

February 17, 2006
No. 7

STATE OF NEW HAMPSHIRE

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Legislative

SENATE CALENDAR

REPORTS, AMENDMENTS, HEARINGS,
MEETINGS AND NOTICES

**THE SENATE WILL MEET IN SESSION ON
THURSDAY, FEBRUARY 23, 2006 AT 10:00 A.M.**

LAID ON THE TABLE

SB 107-FN, relative to the sale of tobacco products. 2/2/06, **pending motion Committee Amendment (0496s), Ways & Means, SJ 3, pg. 71**

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 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, TBA**

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**

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. TBA**

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**

REPORTS

BANKS AND INSURANCE

SB 279-FN, allowing employees of area agencies and mental health clinics to be treated as state employees for purposes of insurance.

Inexpedient to Legislate, Vote 3-1
Senator Flanders for the committee.

SB 299-FN, relative to health insurance rate changes.

Inexpedient to Legislate, Vote 2-0
Senator Barnes for the committee.

SB 301-FN, relative to pooled risk management programs for municipalities and public entities.

Ought to pass with amendment, Vote 4-1
Senator Odell for the committee.

SB 347, establishing a committee to study the state employee health insurance plan.

Inexpedient to Legislate, Vote 6-0
Senator Foster for the committee.

SB 372-FN, allowing certain employees of private agencies to be treated as state employees for purposes of insurance.

Inexpedient to Legislate, Vote 6-0
Senator Roberge for the committee.

SB 377-FN, relative to COBRA coverage for persons 55 years of age or older.

Inexpedient to Legislate, Vote 3-1
Senator Barnes for the committee.

SB 378-FN, relative to rates charged by health care providers.

Inexpedient to Legislate, Vote 6-0
Senator Odell for the committee.

SB 391-FN, relative to insurance third party administrators.
Ought to pass with amendment, Vote 4-1
Senator Flanders for the committee.

SB 396, repealing the rulemaking authority of the New Hampshire children's trust fund board.
Ought to Pass, Vote 5-0
Senator Foster for the committee.

HB 515, (New Title) relative to purchasing alliances.
Inexpedient to Legislate, Vote 4-0
Senator Barnes for the committee.

EDUCATION

SB 253, relative to enforcement of support orders for college and postsecondary educational expenses.
Ought to pass with amendment, Vote 4-0
Senator Bragdon for the committee.

SB 266, requiring candidates for employment at the department of education to submit to a criminal background check.
Inexpedient to Legislate, Vote 4-1
Senator Bragdon for the committee.

SB 290-FN-L, relative to wellness programs in public schools.
Inexpedient to Legislate, Vote 4-1
Senator Bragdon for the committee.

SB 306-FN-A, establishing a quality early learning opportunity initiative and making an appropriation therefor.
Ought to Pass, Vote 3-2
Senator Estabrook for the committee.

SB 307-FN, relative to catastrophic special education funding.
Ought to pass with amendment, Vote 4-1
Senator Estabrook for the committee.

SB 361-FN, relative to the use of surplus funds by a school district.
Ought to pass with amendment, Vote 5-0
Senator Green for the committee.

SB 362-FN, relative to a tuition reduction for certain students taking courses at a regional community-technical college.
Inexpedient to Legislate, Vote 5-0
Senator Johnson for the committee.

SCR 7, a resolution urging Congress to amend the No Child Left Behind Act.
Ought to pass with amendment, Vote 5-0
Senator Estabrook for the committee.

ENVIRONMENT AND WILDLIFE

SB 259, relative to the duty of care of occupants of land constructing or maintaining snowmobile trails.
Inexpedient to Legislate, Vote 4-0
Senator Eaton for the committee.

SB 373-FN-A, relative to a public health response to arbovirus.
Ought to pass with amendment, Vote 3-2
Senator Hassan for the committee.

HB 538, (New Title) relative to deconstruction of structures.
Inexpedient to Legislate, Vote 3-2
Senator Gallus for the committee.

HB 544, relative to the land and community heritage program.
Ought to pass with amendment, Vote 5-0
Senator Johnson for the committee.

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.

Ought to pass with amendment, Vote 5-0

Senator Johnson for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 297-FN, establishing a new position and relative to the realignment of functions in the department of corrections.

Inexpedient to Legislate, Vote 4-0

Senator Flanders for the committee.

SB 309-FN-A, granting retirement benefits to certain retired judges, and making an appropriation therefor.

Ought to pass with amendment, Vote 3-0

Senator Flanders for the committee.

SB 313-FN, relative to the exemptions for the practice of massage therapy.

Inexpedient to Legislate, Vote 3-2

Senator Flanders for the committee.

SB 354-FN, requiring security officers of the New Hampshire hospital security force to be fully certified as police officers and including such security officers in group II of the New Hampshire retirement system.

Ought to pass with amendment, Vote 3-0

Senator Kenney for the committee.

SB 365-FN, relative to the lottery commission.

Inexpedient to Legislate, Vote 3-2

Senator Barnes for the committee.

FINANCE

SB 296-FN, relative to recovery of public assistance.

Ought to Pass, Vote 8-0

Senator Green for the committee.

HEALTH AND HUMAN SERVICES

SB 303-FN, relative to elective angioplasty.

Inexpedient to Legislate, Vote 3-2

Senator Fuller Clark for the committee.

SB 340, establishing a legislative health care advisory board.

Inexpedient to Legislate, Vote 3-2

Senator Gallus for the committee.

SB 367-FN, imposing a penalty on Medicaid providers who receive overpayments of state Medicaid funds.

Inexpedient to Legislate, Vote 3-2

Senator Fuller Clark for the committee.

INTERNAL AFFAIRS

SB 345, establishing a lobbying commission and relative to lobbyist registration and financial disclosure requirements.

Interim Study, Vote 5-0

Senator Boyce for the committee.

SB 375-FN, relative to the executive branch code of ethics and establishing an executive branch ethics committee.

Interim Study, Vote 5-0

Senator Larsen for the committee.

HB 234-FN, (New Title) relative to the development of a state and political subdivision information network.

Ought to Pass, Vote 2-1

Senator Boyce for the committee.

JUDICIARY

SB 282-FN-L, relative to removal of abandoned vehicles on private property.

Ought to pass with amendment, Vote 6-0

Senator Odell for the committee

SB 318-FN, relative to the use of deadly force to protect oneself.
Inexpedient to Legislate, Vote 4-2
Senator Foster for the committee.

SB 334, authorizing the use of a credit freeze as a means of deterring identity theft.
Ought to pass with amendment, Vote 6-0
Senator Clegg for the committee.

SB 353-FN, relative to registration of criminal offenders convicted of homicide.
Ought to pass with amendment, Vote 6-0
Senator Gottesman for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

SB 317-FN, establishing an occupational and professional regulation screening and appeals board to review complaints to and decisions by occupational and professional regulatory boards.
Ought to pass with amendment, Vote 5-0
Senator Burling for the committee.

SB 320, relative to investigations of cruelty to horses.
Inexpedient to Legislate, Vote 4-0
Senator Roberge for the committee.

SB 346-FN, codifying certain septic system rules.
Inexpedient to Legislate, Vote 5-1
Senator Barnes for the committee.

SB 359-FN, relative to the regulation of plumbers and water treatment technicians by the plumbers' board.
Ought to pass with amendment, Vote 2-0
Senator Burling for the committee.

SB 399-FN, relative to the powers of state government in the event of a pandemic.
Ought to pass with amendment, Vote 4-2
Senator Roberge for the committee.

TRANSPORTATION AND INTERSTATE COOPERATION

SB 281-FN, establishing an organ and tissue donor registry.
Ought to pass with amendment, Vote 3-0
Senator Martel for the committee.

SB 325, making technical corrections to motor vehicle laws.
Ought to pass with amendment, Vote 6-0
Senator Letourneau for the committee.

SB 400-FN, relative to highway welcome signs.
Ought to Pass, Vote 3-2
Senator Letourneau for the committee.

WAYS AND MEANS

SB 300-FN-A-L, exempting certain transfers of real estate between charitable organizations from the real estate transfer tax.
Ought to pass with amendment, Vote 4-0
Senator Gallus for the committee.

AMENDMENTS

Senate Education
February 14, 2006
2006-0962s
05/10

Amendment to SB 253

Amend RSA 461-A:14, V as inserted by section 1 of the bill by replacing it with the following:

V. No child support order shall require a parent to contribute to an adult child's college expenses or other *postsecondary* educational expenses [~~beyond the completion of high school~~]. ***However, any provision of***

a support order requiring a parent to contribute to an adult child's college expenses or other postsecondary educational expenses that was issued prior to February 2, 2004, shall be valid and enforceable. Any order issued prior to February 2, 2004 that permitted a parent to petition the court to seek a greater contribution toward the cost of college education or postsecondary educational expenses shall be valid and binding, and the court shall retain jurisdiction over it regardless of the date on which the petition for modification is brought. Nothing in this paragraph shall prohibit the parties from entering into a valid and enforceable private contract, stipulation, or permanent stipulation entered as a court order, for payment of an adult child's college or other postsecondary educational expenses. Failure of either party to attempt to enforce the terms of such private contract, stipulation, or permanent stipulation entered as a court order shall not render the contract, stipulation, or order unenforceable. In this paragraph, the term college expenses, postsecondary educational expenses, or educational expenses includes tuition, room, board, books, travel, and related expenses.

2006-0962s

AMENDED ANALYSIS

This bill permits the court to enforce support orders for college and postsecondary educational expenses issued prior to February 2, 2004. Private contracts, stipulations, and prior orders for future modification of the amount of support for college expenses are also enforceable.

Transportation and Interstate Cooperation

February 15, 2006

2006-1000s

01/03

Amendment to SB 281-FN

Amend RSA 263:41, I as inserted by section 4 of the bill by replacing it with the following:

I. The director shall provide to federally-designated organ procurement organizations serving the state access to names, dates of birth, and dates of registration of licensed drivers and individuals who obtain a nondriver's picture identification card who have registered with the division of motor vehicles as organ and tissue donors for the purpose of identifying those individuals as organ and tissue donors. Such access shall be provided only with the prior written consent of the donor and shall be provided in a manner and form to be determined by the director following consultation with such organizations, and shall include electronic transmission of initial information and periodic updating of information.

Amend RSA 263:41 as inserted by section 4 of the bill by inserting after paragraph II the following new paragraph:

III. An anatomical gift shall not be executed by a minor unless written consent of the minor's parent or guardian is provided to the division of motor vehicles.

Senate Judiciary

February 16, 2006

2006-1069s

03/04

Amendment to SB 282-FN-LOCAL

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

AN ACT relative to removal of abandoned vehicles.

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

2 Abandoned Vehicles; Charges Against Vehicles Abandoned on Private Property. Amend RSA 262:40-a, II to read as follows:

II. *The costs of removing a vehicle under this section, including towing costs, shall, consistent with RSA 262:35-a, be the responsibility of the last registered owner according to department records.* If a vehicle is towed from a parking lot or parking garage, charges for removal and storage shall not be assessed against the vehicle owner unless there is posted in the parking lot or parking garage conspicuous notice that illegally parked vehicles are subject to towing at the owner's expense.

2006-1069s

AMENDED ANALYSIS

This bill makes discretionary the removal by a peace officer of abandoned vehicles on private property. This bill also clarifies liability for costs of removing abandoned vehicles from private property.

Senate Ways and Means

February 15, 2006

2006-1028s

09/04

Amendment to SB 300-FN-A-LOCAL

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

1 Tax on Transfer of Real Property; Exceptions. Amend RSA 78-B:2 by inserting after paragraph XVIII the following new paragraph:

XIX. To a transfer of title pursuant to a merger, consolidation, or reorganization of 2 or more organizations, each of which is exempt from federal income taxation under section 501(c)(3) of the United States Internal Revenue Code of 1986, as amended, where all such organizations have certified in advance of the transaction to the satisfaction of the commissioner of the department of revenue administration that, over the 3 fiscal years preceding the transfer, on average, a majority of their collective program service revenues have been received from federal, state, and/or local governmental sources.

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

2006-1028s

AMENDED ANALYSIS

This bill exempts certain transfers of real estate between charitable organizations pursuant to a merger, consolidation, or reorganization of 2 or more organizations.

