Bed and Breakfast		\$ 480	\$ 840	
Beer Festival				
One-day	\$ 250			
Two-day	\$ 300			
Three-day	\$ 350			
Catering (all)				\$1,200
Catering (off-site only)				\$ 840
Catering (on-site only)				
18 events-	\$ 5			
36 events-	\$ 5			
52 events-	\$ 5			
Club Military				\$ 100
Club Social				
9 events	\$ 250			
18 events	\$ 450			
36 events	\$ 750			
52 events	\$1,200			
Club Private				\$1,200
Club Veterans				
9 events	\$ 250			
18 events	\$ 450			
36 events	\$ 750			
52 events	\$1,200			
College Club				\$1,200
Convention Center				\$2,400

Dining Car	\$ 480		\$ 840
Fairs	\$ 112		
Hotel	\$ 840		\$1,200
One day License			\$ 100
Performing Arts			\$ 360
Racetrack/Motor Vehicle			\$1,800
Racetrack/Pari-Mutuel			\$3,000
Rail Cars			\$1,200
Restaurant	\$ 480	\$ 840	\$1,200
Special License		\$ 25	
Sports/Entertainment Complex			\$1,800
9 events	\$ 250		
18 events	\$ 450		
36 events	\$ 750		
52 events	\$1,200		
Sports Recreation Facility			\$1,200
<i>Tavern</i>			
<i>Large</i>			<i>\$24,000</i>
<i>Small</i>			<i>\$12,000</i>
Vessel	\$ 480	\$ 840	\$1,200

5 Effective Date. This act shall take effect July 1, 2008.

AMENDED ANALYSIS

This bill establishes on-premises cocktail lounge licenses for taverns. This bill also establishes a minimum seating ratio for restaurants operating cocktail lounges and increases the food sales required for the exemption from the 50 percent food sales requirement.

Amendment adopted.

Rep. Pantelakos offered floor amendment (0035h).

Floor Amendment (0035h)

Amend RSA 178:22, V(w) as inserted by section 3 of the bill by inserting after subparagraph (3) the following new subparagraph:

(4) The commission shall require, as a condition of the issuance, renewal, or reinstatement of any tavern cocktail lounge license, proof that a licensee or applicant has obtained the approval of the governing body of the municipality in which the tavern cocktail lounge is to be operated.

Reps. Reardon and Pantelakos spoke in favor.

Floor amendment (0035h) adopted.

Committee report adopted.

Referred to the Committee on Ways and Means.

HB 358, relative to the procedure for listing candidates on state election ballots. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David M. Pierce for Election Law: The New Hampshire Supreme Court ruled in 2006 that all candidates have an equal chance to get the best spot on ballots. In response to that ruling, the state instituted a procedure by which a single letter from the alphabet is picked at random to serve as the starting point for listing candidates' names on state ballots. HB358 would merely codify that procedure into statute. Vote 16-0.

Amendment (2576h)

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

AN ACT relative to the procedure for listing candidates on election ballots.

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

1 Municipal Elections; City Charters; Preparation of Ballots. Amend RSA 49-C:6 to read as follows:

49-C:6 Preparation of Ballots. The city clerk shall prepare the ballots to be used at the municipal elections. Under charters providing for election by the Australian ballot system, the ballots shall be prepared in accordance with the procedure provided for in general election laws governing such system. Under charters providing for non-partisan elections, the ballot shall contain the names in alphabetical order by surname ***according to the alphabetization procedure established in RSA 656:5-a, II***, without party designation, of all who file with the city clerk as candidates for elective office. In the alternative, the charter may provide for a random selection of the order of names on the ballot. The charter shall specify a filing period, the filing fee to be paid for each office, and, as an alternative method of becoming a candidate on the ballot, the number of qualified voters which may be subscribed to a nominating petition in such form as the charter may set out.

2 Nominations for Special State Elections; Order of Names on Ballot. Amend RSA 655:81, IX to read as follows:

IX. The names of all candidates for a party nomination at a special election primary shall be printed in alphabetical order on the ballot ***according to the alphabetization procedure established in RSA 656:5-a, II***, and the same ballot listing shall be used at all polling places where the special primary election is held; and

3 New Section; Preparation of State General Election Voting Materials; Order of Candidates. Amend RSA 656 by inserting after section 5 the following new section:
656:5-a Order of Candidates.

I. On the first Wednesday following the first Tuesday in January of every year, the secretary of state or designee shall hold a public drawing, on the date publicly announced by the secretary of state, in the secretary of state's office to pick randomly one letter of the alphabet for that election year. The drawing shall be attended by the governor, the chairmen of the parties, the speaker of the house of representative, the president of the senate, and the minority leaders of both houses of the general court, or their designees.

II. The candidates for each office shall be listed alphabetically according to their surnames within each party column. The letter picked under paragraph I for that election year shall be treated as the first letter of the alphabet, and alphabetization shall follow from that letter forward to the letter immediately preceding the letter picked. For example, if the letter "t" is picked, alphabetization shall proceed from "t" to "z," and then from "a" to "s." Should more than one candidate's surname begin with the same letter, the first letter in the surnames which is different shall be the letter to determine placement of the names on the ballot.

4 Primary Election Voting Materials; Order of Names. Amend RSA 656:24 to read as follows:

656:24 Order of Names. With the exception of the office of state representative, whenever there are 2 or more candidates for nomination to the same office, the names of such candidates shall be alternated on the state primary election ballots used so that each name shall appear thereon as nearly as may be an equal number of times at the top, at the bottom, and in each intermediate place, if any, of the list in which it belongs. Names of candidates for nomination to the office of state representative shall be arranged in the alphabetical order of their surnames ***according to the alphabetization procedure established in RSA 656:5-a, II***.

5 Presidential Primary Election Voting Materials; Order of Names. Amend RSA 656:32 to read as follows:

656:32 Other Provisions. The provisions of RSA 656:24-656:28 relating to state primary election ballots shall apply to presidential primary ballots, except that candidates on the presidential primary ballot shall be listed in the alphabetical order of their surnames ***according to the alphabetization procedure established in RSA 656:5-a, II***.

