

April 13, 1998

No. 24

STATE OF NEW HAMPSHIRE

Legislative

SENATE CALENDAR

REPORTS, AMENDMENTS, HEARINGS, MEETINGS, AND
NOTICES

THE SENATE WILL MEET IN SESSION ON THURSDAY, APRIL 16, 1998,
AT 10:00 A.M.

LAI D ON TABLE

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

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

SCR 7, supporting the mission of economic security 2000.

HB 505, relative to smoking in indoor public places.

REPORTS

EDUCATION

SB 503-FN, relative to the New Hampshire community technical college system. Vote 7-0

Ought to pass with amendment, Senator Johnson for the committee.

HB 784-FN-L, relative to changing the amount of estimated expenditures per pupil beyond which the department of education is liable for the cost of school district borrowing. Vote 4-0

Ought to Pass, Senator McCarley for the committee.

HB 1175-L, relative to authorizing the state board of education to adopt rules on teacher education programs, teacher certification fees, and recertification standards. Vote 4-1

Ought to pass with amendment, Senator Johnson for the committee.

HB 1526-FN-A, requiring the department of education to publish an annual report of special education statistics. Vote 4-1

Ought to Pass, Senator Rubens for the committee.

HB 1634, relative to amending the definition of "educational institution" under the New Hampshire municipal bond bank educational institutions bond financing act. Vote 4-0

Ought to Pass, Senator McCarley for the committee.

ENVIRONMENT

HJR 23, supporting the state's petition to the federal EPA to reduce interstate transport of air pollutants from other states, requesting that Congress make certain changes in the federal Clean Air Act, and requesting that the EPA enforce certain existing provisions of the Clean Air Act regarding interstate transport of air pollution. Vote 6-0

Ought to Pass, Senator Pignatelli for the committee.

HB 497, excluding domestic septage from regulation as sludge or biosolids. Vote 6-0

Ought to pass with amendment, Senator Pignatelli for the committee.

HB 1124, relative to disposal of septage or sludge. Vote 7-0

Ought to Pass, Senator Russman for the committee.

HB 1155, relative to wastewater in low flow areas.
Vote 5-0

Ought to Pass, Senator Russman for the committee.

HB 1162, relative to permit applications before the
hazardous waste facility siting board. Vote 5-0

Ought to Pass, Senator Patenaude for the committee

HB 1395-L, relative to property tax exemptions for
water and pollution control facilities. Vote 6-0

Ought to Pass, Senator F. King for the committee.

FINANCE

SB 411-FN-A, relative to congregate services and
making an appropriation therefor. Vote 4-3

Ought to pass with amendment, Senator Barnes for the committee.

SB 423-FN, relative to eligibility for cost of living adjustments for retired members or beneficiaries
in the New Hampshire retirement system. Vote 7-0

Ought to pass with amendment, Senator Fraser for the committee.

SB 427-FN, establishing a revolving fund for loans for intrastate energy infrastructure facilities
improvements. Vote 7-0

Ought to Pass, Senator Fraser for the committee.

SB 437-FN, requiring a one year mandatory prison
sentence for a third DWI conviction. Vote 7-0

Ought to Pass, Senator Gordon for the committee

SB 471-FN, creating the presumption that a juvenile charged with a driving while intoxicated felony
offense, shall be certifiable as an adult. Vote 7-0

Ought to Pass, Senator Gordon for the committee

SB 472-FN-L, relative to the place for filing security interests under the Uniform Commercial Code.
Vote 7-0

Ought to Pass, Senator Gordon for the committee

SB 488-FN, directing the department of environmental services to create a model for managing the flow of water in the Winnepesaukee River watershed and creating an advisory committee. Vote 7-0

Ought to Pass, Senator Gordon for the committee

SB 501-FN-A, relative to authorizing an attorney for prosecutions by the board of medicine and making an appropriation therefor. Vote 7-0

Ought to Pass, Senator Hollingworth for the committee.

INTERNAL AFFAIRS

HCR 25, requesting the U.S. Postal Service to issue a stamp commemorating the 200th anniversary of the United States naval shipyards. Vote 5-0

Ought to Pass, Senator Barnes for the committee.

HB 111-FN, establishing a committee to study the preservation of and access to records of legislation in the state archives. Vote 5-0

Ought to Pass, Senator Fraser for the committee.

HB 1154, establishing a committee to study the issue of updating New Hampshire laws related to fences. Vote 5-0

Ought to Pass, Senator Pignatelli for the committee.

PUBLIC AFFAIRS

HB 1115-L, relative to boundary markers. Vote 6-0

Ought to Pass, Senator Roberge for the committee.

HB 1128, relative to space heaters. Vote 6-0

Ought to pass with amendment, Senator Roberge for the committee.

PUBLIC INSTITUTIONS, HEALTH AND HUMAN SERVICES

HB 1457, permitting physician assistants to possess, compound, administer or distribute prescription drugs. Vote 5-0

Ought to Pass, Senator Squires for the committee.

TRANSPORTATION

HB 552-L, clarifying the authority of municipalities to regulate the use of their highways which provide sole access to properties in adjoining municipalities. Vote 7-0

Ought to Pass, Senator Patenaude for the committee

HB 1157, relative to the layout of highways. Vote 6-0

Ought to Pass, Senator Roberge for the committee.

HB 1135, relative to the use of watercraft and boats on Ledge Pond in the town of Sunapee. Vote 6-0

Ought to Pass, Senator Whipple for the committee.

WAYS AND MEANS

SB 356-L, relative to the bond required as a condition for filing an intent to cut or receiving a permit to cut. Vote 5-0

Ought to pass with amendment, Senator F. King for the committee.

HB 1109, allowing prepayment of property taxes before April 1. Vote 4-0

Ought to Pass, Senator F. King for the committee.

HB 1122, relative to the licensure of charitable organizations to conduct bingo games or sell lucky 7 tickets in towns and cities in which the organizations have been conducting charitable activities. Vote 5-0

Ought to Pass, Senator Johnson for the committee.

HB 1131, relative to the sale of liquor and beverages and relative to enforcement of the liquor laws. Vote 5-0

Ought to pass with amendment, Senator Danaïs for the committee.

AMENDMENTS

Senate Education

April 9, 1998

1998-1382s

04/09

Amendment to SB 503-FN

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

1 New Paragraph; Community Technical College System; Exemption From Purchasing Requirements. Amend RSA 21-I:18 by inserting after paragraph I the following new paragraph:

I-a. The New Hampshire regional community-technical colleges shall not be required to make purchases through the director of plant and property management unless it so chooses. The regional community-technical colleges shall make purchases under competitive bidding requirements except when waived by the commissioner of the regional community-technical colleges, or a designated agent, upon written justification.

2 Department Established; Reference Amended. Amend RSA 188-F:2 to read as follows:

188-F:2 Department Established. There shall be a department of regional community-technical colleges which shall be governed by a board of ~~governors~~ **trustees**. The department shall be a state agency and shall consist of the office of the commissioner; the New Hampshire regional community-technical institute and colleges including, but not limited to, campuses in Berlin, Claremont, Concord, Laconia, Manchester, Nashua, Stratham, and associated off-campus programs; the police standards and training council; and the Christa McAuliffe Planetarium.

3 New Sections; Board of Trustees; Duties; Operation. Amend RSA 188-F by inserting after section 3 the following new sections:

188-F:3-a Board of Trustees; Terms.

I. The governance of the regional community-technical colleges shall be vested in a board of trustees which shall consist of 24 members comprised as follows:

(a) Nine non-voting, ex officio members: the governor of the state, the commissioner and deputy commissioner of the regional community-technical colleges, the presidents of the 4 regional community-technical colleges, the commissioner of the department of resources and economic development, and the commissioner of the department of education.

(b) Four members shall be from the fields of business and industry; 2 of whom shall serve a 4-year term, and 2 of whom shall serve a 2-year term followed by an additional 4-year term if reappointed.

(c) One member shall be a high school vocational director.

(d) One member shall be an alumni member from one of the regional community-technical colleges who shall serve a 2-year term followed by an additional 4-year term if reappointed.

(e) One member shall be from the field of education or technology.

(f) One member shall be from the health services professions who shall serve a 2-year term followed by an additional 4-year term if reappointed.

(g) Two members shall be from the field of labor; one of whom shall serve a 4-year term, and the other shall serve a 2-year term followed by an additional 4-year term if reappointed.