Banks and Insurance

February 16, 2006

2006-1075s

01/04

Amendment to SB 301-FN

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

1 Pooled Risk Management Programs; Purpose. Amend RSA 5-B:1 to read as follows:

5-B:1 Purpose. The purpose of this chapter is to provide for the establishment of pooled risk management programs and to affirm the status of such programs established for the benefit of political subdivisions of the state. The legislature finds and determines that insurance and risk management is essential to the proper functioning of political subdivisions; that risk management can be achieved through purchase of traditional insurance or by participation in pooled risk management programs established for the benefit of political subdivisions; that pooled risk management is an essential governmental function by providing focused public sector loss prevention programs, accrual of interest and dividend earnings which may be returned to the public benefit and establishment of costs predicated solely on the actual experience of political subdivisions within the state; that the resources of political subdivisions are presently burdened by the securing of insurance protection through standard carriers; ***that pooled risk management programs are not insurance companies or public entities***, and that pooled risk management programs which meet the standards established by this chapter should [not] be subject to [~~insurance regulation and~~] ***only limited insurance regulation and should not be subject to*** taxation by the state.

2 Pooled Risk Management Programs; Definitions. RSA 5-B:2 is repealed and reenacted to read as follows:

5-B:2 Definitions. In this chapter:

I. "Commissioner" means the insurance commissioner.

II. "Department" means the insurance department.

III. “Holding company system” means 2 or more affiliated persons, one or more of which is an association that maintains a pooled risk management program, where “person” has the same meaning as in RSA 401-B:1, VI and “affiliated” has the same meaning as in RSA 401-B:1, I.

IV. “Political subdivision” means any city, town, county, school district, charter school, village district, school administrative unit, or any district or entity created for a special purpose administered or funded by any of the above-named governmental units.

V. “Public access filing” means an annual filing with the department made for the purpose of providing public access to certain information concerning the nature and organization of pooled risk management programs. Such informational filing shall be limited to the following:

- (a) The name and legal address of each pooled risk management program;
- (b) A list of current officers, their titles and addresses;
- (c) A brief description of the coverage provided;
- (d) The annual audit required under RSA 5-B:5, I(d);
- (e) A written plan of operation or bylaws; and
- (f) The annual actuarial evaluation required under RSA 5-B:5, I(f).

VI. “Risk management” means the defense of claims and indemnification for losses arising out of the ownership, maintenance, and operation of real or personal property and the acts or omissions of officials, employees, and agents; the provision of loss prevention services including, but not limited to, inspections of property and the training of personnel; and the investigation, evaluation, and settlement of claims by and against political subdivisions.

3 Pooled Risk Management Programs; Filing. Amend RSA 5-B:4 to read as follows:

5-B:4 [~~Informational~~] **Public Access** Filing Required[~~;~~ Fee]. Pooled risk management programs established for the benefit of political subdivisions shall make [~~an informational only~~] **a public access** filing as defined in RSA 5-B:2, [H] V, with the department [~~and shall pay an annual filing fee of \$150~~]. Nothing contained in this chapter shall be construed as enabling the department to exercise any rulemaking, regulatory or enforcement authority over any pooled risk management program formed or affirmed in accordance with this chapter, **except as specifically provided in this chapter**. Pooled workers’ compensation and unemployment compensation programs which are regulated by and which report to the department of labor and the department of employment security, under RSA 281-A and RSA 282-A, respectively, shall be exempt from the requirements of this section as long as their operations and reports conform to the laws and rules adopted by those departments.

4 New Section; Registration Requirement. Amend RSA 5-B by inserting after section 4 the following new section:

5-B:4-a Registration Requirement.

I. No association shall develop or administer a pooled risk management program in this state unless it registers with the commissioner and pays a registration fee of \$150.

II. An association’s registration shall include the following:

- (a) The information contained in the public access filing as defined in RSA 5-B:2, V.
- (b) If the association is organized as a holding company system, then the registration shall also include a holding company system registration statement in the same manner as provided in RSA 401-B:4, II-XII for insurance holding company systems.
- (c) Such other information as required by the commissioner.

III. Every registration made pursuant to this section shall expire on the next June 14 unless renewed prior to that date. Renewal shall be made by paying an annual renewal fee of \$150 and supplementing and updating the original registration materials as necessary to reflect material changes in the program and to include the most recent audited financial statement, actuarial evaluation, or holding company system registration statement, as applicable.

5 Pooled Risk Management Programs. Amend RSA 5-B:5, I(d) to read as follows:

(d) Provide for an annual audit of financial transactions by an independent certified public accountant. ***In addition to the annual audit, if the association is organized as a holding company system, then the independent certified public accountant shall also annually provide information sufficient to assess compliance with the standards in RSA 401-B:5, I(a) for transactions within a holding company system.*** The audit shall be filed with the department and distributed to participants of each pooled risk management program.

6 Pooled Risk Management Programs. Amend RSA 5-B:6 to read as follows:

5-B:6 Declaration of Status; ***Regulatory Standards***; Tax Exemption; Liability.

I. Any pooled risk management program meeting the standards required under this chapter is not an insurance company, reciprocal insurer, or insurer under the laws of this state, and administration of any activities of the plan shall not constitute doing an insurance business for purposes of regulation or taxation ***and shall be exempt from regulation by the commissioner, except as specifically provided in this chapter. In addition to the registration and reporting requirements set out in RSA 5-B:4 and RSA 5-B:4-a, the commissioner shall have the discretionary authority to review the books and records and examine the affairs of every pooled risk management program in the same manner as provided in RSA 400-A:37 for examination of insurers. The expenses of examinations shall be borne by the pooled risk management program being examined.***

II. Any [such] ***pooled risk management*** program operating under this chapter, whether or not a body corporate, may sue or be sued; make contracts; hold and dispose of real property; and borrow money, contract debts, and pledge assets in its name.

III. ***Pooled risk management programs shall be exempt from the insurance premium tax.***

IV. Participation by a political subdivision in a pooled risk management program formed and affirmed under this chapter shall not subject any such political subdivision to any liability to any third party for the acts or omissions of the pooled risk management program or any other political subdivision participating in the program.

7 Pooled Risk Management Programs; Confidentiality. RSA 5-B:7 is repealed and reenacted to read as follows:

I. RSA 91-A shall not apply to any pooled risk management program formed or affirmed under this chapter and any entity maintaining a pooled risk management program shall only be required to disclose claims information submitted to the department in connection with the comprehensive health care information system, under RSA 420-G:11-a, as required under RSA 420-G:11.

II. The commissioner shall give confidential treatment to, shall keep confidential, and shall not publicly disclose under RSA 91-A, any information disclosed pursuant to this section. The information shall not be subject to subpoena.

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

2006-1075s

AMENDED ANALYSIS

This bill clarifies the procedures required to form a pooled risk management program.

**Senate Education
February 14, 2006
2006-0955s
04/10**

Amendment to SB 307-FN

Amend the bill by replacing all after section 1 with the following:

2 New Subparagraph; Special Education; State Aid. Amend RSA 186-C:18, III by inserting after subparagraph (c) the following new subparagraph:

(d) In any fiscal year, if the total amount of catastrophic aid requested by school districts exceeds the amount appropriated to the department for catastrophic aid, the governor is authorized to draw a warrant

for such sum as is necessary to satisfy the excess amount of the state's obligation under this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect July 1, 2007.

2006-0955s

AMENDED ANALYSIS

This bill removes the provision requiring proration of catastrophic aid funds in years where the appropriation is insufficient and requires the state to appropriate additional funds sufficient to meet the amount of catastrophic aid needed by school districts.

Senate Executive Departments and Administration

February 16, 2006

2006-1063s

04/03

Amendment to SB 309-FN-A

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

AN ACT establishing a commission to study inclusion of service as a part-time district court judge in the calculation of retirement benefits.

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

1 Commission Established. There is established a commission to study the inclusion of service as a part-time district court judge in the calculation of a person's retirement benefits.

2 Membership and Compensation.

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

- (a) Two members of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The executive director of the New Hampshire retirement system, or designee.
- (d) One member of the New Hampshire retirement system board of trustees, selected by the chairman of the board of trustees.
- (e) The administrator of the New Hampshire judicial retirement plan, or designee.
- (f) One member of the New Hampshire judicial retirement plan board of trustees, selected by the chairman of the board of trustees.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

3 Duties. The commission shall study issues related to the inclusion of service as a part-time district court judge in the calculation of the person's retirement benefits.

4 Chairperson; Quorum. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

5 Report. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2006.

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

2006-1063s

AMENDED ANALYSIS

This bill establishes a commission to study inclusion of service as a part-time district court judge in the calculation of retirement benefits.

Public and Municipal Affairs
February 15, 2006
2006-1014s
09/04

Amendment to SB 317-FN

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

AN ACT establishing a screening panel to review complaints to occupational and professional regulatory boards and establishing an appeals board to review decisions by occupational and professional regulatory boards.

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

1 New Sections; Occupational and Professional Regulation Screening Panel and Appeals Board. Amend RSA 541 by inserting after section 5 the following new sections:

541:5-a Occupational and Professional Regulation Screening Panel.

I. There is established an occupational and professional regulation screening panel to review complaints to occupational and professional regulatory boards and commissions.

II. Any person who is the subject of a complaint filed with an occupational or professional regulatory board or commission may submit the complaint to the professional association for his or her occupation or profession to be reviewed by a screening panel for a determination of the merit of the complaint.

III. Each screening panel shall be comprised of 3 persons, who shall be members of the profession regulated by the board or commission with which the complaint was filed and shall be appointed by the professional association for that occupation or profession. No member of a screening panel shall be a member of any occupational or professional regulatory board or commission. Such professional association shall name the chairperson of the screening panel, who shall establish the time and place and provide notice to the panel members and parties of a hearing on the merits of the complaint.

IV. The screening panel shall have 60 days to review the complaint and determine whether the complaint has merit, by examining the grounds for dismissal of a complaint under the law applicable to the particular occupational or professional regulatory board or commission. During this 60-day period, the occupational or professional regulatory board or commission shall suspend its disciplinary proceedings regarding the complaint. The screening panel shall issue a written determination to the occupational or professional regulatory board or commission as to whether the complaint has merit. If the screening panel concludes that the complaint has no merit, the occupational or professional regulatory board or commission shall dismiss the complaint. If the screening panel concludes that the complaint has merit, the occupational or professional regulatory board or commission shall resume its disciplinary proceedings regarding the complaint.

V. Members of a screening panel may receive reimbursement for mileage and other expenses related to their duties as screening panel members.

VI. No civil action shall be maintained against any screening panel appointed under this section or any member of the screening panel or its agents or employees, against any organization or association or its members, or against any other person for, or by reason of any statement, report, communication, or testimony to the screening panel or any determination, action, statement, report, communication, disclosure or testimony by the screening panel in relation to any proceeding or communication under this chapter.

VII. The appeals board established under RSA 541:5-b shall establish a schedule of fees for reviews under this section and appeals under RSA 541:5-b, which shall be sufficient to pay for the costs of reviews and appeals.

541:5-b Occupational and Professional Regulation Appeals Board.

I. There is established an occupational and professional regulation appeals board to hear appeals from decisions of occupational and professional regulatory boards.

II.(a) The appeals board shall consist of the following members:

- (1) Two public members, appointed by the president of the senate.
- (2) Two public members, appointed by the speaker of the house of representatives.
- (3) Three public members, appointed by the governor.

(b) No member of the appeals board shall be a member of any occupational or professional regulatory board or commission.

(c) The members appointed under subparagraph (a) shall serve 2-year terms and may be reappointed by their appointing authorities. The governor shall name a chairperson of the appeals board from the public members.

(d) The appeals board shall meet as necessary at the call of the chairperson to carry out its duties under paragraph III of this section.

III. As an alternative to rehearing by the occupational or professional regulatory board or commission under RSA 541:2 through RSA 541:5 and as an alternative to appeal to the supreme court under this chapter, a decision by an occupational or professional regulatory board or commission may be appealed to the appeals board within 30 days after the decision is issued. The provisions of RSA 541:7 - RSA 541:11, relative to petitions, parties, notice, and fees for copies in appeals to the supreme court, shall also apply to appeals to the appeals board. The appeals board shall conduct a de novo review of the complaint under the same disciplinary and evidentiary standards and procedures applicable under the law to the occupational or professional regulatory board or commission. The appeals board shall issue its decision on the appeal in a written order within 30 days of hearing the appeal. Decisions of the appeals board may be appealed to the supreme court under RSA 541:6.

IV. Appeals board members may receive reimbursement for mileage and other expenses related to their duties as appeals board members.

V. No civil action shall be maintained against the appeals board or any member of the appeals board or its agents or employees, against any organization or association or its members, or against any other person for, or by reason of any statement, report, communication, or testimony to the appeals board or any determination, action, statement, report, communication, disclosure or testimony by the appeals board in relation to any proceeding or communication under this chapter.

