

April 27, 2006
No. 17

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



Legislative

SENATE CALENDAR

REPORTS, AMENDMENTS, HEARINGS,
MEETINGS AND NOTICES

**THE SENATE WILL MEET IN SESSION ON WEDNESDAY, MAY 3, 2006
AT 10:00 A.M. AND ON THURSDAY, MAY 4, 2006 AT 10:00 A.M.**

LAID ON THE TABLE

SB 240, relative to transmission poles or structures on public highways. **3/9/06, pending motion ITL, Energy and Economic Development, SJ 7, pg. 157**

SB 243, establishing a commission to study rural transit in New Hampshire. **3/9/06, pending motion OTP, Energy and Economic Development, SJ 7, pg. 157**

SB 247, establishing a right to work act which provides for freedom of choice on whether to join a labor union. **3/22/06, pending motion Committee Amendment (1372s), Banks and Insurance, SJ 9, pg. 236**

SB 248, establishing a committee to study the issuance of dealer plates to bonded motor vehicle dealers. **2/2/06, pending motion OTP, Transportation & Interstate Cooperation, SJ 3, pg. 76**

SB 292-FN, relative to permits for combustion of certain waste. **3/9/06, pending motion ITL, Energy and Economic Development, SJ 7, pg. 157**

SB 309-FN-A, (New Title) establishing a commission to study inclusion of service as a part-time district court judge in the calculation of retirement benefits. **3/16/06, pending motion OTP, Finance, SJ 8, pg. 199**

SB 316-FN-L, requiring interpretation services upon request for persons receiving medical treatment. **2/16/06, pending motion Committee Amendment (0897s), Health and Human Services, SJ 5, pg. 100**

SB 331, relative to certain small loans. **03/22/06, pending motion Ought to pass as Amended, Banks and Insurance, SJ 9, pg. 255**

SB 338, relative to insurance coverage for childrens' early intervention therapy services. **3/22/06, pending motion Interim Study, Banks and Insurance, SJ 9, pg. 255**

SB 360-FN-A, establishing a surcharge on real estate transfers for deposit in the family stability fund and renaming the homeless prevention program the family stability program. **2/9/06, pending motion ITL, Public and Municipal Affairs, SJ 4, pg. 85**

SB 365-FN, relative to the lottery commission. **03/16/06, pending motion Committee Amendment (1343s), Finance, SJ 8, pg. 199**

SB 375-FN, relative to the executive branch code of ethics and establishing an executive branch ethics committee. **2/23/06, pending motion Interim Study, Internal Affairs, SJ 6, pg. 124**

SB 381-FN-A-L, expanding business tax credits to enhance research and development. **3/9/06, pending motion Interim Study, Finance, SJ 7, pg. 165**

SB 385-FN, relative to the membership and administration of the board of trustees of the New Hampshire retirement system, and relative to supplemental allowances. **3/22/06, pending motion Committee Amendment (1415s), Finance, SJ 9, pg. 225**

SB 401-FN, relative to the Hanover-Lebanon District Court. **3/9/06, pending motion Ought to Pass as Amended, SJ 7, pg. 176**

SB 402-FN-A, relative to payment of unreimbursed storm-related damages incurred by the town of Hanover and affected surrounding towns and making an appropriation therefor. **3/22/06, pending motion ITL, Finance, SJ 9, pg. 265**

SB 406-FN-A, establishing a manufacturer's tax on cigarettes sold in New Hampshire. **3/22/06, pending motion Committee Amendment (1473s), Finance, SJ 9, pg. 235**

SCR 8, declaring the general court in opposition to the federal Real ID Act of 2005. **3/9/06, pending motion OTP, Internal Affairs, SJ 7, pg. 166**

CACR 43, relating to the cost of education. Providing that the legislature shall determine and define the content, extent, and funding of education. **3/22/06, pending motion Ought to Pass as Amended, Finance, SJ 9, pg. 213**

HB 175, (New Title) relative to divestiture of PSNH generation assets, establishing an energy policy task force, and establishing a fund for the costs of the energy policy task force. **2/16/06, pending motion Committee Amendment (0814s), Energy and Economic Development, SJ 5, pg. 94**

HB 177, relative to home improvement contracts. **2/2/06, pending motion Ought to Pass as Amended, Public and Municipal Affairs, SJ 3, pg. 60**

HB 270, relative to procedures of the legislative ethics committee. **1/18/06, pending motion OTP, Internal Affairs, SJ 2, pg. 49**

HB 312, (New Title) relative to the appointment of parenting coordinators. **3/16/06, pending motion OTP, Health and Human Services, SJ 8, pg. 192**

HB 325, (New Title) relative to proceedings under the Child Protection Act. **3/16/06, pending motion Committee Amendment (1277s), Health and Human Services, SJ 8, pg. 193**

HB 347, (New Title) relative to indicating citizenship on drivers' licenses and nondrivers' identification cards. **4/20/06, pending motion ITL, Transportation and Interstate Cooperation, SJ 12, pg. 430**

HB 385, (New Title) establishing a committee to study the adequacy of current substance abuse treatment available in the state prison system. **3/22/06, pending motion OTP, Public and Municipal Affairs, SJ 9, pg. 303**

HB 578, (New Title) relative to the current use advisory board and relative to construction or development constituting a change in use for purposes of assessing the land use change tax. **2/23/06, pending motion Committee Amendment (0976s), Environment and Wildlife, SJ 6, pg. 121**

HB 621-FN, requiring disclosure of gifts and campaign contributions by lobbyists. **4/6/06, pending motion Inexpedient to Legislate, Public and Municipal Affairs, SJ 10, pg. 330**

HB 669-FN, (New Title) establishing a committee to study state laboratory water tests and fees for such tests collected by the department of environmental services. **3/16/06, pending motion Committee Amendment (1299s), Energy and Economic Development, SJ 8, pg. 186**

HB 1121-L, (New Title) establishing a committee to study rulemaking and licensure issues relative to assisted living and residential care. **4/6/06, pending motion Committee Amendment (1565s), Health and Human Services, SJ 10, pg. 330**

HB 1140, establishing a committee to study the establishment and enforcement of protection zones for nesting loons. **4/6/06, pending motion Committee Amendment (1515s), Environment and Wildlife, SJ 10, pg. 321**

HB 1146, establishing a committee to study renewable portfolio standards. **4/6/06, pending motion Ought to Pass, Energy and Economic Development, SJ 10 pg. 319**

HB 1166, relative to electronic ballot counting machines. **4/13/06, pending motion Interim Study, Internal Affairs, SJ 11, pg. 348**

HB 1168, establishing a commission to determine how to optimize boating safety on water bodies. **4/13/06, pending motion Committee Amendment (1650s), Transportation and Interstate Cooperation, SJ 11 pg. 376**

HB 1198, establishing a committee to study highway rest areas. **3/09/06, pending motion OTP, Transportation and Interstate Cooperation, SJ 7, pg. 177**

HB 1209, relative to notification requirements for criminal offenders. **4/13/06, pending motion OTP, Education, SJ 11, pg. 338**

HB 1214, (New Title) establishing a study committee to identify and assess community-based, educational and social/human services programs that serve families with children 8 years old and younger. **4/13/06, pending motion OTP, Education, SJ 11, pg. 339**

HB 1221-FN, (New Title) relative to recovery of medical assistance. **4/13/06, pending motion Interim Study, Judiciary, SJ 11, pg. 352**

HB 1264, establishing an advisory committee to study the information practices act and establishing a temporary moratorium on reports filed under the information practices act. **4/6/06, pending motion OTP, Executive Departments and Administration, SJ 10, pg. 323**

HB 1269, relative to the taking of red deer or elk. 4/13/06, **pending motion ITL, Environment and Wildlife, SJ 11, pg. 340**

HB 1279, establishing a committee to study state medicaid reimbursement. 3/22/06, **pending motion Committee amendment (1391s), Ways and Means, SJ 9, pg. 304**

HB 1298, (New Title) establishing a study committee to evaluate disciplinary procedures of the board of medicine. 4/6/06, **pending motion Committee Amendment (1592s), Executive Departments and Administration, SJ 10, pg. 324**

HB 1332, (New Title) establishing a commission to study health care in New Hampshire correctional facilities. 4/13/06, **pending motion OTP, Judiciary, SJ 11, pg. 352**

HB 1334, establishing a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts. 4/6/06, **pending motion Committee Amendment (1480s), Banks and Insurance, SJ 10, pg. 318**

HB 1376, relative to the duties of the legislative oversight committee on electric utility restructuring. 4/6/06, **pending motion Committee Amendment (1554s), Energy and Economic Development, SJ 10, pg. 320**

HB 1409-FN, relative to organ and tissue donation. 4/6/06, **pending motion OTP, Health and Human Services, SJ 10, pg. 330**

HB 1446, (New Title) requiring the department of resources and economic development to prepare and submit a management and financial plan to the general court and the public prior to the opening of the Berlin regional ATV park. 4/20/06, **pending motion ITL, Environment and Wildlife, SJ 12, pg. 395**

HB 1506, requiring children 12 years of age or under to wear personal flotation devices. 4/20/06, **pending motion OTP, Environment and Wildlife, SJ 112, pg. 395**

HB 1509, (New Title) relative to campaign expenditure and contribution limitations. 4/13/06, **pending motion Committee Amendment (1669s), Internal Affairs, SJ 11, pg. 352**

HB 1512, (New Title) establishing a committee to study volunteer activity related to transportation. 4/6/06, **pending motion OTP, Transportation and Interstate Cooperation, SJ 10, pg. 332**

HB 1565, relative to evictions in cases involving incidents of domestic violence. 4/20/06, **pending motion Interim Study, Judiciary, SJ 12, pg. 425**

HB 1568, (New Title) establishing a committee to study the siting and construction of commercial wind energy facilities. 4/13/06, **pending motion OTP, Energy and Economic Development, SJ 11, pg. 340**

HB 1578, to provide enhanced awareness of and education on methamphetamine to the citizens of New Hampshire. 4/20/06, **pending motion ITL, Education, SJ 12 pg. 392**

HB 1592-FN, making certain changes in the insurance laws. 4/20/06, **pending motion Interim Study, Banks and Insurance, SJ 12, 385**

HB 1597-FN-L, relative to municipal obligations for indigent medical expenses. 4/20/06, **pending motion Committee amendment (1798), Internal Affairs, SJ 12, pg. 409**

HB 1620-FN, relative to hunting restrictions of certain convicted felons. 4/13/06, **pending motion Interim Study, Judiciary, SJ 11, pg. 353**

HB 1674-FN, requiring emergency care providers to report information on certain sexual assault crimes to law enforcement officials. 4/13/06, **pending motion Interim Study, Judiciary, SJ 11, pg. 355**

HB 1713-FN, restricting the over-the-counter sale of pseudoephedrine base and ephedrine base drugs and establishing commission to study the feasibility of an electronic tracking system for sales of pseudoephedrine base and ephedrine base drugs. 4/20/06, **pending motion OTP, Health and Human Services, SJ 12, pg. 405**

HB 1768-FN, (New Title) establishing a committee to study the effects of rescinding the charter of the New Hampshire Bar Association, and relative to the regulation of attorneys by the supreme court. 4/6/06, **pending motion Committee amendment (1581s), Executive Departments and Administration, SJ 10, pg. 324**

HJR 20, supporting stem cell research. 4/20/06, **pending motion OTP, Health and Human Services, SJ 12, pg. 406**

HJR 24, supporting efforts for commuter rail in the state of New Hampshire. 3/16/06, **pending motion OTP, Transportation and Interstate Cooperation, SJ 8, pg. 185**

REPORTS

ENVIRONMENT AND WILDLIFE

HB 1333, relative to solid waste reduction goals.

