

**May 2, 2003**  
**No. 21**

# **STATE OF NEW HAMPSHIRE**

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**Legislative**

## **SENATE CALENDAR**

**REPORTS, HEARINGS, MEETINGS & NOTICES**

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**THE SENATE WILL MEET IN SESSION ON  
THURSDAY, MAY 8, 2003 AT 10:00 A.M.**

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**LAI D ON THE TABLE**

**CACR 14**, relating to the funding of public education. Providing that the state shall fund an amount not less than 30 percent of the total average statewide expenditure for public education for kindergarten through grade 12 during the previous biennium and that the general court shall have the power to apportion this amount by statute; that the state shall assure the opportunity for an adequate public education for all pupils in the state in grades kindergarten through 12; and that no tax in any form on the value of real property shall be used to fund the state's obligation to cherish and support public education. **4/03/03, pending motion Re-refer to committee, Education, SJ 11, pg. 232**

**SB 12-FN-A-L**, establishing a property tax relief program for low income homeowners. **3/27/03, pending motion Re-refer to committee, Way & Means, SJ 10, pg. 203**

**SB 27**, extending the kindergarten construction program. **4/03/03, pending motion OTP with committee amendment failed, Finance, SJ 11 pg. 240**

**SB 37-FN**, increasing the amount paid to the firemen's relief fund from insurance department revenues. **3/27/03, pending motion OTP, Insurance, SJ 10 pg. 175**

**SB 38-FN-A-L**, (New Title) authorizing special number plates for firefighters. **4/03/03, pending motion ITL, Finance, SJ 11, pg. 240**

**SB 102-FN**, relative to the computation of tax on certain telecommunications services under the communications services tax. **3/20/203, pending motion committee amendment (0715s), Ways & Means, SJ 9, pg. 134**

**SB 106**, relative to the operation of personal watercraft. **4/03/03, pending motion ITL, Wildlife & Recreation, SJ 11, pg. 264**

**SB 144-FN**, relative to the lease agreement between the department of regional community-technical colleges and Pease development authority. **4/10/03, pending motion OTP, Finance, SJ 12, pg. 291**

**SB 151-FN-A-L**, relative to the taxation of telecommunications poles and conduits. **3/27/03, pending motion Re-refer to committee, Energy and Economic Development, SJ 10, pg. 147**

**SB 160-FN-A**, making a capital appropriation to continue construction of the vocational center in Nashua. **4/03/03, pending motion Re-refer to committee, Capital Budget, SJ 11, pg. 231**

**SB 189**, relative to certain automobile accidents. **4/10/03, pending motion Re-refer to committee, Insurance, SJ 12, pg. 302**

**SB 203-FN**, requiring the New Hampshire court system to automate mental health records to comply with federal law prohibiting possession of firearms by certain persons. **3/27/03, pending motion ITL, Judiciary, SJ 10, pg. 179**

**SB 208-FN**, establishing a property tax cap and abatement program. **3/27/03, pending motion Re-refer to committee, Ways & Means, SJ 10, pg. 209**

**SB 209**, relative to permissible campaign contributions by business organizations and labor unions. **4/03/03, pending motion Re-refer to committee, Internal Affairs, SJ 11, pg. 254**

**SB 214-FN-A**, establishing new positions in the department of health and human services and making an appropriation therefor. **4/10/03, pending motion OTP, Finance, SJ 12, pg. 294**

**SB 216-FN-A**, relative to the developmental services priority waiting list and making an appropriation therefor. **4/03/03, pending motion OTP, Finance, SJ 11, pg. 243**

**SB 217-FN**, relative to the calculation of average daily membership in residence for the purpose of calculating the cost of an adequate education. **4/10/03, pending motion ITL, Finance, SJ 12, pg. 294**

**SB 224-FN-A-L**, 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. **3/27/03, pending motion Re-refer to committee, Ways & Means, SJ 10, pg. 209**

**SCR 1**, urging a study of the operating efficiency of state government. **3/13/03, pending motion OTP, Internal Affairs, SJ 8, pg. 82**

**HB 79**, relative to the regulation of the installation and servicing of fire suppression systems. **4/03/03, pending motion Re-refer to committee, Executive Departments & Administration, SJ 11, pg. 236**

**HB 278-FN**, relative to certain acts of sexual assault. **4/24/03, pending motion OTP, Judiciary, SJ 14, pg. 336**

**HB 327**, establishing a committee to study the use of state vehicles. **4/17/03, pending motion ITL, Transportation, SJ 13, pg. 325**

**HB 477**, (New Title) establishing certain speed limits. **4/24/03 pending motion OTP, Transportation, SJ 14, pg. 337**

**HB 481**, (New Title) establishing a committee to study the pricing of milk products. **4/24/03, pending motion OTPA with committee amendment passed, Wildlife & Recreation, SJ 14, pg. 339**

**HB 676-FN**, relative to lake level investigations. **4/24/03, pending motion OTP, Environment, SJ 14, pg. 334**

## REPORTS

### BANKS

**HB 218**, relative to the definition of beneficially interested person.

Ought to Pass, Vote 2-0

Senator Foster for the committee.

**HB 423**, relative to safe deposit boxes.

Ought to Pass, Vote 3-0

Senator Barnes for the committee.

### EDUCATION

**HB 231**, requiring the department of education to develop a plan to address and reduce the number of persons awaiting vocational rehabilitation transition services.

Ought to Pass, Vote 2-0

Senator O'Hearn for the committee.

**HCR 3**, calling on the President and the Congress to fully fund the federal government's share of special education services in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act.

Ought to pass with amendment, Vote 2-0

Senator Foster for the committee.

### ENVIRONMENT

**HB 578-FN-A**, establishing a program for self-certification by small quantity hazardous waste generators and making an appropriation therefor.

Ought to Pass, Vote 5-0

Senator Barnes for the committee.

**HB 593-FN-L**, relative to solid waste facilities in small towns.

Ought to pass with amendment, Vote 3-0

Senator Cohen for the committee.

**HB 728-FN-A**, establishing a dedicated fund for organic certification inspections.

Ought to pass, Vote 3-0

Senator Johnson for the committee

#### **EXECUTIVE DEPARTMENTS & ADMINISTRATION**

**HB 208**, relative to name changes for inmates and parolees.

Ought to Pass, Vote 4-0

Senator Estabrook for the committee.

**HB 211**, relative to town clerk fee deposit requirements.

Ought to Pass, Vote 4-0

Senator Kenney for the committee.

**HB 258**, relative to the community-technical college system.

Re-refer to committee, Vote 4-0

Senator Kenney for the committee.

**HB 281-FN**, (New Title) exempting automatic irrigation system installers from licensure by the electrician's board.

Ought to pass with amendment, Vote 4-0

Senator Estabrook for the committee.

**HB 320**, relative to permitting additional contributions in the city of Manchester employees contributory retirement system.

Ought to pass with amendment, Vote 4-0

Senator Prescott for the committee.

**HB 368**, making technical corrections to the statutory list of dedicated funds.

Ought to Pass, Vote 4-0

Senator Cohen for the committee.

**HB 543**, (New Title) relative to increasing the membership of the board of accountancy and relative to appeals of board decisions.

Ought to pass with amendment, Vote 3-0

Senator Prescott for the committee.

**HB 617-FN**, relative to the licensure of dentists and regulation by the board of dental examiners.

Ought to pass with amendment, Vote 2-0

Senator Peterson for the committee.

**HB 791-FN-A**, (New Title) establishing a rest area and state liquor store retail opportunities commission.

Inexpedient to Legislate, Vote 4-0

Senator Prescott for the committee.

#### **INSURANCE**

**HB 228**, relative to conduct after an accident.

Inexpedient to Legislate, Vote 4-0

Senator Flanders for the committee.

**HB 269-FN**, relative to claims arising from clinical services provided to the department of health and human services.

Ought to Pass, Vote 4-0

Senator Martel for the committee.

**HB 596-FN**, relative to health plan loss information.

Re-refer to committee, Vote 4-0

Senator Flanders for the committee.

**HB 770-FN-A**, (New Title) establishing a committee to study using tax policy to create incentives to encourage employers to hire disabled persons.

Ought to pass with amendment, Vote 2-0

Senator Prescott for the committee.

### **INTERNAL AFFAIRS**

**HB 394**, relative to incompatible offices.

Ought to Pass, Vote 2-0

Senator Boyce for the committee.

**HB 658-FN**, relative to impersonation of candidates.

Ought to Pass, Vote 2-0

Senator Flanders for the committee.

**HB 745**, relative to voters presenting identification to obtain a ballot.

Inexpedient to Legislate, Vote 2-0

Senator Boyce for the committee.

### **INTERSTATE COOPERATION**

**HB 332-FN**, relative to the use of prerecorded telephone messages by candidates and political committees.

Ought to pass with amendment, Vote 4-0

Senator Clegg for the committee.

**HB 343**, establishing a boundary commission to determine the boundary between New Hampshire and Maine.

Ought to pass with amendment, Vote 4-0

Senator Johnson for the committee.