6 Constitutional Convention Ballots; Form. Amend RSA 667:12 to read as follows:

667:12 Form. Every ballot for the election shall contain the name and domicile of each candidate who has filed a declaration of candidacy for delegate. The names of candidates upon the ballot shall be arranged in perpendicular columns under the title "For Delegate to the Constitutional Convention." Below the title shall be printed in easily legible type the words "Vote for" followed by a spelled number designating the number of persons to be elected to such office. At the right of the name of each candidate and on the same line, there shall be a square. Following the names there shall be as many blank lines as there are persons to be elected. Whenever there are 2 or more candidates, the names shall be printed upon the ballot in alphabetical order of their surnames ***according to the alphabetization procedure established in RSA 656:5-a, II.***

7 Town Elections; Official Ballot; Voting Materials. Amend RSA 669:23 to read as follows:

669:23 Preparation of Voting Materials. The town clerk shall prepare the official ballots for the town and shall arrange the names of candidates upon said ballots in parallel columns. Immediately above the names of each block of candidates shall be printed the title of the office for which they are candidates, such as "For Selectman." Below the title of each office shall be printed in small but easily legible type the words "Vote for not more than (here insert a number designating how many persons are to be voted for)." Directly to the right of the name of each candidate there shall be a square. Whenever there are 2 or more candidates for the same office the names shall be printed upon the ballot in the alphabetical order of their surnames ***according to the alphabetization procedure established in RSA 656:5-a, II. In the alternative, the governing body may provide for a random selection of the order of names on the ballot.*** Following the names printed on the ballot under the title of each office, there shall be as many blank lines as there are persons to be elected to that office.

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

AMENDED ANALYSIS

This bill establishes a procedure for the random drawing of letters for the ordering of names on election ballots.

Amendment adopted.

Rep. Winters offered floor amendment (0039h)

Floor Amendment (0039h)

Amend the bill by replacing section 3 with the following:

3 New Section; Preparation of State General Election Voting Materials; Order of Candidates. Amend RSA 656 by inserting after section 5 the following new section:

656:5-a Order of Candidates.

I. On the first Wednesday following the first Tuesday in January of every year, the secretary of state or designee shall hold a public drawing, on the date publicly announced by the secretary of state, in the secretary of state's office to choose randomly a seed number greater than zero but less than one, carried to four decimal places, for that election year. The drawing shall be attended by the governor, the chairmen of the parties, the speaker of the house of representatives, the president of the senate, and the minority leaders of both houses of the general court, or their designees.

II. To determine which candidate is first in each party column, the candidates for each office shall be temporarily listed alphabetically according to their surnames within each party column and temporarily numbered in ascending order. The seed number picked under paragraph I for that election year shall be multiplied by the number of candidates, and if the product is not a whole number it shall be rounded up to the next whole number; the candidate who was temporarily assigned the same number shall be first on the ballot. The order of candidates shall follow alphabetically from the picked candidate's name forward to the candidate's name immediately preceding the candidate's name picked. For example, if the seed number .6789 is chosen, when there are 5 candidates alphabetization shall proceed

from the fourth candidate's name ($.6789 \times 5 = 3.3945$, rounded up to 4) to the last candidate's name, and then from the first candidate's name to the third candidate's name.

Reps. Weed and Jasper spoke against.

Rep. Vaillancourt spoke against and yielded to questions.

Rep. Winters spoke in favor.

On a division vote, 65 members having voted in the affirmative and 278 in the negative, the floor amendment failed.

Committee report adopted and ordered to third reading.

HB 173-FN-A, relative to the promotion, acquisition, and retention of a large animal veterinarian in those areas of the state where there is a need, and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David L. Smith for Finance: The bill addresses a critical issue for owners of large animals, especially in the more rural counties. The bill puts forth the basis for establishing a fund to attract and retain large animal veterinarians in New Hampshire by offering tuition reimbursement to veterinarians who practice in underserved areas. Only \$1.00 is to be appropriated now, but the fund is eligible to receive funds from any source. No funds will be used in the program until sufficient funds (\$100,000) are in hand to fund each veterinarian who applies and is accepted. The fund will be a budget item, and subsequent legislatures will have the decision of funding this line item as it will best suit the state's need at that time. Vote 23-0.

Amendment (2580h)

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

1 New Subdivision; Large Animal Veterinarian Net Tuition Repayment Program.

Amend RSA 200-J by inserting after section 4 the following new subdivision:

Large Animal Veterinarian Net Tuition Repayment Program

200-J:5 Large Animal Veterinarian Net Tuition Repayment Program Established. The postsecondary education commission shall administer a program for the promotion, acquisition, and retention of a large animal veterinarian in the state in those areas where there is a need, with special consideration given to the counties of Coos, Carroll, Grafton, and Belknap. A qualifying veterinarian shall have at least 35 percent of his or her veterinary practice devoted to large animal veterinary medicine in each year in which a net tuition repayment is made. "Net tuition" means tuition costs for any post-secondary school education that was directed towards the completion of a doctor of veterinary medicine or veterinariae medicinae doctoris. The percentage of a practice devoted to large animal veterinary medicine shall be determined by the time spent in his or her full time practice, including travel, not on income earned.

200-J:6 Application; Repayment. An individual who has completed his or her veterinary medical education, including internships and residencies, and agrees to practice as a licensed veterinarian in an area of this state where there is a need, which may include Coos, Carroll, Grafton, and/or Belknap counties, may apply to the postsecondary education commission for repayment under the large animal veterinarian net tuition repayment program and become eligible to be reimbursed up to 100 percent of his or her qualifying veterinary net tuition costs or \$100,000, whichever is less, after a 10 full year period of maintaining a veterinary practice as specified in RSA 200-J:5. A 10 percent net tuition repayment shall be made upon entering into practice in this state and after each full year of practice for a maximum of 10 periods of repayment.

200-J:7 Fund Established.

I. There is hereby established in the office of the state treasurer a fund to be known as the large animal veterinarian net tuition repayment fund. The fund shall include any sums appropriated for such purpose. In addition, the postsecondary education commission is authorized to accept public sector and private sector grants, gifts, or donations of any kind

for the purpose of funding the provisions of this subdivision. The moneys in this fund shall be nonlapsing and shall be continually appropriated to the postsecondary education commission. The fund may be expended by the postsecondary education commission to accomplish the purposes of this subdivision. The state treasurer may invest moneys in the fund as provided by law, with interest received on such investment credited to the fund.

II. A minimum balance of \$100,000 shall be in the large animal veterinarian net tuition repayment fund prior to the selection of the first participating veterinarian. In order for additional veterinarians to participate in the program, \$100,000 shall be available in the fund for each participating veterinarian.

200-J:8 Administration; Rulemaking. The postsecondary education commission, with the counsel of the state veterinarian, shall adopt rules, pursuant to RSA 541-A, relative to procedures, eligibility, and qualifications for applicants, qualifying educational costs, criteria for terms of service by a large animal veterinarian, procedures for repayment of net tuition costs, and the administration of the program by the postsecondary education commission. The state veterinarian shall annually report to the general court on the effectiveness of this program.

2 Appropriation. The sum of \$1 is hereby appropriated to the postsecondary education commission for deposit in the large animal veterinarian net tuition repayment fund established in RSA 200-J:7. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 New Subparagraph; State Treasurer; Accounts. Amend RSA 6:12, I(b) by inserting after subparagraph (268) the following new subparagraph:

(269) Moneys deposited in the large animal veterinarian net tuition repayment fund established in RSA 200-J:7.

