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No. 13

# STATE OF NEW HAMPSHIRE

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Legislative

## SENATE CALENDAR

REPORTS, AMENDMENTS, HEARINGS,  
MEETINGS AND NOTICES

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**THE SENATE WILL MEET IN SESSION ON  
THURSDAY, MARCH 29, 2007 AT 10:00 A.M.**

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## **LAID ON THE TABLE**

**SB 89**, authorizing the Holden School of Nursing to confer degrees. **2/22/07, pending motion ITL, Education, SJ 6, pg. 80**

**SB 96**, extending the veterans' property tax credit to all honorably discharged veterans. **3/15/07, pending motion ITL, Public and Municipal Affairs, SJ 8, pg. 112-113**

**SB 109**, relative to emergency powers of the supreme court. **3/8/07, pending motion OTP, Judiciary, SJ 7, pg. 98**

**SB 110**, relative to the ban on the sale and use of lead fishing jigs. **2/8/07, pending motion ITL, Wildlife, Fish and Game, SJ 3, pg. 39**

**SB 112**, relative to recommendations of marital masters. **2/22/07, pending motion OTP, Judiciary, SJ 6, pg. 82**

**SB 181-FN-A-L**, adding a fee to motor vehicle fines for use by municipalities. **3/22/07, pending motion Committee Amendment (0528s), Transportation and Interstate Cooperation, SJ 9, pg. TBA**

**SB 225-FN-A-L**, relative to allowing video gaming in Coos county, building casinos in Berlin and Portsmouth, and establishing a fund to assist with the payment of property taxes. **3/22/07, pending motion ITL, Ways and Means, SJ 9, pg. TBA**

**SB 249-FN**, establishing a new position and relative to the realignment of functions in the department of corrections. **3/22/07, pending motion Committee Amendment (0734s), Executive Departments and Administration, SJ 9, pg. TBA**

**SCR 1**, declaring a state of emergency in the town of Dorchester during the March 2006 floods. **2/15/07, pending motion OTP, Public and Municipal Affairs, SJ 4, pg. 61**

## **SPECIAL ORDER**

### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 178-FN**, relative to the judicial retirement plan.

Ought to pass with amendment, Vote 5-0

Senator Kelly for the committee.

## **REPORTS**

### **COMMERCE, LABOR AND CONSUMER PROTECTION**

**SB 150**, requiring drivers who are residents of foreign countries to have insurance.

Inexpedient to Legislate, Vote 4-0

Senator DeVries for the committee.

**SB 155**, relative to insurance coverage for chiropractic services.

Ought to pass with amendment, Vote 4-0

Senator Barnes for the committee.

**SB 216**, relative to certification of employee organizations to represent public employees.

Ought to Pass, Vote 3-1

Senator Cilley for the committee.

**SB 220**, establishing a commission to study the feasibility of establishing a public review board for health insurance rate increase requests.

Ought to Pass, Vote 5-0

Senator Roberge for the committee.

## **EDUCATION**

**SB 57**, requiring a course in civics for high school graduation.

Ought to pass with amendment, Vote 4-0

Senator Estabrook for the committee.

**SB 101**, relative to payment of costs for certain students attending alternative education programs.

Ought to Pass, Vote 4-0

Senator Estabrook for the committee.

**SB 173**, relative to regulation of private postsecondary career schools.

Ought to pass with amendment, Vote 4-0

Senator Fuller Clark for the committee.

**SB 245**, relative to the New Hampshire college tuition savings plan.

Ought to Pass, Vote 4-0

Senator Estabrook for the committee.

**SCR 2**, urging Congress to amend the No Child Left Behind Act.

Ought to pass with amendment, Vote 3-1

Senator Estabrook for the committee.

**SCR 4**, calling on the President and the Congress to fully fund the federal government's share of special education services in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act.

Ought to Pass, Vote 2-0

Senator Kelly for the committee.

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 46**, requiring criminal conviction record checks of all applicants to practice medicine in New Hampshire.

Ought to pass with amendment, Vote 5-0

Senator Burling for the committee.

**SB 116**, establishing a committee to study the licensing and regulation of fuel gas fitters by the state fire marshal.

Ought to pass with amendment, Vote 5-0

Senator Kenney for the committee.

**SB 171**, relative to regulation of apprenticeships by professional regulatory boards and commissions.

Inexpedient to Legislate, Vote 4-1

Senator Fuller Clark for the committee.

**SB 229**, relative to restitution ordered against an inmate.

Ought to Pass, Vote 5-0

Senator Kenney for the committee.

**SB 231**, exempting certain department of corrections practices and procedures from the provisions of RSA 541-A.

Ought to Pass, Vote 3-0

Senator Cilley for the committee.

**SB 260-FN**, relative to the location and budget practices of the lottery commission.

Ought to Pass, Vote 5-0

Senator Kenney for the committee.

## **FINANCE**

**SB 60-FN**, relative to compensations for injuries and illnesses suffered by national guard members on state active duty.

Ought to Pass, Vote 7-0

Senator Janeway for the committee.

**SB 67-FN-A**, relative to implementation of the recommendations of the YDC master plan and making an appropriation therefor.

Ought to pass with amendment, Vote 7-0

Senator D'Allesandro for the committee.

**SB 79-FN-A**, relative to court security and court security officers.

Re-refer to committee, Vote 6-0

Senator Odell for the committee.

**SB 93-FN**, relative to insurance coverage for children's early intervention therapy services.

Ought to Pass, Vote 7-0

Senator Hassan for the committee.

**SB 133-FN**, relative to the escrow fund for court facility improvements.

Ought to Pass, Vote 7-0

Senator Hassan for the committee.

**SB 141-FN**, (New Title) relative to differential pay of certain direct care employees.

Inexpedient to Legislate, Vote 7-0

Senator D'Allesandro for the committee.

**SB 148-FN**, relative to retirement system status for members of the university system police force.

Ought to Pass, Vote 5-1

Senator D'Allesandro for the committee.

**SB 160-FN-L**, adding members to the Skyhaven airport operation commission and changing the required completion date for the Skyhaven airport transfer plan.

Ought to Pass, Vote 7-0

Senator Gallus for the committee.

**SB 169-FN-A**, (New Title) establishing a death benefit to be paid to the family of a police officer, firefighter, or emergency medical technician killed in the line of duty.

Ought to pass with amendment, Vote 7-0

Senator D'Allesandro for the committee.

**SB 192-FN**, establishing an outreach program in the children's health insurance program.

Ought to Pass, Vote 7-0

Senator Sgambati for the committee.

**SB 206-FN-L**, relative to the investment authority of local government entities.

Ought to Pass, Vote 7-0

Senator Janeway for the committee.

**SB 215-FN-A**, making an appropriation for AIDS services.

Re-refer to committee, Vote 7-0

Senator Sgambati for the committee.

**SB 222-FN**, relative to health insurance for national guard members.

Ought to Pass, Vote 7-0

Senator Odell for the committee.

### **HEALTH AND HUMAN SERVICES**

**SB 120**, establishing a commission to study the removal of thimerosal from vaccines.

Inexpedient to Legislate, Vote 4-1

Senator Janeway for the committee.

**SB 147**, relative to proceedings regarding a child in need of services (CHINS).

Inexpedient to Legislate, Vote 5-0

Senator Sgambati for the committee.