**HCR 5**, urging Congress to permit satellite television subscribers to select in-state broadcast signals.

Ought to Pass, Vote 3-0

Senator Johnson for the committee.

### **JUDICIARY**

**HB 121**, relative to grounds for modification of a permanent child custody order.

Re-refer to committee, Vote 5-0

Senator Sapareto for the committee.

**HB 123**, relative to notice given to putative fathers in adoption proceedings.

Ought to pass with amendment, Vote 3-1

Senator Clegg for the committee.

**HB 153-FN**, relative to grounds for termination of parental rights.

Ought to Pass, Vote 4-0

Senator Roberge for the committee.

**HB 180**, relative to proceedings for termination of parental rights.

Inexpedient to Legislate, Vote 5-0

Senator Sapareto for the committee.

**HB 192**, relative to disposal of controlled drugs in possession of law enforcement officers.

Ought to Pass, Vote 4-0

Senator Clegg for the committee.

**HB 195**, (New Title) prohibiting all part-time district court judges and district court clerks from practicing law in the district courts.

Ought to pass with amendment, Vote 5-0

Senator Sapareto for the committee.

**HB 206**, relative to filing of complaints for violation-level offenses.

Inexpedient to Legislate, Vote 5-0

Senator Clegg for the committee.

**HB 214**, relative to discovery deposition of minors in criminal cases.

Ought to pass with amendment, Vote 5-0

Senator Clegg for the committee.

**HB 215**, relative to expungement of records contained in the DNA database.

Ought to pass with amendment, Vote 5-0

Senator Sapareto for the committee.

**HB 487**, relative to protective custody of a person impaired by drugs.

Inexpedient to Legislate, Vote 5-0

Senator Sapareto for the committee.

**HB 521-FN**, relative to requiring treatment for persons convicted of DWI offenses.

Ought to Pass, Vote 5-0

Senator Clegg for the committee.

**HB 659-FN**, relative to penalties for failure to obey a subpoena or summons.

Ought to Pass, Vote 2-0

Senator Foster for the committee.

### **PUBLIC AFFAIRS**

**HB 461**, establishing a commission to study financial exploitation of the elderly and persons with disabilities.

Ought to Pass, Vote 3-0

Senator Roberge for the committee.

**HB 506**, (New Title) relative to health club membership initiation fees and renewal practices.

Ought to Pass, Vote 3-0

Senator Morse for the committee.

### **PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES**

**HB 149**, (New Title) relative to patient rights and disclosures.

Inexpedient to Legislate, Vote 5-0

Senator Boyce for the committee.

**HB 196**, establishing a commission to study means to integrate services for people with co-occurring disorders.

Inexpedient to Legislate, Vote 3-1

Senator Martel for the committee.

**HB 225**, extending the task force on deafness and hearing loss and changing the task force's membership and duties.

Ought to Pass, Vote 5-0

Senator Kenney for the committee.

**HB 393**, extending the reporting dates for certain study committees.

Ought to pass with amendment, Vote 4-1

Senator Martel for the committee.

**HB 533**, relative to health carrier disclosure for medical child support enforcement.

Ought to Pass, Vote 5-0

Senator Martel for the committee.

### **TRANSPORTATION**

**HB 379**, relative to penalties for OHRV violations by underage operators.

Ought to pass with amendment, Vote 5-0

Senator Flanders for the committee.

**HB 402**, relative to child passenger restraints.

Ought to pass with amendment, Vote 5-0

Senator Martel for the committee.

**HB 497**, relative to inactive status licenses.

Ought to Pass, Vote 4-0

Senator Flanders for the committee.

**HB 560**, (New Title) relative to penalties for operating an aircraft while under the influence of alcohol or drugs and making a technical correction.

Ought to pass with amendment, Vote 5-0

Senator Flanders for the committee.

**HB 561**, repealing the Uniform Aircraft Financial Responsibility Act.

Ought to Pass, Vote 3-0

Senator Flanders for the committee.

**HB 661-FN-L**, relative to Westport Village Road in the town of Swanzey.

Ought to Pass, Vote 5-0

Senator Martel for the committee.

**HB 699-FN**, relative to abandoned vehicles.

Ought to pass with amendment, Vote 5-0

Senator Kenney for the committee.

**HB 711-FN**, relative to the regulation of retail installment sales of motor vehicles.

Ought to pass with amendment, Vote 4-0

Senator Kenney for the committee.

**HB 819**, relative to original and youth operators' licenses.

Ought to Pass, Vote 4-0

Senator Flanders for the committee.

**HB 828-FN-A-L**, (New Title) establishing a committee to study the effect of alternative transportation on state revenues.

Inexpedient to Legislate, Vote 3-1

Senator Martel for the committee.

### **WILDLIFE & RECREATION**

**HB 515**, (New Title) excluding certain agreements between fish and game licensees and landowners from the right-to-know law.

Ought to Pass, Vote 3-0

Senator Sapareto for the committee.

**HB 529**, relative to the New Hampshire seed law.

Ought to Pass, Vote 2-0

Senator Cohen for the committee.

**HB 690-FN**, relative to agricultural crop damage.

Ought to pass with amendment, Vote 4-0

Senator Cohen for the committee.

**HB 766**, relative to the information required for a license to carry a pistol or revolver.

Ought to Pass, Vote 4-0

Senator Sapareto for the committee.

**HB 768**, (New Title) establishing a committee to study the flow in the Connecticut River and the effect of the flow on water levels in Lake Francis and the Connecticut Lakes, and to study the use of certain state-owned property along the Baker River.

Ought to pass with amendment, Vote 3-0

Senator Roberge for the committee.

**HB 808**, relative to proof of residency and resident tax payment for receiving resident fish and game licenses.

Ought to Pass, Vote 3-0

Senator Sapareto for the committee.

**HB 811**, (New Title) relative to limiting the liability of manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from misuse.

Ought to Pass, Vote 3-0

Senator Sapareto for the committee.

## **AMENDMENTS**

**Senate Judiciary**

**April 28, 2003**

**2003-1408s**

**05/10**

### **Amendment to HB 123**

Amend the bill by inserting after the enacting clause the following and renumbering the original sections 1-3 to read as 2-4, respectively:

1 Legislative Findings and Intent. The general court finds it necessary at this time to restate and reaffirm the public policy that a putative father who has either been identified by the birth mother or who has, by any of a number of possible means, demonstrated that he wishes to play an active, responsible role in the child's rearing is entitled to notice of a pending adoption of the child.



Amend the bill by replacing section 2 with the following:

2 Adoption; Notice to Person Claiming Paternity and Hearing to Determine Right to Consent. Amend RSA 170-B:5-a to read as follows:

170-B:5-a Notice to Person Claiming Paternity and Hearing to Determine Right to Consent.

I. ***In an intrastate or interstate adoption, but not in an international adoption***, the following persons shall be given notice by the court and shall have the right to request a hearing to prove paternity:

(a) A person named by the natural mother in an affidavit:

(1) Filed with the court[-]; ***and***

(2) ***Given prior to or at the time of*** the mother voluntarily relinquishing her rights pursuant to RSA 170-B:8, the mother consenting to an adoption pursuant to RSA 170-B:9, or the mother's parental rights being involuntarily terminated.

(b) The natural or legal father, if his identity is known by the court, the adoption agency which is legal guardian of the child, or the proposed adoptive parents or their attorney, prior to the mother voluntarily relinquishing her rights pursuant to RSA 170-B:8, the mother consenting to an adoption pursuant to RSA 170-B:9, or the mother's parental rights being involuntarily terminated.

(c) A person who claims to be the father and who has filed notice of his claim of paternity with the office of child support enforcement ***in what shall be known as the New Hampshire putative father registry or in the putative father registry of the state where the child was born*** [upon the forms supplied thereby]. ***In an interstate adoption, the petitioner shall provide the court with the address and telephone number of the putative father registry in the state where the child was born. In New Hampshire, the notice form shall be supplied by the office of child support enforcement and*** shall indicate the claimant's willingness and intent to support the child to the best of his ability. The notice form may be filed prior to the birth of the child but must be filed prior to the mother's rights being voluntarily relinquished pursuant to RSA 170-B:8, the mother consenting to an adoption pursuant to RSA 170-B:9, or involuntarily terminated. Failure to file the notice prior to this time shall bar the alleged father from thereafter bringing an action to establish his paternity of the child, and shall constitute an abandonment of said child and a waiver of any right to a notice of hearing in any adoption proceeding concerning the child.

(d) A person who is openly living with the child or the child's mother ~~and~~ ***or*** providing financial support to the mother or child at the time any action under this chapter is initiated and who is holding himself out to be the child's father prior to the mother voluntarily relinquishing her rights pursuant to RSA 170-B:8, the mother consenting to an adoption pursuant to RSA 170-B:9, or the mother's parental rights being involuntarily terminated.

II. Any person entitled to notice under paragraph I shall be provided 30 days from the date of notice to request a hearing at which he shall have the burden of proving that he is the father of the child. The failure to request such hearing within 30 days from the date of notice shall result in a forfeiture of all parental rights and any right to notice of any adoption proceedings concerning the child.