Inexpedient to Legislate, Vote 4-1

Senator Eaton for the committee.

HB 1495, relative to setback requirements for landfills located near rivers.

Interim Study, Vote 3-2

Senator Eaton for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1206, relative to the assessing standards board.

Ought to pass with amendment, Vote 5-0

Senator Kenney for the committee.

HB 1346, requiring certain persons to keep the contents of prescriptions confidential.

Ought to pass with amendment, Vote 3-1

Senator Kenney for the committee.

HB 1351, relative to the rulemaking process.

Ought to Pass, Vote 3-0

Senator Fuller Clark for the committee.

HB 1521, (New Title) relative to the membership of the juvenile parole board.

Ought to Pass, Vote 3-0

Senator Kenney for the committee.

HB 1523, relative to certain rulemaking authority of the commissioner of environmental services.

Ought to Pass, Vote 3-0

Senator Barnes for the committee.

HB 1526, relative to the composition of the medical review subcommittee of the medical review board.

Ought to Pass, Vote 4-0

Senator Kenney for the committee.

HB 1574, relative to membership on the public employees deferred compensation commission.

Ought to pass with amendment, Vote 5-0

Senator Kenney for the committee.

HB 1589, establishing a committee to study the feasibility of using certain state-owned buildings as transition housing for 17-year olds and 18-year olds who are ready to leave foster care or the youth development center.

Ought to Pass, Vote 3-0

Senator Fuller Clark for the committee.

HEALTH AND HUMAN SERVICES

HB 1274, relative to certain disclosures to the department of health and human services.

Ought to pass with amendment, Vote 4-0

Senator Kenney for the committee.

HB 1427, (New Title) relative to guiding principles for developmentally disabled services.

Ought to pass with amendment, Vote 5-0

Senator Bragdon for the committee.

HB 1437, establishing a committee to study the effects of current state and federal laws on illegal drugs and the possession and use of such drugs.

Inexpedient to Legislate, Vote 3-2

Senator Martel for the committee.

HB 1461, establishing a task force to study Temporary Assistance to Needy Families (TANF) benefits.

Ought to pass with amendment, Vote 4-0

Senator Fuller Clark for the committee.

HB 1546, (New Title) relative to patient information.

Ought to Pass, Vote 5-0

Senator Kenney for the committee.

JUDICIARY

HB 298, relative to consolidating statutes relating to driving while intoxicated.

Ought to Pass, Vote 4-0

Senator Gottesman for the committee.

HB 397, relative to authority to file an abuse or neglect petition under the Child Protection Act.

Inexpedient to Legislate, Vote 3-0

Senator Gottesman for the committee.

HB 459, (New Title) relative to access to criminal records and enhanced 911 system records.

Ought to Pass, Vote 4-0

Senator Letourneau for the committee.

HB 529, (New Title) relative to the determination of parental rights and responsibilities.

Ought to pass with amendment, Vote 5-0

Senator Clegg for the committee.

HB 587, relative to child abuse and neglect investigations by the department of health and human services.

Ought to pass with amendment, Vote 5-0

Senator Gottesman for the committee.

HB 588, relative to suspension of drivers' licenses after a motor vehicle accident.

Inexpedient to Legislate, Vote 4-0

Senator Foster for the committee.

HB 591, (New Title) relative to the inclusion of health insurance in the calculation of child support.

Inexpedient to Legislate, Vote 5-0

Senator Roberge for the committee.

HB 592, relative to the child support guidelines.

Ought to pass with amendment, Vote 5-0

Senator Letourneau for the committee.

HB 1116, (New Title) relative to service of the notice to quit and writ of summons in landlord tenant actions.

Ought to pass with amendment, Vote 4-1

Senator Roberge for the committee.

HB 1285, making certain technical corrections to the adoption statute.

Ought to pass with amendment, Vote 5-0

Senator Foster for the committee.

HB 1377, relative to certain mandatory minimum sentences.

Ought to Pass, Vote 3-1

Senator Gottesman for the committee.

HB 1386, relative to exceptions to the prohibition on carrying and selling knives.

Ought to pass with amendment, Vote 4-0

Senator Letourneau for the committee.

HB 1480, amending the provisions relative to registration of criminal offenders.

Ought to Pass, Vote 4-0

Senator Foster for the committee.

HB 1516, relative to the modification and enforcement of child support orders.

Ought to pass with amendment, Vote 5-0

Senator Roberge for the committee.

HB 1583, relative to grounds for modification of parental rights and responsibilities.

Ought to pass with amendment, Vote 4-0

Senator Clegg for the committee.

HB 1585, relative to enforcement of orders regarding parenting plans.
Ought to pass with amendment, Vote 5-0
Senator Gottesman for the committee.

HB 1625, (New Title) establishing penalties for guardians ad litem who fail to file reports which are required by the court.
Ought to pass with amendment, Vote 5-0
Senator Roberge for the committee.

HB 1761, (New Title) relative to hold over tenants in vacation or recreational rental units.
Ought to pass with amendment, Vote 5-0
Senator Roberge for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

HB 626-FN-L, relative to the right-to-know law.
Ought to pass with amendment, Vote 4-2
Senator Roberge for the committee.

HB 1305-L, (New Title) authorizing cities to adopt certain bylaws and ordinances relative to businesses obtaining city permits.
Ought to pass with amendment, Vote 6-0
Senator Martel for the committee.

HB 1366, relative to a planning board's authority to require public access to open space as a condition of subdivision approval.
Inexpedient to Legislate, Vote 5-0
Senator Roberge for the committee.

HB 1436-L, authorizing municipal and county biennial budgets for a 24-month period.
Ought to pass with amendment, Vote 5-0
Senator Barnes for the committee.

HB 1508, relative to acceptance of applications by planning boards.
Ought to pass with amendment, Vote 6-0
Senator Martel for the committee.

HB 1582, prohibiting New Hampshire from participating in a national identification card system.
Ought to Pass, Vote 6-0
Senator Barnes for the committee.

TRANSPORTATION AND INTERSTATE COOPERATION

HB 1295, (New Title) requiring notification regarding brake shift interlock and key positions by automobile dealers to consumers.
Ought to pass with amendment, Vote 4-0
Senator Letourneau for the committee.

HB 1530, naming the road to the supreme court and the administrative office of the courts Charles Doe Drive and naming the campus of the supreme court and the administrative office of the courts Charles Doe Place.
Ought to Pass, Vote 4-0
Senator Letourneau for the committee.

HB 1581, relative to drivers' licenses issued to persons under the age of 21.
Ought to pass with amendment, Vote 4-0
Senator Burling for the committee.

WAYS AND MEANS

HB 1580, relative to the child support formula.
Ought to pass with amendment, Vote 2-1
Senator Boyce for the committee.

AMENDMENTS

Senate Judiciary
April 25, 2006
2006-2037s
05/04

Amendment to HB 529

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

1 Parental Rights and Responsibilities. Amend RSA 461-A:2, I(a) to read as follows:

(a) Support frequent and continuing contact between each child and both parents ***and, whenever appropriate, comparable parental rights and responsibilities.***

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

2006-2037s

AMENDED ANALYSIS

This bill encourages the court to support comparable parental rights and responsibilities whenever appropriate.

Sen. Gottesman, Dist. 12
April 25, 2006
2006-2027s
05/04

Amendment to HB 587

Amend RSA 169-C:34, VI as inserted by section 1 of the bill by replacing it with the following:

VI. At the first contact in person, any person investigating a report of abuse or neglect on behalf of the department shall verbally inform the parents of a child suspected of being a victim of abuse or neglect of the specific nature of the charges and that they are under no obligation to allow a social worker or state employee on their premises or surrender their children to interviews unless that social worker or state employee is in possession of a court order to that effect. Upon receiving such information, the parent shall sign a written acknowledgement indicating that the information required under this paragraph was provided by the person conducting the investigation. The parent and department shall each retain a copy of the acknowledgment.

Senate Judiciary
April 25, 2006
2006-2036s
05/04

Amendment to HB 592

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

AN ACT relative to minimum support orders.

Amend the bill by deleting sections 1 and 2 and renumbering the original sections 3 and 4 to read as 1 and 2, respectively.

2006-2036s

AMENDED ANALYSIS

This bill permits the court to issue a minimum child support order of less than \$50 per month in appropriate cases.

Public and Municipal Affairs
April 26, 2006
2006-2073s
01/09

Amendment to HB 626-FN-LOCAL

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

1 Statement of Purpose. The purpose of this act is to clarify how the right-to-know law applies to both governmental records kept in electronic form and electronic communications used to transact governmental business. The general court finds that this act fulfills this purpose in a manner that maintains openness in government, while being in accord with the varied types, sizes, and resources of New Hampshire's public bodies.

2 Chapter Heading Amended. Amend the chapter heading of RSA 91-A to read as follows:

ACCESS TO ~~[PUBLIC]~~ GOVERNMENTAL RECORDS AND MEETINGS

3 Definitions Added. RSA 91-A:1-a is repealed and reenacted to read as follows:

91-A:1-a Definitions. In this chapter:

I. "Advisory committee" means any committee, council, commission, or other like body whose primary purpose is to consider an issue or issues designated by the appointing authority so as to provide such authority with advice or recommendations concerning the formulation of any public policy or legislation that may be promoted, modified, or opposed by such authority.

II. "Governmental records" means any information created, accepted, or obtained by, or on behalf of, any public body in furtherance of its official function. The term "governmental records" shall also include the term "public records."

III. "Governmental proceedings" means the transaction of any functions affecting any or all citizens of the state by a public body.

IV. "Information" means knowledge, opinions, facts or data of any kind and in whatever physical form kept or maintained, including, but not limited to, written, aural, visual, electronic or other physical form.

V. "Public body" means any of the following:

(a) The general court including executive sessions of committees; and including any advisory committee established by the general court;

(b) The executive council and the governor with the executive council; including any advisory committee established by the governor by executive order or by the executive council;

(c) Any state agency or authority, including any board or commission thereof, the board of trustees of the university system of New Hampshire and any committee, advisory or otherwise, established by such entities;

(d) Any board, commission, agency or authority, of any county, town, municipal corporation, school district, school administrative unit, charter school, or other political subdivision, or any committee, subcommittee or subordinate body thereof, or advisory committee thereto.