**SB 149**, relative to family support councils for the developmentally disabled.

Ought to pass with amendment, Vote 3-2

Senator Sgambati for the committee.

**SB 153**, establishing a committee to study changing statutory references to "mental retardation."

Ought to pass with amendment, Vote 5-0

Senator Kenney for the committee.

**JUDICIARY**

**SB 252**, relative to publication of supreme court reports.

Ought to Pass, Vote 4-0

Senator Gottesman for the committee.

**TRANSPORTATION AND INTERSTATE COOPERATION**

**SB 86**, naming a bridge in Plymouth.

Ought to pass with amendment, Vote 4-0

Senator Letourneau for the committee.

**SB 187**, relative to motor vehicles operated in parades.

Ought to pass with amendment, Vote 4-0

Senator Clegg for the committee.

**SB 221**, establishing a commission to organize events in celebration of the Abraham Lincoln bicentennial.

Ought to pass with amendment, Vote 4-0

Senator Clegg for the committee.

**HB 103**, establishing a commission to study the state highway trust fund.

Ought to pass with amendment, Vote 4-0

Senator Burling for the committee.

**HB 104-FN**, relative to renewal of drivers' licenses by certain national guard members.

Ought to pass with amendment, Vote 4-0

Senator Letourneau for the committee.

**HB 122**, (New Title) naming a bridge in the town of Henniker after Sergeant Russell M. Durgin.

Ought to pass with amendment, Vote 4-0

Senator Letourneau for the committee.

**HCR 2**, urging the federal government to establish a post office and a zip code in the town of Lee.

Ought to Pass, Vote 4-0

Senator DeVries for the committee.

**WAYS AND MEANS**

**SB 87**, making technical corrections to certain lottery commission provisions.

Ought to Pass, Vote 4-0

Senator Downing for the committee.

**SB 95**, relative to bingo games conducted by senior citizens' organizations and establishing a study committee on the appropriate value of prizes for senior citizens' bingo.

Ought to pass with amendment, Vote 4-0

Senator D'Allesandro for the committee.

## **AMENDMENTS**

**Sen. Burling, Dist. 5**

**March 19, 2007**

**2007-0799s**

**10/09**

### **Amendment to SB 46**

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

1 New Section; Physicians and Surgeons; Applicants; Criminal Conviction Record Checks. Amend RSA 329 by inserting after section 11 the following new section:

329:11-a Criminal Conviction Record Checks.

I. Every applicant for initial permanent licensure or reinstatement shall submit to the board a fingerprint form and notarized criminal record release authorization form, as provided by the division of state police, which authorizes the release of his or her criminal conviction record to the board pursuant to RSA 106-B:14.

II. The board or the applicant shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal conviction records to the board.

III. The board shall review the criminal record information prior to making a licensing decision and shall maintain the confidentiality of all criminal conviction records received pursuant to this section.

IV. The board may make administrative charges for the actual costs of a criminal conviction record check.

2 Qualifications and Licensees; Subparagraph Added. Amend the introductory paragraph of RSA 329:12, I(c) to read as follows:

**(c) *Submit a fingerprint form and criminal conviction record release authorization form pursuant to RSA 329:11-a.***

**(d)** Demonstrate to the reasonable satisfaction of the board that the applicant:

3 Action on Applications. Amend RSA 329:14, I to read as follows:

I. The board shall make no final decision concerning the qualifications of a new or reinstatement applicant until it has received the results of all required examinations, ***criminal conviction record checks***, and all third-party certifications required to be submitted with the license application, and the time periods specified by RSA 541-A:29 shall be calculated from the date the last of the required documents is received by the board.

4 New Section; Physician Assistants. Amend RSA 328-D by inserting after section 3 the following new section:

328-D:3-a Criminal Conviction Record Checks.

I. Every applicant for initial permanent licensure or reinstatement shall submit to the board a fingerprint form and notarized criminal record release authorization form, as provided by the division of state police, which authorizes the release of his or her criminal conviction record to the board pursuant to RSA 106-B:14.

II. The board or the applicant shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal conviction records to the board.

III. The board shall review the criminal record information prior to making a licensing decision and shall maintain the confidentiality of all criminal conviction records received pursuant to this section.

IV. The board may make administrative charges for the actual costs of a criminal conviction record check.

5 New Subparagraph; Physician Assistants; Conditions of Licensure. Amend RSA 328-D:3, I by inserting after subparagraph (d) the following new subparagraph:

**(e)** Submit a fingerprint form and criminal conviction record release authorization form pursuant to RSA 328-D:3-a.

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

**2007-0799s**

#### AMENDED ANALYSIS

This bill requires all physician and physician assistant applicants for licensure or reinstatement before the board of medicine to submit to a criminal conviction records check.

**Senate Education**

**March 20, 2007**

**2007-0870s**

**04/05**

#### Amendment to SB 57

Amend the introductory paragraph in RSA 189:11, III as inserted by section 1 of the bill by replacing it with the following:

*III. In all high schools in the state, there shall be given a course of instruction in civics. This course shall be a one-half unit of credit required for graduation, and shall replace 1/2 of the social studies elective unit of credit as set forth in the administrative rules of the department of education. The civics course may be locally developed provided, at a minimum, the course provides exposure to current governmental affairs and covers the following areas:*

**Senate Finance**  
**March 21, 2007**  
**2007-0907s**  
**05/04**

#### **Amendment to SB 67-FN-A**

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

AN ACT relative to implementation of the recommendations of the youth development center master plan.

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

**2007-0907s**

#### **AMENDED ANALYSIS**

This bill permits the department of health and human services to implement the recommendations of the youth development center master plan and a related memorandum of agreement with the United States Department of Justice.

**Transportation and Interstate Cooperation**  
**March 16, 2007**  
**2007-0738s**  
**04/01**

#### **Amendment to SB 86**

Amend the bill by replacing section 1 with the following:

1 Bridge Named. Pursuant to RSA 4:43, the bridge on route 175-A that spans the Pemigewasset River in the town of Plymouth shall be named the Captain Douglas A. DiCenzo Memorial Bridge in honor of Captain Douglas A. DiCenzo, U.S. Army, who was killed in Iraq.

**2007-0738s**

#### **AMENDED ANALYSIS**

This bill names a bridge in Plymouth in honor of Captain Douglas A. DiCenzo who was killed in Iraq.

**Senate Ways and Means**  
**March 20, 2007**  
**2007-0859s**  
**09/03**

#### **Amendment to SB 95**

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

AN ACT relative to bingo games conducted by senior citizens' organizations.

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

1 Senior Citizens' Bingo. Amend RSA 287-E:11 to read as follows:

287-E:11 Senior Citizens Bingo. Any senior citizens' organization in a city or town which has adopted RSA 287-E may conduct bingo games without a license under the following conditions:

I. *Except as provided in paragraph IV*, games of bingo shall be open only to persons [60] **55** years of age or older, *unless the rules for senior activities on the premises require a higher minimum age for admission*.

II. The price to be paid for a single card or play shall not exceed \$.25.



III. All prizes, tokens, or awards used, given, offered, or awarded during or in connection with the conduct of any game or series of games conducted under this section in any calendar day shall not exceed the total value of [~~\$150~~] **\$500**.