(h) Two members shall be from the general public; one of whom shall serve a 4-year term, and the other shall serve a 2-year term followed by an additional 4-year term if reappointed.

(i) One member shall be from the community service sector.

(j) Two members shall be full-time students who shall be New Hampshire residents and enrolled in one of the community-technical colleges. The student trustees shall be voted from the 7 community-technical college campus locations proceeding in alphabetical order, and shall be elected by the student body of the campuses responsible for providing the student trustees. The student trustees shall serve a one year term commencing June 1 of the year elected through May 31 of the following year. In the event that a student trustee ceases for any reason to be a student at the school from which such trustee was elected, the commissioner of the regional community-technical colleges shall declare a vacancy in the student trustee position, and the next school in order shall elect the student trustee who shall serve for the remainder of the predecessor's term, and an additional one year term following immediately thereafter.

II.(a) All members, except for student members, shall be appointed by the governor and council.

(b) The terms of office of appointed and elected members, except the student members, shall be 4 years unless otherwise specified in this section. The terms of the elected members shall end on June 30 except that the term of the student members shall end on May 31.

(c) Each member, except the student members, shall hold office until a successor is appointed and qualified. The appointment of successors for the filling of vacancies for unexpired terms shall be by appointment or election in the same manner as the original appointment.

(d) Eight of the voting members shall constitute a quorum required to transact official business.

188-F:3-b Duties and Operation of the Board of Trustees.

I. The board shall elect its own chairperson annually.

II. The board shall choose a secretary, who shall keep a record of proceedings, and a treasurer, who shall give a bond satisfactory to the trustees for the faithful discharge of duties as treasurer. The trustees may, in their discretion, require a bond for any other persons employed by or administering the affairs of the institutions of the regional community-technical colleges. Said trustees shall determine the amount and sufficiency of the surety of said treasurer's bond or any other bonds required under this section.

III. At least one trustee shall be from each executive council district.

IV. Vacancies on the board shall be filled for the unexpired term only.

V. The board shall conduct a regular meeting no less than once every 3 months. Meetings should be rotated among the 7 campus locations. The chairperson shall call special meetings upon the written request of any 5 board members or upon the chairperson's own motion.

VI. All board members shall be residents of New Hampshire.

VII. Except for the governor of the state, no person who holds elected public office shall serve on the board.

VIII. The board may accept legacies and other gifts to, or for the benefit of, the community technical college system, or any of its divisions, institutions, or units, and to establish non-profit entities or foundations for the purposes of fund raising and development of assets in reserve.

4 Department Office; References Amended. Amend RSA 188-F:5, II and the introductory paragraph of RSA 188-F:5, II-a to read as follows:

II. The commissioner shall nominate a deputy commissioner, with the approval of the board of ~~[governors]~~ **trustees**, who shall be confirmed by the governor and council. The deputy commissioner shall serve at the pleasure of the board of ~~[governors]~~ **trustees**.

II-a. The commissioner shall nominate for appointment by the board of ~~[governors]~~ **trustees**, an unclassified director of financial management. The director shall serve at the pleasure of the board of ~~[governors]~~ **trustees**. The director shall be qualified to hold that position by reason of education and experience. The director shall be responsible for the following functions:

5 Presidents of the Regional Community-Technical Colleges; Reference Amended. Amend RSA 188-F:8 to read as follows:

188-F:8 Presidents of the Regional Community-Technical Institute and Colleges. The commissioner shall nominate, subject to approval by the board of ~~[governors]~~ **trustees**, a president of each regional institution who shall be confirmed by the governor and council. Presidents shall be qualified by education and experience and shall serve at the pleasure of the board of ~~[governors]~~ **trustees**. The salary of the presidents shall be established by RSA 94:1-a.

6 Name and Programs of the Regional Community-Technical Colleges; References Amended. Amend RSA 188-F:11 to read as follows:

188-F:11 Name and Program of the Regional Community-Technical Institute and Colleges. The program of the technical colleges shall be designed to prepare qualified high school graduates or the equivalent as technicians and skilled workers and to prepare students to continue their higher education. The names of the regional community-technical institute and colleges shall be determined by the board of ~~[governors]~~ **trustees** subject to approval of the governor and council.

7 Personnel; Maintenance, Service, and Educational Agreements. Amend RSA 188-F:13 to read as follows:

188-F:13 Personnel.

I. The commissioner, after consultation with the institute or college president, shall have authority to designate the number of hours in the workweek that full-time faculty must spend on the campus of the college to which assigned.

II. The commissioner, with the approval of the board of trustees, shall be authorized to enter into educational service agreements and contracts for the purpose of delivering education, customized training or retraining, technical assistance and services, and managerial consulting services to New Hampshire businesses, non-profit organizations, professional associations, communities, state and local governmental agencies, and any other interested parties.

III. The commissioner, with the approval of the board of trustees, shall be authorized to enter into contracts and service agreements for the purpose of maintenance and care for all colleges and their divisions and units. These contracts shall include maintenance and service agreements that support administrative and academic computing and technology. The trustees shall not contract out any work usually performed by employees of the collective bargaining unit, if as a result of such contracting, layoffs or reductions in either hours or wages or both, of bargaining unit employees will occur.

8 Budgeting; Reference Amended. Amend RSA 188-F:14 to read as follows:

188-F:14 Budgeting.

I. The department shall submit an operating budget based on program appropriation units or other budgetary units required by the general court. Each institution of the department and the commissioner's office shall be considered a separate budgetary unit. The department shall submit its budget in the same format and at the same time as other state agencies. However, the board of governors is authorized to transfer funds between line items within any budgetary unit. By October 31 of each fiscal year, the department shall submit a report to the joint fiscal committee detailing all transfers made during the last fiscal year and the reasons for them. Transfers of funds between budgetary units shall be made in accordance with procedures and restrictions applying to all other agencies.

II. The commissioner shall pre-audit all claims of the regional community-technical colleges to be presented for the issuance of warrants and such certification shall be sufficient evidence for the director, division of accounting services, to fulfill such responsibilities relative to the debt incurred by the system.

9 Annual Report and Review; References Amended. Amend RSA 188-F:14-a, II to read as follows:

II. Each year the commissioner of regional community-technical colleges, as well as one representative from the board of ~~governors~~ **trustees**, and the president of each technical institution shall appear before the house finance committee and the senate finance committee to review the department's programs, cost analysis, and revenue projections.

10 Duties of Commissioner; References Amended. Amend RSA 188-F:14-b, V-VI to read as follows:

V. With prior approval of the board of ~~governors~~ **trustees**, transfer or eliminate instructional programs as student, business, and geographic area needs change, as well as transfer such associated personnel, equipment, and instructional program appropriations between and

among the several functional units within the department in order to enable the department to respond rapidly to changing needs for technical education and training.

VI. Upon approval of the board of ~~[governors]~~ **trustees** as provided by RSA 188-F:14, transfer funds between and among line items within the department regardless of funding source or funding mix, except for the police standards and training council training fund or any other funds granted to the police standards and training council, which shall not be commingled with any other funds. By October 1 and quarterly thereafter, the department shall submit a report to the fiscal committee detailing all transfers made under this paragraph during the prior quarter and the reasons for them.

11 Tuition; References Amended. Amend RSA 188-F:15 to read as follows:

188-F:15 Tuition; Rates for Other Services. Notwithstanding the provisions of RSA 541-A or any other law to the contrary, the board of ~~[governors]~~ **trustees** shall establish tuition rates and fees for services beyond tuition at the regional community-technical institute and colleges for both resident and nonresident students. Tuition received from the regional community-technical institute and colleges shall be paid to the state treasurer who shall keep it in a separate account.

12 Tuition Waived; References Amended. Amend RSA 188-F:16, II to read as follows:

II. The board of ~~[governors]~~ **trustees** shall have the authority to allow full-time employees who have one year of previous service at the New Hampshire regional community-technical institute or colleges, or the department of postsecondary technical education, free tuition, and to the dependents of such employees a 50 percent discount of tuition, at the 7 institutions of the department.

13 Advisory Committees; References Changed. Amend RSA 188-F:21, I to read as follows:

I. The board of ~~[governors]~~ **trustees** may appoint a technical committee to advise the board and, with the recommendations of the presidents, advisory committees at each college and the institute to advise the presidents, the commissioner and the board of ~~[governors]~~ **trustees** on the operation of the regional community-technical institute and colleges.