VI. "Quorum" means the minimum number of members required to be present when making decisions on behalf of a public body required by law to act only as a group through joint authority. Unless expressly declared otherwise, one member more than ½ the membership of such a body shall constitute a quorum.

4 Meetings; Nonpublic Sessions; Minutes and Records; Exemptions. Amend RSA 91-A:2-5 to read as follows:

91-A:2 Meetings Open to Public.

I. For the purpose of this ~~[section]~~ **chapter**, a "meeting" ~~[shall mean]~~ **means** the convening of a quorum of the membership of a public body, as ~~[provided]~~ **defined** in RSA 91-A:1-a, ~~[to discuss or act]~~ **whether in person, by means of telephone or electronic communication, or in any other manner such that all participating members are able to communicate with each other contemporaneously, for the purpose of discussing or acting** upon a matter or matters over which the public body has supervision, control, jurisdiction or advisory power. **A chance, social, or other encounter not convened for the purpose of discussing or acting upon such matters shall not constitute a meeting if no decisions are made regarding such matters. However, if any such matters are discussed among a quorum of the body, the discussion shall be disclosed at the next meeting of the body.** "Meeting" shall **also** not include:

~~[(a) Any chance meeting or a social meeting neither planned nor intended for the purpose of discussing matters relating to official business and at which no decisions are made; however, no such chance or social meeting shall be used to circumvent the spirit of this chapter;~~

~~(b)]~~ (a) Strategy or negotiations with respect to collective bargaining;

~~[(c)]~~ **(b)** Consultation with legal counsel; ~~or~~

~~[(d)]~~ **(c)** A caucus consisting of elected members of a public body of the same political party who were elected on a partisan basis at a state general election or elected on a partisan basis by a town or city which has adopted a partisan ballot system pursuant to RSA 669:12 or RSA 44:2~~[-]~~;

(d) Circulation of draft documents which, when finalized, are intended only to formalize decisions formerly made in a meeting; provided, that nothing in this subparagraph shall be construed to alter or affect the application of any other section of RSA 91-A to such documents or related communications; or

(e) Chance encounters between or among members of the general court who are attending a fundraising event for charitable purposes.

II. ~~[All public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of those bodies or agencies.]~~ **Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means of telephone or electronic communication, or in any other manner, shall be open to the public.** Except for town meetings, school district meetings and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not limited to, tape recorders, cameras and videotape equipment, at such meetings. Minutes of all such meetings, including names of members, persons appearing before the **public** bodies ~~or agencies~~, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection within 144 hours of the ~~[public]~~ meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any **public** body ~~or agency~~, or any subordinate body thereof, without exception. Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places, **one of which may be the public body's Internet website, if such exists**, or shall be printed in a newspaper of general circulation in the city or town at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the **public** body ~~or agency~~ who shall **post a notice of the time and place of such meeting, as soon as practicable, and shall** employ whatever **further** means are **reasonably** available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting of a legislative committee is held, publication made pursuant to the rules of the house of representatives or the senate, whichever rules are appropriate, shall be sufficient notice. If the charter of any city or guidelines or rules of order of any **public** body ~~or agency described in RSA 91-A:1-a~~ require a broader public access to official meetings and records than herein described, such charter provisions or guidelines or rules of order shall take precedence over the requirements of this chapter.

91-A:3 Nonpublic Sessions.

I.(a) **Public** bodies ~~or agencies~~ shall not meet in nonpublic session, except for one of the purposes set out in paragraph II. No session at which evidence, information or testimony in any form is received shall be closed to the public, except as provided in paragraph II. No **public** body ~~or agency~~ may enter nonpublic session, except pursuant to a motion properly made and seconded.

(b) Any motion to enter nonpublic session shall state on its face the specific exemption under paragraph II which is relied upon as foundation for the nonpublic session. The vote on any such motion shall be by roll call, and shall require the affirmative vote of the majority of members present.

(c) All discussions held and decisions made during nonpublic session shall be confined to the matters set out in the motion.

II. Only the following matters shall be considered or acted upon in nonpublic session:

(a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

(b) The hiring of any person as a public employee.

(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the **public** body ~~or agency~~ itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the **public** body ~~[or agency]~~ or any subdivision thereof, or against any member thereof because of his membership in such **public** body ~~[or agency]~~, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any **public** body ~~[, board, or agency]~~ for the purposes of this subparagraph.

(f) Consideration of applications by the adult parole board under RSA 651-A.

(g) Consideration of security-related issues bearing on the immediate safety of security personnel or inmates at the county correctional facilities by county correctional superintendents or their designees.

(h) Consideration of applications by the business finance authority under RSA 162-A:7-10 and 162-A:13, where consideration of an application in public session would cause harm to the applicant or would inhibit full discussion of the application.

(i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

(j) Consideration of confidential, commercial, or financial information that is exempt from public disclosure under RSA 91-A:5, IV in an adjudicative proceeding pursuant to RSA 541 or RSA 541-A.

III. Minutes of ~~[proceedings]~~ **meetings** in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of the **public** body ~~[or agency]~~ itself, or render the proposed action ineffective, or pertain to terrorism, more specifically, to matters relating to the preparation for and the carrying out of all emergency functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life. This shall include training to carry out such functions. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

91-A:4 Minutes and Records Available for Public Inspection.

I. Every citizen during the regular or business hours of all ~~[such]~~ **public** bodies ~~[or agencies]~~, and on the regular business premises of such **public** bodies ~~[or agencies]~~, has the right to inspect all ~~[public]~~ **governmental** records *in the possession, custody, or control of such public bodies*, including minutes of meetings of the **public** bodies ~~[or agencies]~~, and to **copy and** make memoranda~~[-]~~ **or** abstracts~~[-]~~ ~~and photographic or photostatic copies~~ of the records or minutes so inspected, except as otherwise prohibited by statute or RSA 91-A:5. *In this section, "to copy" means the reproduction of original records by whatever method including, but not limited to, photography, photostatic copying, printing, or electronic or tape recording.*

I-a. Records of any payment made to an employee of any public body ~~[or agency listed in RSA 91-A:1-a, I(a)-(d)]~~, or to the employee's agent or designee, upon the resignation, discharge, or retirement of the employee, paid in addition to regular salary and accrued vacation, sick, or other leave, shall immediately be made available without alteration for public inspection. All records of payments shall be available for public inspection notwithstanding that the matter may have been considered or acted upon in nonpublic session pursuant to RSA 91-A:3.

II. After the completion of a meeting of such **public** bodies ~~[or agencies]~~, every citizen, during the regular or business hours of all such **public** bodies ~~[or agencies]~~, and on the regular business premises of such **public** bodies ~~[or agencies]~~, has the right to inspect all notes, materials, tapes or other sources used for compiling the minutes of such meetings, and to make memoranda, abstracts, ~~[photographic or photostatic copies, or tape record]~~ **or to copy** such notes, materials, tapes or sources inspected, except as otherwise prohibited by statute or RSA 91-A:5.

III. Each **public** body ~~[or agency]~~ shall keep and maintain all ~~[public]~~ **governmental** records in its custody at its regular office or place of business in an accessible place and, if there is no such office or place of business, the ~~[public]~~ **governmental** records pertaining to such **public** body ~~[or agency]~~ shall be kept in an office of the political subdivision in which such **public** body ~~[or agency]~~ is located or, in the case of a state agency, in an office designated by the secretary of state.

III-a. Governmental records created or maintained in electronic form shall remain accessible for the same retention or archival periods as their paper counterparts. Methods that may be used to accomplish this requirement include, but are not limited to, copying to microfilm or paper or to durable electronic media using standard or common file formats.

III-b. A governmental record in electronic form shall no longer be subject to disclosure pursuant to this section after it has been initially and legally deleted in the normal course of business or after the expiration of any statutorily required retention period.

IV. Each public body ~~[or agency]~~ shall, upon request for any ~~[public]~~ **governmental** record reasonably described, make available for inspection and copying any such ~~[public]~~ **governmental** record within its files when such records are immediately available for such release. If a public body ~~[or agency]~~ is unable to make a ~~[public]~~ **governmental** record available for immediate inspection and copying, it shall, within 5 business days of request, make such record available, deny the request in writing with reasons, or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If a **computer**, photocopying machine or other device maintained for use by a **public** body ~~[or agency]~~ is used by the **public** body ~~[or agency]~~ to copy the ~~[public]~~ **governmental** record ~~[or document]~~ requested, the person requesting the copy may be charged the actual cost of providing the copy, which cost may be collected by the **public** body ~~[or agency]~~. Nothing in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of ~~[public]~~ **governmental** records ~~[or documents]~~, but if such fee is established for the copy, no additional costs or fees shall be charged.

V. In the same manner as set forth in RSA 91-A:4, IV, any **public** body ~~[or agency]~~ which maintains ~~[its]~~ **governmental** records in ~~[a computer storage system]~~ **electronic form** may, in lieu of providing original ~~[documents]~~ **records**, ~~[provide a printout of any record reasonably described and which the agency has the capacity to produce]~~ **copy governmental records requested to electronic media using standard or common file formats** in a manner that does not reveal information which is confidential under this chapter or any other law. ***If copying to electronic media is not reasonably practicable, or if the person or entity requesting access requests a different method, the public body may provide a printout of governmental records requested, or may use any other means reasonably calculated to comply with the request in light of the purpose of this chapter as expressed in RSA 91-A:1.*** Access to work papers, personnel data and other confidential information under RSA 91-A:5, IV shall not be provided.

VI. Every agreement to settle a lawsuit against a governmental unit, threatened lawsuit, or other claim, entered into by any political subdivision or its insurer, shall be kept on file at the municipal clerk's office and made available for public inspection for a period of no less than 10 years from the date of settlement.

VII. Nothing in this chapter shall be construed to require a public body to compile, cross-reference or assemble information into a form in which it is not already kept or reported by that body.

91-A:5 Exemptions. The following **governmental** records are exempted from the provisions of this chapter:

- I. Records of grand and petit juries.
- II. Records of parole and pardon boards.
- III. Personal school records of pupils.

IV. Records pertaining to internal personnel practices; confidential, commercial, or financial information; test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examinations; and personnel, medical, welfare, library user, videotape sale or rental, and other files whose disclosure would constitute invasion of privacy. Without otherwise compromising the confidentiality of the files, nothing in this paragraph shall prohibit a **public** body ~~[or agency]~~ from releasing information relative to health or safety from investigative files on a limited basis to persons whose health or safety may be affected.

V. Teacher certification records~~[, both hard copies and computer files,]~~ in the department of education, provided that the department shall make available teacher certification status information.

VI. Records pertaining to matters relating to the preparation for and the carrying out of all emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

VII. Unique pupil identification information collected in accordance with RSA 193-E:5.

VIII. Any notes or other materials made for personal use that do not have an official purpose, including, **but not limited to**, notes and materials made prior to, during, or after a ~~[public]~~ **governmental** proceeding.

IX. Preliminary drafts, notes, and memoranda and other documents not in their final form and not disclosed, circulated, or available to a quorum or a majority of ~~[those entities defined in RSA 91-A:1-a]~~ **the members of a public body**.