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

AMENDED ANALYSIS

This bill establishes the large animal veterinarian net tuition repayment program and fund for the promotion, acquisition, and retention of large animal veterinarians in those areas of the state where there is a need, including the north country. This bill makes an appropriation to the fund.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Vaillancourt spoke against.

Rep. David Smith spoke in favor.

On a division vote, 245 members having voted in the affirmative and 86 in the negative, the committee report was adopted.

Ordered to third reading.

HB 640-FN, relative to requiring reimbursement of search and rescue costs of the fish and game department. **INEXPEDIENT TO LEGISLATE.**

Rep. Vincent E. Greco for Fish and Game: The committee did not feel that passage was justified since the law would require reimbursement by the beneficiaries of search and rescue efforts, regardless of circumstances, such as lost children or adults with disabilities. Vote 11-1.

Reps. Skinder spoke against.

Rep. Weyler spoke against and yielded to questions.

Reps. Greco, Chandler and Abbott spoke in favor.

On a division vote, 301 members having voted in the affirmative and 39 in the negative, the committee report was adopted.

HB 45, relative to addresses on motor vehicle registrations. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter F. Bergin for Transportation: The committee voted inexpedient to legislate as this bill was folded into HB 901. Please see the report on HB 901. Vote 13-0.

MOTION TO SPECIAL ORDER

Rep. Ryan moved that **HB 45**, relative to addresses on motor vehicle registrations be made a Special Order for the next session day in the Regular Calendar order.
Adopted.

BILLS REMOVED FROM CONSENT CALENDAR (CONT'D)

HB 449-FN, relative to motor vehicle inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter F. Bergin for Transportation: This bill was originally voted ITL on February 23, 2007. It was again voted ITL by the committee on October 23, 2007 for the same reason. It would have changed motor vehicle inspections from annual to biennial. Currently, the Department of Environmental Services requires an annual emission control test as required by the federal emissions standards. Annual inspection help keep our highways safe and this bill was opposed by the Department of Safety and The New Hampshire Automobile Association. Vote 13-0.

Rep. Vaillancourt spoke against and yielded to questions.

Rep. Bergin spoke in favor.

Rep. Vaillancourt requested a roll call, sufficiently seconded.

YEAS 252 NAYS 81

YEAS 252

BELKNAP

Flanders, Donald
Nedeau, Stephen
Thomas, John

Heald, Bruce
Pilliod, James
Tilton, Franklin

Millham, Alida
Reever, Judith

Morrison, Gail
Russell, David

CARROLL

Bridgham, Robert
Cunningham, Howard
Stevens, Stanley

Buco, Thomas
Heard, Virginia

Butler, Edward
Knox, J. David

Chandler, Gene
Patten, Betsey

CHESHIRE

Allen, Peter
Chase, William
Mitchell, Bonnie
Roberts, Kris

Burridge, Delmar
Dunn, J. Timothy
Parkhurst, Henry
Sad, Tara

Butterworth, Timothy
Eaton, Daniel
Plifka, Stanley Jr
Weber, Lucy

Butynski, William
Lerandeau, Alfred
Richardson, Barbara
Weed, Charles

COOS

Hatch, William
Stohl, Eric

Merrick, Evalyn
Theberge, Robert

Merrick, Scott
Tholl, John Jr

Remick, William
Thomas, Yvonne

GRAFTON

Almy, Susan
Bulis, Lyle
Harding, A Laurie
McLeod, Martha
Solomon, Peter

Andersen, Gene
Cooney, Mary
Laliberte, Suzanne
Mulholland, Catherine

Benn, Bernard
Estes, Carole
Lovett, Sid
Nordgren, Sharon

Bleyler, Ruth
Hammond, Lee
Matheson, Robert
Preston, Philip

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Beck, Catriona	Bergeron, Jean-Guy
Bergin, Peter	Brunelle, Michael	Campbell, David	Chase, Claudia
Christensen, Chris	Cote, David	Daler, Jennifer	Dokmo, Cynthia
Edwards, Andrew	Emerton, Larry	Essex, David	Fletcher, Richard
Fontas, Jeffrey	Forest, Armand	Foster, Linda	Gargas, Carolyn
Garrity, Patrick	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Graham, John	Hackel, Paul	Haefner, Robert	Haley, Robert
Hall, Betty	Hammond, Jill	Hansen, Ryan	Harvey, Suzanne
Hawkins, Ken	Holden, Randolph	Irwin, Anne-Marie	Jasper, Shawn
Jean, Claudette	Jeudy, Jean	Johnson, Stephen	Kaelin, Michael
Knowles, John	Knowles, Mary Ann	L'Heureux, Robert	Lasky, Bette
Leishman, Peter	Lisle, Carolyn	Mack, Ron	Marshall, Seth
Matarazzo, Anthony Sr	Messier, Irene	Movsesian, Lori	O'Brien, Michael Sr
O'Connell, Timothy	O'Neil, James	Peterson, Andy	Pilotte, Maurice
Price, Pamela	Rosenwald, Cindy	Rowe, Robert	Scannell, David
Schulze, Joan	Shattuck, Gilman	Soucy, Connie	Spaulding, Jayne
Spratt, Stephen	Sullivan, Daniel	Sullivan, Francis	Sysyn, Mary

MERRIMACK

Baxley, Maureen	Beauchesne, Suzanne	Bouchard, Candace	Boutin, David
Brown, Carole	Brueggemann, Donald	Clarke, Claire	Davis, Frank
DeStefano, Stephen	Foose, Robert	Gile, Mary	Greco, Vincent
Hager, Elizabeth	Hamm, Christine	Hess, David	Kelly, Sally
Kjellman, Eleanor Glynn	Lockwood, Priscilla	MacKay, James	McMahon, Patricia
Osborne, Jessie	Porter, Margaret	Potter, Frances	Reardon, Tara
Richardson, Gary	Ryan, Jim	Shurtleff, Stephen	Tilton, Joy
Wallner, Mary	Walz, Mary	Webb, Leigh	Williams, Robert
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Borden, David	Brown, C. Pennington
Cali-Pitts, Jacqueline	Carson, Sharon	Case, Frank	Casey, Kimberley
Charron, Gene	Dalrymple, David	Day, Judith	Devine, James
DiFruscia, Anthony	Elliott, Robert	Emiro, Frank	Flanders, John Sr
Flockhart, Eileen	Garcia, Marilinda	Gleason, John	Gould, Kenneth
Grote, Otto	Guthrie, Joseph	Headd, James	Howard, Doreen
Ingram, Russell	Katsakiores, George	Kennedy, James	Lister, Charlotte
Major, Norman	McGuirk, Thomas	McKinney, Betsy	Moody, Marcia
Moore, Bennett	Nord, Susi	Packard, Sherman	Pantelakos, Laura
Pearson, Mark	Petterson, Don	Powers, James	Preston, Mark
Rausch, James	Robertson, Carl	Russell, Trink	Serlin, Christopher
Snow, Richard	Splaine, James	Stiles, Nancy	Waterhouse, Kevin
Weare, Everett	Webber, James	Welch, David	Wells, Roger
Weyler, Kenneth	Winchell, George		

