

GREATER NASHUA CHAMBER OF COMMERCE

THE CHAMBER

THE "BOTTOM LINE" LEGISLATIVE REPORT

A Weekly Report From the Chamber on Issues Affecting You in the State Capital

March 31, 2006

Issue #11

THE WEEK JUST PAST...

It was a reasonably quiet week at the State House last week. Neither the House nor Senate was in session. They were still resting up from their marathon sessions the week before. Good thing they killed **HB 1139**, the bill requiring 10 hours rest between shifts, as they would have been in violation of their own law. Prior to Crossover, which was last week, the House had voted on 832 bills. There are 130 Senate bills that have now crossed over to the House. As the weather is getting nice, the legislature will begin the wind-down. However, spring does bring forth usually the most important and contentious issues of the session.

Smoking In Your Favorite Restaurant Or Bar

A Toss-Up In The Senate. The Senate Finance Committee hearing last week on prohibiting smoking in restaurants and bars in the state lasted an entire afternoon. Every possible side of the issue was heard. The day after the hearing the Senate Finance Committee took maybe 2 minutes to vote a tie (3-3) on whether to pass or kill the prohibition. The bill goes to the Senate floor on Thursday with no recommendation. Expect a lengthy debate. Will smoking be banned in the live free or die state? If it is, it will be a testament to New Hampshire becoming a truly moderate state.

Identity Theft

HB 1660 provides for consumer notification when a breach of security of computerized data poses a risk of identity theft, continues its labored course through the legislative process. A Senate amendment to the bill, which will cover both private and public entities, has been endorsed in concept by all stakeholders, including the Chamber.

To the credit of the prime sponsor, Representative Hogencamp, many of the features of the original bill which would have been problematic, particularly for small businesses, have been amended to provide a workable notification bill with some reasonable consumer protections. Just prior to the Senate hearing on the bill, Representative Hogencamp and Representative Kurk, along with Senator Gottesman, presided over a lengthy meeting of concerned parties for the purpose of fashioning an amendment to address concerns with the House version of the bill. That

amendment was presented at the Senate Judiciary Committee hearing, and will likely serve as the working draft as the Committee wrestles with the bill.

There is little doubt that **HB 1660** will pass in some form, and the guess is that while it will be protective for the consumer, it will also be workable for the business community. The time period for notice to the consumer, which was amended on the floor of the House from 15 days to three (3) business days, has now been relaxed to provide for all reasonable opportunity to investigate a breach, assess its implications, and, if appropriate, provide notice “as soon as possible”. Additionally, the penalty provisions have been amended to provide for actual damages to a successful plaintiff and attorney’s fees, but provides enhanced damages only upon a finding of willful or knowing disregard for the notification requirements.

We expect that both the Governor’s Office and the Consumer Protection Division will be happy to see this bill finally enrolled and on its way to the governor for signature.

Revitalization Downtown Incentives Closer

HB 657, the downtown revitalization bill that the Chamber has supported strongly since introduction last year, has only two more hurdles before becoming reality. The Senate Public and Municipal Affairs Committee voted unanimously (6-0) to pass the legislation. It will go before the full Senate Thursday. As it is only enabling legislation, it should not be contentious, but we will closely work the bill anyway.

THE WEEKS AHEAD...

April 4, 2006

CACR 44 (limits on taking of private property by eminent domain) - Public Hearing - 11:00 a.m., LOB 208

<http://gencourt.state.nh.us/legislation/2006/CACR0044.html>

HB 678 (insurance premium tax) - Hearing - Noon, SH 100

<http://gencourt.state.nh.us/legislation/2006/HB0678.html>

HB 1452 (requiring insurance coverage for the cost of testing for bone marrow donation) - Hearing - 10:15 a.m., SH 100

<http://gencourt.state.nh.us/legislation/2006/HB1452.html>

SB 322 (business loan enhancement program and capital asset backed guarantee program) - Public Hearing - 9:30 a.m., LOB 210