***III. This section shall be construed broadly in favor of providing a putative father with notice of a pending adoption and an opportunity to request a hearing to prove paternity.***

Senate Judiciary

May 1, 2003

2003-1470s

09/04

#### Amendment to HB 195

Amend RSA 502-A:21 as inserted by section 1 of the bill by replacing it with the following:

502-A:21 Disqualifications of Justices[-ete]. No justice, associate justice, special justice or clerk of any district ~~[or municipal]~~ court shall be retained or employed as attorney in any action, complaint, or proceeding pending in his court or which has been examined or tried therein. No such justice ~~[or]~~, associate justice, ***special justice, or clerk*** shall be retained or employed as an attorney in any matter pending before any other district ~~[or municipal]~~ court ***justice***. ~~[No special justice of any municipal or district court shall appear in any municipal or district court representing a client in a criminal case.]~~ No attorney shall be permitted to practice before any district ~~[or municipal]~~ court where any justice, associate justice, or special justice thereof is associated with said attorney in the practice of law.

**Senate Judiciary**  
**April 18, 2003**  
**2003-1331s**  
**09/01**

**Amendment to HB 214**

Amend RSA 517:13, V as inserted by section 1 of the bill by replacing it with the following:

V. Notwithstanding this section, no party in a criminal case shall take the discovery deposition of a victim ~~[who was 16 years of age or under at the time of the alleged offense or of any witness who was 16 years of age or under at the time of the alleged offense]~~ ***or witness who has not achieved the age of 16 years at the time of the deposition.***

**2003-1331s**

**AMENDED ANALYSIS**

This bill prohibits discovery depositions in criminal cases of victims and witnesses who are under 16 years of age at the time of the deposition.

**Senate Judiciary**  
**April 22, 2003**  
**2003-1357s**  
**04/05**

**Amendment to HB 215**

Amend RSA 651-C:5, I as inserted by section 1 of the bill by replacing it with the following:

I. A person whose DNA record has been included in the database pursuant to this chapter may request expungement on the grounds that the criminal conviction on which the authority for including such person's DNA record was based has been reversed ~~[and]~~ ***or*** the case dismissed, ***provided that such person requesting expungement has no other criminal convictions which would require inclusion of his or her record in the database.*** The department shall purge all records and identifiable information in the database pertaining to the person and destroy all samples from the person upon receipt of a written request for expungement pursuant to this section and a certified copy of the court order reversing and dismissing the conviction.

**Senate Executive Departments and Administration**  
**April 25, 2003**  
**2003-1396s**  
**08/01**

**Amendment to HB 281-FN**

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

AN ACT relative to regulation of irrigation system electricians by the electrician's board.

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

1 New Paragraphs; Definitions. Amend RSA 319-C:2 by inserting after paragraph I the following new paragraphs:

I-a. "Automatic irrigation system installations" means the installation, repair, alteration, and maintenance of electrical conductors, fittings, devices, fixtures and equipment, for automatic irrigation systems operating at 30 volts or less. The term does not include the installation of the controller supply circuit. This shall not prohibit installing a supply circuit that only includes the insertion of an attachment plug or transformer into a fixed receptacle outlet.

I-b. "Automatic irrigation system electrician" means a person who, as a business, hires or employs another to make electrical installations on automatic irrigation systems operating at less than 30 volts, or without hiring another, makes electrical installations on automatic irrigation systems operating at less than 30 volts, including associated controls as a principal or auxiliary business for its own account.

II-c. "Automatic irrigation system electrician trainee" means a person who is engaged in learning and assisting in making electrical installations under the direct supervision of a automatic irrigation system electrician, a journeyman electrician as defined in RSA 319-C:2, IV, or a master electrician.

2 Rulemaking. Amend the introductory paragraph of RSA 319-C:6-a, II to read as follows:

II. The qualifications of applicants, ***other than an applicant for an automatic irrigation system electrician or trainee***, in addition to those requirements established under this chapter, and including the qualifications for satisfactory evidence of:

3 New Paragraph; Rulemaking. Amend RSA 319-C:6-a by inserting after paragraph II the following new paragraph:

II-a. The qualifications of applicants for automatic irrigation system electrician or trainee in addition to those requirements established under this chapter, and including satisfactory evidence of good professional character.

4 New Paragraph; Licensing Requirements. Amend RSA 319-C:7 by inserting after paragraph II-a the following new paragraph:

II-b. The board shall issue a license as an automatic irrigation system electrician to any person who files an application and shows proof of successfully completing a national, state, or employer certification program approved by the board.

5 Renewal of Licenses. Amend RSA 319-C:9, II to read as follows:

II. Upon request of a master, journeyman, [or] high/medium voltage, ***or automatic irrigation system*** electrician who is serving in the Armed Forces of the United States, the board shall place such licensee on inactive status. The license for a master or journeyman electrician may be reactivated within one year of discharge by payment of the renewal fee and with proof of completion of the most current continuing education requirement. The license for a high/medium voltage ***or automatic irrigation system*** electrician shall be reactivated within one year of discharge by payment of the renewal fee.

6 New Paragraph; Corporations and Partnerships. Amend RSA 319-C:10 by inserting after paragraph II the following new paragraph:

III. The board may issue a license to corporations or partnerships engaged in the business of making electrical installations on automatic irrigation systems operating at less than 30 volts; provided, that one or more officers or employees of any such corporation directly in charge of the electrical business affairs of such corporation, or a member of a partnership directly in charge of its business affairs, is a licensed master electrician or a automatic irrigation system electrician.

7 Effective Date. This act shall take effect July 1, 2003.

**2003-1396s**

#### AMENDED ANALYSIS

This bill requires licensing for automatic irrigation system electricians.

**Senate Executive Departments and Administration**

**April 24, 2003**

**2003-1388s**

**10/09**

#### **Amendment to HB 320**

Amend the bill by replacing all after section 2 with the following:

3 Referendum. At an election to be held in the city in either September or November, 2003, the city clerk then in office shall cause to be included on the ballot the following statement and question: "A contributory retirement plan for city employees was adopted by the voters of Manchester at the November 1973 election. The plan became effective in January 1974, and now, benefit improvements are requested. Are you in favor of the passage of an act of the General Court of 2003, amending sections 5 and 9 of the city of Manchester employees contributory retirement system to provide for additional contributions and vacancies in the board of trustees?" Beneath this statement and question shall be printed the word "Yes" and the word "No" with a square immediately opposite such word in which the voter may indicate his or her choice. If a majority of the voters present and voting on the question shall signify their approval thereof, this act shall be declared adopted effective as of the date of the election, except as otherwise provided within the act. The city clerk shall, within 10 days after said election, certify to the secretary of state the result of the vote on the question.

4 Manchester Retirement System Legislation; HB 321 of the 2003 Session; Election Date for Referendum Corrected. Amend section 3 of HB 321 of the 2003 legislative session to read as follows:

3 Referendum. At [the] ***an*** election to be held in the city in ***either September or*** November, [2004] ***2003***, the city clerk then in office shall cause to be included on the ballot the following statement and question: "A contributory retirement plan for city employees was adopted by the voters of Manchester at the November 1973 election. The plan became effective in January 1974, and now, benefit improvements are requested. Are you in favor of the passage of an act of the General Court of 2003, amending sections 16 and 18 of the city of Manchester employees contributory retirement system to provide for changes in accidental and ordinary death benefits?" Beneath this statement and question shall be printed the word "Yes" and the word "No" with a square immediately opposite such word in which the voter may indicate his or her choice. If a majority of the voters present and voting on the question shall signify their approval thereof, this act shall be declared adopted effective as of the date of the election, except as otherwise provided within the act. The city clerk shall, within 10 days after said election, certify to the secretary of state the result of the vote on the question.

5 Effective Date.

I. Section 3 of this act, relative to the referendum, shall take effect upon its passage. If the provisions of sections 1 and 2 of this act shall be adopted as provided in section 3, said provisions shall be declared adopted and shall become effective on the date of the election.

II. The remainder of this act shall take effect upon its passage.

**2003-1388s**

#### AMENDED ANALYSIS

This bill allows for additional contributions for retirement benefits for members of the Manchester retirement system. The bill also provides for continuity of members of the board of trustees. The provisions of the bill are subject to a referendum vote in the city of Manchester.

The bill also corrects the date of the election in the city of Manchester for HB 321 of the 2003 legislative session.

#### **Interstate Cooperation**

**April 24, 2003**

**2003-1376s**

**03/01**

#### **Amendment to HB 332-FN**

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

AN ACT relative to the use of prerecorded telephone messages for political advocacy.

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

1 Definitions; Communication. Amend RSA 664:2, VII to read as follows:

VII. "Communication" shall include, but not be limited to, publication in any newspaper or other periodical, broadcasting on radio, television, or over any public address system, ***transmission by telephone***, placement on any billboards, outdoor facilities, window displays, posters, cards, pamphlets, leaflets, flyers, or other circulars, or in any direct mailing.