14 Police Standards and Training Council; Reference Amended. Amend RSA 188-F:24, VII to read as follows:

VII. The council shall report annually to the ~~[governor]~~ **trustees** and executive council, with a copy to the board of governors of the department of regional community-technical colleges, on its activities, and may make such other reports as it deems desirable.

15 Administrative Attachment. Amend RSA 188-F:25 to read as follows:

188-F:25 Agency Attached. The police standards and training council is transferred to the department of regional community-technical colleges and ~~[made a unit of]~~ **is administratively attached to** that department.

16 Powers; References Amended. Amend RSA 188-F:26, VII to read as follows:

VII. Establish, maintain, certify, or approve institutions and facilities for training police officers, state corrections officers, or state probation-parole officers, and recruits for such positions, with approval of the department's board of ~~[governors]~~ **trustees**.

17 Education and Training; Investigator Reference Added. Amend RSA 188-F:27, VI to read as follows:

VI. Any ~~[bingo and lucky 7 inspector]~~ **investigator** who has the power to enforce the criminal laws under RSA 106-A and RSA 287-E and rules of the sweepstakes commission and department of safety and who was serving under a permanent appointment prior to July 1, 1986, shall not be required to meet the requirements of paragraphs I and III; however, any ~~[special agent]~~ **investigator** referred to in this paragraph shall complete such limited programs as may be prescribed by ~~[rule adopted under RSA 541-A by]~~ the police standards and training council under this section within one year of the date the programs are required. Should any ~~[inspector]~~ **investigator** exempted from the requirements of paragraphs I and III of this section by this paragraph terminate employment with the department of safety and be hired as a police officer by another police department of the state or a political subdivision thereof, the inspector's certification shall lapse and may be reinstated upon completion of such necessary additional training courses as the police standards and training council may prescribe ~~[by rule adopted under RSA 541-A]~~.

18 Attendance by Persons Not Police Officers; Reference Amended. Amend RSA 188-F:32 to read as follows:

188-F:32 Attendance by Persons other than Police Officers. Persons who are not police officers as defined by RSA 188-F:23 may attend courses given by the police standards and training council by arrangement with the regional community-technical colleges department under such conditions and for such tuition as may be established by the council and the department. Certain courses may be closed to persons who are not police officers on recommendation of the director and approval by the council and the board of ~~[governors]~~ **trustees**.

19 Tuition Students; Reference Amended. Amend RSA 188-F:32-a, I to read as follows:

I. The council with approval of the board of ~~[governors]~~ **trustees** of the department may set tuition, selection procedures and fees for acceptance of tuition students at its programs and for the use of its facilities. Such fees shall be deposited to the credit of the police standards and training council training fund or, with the approval of the department of administrative services, credited to the operating accounts of the council to offset additional expenditures necessitated by the acceptance of the additional students.

20 Tuition Students; Reference Amended. Amend RSA 188-F:32-a, III to read as follows:

III. Certain courses may be closed to persons who are not police or corrections officers on recommendation by the director and approval by the council and the board of ~~[governors]~~ **trustees**.

21 Equipment Challenge Grant Committee; Reference Amended. Amend RSA 188-F:42, I (c) (4) to read as follows:

(4) The board of ~~[governors]~~ **trustees** of regional community-technical colleges, established in RSA [188-F:3] **188-F:3-a**.

22 Review Committee; References Amended. Amend RSA 188-F:52, II (b) (4)-(5) to read as follows:

(4) One member representing labor, nominated by the commissioner of regional community-technical colleges and approved by the board of ~~[governors]~~ **trustees**.

(5) Three members representing business and industry, nominated by the commissioner of regional community-technical colleges and approved by the board of ~~[governors]~~ **trustees**, one of whom serves on the New Hampshire Private Industry Council.

23 Performance; Report; Reference Amended. Amend RSA 188-F:56, I to read as follows:

I. Within the first year following the effective date of this subdivision, the board of ~~[governors]~~ **trustees** shall establish performance criteria. The board shall submit annually at the end of each fiscal year a report indicating the level of performance achieved through this program. Performance indicators shall include the number of existing jobs retained or new jobs created as the result of this program.

24 New Section; Planetarium Declaration of Purpose. Amend RSA 188-F by inserting after section 57 the following new section:

188-F:57-a Declaration of Purpose. The Christa McAuliffe planetarium is the official state memorial for Sharon Christa McAuliffe, the Concord, New Hampshire social studies teacher who was chosen to be America's first teacher in space. Its mission is to educate, incite, and entertain learners of all ages in the sciences and humanities by actively engaging them in the exploration of astronomy and space.

25 Commission Members; Membership Amended. Amend RSA 188-F:59, III to read as follows:

III. ~~[Two members]~~ **Six members from the private sector representing business and the not-for-profit community**, appointed by the governor with the consent of council for a term of 3 years.

26 Commission Members; Membership Amended. Amend RSA 188-F:59, V to read as follows:

V. The chairperson of the **Friends of the** Christa McAuliffe Planetarium ~~[Foundation]~~.

27 Powers and Duties of Commission; References Amended. Amend RSA 188-F:62, IV-VI to read as follows:

IV. Cooperate and consult with the ~~[department of postsecondary technical education]~~ **director of the planetarium** concerning the daily operation of the planetarium, as well as integrated educational programs.

V. Authorize the ~~[department]~~ **director of the planetarium** to enter into contracts which are necessary for the administration of its authority pursuant to this subdivision. All contracts, agreements, procurement, personnel, and operations shall be subject to the same requirements as all state agencies; provided, however, that any specialized planetarium program or

equipment for which the estimated cost is funded from gifts, grants, or donations to the planetarium fund shall be exempt from competitive bidding requirements.

VI. Notwithstanding any other provisions of law, authorize the ~~[department]~~ **director of the planetarium** to sell, lease, or trade specialized planetarium programs or equipment subject to the approval of the commissioner of postsecondary technical education. Proceeds from such transactions shall be used to support the operations of the planetarium.

28 Director; Staff. Amend RSA 188-F:63 to read as follows:

188-F:63 Director; Staff. The department shall employ a director of the planetarium and such staff as may be necessary to perform the duties assigned by the department. ~~[The]~~ **On the recommendation of the planetarium commission, the** director shall be nominated by the commissioner of postsecondary technical education and ~~[appointed]~~ **confirmed** by the ~~[commission]~~ **governor and council**, and shall serve at the pleasure of the commission. The director shall be an unclassified employee whose salary shall be established under RSA 94:1-a. All other employees under this section shall be classified employees.

29 Gifts, Grants, Donations; Value Limitation Removed. Amend RSA 188-F:64 to read as follows:

188-F:64 Gifts; Grants; Donations. Notwithstanding any other provision of law, the commission is authorized to institute promotional programs to solicit and receive gifts, grants, or donations, of any kind, made for the development or operation of the planetarium. The commission may accept gifts of money and property, other than real property, for use in institutional programs without the approval of the governor and council ~~[if the value of such gift does not exceed \$15,000. If the value of such gift is \$15,000 or more, the commission may accept the gift only after the approval of the governor and council]~~. All monetary grants, gifts, or donations shall be deposited in the Christa McAuliffe planetarium fund.

30 Gifts for Historic Sites and Community-Technical Colleges. Amend RSA 4:8-a, I to read as follows:

I. The governor and council may, by executive order, authorize the department of resources and economic development to accept, for the state, gifts of personal property and money which are donated for use in connection with historic sites and the buildings or structures thereon, which are under the management of that department. Each such executive order shall relate to a particular site and may authorize the use of such personal property or the expenditure of such money, in accordance with the terms of the gift, under the supervision of such department. Such executive order, as originally made or later amended, may also authorize the sale or exchange of any such personal property found subsequently to be inappropriate for use, where not inconsistent with the terms of the gift, and application of the proceeds or items received in exchange for the purposes of the original gift. The department shall keep a permanent inventory or record of such gifts and the disposition of such gifts. The governor and council may, by executive order, delegate the same authority with reference to gifts to the division of historical resources, department of cultural affairs, and all other provisions of this section shall apply to such gifts. The board of ~~[governors]~~ **trustees**, department of regional community-technical colleges, may accept gifts of personal property and money pursuant to RSA ~~[188-F:4, III]~~ **188-F:3-b, VIII**. The board shall consult with the state curator regarding gifts of potential historic significance. Gifts of historic significance accepted by the board of ~~[governors]~~ **trustees** shall be cataloged by the state curator pursuant to RSA 227-C:4, XVIII, and recognized by the governor and council under this section.