**IV. Persons under 55 years of age who are assisting persons 55 years of age or older may be allowed on the premises.**

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

**2007-0859s**

#### AMENDED ANALYSIS

This bill changes certain conditions for bingo games conducted by senior citizens' organizations.

**Sen. Burling, Dist. 5**

**March 22, 2007**

**2007-0962s**

**10/04**

#### Amendment to SB 116

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

AN ACT establishing a committee to study the operations and maintenance of the Cannon Mountain ski area.

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

1 Committee Established. There is established a committee to study the operations and maintenance of the Cannon Mountain ski area.

2 Membership and Compensation.

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

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

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the operations and maintenance of the Cannon Mountain ski area.

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

5 Report. The committee 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, 2007.

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

**2007-0962s**

#### AMENDED ANALYSIS

This bill establishes a committee to study the operations and maintenance of the Cannon Mountain ski area.

**Health and Human Services**

**March 20, 2007**

**2007-0875s**

**01/09**

#### Amendment to SB 149

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

AN ACT relative to the 2 family support councils for the developmentally disabled serving Lebanon and Claremont.



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

1 Statement of Intent. It is the intent of the legislature that the 2 family support councils serving the Lebanon and Claremont regions look for opportunities for collaboration and cooperation to establish a unified council by January 1, 2009.

2 Family Support Councils to Continue. The 2 family support councils serving the Lebanon and Claremont regions shall continue to provide advice to the area agency in the development of a family support plan for the area, shall continue to send 2 delegates to the state Family Support Council, and shall monitor the services provided pursuant to the plan in accordance with RSA 126-G:4 until January 1, 2009.

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

**2007-0875s**

#### **AMENDED ANALYSIS**

This bill authorizes the 2 family support councils serving the Lebanon and Claremont areas to continue to provide advice to the area agency in the development of a family support plan for the area, with the goal that such family support councils establish a unified council by January 1, 2009.

#### **Health and Human Services**

**March 21, 2007**

**2007-0896s**

**08/09**

#### **Amendment to SB 153**

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

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

#### **Commerce, Labor and Consumer Protection**

**March 20, 2007**

**2007-0874s**

**01/04**

#### **Amendment to SB 155**

Amend RSA 420-J:6-bb as inserted by section 1 of the bill by replacing it with the following:

420-J:6-bb Chiropractic Co-Payments; Limitation. A health benefit plan offering chiropractic benefits shall not impose a co-payment amount charged to the insured for a chiropractic visit that is higher than the co-payment amount charged to the insured for a primary care provider visit.

**Sen. D'Allesandro, Dist. 20**

**March 21, 2007**

**2007-0898s**

**09/10**

#### **Amendment to SB 169-FN-A**

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

AN ACT establishing a death benefit to be paid to the family of a police officer or firefighter killed in the line of duty and establishing a committee to study the feasibility of establishing a state death benefit for emergency medical technicians killed in the line of duty.

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

1 New Section; Death Benefit for Police Officer or Firefighter Killed in Line of Duty. Amend RSA 21-I by inserting after section 29 the following new section:

21-I:29-a Death Benefit for Police Officer or Firefighter Killed in Line of Duty.

I. In this section:

(a) "Family" means the surviving spouse of the police officer or firefighter, or if there is no surviving spouse, the child or children of such police officer or firefighter or, if there is no surviving child, the parent or parents of such police officer or firefighter.

(b) “Firefighter” means any firefighter, including auxiliary, intermittent, special, part-time, or reserve firefighters who are employed by a city or town within the state of New Hampshire, or any firefighter employed by the state of New Hampshire.

(c) “Killed in the line of duty” means a death of a police officer or firefighter while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death.

(d) “Police officer” means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers who are employed by a city or town within the state of New Hampshire, or any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.

II. In addition to any other benefits provided under this chapter, the state shall pay the premium for permanent group life insurance which will pay a \$100,000 death benefit to the family of a police officer or firefighter killed in the line of duty.

III. This section shall be known as “Michael’s Law,” in honor of Manchester Police Officer Michael Briggs who was shot while on duty.

2 Committee Established. There is established a committee to study the feasibility of establishing a state death benefit for emergency medical technicians killed in the line of duty.

### 3 Membership and Compensation.

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

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

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

4 Duties. The committee shall study the feasibility of establishing a state death benefit for emergency medical technicians killed in the line of duty.

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

6 Report. The committee 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, 2007.

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

**2007-0898s**

### AMENDED ANALYSIS

This bill establishes a death benefit to be paid to the family of a state or local police officer or firefighter killed in the line of duty.

The bill also establishes a committee to study the feasibility of establishing a state death benefit for emergency medical technicians killed in the line of duty.

**Senate Education**

**March 20, 2007**

**2007-0868s**

**04/01**

### Amendment to SB 173

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

1 Postsecondary Education Commission. Amend RSA 188-D:2 to read as follows:

188-D:2 Postsecondary Education Commission. There is hereby established a postsecondary education commission ~~[of 22 members]~~ with the following membership:

I. The president of the university of New Hampshire; the president of Keene state college; the president of Plymouth state university; the chancellor of the university system *of New Hampshire*; a president of one of the institutions of the department of regional community-technical colleges, to be chosen by the board of trustees of that department;

II. Two members to be appointed by the trustees of the university system of New Hampshire, one of whom shall be a full-time undergraduate student who is a resident of the state, and whose term shall ~~[cease]~~ *expire* upon graduation ~~[or change of status as such undergraduate]~~ *or when the member is no longer a full-time* student;

III. The commissioner of *the department of* education and the commissioner of *the department of* regional community-technical colleges;

IV. One ~~[member]~~ *full-time student* to be appointed by the board of trustees of the department of regional community-technical colleges who shall be a representative of *one of the institutions of the department of* regional community-technical ~~[institute and]~~ colleges who shall be a ~~[full-time student at one of these institutions and a]~~ resident of the state and whose term shall expire upon graduation or when the member is no longer a full-time student;

V. Six representatives of the private 4-year colleges or universities in New Hampshire appointed by the governor and council on recommendation by the New Hampshire College and University Council, with no more than one representative from any one college or university;

VI. One full-time undergraduate student of a private 4-year college or university in the state of New Hampshire, to be appointed by the governor and council ~~[from a list of at least 5 students submitted]~~ *on recommendation* by the New Hampshire College and University Council, who shall be a resident of ~~[New Hampshire]~~ *the state* and whose term shall expire upon graduation or ~~[change of status from]~~ *when the member is no longer* a full-time student;

VII. One member to be appointed by the governor and council as a representative from ~~[the following type of college or school: junior college, proprietary school, junior or senior college and community college]~~ *a for-profit college or university* not a member of the New Hampshire College and University Council;

VIII. Four members to be appointed by the governor and council who shall be residents of the state and of the lay public, having no official connection with any ~~[postsecondary educational institution]~~ *college, university, or private postsecondary career school* as an employee, trustee or member on a board of directors ~~[of any educational institution]~~.

*IX. One member to be appointed by the governor and council on recommendation by the New Hampshire Council for Professional Education, who shall be a resident of the state and a representative of a private, postsecondary career school.*

The terms of appointed members, except as indicated above, shall be for 5 years and until a successor is appointed and qualified. Vacancies shall be filled for the unexpired term.