5 Remedies. Amend RSA 91-A:8 to read as follows:

91-A:8 Remedies.

I. If any **public** body ~~[or agency]~~ or employee or member thereof, in violation of the provisions of this chapter, refuses to provide a ~~[public]~~ **governmental** record or refuses access to a ~~[public]~~ **governmental** proceeding to a person who reasonably requests the same, such **public** body~~[-agency]~~ or person shall be liable for reasonable attorney's fees and costs incurred in a lawsuit under this chapter provided that the court finds that such lawsuit was necessary in order to make the information available or the proceeding open to the public. Fees shall not be awarded unless the court finds that the **public** body~~[-agency]~~ or person knew or should have known that the conduct engaged in was a violation of this chapter or where the parties, by agreement, provide that no such fees shall be paid. In any case where fees are awarded under this chapter, upon a finding that an officer, employee, or other official of a public body ~~[or agency]~~ has acted in bad faith in refusing to allow access to a ~~[public]~~ **governmental** proceeding or to provide a ~~[public]~~ **governmental** record, the court may award such fees personally against such officer, employee, or other official.

I-a. The court may award attorneys' fees to a ~~[board, agency]~~ **public body** or employee or member thereof, for having to defend against a person's lawsuit under the provisions of this chapter, when the court makes an affirmative finding that the lawsuit is in bad faith, frivolous, unjust, vexatious, wanton, or oppressive.

II. The court may invalidate an action of a public body ~~[or agency]~~ taken at a meeting held in violation of the provisions of this chapter, if the circumstances justify such invalidation.

III. In addition to any other relief awarded pursuant to this chapter, the court may issue an order to enjoin future violations of this chapter.

6 Reference Change. Amend RSA 42:1-a, II (a) and (b) to read as follows:

(a) A public body properly voted to withhold that information from the public by a vote of 2/3, as required by RSA 91-A:3, III, and if divulgence of such information would constitute an invasion of privacy, or would adversely affect the reputation of some person other than a member of the public body ~~[or agency]~~, or would render proposed municipal action ineffective; or

(b) The officer knew or reasonably should have known that the information was exempt from disclosure pursuant to RSA 91-A:5, and that its divulgence would constitute an invasion of privacy, or would adversely affect the reputation of some person other than a member of the public body ~~[or agency]~~, or would render proposed municipal action ineffective.

7 New Section; Communications Outside Meetings. Amend RSA 91-A by inserting after section 2 the following new section:

91-A:2-a Communications Outside Meetings.

I. Any communications outside a meeting, in whatever form, among a quorum of the membership of a public body which bear upon matters over which the body has supervision, control, jurisdiction, or advisory power shall be disclosed at the next meeting of the body before any decision may be made, including a decision not to act. If such communications are in writing, copies or printouts shall be made a part of the public record. Communications among less than a quorum of members need not be disclosed. Communications described in RSA 91-A:2, I(a)-(d) are not subject to the disclosure requirements of this paragraph.

II. Communications outside a meeting, including but not limited to sequential communications among the members of a public body, shall not be used to circumvent the spirit of this chapter.

8 Board of Tax and Land Appeals; Board Meetings; Hearing Procedures. Amend RSA 71-B:7 to read as follows:

71-B:7 **Board Meetings**; Hearing Procedure.

I. The board shall conduct all hearings and vote on final proposed rules and the adoption of rules in meetings held pursuant to RSA 91-A. Adoption of orders, rulings on motions, internal administrative actions, deliberations and other communications involving a quorum of the board shall be exempt from the meeting, notice, and disclosure provisions of RSA 91-A. Work papers, including, but not limited to, all preliminary drafts, notes, memoranda and other documents not in their final form, created or used by the board, are exempted from the provisions of RSA 91-A. Decisions and orders in adjudicatory proceedings shall be publicly available, but only after they have been reduced to writing, signed by a quorum of the board, and served upon the parties.

II. Whenever the board shall hold hearings, it shall not be bound by the strict rules of evidence adhered to in the superior courts in this state. The board shall introduce into evidence and may take into consideration in determining any question any information obtained through its own investigation, including information obtained by persons employed under RSA 71-B:14. ~~[In addition to the provisions of RSA 91-A,]~~ The board shall tape record the proceedings of any taxation hearing before it and shall make such tape recording available to the public for inspection and recording from the date of the hearing to a date which is 15 working days after the board has made a final decision on the matter which is the subject of the hearing, or, if an appeal is made from such decision, the date upon which the matter has been finally adjudicated, whichever date is later.

9 New Section; Public Utilities Commission. Amend RSA 363 by inserting after section 17-b the following new section:

363:17-c Meetings of the Commission. The commission shall conduct all hearings and vote on final proposed rules and the adoption of rules in meetings held pursuant to RSA 91-A. Adoption of orders, rulings on motions, internal administrative actions, deliberations and other communications involving a quorum of the commission shall be exempt from the meeting, notice, and disclosure provisions of RSA 91-A; provided, however, that all orders and rulings on motions in adjudicative proceedings shall be disclosed in public meetings or hearings of the commission held pursuant to RSA 91-A.

10 New Paragraph; Public Utilities; Rates and Charges. Amend RSA 378:43 by inserting after paragraph III the following new paragraph:

IV. Work papers, including, but not limited to, all preliminary drafts, notes, memoranda, and other documents not in their final form, created or used by the commission are exempt from the provisions of RSA 91-A.

11 Site Evaluation Committee. Amend RSA 162-H:10, II to read as follows:

II. Except for informational hearings, subsequent hearings shall be in the nature of adversary proceedings and may be held in the county or one of the counties in which the proposed facility is to be located or in Concord, New Hampshire, as determined by the site evaluation committee. The committee shall give adequate public notice of the time and place of each subsequent session. ***Deliberations and other communications involving a quorum of the site evaluation committee and, if a bulk power supply facility application, the commission, shall be exempt from the meeting, notice, and disclosure provisions of RSA 91-A; provided, however, that all orders and rulings on motions in adjudicative proceedings shall be disclosed in public meetings or hearings of the site evaluation committee or commission, as applicable, held pursuant to RSA 91-A or through publication of a written order setting forth findings of fact and conclusions of law. Work papers, including, but not limited to, all preliminary drafts, notes, memoranda, and other documents not in their final form, created or used by the site evaluation committee or the commission are exempt from the provisions of RSA 91-A.***

12 Nuclear Decommissioning Finance Committee. Amend RSA 162-F:21, I to read as follows:

I. Each committee shall hold at least one public hearing to receive information on funding requirements for each fund. The committee shall have the authority to subpoena witnesses and administer oaths and to compel by subpoena duces tecum the production of any accounts, books, contracts, records, documents, memoranda, and papers in order to determine the amount needed for the fund. ***Deliberations and other communications involving a quorum of the nuclear decommissioning finance committee shall be***

exempt from the meeting, notice, and disclosure provisions of RSA 91-A, provided; however, that all orders and rulings on motions in adjudicative proceedings shall be disclosed in public meetings or hearings of the nuclear decommissioning finance committee held pursuant to RSA 91-A or through publication of a written order pursuant to RSA 162-F:21, III and IV. Work papers, including, but not limited to, all preliminary drafts, notes, memoranda, and other documents not in their final form, created or used by the nuclear decommissioning finance committee are exempt from the provisions of RSA 91-A.

13 Effective Date. This act shall take effect July 1, 2006.

2006-2073s

AMENDED ANALYSIS

This bill:

I. Clarifies the manner in which the right-to-know law applies to both governmental records kept in electronic form and electronic communication used to transact governmental business.

II. Clarifies certain administrative procedures of the board of tax and land appeals and the public utilities commission with respect to RSA 91-A.

III. Changes the definition of quorum for the purposes of the right-to-know law.

IV. Excludes chance encounters between or among members of the general court who are attending a fundraising event for charitable purposes.

Senate Judiciary

April 25, 2006

2006-2035s

05/04

Amendment to HB 1116

Amend the bill by replacing section 1 with the following:

1 Change from Notice to Quit to Eviction Notice. Amend the following RSA sections by replacing “notice to quit” with “eviction notice”: RSA 104:31; 126-A:57; 130-A:8-a; 540:2; 540:4; and 540:9-a.

Amend the bill by replacing section 3 with the following:

3 Eviction Notice; Reference to Notice to Quit in Existing Lease. Amend RSA 540:3 to read as follows:

540:3 [~~Notice to Quit~~] **Eviction Notice.**

I. If a nonresidential tenant neglects or refuses to pay rent due and in arrears, upon demand, 7 days’ notice shall be sufficient; if the rent is payable more frequently than once in 3 months, whether such rent is due or not, a notice equal to the rent period shall be sufficient, and 3 months’ notice shall be sufficient in all cases.

II. For all residential tenancies, 30 days’ notice shall be sufficient in all cases; provided, however, that 7 days’ notice shall be sufficient if the reason for the termination is as set forth in RSA 540:2, II(a), (b), or (d).

III. The **eviction** notice [~~to quit~~] shall state with specificity the reason for the eviction.

IV. If the **eviction** notice [~~to quit~~] is based on nonpayment of rent, the notice shall inform the tenant of his **or her** right, if any, to avoid the eviction by payment of the arrearages and liquidated damages in accordance with RSA 540:9.

V. For the purpose of interpreting or enforcing any lease or rental agreement for residential tenants in effect on July 1, 2006, a notice to quit shall be deemed an eviction notice under this section.

Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect January 1, 2007.

2006-2035s

AMENDED ANALYSIS

This bill changes the name of the notice to quit to an eviction notice and directs the supreme court to make forms for an eviction notice and demand for rent available on the district court’s website.

Sen. Kenney, Dist. 3
 April 26, 2006
 2006-2068s
 10/09

Amendment to HB 1206

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

AN ACT relative to the assessing standards board, and the approval of appraisal contracts.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Appraisals of Property for Ad Valorem Tax Purposes. Amend RSA 21-J:11, I to read as follows:

I. **(a)** Every person, firm, or corporation intending to engage in the business of making appraisals on behalf of a municipality for tax assessment purposes in this state shall notify the commissioner of that intent in writing. No person, firm, or corporation engaged in the business of making appraisals of taxable property for municipalities and taxing districts shall ~~begin any appraisal work~~:

(1) Enter into any contract or agreement with any town, city, or governmental division without first submitting a copy of the contract or agreement to the commissioner along with the names and qualifications of all personnel to be employed under the contract or agreement ~~[-]~~ **for review of the proposed contract or agreement and written recommendations of the department to be made to the municipality within 10 working days of receipt by the department;**

(2) Begin any appraisal work without first submitting a copy of the executed contract or agreement to the commissioner along with the names and qualifications of all personnel to be employed under the contract or agreement.

(b) Any contract or agreement entered into for a reassessment or new assessment ordered by the board of tax and land appeals, pursuant to RSA 71-B, shall be first submitted to the commissioner for examination and approval.

(c) This paragraph shall not apply to municipal employees.