STRAFFORD

Berube, Roger	Brennan, William	Browne, Brendon	Burke, Rachel
Fargo, Thomas	Grassie, Anne	Hofemann, Roland	Hutz, Sarah
Kaen, Naida	Knowles, William	Mickelonis, Shawn	Miller, Joseph
Oppenheimer, Kay	Perry, Robert	Rollo, Deanna	Rollo, Michael

Rous, Emma
Sprague, Dale
Watson, Robert

Schmidt, Peter
Srnc, Robert

Smith, Marjorie
Wall, Janet

Spang, Judith
Warren, Nancy

SULLIVAN

Cloutier, John
Gagnon, Raymond
Nielsen, Ellen

Donovan, Thomas
Gottling, Suzanne
Phinizy, James

Ferland, Brenda
Houde, Matthew
Rodeschin, Beverly

Franklin, Peter
Jillette, Arthur Jr
Skinder, Carla

NAYS 81

BELKNAP

Allen, Janet
Wendelboe, Fran

Boyce, Laurie

Clark, Charles

Tobin, William

CARROLL

Ahlgren, Christopher
Merrow, Harry

Brown, Carolyn

Denley, William

Martin, James

CHESHIRE

Emerson, Susan
Robertson, Timothy

Espieffs, Peter

Hunt, John

Johnson, Jane

COOS

Ingersoll, Paul Sr

GRAFTON

Aguiar, James
Ingretson, Paul

Dingman, Vernon III
Sorg, Gregory

Friedrich, Carol
Williams, Burton

Gionet, Edmond

HILLSBOROUGH

Barry, Richard
Day, Russell
Hogan, Edith
Long, Patrick
Ober, Lynne
Shaw, Barbara
Ulery, Jordan

Batula, Peter
Drisko, Richard
Infantine, William
Manney, Pamela
Ober, Russell III
Smith, David
Vaillancourt, Steve

Clark, Mark
Elliott, Nancy
Kurk, Neal
Mooney, Maureen
Renzullo, Andrew
Stepanek, Stephen
Villeneuve, Maurice

Daniels, Gary
Hinkle, Peyton
Lawrence, James
Moran, Edward
Rochette, Eric
Tahir, Saghir
Winters, Joel

MERRIMACK

Anderson, Eric

Ehlers, Eileen

Humphries, Charlie

Wheeler, Deborah

ROCKINGHAM

Baldasaro, Alfred
Camm, Kevin
Hutchinson, Karen
Katsakiores, Phyllis
McMahon, Charles
Sanders, Elisabeth

Bedrick, Jason
Dumaine, Dudley
Introne, Robert
Kepner, Susan
Quandt, Marshall

Belanger, Ronald
Garrity, James
Itse, Daniel
Lund, Howie
Quandt, Matthew

Bettencourt, David
Griffin, Mary
Kappler, Lawrence
McCarthy, Linda
Reagan, John

STRAFFORD

Brown, Julie

Brown, Larry

Cyr, James

Vachon, Dennis

SULLIVAN

Converse, Larry

and the committee report was adopted.

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

HB 647, relative to indicating citizenship on drivers' licenses and nondrivers' identification cards. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter F. Bergin for Transportation: This bill would discriminate against non-citizens who have presented proper identification to the Department of Motor Vehicles. Vote 13-0. Reps. Renzullo and Lund spoke against.

Rep. Bergin spoke in favor.

Rep. Renzullo requested a roll call, sufficiently seconded.

YEAS 228 NAYS 103

YEAS 228

BELKNAP

Flanders, Donald
Reever, Judith

Millham, Alida
Russell, David

Morrison, Gail
Thomas, John

Nedeau, Stephen

CARROLL

Bridgham, Robert
Cunningham, Howard
Patten, Betsey

Buco, Thomas
Heard, Virginia

Butler, Edward
Knox, J. David

Chandler, Gene
Martin, James

CHESHIRE

Allen, Peter
Chase, William
Parkhurst, Henry
Robertson, Timothy

Burridge, Delmar
Dunn, J. Timothy
Plifka, Stanley Jr
Sad, Tara

Butterworth, Timothy
Espieffs, Peter
Richardson, Barbara
Weber, Lucy

Butynski, William
Lerandeau, Alfred
Roberts, Kris
Weed, Charles

COOS

Hatch, William
Stohl, Eric

Ingersoll, Paul Sr
Theberge, Robert

Merrick, Evalyn
Thomas, Yvonne

Merrick, Scott

GRAFTON

Aguiar, James
Bleyler, Ruth
Hammond, Lee
Matheson, Robert
Preston, Philip

Almy, Susan
Cooney, Mary
Harding, A Laurie
McLeod, Martha
Solomon, Peter

Andersen, Gene
Estes, Carole
Laliberte, Suzanne
Mulholland, Catherine

Benn, Bernard
Friedrich, Carol
Lovett, Sid
Nordgren, Sharon

HILLSBOROUGH

Baroody, Benjamin
Bergin, Peter
Christensen, Chris
Dokmo, Cynthia

Beaulieu, Jane
Brunelle, Michael
Cote, David
Drisko, Richard

Beck, Catriona
Campbell, David
Daler, Jennifer
Essex, David

Bergeron, Jean-Guy
Chase, Claudia
Daniels, Gary
Fletcher, Richard

Fontas, Jeffrey
Ginsburg, Ruth
Hackel, Paul
Holden, Randolph
Johnson, Stephen
Kopka, Angeline
Long, Patrick

Movsesian, Lori
Peterson, Andy
Rosenwald, Cindy
Spaulding, Jayne
Sysyn, Mary

Forest, Armand
Goley, Jeffrey
Hall, Betty
Irwin, Anne-Marie
Kaelin, Michael
Lasky, Bette
Marshall, Seth

O'Brien, Michael Sr
Pilotte, Maurice
Scannell, David
Spratt, Stephen
Winters, Joel

Foster, Linda
Gorman, Mary
Hammond, Jill
Jean, Claudette
Knowles, John
Leishman, Peter
Matarazzo, Anthony
Sr

O'Neil, James
Reuschel, Michael
Schulze, Joan
Sullivan, Daniel

Garrity, Patrick
Graham, John
Harvey, Suzanne
Jeudy, Jean
Knowles, Mary Ann
Lisle, Carolyn
Messier, Irene

Ober, Russell III
Rochette, Eric
Shattuck, Gilman
Sullivan, Francis

MERRIMACK

Baxley, Maureen
Brown, Carole
DeStefano, Stephen
Greco, Vincent
McMahon, Patricia
Reardon, Tara
Tilton, Joy
Wheeler, Deborah