VI. The appeals board shall establish a schedule of fees for screening panel reviews under RSA 541:5-a and appeals under this section, which shall be sufficient to pay for the costs of reviews and appeals.

2 Appeal to Supreme Court. RSA 541:6 is repealed and reenacted to read as follows:

541:6 Appeal to Supreme Court. Within 30 days after a decision on an application for rehearing or after a decision on such rehearing under RSA 541:5, or within 30 days after a decision on an appeal by the occupational and professional regulation appeals board under RSA 541:5-b, the decision may be appealed to the supreme court.

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

2006-1014s

AMENDED ANALYSIS

This bill establishes a process for screening complaints to occupational and professional regulatory boards and commissions. Screening panels shall consist of 3 members of the profession which is regulated by the board or commission with which the complaint is filed, who are appointed by the professional association for that profession. The screening panel shall have the authority to review the complaint to determine whether the complaint has merit. If a complaint is found not to have merit by the screening and appeals board, the complaint will be dismissed by the regulatory board and commission.

This bill also establishes an occupational and professional regulation appeals board to review decisions by occupational and professional regulatory boards and commissions. A party may appeal to the appeals board as an alternative to a rehearing by the occupational or professional regulatory board or commission or directly appeal to the supreme court under RSA 541, and may appeal a decision of the appeals board to the supreme court under RSA 541.

Transportation and Interstate Cooperation

February 15, 2006

2006-0998s

03/10

Amendment to SB 325

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

AN ACT making technical corrections and other changes to motor vehicle laws.

Amend the bill by inserting after section 7 the following and renumbering the original section 8 to read as 11:

8 New Section; General Registration; Vehicle Sold to a Massachusetts Resident. Amend RSA 261 by inserting after section 56 the following new section:

261:56-a Vehicle Sold to a Massachusetts Resident. A retail vehicle dealer selling a vehicle to a resident of Massachusetts shall complete a form designed by the director that provides notification of the sale to the department. The retail vehicle dealer shall provide a copy to the customer, retain a copy, and return the original to the director.

9 New Paragraph; Walking Disability Plates; Motorcycles. Amend RSA 261:88 by inserting after paragraph II the following new paragraph:

II-a. A person with a walking disability may receive separate special number plates for each motorcycle owned by the person.

10 New Section; Equipment of Vehicles; Width; Snowplows. Amend RSA 266 by inserting after section 13 the following new section:

266:13-a Snowplows; Exception. A truck used for snow plowing may be driven on the ways of this state with a plow not exceeding 108 inches in width.

2006-0998s

AMENDED ANALYSIS

This bill corrects various obsolete or incorrect references in the motor vehicle laws. This bill also requires retail vehicle dealers to notify the department of safety of vehicle sales to Massachusetts residents, permits a person to receive multiple walking disability motorcycle plates, and establishes an exception to vehicle width limitations for snowplows.

Senate Judiciary
February 16, 2006
2006-1066s
09/10

Amendment to SB 334

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

1 New Subdivision; Consumer Credit Reporting; Security Freeze. Amend RSA 359-B by inserting after section 21 the following new subdivision:

Security Freeze

359-B:22 Definitions. In this subdivision:

I. "Identity theft" means the unauthorized taking or use of an individual's personal information to obtain credit, goods, services, money, or property, with the intent to commit fraud. In this paragraph, personal information includes, but is not limited to, an individual's first name or initial and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted:

(1) Social security number.

(2) Driver's license number.

(3) Account number, credit card number, or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.

II. "Proper identification" means that information generally considered sufficient to identify a person.

III. "Security freeze" or "freeze" means a notice placed in a consumer report at the request of the consumer pursuant to RSA 359-B:24 that prohibits a consumer reporting agency from releasing the consumer report or credit score.

359-B:23 Notice to Consumers.

I. Any time a consumer reporting agency is required to make a written disclosure to consumers pursuant to 15 U.S.C. section 1681g, it shall disclose, in at least 12-point type, and in bold type as indicated, the following notice:

NOTICE TO NEW HAMPSHIRE CONSUMERS

Right to Security Freeze on Consumer Credit Report

You have the right to place a “security freeze” on your credit report pursuant to RSA 359-B:24. Under New Hampshire law, what is commonly known as a credit report is referred to as a “consumer report.” A security freeze will prohibit a consumer reporting agency from releasing any information in your consumer report without your express authorization. The security freeze must be requested in writing, by certified mail.

You may obtain a security freeze on your consumer report at no charge if you are a victim of identity theft and you submit a copy of the police report, investigative report, or complaint that you filed with a law enforcement agency about unlawful use of your personal information by another person.

The consumer reporting agency may charge you a fee for the security freeze if you are not a victim of identity theft.

The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gains access to the personal and financial information in your consumer report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding new loans, credit, mortgage, insurance, government services or payments, rental housing, employment, investment, license, cellular phone, utilities, digital signature, internet credit card transaction, or other services, including an extension of credit at point of sale.

When you place a security freeze on your consumer report, within 10 business days you will be provided a personal identification number or password to use if you choose to remove the freeze on your consumer report or authorize the release of your consumer report for a specific party or period of time after the freeze is in place. To provide that authorization, you must contact the consumer reporting agency and provide all of the following:

- (1) The unique personal identification number or password provided by the consumer reporting agency.
- (2) Proper identification to verify your identity.
- (3) The proper information regarding the third party who will receive the credit report or the period of time for which the report shall be available to users of the credit report.
- (4) Payment of the applicable fee, if any.

A consumer reporting agency that receives a request from a consumer to lift temporarily a freeze on a consumer report must comply with the request no later than 3 business days after receiving the request.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity with which you have an existing account that requests information in your consumer report for the purposes of reviewing or collecting the accounts, provided the use of your credit report is for a permissible purpose as provided by the federal Fair Credit Reporting Act. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

You have the right to bring a civil action against anyone who violates your rights under the credit reporting laws.

359-B:24 Security Freeze by Consumer Reporting Agency; Time in Effect.

I. A consumer may place a security freeze on his or her consumer report as follows:

(a) A consumer who has been the victim of identity theft may place a security freeze on his or her consumer report by making a request in writing, by certified mail to a consumer reporting agency with a valid copy of the police report, investigative report, or complaint the consumer has filed with a law enforcement agency about unlawful use of personal information by another person. In the case of a victim of identity theft, a consumer reporting agency shall not charge a fee for placing, removing, or temporarily lifting for a specific party or period of time a security freeze on a consumer report.

(b) A consumer who has not been the victim of identity theft may place a security freeze on his or her consumer report by making a request in writing, by certified mail to a consumer reporting agency. A consumer reporting agency may charge a fee of no more than \$10 to a consumer for each freeze, removal of a freeze, or temporary lift of a freeze for a period of time or specific party or for reissuing the same or a new personal identification number if the consumer fails to retain the original personal identification number provided by the agency.

II. Subject to the exceptions in paragraph XIII, when a security freeze has been placed on a consumer report, the consumer reporting agency shall not release the consumer report or any information from it without the express authorization of the consumer. This subparagraph shall not prevent a consumer reporting agency from advising a third party that a security freeze is in effect with respect to the consumer report.

III. A consumer reporting agency shall place a security freeze on a consumer report no later than 5 business days after receiving a written request from the consumer.

IV. The consumer reporting agency shall send a written confirmation of the security freeze to the consumer within 10 business days after placing the security freeze and shall provide the consumer with a personal identification number or password, other than the consumer's social security number, to be used by the consumer when providing authorization for the release of a consumer report to a specific party or for a period of time.

V. If the consumer wishes to allow access to the consumer report by a specific party or for a certain period of time while a freeze is in place, the consumer may contact the consumer reporting agency, request that the freeze be temporarily lifted, and provide each of the following:

- (a) Proper identification.
- (b) The personal identification number or password provided by the consumer reporting agency pursuant to paragraph IV.
- (c) The proper information regarding the specific party granted access or the time period for which the report is to be available to users.
- (d) Payment of the applicable fee, if any, pursuant to subparagraph I(b).

VI. A consumer reporting agency may develop procedures involving use of phone, fax, internet, or other electronic media to receive and process requests.

VII. A consumer reporting agency that receives a request from a consumer to temporarily lift a freeze on a consumer report pursuant to paragraph V shall comply with the request no later than 3 business days after receiving the request.

VIII. A consumer reporting agency shall remove or temporarily lift a freeze placed on a consumer report only:

- (a) Upon consumer request, pursuant to paragraph V or XI; or
- (b) If the consumer report was frozen due to a material misrepresentation of fact by the consumer. If a consumer reporting agency intends to remove a freeze upon a consumer report pursuant to this subparagraph, the consumer reporting agency shall notify the consumer in writing prior to removing the freeze on the consumer report.

IX. If a third party requests access to a consumer report on which a security freeze is in effect and this request is in connection with an application for credit or any other use and the consumer does not allow access to the consumer report for that specific party or period of time, the third party may treat the application as incomplete.

X. If a consumer requests a security freeze pursuant to this section, the consumer reporting agency shall disclose to the consumer the processes of placing and temporarily lifting a security freeze and the process for allowing access to information from the consumer report for a specific party or period of time while the security freeze is in place.

XI. A security freeze shall remain in place until the consumer requests that the security freeze be removed. A consumer reporting agency shall remove a security freeze within 3 business days of receiving a request for removal from a consumer who provides:

- (a) Proper identification.
- (b) The personal identification number or password provided by the consumer reporting agency pursuant to paragraph IV.
- (c) Payment of the applicable fee, if any, pursuant to subparagraph I(b).

XII. A consumer reporting agency shall require proper identification of the person making a request to place or remove a security freeze.

XIII. This section, including the security freeze, shall not apply to the use of a consumer report by the following:

(a) A person or person's subsidiary, affiliate, agent, or assignee with which the consumer has or, prior to assignment, had an account, contract, or debtor-creditor relationship for the purposes of reviewing the account or collecting the financial obligation owing for the account, contract, or debt or extending credit to a consumer with a prior or existing account, contract, or debtor-creditor relationship, subject to the requirements of RSA 359-B:4. For purposes of this subparagraph, "reviewing the account" includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

(b) A subsidiary, affiliate, agent, assignee, or prospective assignee of a person to whom access has been granted under paragraph V for the purpose of facilitating the extension of credit or another permissible use.

(c) A person acting pursuant to a court order, warrant, or subpoena.

(d) Child support enforcement officials when investigating a child support case pursuant to Title IV-D of the Social Security Act.

(e) The department of health and human services, the department of justice, or any of their agents or assignees, acting to investigate Medicaid fraud.

(f) The department of revenue administration, municipal taxing authorities, the secretary of state, the division of motor vehicles in the department of safety, or any of their agents or assignees, acting to investigate or collect delinquent taxes or assessments, including interest and penalties and unpaid court orders, or to fulfill any of their other statutory or charter responsibilities.

(g) A person's use of credit information for prescreening as provided by the federal Fair Credit Reporting Act.

(h) A person for the sole purpose of providing a credit file monitoring subscription service to which the consumer has subscribed.

(i) Any person or entity, including but not limited to a consumer reporting agency, for the purpose of providing a consumer with a copy of his or her consumer report or credit score upon the consumer's request.

(j) Any person or entity for use in setting or adjusting an insurance rate or claim or underwriting for insurance purposes.

359-B:25 Duties of Consumer Reporting Agency if Security Freeze Is In Effect. If a security freeze is in place, a consumer reporting agency shall not change any of the following official information in a consumer report without sending written confirmation of the change to the consumer within 30 days of the change being posted to the consumer's file: name, date of birth, social security number, and address. Written confirmation is not required for technical modifications of a consumer's official information, including name and street abbreviations, complete spellings, and transposition of numbers or letters. In the case of an address change, the written confirmation shall be sent to the new address and the former address.

359-B:26 Persons Not Required to Place Security Freeze. The following persons are not required to place a security freeze on a consumer report pursuant to RSA 359-B:24, except that any person that is not required to place a security freeze on a consumer report under paragraph III is subject to a security freeze placed on a consumer report by another consumer reporting agency from which it obtains information:

I. A check services or fraud prevention services company that reports on incidents of fraud or issues authorizations for the purpose of approving or processing negotiable instruments, electronic fund transfers, or similar methods of payment.

II. A deposit account information service company that issues reports regarding account closures due to fraud, overdrafts, automated teller machine abuse, or similar negative information regarding a consumer to inquiring financial institutions for use only in reviewing that consumer's request for a deposit account at the inquiring financial institution.

III. A consumer reporting agency that:

(a) Acts only to resell credit information by assembling and merging information contained in a database of one or more consumer reporting agencies; and

(b) Does not maintain a permanent database of credit information from which new consumer reports are produced.