2006-2068s

AMENDED ANALYSIS

This bill requires the assessing standards board to recommend certain guidelines relative to revaluations and to adopt rules relative to practices and procedures for mass appraisals.

This bill deletes a requirement that the assessing standards board recommend guidelines for the adequacy of tax maps and other records; clarifies that a quorum of the assessing standards board is not required when holding public forums throughout the state; and changes the name of a job category for which a person may be certified by the department of revenue administration pursuant to rules adopted by the board.

The bill also requires the review and written recommendations of the commissioner of revenue administration for all proposed contracts and agreements for appraisals of taxable property for municipalities.

Health and Human Services

April 25, 2006
 2006-2033s
 01/09

Amendment to HB 1274

Amend RSA 125:25-c, I as inserted by section 1 of the bill by replacing it with the following:

I. Notwithstanding any other provision of law, any health care practitioner who has an ownership interest in an entity which provides diagnostic or therapeutic services shall disclose such interest to the appropriate licensing authority regardless of whether any referrals are provided to the health care practitioner's entity or any other entity. In the disclosure to the appropriate licensing authority, the health care practitioner shall list all diagnostic and therapeutic services provided by any entity in which the health care practitioner has an ownership interest. Disclosure of ownership shall be made upon application for and renewal of the health care practitioner's license, on the application and renewal form.

Senate Judiciary
 April 26, 2006
 2006-2064s
 05/04

Amendment to HB 1285

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

AN ACT relative to adoption.

Amend RSA 170-B:6, I(c)(2) as inserted by section 2 of the bill by replacing it with the following:

(2) In New Hampshire, the registration form shall be supplied by the office of child support services. The form shall require the claimant to affirmatively express his intent to support the child to the best of his ability.

Amend RSA 170-B:22, I as inserted by section 8 of the bill by replacing it with the following:

I. Within 7 days after the final decree is filed, the register of probate shall send ***a hard copy of the report of the adoption*** to the town clerk of the town where the adoptee was born ~~and~~, to the commissioner, ~~[by mail a report of the adoption]~~ ***and to the department of state, division of vital records administration.*** The ~~[bureau of vital records and health statistics]~~ ***department of state, division of vital records administration*** shall provide suitable forms for such reports.

Amend the bill by inserting after section 12 the following and renumbering the original sections 13 and 14 to read as 14 and 15, respectively:

13 Persons Not Required to Surrender. Amend RSA 170-B:7, V to read as follows:

V. A parent whose parental rights have been terminated pursuant to RSA 170-C; ~~[or]~~

V-a. An alleged father who is convicted of an offense under RSA 632-A:2, RSA 632-A:3, RSA 632-A:4, or RSA 639:2 which resulted in conception of the adoptee; or

2006-2064s

AMENDED ANALYSIS

This bill corrects an obsolete reference to the bureau of vital records and health statistics and clarifies the effect of an adoption decree on inheritance rights and privileges.

The bill also clarifies the putative father registration process and requires putative fathers to indicate their intent to support the child when they sign the registry.

The bill clarifies the circumstances under which a parent surrendering parental rights has a right to counsel. The bill also provides that the surrender of parental rights is not required of an alleged father who is convicted of an offense that resulted in the conception of the adoptee.

Transportation and Interstate Commerce

April 26, 2006
 2006-2071s
 05/10

Amendment to HB 1295

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

AN ACT relative to notice brake shift interlock and key positions by automobile dealers to consumers.

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

1 New Section; Equipment on Vehicles; Notification of Brake Shift Interlock and Key Positions. Amend RSA 266 by inserting after section 27-a the following new section:

266:27-b Notification of Brake Shift Interlock and Key Position by Automobile Dealers.

I. All motor vehicle dealers shall post the following notice in a prominent location at their place of business:

Important Safety Factors Regarding Automatic Transmissions and Key Positions

1. Most newer model motor vehicles with automatic transmissions are engineered with a “brake shift interlock” system as a safety mechanism, which prevents movement from the “park” position unless the service brake is applied.
2. Some vehicles are engineered whereby the vehicle may be shifted from “park” to “neutral” in a “key” position before the engine has been started without applying the service brake, which may cause the vehicle to roll. Your vehicle may not contain roll prevention safety in all key positions.
3. Consumers should become familiar with the specific characteristics of their vehicles in all “key” positions.
4. It is strongly recommended that the “parking” brake be engaged when the vehicle is parked on a grade.

II. Nothing in this section imposes any liability on a motor vehicle dealer or creates a cause of action by a consumer against a dealer.

2 Effective Date. This act shall take effect January 1, 2007.

2006-2071s

AMENDED ANALYSIS

This bill requires motor vehicle dealers to post a notice regarding the operation of brake shift interlock systems and key positions.

Public and Municipal Affairs

April 19, 2006

2006-1925s

09/01

Amendment to HB 1305-LOCAL

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

AN ACT authorizing municipalities to adopt regulations relative to businesses obtaining municipal permits.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Section; Town Regulations; Businesses Obtaining Municipal Permits. Amend RSA 41 by inserting after section 11-b the following new section:

41:11-c Regulations; Businesses Obtaining Municipal Permits. The selectmen may establish regulations relative to businesses obtaining municipal permits. Any person who violates a regulation established under this section shall be guilty of a violation.

2006-1925s

AMENDED ANALYSIS

The bill authorizes municipalities to adopt regulations relative to businesses obtaining municipal permits.

Sen. Kenney, Dist. 3

April 26, 2006

2006-2067s

01/09

Amendment to HB 1346

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

1 New Sections; Pharmacists and Pharmacies; Prescription Information to be Kept Confidential. Amend RSA 318 by inserting after section 47-e the following new sections:

318:47-f Prescription Information to be Kept Confidential. Records relative to prescription information containing patient-identifiable and prescriber-identifiable data shall not be licensed, transferred, used, or sold by any pharmacy benefits manager, insurance company, electronic transmission intermediary, retail, mail order, or Internet pharmacy or other similar entity, for any commercial purpose, except for the limited purposes of pharmacy reimbursement; formulary compliance; care management; utilization review by a

health care provider, the patient's insurance provider or the agent of either; health care research; or as otherwise provided by law. Commercial purpose includes, but is not limited to, advertising, marketing, promotion, or any activity that could be used to influence sales or market share of a pharmaceutical product, influence or evaluate the prescribing behavior of an individual health care professional, or evaluate the effectiveness of a professional pharmaceutical detailing sales force. Nothing in this section shall prohibit the dispensing of prescription medications to a patient or to the patient's authorized representative; the transmission of prescription information between an authorized prescriber and a licensed pharmacy; the transfer of prescription information between licensed pharmacies; the transfer of prescription records that may occur in the event a pharmacy ownership is changed or transferred; care management educational communications provided to a patient about the patient's health condition, adherence to a prescribed course of therapy or other information about the drug being dispensed, treatment options, or clinical trials. Nothing in this section shall prohibit the collection, use, transfer or sale of patient and prescriber de-identified data by zip code, geographic region or medical specialty for commercial purposes. In addition to other appropriate remedies under this chapter, a violation of this section is an unfair or deceptive act or practice within the meaning of RSA 358-A:2. Any right or remedy set forth in RSA 358-A may be used to enforce the provisions of this section.

318:47-g Patient Assistance Program.

I. Following the close of each calendar year, any clearinghouse that provides information to New Hampshire residents about pharmaceutical manufacturers' patient assistance programs shall, to the extent that the clearinghouse collects such information, provide aggregate information to the commissioner of the department of health and human services relative to either:

(a) The number of people in New Hampshire who may qualify for any manufacturer or government program during the calendar year; or

(b) The number of patients served during the calendar year.

II. An individual company may provide additional information about the individual company's patient assistance program; however, the commissioner shall combine all information from all sources, including individual companies and the clearinghouse, and shall report only aggregate information to the public.

2 New Paragraph; Controlled Drug Act; Prescription Information to be Kept Confidential. Amend RSA 318-B:12 by inserting after paragraph III the following new paragraph:

IV. Records relative to prescription information containing patient-identifiable and prescriber-identifiable data shall not be licensed, transferred, used, or sold by any pharmacy benefits manager, insurance company, electronic transmission intermediary, retail, mail order, or Internet pharmacy or other similar entity, for any commercial purpose, except for the limited purposes of pharmacy reimbursement; formulary compliance; care management; utilization review by a health care provider, the patient's insurance provider or the agent of either; health care research; or as otherwise required by law. Commercial purpose includes, but is not limited to, advertising, marketing, promotion, or any activity that could be used to influence sales or market share of a pharmaceutical product, influence or evaluate the prescribing behavior of an individual health care professional, or evaluate the effectiveness of a professional pharmaceutical detailing sales force. Nothing in this paragraph shall prohibit the dispensing of prescription medications to a patient or to the patient's authorized representative; the transmission of prescription information between an authorized prescriber and a licensed pharmacy; the transfer of prescription information between licensed pharmacies; the transfer of prescription records that may occur in the event a pharmacy ownership is changed or transferred; care management educational communications provided to a patient about the patient's health condition, adherence to a prescribed course of therapy or other information about the drug being dispensed, treatment options, or clinical trials. Nothing in this section shall prohibit the collection, use, transfer or sale of patient and prescriber de-identified data by zip code, geographic region or medical specialty for commercial purposes. In addition to other appropriate remedies under this chapter, a violation of this paragraph is an unfair or deceptive act or practice within the meaning of RSA 358-A:2. Any right or remedy set forth in RSA 358-A may be used to enforce the provisions of this paragraph.

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

Senate Judiciary
April 25, 2006
2006-2046s
04/10

Amendment to HB 1386

Amend RSA 159:17 as inserted by section 1 of the bill by replacing it with the following:

159:17 Exceptions. The provisions of the preceding section shall not apply to officers of the law, to persons holding [~~hunters~~²] ***hunting or fishing*** licenses when lawfully engaged in hunting ***or fishing***, to employees of express companies while on duty, [~~or~~] to watchmen while on duty, ***to emergency medical technicians, firefighters, or military personnel while in the course of their duties, or to duly authorized military or civic organizations when parading, or to the members thereof when at, or going to or from, their customary places of assembly.***

Health and Human Services
April 25, 2006
2006-2038s
01/09

Amendment to HB 1427

Amend RSA 171-A:1 as inserted by section 1 of the bill by replacing it with the following:

171-A:1 Purpose and Policy. The purpose of this chapter is to enable the department of health and human services to establish, maintain, implement and coordinate a comprehensive service delivery system for developmentally disabled persons. The policy of this state is that persons with developmental disabilities and their families be provided services that emphasize community living and programs to support individuals and families, beginning with early intervention, and that such services and programs shall be based on the following:

I. Participation of people with developmental disabilities and their families in decisions concerning necessary, desirable, and appropriate services, recognizing that they are best able to determine their own needs.

II. Services that offer comprehensive, responsive, and flexible support as individual and family needs evolve over time.

III. Individual and family services based on full participation in the community, sharing ordinary places, developing meaningful relationships, and learning things that are useful, as well as enhancing the social and economic status of persons served.