2 Private Postsecondary Career Schools; Definitions. Amend RSA 188-D:19 to read as follows:

188-D:19 Definitions; Exclusions.

I. The following definitions shall apply in this subdivision except as otherwise provided:

(a) "Alternative delivery" means a mode of instruction, which does not involve face-to-face instruction between instructor and student in the same geographic location. This mode of instruction shall include Internet, televised, video, telephonic, and correspondence media.

(b) "*Conference*" or "*seminar*" means a scheduled meeting of 2 or more persons for discussing matters of common concern and where, if training or education is offered, it shall be incidental to the purpose of the conference.

(c) "Entity" means any individual, firm, partnership, association, corporation, organization, trust, school, or other legal entity or combination of these entities.

~~[(e)]~~ (d) "*Executive committee*" means the executive committee of the postsecondary education commission as defined in the postsecondary education commission bylaws.

(e) ***“Executive director” means the executive director of the postsecondary education commission, or designee.***

(f) ***“Operating balance” means the amount of funds necessary for indemnification as determined by the executive director.***

(g) ***“Physical presence” means any physical location or place of contact, including a New Hampshire telephone exchange or a New Hampshire mail drop, and if an individual is conducting one or more of the following activities within this state:***

- (1) Advertising.
- (2) Solicitation of potential students.
- (3) Enrollment of students.
- (4) Providing student services.
- (5) Student mentoring.
- (6) Instruction of students.

~~[(d)]~~ (h) ***“Private postsecondary career school” means any for-profit or nonprofit postsecondary career [school] entity maintaining a physical presence in this state providing education or training for tuition or a fee that enhances a person’s occupational skills, or provides continuing education or certification, or fulfills a training or education requirement in one’s employment, career, trade, profession, or occupation. Schools that offer resident or non-resident programs, including programs using modes of alternative delivery, beyond the secondary school level to an entity [upon the payment of tuition or a fee] shall be included in this definition regardless of the fact that the school’s tuition and fees from education and training programs constitute only a part of the school’s revenue.***

(i) ***“Vendor” means an entity that promotes or exchanges goods or services for money.***

(j) ***“Workshop” means a brief, intensive education or training program that focuses on developing techniques and skills in a particular area.***

II. “Private postsecondary career school” shall not include:

- (a) Schools authorized to grant degrees pursuant to RSA 292.
- (b) Schools ***specifically*** licensed ***as an education or training school*** by a state agency other than the postsecondary education commission.
- (c) Schools operated by a business organization exclusively for the training of that business’ own employees and at no charge to its employees.
- (d) Schools offering noncredit courses exclusively for avocational purposes~~[, as determined by the executive director, in consultation with the postsecondary education commission].~~
- (e) Schools ~~[directly supported, entirely or partly,]~~ ***established, operated, and governed*** by the state of New Hampshire ***or any of its political subdivisions, or any other state or its political subdivisions.***
- (f) Noncredit courses or programs sponsored by recognized trade, business, or professional organizations solely for the instruction of their members that do not prepare or qualify individuals for employment in any occupation or trade~~[, unless otherwise determined by the executive director, in consultation with the postsecondary education commission].~~
- (g) Schools that offer programs and courses exclusively on federal military installations.
- (h) Companies, individuals, or other legal entities that offer training at seminars, ***workshops***, or conferences, if ~~[either of the following criteria are met]:~~
  - (1) ~~[The conference or seminar does not exceed 2 days; or]~~ ***Any training or education offered is incidental to the purpose of the seminar, workshop, or conference; and***
  - (2) The attendee receiving the training is not awarded any form of a certificate, ~~[or]~~ diploma, ***or credit including continuing education units*** for having received the training.

(i) Vendors that offer incidental training associated with the purchase of a product from said vendor, if the training is **at no cost, its purpose is** to familiarize the purchaser with its use and the purchaser is not awarded any form of a certificate or diploma for having received the training.

(j) ~~[A person with fewer than 5 students per calendar year.~~

~~(k)~~ An individual or facility training students under 14 [CFR] **C.F.R.** part 91 or 14 [CFR] **C.F.R.** part 141, or receiving flight or ground instruction required by the Federal Aviation Administration.

3 Postsecondary Education Commission; Licenses and Fees. Amend RSA 188-D:20 to read as follows:

188-D:20 Licenses and Fees.

I. Prior to registering or renewing a business or trade name, or soliciting students for enrollment, an entity maintaining a physical presence in this state shall be reviewed by the ~~[postsecondary education commission]~~ **executive director** to determine if the entity requires a license. The executive director, in consultation with the postsecondary education commission, shall establish procedures to accomplish this review.

II. ~~[If the postsecondary education commission determines that a license is required,]~~ A private postsecondary career school maintaining a physical presence in this state shall register to obtain a license or license renewal from the postsecondary education commission. ~~[The license shall be issued or renewed pursuant to rules, adopted under RSA 541-A, by the executive director, in consultation with the postsecondary education commission.]~~ The rules shall establish minimum criteria, including but not limited to, financial stability, educational program, administrative and staff qualifications, business procedures, facilities, equipment, and ethical practices to be met by licensees, **and criteria for rejecting a licensing applicant and for suspending or revoking a license.** ~~[In no case shall a license or license renewal be issued to any school, which has not met the requirements of RSA 188-D:20-a or RSA 188-D:20-b.]~~

III. ~~[The executive director, in consultation with the postsecondary education commission, may establish reasonable fees for administration of this subdivision, including fees for licenses, renewals, penalties, reimbursement for consultants, complaint investigation, and enforcement.]~~ **A school that is not required to obtain a license may apply for a license and, upon issuance of the license, shall be subject to the provisions of RSA 188-D:19 through RSA 188-D:28. Such school may voluntarily surrender its license and revert to its original status.**

**IV. The executive director shall establish reasonable fees for licenses and license renewals required under this subdivision.**

**V. The executive director, in consultation with the postsecondary education commission, may establish penalties, reimbursement rates for consultants and procedures for complaint investigations and enforcement actions, which are necessary for the administration of this subdivision.**

**VI. A private postsecondary career school which the executive director has determined requires a license shall, prior to the issuance of a license, comply with RSA 188-D:20, RSA 188-D:20-a, and RSA 188-D:20-b.**

4 Postsecondary Education Commission; Surety Indemnification. Amend RSA 188-D:20-a to read as follows:

188-D:20-a Surety Indemnification. Before a license is issued or renewed, a school shall meet the requirements of this section or RSA 188-D:20-b, by providing acceptable surety indemnification as determined ~~[by the postsecondary education commission]~~ **in this section.**

I. A surety bond shall be provided by the school in an amount prescribed ~~[by the postsecondary education commission]~~ **in this section.** The obligation of the bond is that the school, its officers, agents, and employees shall faithfully perform the terms and conditions of contracts for tuition and other instructional fees entered into between the school and entity enrolling as students. The bond shall be issued by a company authorized to do business in the state of New Hampshire. The bond shall be issued in the name of the postsecondary education commission, and is to be used only for payment of a refund of tuition and instructional fees due to a student or potential student, and the expense of investigating and processing the claims.