359-B:27 Victim of Identity Theft; Access to Consumer Report. Every consumer credit reporting agency shall, upon the receipt from a victim of identity theft of a police report, investigative report, or complaint the consumer has filed with a law enforcement agency about unlawful use of personal information by another person, provide the victim, free of charge and upon request, a copy of his or her consumer report and such additional copies of the consumer report as he or she may be entitled to under the Fair Credit Reporting Act, 15 U.S.C. section 1681 et seq.

359-B:28 Consumer Report Files of Deceased Persons.

I. An executor, administrator, or other person authorized to act on behalf of an estate of a deceased person may request that a consumer reporting agency indicate on the deceased person's consumer report that the person is deceased. The consumer reporting agency shall indicate on the deceased person's consumer report that the person is deceased within 5 business days of receipt of the following documentation from the executor, administrator, or other person authorized to act on behalf of the estate of the deceased person:

(a) A certificate of death, a certificate of appointment, letters testamentary, or other order from the probate court authorizing the executor, administrator, or other person to act on behalf of the estate of the deceased person; and

(b) A request to indicate on the deceased person's consumer report that the person is deceased.

II. The consumer reporting agency may remove the indication placed on the person's consumer report pursuant to paragraph I if the consumer reporting agency finds that the indication was placed on the person's consumer report through material misrepresentation of fact. If the consumer reporting agency intends to remove the indication pursuant to this section, the consumer reporting agency shall notify the person or the executor, administrator, or other person authorized to act on behalf of the estate in writing prior to removing the indication.

2 Consumer Credit Reporting; Civil Liability for Willful Noncompliance. Amend RSA 359-B:16, I to read as follows:

I. Any actual damages sustained by the consumer as a result of the failure ***or \$1,000, whichever is greater;***

3 Consumer Credit Reporting; Civil Liability for Negligent Noncompliance. Amend RSA 359-B:17, I to read as follows:

I. Any actual damages sustained by the consumer as a result of the failure ***or \$1,000, whichever is greater;***

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

2006-1066s

AMENDED ANALYSIS

This bill:

I. Permits consumers to establish a "credit freeze" on their consumer reports and requires consumer reporting agencies to provide notice of this right.

II. Permits victims of identity theft to request copies of their consumer reports.

III. Establishes a procedure to notify consumer reporting agencies when a person is deceased.

IV. Establishes a minimum penalty for negligent or willful violations of the consumer credit reporting law.

Senate Judiciary

February 8, 2006

2006-0839s

04/10

Amendment to SB 353-FN

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

1 Short Title. This act shall be known as the Diane Lemire Victims Rights Act.

2 New Section; Homicide; Notification of Release of Offenders into Community. Amend RSA 630 by inserting after section 3 the following new section:

630:3-a Notification of Release of Offenders into Community.

I. The official in charge of the release on probation, parole, conditional or unconditional release, completion of sentence, release from secure psychiatric care, or for any other reason, of any person convicted of second degree murder under RSA 630:1-b or manslaughter under RSA 630:2, shall obtain the address at which the offender expects to reside upon release and any subsequent change of address and shall, for as long as the offender is in the legal custody of the adult parole board, report such addresses to the adult parole board established in RSA 651-A:4. The adult parole board shall maintain a list of all offenders and shall, on a quarterly basis, inform the victim's immediate family, in the order of priority set forth in paragraph II, of the address of the offender. Interested members of the public may obtain a copy of the list by request made to a local law enforcement agency.

II. The victim's immediate family shall provide change of address information to the adult parole board. If no change of address information is submitted, the adult parole board shall forward the offender's address information to the last known address of the victim's immediate family. In this subparagraph, "immediate family" shall mean the victim's spouse, child, sibling, or parent.

3 Parole of Prisoners; Adult Parole Board Duties. Amend RSA 651-A:4, III to read as follows:

III. *In accordance with RSA 630:3-a, maintain a list of addresses of offenders released into the community, a list of change of address information for victims' immediate family members, and provide notice to a victim's immediate family; and*

IV. Adopt rules, pursuant to RSA 541-A, relative to:

- (a) The parole process, including the conduct of parole hearings;
- (b) Criteria used to evaluate prospective parolees;
- (c) Conditions for the conduct of parolees; and
- (d) Procedures for revocation of parole.
- (e) Procedures for medical parole.

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

2006-0839s

AMENDED ANALYSIS

This bill requires the adult parole board to maintain a list of addresses of offenders convicted of second degree murder and manslaughter and released into the community, and to notify a victim's immediate family of an offender's address. The bill also requires the victim's immediate family to provide change of address information to the adult parole board.

Senate Executive Departments and Administration

February 16, 2006

2006-1042s

09/10

Amendment to SB 354-FN

Amend RSA 100-A:1, VII(g)(1) as inserted by section 3 of the bill by replacing it with the following:

- (1) Has the responsibilities granted by the commissioner of safety under RSA 21-P:4, XI;

Amend the bill by replacing all after section 4 with the following:

5 Transitional Provisions. Any persons employed as security officers of the New Hampshire hospital security force on the date this act takes effect and who have not completed the training required by the police standards and training council for certification as full-time police officers shall be scheduled for training at the police academy at the earliest practical time without undue interruption to the security operations at the hospital. No person shall be entitled to continue in such position for more than 2 years following the effective date of this act nor to join group II of the retirement system without successfully completing all the training and other requirements necessary to be fully certified. All officers hired on or after July 1, 2006, if not already full-time certified, shall successfully complete the police academy within the time specified in RSA 188-F and the rules of the police standards and training council.

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

Public and Municipal Affairs
 February 15, 2006
 2006-1013s
 10/04

Amendment to SB 359-FN

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

1 Definition; Master Plumber. Amend RSA 329-A:2, I to read as follows:

I. "Master plumber" means any person, firm ~~[or]~~, corporation, **or limited liability company** that, as a business, hires or employs a person or persons to do plumbing work, or, without hiring any person, does that work as a principal business or as auxiliary to a principal business for his or its own account.

2 Definition; Apprentice. Amend RSA 329-A:2, III to read as follows:

III. "Apprentice" means any person who is engaged in learning and assisting in the installation of plumbing and drainage under an apprenticeship program ~~[acceptable to the board]~~ **that meets the requirements of the state apprenticeship council established in RSA 278.**

3 New Paragraphs; Definitions Added. Amend RSA 329-A:2 by inserting after paragraph VIII the following new paragraphs:

IX. "Agent" means a person who is designated as an agent in writing by the property owner of record and who does plumbing for that property owner of record without compensation.

X. "State plumbing code" means the state plumbing code described in RSA 329-A:15.

4 Plumbers' Board. Amend RSA 329-A:3, I to read as follows:

I. There shall be a state board for the licensing and regulation of plumbers consisting of 5 members: ~~[2 master]~~ **3 licensed** plumbers, one **of whom may be a** journeyman plumber, and 2 public members, each to be appointed by the governor, with the approval of the council, to a term of 5 years. No member of the board shall be appointed to more than 2 consecutive terms. A member of the board shall serve as the board secretary.

5 Quorum. Amend RSA 329-A:5 to read as follows:

329-A:5 Organization and Meetings. The board shall hold at least 4 regular meetings each year, and special meetings may be held at such times as the business of the board may require. Notice of all meetings shall be given in such manner as the rules of the board may provide. The board shall annually elect a chairman and a vice-chairman from among its members. A quorum of the board shall consist of not less than 3 members ~~[, at least one of whom shall be a public member]~~.

6 Fees. Amend RSA 329-A:5-a to read as follows:

329-A:5-a Fees. The board shall establish fees for ~~[examination of applicants, for]~~ licensure ~~[and for]~~, renewal of licensure, **and late renewal of licensure** to practice under this chapter, for certification ~~[and]~~, renewal of certification, **and late renewal of certification** under this chapter, **for initial apprentice identification cards and renewal of apprentice identification cards, for inspections done pursuant to RSA 329-A:17, for copies of the state plumbing code, for letters of verification requested by other jurisdictions relating to licensure and certification, for any courses, workshops, and seminars offered by the board,** and for transcribing and transferring records and other services. The fees established by the board shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board for the previous fiscal year. The fee for the annual renewal of certification issued to persons certified as water treatment technicians shall not be more than the fee for the annual renewal of licenses issued to journeyman plumbers.

7 Examinations. Amend RSA 329-A:7 to read as follows:

329-A:7 Examinations; Licenses and Certificates. ~~[The board shall have authority to examine and license master plumbers and journeyman plumbers, and to certify water treatment technicians. When issued, such license shall be valid throughout the state, and the licensee shall be entitled to perform the work of a master or journeyman plumber, as the case may be, anywhere within the state without any payment or additional fee. Each applicant for a license shall present to the secretary of the board on a blank furnished by~~

the board a written application for license, containing such information as the board may require, accompanied by the required fee. Such examinations shall be held at such times and places as the board shall determine.] ***The board shall establish through rulemaking, pursuant to RSA 541-A, the nature of the examinations required for issuance of master plumber licenses, journeyman plumber licenses, and certifications as a water treatment technician, respectively.*** The scope of such examinations and the methods of procedure shall be prescribed by the board, provided that the scope of examination of water treatment technicians shall be limited to the configuration and installation of water treatment systems and the provisions of this chapter and the rules adopted by the board that relate to water treatment systems.

8 Reexamination; Fee Removed. Amend RSA 329-A:8 to read as follows:

329-A:8 Licenses; Master Plumbers. Any person who, having held a journeyman plumber's license for at least 6 months, shall, upon the payment of [~~a fee~~] ***the fees*** established by the board, be entitled to an examination and, if found qualified by a majority of the board members, be licensed as a master plumber. A license issued under this section shall be publicly displayed at the licensee's principal place of business for as long as such business continues. Any person refused a license may be reexamined as often as such person may desire [~~upon payment of a fee established by the board~~].

9 Reexamination; Fee Removed. Amend RSA 329-A:9 to read as follows:

329-A:9 Licenses; Journeyman Plumbers. Any person who, having successfully completed his or her apprenticeship in plumbing, has received an official completion certificate from the organization conducting the program shall, upon payment of [~~a fee~~] ***the fees*** established by the board, be entitled to examination and, if found qualified by a majority of the board members, be licensed as a journeyman plumber. A license issued under this section shall be carried on the person licensed and displayed at any time upon request. Any journeyman plumber refused a license may be reexamined as often as he or she may desire [~~upon payment of a fee established by the board~~].

10 Water Treatment Technicians. Amend RSA 329-A:9-a to read as follows:

329-A:9-a Certification of Water Treatment Technicians; Examinations.

I. Any person who has acted as a water treatment trainee for a period of not less than one year shall, upon payment of [~~a fee~~] ***the fees*** established by the board, be entitled to examination and, upon achieving the passing score on the examination, be certified as a water treatment technician. A certificate issued under this section shall be carried on the person and displayed at any time upon request. Any person failing to achieve the passing score on the examination may be examined as often as he or she may desire [~~upon payment of a fee established by the board. The scope of such examination and the methods of procedure shall be prescribed by the board, provided, however, that the scope of the examination of water treatment technicians shall be limited to the configuration and installation of water treatment systems and the provisions of this chapter and the rules adopted by the board that relate to water treatment systems~~].

II. The title "certified water treatment technician" shall be used only by persons ***and business entities*** certified under this chapter. No person shall continue to represent himself or herself ***and no business entity shall continue to represent itself*** as a certified water treatment technician after certification has been revoked or nonrenewed under this chapter.

III. The board may issue, ***upon payment of the required fees***, certification without examination to a corporation, partnership, limited liability company, or other business entity that installs, maintains or repairs water treatment systems, provided the entity designates one employee certified under this chapter who is responsible for the entity's compliance with this chapter and the rules adopted by the board. Within 30 days after termination of employment of such employee by such entity, he or she shall give notice thereof to the board and, if no other employee certified under this chapter, the entity shall not represent itself as employing certified water treatment technicians until some other employee has obtained certification. Notwithstanding any other provision of this chapter, the board shall not require an additional fee for an entity that installs, maintains, or repairs water treatment systems where the person certified under this chapter is the sole owner of the entity

IV. The board may issue certification without examination to those water treatment technicians who provide adequate documentation of having operated in the capacity of a water treatment technician for a period of at least one year prior to January 1, 2004 and who pay the required fees.