IV. Services that are relevant to the individual's age, abilities, and life goals, including support for gainful employment that maximizes the individual's potential for self-sufficiency and independence.

V. Services based on individual choice, satisfaction, safety, and positive outcomes.

VI. Services provided by competent, appropriately trained and compensated staff.

Sen. Barnes, Dist. 17
April 26, 2006
2006-2057s
08/10

Amendment to HB 1436-LOCAL

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

AN ACT authorizing municipal and county biennial budgets for a 24-month period and authorizing a fee of up to \$500 for games of chance licenses.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Games of Chance; Fees. Amend RSA 287-D:5 to read as follows:

I. An applicant for a license under this chapter shall apply to the chief of police, and upon payment of [~~a fee of \$25~~] ***the fees established by this paragraph***, and if the applicant meets all other require-

ments of this chapter, a license shall be issued. ~~[The fee shall be paid to the city or town treasurer for the use of the city or town.]~~ ***As determined by the governing body, a fee of up to \$500 shall be paid by the applicant for a license to the city or town treasurer for the use of the city or town. In addition, a fee of up to \$500, as determined by the governing body, for each day a game of chance will be operated under the license, shall be paid to the city or town treasurer for the use of the city or town, by the person or persons other than the charitable organization itself, who lease, sell, or otherwise provide the facility, game of chance paraphernalia, or equipment to the charitable organization for use during the games of chance to be licensed.*** Only one license shall be issued to each applicant per year to operate games of chance for 10 days, which 10 days need not be consecutive.

2006-2057s

AMENDED ANALYSIS

This bill authorizes municipal and county biennial budgets for one distinct 24-month fiscal year or 2 distinct 12-month fiscal years.

This bill also authorizes a fee of up to \$500 for games of chance licenses.

Sen. Fuller Clark, Dist. 24

April 24, 2006

2006-2001s

05/03

Amendment to HB 1461

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

AN ACT establishing a task force to study Temporary Assistance to Needy Families (TANF).

Amend section 2 of the bill by inserting after paragraph XII the following new paragraphs:

XIII. A member of Families in Transition-NH, appointed by that organization.

XIV. A child care professional, appointed by the governor.

XV. The commissioner of the department of employment security, or designee.

XVI. A professional in the field of adult education, appointed by the governor.

XVII. A representative of the governor's commission on disability, appointed by that organization.

XVIII. A representative of the community action program, appointed by that organization.

Amend section 3 of the bill by replacing all after paragraph VI with the following:

VII. Consider issues relative to child care in the context of providing assistance and meeting welfare-to-work goals under the TANF program.

VIII. Review changes to the TANF program made by the Deficit Reduction Act of 2005, Public Law 109-171. The task force also shall review how the current state TANF program may need to be changed in order to comply with the amended federal law.

IX. Recommend those changes in the levels and structure of the TANF grant, that the task force determines are necessary and desirable, to the governor, the commissioner of health and human services, the speaker of the house of representatives, and the president of the senate.

X. Make recommendations for any proposed legislation the task force deems necessary.

2006-2001s

AMENDED ANALYSIS

This bill establishes a task force to study cash assistance provided to eligible families with dependent children under the Temporary Assistance to Needy Families (TANF) program. The bill also directs the task force to study the federal reauthorization of TANF and to recommend appropriate changes at the state level.

Sen. Clegg, Dist. 14
 April 18, 2006
 2006-1878s
 03/10

Amendment to HB 1508

Amend the bill by replacing section 1 with the following:

1 Building Permits to be Withheld in Certain Cases; Plat or Application Subject of Notice. Amend RSA 676:12, VI to read as follows:

VI. The provisions of paragraph I shall not apply to any plat or application which has been [~~formally accepted~~] ***the subject of notice*** by the planning board pursuant to RSA 676:4, [~~I(b)~~] ***I(d)*** prior to the first legal notice of a proposed change in a building code or zoning ordinance or any amendment thereto. No proposed subdivision or site plan review or zoning ordinance or amendment thereto shall affect a plat or application [~~formally accepted~~] ***which has been the subject of notice*** by the planning board pursuant to RSA 676:4, [~~I(b)~~] ***I(d)*** so long as said plat or application was [~~accepted~~] ***the subject of notice*** prior to the first legal notice of said change or amendment. ***The provisions of this paragraph shall apply to proposals submitted to a planning board for preliminary review pursuant to RSA 676:4, II, provided that a formal application is filed with the planning board within 12 months of the end of the preliminary review process.***

Senate Judiciary
 April 25, 2006
 2006-2039s
 05/04

Amendment to HB 1516

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

2 Child Support Guidelines; Modification of Order; Grounds for Modification. Amend RSA 458-C:7, I to read as follows:

I. [~~The obligor or obligee may apply to the court or, when the department of health and human services has issued a legal order of support pursuant to RSA 161-C, to the department, whichever issued the existing order, for modification of such order 3 years after the entry of the last order for support, without the need to show a substantial change of circumstances. This section shall not prohibit the obligor or obligee from applying at any time for a modification based on substantial change of circumstances.~~] ***A child support order may be modified, upon application to the court, if:***

(a) Three years have elapsed since the entry of the last order for support;

(b) Either party demonstrates a substantial change in circumstances;

(c) The parties agree to a change in the child support amount;

(d) The court has removed the child from the custody of the obligee pursuant to RSA 169-B, RSA 169-C, RSA 169-D, or RSA 463 or from the residential responsibility of the obligee under RSA 461-A; or

(e) The parties agree on a change in residential responsibility or designation of obligee.

2 Effective Date. This act shall take effect January 1, 2007.

2006-2039s

AMENDED ANALYSIS

This bill permits modification of a child support order based on a change in custody under the juvenile statutes or guardianship statute, a change in residential responsibility, or by mutual agreement of the parties.

Senate Executive Departments and Administration
April 26, 2006
2006-2078s
09/10

Amendment to HB 1574

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

AN ACT relative to membership on the public employees deferred compensation commission and relative to criminal penalties for certain securities violations.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Securities; Criminal Penalty. Amend RSA 421-B:24, I to read as follows:

I. Any person who willfully violates any provisions of RSA 421-B:3, 421-B:4, 421-B:5 or [a] ***fails to comply with an order from the secretary of state to*** cease and desist [order] or ***for an*** injunction issued pursuant to RSA 421-B:23, ***or who fails to comply with an order to pay a fine, penalty, rescission, restitution, or disgorgement greater than \$500 pursuant to RSA 421-B:10, 421-B:23, or 421-B:26,*** or who violates RSA 421-B:19 knowing that the statement was false or misleading in any material respect, shall be guilty of a class B felony. Each of the acts specified shall constitute a separate offense and a prosecution or conviction for any one of such offenses shall not bar prosecution or conviction for any other offense.

2006-2078s

AMENDED ANALYSIS

This bill replaces the director of the office of securities regulation with the secretary of state or designee as a member of the public employees deferred compensation commission.

The bill also makes it a crime to fail to comply with certain orders of the secretary of state regarding securities violations.

Sen. D'Allesandro, Dist. 20
April 26, 2006
2006-2069s
05/04

Amendment to HB 1580

Amend the bill by replacing all after section 7 with the following:

8 New Paragraph; Child Support Guidelines; Definition of Day. Amend RSA 458-C:2 by inserting after paragraph III the following new paragraph:

III-a. "Day" means more than 12 hours of a calendar day which is spent by a child under the control of a parent, and that parent expends a reasonable amount of resources on the child during such time period, such as the cost of a meal or other costs directly related to the care and supervision of the child. Partial days of parenting time that are not consistent with this definition shall not be considered a "day" under the child support guidelines. A "day" under the control of a parent includes a day the child is not in the parent's home, but is under the parent's control, for example, with the parent's permission at camp or with friends.

9 Commission to Study Child Support Extended to December 2007. Amend 2005, 256:1 and 256:2 to read as follows:

256:1 Extension of Commission to Study Child Support and Related Child Custody Issues. The commission to study child support and related child custody issues, established in 2003, 277 (HB 310), shall be extended in order to continue studying the recommendations of its final report dated December 4, 2004, as well as any new economic data on the cost of raising children in New Hampshire, and to serve as a continuing resource to the general court and the department of health and human services in revising, if appropriate, the child support guidelines. The commission shall study the problem of how many financial "add-ons" parents can afford over and above their child support obligation and how that affects the ability to pay child support obligations. The incumbent house members of the commission shall call the meeting to reconvene the commission. Upon reconvening, the commission shall elect a chairperson and vice-chairperson from among the members and shall meet with such frequency as the commission deems

appropriate. A vacancy on the commission shall be filled by the original appointing authority. The commission shall submit a final report relative to implementation of its recommendations on or before December 1, [2006] **2007**, as well as any new economic data on the cost of raising children, to the speaker of the house of representatives, the senate president, the governor, the house clerk, the senate clerk, and the state library.

256:2 Appropriation to Department of Health and Human Services; Economist. The sum of \$80,000 is hereby appropriated to the department of health and human services, for the fiscal year ending June 30, [2006] **2007**, for the purpose of hiring economists to assist in revising the child support guidelines. The department also may accept any matching federal funds available for such purpose. The economists shall be qualified to assist the department and the commission to study child support and related child custody issues, established in 2003, 277 (HB 310), in developing, if appropriate, a basic cost model or similar method that will consider an equitable and affordable sharing of child support obligations and that will ensure that the best interests of the child have been taken into consideration in determining child support awards. ***The economist shall report his or her findings and recommendations relative to the New Hampshire child support guidelines to the department of health and human services and the commission to study child support and related child custody issues, established in 2003, 277, as amended by 2005, 256:1 and this section.*** [The] Funds ***appropriated in this section*** shall be in addition to any other funds appropriated to the department of health and human services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

10 Effective Date.

I. Sections 1-8 of this act shall take effect January 1, 2008.

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

2006-2069s

AMENDED ANALYSIS

This bill amends the child support formula so that child support amounts are based primarily on income and the amount of time that the child spends with each parent. The changes shall take effect January 1, 2008.

The bill also directs the parties to file their child support worksheets with the court and requires the court to provide the basis for either adjusting or declining to adjust the guidelines for special circumstances.

The bill also extends the commission to study child support and related child custody issues, established in 2003, 277, to December 1, 2007 and extends the appropriation for an economist to review and revise the child support guidelines.

Transportation and Interstate Cooperation

April 20, 2006

2006-1914s

03/01

Amendment to HB 1581

Amend the bill by replacing section 1 with the following:

1 Form of License. Amend RSA 263:40 to read as follows:

263:40 Form of License. The commissioner shall, upon payment of the required fee, issue to every applicant a driver's license subject to such conditions as the commissioner may deem expedient and in such form as the commissioner may prescribe. ***Licenses issued to persons under the age of 21 shall be designed so that their horizontal and vertical axes are opposite the horizontal and vertical axes of licenses issued to other persons, and said licenses shall prominently display the date on which the licensee shall attain the age of 21 years. Consistent with RSA 263:14, the youth operator license shall expire on the 21st anniversary of the applicant's date of birth, at which time the applicant shall be issued a tradition license.*** The license shall bear thereon a distinguishing number assigned to the licensee and an instant full-face color photograph, image, or likeness of the licensee. There shall also be provided a space wherein the licensee may enter his ***or her*** blood type if ~~he~~ ***the licensee*** so desires.

