

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

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Issue #8

THE WEEK JUST PAST...

It seemed like the House met all week, and they only got through bills listed through Wednesday. Nearly every bill had a roll call. One wondered if they just enjoy their jobs or debating so much they might try to meet through the summer. What did they do:

Killed - **HB 1139** - 10 hours requirement of time between shifts;

Killed - **HB 1510** - leave of absences for legislators from work.;

Passed - **HB 1660** - requires any persons who own or license computerized data that includes personal information to notify affected individuals of any security breach as soon as they become aware of the breach. The penalty is consistent with similar corporate violations.

Passed - **HB 1751** - allowing Department of Labor to retroactively levy fines on an employer when the employer did not have workers comp coverage;

Passed - **HB 1752** - posting as part of "Know Your Rights" the classifications of workers as employees or independent contractors;

Passed - **HB 653** - allowing municipalities to bond for construction of broadband facilities;

Passed - **SB 363** - requiring the department of revenue administration to cease collection of any Internet-related communications services tax;

Tabled - **SB 381** - expanding business tax credits to enhance research and development;

RFIDs.

A bill, which had not previously received wide-spread attention, hit the Senate Public Affairs and Municipal Committee this week to a full room. **HB 203**, requiring labeling of tracking devices in consumer products, had been retained by the House Commerce Committee last session and been the subject of a goodly number of subcommittee work sessions. As amended by the subcommittee, the measure sailed through the full Committee with nary a dissenting vote. In that posture, the bill was adopted on voice vote by the House in January.

While setting up a commission to look at the consumer implications of radio frequency identification (RFID), **HB 203** also requires that items coded for purposes of tracking re:

inventory control, through the use of RFID be labeled as such with a “universally accepted symbol”. Because there is no such symbol presently recognized, this caused particular angst amongst the growing contingent of interests suddenly surfacing to oppose the bill. The State Employees Association, retailers, manufacturers, grocers, rental car companies, credit card companies, cellular phone companies, pharmaceutical manufacturers, vendors, and trade associations representing a wide array of interests all weighed in opposition.

Perhaps most interesting was the shift in the Committee’s focus during the testimony of the foremost proponent for limiting the use of the still developing technology, Katherine Albrecht, a New Hampshire resident and author of the book, *Spychips Threat*. Committee members seemed to shift gears from focusing on ways to legislate a not fully understood technology and shifted their interest to consideration of ways to limit “bad behavior” around the technology. It appears that the Committee may strip the bill of all sections except the commission. This will be an issue that should continue to draw a wide range of interested parties.

Eminent Domain.

The House this week continued its work on eminent domain, with the passage of **HJR 25**, which asks the U.S. Congress to propose a constitutional amendment stating that property may only be taken for public use. However, the House sent to interim study **CACR 40**, a proposed New Hampshire constitutional provision which specifies that eminent domain may be used not merely for a public purpose, but only for public use. That proposed constitutional revision will be considered in conjunction with all the other eminent domain bills which were likewise sent off to be studied further this summer and fall. This leaves the Senate eminent domain bill (**SB 287**) as the only major initiative which is still alive and kicking this session. **SB 287** has come over to the House and is going to be heard in the Judiciary Committee on March 28th.

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