11 New Section; Apprentice Plumbers. Amend RSA 329-A by inserting after section 9-a the following new section:

329-A:9-b Apprentice Plumbers. Apprentice plumbers shall obtain an identification card from the board and be subject to fees for such identification card and for renewed identification cards as adopted by the board pursuant to RSA 541-A. Apprentice identification cards shall expire each year on the last day of the month of the apprentice's birth. The board shall renew the identification cards of apprentice plumbers if they continue to be engaged in the learning and assisting in the installation of plumbing and drainage under an apprenticeship program that meets the requirements of the state apprenticeship council.

12 Licenses Without Examination. RSA 329-A:10 is repealed and reenacted to read as follows:

329-A:10 Licenses Without Examination. The board may issue, upon payment of the required fee, appropriate licenses without examination to a corporation, partnership, or limited liability company engaged in the business of plumbing, provided one or more officers of the corporation, one or more members of the partnership, or one or more managing members of the limited liability company, holds a master plumber's license under this chapter. Within 30 days after the death or withdrawal of the licensed person as a corporate officer or member of the partnership, he, she, or it shall give notice thereof to the board and, if no other officer or partner is a licensed master plumber, the corporation or partnership shall not act as a master plumber until some other officer or member has obtained a license. Notwithstanding any other provision, the board shall not require a fee for a corporation engaged in plumbing where a licensed master plumber is the sole shareholder of the corporation.

13 Expiration and Renewal. RSA 329-A:11 is repealed and reenacted to read as follows:

329-A:11 Expiration and Renewal.

I. Licenses and certificates issued by the board shall expire each year on the last day of the month of the holder's birth.

II. Licenses issued to corporations, partnerships, and limited liability companies shall expire on the last day of January of each year.

III. The board shall renew the licenses and certificates of eligible applicants upon the payment of the required fee and documentation of having met continuing education requirements and any other eligibility requirements established by the board pursuant to RSA 541-A.

IV. The board is authorized to offer continuing education courses, workshops, and seminars.

14 Disciplinary Action; Criminal Offenses. Amend RSA 329-A:12, II(b) to read as follows:

(b) Conviction of ~~[a felony or any offense involving moral turpitude]~~ **any criminal offense involving injury to a victim or the risk of such injury or any criminal offense involving dishonesty;**

15 Disciplinary Action; Another Jurisdiction. Amend RSA 329-A:12, II(h) to read as follows:

(h) Suspension or revocation of a license **or certification**, similar to one issued under this chapter, in another jurisdiction and not reinstated.

16 Exceptions. Amend RSA 329-A:13 to read as follows:

329-A:13 Exceptions. The provisions of this chapter shall not apply to the following persons while performing plumbing work under the circumstances specifically described hereinafter; provided, however, that plumbing installed or maintained by such persons under such circumstances shall conform to the ~~[rules and regulations promulgated by the authority of RSA 330:12]~~ **state plumbing code**.

I. ~~[To a person who has been actively engaged in the business of a master plumber or journeyman plumber on July 1, 1977, and who has been a resident of this state for at least one year immediately preceding the date of his application. Such person shall not be required to submit to an examination if he applies for a license before July 1, 1980, but shall be issued a license upon filing an application and paying the initial fee.~~

H:] To regular employees of public utilities, as defined in RSA 362:2, when working as such.

~~[HH:]~~ II. To a person, **firm, corporation, or limited liability company** who regularly employs a ~~[maintenance man]~~ **person** whose duties include installation and maintenance of plumbing on the property of that person, **firm, corporation, or limited liability company**, when such employee is actually so engaged.

[IV.] **III.** To [an] **a property owner** or [his] **the property owner's** agent who installs, repairs, or replaces plumbing in [his] **the property owner's** own **single-family detached or townhouse** residence or any **property owner** or [his] **property owner's** agent who makes minor installations, repairs, or replacements to **the owner's** property [owned by him].

[V.] **IV.** To persons engaged in the installation of any heating, cooling, air conditioning or domestic water heating systems, whether solar, oil, gas, or electric, and persons engaged in the installation and servicing of water treatment systems or swimming pools.

[VI.] **V.** To any plumbing installations in residential buildings performed by students enrolled in a high school vocational plumbing program approved by the department of education, provided such work is performed under the supervision of either a teacher holding a plumber's license or by a licensed plumber who is a supervisor of students in cooperative education placements from such programs; and in those cases where the installation is in a new building being constructed as a part of the vocational program, that the installation will be inspected and approved by an individual or group of individuals chosen by the local school districts from persons nominated by the state board for the licensing and regulation of plumbers. Any person nominated by the state board shall hold a master's license issued by the board.

[VII.] **VI.** To employees of public drinking water systems and public water system operators certified by the department of environmental services for drinking water treatment.

17 Rulemaking. RSA 329-A:14 is repealed and reenacted to read as follows:

329-A:14 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

I. The design and content of all forms and applications required under this chapter.

II. The application procedure and any eligibility requirements in addition to those in this chapter for a license to practice plumbing under this chapter and for license renewal and license reinstatement.

III. The application procedure and any eligibility requirements in addition to those in this chapter for certification as a certified water treatment technician and for renewal of certification and reinstatement of certification.

IV. The establishment of all fees required under this chapter.

V. Ethical and professional standards required to be met by each holder of a license or certification to practice under this chapter and how disciplinary actions by the board shall be implemented for violations of these standards.

VI. How plumbing apprentices are to apply for and receive their initial and renewal identification cards.

VII. Standards for continuing education.

VIII. Matters related to the proper administration of this chapter.

IX. Procedures for the conduct of hearings consistent with the requirements of due process.

18 State Plumbing Code. RSA 329-A:15 is repealed and reenacted to read as follows:

329-A:15 State Plumbing Code. The state plumbing code shall be that portion of the New Hampshire state building code, as defined in RSA 155-A, that pertains to plumbing.

19 Enforcement. Amend RSA 329-A:16 to read as follows:

329-A:16 Enforcement.

I. The ~~[rules adopted pursuant to RSA 329-A:15, I,]~~ **state plumbing code** shall be enforced by the building inspection department or by any officer designated by the administrative authority of the city or town; provided, however, that a city or town may adopt and enforce rules more stringent than the ~~[rules adopted under RSA 329-A:15, I]~~ **state plumbing code. In the absence of a building inspection department or officer designated to enforce the state plumbing code, the board shall have the authority to enforce the state plumbing code.**

II. The board shall refer all allegations of violations specified in RSA 329-A:18 to the New Hampshire attorney general and to the county attorney in the appropriate county. The county attorney shall investigate such allegations and take appropriate action if the attorney general does not do so.

20 Gender Neutral. Amend RSA 329-A:17, IV to read as follows:

IV. Whenever an inspector orders the removal or correction of a violation under paragraph III, he *or she* shall immediately notify the local building inspection department or administrative authority of the town where the violation is located, and further order that all the work in violation be corrected prior to continuance. The local building authority shall approve the continuation of work on the installation upon being satisfied that violations have been corrected and shall notify the inspector of such approval.

21 Penalties. RSA 329-A:18 is repealed and reenacted to read as follows:

329-A:18 Penalties.

I. Any business entity or person who procures a plumbing license or water treatment certificate wrongfully or by fraud is guilty of a misdemeanor.

II. Any business entity which performs plumbing without a currently valid plumbing license, and any person who is not an apprentice and performs plumbing without a currently valid license, is guilty of a misdemeanor, unless the business entity or person has a license which has been expired for no more than 12 months, in which case such business entity or person is guilty of a violation.

III. Any business entity or person employing a person to perform plumbing when the employed person is not an apprentice and does not have a currently valid plumbing license is guilty of a misdemeanor, unless the employed person has a license which has been expired for no more than 12 months, in which case the employing business entity or person is guilty of a violation.

IV. Any business entity not certified as a water treatment technician which represents itself as so certified, and any person not certified as a water treatment technician who represents himself or herself as so certified, is guilty of a misdemeanor.

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

Senate Education
February 14, 2006
2006-0953s
04/10

Amendment to SB 361-FN

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

AN ACT relative to school district contingency funds.

Amend the bill by replacing section 1 with the following:

1 School Money; Contingency Fund. Amend RSA 198:4-b to read as follows:

198:4-b Contingency Fund. Every school district annually by an article in the warrant, and the governing body of a city upon recommendation of the school board, when the operation of the schools is by a department of the city, may establish a contingency fund *of up to 2 percent of the prior year's annual budget expenses* to meet the cost of *general operating or* unanticipated expenses that may arise during the year. *At no time shall the balance of the fund exceed 4 percent of the prior year's annual budget expenses. Moneys in this fund shall be nonlapsing and may be expended in any fiscal year.* A detailed report of all expenditures from the contingency fund shall be made annually by the school board and published with their report.

2006-0953s

AMENDED ANALYSIS

This bill allows a school district to establish a nonlapsing fund of up to 2 percent of the prior year's annual budget expenses to meet general operating or unanticipated expenses.

Environment and Wildlife
February 14, 2006
2006-0974s
09/10

Amendment to SB 373-FN-A

Amend RSA 105:3-b as inserted by section 2 of the bill by replacing it with the following:

105:3-b Removal of Standing Water Hazards. A local health or law enforcement officer may order removal or covering of standing water hazards on property. If the owner of the property, after notice has been deliv-

ered by certified mail or by hand delivery at the property owner's last known address fails to comply within a 72-hour period, such owner may be found guilty of a violation. If an arbovirus public health threat has been declared, local health or law enforcement officers may remove the hazard after one week and the property owner shall bear the expense of the removal of the hazard. In this section, "standing water hazard" means any container left open to rain or snow in a manner that allows water to collect and remain in the container in such a manner as to provide a breeding ground for, or to attract, insects. Containers treated with an adequate prophylactic pesticide treatment to prevent mosquito growth are exempt. "Standing water hazard" shall not include above ground or in ground swimming pools or feed or drinking equipment to include buckets and troughs used for livestock. Agricultural operations found to be in compliance with best management practices with regard to mosquito control by the department of agriculture, markets, and food shall be in compliance with this section.

Amend RSA 141-C:25 as inserted by section 3 of the bill by replacing it with the following:

141-C:25 Mosquito Control Fund.

I. There is hereby established a mosquito control fund to assist cities, towns, mosquito control districts, and non-profit organizations by providing funding for the purpose of offsetting the cost of mosquito control activities including, but not limited to, the purchase and application of chemical pesticides. For the purposes of this section, "non-profit organization" means an organization which has tax-exempt status under section 501(c)(3) of the Internal Revenue Code and which represents members who own or which owns itself, property actively used for agricultural or recreational use. The purpose of the fund is to provide financial assistance, when needed, to cities, towns, mosquito control districts, and non-profit organizations engaging in mosquito control and abatement activities in response to a declared threat to the public health.

II. In order to be eligible to receive funding, a city, town, mosquito control district, or non-profit organization shall have in place a comprehensive mosquito control plan approved by the commissioner. This plan shall include at a minimum:

(a) A list of the pesticides (active ingredient) and methods by which these pesticides will be applied to ensure that the application is done in a safe and proper manner.

(b) Safeguards that will be taken to protect the health of the public, wildlife and resources within the state including provisions for the measuring and monitoring of residual pesticides in the water and soil.

(c) A comprehensive public awareness campaign geared toward prevention and designed to educate the public about the health risks associated with mosquitoes.

III.(a) The commissioner, in consultation with the Centers for Disease Control and Prevention, may determine that a threat to the public health exists that warrants expedited mosquito control and abatement activities within a city, town, mosquito control district, or non-profit organization. Such determination of an arbovirus public health threat shall be based on local factors which may include:

(1) Historical and current climatic conditions.

(2) Historical and current mosquito population indices.

(3) Historical and current mosquito, veterinary, and human arboviral disease surveillance.

(4) The commissioner must declare in writing to the governor and the commissioner of the department of agriculture that such a threat to the public health exists.

(b) An expedited approval process shall be established for the implementation of mosquito control and abatement activities, as described in this paragraph, including the application of pesticides. The commissioner of the department of agriculture, markets, and food may authorize expedited mosquito control and abatement activities pursuant to this paragraph.

IV. A city, town, mosquito control district, or non-profit organization shall be eligible to receive funds if the commissioner determines that:

(a) The city, town, mosquito control district, or non-profit organization has a comprehensive mosquito control plan approved by the commissioner in accordance with paragraph II;

(b) The city, town, mosquito control district, or non-profit organization has engaged or plans to engage in mosquito control and abatement activities pursuant to paragraph III;

(c) The commissioner, after consultation with the Centers for Disease Control and Prevention, has determined that mosquito control and abatement activities are appropriate to mitigate the public health threat; and

(d) The commissioner has filed written notice of a threat to public health with the governor and the commissioner of agriculture, markets, and food.