Senate Judiciary
April 19, 2006
2006-1922s
05/10

Amendment to HB 1583

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Grounds for Modification of Parental Rights and Responsibilities; Preference of Mature Minor. Amend RSA 461-A:11, I by inserting after subparagraph (d) the following new subparagraph:

(e) If the court finds by clear and convincing evidence that a minor child is of sufficient maturity to make a sound judgment about his or her proper custody, the court may give substantial weight to the preference of the mature minor child as to the parent with whom he or she wants to live. Under these circumstances, the court shall also give due consideration to other factors which may have affected the minor child's preference, including, but not limited to, whether the minor child's preference was based on undesirable or improper influences.

2006-1922s

AMENDED ANALYSIS

This bill permits the court to give substantial weight to the preference of a mature minor in the modification of parental rights and responsibilities.

Senate Judiciary
April 20, 2006
2006-1951s
05/04

Amendment to HB 1585

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

1 New Section; Parental Rights and Responsibilities; Enforcement of Parenting Plan. Amend RSA 461-A by inserting after section 4 the following new section:

461-A:4-a Judicial Enforcement of Parenting Plan. Any motion for contempt or enforcement of an order regarding an approved parenting plan under this chapter, if filed by a parent, shall be reviewed by the court within 30 days.

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

2006-1951s

AMENDED ANALYSIS

This bill requires the court to review a parent's motion for contempt or enforcement of a parenting plan within 30 days.

Senate Judiciary
April 10, 2006
2006-1717s
09/10

Amendment to HB 1625

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

AN ACT establishing penalties for guardians ad litem who fail to file reports.

Amend RSA 490:26-g as inserted by section 1 of the bill by replacing it with the following:

490:26-g Guardians Ad Litem; Failure to File Required Reports. A guardian ad litem who, without good cause, fails to file a report required by any court or statute by the date the report is due may be subject to a fine, established by supreme court rule, of not less than \$100 and not more than the amount of costs and attorneys fees incurred by the parties to the action for the day of the hearing. The guardian ad litem shall

not be subject to the fine under this section if, at least 10 days prior to the date the report is due, he or she files a motion requesting an extension of time to file the report. The court clerk shall report a guardian ad litem who fails to file a report by the date the report is due to the guardian ad litem board. The court clerk and the guardian ad litem board shall make such report available to the public.

2006-1717s

AMENDED ANALYSIS

This bill establishes penalties for guardians ad litem who fail to file reports which are required by the court or by statute.

Senate Judiciary

April 26, 2006

2006-2051s

05/10

Amendment to HB 1761

Amend the bill by replacing section 1 with the following:

1 New Chapter; Vacation or Recreational Rental Units. Amend RSA by inserting after chapter 540-B the following new chapter:

CHAPTER 540-C

VACATION OR RECREATIONAL RENTAL UNITS

540-C:1 Covered Units. This chapter shall apply to all dwelling units which are:

I. Rented for recreational or vacation use at least one month out of the year; and

II. Rented for residential purposes by persons who have no other residence, during part or all of the non-recreational or vacation period.

540-C:2 Lease Required. In order to evict a tenant from a dwelling unit covered by this chapter without fulfilling the requirements of RSA 540, the owner or the owner's authorized agent and the tenant shall sign a lease which:

I. States the date by which the tenant shall vacate the premises; and

II. Informs the tenant that if he or she remains on the premises after the expiration of the lease without the written permission of the owner or the owner's authorized agent, the tenant may be removed from the premises pursuant to a writ of possession obtained pursuant to RSA 540-C:3.

540-C:3 Removal Upon Expiration of Lease; Writ of Possession. Upon presentation of an expired lease that meets the requirements of RSA 540-C:2 and the filing of a petition attesting to the failure of the tenant to vacate the dwelling unit on the date specified, the court shall immediately issue ex parte a writ of possession to the owner or the owner's authorized agent which shall be held by the court pending further hearing. The owner, owner's representative, or sheriff shall serve notice of any petition filed under this section upon the tenant personally or by leaving it at the dwelling unit. Proof of service shall be shown by a true and attested copy of the petition accompanied by an affidavit of service, but the affidavit need not be sworn under oath. The tenant, within 2 business days of the date of service, may request a hearing, which shall be held within 5 days of the tenant's request. The sole issue at the hearing shall be whether the expiration date of the lease was extended by agreement. If the tenant fails to request a hearing within 2 business days of the date of service, the owner shall immediately be granted the writ of possession.

540-C:4 Personal Property of Former Tenant. The owner or the owner's authorized agent shall maintain and exercise reasonable care in the storage of the personal property of a former tenant who has vacated the premises, either voluntarily or pursuant RSA 540-C:3, for a period of 28 days after the date upon which such tenant has vacated. During this period, the former tenant shall be allowed to recover personal property without payment of rent or storage fees. After the 28-day limit has expired, such personal property may be disposed of without notice to the former tenant.

HEARINGS

TUESDAY, MAY 2, 2006

FINANCE, Room 100, SH

Sen. Morse (C), Sen. Boyce (VC), Sen. Gatsas, Sen. Clegg, Sen. Green, Sen. Odell, Sen. D'Allesandro, Sen. Larsen
10:00 a.m.

EXECUTIVE SESSION ON THE FOLLOWING BILLS

HB 678-FN, relative to the insurance premium tax.

HB 1331, (New Title) relative to the New Hampshire Temporary Assistance to Needy Families (TANF) program.

HB 1690, relative to renewable energy.

WEDNESDAY, MAY 10, 2006

CAPITAL BUDGET, Room 100, SH

Sen. Clegg (C), Sen. D'Allesandro (VC), Sen. Boyce, Sen. Johnson, Sen. Morse Sen. Green
10:30 a.m.

EXECUTIVE SESSION ON PENDING LEGISLATION

MEETINGS

FRIDAY, APRIL 28, 2006

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

9:30 a.m.

NH Department of
Revenue Administration
57 Regional Drive, Training Room

Regular Meeting

FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)

Rescheduled

Rooms 210-211, LOB

Regular Meeting

Rescheduled

Rooms 210-211, LOB

Audits:
State of New Hampshire
Highway Fund Financial
Statements
For the Fiscal Year Ended
June 30, 2005
State of New Hampshire
Comprehensive Annual
Financial Report
For the Year Ended
June 30, 2005

MONDAY, MAY 1, 2006

DEVELOPMENTAL DISABILITY WAITLIST FUND ALLOCATION OVERSIGHT COMMITTEE
(RSA 171-A:1-c)

10:00 a.m.

Room 205, LOB

Regular Meeting

NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2)

10:00 a.m.

NH Higher Education
Assistance Foundation
4 Barrell Court
Concord, NH

Full Commission

COMMISSION TO STUDY THE STATE PARK SYSTEM (SB 5, Chapter 276:1, Laws of 2005)

10:30 a.m.	Room 100, SH	Subcommittee Work Session
------------	--------------	---------------------------

COMMISSION TO STUDY THE STATE PARK SYSTEM (SB 5, Chapter 276:1, Laws of 2005)

11:00 a.m.	Room 100, SH	Committee Work Session
------------	--------------	------------------------

TUESDAY, MAY 2, 2006**STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2, VI)**

5:00 p.m.	American Legion Post 79 35 W. Brook St. Manchester, NH	Regular Meeting
-----------	--	-----------------

WEDNESDAY, MAY 3, 2006**ADVISORY COMMITTEE ON EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES (RSA 186-C:3-b)**

4:00 p.m.	Room 15 Department of Education 101 Pleasant St. Concord, NH	Regular Meeting
-----------	--	-----------------

FRIDAY, MAY 5, 2006**FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)**

9:00 a.m.	Rooms 210-211, LOB	Regular Meeting
9:30 a.m.	Rooms 210-211, LOB	Audits: State of New Hampshire Highway Fund Financial Statements For the Fiscal Year Ended June 30, 2005 State of New Hampshire Comprehensive Annual Financial Report For the Year Ended June 30, 2005

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m.	Room 306, LOB	Continued Regular Meeting
-----------	---------------	---------------------------

PUBLIC HIGHER EDUCATION STUDY COMMITTEE (RSA 187-A:28-a)

9:30 a.m.	Mountain view Room 3 rd Floor Young Student Center Keene State College	Campus Tour
-----------	---	-------------

MONDAY, MAY 8, 2006**NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4)**

9:00 a.m.	CDFA Board Room 14 Dixon Avenue Concord, NH	Regular Meeting
-----------	---	-----------------

COMMISSION TO STUDY ISSUES RELATIVE TO THE COMPREHENSIVE SHORELAND PROTECTION ACT (SB 83, Chapter 209:1, Laws of 2005)

10:00 a.m.	Room 305, LOB	Regular Meeting
------------	---------------	-----------------

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m.	Room 201, LOB	Regular Meeting
-----------	---------------	-----------------

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

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

FRIDAY, MAY 12, 2006

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

9:30 a.m.	NH Department of Revenue Administration 57 Regional Drive, Training Room	Regular Meeting
-----------	--	-----------------

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)

10:00 a.m.	Room 205, LOB	Regular Meeting
------------	---------------	-----------------

EMERGENCY MANAGEMENT SYSTEM JOINT LEGISLATIVE OVERSIGHT COMMITTEE (RSA 21-P:51)

1:00 p.m.	Room 205, LOB	Regular Meeting
-----------	---------------	-----------------

MONDAY, MAY 15, 2006

WINNIPESAUKEE RIVER WATERSHED ADVISORY COMMITTEE (RSA 483-D:2)

9:00 a.m.	Room 103, SH	Update Meeting
-----------	--------------	----------------

FRIDAY, MAY 19, 2006

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m.	Room 306, LOB	Regular Meeting
-----------	---------------	-----------------

MONDAY, MAY 22, 2006

COMMISSION TO STUDY ISSUES RELATIVE TO GROUNDWATER WITHDRAWALS (SB 155, Chapter 305:1, Laws of 2003)

10:00 a.m.	Room 103, SH	Regular Meeting
------------	--------------	-----------------

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

10:30 a.m.	Room 100, SH	Regular Meeting
------------	--------------	-----------------

FRIDAY, MAY 26, 2006

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

9:30 a.m.	NH Department of Revenue Administration 57 Regional Drive, Training Room	Regular Meeting
-----------	--	-----------------

FRIDAY, JUNE 2, 2006

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m.	Room 306, LOB	Continued Meeting
-----------	---------------	-------------------

WEDNESDAY, JUNE 7, 2006

ADVISORY COMMITTEE ON EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES (RSA 186-C:3-b)

4:00 p.m.	Room 12 Department of Education 101 Pleasant St. Concord, NH	Regular Meeting
-----------	--	-----------------

FRIDAY, JUNE 9, 2006

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

9:30 a.m.	NH Department of Revenue Administration 57 Regional Drive, Training Room	Regular Meeting
-----------	--	-----------------

PUBLIC HIGHER EDUCATION STUDY COMMITTEE (187-A:28-a)

9:30 a.m. Granite State College Campus Tour
 8 Old Suncook Road
 Concord, NH

MONDAY, JUNE 12, 2006**COMMISSION TO STUDY ISSUES RELATIVE TO THE COMPREHENSIVE SHORELAND PROTECTION ACT (SB 83, Chapter 209:1, Laws of 2005)**

10:00 a.m. Room 305, LOB Regular Meeting

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

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

FRIDAY, JUNE 16, 2006**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m. Room 306, LOB Regular Meeting

FRIDAY, JUNE 23, 2006**ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

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

FRIDAY, JUNE 30, 2006**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m. Room 306, LOB Continued Meeting

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 2006 BILLS.