II. The amount of such bond shall be based on income from tuition at 10 percent of gross tuition, with a \$10,000 minimum. If a school licensed under RSA 188-D:20 should fail to provide the services required in a contract with any entity, as determined by a court of competent jurisdiction, the bond shall be forfeited, and the proceeds distributed by the ~~[postsecondary education commission]~~ **executive director** in such manner as justice and the circumstances require.



III. The bond company may not be relieved of liability on the bond unless it gives the school and the postsecondary education commission 90 days written notice of the company's intent to cancel the bond. If at any time the company that issued the bond cancels or discontinues the coverage, the school's license is revoked as a matter of law on the effective date of the cancellation or discontinuance of bond coverage, unless a replacement bond is obtained and provided to the postsecondary education commission.

IV. For the purposes of this section the forms of indemnification other than a surety bond which may be furnished to the postsecondary education commission for licensure are the following:

(a) An irrevocable letter of credit, maintained for the licensing period as a minimum, issued by a financial institution authorized to do business in New Hampshire in an amount to be determined by the postsecondary commission with the postsecondary education commission designated as the beneficiary; or

(b) A term deposit account held in ~~[a financial institution authorized to do business in New Hampshire]~~ **the state treasury**, payable to the postsecondary education commission, shall be held in trust for the benefit of students entitled thereto under this section. Said account shall be maintained for the licensing period as a minimum, in an amount determined by the postsecondary education commission. ~~[A]~~ **Any** interest shall be paid annually to the appropriate school, unless the term deposit account is activated due to a school closing. Should the licensee for any reason, while not in default, discontinue operation, all moneys on deposit, including **any** interest, shall be released to the appropriate school subject to the approval of the ~~[postsecondary education commission]~~ **executive director**.

5 Postsecondary Education Commission; Student Guaranty Fund. Amend RSA 188-D:20-b to read as follows:

188-D:20-b Student Tuition Guaranty Fund.

I.(a) A student tuition guaranty fund is hereby established within the postsecondary education commission and shall be administered by the **executive director** ~~[postsecondary education commission. In lieu of the surety bond required in 188-D:20-a, the executive director, in consultation with the postsecondary education commission, may require a private postsecondary career school seeking the issuance or renewal of a license to participate in the student tuition guaranty fund.]~~

(b) The fund shall be funded from an annual fee to be established by the ~~[postsecondary education commission]~~ **executive director and** assessed against each school duly licensed by the postsecondary education commission and all applicants for a license under RSA 188-D:20.

(c) The fund shall be used to reimburse students when a school has failed to faithfully perform its contractual obligations for tuition and instructional fees in the event of a school closing, and the expense of investigating and processing the claims. **The owner of a school which fails to perform its contractual obligations shall be personally liable to reimburse the fund for any money disbursed from the fund to settle any claims made against the school.**

II. The executive director, in consultation with the postsecondary education commission, shall adopt rules, pursuant to RSA 541-A, relative to the administration and maintenance of the fund.

6 Postsecondary Education Commission; Inspections; Revocation. Amend RSA 188-D:21-22 to read as follows:

188-D:21 Inspections. The ~~[postsecondary education commission]~~ **executive director** may at any time inspect the premises, curriculum, teaching materials, faculty performance, sales literature, financial data, or other matters which are relevant to the educational and business activities of a licensed school in order to determine compliance with applicable laws and rules.

188-D:22 Revocation; Hearing. The executive ~~[director]~~ **committee**, in consultation with the postsecondary education commission may, after due notice and hearing, revoke the license of any school licensed pursuant to RSA 188-D:20 for violating the provisions of this subdivision or rules adopted hereunder. The provisions of RSA 541 shall apply to actions taken pursuant to this section.

7 Postsecondary Education Commission; Rulemaking. Amend RSA 188-D:26 to read as follows:

188-D:26 Rulemaking Authority. The **executive director in consultation with the postsecondary education** commission shall adopt such rules as may be necessary in order to carry out the provisions of this subdivision.

8 Postsecondary Education Commission; Penalty. Amend RSA 188-D:28 to read as follows:

188-D:28 Penalty.

I. Whoever violates any provision of this subdivision shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

II. Whenever the **executive director** [~~postsecondary education commission~~] determines that a person is violating any provision of this subdivision or the rules adopted hereunder, the [~~postsecondary education commission~~] **executive director** shall request the attorney general, or other appropriate official having jurisdiction, to provide appropriate relief.

**III. The executive director, upon verifying that a school is operating without a license, shall issue a cease and desist order to such school.**

**IV. The postsecondary education commission shall be notified whenever a cease and desist order is issued to a school, or if a school fails to provide the services required under a contract with any entity causing the bond to be forfeited, or if a school is required to have a license but is operating without a license.**

9 Voluntary Corporations and Associations; Reports Required. Amend RSA 292:8-kk, I to read as follows:

I. When any institution of higher learning ceases the regular conduct of instruction, either temporarily or permanently, whether or not the corporation is dissolved, the **original written** academic record, or a legible, certified copy thereof **as defined by the institution**, of each student who has been registered for instruction at the institution shall be forwarded to the postsecondary education commission together with an explanation of the institution's credit and grading system. The postsecondary education commission shall preserve these records and upon request of the individual concerned, shall furnish a certified copy, or reasonable number of such copies, of the individual's record. The fee for each record so furnished to be paid to the commission shall be a reasonable fee based on average fees collected by United States institutions.

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

**Senate Education  
March 20, 2007  
2007-0868s  
04/01**

### **Amendment to SB 173**

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

1 Postsecondary Education Commission. Amend RSA 188-D:2 to read as follows:

188-D:2 Postsecondary Education Commission. There is hereby established a postsecondary education commission [~~of 22 members~~] with the following membership:

I. The president of the university of New Hampshire; the president of Keene state college; the president of Plymouth state university; the chancellor of the university system **of New Hampshire**; a president of one of the institutions of the department of regional community-technical colleges, to be chosen by the board of trustees of that department;

II. Two members to be appointed by the trustees of the university system of New Hampshire, one of whom shall be a full-time undergraduate student who is a resident of the state, and whose term shall [~~cease~~] **expire** upon graduation [~~or change of status as such undergraduate~~] **or when the member is no longer a full-time student**;

III. The commissioner of **the department of** education and the commissioner of **the department of** regional community-technical colleges;

IV. One [~~member~~] **full-time student** to be appointed by the board of trustees of the department of regional community-technical colleges who shall be a representative of **one of the institutions of the department of** regional community-technical [~~institute and~~] colleges who shall be a [~~full-time student at one of these institutions and a~~] resident of the state and whose term shall expire upon graduation or when the member is no longer a full-time student;

V. Six representatives of the private 4-year colleges or universities in New Hampshire appointed by the governor and council on recommendation by the New Hampshire College and University Council, with no more than one representative from any one college or university;



VI. One full-time undergraduate student of a private 4-year college or university in the state of New Hampshire, to be appointed by the governor and council ~~[from a list of at least 5 students submitted]~~ **on recommendation** by the New Hampshire College and University Council, who shall be a resident of ~~[New Hampshire]~~ **the state** and whose term shall expire upon graduation or ~~[change of status from]~~ **when the member is no longer** a full-time student;

VII. One member to be appointed by the governor and council as a representative from ~~[the following type of college or school: junior college, proprietary school, junior or senior college and community college]~~ **a for-profit college or university** not a member of the New Hampshire College and University Council;

VIII. Four members to be appointed by the governor and council who shall be residents of the state and of the lay public, having no official connection with any ~~[postsecondary educational institution]~~ **college, university, or private postsecondary career school** as an employee, trustee or member on a board of directors ~~[of any educational institution]~~.