V. A city, town's, mosquito control district's, or non-profit organization's receipt of funds, as well as the amount of funding, shall be at the discretion of the commissioner subject to the following criteria:

(a) The nature and degree of the declared threat to the public health.

(b) The nature and degree of the city, town's, mosquito control district's or non-profit organization's mosquito control and abatement activities in response to the declared threat to the public health.

(c) The degree to which the non-profit organization's mosquito control and abatement activities will benefit the general public.

(d) The city, town, mosquito control district, or non-profit organization showing that the funding assistance from the mosquito control fund is necessary.

(e) The city, town, mosquito control district's, or non-profit organization's showing that the requested funding assistance is no more than 50 percent of the entity's mosquito control and abatement activities pursuant to the declared threat to the public health.

(f) Funding is available.

Amend paragraph I of section 8 of the bill by replacing it with the following:

I. The members of the task force shall be as follows:

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

(b) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(c) The state epidemiologist.

(d) The state veterinarian.

(e) The commissioner of the department of health and human services, or designee.

(f) The commissioner of the department of agriculture, markets, and food, or designee.

(g) The commissioner of the department of resources and economic development, or designee.

(h) The executive director of the fish and game department, or designee.

(i) The commissioner of the department of environmental services, or designee.

(j) A representative from county government, appointed by the governor.

(k) An entomologist from the university of New Hampshire, appointed by the governor.

(l) Three locally-elected officials from towns or cities where arbovirus has been detected in animals or humans, at least one of whom shall be a public health officer, appointed by the governor.

(m) Two private citizens, each a landowner, officer, one of whom shall be nominated by the New Hampshire Farm Bureau Federation, appointed by the governor.

(n) Two members at-large, appointed by the commissioner of the department of health and human services.

Amend paragraph VII of section 9 of the bill by replacing it with the following:

VII. Establish a mechanism to work with landowners for determining when a pond, marsh land, or wetland on private property is found to be creating a standing water hazard and a method to permit local communities to receive assistance from the fish and game department and the department of environmental services to determine if the standing water hazard can be removed.

Amend section 9 of the bill by inserting after paragraph VIII the following:

IX. Establish a mechanism to protect certified organic farms from being treated with products that would void their certification.

2006-0974s

AMENDED ANALYSIS

This bill:

I. Clarifies that a state of emergency includes an arbovirus public health threat.

II. Establishes a mosquito control fund in the department of health and human services to assist cities, towns, mosquito control districts, and non-profit organizations by providing funding to offset mosquito control activities. The commissioner of the department of health and human services is granted rulemaking authority for the purposes of the bill. The bill also makes an appropriation to the department for the purposes of funding the mosquito control fund.

III. Allows local health or local law enforcement officers to order removal of standing water hazards.

IV. Establishes a 2-year task force for the purpose of facilitating a coordinated local, regional, and state response to arboviruses in New Hampshire.

Banks and Insurance

February 16, 2006

2006-1074s

01/04

Amendment to SB 391-FN

Amend RSA 402-H:1, VII as inserted by section 1 of the bill by replacing it with the following:

VII. "Insurer" means, for the purposes of this chapter only and except as provided in RSA 402-H:6, a person undertaking to provide life, annuity, or health coverage or workers' compensation insurance or self-funded coverage under a governmental plan, multiple employer welfare arrangement, or a church plan in this state. For the purposes of this chapter, "insurer" may include an employer, a licensed insurance company, a prepaid hospital or medical care plan, or a health maintenance organization.

Amend RSA 402-H:6 as inserted by section 5 of the bill by replacing it with the following:

402-H:6 Responsibilities of the Insurer.

I. If an insurer utilizes the services of an administrator, the insurer shall be responsible for determining the benefits, premium rates, underwriting criteria, and claims payment procedures applicable to ~~such~~ **the** coverage and for securing reinsurance, if any. The rules pertaining to these matters shall be provided, in writing, by the insurer to the administrator. The responsibilities of the administrator as to any of these matters shall be set forth in the written agreement between the administrator and the insurer.

II. It is the sole responsibility of the insurer to provide for competent administration of its programs.

III. In cases in which an administrator administers benefits for more than 100 certificate holders on behalf of an insurer, the insurer shall, **at least semi-annually**, conduct~~[-, at least semiannually,]~~ a review of the operations of the administrator. At least one such review shall be an on-site audit of the operations of the administrator.

IV. For purposes of this section, "insurer" means a licensed insurance company, prepaid hospital or medical care plan, or a health maintenance organization.

Amend RSA 402-H:11, VIII as inserted by section 8 of the bill by replacing it with the following:

VIII. An administrator licensed or applying for a certificate of authority that administers or will administer multiple employer welfare arrangements or church self-insured plans shall maintain a surety bond for the use and benefit of the commissioner that covers individuals and persons who have remitted premiums or insurance charges or other moneys to the administrator in the course of the administrator's business in the greater of \$100,000 or 10 percent of the administrator's average daily client account balance during the preceding calendar year. However, in no event shall the bond be more than \$1,000,000. If an administrator cannot obtain a bond, then another security, including, but not limited to, cash or negotiable securities in an amount equal to the amount of the required surety bond shall be set aside in one or more trustee bank accounts in the state of New Hampshire under trust terms that require the commissioner's signature for any account activity, except the accumulation of interest or other funds into the account, and that allows the commissioner, by order, to disburse the trust funds for the satisfaction of policyholder or customer claims.

Amend RSA 402-H:11-b as inserted by section 9 of the bill by replacing it with the following:

402-H:11-b Exemption. A pooled risk management program operated pursuant to RSA 5-B shall not be required to obtain a certificate of authority or to meet the other requirements of this chapter for services provided in connection with the administration of its pooled risk management plans, but shall be required to register with the commissioner pursuant to RSA 402-H:11-a. Pooled risk management program registration may be accomplished by providing the commissioner a copy of the informational filing required to be filed with the department of state pursuant to RSA 5-B:4.

Public and Municipal Affairs

February 15, 2006

2006-1018s

01/10

Amendment to SB 399-FN

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

1 Communicable Disease; Closure and Decontamination. Amend RSA 141-C:16-a to read as follows:

141-C:16-a **Closure**; Decontamination. The commissioner, *with the approval of the governor*, may close, direct, and compel the evacuation ~~[of or decontamination of any facility where there is reasonable cause to believe that there is a danger to the public health. The commissioner may also decontaminate, or cause to be decontaminated, or destroy any material of which there is reasonable cause to believe may present imminent danger to the public health]~~ **and decontamination of any building located within the state that is accessible to the public, such as businesses, primary and secondary schools, and universities, regardless of whether publicly or privately owned, when there is reasonable cause to believe the building may present an imminent danger to the public health, or as is deemed necessary to prevent the spread of disease. The commissioner may also cause any material located within or on the grounds of such building to be decontaminated or destroyed when there is reasonable cause to believe that the material may present imminent danger to the public health.** Destruction of any material under this chapter shall be considered a taking of private property and shall be subject to the compensation provisions of RSA 4:46.

2 New Section; Communicable Disease; Cancellation of Events. Amend RSA 141-C by inserting after section 16-a the following new section:

141-C:16-b Cancellation of Events. The commissioner, with the approval of the governor, may order the cancellation of public gatherings and events within the state, or in specific geographic areas of the state, as is deemed necessary to prevent the spread of disease, after consultation with the ethics committee established under RSA 141-C:24; provided, that under no circumstances shall the constitutional rights of assembly be abrogated in any emergency situation.

3 New Section; Communicable Disease; Custody; Rationing. Amend RSA 141-C by inserting after section 17-a the following new section:

141-C:17-b Custody; Rationing. If there is a statewide or regional shortage or threatened shortage of any anti-toxins, serums, vaccines, immunizing agents, antibiotics, and other pharmaceutical agents, the commissioner, with the approval of the governor, may control, restrict, and ration the use, sale, dispensing, distribution, or transportation of such agents as necessary to best protect the health, safety, and welfare of the people of this state. In making rationing or other supply and distribution decisions, the commissioner may determine the preference and priority for distribution of such agents, such as giving preference to health care providers and emergency response personnel. The commissioner shall have the discretion to take custody of all supplies of specific anti-toxins, serums, vaccines, immunizing agents, antibiotics, and other pharmaceutical agents existing within the state to ensure that such agents are distributed and utilized appropriately.

4 New Sections; Communicable Disease; Ethics Committee Established. Amend RSA 141-C by inserting after section 23 the following new sections:

141-C:24 Ethics Committee.

I. There is hereby established an ethics committee to assist the commissioner in addressing ethical issues in the preparedness and response to public health instances such as the outbreak or potential outbreak of communicable disease.

II. The committee shall consider the ethical implications of any of the powers that may be exercised by the commissioner under the provisions of this chapter including, but not limited to, the closure and evacuation of buildings; the cancellation of public events; the confiscation, distribution, and rationing of anti-toxins, serums, vaccines, immunizing agents, antibiotics, and other pharmaceutical agents; the issuance and enforcement of orders of isolation, quarantine, medical examination, and medical treatment; and issues relative to information sharing and confidentiality.

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

- (a) The governor, or designee.
- (b) One member of the senate, appointed by the senate president.
- (c) One member of the house, appointed by the speaker of the house of representatives.
- (d) The director of the division of public health services.
- (e) The state epidemiologist.
- (f) The attorney general, or designee.
- (g) A representative of a municipal department of public health, appointed by the commissioner.
- (h) A representative from a college or university public health program, appointed by the commissioner.
- (i) A chief of police of a local police department, appointed by the New Hampshire Association of Chiefs of Police.
- (j) A chief of a local fire department, appointed by the New Hampshire Association of Fire Chiefs, Inc.
- (k) A physician, licensed under RSA 329, appointed by the New Hampshire Medical Society.
- (l) The commissioner of the department of safety, or designee.
- (m) A member of a fire department, appointed by The New Hampshire Professional Firefighters Association.

IV. The commissioner shall appoint a member of the committee to act as chairperson. The committee shall meet as regularly as the chairperson shall direct.

V. The commissioner may at any time direct questions to the committee or request guidance on ethical issues.

VI. The committee shall be solely advisory in nature and any guidance or guidelines issued by the committee shall not be binding on the commissioner.

141:25 No Conflict With Emergency Management Powers. Nothing in this chapter shall be construed to limit or restrict the exercise of the governor's emergency management powers under RSA 4:45 – RSA 4:47.

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

2006-1018s

AMENDED ANALYSIS

This bill authorizes the commissioner of the department of health and human services, with the approval of the governor, to ration and prioritize certain pharmaceutical agents in the event of a shortage during a pandemic. Under this bill, the commissioner, with the approval of the governor, has the power to close public places during a pandemic. This bill also establishes a committee to assist the commissioner in addressing ethical issues under RSA 141-C.

Senate Education
February 14, 2006
2006-0957s
01/10

Amendment to SCR 7

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

That the New Hampshire general court urges the Congress of the United States to amend the No Child Left Behind Act in accordance with the recommendations of the National Conference of State Legislatures'

task force on the No Child Left Behind Act, and in a manner that allows states, such as New Hampshire, to continue to work toward the goal of closing the achievement gap in a way that will be most effective for every New Hampshire child; and

Environment and Wildlife

February 15, 2006

2006-1003s

08/09

Amendment to HB 544

Amend the bill by replacing section 2 with the following:

2 Public Access to Lands Purchased by The Land And Community Heritage Investment Program. Amend the introductory paragraph and paragraph I of RSA 227-M:15 to read as follows:

227-M:15 Public Access; Liability. Lands and interests in lands purchased with funds from this program by any eligible applicant shall be open in perpetuity for passive recreational purposes ***except as provided in paragraph I***. Language to be used in easement interests secured through the program shall approximate the intent of the following:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public. A grantor may reserve the right to post against vehicles, motorized or otherwise and against ~~[hunting on]~~ ***access to*** active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations. ***Such term easements as described in RSA 227-M:2, IV will be granted where participation in such program fosters farm viability entered into by the authority or the department of agriculture, markets, and food.***

Environment and Wildlife

February 14, 2006

2006-0976s

10/04

Amendment to HB 578

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

AN ACT relative to the chair of the current use advisory board.

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

1 Current Use Advisory Board; Vice Chair. Amend RSA 79-A:3, IV to read as follows:

IV. The board shall annually elect ~~[one of its members as chairman]~~ ***from its members a chair and a vice-chair who shall serve in the chair's absence with all associated responsibilities, including rulemaking.***

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

2006-0976s

AMENDED ANALYSIS

The bill permits the vice-chair of the current use board to act in the chair's absence.