2 New Subparagraph; Political Advertising; Signature, Identification, and Lack of Authorization; Telephone. Amend RSA 664:14, IV by inserting after subparagraph (b) the following new subparagraph:

(c) Any political advertising in the form of a prerecorded message transmitted by telephone shall, within the first 60 seconds of the message, disclose the name and telephone number of the candidate, committee, or other person paying for the telephone call.

3 New Paragraph; Political Advertising; Signature, Identification, and Lack of Authorization. Amend RSA 664:14 by inserting after paragraph VI the following new paragraph:

VII. Any person who knowingly causes any communication that violates this section to be received within the state of New Hampshire shall be guilty of a misdemeanor if a natural person or shall be guilty of a felony if any other person.

4 Effective Date. This act shall take effect January 1, 2004.

**2003-1376s****AMENDED ANALYSIS**

This bill requires that any political advertising in the form of a prerecorded telephone message disclose the name and telephone number of the candidate, committee, or other person paying for the telephone call. This bill also requires that violations of the political advertising identification law meet a knowing standard of conduct for criminal penalties to apply.

**Interstate Cooperation****April 24, 2003****2003-1377s****05/10****Amendment to HB 343**

Amend subparagraph I(b) as inserted by section 2 of the bill by replacing it with the following:

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

**Senate Transportation****May 2, 2003****2003-1471s****10/09****Amendment to HB 379**

Amend RSA 215-A:19, IV(b) as inserted by section 2 of the bill by replacing it with the following:

***(b) Notwithstanding RSA 169-B and RSA 169-D, any minor who violates a provision of this chapter shall not be considered a delinquent or a child in need of services. Any minor who violates a provision of this chapter shall be guilty of a violation and may be punished by a fine for each offense, may have his or her OHRV safety training certification suspended for up to 6 months, and may be required to complete community service or to complete additional OHRV safety training.***

Amend the bill by deleting section 4 and renumbering the original section 5 to read as 4.

**2003-1471s****AMENDED ANALYSIS**

This bill allows for operators of OHRVs who are minors to be punished for violation of the OHRV laws. The bill also allows for the liability of the owner of the OHRV if used by a minor in a violation of the OHRV laws.

**Public Institutions, Health and Human Services****April 23, 2003****2003-1368s****04/05****Amendment to HB 393**

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

AN ACT extending the reporting date for the commission to study the relationship between public health and the environment.

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2.

**2003-1368s****AMENDED ANALYSIS**

This bill extends the final report date of the commission to study the relationship between public health and the environment established in 2000, 114 as amended by 2001, 23, from November 1, 2002 to November 1, 2004.

**Senate Transportation**  
**April 25, 2003**  
**2003-1395s**  
**03/01**

**Amendment to HB 402**

Amend the bill by replacing section 1 with the following:

1 Child Passenger Restraints Required. Amend RSA 265:107-a, I to read as follows:

I. No person shall drive a motor vehicle on any way while carrying as a passenger a person less than 18 years of age unless such person is wearing a seat or safety belt which is properly adjusted and fastened. ~~[or] If the [person]~~ **passenger** is less than ~~[4]~~ **6** years of age **and is less than 55 inches in height**, ~~[un-~~  
~~less such person is]~~ **the passenger shall be** properly fastened and secured by a child passenger restraint which is in accordance with the safety standards approved by the United States Department of Transportation in 49 C.F.R. section 571.213. **Except as provided in paragraph II**, no person shall drive a motor vehicle on any way while carrying as a passenger a person less than 18 years of age unless the motor vehicle was designed for and equipped with the passenger restraints specified above.

**2003-1395s**

**AMENDED ANALYSIS**

This bill makes the child passenger restraint requirement apply to a passenger less than 6 years of age and less than 55 inches in height. The requirement currently applies to persons less than 4 years of age.

**Senate Executive Departments and Administration**  
**April 24, 2003**  
**2003-1389s**  
**10/09**

**Amendment to HB 543**

Amend RSA 309-B:12, X as inserted by section 2 of the bill by replacing it with the following:

X. Any person or firm adversely affected by any order of the board entered after a hearing under this section may appeal such order by filing a written petition with the superior court in the county in which the respondent resides or, if not a resident of this state, in the county in which the respondent has a place of business or resident agent. The petition shall be filed within 30 days after the entry of the order. ~~[The respondent shall exhaust all applicable administrative procedures before periodical review may commence.]~~  
**An appeal shall suspend the order of the board. The record of the hearing of the board's action shall be presented to the superior court for its review and the superior court may affirm, reverse, or modify the board's order; or may order a trial de novo without a jury, as justice may require.**  
 The procedures for review and the scope of the review **of an appeal to the supreme court** shall be ~~[as specified in RSA 541-A, the New Hampshire Administrative Procedure Act]~~ **pursuant to RSA 541.**

**Senate Transportation**  
**April 17, 2003**  
**2003-1324s**  
**09/10**

**Amendment to HB 560**

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

AN ACT relative to penalties for operating an aircraft while under the influence of alcohol or drugs, relative to fees related to aircraft, and making a technical correction.

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

1 Prohibitions. Amend RSA 422:28, XII to read as follows:

XII. For any person to enter the grounds of an airport posted against such entry in accordance with RSA ~~[635:4]~~ **635** without the express consent of the airport manager.

2 New Section; Implied Consent of Operator of Aircraft to Submit to Testing to Determine Alcohol Concentration. Amend RSA 422 by inserting after section 28 the following new section:



422:28-a Implied Consent of Operator of Aircraft to Submit to Testing to Determine Alcohol Concentration. Any person who operates or attempts to operate an aircraft on the ground, on the public waters, or in the air in this state shall be deemed to have given consent to physical tests and examinations for the purpose of determining whether the person is under the influence of intoxicating liquor or controlled drugs, and to a chemical, infrared molecular absorption or gas chromatograph test or tests of any or all of any combination of the following: blood, urine, or breath for the purpose of determining the controlled drug content of the person's blood or alcohol concentration if arrested for any offense arising out of acts alleged to have been committed while the person was operating, attempting to operate, or in actual physical control of an aircraft while under the influence of intoxicating liquor or controlled drugs or while having an alcohol concentration of 0.04 or more. The test or tests shall be administered at the direction of a peace officer having reasonable grounds to believe the person to have been operating, attempting to operate, or in actual physical control of an aircraft in this state while under the influence of intoxicating liquor or controlled drugs or while having an alcohol concentration of 0.04 or more. A copy of the report of any such test shall be furnished by the law enforcement agency to the person tested within 48 hours of receipt of the report by the agency by certified mail directed to the address shown on identification furnished by the person. Results of a test of the breath shall be furnished immediately in writing to the person tested by the law enforcement officer conducting the test.

3 Penalties. Amend RSA 422:29, VI to read as follows:

VI. Any person who operates *or attempts to operate an aircraft* while under the influence of intoxicating liquor or of any controlled drug as prohibited by this chapter or 14 C.F.R. ~~[section 91.11]~~ **Part 91** as amended shall be guilty of a class B felony *and be subject to the same penalties as a person convicted of a violation of RSA 265:82 as specified in RSA 265:82-b, I(c). Any conviction under this section shall be reported to the department of safety, division of motor vehicles and shall become a part of the motor vehicle driving record of the person convicted.*

4 Aviation Users Advisory Board, Membership. Amend the introductory paragraph of RSA 21-L:8, I to read as follows:

I. There shall be an aviation users advisory board consisting of 7 members. All members, except the members set forth in subparagraphs (c), (d), and (g), shall hold a valid pilot's certificate at the time of appointment. The members shall be appointed by the governor, with the consent of the council, and shall include the following:

5 New Paragraphs; Fee for Certified Copies and Replacement of Lost Decal. Refund of Overpayments. Amend RSA 422:31 by inserting after paragraph VII the following new paragraphs:

VIII. The division may issue a certified copy of any certificate of registration or registration decal which may have been lost or mutilated, upon the written request of the person entitled to the certified copy and the payment of a fee of \$10.

IX. If any person tenders a payment to the division in excess of the sum lawfully due, and the overpayment is less than \$5, the department may, in its discretion, disregard the overpayment if the cost to the state to refund the overpayment would exceed the amount involved.

6 New Paragraph; Public Aircraft Exempted From Registration Fee. Amend RSA 422:32 by inserting after paragraph IV the following new paragraph:

V. A fee for the registration of public aircraft.

7 Effective Date.

I. Sections 2 and 3 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.

**2003-1324s**

#### AMENDED ANALYSIS

This bill establishes implied consent to alcohol concentration testing and penalties for persons who operate or attempt to operate aircraft while under the influence of alcohol or controlled drugs. The bill also makes a technical correction to the prohibitions provision of the New Hampshire Aeronautics Act.

The bill also exempts public aircraft from registration fees and imposes a fee for a certified copy of an aircraft certificate of registration or registration decal.