31 State Board of Education Limitation on Authority. Amend RSA 186:6-a to read as follows:

186:6-a Limitation of Education. Notwithstanding any other provision of law, the authority of the state department of education shall be limited to the problems associated with kindergarten and grades one through 12, ~~[and to the government of the regional community technical institute and colleges created and existing under RSA 188-A]~~ provided, however, that the state board of education shall be authorized to accept, distribute and supervise funds for pre-kindergarten programs.

32 Postsecondary Education Commission; Membership Reference Changed. Amend RSA 188-D:2, I to read as follows:

I. The president of the university of New Hampshire; the president of Keene state college; the president of Plymouth state college; the chancellor of the university system; a president of one of the institutions of the department of regional community-technical colleges, to be chosen by the board of ~~[governors]~~ **trustees** of that department;

33 Postsecondary Education Commission; Membership Changed. Amend RSA 188-D:2, IV to read as follows:

IV. One member to be appointed by the board of ~~[governors]~~ **trustees** of the department of regional community-technical colleges who shall be a representative of the regional community-technical institute and colleges 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;

34 Commission on the Status of Community Technical Education Established. There is hereby established a commission on the status of community technical education in New Hampshire. The commission's purpose is to explore the possibility of an orderly transition toward a more independent and self-governing system of community technical education.

35 Commission Membership and Operation.

I. The membership of the commission shall be comprised as follows:

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

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

(c) Five members of the general public, appointed by the governor.

II. The commission members shall elect a chairperson from among themselves and shall establish a definite schedule of meetings to conduct the commission's business, provided that the commission shall meet at least once every 2 months.

III. Legislative members of the commission shall receive mileage at the legislative rate while attending to commission business.

36 Duties.

I. The commission shall explore the feasibility and possibility of an orderly transition toward a more independent and self-governing system of community technical education. The commission may consider input from any source on this issue provided that, in the discretion of the commission, such input is relevant to their main purpose.

II. The areas of study shall include, but are not limited to:

(a) The classified state employee classification series.

(b) The rights and benefits provided to all faculty and staff of the New Hampshire regional community-technical colleges including wages, insurance, pension, personnel rules, and bargaining rights.

(c) Any other area of inquiry that the study committee deems relevant or necessary to its main purpose.

37 Report. The commission shall issue a report of its findings to the president of the senate, the speaker of the house, the governor, the chairpersons of the house and senate education committees, the senate clerk, the house clerk, and the state librarian no later than November 1, 2000.

38 Repeal. The following are repealed:

I. RSA 188-F:3, relative to the board of governors of the regional community-technical colleges.

II. RSA 188-F:4, relative to the duties of the board of governors of the regional community-technical colleges.

III. Section 35 of this act, relative to establishing a commission on the status of community technical education.

39 Effective Date.

I. Paragraph III of section 38 of this act shall take effect November 1, 2000.

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

1998-1382s

AMENDED ANALYSIS

This bill replaces the regional community-technical college board of governors with a board of trustees, and revises the duties of such board. It also creates a commission on the status of community technical education in New Hampshire to investigate the possibility of an orderly transition toward a more independent and self-governing system of community technical education.

Senate Education

April 9, 1998

1998-1379s

04/08

Amendment to HB 1175-LOCAL

Amend RSA 186:11, X (b) as inserted by section 3 of the bill by replacing it with the following:

(b) Fees to be paid to the commissioner of education for the administration of proficiency exams and[.] other competence evaluations and ***other related fees including, but not limited to, fees for late filing and duplicate credentials, and*** for the issuance of educational credentials. These fees must bear a reasonable relationship to the actual costs related to such activities. Funds collected from these fees shall be expended only for purposes of fulfilling the requirements of this paragraph. No portion of the funds collected from these fees shall lapse, nor be used for any other purpose than fulfilling the requirements of this paragraph, nor be transferred to any other appropriation.

Environment

April 7, 1998

1998-1332s

10/08

Amendment to HB 497

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

AN ACT excluding domestic septage from regulation as sludge.

Amend the bill by replacing sections 1 and 2 with the following:

1 Statement of Intent. The general court finds that sludge requires strict regulation due to concerns over safety and sustainability of use in land application and that domestic septage requires

less strict regulation, and intends that regulatory treatment of domestic septage and sludge be considered separately.

2 Septage; Definition Amended. Amend RSA 485-A:2, IX-a to read as follows:

IX-a. "Septage" means material removed from septic tanks, cesspools, holding tanks, or other sewage treatment storage units, excluding sewage sludge from public treatment works and industrial waste ***and any other sludge.***

Amend RSA 485-A:4, XVI-b as inserted by section 4 of the bill by replacing it with the following:

XVI-b. To regulate the removal, transportation, and disposal of sludge through administration of a permit system. As a condition of any permit issued under this chapter, the department may require payment of a reasonable fee, established by rules adopted under RSA 485-A:6, X-a. Funds collected under this paragraph shall be deposited with the treasurer as unrestricted revenue.

1998-1332s

AMENDED ANALYSIS

This bill separates the regulatory authority for the treatment of domestic septage from that of sludge.

Senate Finance

April 10, 1998

1998-1393s

01/09

Amendment to SB 411-FN-A

Amend the bill by replacing section 2 with the following:

2 Appropriation. The sum of \$1 for the fiscal year ending June 30, 1999, is hereby appropriated to the department of health and human services, for the purpose of supporting congregate services programs in New Hampshire. This appropriation shall be nonlapsing and nontransferable. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Senate Finance

April 8, 1998

1998-1358s

10/08

Amendment to SB 423-FN

Amend the bill by replacing section 1 with the following:

1 Supplemental Allowances. Amend RSA 100-A:41-a to read as follows:

100-A:41-a Supplemental Allowances.

I. ~~[On July 1, 1994, and on every July 1 thereafter,]~~ Any retired member of the New Hampshire retirement system or any of its predecessor systems, who has been retired for at least ~~[24]~~ **12** months, or any beneficiary of such member who is receiving an allowance, shall be entitled to receive supplemental allowances, also known as cost of living adjustments or COLA's ***on the retired member's latest anniversary date***. The amount of such supplemental allowances shall be limited to from one percent to 5 percent, with increments of no less than 1/2 of one percent.

II. On February 1 of each year, beginning in ~~[1995]~~ **1999**, the fiscal committee of the general court may approve COLA's ***for the July 1 thereafter*** upon certification from the actuary of the amount of the COLA which may be granted to each member classification based on the funds available in the special account for each member classification. The actuary shall look at each member classification component of the special account separately and shall certify to the fiscal committee the funds available, and any other information required by the committee, including but not limited to any change in the Consumer Price Index-Urban for the year prior to the year in which the allowance is granted. Any such supplemental allowance when granted by the fiscal committee of the general court shall become a permanent addition to the beneficiary's base retirement allowance, and shall be included in the monthly annuity paid to the retired member, or to the member's beneficiary if the member is deceased and the beneficiary is receiving an allowance under RSA 100-A:8, 100-A:9, 100-A:12, 100-A:13 or similar provisions of predecessor systems.

III.(a) The granting of any such supplemental allowance, or of any increase in supplemental allowances, shall be contingent on terminal funding of the total actuarial cost thereof at the time of granting. Such terminal funding shall be from the special account established under RSA 100-A:16, II(h).

(b) No supplemental allowance shall be granted or increased if such grant or increase would reduce the funds in the respective component of the special account to an amount less than zero.

(c) Cost of living adjustments granted by the fiscal committee shall be retroactive to the member's eligibility date pursuant to paragraph I, beginning July 1, 1999, and for every year thereafter.

Public Affairs

April 9, 1998

1998-1373s

03/09

Amendment to HB 1128-FN

Amend RSA 158:28 as inserted by section 1 of the bill by deleting paragraph VI.

1998-1373s

AMENDED ANALYSIS

This bill repeals and reenacts the statute relative to sale or installation of heaters.