<http://gencourt.state.nh.us/legislation/2006/SB0322.html>

SB 380 (research and development credit against business taxes) - Public Hearing - 2:00 p.m., LOB 202

<http://gencourt.state.nh.us/legislation/2006/SB0380.html>

SB 386 (large groundwater withdrawals) - Public Hearing - 11:00 a.m., LOB 305 <http://gencourt.state.nh.us/legislation/2006/SB0386.html>

SB 387 (energy efficiency loans and guarantees by the business finance authority) - Public Hearing - 10:00 a.m., LOB 210
<http://gencourt.state.nh.us/legislation/2006/SB0387.html>

SB 397 (temporary energy tax credit against the BET) - Public Hearing - 1:00 p.m., LOB 202
<http://gencourt.state.nh.us/legislation/2006/SB0397.html>

SB 407 (enforcement of labor statutes under current federal immigration laws) - Public Hearing - 10:00 a.m., LOB 204
<http://gencourt.state.nh.us/legislation/2006/SB0407.html>

April 5, 2006 **SB 314** (minimum renewable standards for energy portfolios) - Public Hearing - 2:00 p.m. or after session, LOB 304
<http://gencourt.state.nh.us/legislation/2006/SB0314.html>

April 6, 2006 **SB 287** (making certain changes to the eminent domain statute) - Subcommittee Work Session - 1:00 p.m., LOB 208
<http://gencourt.state.nh.us/legislation/2006/SB0287.html>

SB 369 (portability, availability and renewability of health coverage) - Public Hearing - 10:00 a.m., LOB 302
<http://gencourt.state.nh.us/legislation/2006/SB0369.html>

April 10, 2006 **HB 689** (jurisdiction of NH commission for human rights over housing discrimination cases) - Hearing - 1:30 p.m., SH 103
<http://gencourt.state.nh.us/legislation/2006/HB0689.html>

HJR 25 (encouraging the US Congress to propose an amendment to the Constitution concerning eminent domain) - Hearing - 1:10 p.m., SH 103
<http://gencourt.state.nh.us/legislation/2006/HJR0025.html>

April 11, 2006 **HB 1626** (appropriations for the expenses of certain departments of the state) - Hearing - 3:00 p.m., LOB 102
<http://gencourt.state.nh.us/legislation/2006/HB1626.html>

HB 1673 (reduction of mercury emissions) - Hearing - 3:15 p.m., LOB 102
<http://gencourt.state.nh.us/legislation/2006/HB1673.html>

HB 1741 (reporting requirements concerning infections in hospitals) - Hearing - 10:45 a.m., LOB 101
<http://gencourt.state.nh.us/legislation/2006/HB1741.html>

- April 12, 2006 **CACR 30** (limits on taking of private property by eminent domain) -
Hearing - 11:50 a.m., SH 100
<http://gencourt.state.nh.us/legislation/2006/CACR0030.html>
- April 18, 2006 **HB 1555** (cost drivers in providing health care) - Hearing - 10:15 a.m., LOB
101 <http://gencourt.state.nh.us/legislation/2006/HB1555.html>
- HB 1627** (assessment of open space land) - Hearing - 3:15 p.m., LOB 102
<http://gencourt.state.nh.us/legislation/2006/HB1627.html>
- HB 1751** (penalties for failure to have workers' compensation coverage) -
Hearing - 10:35 a.m., LOB 102
<http://gencourt.state.nh.us/legislation/2006/HB1751.html>
- April 19, 2006 **HB 1474** (unemployment compensation contribution rates and benefits) -
Hearing - 11:50 a.m., SH 100
<http://gencourt.state.nh.us/legislation/2006/HB1474.html>

Please contact Teresa Rosenberger, Devine, Millimet - (603) 410-1705, or the Greater Nashua Chamber of Commerce - (603) 881-8333, if you have any questions.