**Senate Environment**  
**April 30, 2003**  
**2003-1455s**  
**06/09**

**Amendment to HB 593-FN-LOCAL**

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

1 New Paragraph; Small Town Exemption. Amend RSA 149-M:9 by inserting after paragraph XII the following new paragraph:

XIII.(a) No permit issued by the department to a town with a population of 5000 persons or fewer shall require the town to clean up an inactive, municipally owned, unlined landfill (inactive facility) if the town:

(1) Monitors the inactive facility in accordance with requirements established in RSA 485-C and RSA 149-M and rules adopted by the department.

(2) Continues to show, through monitoring devices, that the inactive facility is having no adverse impact, as defined in rules adopted by the department, on the environment.

(3) Has obtained approval of a closure plan from the department by January 30 of the calendar year in which the facility is scheduled to close by the department.

(b) A town which complies with the requirements of subparagraph (a) shall not lose grant funding for which the town is eligible under this chapter.

(c) This paragraph shall not apply to those facilities governed under the terms of 40 CFR Part 258.

2 Effective Date. This act shall take effect 60 days after its passage.

**2003-1455s**

**AMENDED ANALYSIS**

This bill exempts towns with a population of 5,000 or fewer from cleaning up an inactive public solid waste facility as long as the inactive facility is monitored, the monitoring shows that it has no adverse impact on the environment, and approval of a closure plan has been obtained from the department. A town which complies with these requirements shall not lose its grant funding under RSA 149-M.

**Senate Executive Departments and Administration**  
**April 22, 2003**  
**2003-1344s**  
**10/01**

**Amendment to HB 617-FN**

Amend the bill by replacing sections 7 and 8 with the following:

7 Professional Misconduct; Guidelines. Amend the introductory paragraph of RSA 317-A:17, II(g) to read as follows:

(g) Failure to follow the current guidelines of the American Dental Association, ***as adopted, in whole or in part, by the board, as published in:***

8 Professional Misconduct; Code of Ethics. Amend RSA 317-A:17, II(j) to read as follows:

(j) Knowingly or willfully violating any provision of this chapter, any substantive rule or order of the dental board, ~~[the code of ethics of the New Hampshire Dental Society or the American Dental Association, or]~~ any federal, state or local controlled drug law or other federal, state, or local laws or regulations pertaining to the practice of dentistry, ***and the code of ethics of the American Dental Association as reviewed and approved, in whole or in part, by the board.***

**Wildlife and Recreation**  
**April 23, 2003**  
**2003-1367s**  
**08/01**

**Amendment to HB 690-FN**

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

AN ACT relative to agricultural vandalism.



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

1 New Section; Agricultural Vandalism; Penalties. Amend RSA 539 by inserting after section 8 the following new section:

539:9 Agricultural Vandalism; Penalties.

I. Whoever shall knowingly cut, fell, destroy, injure, damage, cause to be damaged, carry away, tamper with, worry, or vandalize any legal crop or legal crop bearing tree or plant, cropland, pasture, or pasture land livestock or other farm raised animals, as defined in RSA 21:34-a, and all farm buildings, enclosures, structures, or equipment used in the care and production of crops, livestock or other farm raised animals or aid in such action without permission of the owner, shall forfeit to the person injured up to 10 times the market value or repair cost.

II. A person who violates the provisions of paragraph I shall also be guilty of a class B felony if the actual loss or cost of repair is \$10,000 or more, or a misdemeanor if the actual loss or cost of repair is less than \$10,000.

2 Effective Date. This act shall take effect January 1, 2004.

**Senate Transportation**

**May 2, 2003**

**2003-1475s**

**03/04**

**Amendment to HB 699-FN**

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect 60 days after its passage.

**Senate Transportation**

**April 25, 2003**

**2003-1394s**

**06/01**

**Amendment to HB 711-FN**

Amend RSA 361-A:2-b, I(c) as inserted by section 5 of the bill by replacing it with the following:

***(c) In lieu of the requirements of subparagraph (b), licensees may submit copies of their most recent Securities and Exchange Commission 10K and 10Q statements.***

Amend the bill by replacing section 15 with the following:

15 Repeal. The following are hereby repealed:

I. RSA 361-A:1, XIV, relative to the definition of commissioner.

II. RSA 361-A:11, II, relative to an additional penalty for engaging in the business of a retail seller or sales finance company without a license.

**Wildlife and Recreation**

**April 30, 2003**

**2003-1459s**

**06/01**

**Amendment to HB 768**

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

AN ACT establishing a committee to study the flow in the Connecticut River and the effect of the flow on water levels in Lake Francis and the Connecticut Lakes.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the flow in the Connecticut River and the effect of the flow on water levels in Lake Francis and the Connecticut Lakes.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the flow in the Connecticut River, its effect on Lake Francis and the Connecticut Lakes, and its effect on the dams that generate power from the flow in the river. The

committee shall develop a recommendation for the minimum water level to be maintained at the Murphy Dam on Lake Francis to balance the competing needs of conservation, recreation, agriculture, and power production.

**2003-1459s**

#### AMENDED ANALYSIS

This bill establishes a committee to study the flow in the Connecticut River and the effect of the flow on water levels in Lake Francis and the Connecticut Lakes.

**Senate Insurance**

**April 24, 2003**

**2003-1387s**

**09/01**

#### Amendment to HB 770-FN-A

Amend paragraph I of section 2 of the bill by replacing it with the following:

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

- (a) Five members of the house of representatives, appointed by the speaker of the house.
- (b) One member of the senate, appointed by the president of the senate.

**Senate Education**

**April 24, 2003**

**2003-1386s**

**08/01**

#### Amendment to HCR 3

Amend the resolution by replacing the first paragraph after the resolving clause with the following:

That the New Hampshire general court urges the President and the Congress to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States as promised under the Individuals with Disabilities Education Act to ensure that all children, regardless of disability, receive a quality education and are treated with the dignity and respect they deserve; and

## HEARINGS

***TUESDAY, MAY 6, 2003***

#### **CAPITAL BUDGET**, Room 103, SH

Sen. Clegg (C), Sen. D'Allesandro (VC), Sen. Boyce, Sen. Johnson, Sen. Morse

8:30 a.m. **HB 326**, relative to establishing a 6-year capital budget.

8:45 a.m. - 9:15 a.m. **HB 25-FN-A**, making appropriations for capital improvements.

**EXECUTIVE SESSION MAY FOLLOW**

#### **ENERGY & ECONOMIC DEVELOPMENT**, Room 102, LOB

Sen. Odell (C), Sen. Below (VC), Sen. Gallus, Sen. Gatsas, Sen. Prescott

3:15 p.m. **HB 705**, (New Title) establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wooden poles and conduits.

4:00 p.m. **HB 787-FN-A**, (New Title) relative to forest products promotion, establishing a forest products utilization charge, and requiring the department of resources and economic development to convene a task force.

**EXECUTIVE SESSION MAY FOLLOW**

**INSURANCE**, Room 101, LOB

Sen. Flanders (C), Sen. Prescott (VC), Sen. Cohen, Sen. Martel, Sen. Roberge

- 8:30 a.m. **HB 671-FN-A**, establishing a contributory defined benefit judicial retirement plan.
- 8:55 a.m. **HB 702-FN**, relative to payment of medical benefits costs for disabled group II members of the retirement system.
- 9:25 a.m. **HB 164-FN-A**, increasing the gross premiums tax on insurance provided by certain unlicensed companies.
- 9:55 a.m. **HB 303**, relative to life, accident, and health technicals.  
**(THE PREVIOUS HEARING FOR HB 303 WAS RECESSED ON APRIL 15<sup>TH</sup>)**
- Rescheduled **HB 507**, relative to certain statutes that set minimum requirements for employee benefit plan procedures pertaining to the filing of benefit claims, notification of benefit determinations, and appeal of adverse benefit determinations.  
**(HB 507, HAS BEEN RESCHEDULED FOR MAY 13<sup>TH</sup>)**
- Rescheduled **HB 468**, relative to enforcement of labor protection statutes.  
**(HB 468, HAS BEEN RESCHEDULED FOR MAY 13<sup>TH</sup>)**
- Rescheduled **HB 601**, relative to the long-term care insurance act.  
**(HB 601, HAS BEEN RESCHEDULED FOR MAY 13<sup>TH</sup>)**
- 10:15 a.m. **HB 684-FN**, relative to the insurance rating law.  
**EXECUTIVE SESSION MAY FOLLOW**

**JUDICIARY**, Room 105-A, SH

Sen. Peterson (C), Sen. Foster (VC), Sen. Clegg, Sen. Roberge, Sen. Sapareto

**(NOTE THE TIME CHANGES TO THE FOLLOWING HEARINGS. THE HEARINGS BELOW WILL BE A "ROLLING SCHEDULE." EACH BILL WILL BE HEARD IMMEDIATELY FOLLOWING THE PREVIOUS BILL HEARING.)**