**IX. One member to be appointed by the governor and council on recommendation by the New Hampshire Council for Professional Education, who shall be a resident of the state and a representative of a private, postsecondary career school.**

The terms of appointed members, except as indicated above, shall be for 5 years and until a successor is appointed and qualified. Vacancies shall be filled for the unexpired term.

2 Private Postsecondary Career Schools; Definitions. Amend RSA 188-D:19 to read as follows:

188-D:19 Definitions; Exclusions.

I. The following definitions shall apply in this subdivision except as otherwise provided:

(a) “Alternative delivery” means a mode of instruction, which does not involve face-to-face instruction between instructor and student in the same geographic location. This mode of instruction shall include Internet, televised, video, telephonic, and correspondence media.

(b) **“Conference” or “seminar” means a scheduled meeting of 2 or more persons for discussing matters of common concern and where, if training or education is offered, it shall be incidental to the purpose of the conference.**

(c) “Entity” means any individual, firm, partnership, association, corporation, organization, trust, **school**, or other legal entity or combination of these entities.

~~[(e)]~~ (d) **“Executive committee” means the executive committee of the postsecondary education commission as defined in the postsecondary education commission bylaws.**

(e) **“Executive director” means the executive director of the postsecondary education commission, or designee.**

(f) **“Operating balance” means the amount of funds necessary for indemnification as determined by the executive director.**

(g) “Physical presence” means any physical location or place of contact, including a New Hampshire telephone exchange or a New Hampshire mail drop, and if an individual is conducting one or more of the following activities within this state:

- (1) Advertising.
- (2) Solicitation of potential students.
- (3) Enrollment of students.
- (4) Providing student services.
- (5) Student mentoring.
- (6) Instruction of students.

~~[(d)]~~ (h) **“Private postsecondary career school” means any for-profit or nonprofit postsecondary career [school] entity maintaining a physical presence in this state providing education or training for tuition or a fee that enhances a person’s occupational skills, or provides continuing education or certification, or fulfills a training or education requirement in one’s employment, career, trade,**

**profession, or occupation.** Schools that offer resident or non-resident programs, including programs using modes of alternative delivery, beyond the secondary school level to an entity ~~[upon the payment of tuition or a fee]~~ shall be included in this definition **regardless of the fact that the school's tuition and fees from education and training programs constitute only a part of the school's revenue.**

(i) **"Vendor" means an entity that promotes or exchanges goods or services for money.**

(j) **"Workshop" means a brief, intensive education or training program that focuses on developing techniques and skills in a particular area.**

II. "Private postsecondary career school" shall not include:

(a) Schools authorized to grant degrees pursuant to RSA 292.

(b) Schools **specifically** licensed **as an education or training school** by a state agency other than the postsecondary education commission.

(c) Schools operated by a business organization exclusively for the training of that business' own employees and at no charge to its employees.

(d) Schools offering noncredit courses exclusively for avocational purposes~~[, as determined by the executive director, in consultation with the postsecondary education commission].~~

(e) Schools ~~[directly supported, entirely or partly,]~~ **established, operated, and governed** by the state of New Hampshire **or any of its political subdivisions, or any other state or its political subdivisions.**

(f) Noncredit courses or programs sponsored by recognized trade, business, or professional organizations solely for the instruction of their members that do not prepare or qualify individuals for employment in any occupation or trade~~[, unless otherwise determined by the executive director, in consultation with the postsecondary education commission].~~

(g) Schools that offer programs and courses exclusively on federal military installations.

(h) Companies, individuals, or other legal entities that offer training at seminars, **workshops**, or conferences, if ~~[either of the following criteria are met]:~~

(1) ~~[The conference or seminar does not exceed 2 days; or]~~ **Any training or education offered is incidental to the purpose of the seminar, workshop, or conference; and**

(2) The attendee receiving the training is not awarded any form of a certificate, ~~[or]~~ diploma, **or credit including continuing education units** for having received the training.

(i) Vendors that offer incidental training associated with the purchase of a product from said vendor, if the training is **at no cost, its purpose is** to familiarize the purchaser with its use and the purchaser is not awarded any form of a certificate or diploma for having received the training.

(j) ~~[A person with fewer than 5 students per calendar year.~~

~~(k)~~ An individual or facility training students under 14 [CFR] **C.F.R.** part 91 or 14 [CFR] **C.F.R.** part 141, or receiving flight or ground instruction required by the Federal Aviation Administration.

3 Postsecondary Education Commission; Licenses and Fees. Amend RSA 188-D:20 to read as follows:

188-D:20 Licenses and Fees.

I. Prior to registering or renewing a business or trade name, or soliciting students for enrollment, an entity maintaining a physical presence in this state shall be reviewed by the ~~[postsecondary education commission]~~ **executive director** to determine if the entity requires a license. The executive director, in consultation with the postsecondary education commission, shall establish procedures to accomplish this review.

II. ~~[If the postsecondary education commission determines that a license is required,]~~ A private postsecondary career school maintaining a physical presence in this state shall register to obtain a license or license renewal from the postsecondary education commission. ~~[The license shall be issued or renewed pursuant to rules, adopted under RSA 541-A, by the executive director, in consultation with the postsecondary education commission.]~~ The rules shall establish minimum criteria, including but not limited to, financial stability, educational program, administrative and staff qualifications, business procedures, facilities, equipment, and ethical practices to be met by licensees, **and criteria for rejecting a licensing applicant and for suspending or revoking a license.** ~~[In no case shall a license or license renewal be issued to any school, which has not met the requirements of RSA 188-D:20-a or RSA 188-D:20-b.]~~

III. ~~[The executive director, in consultation with the postsecondary education commission, may establish reasonable fees for administration of this subdivision, including fees for licenses, renewals, penalties, reimbursement for consultants, complaint investigation, and enforcement.]~~ ***A school that is not required to obtain a license may apply for a license and, upon issuance of the license, shall be subject to the provisions of RSA 188-D:19 through RSA 188-D:28. Such school may voluntarily surrender its license and revert to its original status.***

IV. ***The executive director shall establish reasonable fees for licenses and license renewals required under this subdivision.***

V. ***The executive director, in consultation with the postsecondary education commission, may establish penalties, reimbursement rates for consultants and procedures for complaint investigations and enforcement actions, which are necessary for the administration of this subdivision.***

VI. ***A private postsecondary career school which the executive director has determined requires a license shall, prior to the issuance of a license, comply with RSA 188-D:20, RSA 188-D:20-a, and RSA 188-D:20-b.***

4 Postsecondary Education Commission; Surety Indemnification. Amend RSA 188-D:20-a to read as follows:

188-D:20-a Surety Indemnification. Before a license is issued or renewed, a school shall meet the requirements of this section or RSA 188-D:20-b, by providing acceptable surety indemnification as determined ~~[by the postsecondary education commission]~~ ***in this section.***

I. A surety bond shall be provided by the school in an amount prescribed ~~[by the postsecondary education commission]~~ ***in this section.*** The obligation of the bond is that the school, its officers, agents, and employees shall faithfully perform the terms and conditions of contracts for tuition and other instructional fees entered into between the school and entity enrolling as students. The bond shall be issued by a company authorized to do business in the state of New Hampshire. The bond shall be issued in the name of the postsecondary education commission, and is to be used only for payment of a refund of tuition and instructional fees due to a student or potential student, and the expense of investigating and processing the claims.

