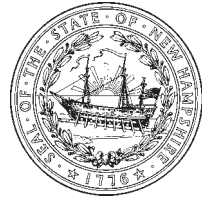


STATE OF NEW HAMPSHIRE

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SENATE JOURNAL 4 *(Cont.)*



February 6, 2003

Out of Recess.

INTRODUCTION OF SENATE BILLS

Senator Clegg moved that in accordance with the list in the possession of the Senate Clerk, Senate Bills numbered **224 - 227** inclusive shall be by this resolution read a first and second time by the therein listed titles.

Adopted.

First and Second Reading and Referral

03-0115

SB 224-FN-A-LOCAL, relative to the education property tax and needs-based targeted education aid and reducing the rates of the business enterprise tax and the business profits tax. (Sapareto, Dist 19; Gallus, Dist 1; Barnes, Dist 17; Weyler, Rock 79: Ways and Means)

03-0445

SB 226-LOCAL, increasing the homestead exemption. (Sapareto, Dist 19; Odell, Dist 8; Cohen, Dist 24; Below, Dist 5; Dupuis, Rock 77; Wiley, Rock 77; Dickinson, Carr 4; Giuda, Graf 13; Morris, Rock 84: Executive Departments and Administration)

03-1182

SB 227, relative to the board of occupational therapy, the board of respiratory care practice, the board of speech-language therapists, the board of athletic trainers practice, the board of physical therapy practice, and the board of directors of the office of licensed allied health professionals. (Below, Dist 5; Patten, Carr 7; Wall, Straf 72: Executive Departments and Administration)

LATE SESSION

Senator Clegg moved that the Senate adjourn from the late session.

Adopted.

Adjournment.

SENATE JOURNAL 5

February 13, 2003

The Senate met at 10:00 a.m.

A quorum was present.

The Reverend David P. Jones, Chaplain to the Senate, offered the prayer.

Save us always, gracious God, from confusing the value of money with the value of people. Endow with just the right mixture of wisdom, rock hard realism and gentle compassion, O Lord, those who lead us and decide for us about how we should best live together as a community of people in this state. Amen.

Senator Below led the Pledge of Allegiance.

**INTRODUCTION OF GUESTS
SUSPENSION OF THE RULES**

Senator Clegg moved that Rule #24 be suspended to allow hearings to be scheduled for February 18 & 19 without a 5-day notice.

Adopted by the necessary 2/3 vote.

HOUSE MESSAGE

The House of Representatives is ready to meet in Joint Convention for the purpose of hearing Governor Craig Benson deliver his budget message.

RESOLUTION

Senator Johnson moved that the Senate meet in Joint Convention for the purpose of hearing Governor Craig Benson deliver his budget address.

Adopted.

In recess for Joint Convention.

Out of recess.

COMMITTEE REPORTS

SB 19-FN, relative to notification of groundwater contamination and repealing certain MTBE notification requirements for public water systems. Environment Committee. Ought to pass with amendment, Vote 3-1. Senator Prescott for the committee.

**Environment
February 6, 2003
2003-0206s
03/01**

Amendment to SB 19-FN

Amend RSA 485-C:14-b, II as inserted by section 1 of the bill by replacing it with the following:

II. Notification shall be made in writing within 30 days following confirmation of the contamination. Each property owner or public water supplier shall be notified at least once upon the discovery of contamination in an area. The commissioner shall provide the notification and may provide additional notification as the extent of contamination at a site is further determined and remediation occurs. This section shall apply only to groundwater contamination confirmed by sampling conducted by the department or at its direction.

Senator Prescott moved to recommit.

Adopted.

SB 19-FN is recommitted to the Environment Committee.

SB 67, relative to a report on municipal water needs. Environment Committee. Ought to Pass, Vote 4-0. Senator Barnes for the committee.

Adopted.

Ordered to third reading.

SB 16-FN, establishing a state employee recognition and award program. Executive Departments and Administration Committee. Ought to pass with amendment, Vote 4-0. Senator Prescott for the committee.

**Senate Executive Departments and Administration
February 6, 2003
2003-0201s
05/03**

Amendment to SB 16-FN

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

AN ACT establishing the governor's incentive and reward program.

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

1 Governor's Incentive and Reward Program. RSA 99-E is repealed and reenacted to read as follows:

CHAPTER 99-E
GOVERNOR'S INCENTIVE AND REWARD PROGRAM

99-E:1 Committee.

I. There is hereby established an evaluation committee to review employee suggestions and extraordinary service and to make awards.

II. The committee shall consist of:

- (a) The director of personnel, who shall serve as chairperson.
- (b) The commissioner of administrative services, or designee.
- (c) Two members, appointed by the governor, who shall serve 2-year terms, one of whom shall be selected from a list provided by a certified public employee bargaining unit.
- (d) One member of the senate, appointed by the senate president, who shall serve a term coterminous with the member's legislative term.
- (e) One member of the house of representatives, appointed by the speaker of the house of representatives, who shall serve a term coterminous with the member's legislative term.

III. The committee shall submit to the governor and the general court an annual report of its activities, including employees recognized and rewarded, and efficiencies realized. The report shall be submitted by October 1 of each year.