- Commencing at 10:15 a.m. **HB 620-FN**, providing a right to counsel for indigent parents and other protections in cases involving the guardianship of minors.
- HB 674-FN**, (New Title) relative to legal representation for indigent parties and notification requirements under the Child Protection Act.
- HB 630-FN**, (New Title) relative to enhanced penalties for assault on law enforcement officers, firefighters, emergency medical care providers, and national guard members.
- HB 680-FN**, (New Title) establishing a committee to study service contracts and repealing the law regarding legal services insurance.
- HB 134-FN**, relative to recommendations, appointments, and qualifications of marital masters and procedures for cases heard by marital masters.
- HB 198**, relative to the police powers of law enforcement officers called to respond to incidents in other jurisdictions.  
**(THE PREVIOUS HEARING FOR HB 198 WAS RECESSED ON APRIL 22<sup>ND</sup>)**
- HB 288-FN**, imposing a criminal penalty for the dissemination of certain materials without consent.  
**EXECUTIVE SESSION MAY FOLLOW**

**PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES**, Room 101, LOB

Sen. Martel (C), Sen. Boyce (VC), Sen. Estabrook, Sen. Kenney, Sen. O'Hearn

- 3:00 p.m. **HB 280-FN**, relative to the poison information center.
- 3:30 p.m. **HB 735-FN**, relative to prescription drugs and medicaid best practices.  
**(HB 735-FN HAS BEEN RESCHEDULED FROM MAY 13<sup>TH</sup>)**
- 4:00 p.m. **HB 677-FN**, increasing the number of reserved student slots in medical programs, and establishing a loan forgiveness program for physicians who practice in underserved areas, and making an appropriation therefor.  
**EXECUTIVE SESSION MAY FOLLOW**

## ***WEDNESDAY, MAY 7, 2003***

### **EDUCATION**, Room 105-A, SH

Sen. O'Hearn (C), Sen. Johnson (VC), Sen. Foster, Sen. Green, Sen. Larsen

- 1:15 p.m.                    **HB 621-FN-A-L**, establishing an early childhood literacy program.
- 1:45 p.m.                    **HB 619-FN-A**, (New Title) expanding opportunities for dropout prevention and dropout recovery.
- 2:30 p.m.                    **HB 751-FN-L**, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants.
- 3:15 p.m.                    **HB 717-FN-L**, relative to targeted aid to education.  
**(THE PREVIOUS HEARING FOR HB 717-FN-L, WAS RECESSED ON APRIL 30<sup>TH</sup>)**
- 3:45 p.m.                    **HB 608-FN-L**, (New Title) reducing the education property tax rate and relative to the calculation of adequate education grants. (An amendment will be offered on HB 608-FN-L)  
**(THE PREVIOUS HEARING FOR HB 608-FN-L WAS RECESSED ON APRIL 30<sup>TH</sup>)**  
**EXECUTIVE SESSION MAY FOLLOW**

### **ENVIRONMENT**, Room 104, LOB

Sen. Johnson (C), Sen. Cohen (VC), Sen. Barnes, Sen. Below, Sen. Prescott

- 10:15 a.m.                    **HB 737-FN-A**, relative to the state conservation committee and making an appropriation therefore.
- 10:40 a.m.                    **HB 738-FN-A-L**, permitting aid to public water systems to be used for forming or improving regional water systems and making an appropriation therefor.  
**EXECUTIVE SESSION MAY FOLLOW**

### **EXECUTIVE DEPARTMENTS & ADMINISTRATION**, Room 102, LOB

Sen. Prescott (C), Sen. Cohen (VC), Sen. Estabrook, Sen. Kenney, Sen. Peterson

- 1:15 p.m.                    **HB 719-FN-A**, relative to the duties, function, and operation of the Pease development authority.
- 1:35 p.m.                    **HB 564-FN**, relative to access to information in proceedings of the judicial conduct commission.
- 2:00 p.m.                    **HB 293**, establishing a commission to identify medical errors and their causes.  
**EXECUTIVE SESSION MAY FOLLOW**

### **INTERNAL AFFAIRS**, Room 103, LOB

Sen. Boyce (C), Sen. Flanders (VC), Sen. Kenney, Sen. Larsen, Sen. O'Hearn

- 10:15 a.m.                    **HB 639-FN-L**, (New Title) relative to receiving legislative body approval through warrant articles before a municipality may continue a program initiated under a grant.
- 10:30 a.m.                    **HB 670-FN**, establishing a procedure for release by a state agency of statistical information for research purposes.
- 10:45 a.m.                    **HB 693-FN**, relative to the jurisdiction and constitution of the ballot law commission.  
**EXECUTIVE SESSION MAY FOLLOW**

### **INTERSTATE COOPERATION**, Room 101, LOB

Sen. Gatsas (C), Sen. Estabrook (VC), Sen. Clegg, Sen. Johnson, Sen. Sapareto

- 3:00 p.m.                    **HB 109-FN**, (New Title) relative to telemarketing practices.

3:15 p.m. **HCR 9**, urging the President and the Joint Chiefs of Staff to abandon the Total Information Awareness Initiative.

**EXECUTIVE SESSION MAY FOLLOW**

**PUBLIC AFFAIRS**, Room 105-A, SH

Sen. Roberge (C), Sen. Larsen (VC) Sen. Barnes, Sen. Green, Sen. Morse

8:30 a.m. **HB 360-FN-A-L**, (New Title) establishing a civil legal services fund consisting of court filing fee surcharges for the purpose of establishing and operating a New Hampshire Legal Assistance office in Nashua and relative to a New Hampshire Legal Assistance pilot project on serving the near-poor.

8:50 a.m. **HB 758-FN**, relative to the criteria for medicaid eligibility.

9:10 a.m. **HB 654-FN**, relative to criminal liability for the destruction or disconnection of a smoke detector by a tenant in a rental dwelling.

9:30 a.m. **HB 796-FN-L**, relative to the taxation of manufactured housing.

**EXECUTIVE SESSION MAY FOLLOW**

**TRANSPORTATION**, Room 104, LOB

Sen. Kenney (C), Sen. Morse (VC), Sen. Below, Sen. Flanders, Sen. Martel

3:00 p.m. **HB 509**, relative to access to motor vehicle records.

**(THE PREVIOUS HEARING FOR HB 509 WAS RECESSED ON APRIL 23<sup>RD</sup>)**

3:15 p.m. **HB 638-FN**, increasing the oil import license fee, changing the rate of interest assessed on overdue oil import fees, and repealing underground storage facility permit fees.

**EXECUTIVE SESSION ON SOME PENDING BILLS**

**WAYS & MEANS**, Room 101, LOB

Sen. D'Allesandro (C), Sen. Clegg (VC), Sen. Boyce, Sen. Gallus, Sen. Odell

8:30 a.m. **HB 455**, relative to residency requirements for disabled persons applying for a tax deferral of property taxes.

8:45 a.m. **HB 752**, relative to the distribution of business tax revenues to the education trust fund.

**(THE PREVIOUS HEARING FOR HB 752 WAS RECESSED ON APRIL 25<sup>TH</sup>)**

9:00 a.m. **HB 590-FN**, relative to highway fund budget reporting requirements.

9:15 a.m. **HB 519-FN-A**, relative to the conservation number plate trust fund.

**EXECUTIVE SESSION MAY FOLLOW**

***TUESDAY, MAY 13, 2003***

**FINANCE**, Room 103, SH

Sen. Green (C), Sen. Boyce (VC), Sen. Below, Sen. D'Allesandro, Sen. Eaton, Sen. Gatsas, Sen. Odell

10:15 a.m. **HB 304-A**, relative to state acquisition of certain acreage in the Connecticut Lakes headwaters tract and making an appropriation therefor.

**EXECUTIVE SESSION MAY FOLLOW**

**INSURANCE**, Room 101, LOB

Sen. Flanders (C), Sen. Prescott (VC), Sen. Cohen, Sen. Martel, Sen. Roberge

8:30 a.m. **HB 316-FN**, relative to insurance coverage for anesthesia for child dental care.

9:00 a.m. **HB 302-FN**, (New Title) relative to the funding and use of the retirement system special account.

9:45 a.m. **HB 788-FN-A**, (New Title) transferring the duties of the health services planning and review board.

**EXECUTIVE SESSION MAY FOLLOW**

**JUDICIARY**, Room 202-204, LOB

Sen. Peterson (C), Sen. Foster (VC), Sen. Clegg, Sen. Roberge, Sen. Sapareto

10:15 a.m.

**HB 763-FN**, requiring parental notification before abortions may be performed on unemancipated minors.**(HB 763-FN, NOTE THE ROOM CHANGE TO THE ABOVE HEARING)****EXECUTIVE SESSION MAY FOLLOW****PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES**, Room 101, LOB

Sen. Martel (C), Sen. Boyce (VC), Sen. Estabrook, Sen. Kenney, Sen. O'Hearn

3:00 p.m.

**EXECUTIVE SESSION ON PENDING LEGISLATION**

Rescheduled

**HB 735-FN**, relative to prescription drugs and medicaid best practices.**(HB 735-FN, HAS BEEN RESCHEDULED FOR MAY 6<sup>TH</sup>)****WEDNESDAY, MAY 14, 2003****EDUCATION**, Room 105-A, SH

Sen. O'Hearn (C), Sen. Johnson (VC), Sen. Foster, Sen. Green, Sen. Larsen

1:15 p.m.