Ways and Means

March 26, 1998

1998-1197s

10/01

Amendment to SB 356-LOCAL

Amend the bill by replacing section 1 with the following:

1 Bond Required. Amend RSA 79:10-a, II to read as follows:

II. No owner required to furnish bond or other security in accordance with RSA 79:3-a shall commence to cut or continue to cut until [he] ***such owner*** has posted the bond or other security[~~;- however,~~]. No owner who owns land in the town where [he] ***the owner*** intends to cut shall be required to post a bond or other security as a condition for filing an intent to cut or receiving a permit to cut, ***unless the owner is delinquent on town timber taxes or property taxes.***

1998-1197s

AMENDED ANALYSIS

This bill allows the assessing officials in a municipality to require an owner, who owns land in the town where the owner intends to cut, to post a bond as a condition for filing an intent to cut or receiving a permit to cut, if the owner is delinquent on town timber taxes or property taxes.

Ways and Means

April 8, 1998

1998-1352s

09/01

Amendment to HB 1131

Amend the bill by inserting after section 9 the following and renumbering section 10 to read as 11:

10 Chairman; Representative to National Alcoholic Beverage Control Association. Amend RSA 176:2 to read as follows:

176:2 Chairman; Compensation. The chairman of the commission shall be appointed and commissioned as such by the governor with the consent of the council, and his term shall be coterminous with each term of the governor unless his successor shall have been sooner appointed. The expiration or termination of a commission member's term of office as chairman of the commission shall in no way affect the length of his term as a commission member as established under RSA 176:1. The annual salary of each member of the commission shall be as specified in RSA 94:1-a, and the commissioners shall receive their reasonable expenses while traveling in the performance of their duties, provided that they shall not be allowed as expenses, travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. ***The chairman of the commission shall serve as the representative to the National Alcoholic Beverage Control Association.***

1998-1352s

AMENDED ANALYSIS

This bill:

- (1) Changes the definition of "beverage representative";
- (2) Clarifies that the liquor commission can implement a filing system for licensees with multiple locations;
- (3) Allows the commission to issue a special license to a nonprofit corporation to hold a wine and liquor auction as part of its fundraising program;
- (4) Changes a reporting requirement for full service restaurant licensees;
- (5) Expands the areas of golf facilities which may be approved for a liquor license;
- (6) Requires that photographic identification presented as proof of age shall not have expired;
- (7) Increases the fine for underage possession of liquor or beverages; and
- (8) Clarifies certain requirements for liquor commission employees.
- (9) Requires the chairman of the commission to serve as the representative to the National Alcoholic Beverage Control Association.

This bill was requested by the liquor commission.

HEARINGS

TUESDAY, APRIL 14, 1998

PUBLIC INSTITUTIONS, HEALTH AND HUMAN SERVICES, Room 105-A, SH

1:30 p.m. **HB 1182**, establishing an oversight committee to review the allocation of funds dispersed for the developmental disabilities waitlist.

2:00 p.m. **HB 1421**, relative to review the drugs by the board of nursing and the joint health council.

2:20 p.m. **HB 1498**, authorizing emergency medical care providers to inform patients of transport options.

2:45 p.m. **HB 1631-FN**, extending the moratorium on new nursing home beds.

3:00 p.m. **HB 1658-FN**, relative to prohibiting the cloning of Human Beings in New Hampshire.

TRANSPORTATION, Room 101, LOB

1:00 p.m. **HB 1275-FN**, relative to training for marine patrol officers.

1:15 p.m. **HB 1605**, establishing a study committee on marine patrol services.

1:30 p.m. **HB 1345**, requiring drivers of motor vehicles to obey school crossing guards.

1:45 p.m. **HB 1303-FN-L A**, continually appropriating boating fees and other revenues to the division of safety services .

EXECUTIVE SESSION TO FOLLOW.

WAYS AND MEANS, Room 103, SH

2:45 p.m. **HB 1469-L**, establishing a committee to examine the valuation of public utility property.

3:15 p.m. **HB 1496**, relative to energy facility evaluation.

3:45 p.m. **HB 1189-FN**, increasing the limits of direct off premises sales from breweries and Brew Pubs.

WEDNESDAY, APRIL 15, 1998

EDUCATION, Room 105-A, SH

1:00 p.m. **HB 1414**, relative to review of non-renewal of teachers contracts.

2:00 p.m. **HB 1280-L**, clarifying the procedures for background criminal checks for school employees and volunteers.

2:30 p.m. **HB 1369**, revising the student membership of the university system of New Hampshire board of trustees.

ENVIRONMENT, Room 102, LOB

8:30 a.m. **HB 1443**, relative to the time frame for the department of environmental services to act on certain wetlands applications.

8:50 a.m. **HB 1531-FN**, relative to reimbursement for removal of petroleum storage facilities from the oil pollution control fund.

9:20 a.m. **HB 1238**, establishing a committee to study ways to manage land use and to preserve and protect the state's farmland, rural and community character, and environmental quality against low density sprawl and the loss of sense of place.

9:40 a.m. **HB 1229**, exempting biological control agents from registration requirements for pesticides.

INSURANCE, Room 101, LOB

8:30 a.m. **HB 1423-FN**, modifying the definition of employment under the unemployment compensation statute and assignment of unemployment compensation payments for a claimant's child support obligations.

9:00 a.m. **HB 1148**, relative to review of eligibility for a workers' compensation award where compensation was by lump sum agreement.

9:30 a.m. **HB 1281**, requiring managed care plans to permit a woman to select an obstetrician-gynecologist as a primary care physician or to obtain access for certain obstetrical or gynecological services.

10:00 a.m. **HB 1536**, establishing a committee to study women's health care.

JUDICIARY, Room 103, SH

10:15 a.m. **HB 1500**, relative to powers of appointment.

10:40 a.m. **HB 774**, relative to child support, custodial rights, and visitation.

11:00 a.m. **HB 1347**, preserving relationships between siblings who are separated as a result of court ordered out-of-home placements.

11:20 a.m. **HB 1371** requiring the collection of certain data on children and parents in the state case registry for use in child support enforcement.

11:45 p.m. **HB 1190**, encouraging alternative dispute resolution as an alternative to litigation in domestic relations cases.

12:15 p.m. **HB 480**, revising the law relative to protection of persons from domestic violence.

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1444**, requiring a special primary for all parties if there are at least 2 candidates for election from one party.

10:30 a.m. **HB 1488**, amending the definition of candidate and requiring additional reporting under the political expenditures and contributions act.

● **HB 798 WAS RECESSED ON MARCH 11, 1998, AND RESCHEDULED TO THIS DATE:**

11:00 a.m. **HB 798**, relative to the regulation of health clubs.

THURSDAY, APRIL 16, 1998

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

1:30 p.m. **HB 1459**, relative to the specificity of administrative rules and the identification of state and federal law in the rulemaking process.

2:00 p.m. **HB 1455**, relative to the publication of administrative rules.

2:30 p.m. **HB 1233**, relative to administrative attachment of regulatory boards and commissions.

FINANCE, Room 103, SH

2:00 p.m. **HB 1399-FN**, an act revising certain information required in the state operating budget.

2:30 p.m. **HB 1384-FN-A**, an act making appropriation for use by the New Hampshire commission on the Smithsonian festival of American Folklife.

3:00 p.m. **HB 1456**, an act relative to the budget making process.

3:30 p.m. **HB 1300**, relative to the revenue stabilization reserve account and the health care transition fund.

EXECUTIVE SESSION TO FOLLOW.

WILDLIFE AND RECREATION, Room 102, LOB

2:45 p.m. **HB 1145**, relative to the definition of "livestock"

3:30 p.m. **HB 1160**, relative to the definitions of terms "farm", "agriculture." and "farming".

TUESDAY, APRIL 21, 1998

INSURANCE, Room 101, LOB

8:30 a.m. **HB 490**, relative to the confidentiality of medical information.

10:15 a.m. **HB 1411**, establishing a committee to study the feasibility of creating a nonprofit, public corporation to facilitate the availability of affordable health insurance for the uninsured and underinsured by organizing large purchasing groups of subsidized and non-subsidized subscribers and establishing health insurance market mandatory risk sharing plan.

PUBLIC INSTITUTIONS, HEALTH AND HUMAN SERVICES, Room 105-A, SH

1:30 p.m. **HB 1400-FN**, relative to the powers and duties of the commissioner of health and human services and relative to the out-of-state trips by state officials or employees.

2:30 p.m. **HB 1652**, establishing a pilot program relative to the administration of medications in residential care facilities.

TRANSPORTATION, Room 101, LOB

1:00 p.m. **HJR 24-FN**, supporting the initiative to re-elm U.S. Route 1 and urging the Department of Transportation, the office of State Planning, and affected local communities, businesses, residents, and conservation groups to join in and cooperate with voluntary efforts to once again line Route 1 with elm trees.