Beauchesne, Suzanne
Brueggemann, Donald
Ehlers, Eileen
Hager, Elizabeth
Osborne, Jessie
Richardson, Gary
Wallner, Mary
Williams, Robert

Blanchard, Elizabeth
Clarke, Claire
Foosse, Robert
Hamm, Christine
Porter, Margaret
Ryan, Jim
Walz, Mary
Yeaton, Charles

Bouchard, Candace
Davis, Frank
Gile, Mary
Kelly, Sally
Potter, Frances
Shurtleff, Stephen
Webb, Leigh

ROCKINGHAM

Abbott, Dennis
Cali-Pitts, Jacqueline
Dalrymple, David
Elliott, Robert
Gleason, John
Katsakiores, George
McCarthy, Linda
Packard, Sherman
Preston, Mark
Snow, Richard
Webber, James

Allen, Mary
Case, Frank
Day, Judith
Flanders, John Sr
Gould, Kenneth
Kennedy, James
Moody, Marcia
Pantelakos, Laura
Robertson, Carl
Splaine, James

Borden, David
Casey, Kimberley
Devine, James
Flockhart, Eileen
Grote, Otto
Kepner, Susan
Moore, Bennett
Pettersson, Don
Russell, Trinkia
Waterhouse, Kevin

Brown, C. Pennington
Charron, Gene
DiFruscia, Anthony
Garrity, James
Howard, Doreen
Major, Norman
Nord, Susi
Powers, James
Serlin, Christopher
Weare, Everett

STRAFFORD

Berube, Roger
Burke, Rachel
Grassie, Anne
Mickelonis, Shawn
Rollo, Deanna
Smith, Marjorie
Warren, Nancy

Brennan, William
Cyr, James
Hutz, Sarah
Miller, Joseph
Rollo, Michael
Spang, Judith
Watson, Robert

Brown, Larry
Domingo, Baldwin
Kaen, Naida
Oppenheimer, Kay
Rous, Emma
Vachon, Dennis

Browne, Brendon
Fargo, Thomas
Knowles, William
Perry, Robert
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John
Gagnon, Raymond
Nielsen, Ellen

Donovan, Thomas
Gottling, Suzanne
Phinizy, James

Ferland, Brenda
Houde, Matthew
Skinder, Carla

Franklin, Peter
Jillette, Arthur Jr

BELKNAP

Allen, Janet
Pilliod, James

Boyce, Laurie
Tilton, Franklin

Clark, Charles
Tobin, William

Heald, Bruce
Wendelboe, Fran

CARROLL

Ahlgren, Christopher
Stevens, Stanley

Brown, Carolyn

Denley, William

Merrow, Harry

CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

COOS

Remick, William

Tholl, John Jr

GRAFTON

Bulis, Lyle
Sorg, Gregory

Dingman, Vernon III
Williams, Burton

Gionet, Edmond

Ingbretson, Paul

HILLSBOROUGH

Barry, Richard
Elliott, Nancy
Haley, Robert
Hogan, Edith
L'Heureux, Robert
Moran, Edward
Renzullo, Andrew
Soucy, Connie
Vaillancourt, Steve

Batula, Peter
Emerton, Larry
Hansen, Ryan
Infantine, William
Lawrence, James
O'Connell, Timothy
Rowe, Robert
Stepanek, Stephen
Villeneuve, Maurice

Clark, Mark
Gargasz, Carolyn
Hawkins, Ken
Jasper, Shawn
Manney, Pamela
Ober, Lynne
Shaw, Barbara
Tahir, Saghir

Day, Russell
Haefner, Robert
Hinkle, Peyton
Kurk, Neal
Mooney, Maureen
Price, Pamela
Smith, David
Ulery, Jordan

MERRIMACK

Anderson, Eric
Kjellman, Eleanor
Glynn

Boutin, David
Lockwood, Priscilla

Hess, David
MacKay, James

Humphries, Charlie

ROCKINGHAM

Baldasaro, Alfred
Camm, Kevin
Garcia, Marilinda
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Rausch, James
Welch, David

Bedrick, Jason
Carson, Sharon
Griffin, Mary
Introne, Robert
Lister, Charlotte
Pearson, Mark
Reagan, John
Wells, Roger

Belanger, Ronald
Dumaine, Dudley
Guthrie, Joseph
Itse, Daniel
Lund, Howie
Quandt, Marshall
Sanders, Elisabeth
Weyler, Kenneth

Bettencourt, David
Emiro, Frank
Headd, James
Kappler, Lawrence
McGuirk, Thomas
Quandt, Matthew
Stiles, Nancy
Winchell, George

STRAFFORD

Brown, Julie

Hofemann, Roland

Sprague, Dale

Srnek, Robert

SULLIVAN

Converse, Larry

Rodeschin, Beverly

and the committee report was adopted.

HB 585-FN, requiring all animal shelter facilities, pet shops and commercial kennels to collect a neutering deposit when placing a cat or dog that has not been neutered.

INEXPEDIENT TO LEGISLATE.

Rep. Roger G. Wells for Ways and Means: This bill would have imposed a tax on people purchasing dogs or cats from pet stores or private kennels in order to fund spaying and neutering for pets bought from humane shelters. It would have required a deposit of \$40.00 with the pet store which would be refunded after the pet was spayed or neutered.

Uncollected refunds would go to the spay and neuter program. However, pets purchased from pet stores or private kennels would not be eligible to participate in the state subsidized spay and neuter program. Another pending bill, HB 666 is preferable to fund the spay and neuter program. Vote 18-0.

Rep. Vaillancourt spoke against.

Rep. Wells yielded to questions.

LAID ON THE TABLE

Rep. Daniel Eaton moved that **HB 585-FN**, requiring all animal shelter facilities, pet shops and commercial kennels to collect a neutering deposit when placing a cat or dog that has not been neutered, be laid on the table.

Adopted.

BILLS REMOVED FROM CONSENT CALENDAR (CONT'D)

HB 777-FN-A, relative to agricultural exemptions from alteration of terrain permitting requirements and penalties for site development. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Norman L. Major for Ways and Means: This bill imposes a fee and a fine for certain changes to terrain alteration permits. This bill as recommended by the Resources, Recreation and Development Committee and unanimously passed by the House in 2007 clarifies agricultural exemptions for alteration of terrain permits and sets penalties for change of use to any other activity. The penalty shall be based on the amount of land changed and length of time before the change. Part of the penalty assessment was to help fund the Land and Community Heritage Investment Program (LCHIP). HB 2, Chapter 263, 2007 as passed and signed by the Governor provided for a funding mechanism to fund LCHIP. The amendment specifies that the proceeds of any civil penalty levied pursuant to this section shall be placed in a nonlapsing fund held by the treasurer under RSA 482-A:14, III., which may be expended by the department, subject to the approval of the governor and council, for the purpose of restoration, research, investigation and enforcement relative to wetlands. Vote 16-2.