**HB 786-FN-L**, relative to the participation of the state and its political subdivisions in the federal No Child Left Behind Act of 2001.

1:45 p.m.

**HB 135-FN-L**, relative to charter schools.**EXECUTIVE SESSION MAY FOLLOW****PUBLIC AFFAIRS**, Room 105-A, SH

Sen. Roberge (C), Sen. Larsen (VC) Sen. Barnes, Sen. Green, Sen. Morse

8:30 a.m.

**HB 194**, relative to appeals in landlord/tenant actions.

8:50 a.m.

**HB 753**, establishing the fourth Monday in April as General John Stark Day.

9:10 a.m.

**HB 311**, (New Title) repealing the obligation to provide persons applying for a marriage license with a list of family planning services and with brochures on fetal alcohol syndrome and the human immunodeficiency virus.

9:30 a.m.

**HB 431**, eliminating application of the rule against perpetuities to instruments that contain safeguards relative to the continued alienability of property.**EXECUTIVE SESSION MAY FOLLOW****TUESDAY, MAY 20, 2003****INSURANCE**, Room 101, LOB

Sen. Flanders (C), Sen. Prescott (VC), Sen. Cohen, Sen. Martel, Sen. Roberge

8:30 a.m.

**HB 507**, relative to certain statutes that set minimum requirements for employee benefit plan procedures pertaining to the filing of benefit claims, notification of benefit determinations, and appeal of adverse benefit determinations.

8:50 a.m.

**HB 468**, relative to enforcement of labor protection statutes.

9:30 a.m.

**HB 601**, relative to the long-term care insurance act.**EXECUTIVE SESSION MAY FOLLOW****MEETINGS****MONDAY, MAY 5, 2003****ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.

Rooms 202-204, LOB

Special Meeting



**JOINT SENATE AND SUBCOMMITTEE OF THE HOUSE FINANCE MEETING** (Agency Workshops on the House Budget)

10:00 a.m.	Room 103, SH	Post Secondary Education Commission
11:00 a.m.	Room 103, SH	Community Technical Colleges
Noon Break		
1:00 p.m.	Room 103, SH	School Administrators
1:30 p.m.	Room 103, SH	USNH
2:00 p.m.	Room 103, SH	Department of Education

**BREATH ANALYZER MACHINES ADVISORY COMMITTEE** (RSA 106-G:1)

10:00 a.m. - 12:00 p.m.	The Department of Safety 3 <sup>rd</sup> floor Operations Bureau conference room	Regular Meeting
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**NH DEPARTMENT OF TRANSPORTATION** (Windham Salem 10075 NH 111 Bypass Salem-Manchester 10418C I-93 Widening Brief Selectmen on issues and project schedules)

7:00 p.m.	Windham Town Hall 3 N. Lowell Rd. Windham, NH	Selectmen's Meeting
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***TUESDAY, MAY 6, 2003***

**JOINT SENATE AND SUBCOMMITTEE OF THE HOUSE FINANCE** (Agency Workshops on the House Budget)

10:00 a.m.	Room 103, SH	Health and Human Services
Noon Break		
1:00 p.m.	Room 103, SH	Health and Human Services

***WEDNESDAY, MAY 7, 2003***

**JOINT SENATE AND SUBCOMMITTEE OF THE HOUSE FINANCE** (Agency workshops on the House Budget)

10:00 a.m.	Room 103, SH	Department of Corrections
11:00 a.m.	Room 103, SH	Department of Safety
Noon Break		
1:00 p.m.	Room 103, SH	Resources, Recreation and Development
2:00 p.m.	Room 103, SH	LCHIP

**CAPITAL BUDGET OVERVIEW COMMITTEE**

9:30 a.m.	Room 201, LOB	Regular Meeting
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***THURSDAY, MAY 8, 2003***

**NH DEPARTMENT OF TRANSPORTATION** (New Hampton, 13604 Winona Road, review and discuss the removal or rehabilitation of the NHRR bridge over Winona Road)

7:00 p.m.	New Hampton Town Hall 6 Pinnacle Hill Road New Hampton, NH	Public Information Meeting
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**NH DEPARTMENT OF TRANSPORTATION** (Amherst, 13789 NH 122 and Old NH 101 Boston Post Road review and discuss upgrade of existing signals)

7:00 p.m.	Amherst Town Hall 2 Main Street Amherst, NH	Public Information Meeting
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***FRIDAY, MAY 9, 2003***

## ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

9:30 a.m. NH Department of Revenue Administration, Regular Meeting  
Community Services Division Training Room  
57 Regional Drive, Concord, NH

## SENATE WAYS & MEANS COMMITTEE All Senators Are Invited

12:30 p.m. Room 103, SH Revenue Estimates Briefing

**COMMISSION TO EXAMINE AND ASSESS THE STATUS OF CIVIC EDUCATION IN NEW HAMPSHIRE (HB 1151, Chapter 188:2, Laws of 2002)**

3:00 p.m. Room 207, LOB Regular Meeting

***MONDAY, MAY 12, 2003***

**SOURCES THAT BURN VIRGIN PETROLEUM OR COAL TO COMPLY WITH AIR TOXIC CONTROL ACT (RSA125-I), STUDY OF PUBLIC HEALTH AND ENVIRONMENTAL BENEFITS (SB 93,Chapter 88:1, Laws of 2001)**

10:00 a.m. Room 101, LOB Regular Meeting

**GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

1:00 p.m. Room 102, LOB Regular Meeting

***TUESDAY, MAY 13, 2003***

**STATE VETERANS' ADVISORY COMMITTEE (RSA 115-A:2, VI)**

5:00 p.m. American Legion Post 79, Regular Meeting  
Manchester, NH

**WEDNESDAY, MAY 14, 2003**

**MEDICAID PRESCRIPTION DRUG BENEFITS MANAGEMENT PROGRAM LEGISLATIVE OVERSIGHT COMMITTEE (HB 1218, Chapter 281:9,IV, Laws of 2002)**

3:30 p.m. Room 205, LOB Regular Meeting

***FRIDAY, MAY 16, 2003***

## OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3)

9:00 a.m. Room 205, LOB Regular Meeting

***MONDAY, MAY 19, 2003***

## ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Rooms 306-308 LOB Regular Meeting

**WEDNESDAY, MAY 21, 2003**

**FISCAL COMMITTEE OF THE GENERAL COURT**

9:00 a.m. Rooms 210-211, LOB Regular Business

9:30 a.m.	Rooms 210-211, LOB	Audits: State of New Hampshire State Treasury Financial and Compliance Audit Report For the Year Ended June 30, 2002  State of New Hampshire Department of Health and Human Services Medicaid Program Financial and Compliance Audit Report For the Year Ended June 30, 2002
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### ***WEDNESDAY, MAY 28, 2003***

**NH DEPARTMENT OF TRANSPORTATION** (Landaff, 14005 Removal of Bypassed Bridge Old US 302/  
Former NHRR (Aband)

7:00 p.m.	Landaff Town Hall 12 Center Hill Road Landaff, NH 03581	Public Officials/Info Meeting
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### ***MONDAY, JUNE 2, 2003***

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

9:30 a.m.	Room 101, LOB	Regular Meeting
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**NH CIVIL WAR MEMORIALS COMMISSION** (RSA 21-K:18)

4:00 p.m.	Room 203, LOB	Regular Meeting
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### ***WEDNESDAY, JUNE 4, 2003***

**NH DEPARTMENT OF TRANSPORTATION** (Shelburne 14007 Removal of Bypassed Bridge Old Meadow  
Rd/Androscoggin River)

7:00 p.m.	Shelburne Town Hall 74 Village Road Shelburne, NH	Public Official/Info Meeting
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### ***MONDAY, JUNE 9, 2003***

**GUARDIAN AD LITEM BOARD** (RSA 490-C:1)

1:00 p.m.	Room 102, LOB	Regular Meeting
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### ***MONDAY, JUNE 23, 2003***

**ADMINISTRATIVE RULES** (RSA 541-A:2)

9:00 a.m.	Rooms 306-308, LOB	Regular Meeting
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**OIL FUND DISBURSEMENT BOARD** (RSA 146-D:4)

9:00 a.m.	Room 305, LOB	Regular Meeting
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**FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB  
SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2003  
SENATE BILLS: 14, 15, 16, 19, 29, 34, 35, 36, 38, 41, 46, 47, 51, 56, 57, 58, 59, 63, 64, 66, 69, 70, 71, 74,  
78, 80, 85, 88, 90, 92, 94, 95, 96, 97, 98, 101, 102, 103, 105, 115, 117, 118, 124, 126, 127, 128, 130, 132,  
138, 140, 141, 142, 144, 145, 148, 149, 151, 159, 161, 169, 179, 186, 190, 192, 197, 202, 205, 208, 210,  
214, 215, 216, 217, 221, 222, 223, 224. HOUSE BILLS: 25, 104, 109, 112, 205, 210, 302, 387, 447, 528,  
533, 593, 619, 638, 646,669, 671, 680, 703, 705, 711, 717, 720, 735, 737, 738, 758, 787, 788, 791, 816, 828**

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## **NOTICES**

The 2002 Session laws are in. They are available on a first come, first served basis in room 109.