HEARINGS

TUESDAY, FEBRUARY 21, 2006

BANKS AND INSURANCE, Room 100, SH

Sen. Flanders (C), Sen. Roberge (VC), Sen. Barnes, Sen. Odell, Sen. Foster, Sen. Gottesman

10:15 a.m. **SB 331**, relative to certain small loans.
 10:25 a.m. **SB 273**, relative to reasonable accommodations for employees with disabilities.
 10:45 a.m. **SB 247**, establishing a right to work act which provides for freedom of choice on whether to join a labor union.

(NOTE TIME CHANGE FOR SB 247)

11:15 a.m. **SB 368-FN**, relative to life settlements.
(THE PREVIOUS HEARING FOR SB 368-FN, WAS RECESSED ON FEBRUARY 9TH)

EXECUTIVE SESSION MAY FOLLOW

CAPITAL BUDGET, Room 103, SH

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

10:15 a.m. **SB 232-FN-A**, making a capital appropriation to the department of health and human services for a dental facility in the town of Tamworth.

(NOTE ROOM CHANGE FOR SB 232-FN-A)

EXECUTIVE SESSION MAY FOLLOW

EDUCATION, Room 103, SH

Sen. Bragdon (C), Sen. Johnson (VC), Sen. Eaton, Sen. Green, Sen. Estabrook, Sen. Foster

9:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

ENERGY AND ECONOMIC DEVELOPMENT, Room 102, LOB

Sen. Odell (C), Sen. Letourneau (VC), Sen. Boyce, Sen. Bragdon, Sen. Burling

3:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

3:15 p.m. **HB 653-FN-L**, relative to bonds for construction, development, improvement, and acquisition of broadband facilities.

EXECUTIVE SESSION MAY FOLLOW

ENVIRONMENT AND WILDLIFE, Room 103, LOB

Sen. Johnson (C), Sen. Gallus (VC), Sen. Barnes, Sen. Eaton, Sen. Hassan

1:00 p.m. **HB 1115**, relative to the definition of resident for purposes of fish and game laws.

1:15 p.m. **HB 1296**, relative to the voluntary scrapie flock certification program.

1:30 p.m. **HB 1283**, relative to sheep and goat identification requirements.

1:45 p.m. **HB 1688**, prohibiting the use of gasoline-powered watercraft on Head's Pond in Hooksett.

2:00 p.m. **HB 1659**, relative to the use of certain small caliber firearms in taking wildlife.

2:15 p.m. **HB 1657**, (New Title) establishing a wildlife legacy initiative for gifts and donations for fish and wildlife conservation programs

EXECUTIVE SESSION MAY FOLLOW

HEALTH AND HUMAN SERVICES, Room 101, LOB

Sen. Martel (C), Sen. Kenney (VC), Sen. Gallus, Sen. Bragdon, Sen. Estabrook, Sen. Fuller Clark

10:15 a.m. **SB 395**, relative to the number of children in a licensed foster home.

10:45 a.m. **HB 312**, (New Title) relative to the appointment of parenting coordinators.

11:15 a.m. **HB 325**, (New Title) relative to proceedings under the Child Protection Act.

EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 103, SH

Sen. Foster (C), Sen. Clegg (VC), Sen. Odell, Sen. Letourneau, Sen. Roberge, Sen. Gottesman

- 1:00 p.m. **HB 529**, (New Title) relative to the determination of parental rights and responsibilities.
- 1:30 p.m. **HB 591**, (New Title) relative to the inclusion of health insurance in the calculation of child support.
- 2:00 p.m. **HB 592**, relative to the child support guidelines.
- 4:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

WEDNESDAY, FEBRUARY 22, 2006**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**, Room 102, LOB

Sen. Kenney (C), Sen. Flanders (VC), Sen. Barnes, Sen. Boyce, Sen. Fuller Clark, Sen. Larsen

- 1:00 p.m. **SB 285-FN**, equalizing the pay of administrative judges in the judicial branch.
- 1:30 p.m. **SB 352-FN**, relative to the regulation of real estate appraisers.
- 2:00 p.m. **SB 263**, relative to inclusionary zoning and workforce housing.
- 2:30 p.m. **SB 339**, changing certain job titles and responsibilities in the department of transportation.
- Rescheduled **HB 115**, allowing pharmacists to establish collaborative practice agreements with medical practitioners.
(HB 115, HAS BEEN RESCHEDULED FOR MARCH 15TH)
- Rescheduled **HB 489-FN**, relative to disclosing an ownership interest in certain health care facilities and businesses.
(HB 489-FN, HAS BEEN RESCHEDULED FOR MARCH 15TH)
- Rescheduled **HB 718-FN-A**, relative to group life insurance for New Hampshire citizens serving in the military reserves or national guard and making an appropriation therefor.
(HB 718-FN-A, HAS BEEN RESCHEDULED FOR MARCH 15TH)
- EXECUTIVE SESSION MAY FOLLOW**

FINANCE, Room 100, SH

Sen. Morse (C), Sen. Boyce (VC), Sen. Gatsas, Sen. Clegg, Sen. Green, Sen. Odell, Sen. D'Allesandro, Sen. Larsen

- 10:30 a.m. **SB 397-FN-A**, establishing a temporary energy tax credit against the business enterprise tax.
- 10:50 a.m. **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.
- EXECUTIVE SESSION MAY FOLLOW**

INTERNAL AFFAIRS, Room 103, LOB

Sen. Boyce (C), Sen. Bragdon (VC), Sen. Flanders, Sen. Roberge, Sen. Hassan, Sen. Larsen

- 3:00 p.m. **SCR 8**, declaring the general court in opposition to the federal Real ID Act of 2005.
- 3:15 p.m. **SB 229**, relative to subsidizing malpractice premiums for certain specialties.
- 3:45 p.m. **HB 506**, including employees of charitable organizations under the protection of the state law against discrimination.
- EXECUTIVE SESSION MAY FOLLOW**

PUBLIC AND MUNICIPAL AFFAIRS, Room 103, SH

Sen. Roberge (C), Sen. Hassan (VC), Sen. Barnes, Sen. Kenney, Sen. Martel, Sen. Burling

- 10:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

10:30 a.m.	SB 327 , establishing the New Hampshire civil war cannon restoration fund.
11:00 a.m.	SB 254 , renaming a certain bridge in the town of Stratford the Janice Peaslee Bridge.
11:30 a.m.	SB 323 , establishing a legislative youth advisory council.
12:00 p.m.	SB 337 , relative to the sale and repurchase of property acquired by tax deed.
Rescheduled	HB 689-FN , relative to the jurisdiction of the New Hampshire commission for human rights over housing discrimination cases. <i>(HB 689, HAS BEEN RESCHEDULED FOR MARCH 15TH)</i>
Rescheduled	HB 581 , relative to approval and review of municipal charters. <i>(HB 581, HAS BEEN RESCHEDULED FOR MARCH 8TH)</i>
Rescheduled	HB 410 , relative to the confidentiality of documents submitted with an application for a property tax credit, exemption, or deferral. <i>(HB 410, HAS BEEN RESCHEDULED FOR MARCH 15TH)</i>
Rescheduled	HB 385 , (New Title) establishing a committee to study the adequacy of current substance abuse treatment available in the state prison system. <i>(HB 385, HAS BEEN RESCHEDULED FOR MARCH 15TH)</i> EXECUTIVE SESSION MAY FOLLOW

TRANSPORTATION AND INTERSTATE COOPERATION, Room 101, LOB

Sen. Letourneau (C), Sen. Morse (VC), Sen. Flanders, Sen. Martel, Sen. Burling, Sen. Estabrook	
8:30 a.m.	HB 347 , (New Title) relative to indicating citizenship on drivers' licenses and nondrivers' identification cards.
9:00 a.m.	HB 1119 , relative to naming the Richard Monahan Bridge in the town of Carroll.
9:20 a.m.	HB 1468-FN-L , (New Title) relative to Reservoir Road in the town of Deering and Lyme Road in the town of Hanover.
9:40 a.m.	HB 1198 , establishing a committee to study highway rest areas. EXECUTIVE SESSION MAY FOLLOW

WAYS AND MEANS, Room 100, SH

Sen. D'Allesandro (C), Sen. Clegg (VC), Sen. Boyce, Sen. Gallus, Sen. Odell	
1:00 p.m.	HB 1605-FN , relative to transfers from prepaid fish and game license fund.
1:15 p.m.	HB 1658 , (New Title) relative to authorizing agreements by the fish and game department with nonprofit partners for the purpose of accepting gifts, grants, bequests, or donations to further department goals
1:30 p.m.	HB 1279 , establishing a committee to study state medicaid reimbursement. EXECUTIVE SESSION MAY FOLLOW

FRIDAY, FEBRUARY 24, 2006

TRANSPORTATION AND INTERSTATE COOPERATION, Rep's Hall

Sen. Letourneau (C), Sen. Morse (VC), Sen. Flanders, Sen. Martel, Sen. Burling, Sen. Estabrook	
9:00 a.m.	HB 162 , (New Title) relative to general rules for vessels operating on water. EXECUTIVE SESSION MAY FOLLOW

TUESDAY, MARCH 7, 2006

ENERGY AND ECONOMIC DEVELOPMENT, Room 102, LOB

Sen. Odell (C), Sen. Letourneau (VC), Sen. Boyce, Sen. Bragdon, Sen. Burling	
3:00 p.m.	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.

3:15 p.m. **HB 1471-FN**, repealing the statutes relative to regional highway conferences.
EXECUTIVE SESSION MAY FOLLOW

HEALTH AND HUMAN SERVICES, Room 101, LOB

Sen. Martel (C), Sen. Kenney (VC), Sen. Gallus, Sen. Bragdon, Sen. Estabrook, Sen. Fuller Clark

10:15 a.m. **HB 590**, excluding stepchildren from the definition of “child” in the context of support orders.

10:45 a.m. **HB 688-FN**, relative to the regulation of mental health practitioners and the procedures of the board of mental health.

EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 103, SH

Sen. Foster (C), Sen. Clegg (VC), Sen. Odell, Sen. Letourneau, Sen. Roberge, Sen. Gottesman

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

WEDNESDAY, MARCH 8, 2006

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 102, LOB

Sen. Kenney (C), Sen. Flanders (VC), Sen. Barnes, Sen. Boyce, Sen. Fuller Clark, Sen. Larsen

1:00 p.m. **HB 719-FN**, recodifying the Articles 1 and 7 of the Uniform Commercial Code.

EXECUTIVE SESSION MAY FOLLOW

PUBLIC AND MUNICIPAL AFFAIRS, Room 103, SH

Sen. Roberge (C), Sen. Hassan (VC), Sen. Barnes, Sen. Kenney, Sen. Martel, Sen. Burling

10:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

10:30 a.m. **HB 581**, relative to approval and review of municipal charters.

11:00 a.m. **HB 203-FN**, (New Title) relative to the regulation of tracking devices and establishing a commission on the use of tracking devices.

(NOTE TIME CHANGE FOR SB 203-FN)

11:30 a.m. **HB 645-FN**, (New Title) relative to fire-safer cigarettes.

(NOTE TIME CHANGE FOR HB 645-FN)

EXECUTIVE SESSION MAY FOLLOW

TUESDAY, MARCH 14, 2006

HEALTH AND HUMAN SERVICES, Room 101, LOB

Sen. Martel (C), Sen. Kenney (VC), Sen. Gallus, Sen. Bragdon, Sen. Estabrook, Sen. Fuller Clark

10:15 a.m. **HB 1461**, establishing a task force to study Temporary Assistance to Needy Families (TANF) benefits.

10:45 a.m. **HB 1121-L**, (New Title) establishing a committee to study rulemaking and licensure issues relative to assisted living and residential care.

EXECUTIVE SESSION MAY FOLLOW

WEDNESDAY, MARCH 15, 2006

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 102, LOB

Sen. Kenney (C), Sen. Flanders (VC), Sen. Barnes, Sen. Boyce, Sen. Fuller Clark, Sen. Larsen

(NOTE THE TIME CHANGES TO THE FOLLOWING HEARINGS)

1:00 p.m. **HB 115**, allowing pharmacists to establish collaborative practice agreements with medical practitioners.

1:20 p.m. **HB 489-FN**, relative to disclosing an ownership interest in certain health care facilities and businesses.

1:40 p.m. **HB 718-FN-A**, relative to group life insurance for New Hampshire citizens serving in the military reserves or national guard and making an appropriation therefor.