1:15 p.m. **HB 1114**, relative to registration procedures for the use of antiques plates.

1:30 p.m. **HB 1138-FN-L**, relative to New Hampshire Route 111.

1:45 p.m. **HB 1392**, relative to student drivers.

EXECUTIVE SESSION TO FOLLOW.

WAYS AND MEANS, Room 103, SH

2:45 p.m. **HB 1291-FN**, relative to management of the state ski areas at Mount Sunapee and Cannon Mountain.

3:15 p.m. **HB 1339-FN**, regulating the sale by mail of liquor, wine, and beer.

3:30 p.m. **HB 1210-FN**, relative to the licensing rate for beverage manufacturers.

WEDNESDAY, APRIL 22, 1998

CAPITAL BUDGET, Room 103 State House

8:00 a.m. **HB 1639-A-L**, relative to the highway and bridge betterment program and making an appropriation therefor.

8:30 a.m. **HB 1374**, relative to increasing the minimum amount of a state capital improvement project requiring competitive bidding and relative to contracts for major capital projects of the departments of fish and game and resources and economic development.

EDUCATION, Room 105-A, SH

1:00 p.m. **HB 1501**, relative to amending certain provisions of the charter school law.

2:00 p.m. **HB 1608**, providing that the membership on any charter commission established in a multi-town school district shall reflect each town's proportionate membership of the district's school board.

2:15 p.m. **HB 1428**, establishing requirements for teachers and teacher preparation programs to ensure that teachers are prepared to teach a broad range of students including exceptional learners.

2:45 p.m. **HB 1429**, amending state board of education rulemaking authority relative to certain educational personnel.

3:15 p.m. **HB 1438**, establishing a committee to study the regulation of personnel employed in early care and education including, but not limited to, center and family-based child care and preschools.

ENVIRONMENT, Room 102, LOB

8:30 a.m. **HB 1346**, relative to certain definitions under the solid waste management act

9:15 a.m. **HB 1606-L**, relative to liability for response to hazardous materials accidents.

9:30 a.m. **HB 1575-FN**, relative to highway modifications on lands acquired through the land conservation investment program.

9:50 a.m. **HB 1630-FN**, relative to the transportation of high level radioactive waste.

JUDICIARY, Room 103, SH

10:15 a.m. **HB 1191**, relative to limiting the liability of governmental units under certain circumstances.

10:30 a.m. **HB 1622-FN**, relative to remedies and appeals under the whistleblowers' protection act.

11:00 a.m. **HB 1493-FN-L**, relative to clarifying school district liability for certain placements of children pursuant to juvenile proceedings.

11:30 a.m. **HB 1307**, relative to penalties for habitual offenders.

12:00 p.m. **HB 1129**, relative to the penalty and substance abuse treatment for multiple DWI offenders who have previously successfully completed a multiple DWI offender intervention detention center program.

12:30 p.m. **HB 1600**, relative to the multiple DWI offender intervention detention center program.

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1112**, relative to the placement of articles on the official ballot.

10:45 a.m. **HB 1236-L**, relative to limitations on the amendment of warrant articles in official ballot voting.

11:00 a.m. **HB 1299**, requiring members of executive branch councils to file annual financial statements and relative to certain person's who fail annual financial statements.

● **HB 1172 HAS BEEN RESCHEDULED FROM APRIL 29, 1998.**

11:15 a.m. **HB 1172**, relative to the number of members on a municipal budget committee.

● **HB 204-FN-L, HAS BEEN RESCHEDULED TO MAY 13, 1998.**

THURSDAY, APRIL 23, 1998

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

1:30 p.m. **HB 1259**, relative to salary differentials for certain employees of the New Hampshire Hospital.

2:00 p.m. **HB 1234**, establishing an office of volunteerism.

INTERNAL AFFAIRS, Room 103, LOB

3:00 p.m. **HB 1310**, relative to legislative approval of expenditure of federal and other funds.

3:30 p.m. **HB 1326**, relative to applications for exemption to the state hiring delay.

WILDLIFE AND RECREATION, Room 102, LOB

2:45 p.m. **HB 747-FN-A**, establishing a wildlife habitat stamp or license for persons engaged in taking wild animals or birds and continually appropriating the funds for wildlife habitats.

3:00 p.m. **HB 1120**, establishing a commission to study the effects of and jurisdiction over alternative agricultural products.

3:15 p.m. **HB 1331-FN**, relative to granting special hunting and fishing licenses to persons aged 68 or over for trapping.

TUESDAY, APRIL 28, 1998

INSURANCE, Room 101, LOB

8:30 a.m. **HB 1336-FN**, defining medical necessity for managed care insurance purposes.

TRANSPORTATION, Room 101, LOB

1:00 p.m. **HB 1198**, relative to the registration of vehicles owned by trusts.

1:15 p.m. **HB 1201-FN**, relative to the use of motor vehicle repair plates.

1:30 p.m. **HB 1223-FN**, repealing the alternative fuel motor vehicle law.

1:45 p.m. **HB 1178**, relative to automobile leasing.

EXECUTIVE SESSION TO FOLLOW.

WEDNESDAY, APRIL 29, 1998

CAPITAL BUDGET, Room 103 State House

3:00 p.m. **HB 1100-FN**, relative to the design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the population cap and closing date for the lakes region department of corrections facility, authorizing the

department of corrections to establish 2 additional halfway houses and appoint additional probation and parole officers, and making adjustments to the operating budget for the fiscal year 1999.

EDUCATION, Room 105-A, SH

1:00 p.m. **HB 1209**, revising the interagency agreement for special education.

1:30 p.m. **HB 1215**, establishing a committee to study the shortage of qualified and certified personnel in the delivery of services related to special education.

2:00 p.m. **HB 1320**, amending provisions of the advisory committee on the education of students with disabilities.

ENVIRONMENT, Room 102, LOB

8:30 a.m. **HB 1642-FN**, relative to changing the environmental laboratory certification program administered by the department of environmental services to an accreditation program.

8:45 a.m. **HB 1517-FN-A-L**, establishing a fund for dredging to maintain harbors in New Hampshire.

9:05 a.m. **HB 1297-FN-A**, establishing a program of integrated pest management and continually appropriating an integrated pest management fund.

9:30 a.m. **HB 1224**, requiring the department of environmental services to test sludge or biosolids to be used for land application and assessing fees to sludge quality certification holders.

JUDICIARY, Room 103, SH

10:15 a.m. **HB 1290-FN**, relative to the authority of the state fire marshal.

10:30 a.m. **HB 1543-FN-L**, relative to disbursement of income of persons held or imprisoned in a county department of corrections facility.

11:00 a.m. **HB 1471**, allowing loss of familial relationship damages in wrongful death actions.

11:30 a.m. **HB 1448**, relative to confidential communication between victims and counselors.

12:00 p.m. **HB 1149**, relative to the power to detain an accused person without a warrant for breach of conditions of release on bail.

● **HB 1408 WAS RECESSED ON APRIL 8, 1998 AND RESCHEDULED TO THIS DATE:**

12:30 p.m. **HB 1408**, requiring a criminal background investigation for certain child care agencies.

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1011-FN**, making it a felony to operate certain gambling businesses and prohibiting possession of gambling machines unless specifically authorized under state law.

● **HB 1279 WAS RECESSED ON MARCH 25, 1998, AND RESCHEDULED TO THIS DATE:**

10:45 a.m. **HB 1279 FN-L**, relative to the procedures for vacating uninhabitable or unsafe buildings.

11:00 a.m. **HB 1121**, making technical corrections to the election laws.

11:15 a.m. **HB 1113**, relative to reports of town and school district meetings to be certified to the department of revenue administration.

11:30 a.m. **HB 1252**, relative to the right to farm

12:00 p.m. **HB 1529**, reinstating the corporate charters of Hampstead Garage, Inc., Shannon Ridge Development, Inc., and Raycor Corporation and establishing a committee to study the process for reinstating a corporate charter.

THURSDAY, APRIL 30, 1998

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

1:30 p.m. **HB 1304-FN**, relative to the qualifications and compensation of division directors of the department of environmental services.

2:00 p.m. **HB 1396**, relative to licensure and training programs for emergency medical services instructor/coordinators.

WEDNESDAY, MAY 6, 1998

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1568**, relative to the timing of special school district meetings simplifying the charter amendment procedure for the purpose of establishing official ballot voting.