Amendment (2659h)

Amend RSA 485-A:17-b as inserted by section 2 of the bill by replacing it with the following:
485-A:17-b Site Development Penalty.

I. The landowner shall pay to the department a penalty as described in paragraph II if, within 6 years of filing the notification under RSA 485-A:17-a, II:

- (a) Land use changes from agriculture to any activity other than forestry; or
- (b) Changes described in RSA 485-A:17-a, IV occur.

II. The penalty shall be based on the amount of land on which changes described in paragraph I occur, and the following time periods in which the changes took place calculated from the filing date of the notification, and the associated per acre rates with such acre rates to be prorated:

- (a) Filing to 2 years - \$5,000 per acre;
- (b) 2 to 3 years - \$4,000 per acre;

- (c) 3 to 4 years - \$3,000 per acre;
- (d) 4 to 5 years - \$2,000 per acre; and
- (e) 5 to 6 years - \$1,000 per acre.

III. The proceeds of any civil penalty levied pursuant to this section shall be placed in a nonlapsing fund held by the treasurer under RSA 482-A:14, III.

IV. The penalties provided for in this section shall be in addition to any other penalties, fines, or enforcement provisions or other requirements of law.

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect July 1, 2008.

Amendment adopted.

Rep. Spang yielded to questions.

Committee report adopted and ordered to third reading.

SENATE MESSAGE

REQUEST CONCURRENCE WITH ADMENDMENT

HB 692, allowing certain municipalities in economically depressed counties to adopt a property tax exemption for industrial construction. (Amendment printed SJ 1-2-2008)

Rep. Theberge moved that the House concur.

Rep. Wallner spoke in favor.

Rep. Chandler spoke in favor and yielded to questions.

Rep. Renzullo requested a roll call, sufficiently seconded.

YEAS 329 NAYS 6

YEAS 329

BELKNAP

Allen, Janet	Boyce, Laurie	Clark, Charles	Flanders, Donald
Heald, Bruce	Millham, Alida	Morrison, Gail	Nedeau, Stephen
Pilliod, James	Reever, Judith	Russell, David	Thomas, John
Tilton, Franklin	Tobin, William	Wendelboe, Fran	

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Brown, Carolyn	Buco, Thomas
Butler, Edward	Chandler, Gene	Cunningham, Howard	Denley, William
Heard, Virginia	Knox, J. David	Martin, James	Morrow, Harry
Patten, Betsey	Stevens, Stanley		

CHESHIRE

Allen, Peter	Burridge, Delmar	Butterworth, Timothy	Butynski, William
Chase, William	Dunn, J. Timothy	Eaton, Daniel	Emerson, Susan
Espieffs, Peter	Hunt, John	Johnson, Jane	Lerandeau, Alfred
Parkhurst, Henry	Plifka, Stanley Jr	Richardson, Barbara	Roberts, Kris
Robertson, Timothy	Sad, Tara	Weber, Lucy	Weed, Charles

COOS

Hatch, William	Ingersoll, Paul Sr	Merrick, Evalyn	Merrick, Scott
Remick, William	Stohl, Eric	Theberge, Robert	Tholl, John Jr
Thomas, Yvonne			

GRAFTON

Aguiar, James
Bulis, Lyle
Friedrich, Carol
Ingbretson, Paul
McLeod, Martha
Sorg, Gregory

Almy, Susan
Cooney, Mary
Gionet, Edmond
Laliberte, Suzanne
Nordgren, Sharon
Williams, Burton

Benn, Bernard
Dingman, Vernon III
Hammond, Lee
Lovett, Sid
Preston, Philip

Bleyler, Ruth
Estes, Carole
Harding, A Laurie
Matheson, Robert
Solomon, Peter

HILLSBOROUGH

Baroody, Benjamin
Beck, Catriona
Campbell, David
Cote, David
Dokmo, Cynthia
Emerton, Larry
Forest, Armand
Ginsburg, Ruth
Hackel, Paul
Hammond, Jill
Hinkle, Peyton
Irwin, Anne-Marie
Johnson, Stephen
Kopka, Angeline
Lawrence, James
Marshall, Seth

Barry, Richard
Bergeron, Jean-Guy
Chase, Claudia
Daler, Jennifer
Drisko, Richard
Essex, David
Foster, Linda
Goley, Jeffrey
Haefner, Robert
Hansen, Ryan
Hogan, Edith
Jasper, Shawn
Kaelin, Michael
Kurk, Neal
Leishman, Peter
Matarazzo, Anthony
Sr

Batula, Peter
Bergin, Peter
Christensen, Chris
Daniels, Gary
Edwards, Andrew
Fletcher, Richard
Gargas, Carolyn
Gorman, Mary
Haley, Robert
Harvey, Suzanne
Holden, Randolph
Jean, Claudette
Knowles, John
L'Heureux, Robert
Lisle, Carolyn
McRae, Karen

Beaulieu, Jane
Brunelle, Michael
Clark, Mark
Day, Russell
Elliott, Nancy
Fontas, Jeffrey
Garrity, Patrick
Graham, John
Hall, Betty
Hawkins, Ken
Infantine, William
Jeudy, Jean
Knowles, Mary Ann
Lasky, Bette
Manney, Pamela
Messier, Irene

Mooney, Maureen
O'Connell, Timothy
Peterson, Andy
Reuschel, Michael
Scannell, David
Soucy, Connie
Sullivan, Daniel
Ulery, Jordan

Moran, Edward
O'Neil, James
Pilotte, Maurice
Rochette, Eric
Shaw, Barbara
Spaulding, Jayne
Sullivan, Francis
Vaillancourt, Steve

Movsesian, Lori
Ober, Lynne
Price, Pamela
Rosenwald, Cindy
Simon, Anthony
Spratt, Stephen
Sysyn, Mary
Villeneuve, Maurice

O'Brien, Michael Sr
Ober, Russell III
Renzullo, Andrew
Rowe, Robert
Smith, David
Stepanek, Stephen
Tahir, Saghir
Winters, Joel

MERRIMACK

Anderson, Eric

Baxley, Maureen

Beauchesne,
Suzanne

Blanchard, Elizabeth

Bouchard, Candace
Clarke, Claire
Foose, Robert
Hamm, Christine
Kjellman, Eleanor
Glynn

Boutin, David
Davis, Frank
Gile, Mary
Hess, David
Lockwood, Priscilla

Brown, Carole
DeStefano, Stephen
Greco, Vincent
Humphries, Charlie
MacKay, James

Brueggemann, Donald
Ehlers, Eileen
Hager, Elizabeth
Kelly, Sally
McMahon, Patricia