II. The amount of such bond shall be based on income from tuition at 10 percent of gross tuition, with a \$10,000 minimum. If a school licensed under RSA 188-D:20 should fail to provide the services required in a contract with any entity, as determined by a court of competent jurisdiction, the bond shall be forfeited, and the proceeds distributed by the ~~[postsecondary education commission]~~ ***executive director*** in such manner as justice and the circumstances require.

III. The bond company may not be relieved of liability on the bond unless it gives the school and the postsecondary education commission 90 days written notice of the company's intent to cancel the bond. If at any time the company that issued the bond cancels or discontinues the coverage, the school's license is revoked as a matter of law on the effective date of the cancellation or discontinuance of bond coverage, unless a replacement bond is obtained and provided to the postsecondary education commission.

IV. For the purposes of this section the forms of indemnification other than a surety bond which may be furnished to the postsecondary education commission for licensure are the following:

(a) An irrevocable letter of credit, maintained for the licensing period as a minimum, issued by a financial institution authorized to do business in New Hampshire in an amount to be determined by the postsecondary commission with the postsecondary education commission designated as the beneficiary; or

(b) A term deposit account held in ~~[a financial institution authorized to do business in New Hampshire]~~ ***the state treasury***, payable to the postsecondary education commission, shall be held in trust for the benefit of students entitled thereto under this section. Said account shall be maintained for the licensing period as a minimum, in an amount determined by the postsecondary education commission. ~~[AH]~~ ***Any*** interest shall be paid annually to the appropriate school, unless the term deposit account is activated due to a school closing. Should the licensee for any reason, while not in default, discontinue operation, all moneys on deposit, including ***any*** interest, shall be released to the appropriate school subject to the approval of the ~~[postsecondary education commission]~~ ***executive director.***

5 Postsecondary Education Commission; Student Guaranty Fund. Amend RSA 188-D:20-b to read as follows:

188-D:20-b Student Tuition Guaranty Fund.

I.(a) A student tuition guaranty fund is hereby established within the postsecondary education commission and shall be administered by the ***executive director*** ~~[postsecondary education commission. In lieu of~~

the surety bond required in 188-D:20-a, the executive director, in consultation with the postsecondary education commission, may require a private postsecondary career school seeking the issuance or renewal of a license to participate in the student tuition guaranty fund.]

(b) The fund shall be funded from an annual fee to be established by the ~~[postsecondary education commission]~~ **executive director and** assessed against each school duly licensed by the postsecondary education commission and all applicants for a license under RSA 188-D:20.

(c) The fund shall be used to reimburse students when a school has failed to faithfully perform its contractual obligations for tuition and instructional fees in the event of a school closing, and the expense of investigating and processing the claims. ***The owner of a school which fails to perform its contractual obligations shall be personally liable to reimburse the fund for any money disbursed from the fund to settle any claims made against the school.***

II. The executive director, in consultation with the postsecondary education commission, shall adopt rules, pursuant to RSA 541-A, relative to the administration and maintenance of the fund.

6 Postsecondary Education Commission; Inspections; Revocation. Amend RSA 188-D:21-22 to read as follows:

188-D:21 Inspections. The ~~[postsecondary education commission]~~ **executive director** may at any time inspect the premises, curriculum, teaching materials, faculty performance, sales literature, financial data, or other matters which are relevant to the educational and business activities of a licensed school in order to determine compliance with applicable laws and rules.

188-D:22 Revocation; Hearing. The executive ~~[director]~~ **committee**, in consultation with the postsecondary education commission may, after due notice and hearing, revoke the license of any school licensed pursuant to RSA 188-D:20 for violating the provisions of this subdivision or rules adopted hereunder. The provisions of RSA 541 shall apply to actions taken pursuant to this section.

7 Postsecondary Education Commission; Rulemaking. Amend RSA 188-D:26 to read as follows:

188-D:26 Rulemaking Authority. The **executive director in consultation with the postsecondary education** commission shall adopt such rules as may be necessary in order to carry out the provisions of this subdivision.

8 Postsecondary Education Commission; Penalty. Amend RSA 188-D:28 to read as follows:

188-D:28 Penalty.

I. Whoever violates any provision of this subdivision shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

II. Whenever the **executive director** ~~[postsecondary education commission]~~ determines that a person is violating any provision of this subdivision or the rules adopted hereunder, the ~~[postsecondary education commission]~~ **executive director** shall request the attorney general, or other appropriate official having jurisdiction, to provide appropriate relief.

***III. The executive director, upon verifying that a school is operating without a license, shall issue a cease and desist order to such school.***

***IV. The postsecondary education commission shall be notified whenever a cease and desist order is issued to a school, or if a school fails to provide the services required under a contract with any entity causing the bond to be forfeited, or if a school is required to have a license but is operating without a license.***

9 Voluntary Corporations and Associations; Reports Required. Amend RSA 292:8-kk, I to read as follows:

I. When any institution of higher learning ceases the regular conduct of instruction, either temporarily or permanently, whether or not the corporation is dissolved, the **original written** academic record, or a legible, certified copy thereof **as defined by the institution**, of each student who has been registered for instruction at the institution shall be forwarded to the postsecondary education commission together with an explanation of the institution's credit and grading system. The postsecondary education commission shall preserve these records and upon request of the individual concerned, shall furnish a certified copy, or reasonable number of such copies, of the individual's record. The fee for each record so furnished to be paid to the commission shall be a reasonable fee based on average fees collected by United States institutions.

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



Senate Executive Departments and Administration  
 March 15, 2007  
 2007-0691s  
 10/05

#### Amendment to SB 178-FN

Amend RSA 100-C:13, III(g) as inserted by section 2 of the bill by replacing it with the following:

(g) There shall be a special account for additional benefits held by the board of trustees. Beginning with the first state fiscal year ending after the date of implementation of the judicial retirement plan, all of the earnings of the judicial retirement plan which are in excess of ~~9.5 percent~~ **the assumed rate of return plus ½ of one percent added to such rate** shall be allocated to the special account. **The assumed rate of return shall be approved by the board of trustees.** None of the assets held in the special account shall be used in the actuarial determination of the rate percent of normal contribution as set forth in subparagraphs (b) and (c). The actuarial cost of all legislation enacted during each fiscal year and calling for funding from the special account shall be withdrawn from the special account, as of June 30 of each year, after funds are credited to the special account as provided in this subparagraph. ~~[The special account shall be used only to fund or partially fund additional benefits as follows: first, to provide supplemental allowances, or COLAs, pursuant to RSA 100-C:17, and, second, to the extent that funds may be available in the special account, to provide additional benefits to retired members and beneficiaries of the judicial retirement plan.]~~ **The use of the special account shall be limited to only supplemental allowances or cost of living adjustments pursuant to RSA 100-C:17 and shall not exceed 20 percent of the amount of the plan assets for any calendar year. Any surplus in the special account shall be transferred to the plan's regular accounts on an annual basis. In the event of a year over year decline in plan assets, the board may transfer funds from the special account to the plan's regular accounts.**