Thomas R. Eaton, Senate President

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**MONDAY, MAY 5, 2003**

The Legislative Caucus for Young Children (LCYC) will hold a panel discussion on current legislation and issues affecting young children and their families on Monday, May 5, 2003 at 1:30 p.m. in Room 206 in the Legislative Office Building. Panelist include representatives from the Governor's office, NH Women's Lobby, the Wellness Council and others to be confirmed. Members of the House and Senate are welcome.

Senator Sylvia B. Larsen

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**TUESDAY, MAY 6, 2003**

To celebrate Mother's Day — a very special time of year — and to mark the third anniversary of the Million Mom March in Concord, the NH Chapter of the Million Mom March cordially invites all members of the New Hampshire Senate to join chapter leaders and members for an Apple Pie Social. Please join them Tuesday, May 6, 2003, 12:30-1:30 p.m. at the Upham-Walker House.

Senator Andrew R. Peterson

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**THURSDAY, MAY 8, 2003**

Former Speaker Donna Sytek will host one of her famous ice cream socials on Thursday, May 8 in the function room of St. Paul's Church on Park Street from 11:30 a.m. to 1:00 p.m. to announce the release of Further Ado, her book on political etiquette and protocol. All members and staff are invited.

Thomas R. Eaton, Senate President

Senator Robert E. Clegg Jr.

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**THURSDAY, MAY 8, 2003**

Friends of the College for Lifelong Learning, President Tom Rocco of CLL and Chancellor Stephen Reno of the University System of New Hampshire cordially invite all members of the General Court to a legislative gathering. This event will be held at 4:00 p.m. at the Barley House (across from the State House) on Thursday, May 8, 2003

Senator John T. Gallus

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**FRIDAY, MAY 9, 2003**

The New Hampshire Law Enforcement Officers' Memorial Committee cordially invites you to the 11<sup>th</sup> Annual New Hampshire Law Enforcement Officers' Memorial Ceremony. The ceremony will be held on Friday, May 9, 2003, beginning promptly at 10:00 a.m. on the memorial site in front of the L.O.B. Rain or Shine. Contact person for the event is Captain Timothy J. Acerno, 271-3129.

Thomas R. Eaton, Senate President

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**THURSDAY, MAY 15, 2003**

The annual, House Sergeant-at-Arms Barbecue will be held on Thursday, May 15, immediately following the House session, at the Bridges House in East Concord. Tickets are \$15 and may be purchased at the Sergeant-at-Arms office, Room 318, State House. Bring your appetite and your sense of adventure—we will be featuring BBQ food, games (horseshoes, volleyball, etc.) and entertainment (karaoke).

Senator Robert E. Clegg Jr.

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**THURSDAY, MAY 15, 2003**

The New Hampshire Straight Chiropractic Society invites legislators to a breakfast reception on Thursday, May 15, 2003 from 8:00 a.m. to 10:00 a.m. Please join them at St. Paul's Church Hall on Park Street, across the street from the State House.

Senator Carl R. Johnson

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**THURSDAY, MAY 15, 2003**

The New Hampshire Order of Women Legislators invite you for a reception in the Governor and Council Chambers on Thursday, May 15, 2003. Join in seeing old friends when we honor former women legislators and greet Governor Benson who has been invited to install new officers.

Senator Sylvia B. Larsen

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**SUNDAY, MAY 18, 2003**

On May 18, NAMI, the National Alliance for the Mentally Ill, will sponsor a 5k walk to help erase the stigma of mental illness. The Walk will take place at Veteran's Park in Manchester starting at 1:00 p.m. with check-in time at Noon. All Senators are encouraged to participate on a Senate team. For further information, please contact Senator Jack Barnes or Senator Lou D'Allesandro.

Senator Jack S. Barnes  
Senator Lou D'Allesandro

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**WEDNESDAY, MAY 21, 2003**

Senator Clifton C. Below and Representative Gloria Seldin will be presented with Meritorious Service Awards by the New Hampshire Women's Lobby and NH Women's Policy Institute on **Wednesday, May 21, 2003 from 4:30 PM - 6:30 PM at the Concord City Auditorium.** The Annual Spring Celebs Awards Celebration honors legislators and citizens making a difference for women and families in New Hampshire. This year, political cartoonist Mike Marland (Media Award) and longtime labor activist Eva Sartwell (Citizen Award) will also be recognized. Requested donation is \$10 for Lobby members and \$15 for non-members. Tickets are available from Senator Sylvia Larsen, Rep. Bette Lasky, Rep. Deanna Rush and Rep. Marjorie Smith; by reservation from the NHWL/WPI office (224-9105); and at the door.

Senator Sylvia B. Larsen

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**SENATE SCHEDULE 2003 SESSION**

Monday, May 26, 2003	Memorial Day (State Holiday)
Wednesday, June 18, 2003, 3:00 p.m.	The deadline for committee of conference report sign off.
Friday, July 4, 2003	Independence Day (State Holiday)
Monday, September 1, 2003	Labor Day (State Holiday)
Monday, October 20, 2003	Filing period for legislation to be acted on in the second half of the biennium, beginning January 2004, will commence.
Tuesday, November 11, 2003	Veteran's Day (State Holiday)
Friday, November 14, 2003, 3:00 p.m.	The office of Legislative Services shall not draft a Senate bill or joint resolution, unless a request by a member for drafting with complete information has been received.
Thursday, November 27, 2003	Thanksgiving Day (State Holiday)
Friday, November 28, 2003	Day after Thanksgiving (State Employee Holiday)
Friday, December 19, 2003, 3:00 p.m.	Last day to sign-off legislation for the January 2004 session.
Thursday, December 25, 2003	Christmas Day (State Holiday)

## ***VISITORS CENTER SCHEDULE - MAY***

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in **MAY 2002**. 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. Our schedule is tightly booked for the remainder of the school year. Please contact the Visitors' Center concerning school tour booking information. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

<b><i>DATE</i></b>	<b><i>TIME</i></b>	<b><i>GROUP</i></b>	<b><i>CLASS/Size</i></b>
May 5	9:00	New Hampton Community School	4/31
May 5	10:30 & 12:30	Hampstead Central School	4/66
May 6	9:00	Bow Elementary School	4/25
May 6	9:30	Mount Saint Mary School	4/15
May 6	11:00 & 12:30	Chesterfield Elementary School	4/50
May 7	9:00 & 12:30	Bow Elementary School	4/50
May 7	10:00	Gilmanton Elementary School	4/40
May 7	1:00	Georgians	20
May 7	11:00	Peterborough Elementary School	4/22
May 8	9:30 & 11:00	Marston Elementary School _ Hampton	4/85
May 9	10:00	St. Elizabeth Seton School- Rochester	4/27
May 9	11:00 & 12:00	Peterborough Elementary School	4/45
May 9	11:00	Salem Christian School	4/14
May 12	9:00	Bow Elementary School	4/25
May 12	10:30 & 12:30	Hampstead Central School	4/44
May 12	10:30	The Well School –Peterborough	4/7
May 13	9:00 & 12:30	Bow Elementary School	4/50
May 13	10:00 & 11:00	Little Harbor School – Portsmouth	4/54
May 14	9:00	Bow Elementary School	4/25
May 14	11:00 & 1:00	Antrim Elementary School	4/50
May 15	9:30 & 11:00	Marston Elementary School – Hampton	4/85
May 16	10:00	Linwood Elementary – Lincoln	4/28
May 16	10:00	Cornish Elementary School	4/10
May 19	9:30 & 11:00	Maple Ave. School – Claremont	4/58
May 19	10:30	Hampstead Central School	4/44
May 20	9:00	Henniker Elementary School	4/18
May 20	10:00 & 11:30	Thornton Ferry School – Merrimack	4/50
May 21	10:00 & 11:30	Thornton Ferry School – Merrimack	4/50
May 21	1:00	Pierce Elementary School – Bennington	4/20
May 22	10:00 & 11:00	Rindge Memorial School – Rindge	4/61
May 23	10:00 & 11:30	Thornton Ferry School – Merrimack	4/50
May 23	11:00	Westmoreland Elementary School	4&5/40
May 27	9:30 & 11:00	Green Acres School – Manchester	4/80
May 27	12:30	St. Mary's School - Claremont	4&5/30
May 28	9:30	South Merrimack Christian	4/22
May 28	9:30 & 11:00	Green Acres School – Manchester	4/80
May 28	12:30	Mason Elementary School	4/16
May 29	11:00	Campton Elementary School	4/40
May 29	12:30	Hampstead Academy – Atkinson	4/30
May 30	9:30	Holderness Central School – Plymouth	4/32
May 30	11:00	Ed Fenn School – Gorham	4/45
May 30	12:30	Lafayette Regional School – Franconia	4/19
May 30	12:30	Bethlehem Elementary School	4/17