99-E:2 Awards. The committee shall recommend to the governor and council that awards be given to state employees as follows:

- I. Monetary awards for original suggestions to improve government cost savings or efficiency; or
- II. Non-monetary recognition for extraordinary service in the interest of the state. Any state employee shall be eligible based on a suggestion or service that is outside or beyond the employee's regular responsibilities or performance standards.

99-E:3 Administration of Monetary Awards Program.

I. A state employee interested in receiving a monetary award under RSA 99-E:2, I shall submit in writing an original proposal to the committee and the commissioner of administrative services. The written proposal shall include the employee's name, position, department, and the date and time of filing. Employees may jointly submit one proposal. If the same proposal is submitted more than once, the first to submit the written proposal to the committee and to the commissioner of administrative services shall be entitled to any award.

II. Within 90 days of receiving the proposal, the commissioner of administrative services shall inform the employee in writing whether the committee recommends that the proposal be implemented or not, or whether more information is needed.

III. Within 6 months of implementation, the department of administrative services shall determine the amount of cost savings resulting from implementation of the employee's original proposal.

IV. The committee shall submit all proposals to the governor, the speaker of the house of representatives, and the president of the senate, whether the proposals were implemented or not.

99-E:4 Amount of Monetary Awards.

I. An employee who is eligible for a monetary award under RSA 99-E:2 shall receive, at the discretion of the governor and council, a one-time award of either \$10,000 or 10 percent of the cost savings in the first year of implementation of the proposal, whichever is less.

II. An amount equal to the monetary award shall be paid from the department's budget during the first fiscal year of implementation. Any remaining savings shall lapse to the general fund. If the department is self-funding, the award shall be paid from the department's operating budget. The department head shall certify any amounts so appropriated to the director of personnel for transfer and payment to the employee.

99-E:5 Non-monetary Recognition. A state employee shall be eligible for recognition under RSA 99-E:2, II based on the recommendation of the employee's supervisor or department head, for extraordinary suggestions or services in the interest of the state which are beyond the employee's regular responsibilities or performance standards. The committee, in conjunction with the employee's supervisor, shall determine the appropriate form of non-monetary recognition to which the employee is entitled.

99-E:6 Entitlement. No person shall have any vested rights to recognition or award under this chapter.

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

2003-0201s

AMENDED ANALYSIS

This bill establishes the governor's incentive and reward program in which state employees may receive monetary recognition for original suggestions to improve government operations or non-monetary recognition for extraordinary service in the interest of the state.

Amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Referred to the Finance Committee (Rule #26).

SB 23-FN, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces. Executive Departments and Administration Committee.

Ought to pass with amendment, Vote 4-0. Senator Kenney for the committee.

Senate Executive Departments and Administration

February 6, 2003

2003-0202s

10/01

Amendment to SB 23-FN

Amend RSA 100-A:4, VI(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Credit for active service in the armed services shall not be made until the member has paid either in lump sum or, if permitted by the board of trustees, by installment deductions from pay from an employer. The actuary's statement shall be the product of the member's annual rate of compensation at the time of buy-in, multiplied by the sum of the member and employer contribution rates in effect with respect to the member at the time of buy-in, multiplied by the number of years of prior service credit bought.

Amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Referred to the Finance Committee (Rule #26).

SB 60-FN, relative to voluntary certification of persons installing or servicing propane gas or heating oil equipment. Executive Departments and Administration Committee. Ought to Pass, Vote 4-0. Senator Prescott for the committee.

Senator Prescott moved to have **SB 60-FN**, relative to voluntary certification of persons installing or servicing propane gas or heating oil equipment, laid on the table.

Adopted.

LAI D ON THE TABLE

SB 60-FN, relative to voluntary certification of persons installing or servicing propane gas or heating oil equipment.

SB 64-FN, relative to updating the drought management plan. Executive Departments and Administration Committee. Ought to Pass, Vote 4-0. Senator Cohen for the committee.

Adopted.

Referred to the Finance Committee (Rule #26).

SB 28-FN, relative to the transcription of hearings before standing committees of the senate. Internal Affairs Committee. Inexpedient to Legislate, Vote 4-1. Senator Boyce for the committee.

Committee report of inexpedient to legislate is adopted.

SB 62, relative to the application and enforcement of the state building code. Public Affairs Committee. Ought to Pass, Vote 4-1. Senator Barnes for the committee.

Adopted.

Ordered to third reading.

TAKEN OFF THE TABLE

Senator Boyce moved to have **SB 60-FN**, relative to voluntary certification of persons installing or servicing propane gas or heating oil equipment, taken off the table.

Adopted.

SB 60-FN, relative to voluntary certification of persons installing or servicing propane gas or heating oil equipment.

Question is on the adoption of the committee report of ought to pass.

Adopted.

Referred to the Finance Committee (Rule #26).

RESOLUTION

Senator Clegg moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that all bills ordered to third reading be by this resolution read a third time and all titles be the same as adopted, and that they be passed at the present time.

Adopted.

LATE SESSION

Third Reading and Final Passage

SB 62, relative to the application and enforcement of the state building code.

SB 67, relative to a report on municipal water needs.

ANNOUNCEMENTS

RESOLUTION

Senator Clegg moved that the Senate recess to the Call of the Chair for the sole purpose of introducing legislation, receiving House Messages, and receiving Enrolled Bill Reports and Amendments, and that when we adjourn, we adjourn to the Call of the Chair.

Adopted.

In recess to the Call of the Chair.