10:30 a.m. **HB 1434-L**, simplifying the charter amendment procedures for the purpose of establishing official ballot voting.

10:45 a.m. **HB 1417-L**, relative to the involvement in mediation in collective bargaining negotiations by certain municipalities

11:00 a.m. **HB 1447-L**, relative to the approval by the legislative body of cost items in a collective bargaining agreement.

11:15 a.m. **HB 1435-L**, relative to board of tax and land appeals jurisdiction over town line disputes, relative to time limits for abatement and appeal of a land use change tax, relative to the vote required for a legislative body of a municipality to accept a street, and relative to allowing municipalities to except islands from certain requirements concerning streets.

THURSDAY, MAY 7, 1998

ECONOMIC DEVELOPMENT, Room 103, LOB

2:00 p.m. **HB 1659**, prohibiting the use of eminent domain powers by public utilities to take private property for the construction and operation of electric generating plants.

WEDNESDAY, MAY 13, 1998

CAPITAL BUDGET, Room 103 State House

3:00 p.m. **HB 1141-FN-A**, relative to a design study for conversion of the Walker building on the New Hampshire hospital grounds and making an appropriation therefor.

PUBLIC AFFAIRS, Room 104, LOB

● HB 204-FN-L WAS CANCELLED ON APRIL 22, 1998 AND RESCHEDULED TO THIS DATE:

10:15a.m. **HB 204-FN-L**, granting responsibility for court security and custody and control of prisoners while in the courthouse to the county sheriff and providing for state reimbursement of the sheriff for the costs of such security services.

MEETINGS

TUESDAY, APRIL 14, 1998

DEPARTMENT OF TRANSPORTATION, Claremont Middle School Gymnasium, 107 South Street, Claremont.

7:00 p.m. Public Hearing, Washington Street, widening and improvements

WEDNESDAY, APRIL 15, 1998

INTERAGENCY ENERGY EFFICIENCY COMMITTEE (RSA 21-I:19-c), at the Governor's Office of Energy & Community Services, 57 Regional Drive, Concord

10:00 a.m. Regular Meeting

THE SENATE SELECT COMMITTEE ON EDUCATION FUNDING AND ADEQUACY, Room 103, SH

4:00 p.m. Work Session

DEPARTMENT OF TRANSPORTATION, Northern Forest Heritage Park in Berlin

3:00 p.m. Open House, Rt. 16 Corridor Study

THURSDAY, APRIL 16, 1998

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2), Room 304, LOB

8:30 a.m. Public hearing on a request for an advisory opinion concerning the participation of legislators and staff in certain fundraising or commercial activities on state property.

Regular meeting

FRIDAY, APRIL 17, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

MONDAY, APRIL 20, 1998

VICTIM'S ASSISTANCE SUBCOMMITTEE OF THE GOVERNOR'S COMMISSION ON DOMESTIC VIOLENCE, Room 103, LOB

9:30 a.m. Meeting

DEPARTMENT OF TRANSPORTATION, Town Office, Selectman's Chambers, 50 Nashua Road, Londonderry.

7:30 p.m. Public Officials Meeting, Construction to extend
Liberty Drive.

THURSDAY, APRIL 23, 1998

SENATE RULES COMMITTEE, Office of the Senate President, SH

8:30 a.m. Meeting to discuss Legislative Proposals and Other
Business

FRIDAY, APRIL 24, 1998

WORKER'S COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 306, LOB

9:00 a.m. Regular Meeting

MONDAY, APRIL 27, 1998

OIL FUND DISTRIBUTION BOARD (RSA 146-D:4), Room 305,
LOB

9:00 a.m. Meeting

JUDICIAL COUNCIL (RSA 494:1), Room 208, LOB

3:00-5:00 Regular Meeting

TUESDAY, APRIL 28, 1998

THE DEPARTMENT OF TRANSPORTATION, City Hall, Council Chambers Meeting Room, 51
North Park Street Lebanon

7:00 p.m. Public Informational Meeting, I-89 NB & SB over
Connecticut River, Bridge Rehabilitation.

FRIDAY, MAY 1, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN COMMISSION (RSA 195-H:2),
Room 103, SH

1:30 p.m. Meeting

MONDAY, MAY 4, 1998

HEALTH & HUMAN SERVICES OVERSIGHT COMMITTEE, (RSA 126-A:13) Room 204, LOB

9:30 a.m. Regular Meeting

JOINT HEALTH COUNCIL (RSA 326-B:12), NH Board of Nursing, Room 14, 78 Regional Drive, Building 2, Concord, NH.

6:30 p.m. Meeting

THE DEPARTMENT OF TRANSPORTATION, Piermont School, Piermont, N.H.

7:00 p.m. Public Informational/Officials Meeting, Rte. 10 over Bean Brook Bridge Replacement

WEDNESDAY, MAY 6, 1998

FISCAL COMMITTEE OF THE GENERAL COURT, Room 210-211, LOB

9:00 a.m. Regular Business

9:30 a.m. Audits: State of New Hampshire Fish and Game Department Audit Report For the Year Ended June 30, 1997

MONDAY, MAY 11, 1998

PERINATAL ALCOHOL, TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19), Room 101, LOB

9:00 a.m. Meeting

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, MAY 15, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, MAY 29, 1998

NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN COMMISSION (RSA 195-H:2), Room 103, SH

1:30 p.m. Meeting

FRIDAY, JUNE 5, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

MONDAY, JUNE 8, 1998

PERINATAL ALCOHOL, TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19),
Room 101, LOB

9:00 a.m. Meeting

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, JUNE 12, 1998

BOARD OF CLAIMS (RSA 541-B:3), Room 202, LOB

9:00 a.m. Quarterly Meeting

FRIDAY, JUNE 19, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms
306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, JUNE 26, 1998

NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN COMMISSION (RSA 195-H:2),
Room 103, SH

1:30 p.m. Meeting

MONDAY, JULY 13, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, JULY 17, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

MONDAY, JULY 20, 1998

VICTIM'S ASSISTANCE SUBCOMMITTEE OF THE GOVERNOR'S COMMISSION ON DOMESTIC VIOLENCE, Room 103, LOB

9:30 a.m. Meeting

MONDAY, AUGUST 10, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, AUGUST 21, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, SEPTEMBER 11, 1998

BOARD OF CLAIMS (RSA 541-B:3), Room 202, LOB

9:00 a.m. Quarterly Meeting

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

MONDAY, SEPTEMBER 14, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, SEPTEMBER 18, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, OCTOBER 2, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

TUESDAY, OCTOBER 13, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, OCTOBER 16, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms
306-308, LOB

9:00 a.m. Regular Meeting

MONDAY, OCTOBER 19, 1998

**VICTIM'S ASSISTANCE SUBCOMMITTEE OF THE GOVERNOR'S COMMISSION ON
DOMESTIC VIOLENCE**, Room 103, LOB

9:30 a.m. Meeting

FRIDAY, NOVEMBER 6, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

MONDAY, NOVEMBER 9, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, NOVEMBER 20, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms
306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, DECEMBER 4, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

FRIDAY, DECEMBER 11, 1998

BOARD OF CLAIMS (RSA 541-B:3), Room 202, LOB

9:00 a.m. Quarterly Meeting

MONDAY, DECEMBER 14, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, DECEMBER 18, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

REVISED/ AMENDED FISCAL NOTES NOW AVAILABLE IN THE SENATE CLERK'S OFFICE:

SB 53, SB 102, SB 161, SB 205, SB 32, SB 391, SB 452, SB 457, SB 505, HJR 24, HB 111, HB 177, HB 256, HB 443, HB 467, HB 485, HB 552, HB 559,, HB 565, HB 579, HB 587, HB 605, HB 606, HB 616, HB 630, HB 651, HB 670, HB 676, HB 682, HB 697, HB 707, HB 717, HB, 730, HB 734, HB 747, HB 749, HB 753, HB 774, HB 784, HB 1000, HB 1115, HB 1211, HB 1224, HB 1259, HB 1291, HB 1297, HB 1328, HB 1330, HB 1331, HB 1336, HB 1337, HB 1338, HB 1350, HB 1354, HB 1456, HB 1473, HB 1490, HB 1526, HB 1541, HB 1545, HB 1573, HB 1573, HB 1579, HB 1582, HB 1583, HB 1593, HB 1594, HB 1598, HB 1599, HB 1600, HB 1601, HB 1602, HB 1603, HB 1617, HB 1639, HB 1644, HB 1660, HB 1662, HB 1664

NOTICES

The third round of funding for the Health Care Transition Fund, Community Grant Program is about to begin. The Department of Health and Human Services, under the leadership of the Legislature, the Governor and the Executive Councilors, has initiated this grantmaking process to assist communities in their efforts to improve access to health care services. Grants will be awarded

for up to eighteen months to encourage creativity and innovation in health care. Successful proposals will demonstrate broad community collaboration as an essential method of achieving project objectives. A *Request for Proposals* was mailed to the leadership of the New Hampshire House and Senate including Committee Chairs and 1,200 community organizations and providers. All legislators are invited to request a copy of the proposal by contacting Therese Smith of the Department's Office of Planning and Research at 271-5256 or access a copy through the Department's website at <http://www.state.nh.us/dhhs/deptlinks.htm>.