EXECUTIVE SESSION MAY FOLLOW

PUBLIC AND MUNICIPAL AFFAIRS, Room 103, SH

Sen. Roberge (C), Sen. Hassan (VC), Sen. Barnes, Sen. Kenney, Sen. Martel, Sen. Burling

10:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

10:30 a.m. **HB 121**, (New Title) relative to local land use approval for facilities requiring certain pollution control permits.

11:00 a.m. **HB 385**, (New Title) establishing a committee to study the adequacy of current substance abuse treatment available in the state prison system.

11:20 a.m. **HB 410**, relative to the confidentiality of documents submitted with an application for a property tax credit, exemption, or deferral.

12:00 p.m. **HB 689-FN**, relative to the jurisdiction of the New Hampshire commission for human rights over housing discrimination cases.

EXECUTIVE SESSION MAY FOLLOW

TUESDAY, MARCH 21, 2006

HEALTH AND HUMAN SERVICES, Room 101, LOB

Sen. Martel (C), Sen. Kenney (VC), Sen. Gallus, Sen. Bragdon, Sen. Estabrook, Sen. Fuller Clark

10:15 a.m. **HB 1204**, relative to human immunodeficiency virus education, prevention and control.

EXECUTIVE SESSION MAY FOLLOW

WEDNESDAY, MARCH 22, 2006

PUBLIC AND MUNICIPAL AFFAIRS, Room 103, SH

Sen. Roberge (C), Sen. Hassan (VC), Sen. Barnes, Sen. Kenney, Sen. Martel, Sen. Burling

10:30 a.m. **HB 621-FN**, requiring disclosure of gifts and campaign contributions by lobbyists.

11:00 a.m. **HB 626-FN-L**, relative to the right-to-know law.

11:30 a.m. **HB 657-FN-L**, relative to promoting community revitalization.

12:00 p.m. **HJR 22**, a resolution in recognition and support of New Hampshire's participation in the Experimental Program to Stimulate Competitive Research.

EXECUTIVE SESSION MAY FOLLOW

MEETINGS

TUESDAY, FEBRUARY 21, 2006

CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2)

3:00 p.m. Room 201, LOB Regular Meeting

FEASIBILITY OF DEVELOPING A MATERIALS RESOURCE AND RECOVERY FACILITY IN SULLIVAN COUNTY (HB 293, Chapter Laws of 2005)

7:00 p.m. Lou Thompson Room Presentation by the DES on
Sugar River Technical Center "Pay as you Throw"
Newport, NH

NH DEPARTMENT OF TRANSPORTATION (Hooksett 13715, Rehabilitation Pine Street Bridge/I-93-F.E. Everett Turnpike)

7:00 p.m. Hooksett Municipal Building Public Officials/Public
16 Main Street Informational
Hooksett, NH Meeting

THURSDAY, FEBRUARY 23, 2006

NH DEPARTMENT OF TRANSPORTATION (Gorham 14204, Rehabilitation of riding surface, repair and replacement of drainage structures and upgrading guardrail on NH route 16 from the US 2 intersection north 3.8 miles to Berlin City line)

7:00 p.m. Main Fire Station Public Officials/Public
Ambulance Room Informational
347 Main Street Meeting
Gorham, NH

FRIDAY, FEBRUARY 24, 2006

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

9:00 a.m. Rooms 210-211, LOB Regular Business
9:30 a.m. Rooms 210-211, LOB Audit:
State of New Hampshire
Lottery Commission
Management Letter
For the Fiscal Year Ended
June 20, 2005

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

9:30 a.m. NH Department of Revenue Administration Regular Meeting
45 Chenell Drive, Training Room
Concord, NH

NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g)

10:00 a.m. Senate Conference Room 306, SH Meeting with the Honorable Stan
Keyes, PC Canadian Consul
General

RIGHT TO KNOW OVERSIGHT COMMISSION (RSA 91-A:11)

10:00 a.m. Room 202, LOB Regular Meeting

MONDAY, FEBRUARY 27, 2006

ENERGY PLANNING ADVISORY BOARD (SB 443, Chapter 164:2, I, Laws of 2004)

1:00 p.m. Room 304, LOB Regular Meeting

WEDNESDAY, MARCH 1, 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
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MONDAY, MARCH 6, 2006

LEGISLATIVE INFORMATION TECHNOLOGY OVERSIGHT COMMITTEE (RSA 4-D:7)

1:30 p.m.	Room 102, LOB	Regular Meeting
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LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

3:00 p.m.	Room 100, SH	Regular Meeting
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TUESDAY, MARCH 7, 2006

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

5:00 p.m.	American Legion Post 79, 35 W. Brook St. Manchester, NH	Regular Meeting
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FRIDAY, MARCH 10, 2006

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

9:00 a.m.	Room 306, LOB	Continued Regular Meeting
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RIGHT TO KNOW OVERSIGHT COMMISSION (RSA 91-A:11)

10:00 a.m.	Room 202, LOB	Regular Meeting
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COMMISSION TO STUDY THE STATE PARK SYSTEM (SB 5, Chapter 276:1, Laws of 2005)

1:30 p.m.	Room 103, LOB	Subcommittee Meeting
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MONDAY, MARCH 13, 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
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COMMISSION TO STUDY ISSUES RELATIVE TO GROUNDWATER WITHDRAWALS (SB 155, Chapter 305:1, Laws of 2003)

10:00 a.m.	Room 100, SH	Regular Meeting
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RIGHT TO KNOW OVERSIGHT COMMISSION (RSA 91-A:11)

10:00 a.m.	Room 202, LOB	Regular Meeting
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BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m.	Room 201, LOB	Regular Meeting
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GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m.	Room 102, LOB	Regular Meeting
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MONDAY, MARCH 20, 2006

NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g)

10:00 a.m.	Senate Conference Room 306, SH	Regular Meeting
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FRIDAY, MARCH 24, 2006

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

9:00 a.m.	Rooms 306, LOB	Regular Meeting
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ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

9:30 a.m.

NH Department of
Revenue Administration
45 Chenell Drive, Training Room

Regular Meeting

MONDAY, MARCH 27, 2006**PERMISSIBLE FIRE WORKS REVIEW COMMITTEE (RSA 160-C:13)**

10:00 a.m.

Room 204, LOB

Regular Meeting

WEDNESDAY, APRIL 5, 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, APRIL 7, 2006**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.

Rooms 100, SH

Continued Regular Meeting

MONDAY, APRIL 10, 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

HOUSE AND SENATE TASK FORCE TO STUDY THE E-Z PASS PROGRAM

10:00 a.m.

Room 100, SH

Regular Meeting

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

1:00 p.m.

Room 102, LOB

Regular Meeting

FRIDAY, APRIL 21, 2006**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.

Rooms 306-308, LOB

Regular 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, 249, 276, 278, 279, 280, 282, 288, 289, 296, 297, 300, 303, 305, 311, 313, 314, 316, 346, 352, 353, 354, 355, 356, 357, 359, 361, 363, 368, 371, 372, 373, 375, 377, 378, 381, 384, 385, 402

HOUSE BILLS: 100, 234, 349, 489, 515, 653, 669, 689, 718, 1657

NOTICES

THURSDAY, FEBRUARY 23, 2006

All senators are invited to participate in the sixth annual "Read Across America" event sponsored by NEA/NH to be held in the Senate Chamber on Thursday, February 23, 2006, from 8:30 a.m. to 9:25 a.m. Senators will be divided into small groups to read to children from their respective districts. Books will be provided, but senators may also bring a favorite book to share with the children.

Senator Robert E. Clegg Jr.

Senator Sylvia B. Larsen

FRIDAY, FEBRUARY 24, 2006

The N. H. Canadian Trade Council Committee will have a meeting on Friday, February 24, 2006 at 10:00 a.m. in the Senate Conference room on the third floor of the State House. Lisa M. Carrier, Media and Political Affairs Officer of the Canadian Consulate General will be our guest.

Senator Carl R. Johnson

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FRIDAY, FEBRUARY 24, 2006

Ann Weaver Hart, President, University of New Hampshire would like to invite Senate members to celebrate the progress of Kingsbury Hall (Phase 1), made possible by Knowledge Economy Education Plan (KEEP) funding. The event will take place on Friday, February 24, 2006 from 11:30 a.m. – 2:00 p.m. at Kingsbury Hall, UNH. **Please RSVP** by February 17 by registering online at <http://eventreg.unh.edu> or by calling Sally Gerrish at 603-862-1461. Transportation will be available at the State House for those who wish to travel to Durham from Concord.

Senator Iris W. Estabrook

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MONDAY, MARCH 6, 2006

Pursuant to RSA 326-B:10, IV, the Joint Health Council will meet at the NH Board of Nursing Office located at the Walker Building, 21 S. Fruit St. Concord, N.H., on Monday, March 6, 2006 at 6:00 p.m.

Senator André A. Martel

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TUESDAY, MARCH 7, 2006

To all Legislators: Pick up a newspaper, turn on the radio or watch the news and specials on television, two subjects are constantly covered. First is the subject of the growing threat on the illegal use and manufacture of methamphetamine which is a highly addictive drug scourge right here in NH. To insure all legislators are current on the subject we will have a complete update on March 7 at 10:00 a.m. in Representatives Hall, from the Attorney Generals Office Jane Young, HHS Commissioner John Stephen and US Attorney Tom Colantuono. Following that presentation will be our second presentation at 10:45 a.m. on the global threat of the Avian flu potential pandemic. That presentation/update will be done by our professional staff from HHS, namely the State Epidemiologist Jose Montero and Director of communicable disease Mary Ann Cooney. All interested members are encouraged to attend these special presentations.

Senator Robert K. Boyce

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THURSDAY, MARCH 9, 2006

DATE: THURSDAY, MARCH 9, 2006
 PLACE: IN FRONT OF THE ARCHWAY AT THE STATE HOUSE
 TIME: 9:00 A.M. TO 3:00 P.M.
 SPONSOR: AMERICAN RED CROSS

The bloodmobile will be stationed here on this date. We will try to schedule you so that you won't have to wait. Please mark your calendars. Further details will follow.

Theodore L. Gatsas, Senate President

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WEDNESDAY, MARCH 15, 2006

Senators and staff are cordially invited to the 4th Annual NH Capital St. Patrick's Day Breakfast & Roast hosted by The Demers Group on Wednesday, March 15, at 7:15AM at the Grappone Conference Center-Marriott Courtyard in Concord. Roasters include Governor John Lynch, Senate President Ted Gatsas, Deputy House Speaker Ken Weyler, Senate Democratic Leader Sylvia Larsen, House Democratic Leader Jim Craig, emcee Scott Spradling with special performances by the Professional Fire Fighters of NH Bagpipe Band and Rep. Jim Gerrity. RSVP to obtain a ticket by March 10 at 603-228-1498 or james.demers@thedemersgroup.com.

Senator Robert E. Clegg, Jr.
 Senator Sylvia B. Larsen

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WEDNESDAY, MARCH 22, 2006**PLYMOUTH STATE UNIVERSITY LEGISLATIVE RECEPTION**

President Don Wharton would like to invite all members of the General Court and staff to a Legislative Reception hosted by Plymouth State University on Wednesday, March 22, 2006. The event will be held at the New Hampshire Historical Society, Tuck Library, 30 Park Street, Concord at 4:00 p.m.

Senator Carl R. Johnson

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FRIDAY, MARCH 24, 2006

The Governor's Task Force on the Humane Treatment of Animals will meet in Room 100, SH at 1:30 p.m. on Friday, March 24, 2006.

Senator Sheila Roberge

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SENATE SCHEDULE

Monday, February 20, 2006	Presidents' Day (State Holiday)
Monday, February 27, 2006 to Friday, March 3, 2006	Winter Break
Thursday, March 9, 2006	Deadline for Policy Committees to report on all Senate money bills
Wednesday, March 22, 2006	Deadline for Policy Committees to report on all Senate non-money bills. (CROSSOVER)

Thursday, April 20, 2006	Deadline for Policy Committees to report on all money bills
Thursday, May 4, 2006	Deadline for Policy Committees to report on all 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)

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VISITORS CENTER SCHEDULE - FEBRUARY

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Grade/Size</i>
Feb 21	9:00	Broken Ground School – Concord	4/24
Feb 21	11:00/1:00	Merrimack Valley High School	10/50
Feb 22	10:00/11:30 SH/HM	DJ Bakie School – Kingston	4/88
Feb 22	2:00	Carlise Place	Adults 10
Feb 23	10:00/11:30	North Hampton Elementary	4/55
Feb 24	10:00/11:30 SH/SC	Stratham Memorial School	4/60
Feb 24	1:30	Trip Center – Franklin	12 Adults
Feb 28	11:00	Davenport High School	8-11/15
Feb 28	1:00	Keene Area Home School Network	