SENATE BILLS: 22, 103, 107, 110, 175, 131, 225, 232, 249, 262, 268, 276, 278, 279, 280, 281, 282, 284, 288, 289, 290, 294, 296, 297, 298, 300, 301, 303, 305, 306, 307, 309, 310, 311, 313, 314, 316, 317, 325, 339, 342, 346, 350, 352, 353, 354, 355, 356, 357, 358, 359, 361, 363, 367, 368, 371, 372, 373, 374, 375, 377, 378, 379, 380, 381, 384, 385, 386, 392, 401, 402, 403, 406

HOUSE BILLS: 76, 100, 234, 317, 325, 345, 347, 349, 380, 489, 515, 638, 645, 653, 657, 669, 678, 689, 718, 719, 1128, 1167, 1182, 1215, 1221, 1222, 1223, 1231, 1274, 1331, 1337, 1407, 1419, 1426, 1427, 1436, 1455, 1459, 1463, 1464, 1465, 1468, 1489, 1578, 1580, 1595, 1608, 1609, 1612, 1624, 1626, 1631, 1648, 1656, 1657, 1679, 1683, 1681, 1697, 1711, 1713, 1718, 1741, 1744, 1747, 1765, 1767, 1768

NOTICES

In the very near future, the Statehouse Cafeteria dining room will be set up as a "Wi-Fi HotSpot." Anyone using an 802.11 wireless compatible device (laptop or PDA) will be able to access the Internet for free during the hours that the cafeteria dining room is open. Unlike other areas of the Statehouse complex, where an Encryption Key must be used, the Cafeteria will offer open access. This new HotSpot will be set up on a separate network so that the legislative network will remain secure. This was made possible through joint efforts of House and Senate leadership under the guidance of Stan Kelly, Manager of the Statehouse Information Systems.

Theodore L. Gatsas, Senate President

**NH GENERAL COURT
MAIL RECEIPT POLICY**

No legislative employee shall accept hand delivered mail that does not include a complete return address clearly displayed on the envelope. Any legislative employee responsible for opening hand delivered mail shall secure the envelope to the contents.

Legislative employees that accept and distribute mail for their department, shall not accept mail hand delivered from any person not employed by the General Court to be distributed to numerous members or staff, unless authorized by the Chief of Staff(s).

Theodore L. Gatsas, Senate President

* * * * *

WEDNESDAY, MAY 3, 2006

All Senators are cordially invited to attend the Third Annual Profile Awards Reception on Wednesday, **May 3, 2006** from 5:00 - 7:30 p.m. at the Capitol Center for the Arts. The Profile Awards are given to individuals and communities that best represent the spirit of the Old Man Of The Mountain.

Senator John T. Gallus

* * * * *

THURSDAY, MAY 4, 2006

New Hampshire Healthy Kids Board of Directors invites all legislators for a legislative lunch on **Thursday, May 4th** at St. Paul's Church at 12:00 p.m. or when session breaks for lunch. We look forward to sharing current program information and our collective success in covering kids in NH. This is a great opportunity to learn more and ask questions about the Healthy Kids programs. We hope to see you there.

Senator Sylvia Larsen

* * * * *

TUESDAY, MAY 9, 2006

The New Hampshire National Guard Legislative Open House Tuesday, May 9, 2006 from 3:30 p.m. - 5:00 p.m. Concord Armory, Pembroke Rd, Concord, NH.

Senator Robert E. Clegg, Jr.

* * * * *

TUESDAY, MAY 9, 2006

The Legislative Caucus for Young Children (LCYC) invites all members of the House and Senate to an information session on Temporary Assistance to Needy Families (TANF) on Tuesday, **May 9th** at 10:00 a.m. in Room 206, LOB. Recent changes in federal laws regarding TANF will have serious effects on NH policies affecting families and children. This presentation by Terry Smith, Director of Family Assistance and staff from DHHS, will give legislators the opportunity to learn about NH's response to the new federal statutes and to discuss their implications for all NH residents.

Senator Sylvia B. Larsen

* * * * *

THURSDAY, MAY 11, 2006

The Governor's Annual Legislative Barbecue will be on Thursday, May 11th from 4:00 p.m. - 6:00 p.m. under the tent at Bridges House. All legislators and legislative staff are invited!

Theodore L. Gatsas, Senate President

* * * * *

WEDNESDAY, MAY 17, 2006

Save the date! On Wednesday, May 17th, the New Hampshire Women's Lobby will hold it's annual **Spring Celebs 2006 Awards**. Celebration is at the Kimball Jenkins House from 4:30-6:30 p.m. We hope you'll plan to join us as we honor legislators and citizens making a difference for women and families in the Granite State.

Senator Sylvia B. Larsen

* * * * *

FRIDAY, JUNE 2, 2006

The 33rd Annual Bill White Memorial Legislative Golf Tournament is scheduled for Friday, June 2, 2006 at the Waukegan Golf Course, Meredith, NH. The entry fee for this annual tournament is \$85.00 per person which includes greens fee, cart, barbecue dinner and prizes.

Registration is at 7:30 a.m. and the shotgun start is scheduled for 9:00 a.m. The format is "Captain and Crew".

Sign-up as a foursome or sign-up by yourself in order to be placed in a foursome.

A maximum of 100 players will be allowed. Please note that payment must be made upon registration. There will be no exceptions to this rule! Cancellation must occur two weeks prior to the tournament date to receive a full fee refund.

Return your entry and payment no later than May 15th to Sandra Anderson at the LOB Lobby Desk. Checks should be made payable to Sandra Anderson.

Theodore L. Gatsas, Senate President

33rd Annual Bill White Memorial Golf Tournament

Waukegan Golf Course
Meredith, NH

Name: 1. _____
2. _____
3. _____
4. _____

Telephone: _____ Amount Enclosed: _____

* * * * *

THURSDAY, JUNE 15, 2006

You are cordially invited to the 3rd annual Vesta Roy Excellence in Public Service Program graduation luncheon at the Bedford Village Inn, Bedford, New Hampshire on Thursday June 15, at 12 noon. For tickets and more information please contact Rep. Deb Hogancamp.

Senator Thomas R. Eaton

* * * * *

SENATE SCHEDULE

Thursday, May 4, 2006	Deadline for Policy Committees to report on all House non-money bills
Thursday, May 11, 2006	Last day to FORM Committees of Conference
Thursday, May 18, 2006	Last day to SIGN Committee of Conference Reports
Wednesday, May 24, 2006	Last day to ACT on Committee of Conference Reports
Monday, May 29, 2006	Memorial Day (State Holiday)
Tuesday, July 4, 2006	Independence Day (State Holiday)

* * * * *

VISITORS CENTER SCHEDULE - APRIL

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Grade/Size</i>
April 28	10:00/11:30 SH/HM	Seminary Hill School – West Lebanon	4/75

VISITORS CENTER SCHEDULE - MAY

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Grade/Size</i>
May 1	9:00/10:30 SH/SC	Seabrook Elementary School	4/55
May 1	10:30	St. Patrick's School- Jaffrey	4/7
May 2	9:30/11:00 SH/HM	Green Acres School – Manchester	4/50
May 2	11:00	The Well School –Peterborough	4/8
May 2	1:00	Plainfield School – Meriden	4/37
May 3	9:30/11:00 SH/HM	Green Acres School – Manchester	4/50
May 3	12:30	Cornish Elementary	4/18
May 4	9:30/11:00 SH/HM	Ashland School	4&6/50
May 4	9:30	St. Mary's School – Claremont	4/9
May 5	9:00	New Hampton Elementary School	4/36
May 5	11:00/12:00 SH/F&G	Peterborough Elementary	4/80
May 8	9:00/10:30 SH/SC	Seabrook Elementary School	4/70
May 8	12:30	Andover Elementary School	4/26
May 9	9:30	Campton Elementary	4/34
May 9	11:00	Bridgewater-Hebron School	4/35
May 9	1:00	Bartlett School – Berlin	3/18
May 10	9:30	Ben Franklin School – Keene	4/40
May 10	11:00	Enfield Elementary School	4/50
May 11	9:30/11:00 SH/F&G	Lancaster School	4/60
May 12	10:00/11:30 SH/HM	Matthew Thornton School – Londonderry	4/75
May 12	1:00	Holderness Central School	4/22
May 15	10:00/11:30 SH/HM	Matthew Thornton School- Londonderry	4/100
May 16	9:45/11:00 SH/HM	Lancaster Memorial School – Salem	4/60
May 16	12:30	Francetown Elementary	4/17
May 17	9:00/10:30 SH/HM	North Londonderry School	4/78
May 17	12:00	World Elem – Nashua	3&4/24
May 18	9:00/10:30 SH/HM	North Londonderry School	4/52
May 18	10:30	Effingham Elementary School	4/17
May 19	9:30 to Noon	NH Student Council Assc Reps Hall	
May 19	10:00	South Merrimack Christian Academy	4/22
May 19	1:00	Pierce Elementary School – Bennington	4/25
May 22	8:45	St.John's Regional School- Concord	4/30
May 22	10:00	Antrim Elementary School	4/38
May 22	11:30	Greenfield Elementary School	4/15
May 22	11:30	Hancock Elementary School	4/20

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Grade/Size</i>
MAY 23	9:30/11:00	Raymond Elementary School	4/100
May 24	9:30/11:00 SH/HM	Gossler Park School- Manchester	4/75
May 24	1:00	Unity Elementary – Newport	4/12
May 24	2:30	Chamber of Commerce	30/adults
May 25	9:15	Jennie Blake School – Hill	4/30
May 25	11:00	Lisbon School	4/28
May 25	11:00	Stark Village School	3&4/9
May 26	9:00	Saint Barnabus Tours	Adults 40
May 26	10:00SH 11:30SC	Linwood School – Littleton	4/32
May 26	12:30	Bethlehem Elementary School	4/28
May 30	10:30	Maple Ave. School – Claremont	4/45
May 30	12:00	St. Elizabeth Seton School – Rochester	4/30
May 31	10:15/11:15 SH/HM	Pelham School	4/50
May 31	10:15	Mountain Shadows School – Dublin	6/9