Senator Amy Patenaude

The Department of Administrative Services, Division of Information Technology Management (DITM) has just completed work on a paper entitled, The Year 2000 Report. This report is a compilation of a survey taken in the fall of 1997 to gauge the level of awareness and preparedness of state agencies relative to agency computers and the Year 2000 century date change.

Copies of the Year 2000 report are also available from the Legislative Budget Assistants Office, Room 102, State House. The report is also expected to be available soon in the electronic form on the State's web site.

Senator Ned Gordon

THURSDAY, APRIL 23, 1998

The New Hampshire/Vermont direct Marketing Association cordially invites all Legislators and staff to its 3rd Annual Legislative Reception on Thursday, April 16th from 3:30 p.m. to 7:00 p.m., or immediately following the House session at the Holiday Inn, 172 North Main Street, in Concord. Refreshments and hors d'oeuvres will be served.

Senator Jack Barnes

Senator John King

FRIDAY, APRIL 24, 1998

MARK YOUR CALENDAR! FRIDAY, APRIL 24TH, 9:00 a.m. to 1:00 p.m.

All Legislators and staff are invited to the legislative health screening. The Office of Health Management, Bureau of Health Promotion are coordinating this event. The screening will include new stations: spinal health, PSA blood test for prostate cancer, massage therapy, bone density test for osteoporosis, as well as medical nutrition therapy, blood pressure and dental exam. Tests for diabetes, cholesterol glaucoma and oxygen levels will be available. Be sure to see the educational materials on breast and cervical cancer, tobacco prevention, and elderly and adult services in N.H. You may choose one or all of the stations. It will be held in rooms 301-303 and 302-304, LOB

Senator Joseph Delahunty

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee will hold a public hearing on Thursday, April 16, 1998, at 8:30 a.m., in Room 304, LOB to receive input on a proposed Advisory Opinion. The proposed Advisory Opinion is printed below in its entirety.

Chairman

Representative Jeb E. Bradley,

Vice-Chairman

Senator Richard L. Russman,

Bonneau

Senator John A. King

Representative Sarah K.

Shawn N. Jasper

Peter C. Scott

PROPOSED

ADVISORY OPINION

The Legislative Ethics Committee received a request for an Advisory Opinion concerning the participation of legislators, legislative officers, and legislative employees in fundraising activities associated with nonprofit organizations or commercial activities when such activities take place on state government property or use state-provided services or facilities. The Committee held a hearing to receive input on March 18, 1998, and reached the following conclusions.

The Committee considered whether legislative staff could participate in taking orders from legislators or staff on behalf of commercial enterprises during work hours. The Committee concluded that unless the orders were related to the conduct of legislative business, such activity would violate several sections of the Ethics Guidelines, including Section 6, I(c), and Sections 6, III(b). Section 6, III(b) provides: "A legislative employee or officer shall not use or attempt to use the employee's, or officer's official position to (a) personally obtain any privilege, exemption, special treatment or any other thing of value, or (b) obtain any such benefit for others except as required to perform duties

within the scope of employment." Section 4, IV, which provides, "Legislators shall not use state-provided services or facilities for private gain," would similarly prohibit legislators from advancing their commercial interests through the use of staff or other state-provided services.

The Ethics Guidelines would not appear to prohibit solicitations by members on behalf of nonprofit organizations. The issue of solicitations made by staff on behalf of nonprofit organizations would in most cases fall under the jurisdiction of the Joint Legislative Facilities Committee (RSA 17-A). However, in those cases where the nonprofit organization is actively participating in the legislative process, legislative staff should refrain from such activity. Section 6, I(c) of the Ethics Guidelines provides that legislative employees or officers "should avoid activities that conflict with objectivity or give the appearance of conflict." If legislative employees were to solicit contributions on behalf of an organization which is actively advocating on behalf of an issue in the legislative process, their impartiality could be questioned.

VISITORS' CENTER SCHEDULE – APRIL

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of school groups visiting the State House in April, 1998. These listings will replace individual notifications in an effort to reduce paper usage and to ensure all members will be notified in a timely manner. Please contact the Visitors' Center for further information. Thank you for your continued participation with our School Visitation Program.

Kenneth Leidner, Director

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>CLASS/Size</i>	
4/1	9:15 & 10:45	Bristol Elementary	4 / 60	
4/1	1:15	Concord Christian School	9 / 31	
4/2	10:00	Newfields Elementary	4 / 24	
4/2	12:00	Holderness Central	4 / 24	
4/3	9:00	Broken Ground - Concord	4 / 48	
4/3	10:30 & 11:45	Maple Avenue - Claremont	4 / 60	
4/3	1:00 & 2:15	Lincoln- Akerman - Hampton Falls	3&4/60	
4/6	9:00	Broken Ground - Concord	4 / 24	
4/6	10:00; 11:00 & 12:00	Hampstead Central	4 / 60	
4/6	1:30	Library Street - Hudson	4 / 54	

4/7	9:00	Broken Ground - Concord	4 / 48
4/7	10:00 & 11:30	Hampstead Central	4 / 60
4/7	1:30	Crossroad Academy/Lyme	5 / 14
4/8	10:00 & 11:15	Rindge Memorial	4 / 50
4/8	1:00	Henniker Elementary	4 / 20
4/8	3:15	Leadership Concord	Adults
4/9	8:15	Jennie D. Blake School - Hill	4&5/21
4/9	9:30;10:30; 11:30; 12:30	McClelland School - Rochester	
4 / 100			
4/10	10:00 & 11:15	Bethlehem Elementary	4 / 38
4/10	1:00	Henniker Elementary	4 / 18
4/13	10:00	East Kingston Elementary	4 / 25
4/13	11:00 & 12:15	Linwood Elementary - Lincoln	4 / 36
4/14	10:00 & 11:15	Reeds Ferry - Merrimack	4 / 50
4/14	12:30	Warren Elementary	6 / 14
4/15	10:00 & 11:15	Reeds Ferry - Merrimack	4 / 50
4/15	12:30	Chester Elementary	4 / 50
4/16	10:00 & 11:15	Reeds Ferry - Merrimack	4 / 50
4/16	12:30	Lafayette Regional - Franconia	4 / 22
4/17	9:30 & 11:00	Jaffrey Grade School	4 / 75
4/17	10:30	Surry School	1 to 6 / 52
4/20	9:00 & 10:00	Barnstead Elementary	4 / 60
4/20	11:00 & 1:00	Bedford Memorial School	4 / 80
4/21	10:30 & 11:30	Danville Elementary	4 / 60
4/21	12:30	MT Vernon Village School	4 / 43

4/22	10:00 & 11:00	East Rochester School	4 / 60
4/22	2:00	Laconia Senior Center	18 adults
4/23	9:30;10:30 & 11:30	Interlakes Elementary - Meredith	4 / 75
4/24	10:00 & 11:30	New Searles Elementary - Nashua	4 / 75
4/27	10:00	Dondero Elementary - Portsmouth	4 / 43
4/27	11:00 & 12:00	Little Harbor School - Portsmouth	4 / 80
4/28	10:00 & 11:15	Symonds School - Keene	4 / 60
4/28	12:30	Trinity Homeschool - Bow	3-6 / 20
4/29	10:00	Salisbury Elementary	4 / 12
4/29	12:30	Bluff Elementary - Claremont	4 / 45
4/30	9:30	Seminary Hill - West Lebanon	4 / 40
4/30	11:00	Cornish Elementary	4 / 15
4/30	11:00	Den 1 Pack 610 - Pelham	4 / 5