Osborne, Jessie
Richardson, Gary
Wallner, Mary
Williams, Robert

Porter, Margaret
Ryan, Jim
Walz, Mary
Yeaton, Charles

Potter, Frances
Shurtleff, Stephen
Webb, Leigh

Reardon, Tara
Tilton, Joy
Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis
Belanger, Ronald
Brown, C. Pennington
Case, Frank
Day, Judith

Allen, Mary
Bettencourt, David
Cali-Pitts, Jacqueline
Casey, Kimberley
Devine, James

Baldasaro, Alfred
Bishop, Franklin
Camm, Kevin
Charron, Gene
DiFruscia, Anthony

Bedrick, Jason
Borden, David
Carson, Sharon
Dalrymple, David
Dumaine, Dudley

Elliott, Robert
Garcia, Marilinda
Griffin, Mary
Howard, Doreen
Kappler, Lawrence
Kepner, Susan
McCarthy, Linda
Moore, Bennett
Pearson, Mark
Quandt, Marshall
Robertson, Carl
Snow, Richard
Weare, Everett
Weyler, Kenneth

Emiro, Frank
Garrity, James
Grote, Otto
Ingram, Russell
Katsakiores, George
Lister, Charlotte
McGuirk, Thomas
Nord, Susi
Petterson, Don
Quandt, Matthew
Russell, Trink
Splaine, James
Webber, James
Winchell, George

Flanders, John Sr
Gleason, John
Guthrie, Joseph
Introne, Robert
Katsakiores, Phyllis
Lund, Howie
McMahon, Charles
Packard, Sherman
Powers, James
Rausch, James
Sanders, Elisabeth
Stiles, Nancy
Welch, David

Flockhart, Eileen
Gould, Kenneth
Headd, James
Itse, Daniel
Kennedy, James
Major, Norman
Moody, Marcia
Pantelakos, Laura
Preston, Mark
Reagan, John
Serlin, Christopher
Waterhouse, Kevin
Wells, Roger

STRAFFORD

Berube, Roger
Browne, Brendon
Fargo, Thomas
Kaen, Naida
Perry, Robert
Schmidt, Peter
Srnc, Robert
Watson, Robert

Brennan, William
Burke, Rachel
Grassie, Anne
Knowles, William
Rollo, Deanna
Smith, Marjorie
Vachon, Dennis

Brown, Julie
Cyr, James
Hofemann, Roland
Mickelonis, Shawn
Rollo, Michael
Spang, Judith
Wall, Janet

Brown, Larry
Domingo, Baldwin
Hutz, Sarah
Miller, Joseph
Rous, Emma
Sprague, Dale
Warren, Nancy

SULLIVAN

Cloutier, John
Franklin, Peter
Jillette, Arthur Jr

Converse, Larry
Gagnon, Raymond
Phinizy, James

Donovan, Thomas
Gottling, Suzanne
Rodeschin, Beverly

Ferland, Brenda
Houde, Matthew
Skinder, Carla

NAYS 6

BELKNAP

None

CARROLL

None

CHESHIRE

None

COOS

None

GRAFTON

Andersen, Gene

Mulholland, Catherine

HILLSBOROUGH

Long, Patrick

Shattuck, Gilman

MERRIMACK

None

ROCKINGHAM

None

STRAFFORD

Oppenheimer, Kay

SULLIVAN

Nielsen, Ellen

and the motion was adopted.

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

RESOLUTION

Rep. Wallner 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 Wednesday, January 16, 2006 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 537, establishing a task force on homeless teenagers.

HB 682, relative to guardianship of a minor.

HB 702, relative to continued jurisdiction in child protection cases.

HB 858-FN, relative to a discount medical plan organization.

HB 159, establishing an interbranch criminal and juvenile justice council.

HB 291, relative to licensure of fireworks sellers.

HB 373, relative to unlawful possession of alcohol by a minor.

HB 581-FN, relative to the penalty for purposely mistreating service animals.

HB 589-FN, relative to the calculation of concurrent and consecutive terms of imprisonment.

HB 595-FN, requiring the commissioner of the department of corrections to adopt rules establishing a policy on and procedures for an internal clemency board to review and make recommendations on requests for sentence modifications.

HB 632-FN, relative to the penalty for death resulting from the trafficking of controlled drugs.

HB 730, increasing the maximum fine for speeding in a highway construction or maintenance zone.

HB 330, establishing a task force to study the feasibility of supplying laptop computers to all 7th grade children in the state.

HB 765-FN, establishing a committee to study the financial liability for placement of a child with a disability.

HB 241, relative to permissible campaign contributions by business organizations and labor unions.

HB 285, relative to voting machines.

HB 837, relative to easement interests under the land and community heritage investment program.

SB 166-FN, relative to port moorings.

HB 415-FN, establishing a geothermal assessment project.
HB 563, relative to obtaining birth certificates for stillborn children.
HB 740-FN, relative to mental health services.
HB 359-FN, relative to recovery of medical assistance from an estate.
HB 91-FN, relative to lobbyist registration and statements, repealing the restriction on simultaneous employment and public service, and relative to regulation of volunteer public service.
HB 315, relative to criminal background checks of prospective municipal employees through the division of state police.
HB 331, relative to time limits on design review.
HB 474, excluding septic and sewage treatment facilities from the tax exemption for water and air pollution control facilities.
SB 236, extending the authority for police mutual aid.
HB 211-FN, requiring that driver's license applicants be informed of and examined on laws relating to blind pedestrians.
HB 901, relative to nondriver's identification cards.
HB 385-FN, relative to licensing and insurance fees.
SB 63, authorizing the commissioner of revenue administration to extend tax filing deadlines for certain members of the armed forces.
HB 358, relative to the procedure for listing candidates on election ballots.
HB 173-FN-A, relative to the promotion, acquisition, and retention of a large animal veterinarian in those areas of the state where there is a need, and making an appropriation therefor.
HB 777-FN-A, relative to agricultural exemptions from alteration of terrain permitting requirements and penalties for site development.

UNANIMOUS CONSENT

Reps. Kepner, Manney and Michael Rollo addressed the House.

MOTION TO PRINT REMARKS

Rep. Kurk moved that the remarks made by Reps. Kepner, Manney and Michael Rollo be printed in the Permanent Journal.
Adopted.

REMARKS

Rep. Kepner: Thank you, Madam Speaker. I thank my fellow House members for their indulgence so late in the day. I just rise to speak a little bit again to one of the letters we received this morning about Jane Kelley. I have known her for many years. She was instrumental in getting me to run for the seat that I have in Hampton and I just wanted to raise the issue of her experience and the value of many of you that sit here and have been here for years and the experience that you have. She has been invaluable to me in advice. The only thing that was disturbing, and it was a great start to the beginning of my ten years here in the legislature, was my first ride to Concord for some early orientation with Jane. I think we went 85 miles an hour all the way. I wasn't sure I was going to be able to ride home with her, but again, I just want to raise the value of Jane and the experience of her being a stalwart supporter of the average hard working person, for union, but also for the truth and I hope I can maintain that same kind of spirit in my experience here in the House. I thank you.

Rep. Manney: Thank you, Madam Speaker and fellow members of the House. I rise today to speak of the passing of Bruce Hunter. You will notice that seat 4-64 is draped in black crepe today in memory of Bruce. Representative Hunter was a fellow member of the

delegation representing Hillsborough County, District 7. He was serving his eighth term in the New Hampshire House representing the towns of Goffstown and Weare. He will be sadly missed by us all. Bruce Hunter was a wonderful person who made great contributions to our State, not only through his dedication to this body but to his hometown of Goffstown where he served as selectman, planning board member, Goffstown taxpayers association and Republican party. He served in so many other capacities and gave his time, his effort and his commitment to many great functions. I remember every year he would come and harass, I mean ask, us all to donate to the local police charity where we purchased toys for the children during Halloween. He just would not let up on you, either, until you gave, so you definitely did. Bruce was most proud of being a veteran who served his country with distinction. He was a veteran of the United States Navy and a lifelong member of both the American Legion and the Veterans of Foreign Wars. Bruce was a good friend of mine and he was a good friend to many people. He was someone that you could depend on, that you could call and in a moment he would be there for you. I will miss him greatly. One thing that will also be missed is his enthusiasm, dedication and commitment to his constituents and the State of New Hampshire. To his wife, Edna, and his family we send along our deepest sympathies with thanks to them for sharing Bruce Hunter with us for nearly eight terms. Thank you.

Rep. Michael Rollo: Thank you, Madam Speaker. I too rise to remember for a brief moment one of our colleagues from Strafford County, the Honorable George Brown of Rochester. It's funny, George passed away on the 16th of December and I went to the service and everything and I wrote down a little speech afterwards. I discovered on the way here that I had forgotten it. I thought, well, George would probably like that because he hated it when people would stand up here and go on and on and on. It sort of was fitting. What do you say about someone who spent 86 years on this planet, who served his country during World War II in the Navy. He served his church as a deacon and was a member of the Knights of Columbus. He served his city of Rochester on the council and the school board and Little League and his state for almost a decade here in Concord. I thought it would be in the resolution so everyone would know all of those things but I thought I would just share for a brief moment the recollection I had of George. George and I served on the Election Law committee for two terms. The one thing that I think I will always remember about George Brown, there are two things, actually. His fierce loyalty to his friends. If you asked George Brown for anything, a favor or a vote on a bill, he would look at you and he would stick you with his finger and say, "You got it." You never had to question because you knew that George Brown was a man of his word and you always had his support. You never had to question that. The other thing that everyone here needs to know, even if you hadn't met George. He was a gentleman, George Brown. On the Election Law committee, if you can imagine, is a little contentious committee. We are rather partisan at times. George, no matter how much of a knock out, drag out fight that we had would always reach across the aisle and say, "You're still my friend, let's go have lunch." That is something very special. That is one thing that we should all just remember about dear George. He was a friend and a gentlemen and he will be sorely missed. Thank you, Madam Speaker.

RECESS MOTION

Rep. Wallner moved that the House stand in recess for the purpose of introduction of bills, enrolled bill amendments, enrolled bill reports and receiving Senate messages. Adopted.

The House recessed at 3:00 p.m.

RECESS

(Speaker Norelli in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bill numbered 692.

Rep. Hager, Sen. Theodore Gatsas for the Committee

RECESS

(Rep. Welch in the Chair)

RESOLUTION

Rep. William Knowles offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1630 through 1634 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.
Adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 1630-FN, establishing the position of administrator of contract services. (Pilotte, Hills 16; L. Ober, Hills 27; Beck, Hills 2: Executive Departments and Administration)

HB 1631-FN, relative to the state purchase of biodiesel fuels. (Borden, Rock 18; Harvey, Hills 21; Devine, Rock 7; Janeway, Dist 7; Fuller Clark, Dist 24: Transportation)

HB 1632, relative to continuing the commission to study the production and distribution of biodiesel in New Hampshire. (Borden, Rock 18: Science, Technology and Energy)

HB 1633-FN, relative to the regulation of licensed alcohol and drug use counselors.

(Harding, Graf 11; MacKay, Merr 11; Butynski, Ches 4; L. Hammond, Graf 11; Harvey, Hills 21: Executive Departments and Administration)

HB 1634, establishing the New Hampshire council on autism spectrum disorders. (Butcher, Ches 3; Kelly, Dist 10: Health, Human Services and Elderly Affairs)

RECESS

COMMITTEE ASSIGNMENTS

Rep. James H. Lawrence off Science, Technology and Energy and on Judiciary.

Rep. Jordan G. Ulery off Ways and Means and on Criminal Justice and Public Safety.

Rep. Steve Vaillancourt off Environment and Agriculture and on Ways and Means.

Rep. David R. Boutin on Election Law.

Rep. Robert W. Forsing off Election Law.

Rep. David F. Scannell on State-Federal Relations and Veterans Affairs.

Rep. James B. Webber on Public Works and Highways.

Rep. Don Petterson on Executive Departments and Administration.

Rep. Raymond G. Gagon temporarily replaces Rep. Michael R. DesRoches on Municipal and County Government.

RECESS

SENATE MESSAGES

REFERRED FOR INTERIM STUDY

HB 392, relative to the use of property held by the state of New Hampshire under an easement specifying low impact recreational use only.

HCR 8, urging Congress to rename the Veterans Administration Hospital the Styles Bridges Veterans Administration Hospital.

LAID ON THE TABLE

HB 456, limiting liability for town health officers and overseers of public welfare when acting in the course of their official duties.

NONCONCURRENCE

HB 63, relative to conflicts of interest involving county officers and employees.

HB 115, relative to the procedure for counties to apply for, accept, and expend federal, state, or other grants.

HB 232, relative to retaliatory rent increases and mediation of manufactured housing park disputes.

HB 254, relative to mandatory employer meetings about political and religious beliefs, including beliefs about joining a union.

HB 281, relative to the cancellation of buying club memberships.

HB 367, relative to incompatible offices.

HB 715, establishing a committee to study the state heritage collections committee and the joint legislative historical committee.

HB 867-FN-L, relative to parent liability for court-ordered services in juvenile proceedings.

HCR 6, urging Congress to prevent the implementation of the North American Free Trade Agreement superhighway system.

RECESS

(Rep. Schmidt in the Chair)

RESOLUTION

Rep. Rowe offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 1635 and 1636 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 1635-FN, relative to permits for motor vehicle salvage facilities and motor vehicle crushers. (Knox, Carr 4; Schmidt, Straf 4; DeVries, Dist 18: Environment and Agriculture)

HB 1636, relative to automotive recycling. (Schmidt, Straf 4; Knox, Carr 4: Municipal and County Government)

RECESS