Amend the bill by replacing sections 3 and 4 with the following:

3 Supplemental Allowances. Amend RSA 100-C:17, I, to read as follows:

I. On February 1 of each year, the fiscal committee of the general court may approve COLAs upon certification from the board of the amount of the COLA which may be granted based on the funds available in the special account. **The board shall have the authority to provide a COLA in such percentages or amounts as the board deems advisable including the ability to segment or tier amounts based upon years without a COLA. One-time or nonrecurring COLAs may also be approved by the board from time to time.** The board shall direct an actuary to certify to the fiscal committee the funds available, and any other information required by the committee, including but not limited to any change in the Consumer Price Index-Urban for the year prior to the year in which the allowance is granted. **Except for one-time or nonrecurring COLAs,** any such supplemental allowance when granted by the fiscal committee of the general court shall become a permanent addition to the beneficiary's base retirement allowance, and shall be included in the monthly annuity paid to the retired member, or to the member's beneficiary if the member is deceased and the beneficiary is receiving an allowance.

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

Transportation and Interstate Cooperation  
 March 22, 2007  
 2007-0960s  
 03/09

#### Amendment to SB 187

Amend the bill by replacing section 1 with the following:

1 New Section; Parade Vehicles. Amend RSA 265 by inserting after section 108 the following new section:  
 265:108-a Parade Vehicles.

I. No person may operate a vehicle in a parade with children riding outside of the interior of the vehicle or with a trailer or float upon which children may be riding, unless the following safety precautions are taken:

(a) A person other than the driver shall be located in the interior of the vehicle and able to observe all children riding on the vehicle, trailer, or float at all times during which the vehicle is moving.

(b) If more than 2 children are riding on the vehicle, trailer, or float, at least one adult shall ride with the children and be capable of communicating with the observer required by subparagraph (a) through an appropriate communication device. The number of adults riding with the children shall not be less than one adult per every 4 children.

II. Any person operating a vehicle without following all of the safety precautions listed in paragraph I shall be guilty of a violation, and shall be subject to the following fines:

(a) \$50 for a first offense.

(b) \$100 for a second or subsequent offense.

**2007-0960s**

#### AMENDED ANALYSIS

This bill establishes safety requirements that must be followed by operators of parade vehicles carrying children.

**Sen. Odell, Dist. 8**

**February 21, 2007**

**2007-0312s**

**04/10**

#### Amendment to SB 221

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

1 Commission Established. There is established the New Hampshire Abraham Lincoln bicentennial commission, hereinafter referred to as the "commission." The purpose of the commission is to organize, arrange, and coordinate bicentennial tributes to Abraham Lincoln in New Hampshire and to coordinate those activities with the Abraham Lincoln Bicentennial Commission (National Commission) of the federal government as well as other interested parties.

2 Membership and Compensation.

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

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

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

(c) The commissioner of the department of cultural resources.

(d) The secretary of state.

(e) The chancellor of the university system of New Hampshire.

(f) The executive director of the New Hampshire Historical Society.

(g) The executive director of the New Hampshire Humanities Council.

(h) A representative of a community historical society or museum of history, appointed by the governor.

(i) Five members of the public, appointed by the governor.

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:

I. Lead New Hampshire's planning efforts to commemorate the significance of Abraham Lincoln to our state and national history.

II. Make recommendations outlining the most effective and appropriate means for the state of New Hampshire to commemorate the Abraham Lincoln Bicentennial Celebration.

III. Identify and pursue resources necessary to effectively communicate and implement commemorative activities.

IV. Implement recommendations by working with the office of the governor, appropriate state and local government agencies, members of the New Hampshire general court, and organizations that are interested in commemorating the life of Abraham Lincoln.

V. Coordinate communications with the Abraham Lincoln Bicentennial Congressional Caucus to ensure that New Hampshire will be a significant state for events recognizing the contributions of Abraham Lincoln.

VI. Coordinate scheduling of New Hampshire Abraham Lincoln bicentennial activities and coordinate activities with the national commission.

4 Chairperson; Quorum. The members of the 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. Eight members of the commission shall constitute a quorum.

5 Report. The commission shall report summarizing its activities and findings and making recommendations for Abraham Lincoln commemorative activities 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, 2008.

6 Abraham Lincoln Bicentennial Trust Fund Established.

I. There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the Abraham Lincoln Bicentennial trust fund which shall be kept separate and distinct from all other funds. All monetary gifts, grants, and donations accepted pursuant to this act shall be deposited in such fund. The fund is established to pay for the expenses of the commission's duties and activities as set forth in section 3 of this act.

II. Any moneys remaining in this fund as of December 31, 2009 shall lapse to the general fund.

7 Repeal. Section 1-6 of this act are repealed effective December 31, 2009.

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

**Sen. Estabrook, Dist. 21**  
**February 21, 2007**  
**2007-0333s**  
**04/05**

### **Amendment to SCR 2**

Amend the resolution by replacing all after the resolving clause with the following:

Whereas, in 2002 the No Child Left Behind Act was enacted on a bipartisan basis, which has as its purpose bringing academic achievement in language arts, mathematics, and science to students who are not presently achieving at proficiency levels; and

Whereas, in 2004 the National Conference of State Legislatures created a bipartisan task force to study the No Child Left Behind Act and the task force suggested specific changes to make the No Child Left Behind Act more workable, more responsive to variations among the states, and more effective in improving education; and

Whereas, a stated goal of the No Child Left Behind Act is to provide flexibility for states to improve academic achievement and to close the achievement gap, the task force found that more flexibility should be granted to states to implement the No Child Left Behind Act; and

Whereas, the New Hampshire general court had representation on the bipartisan task force and concurs with the spirit of the recommendations of the National Conference of State Legislatures; and

Whereas, a well-designed growth model, with multiple forms of assessment, is a more meaningful and accurate measure of student success than the No Child Left Behind Act model of identifying schools in need of improvement; and

Whereas, the No Child Left Behind Act mandates a costly sequence of intervention services, which the task force found to be inflexible and instead recommended states be allowed to decide the interventions when a school is "in need of improvement;" now, therefore, be it



Resolved by the Senate, the House of Representatives concurring:

That the New Hampshire general court urges the Congress of the United States to amend the No Child Left Behind Act with consideration of the National Conference of State Legislatures' task force recommendations, to allow each state department of education the flexibility to monitor, supervise, and evaluate each school's effectiveness in documenting the physical, personal, social, and academic growth of each child; and

That the New Hampshire general court urges the Congress of the United States to request a Government Accountability Office evaluation of the costs to states and local school districts of complying with the No Child Left Behind Act requirements and of achieving the 100 percent proficiency goals of the No Child Left Behind Act; and

That the senate clerk send copies of this resolution to the President and Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and each member of the New Hampshire congressional delegation.

### **Transportation and Interstate Cooperation**

**March 22, 2007**

**2007-0973s**

**06/01**

#### **Amendment to HB 103**

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

AN ACT establishing a commission to study the state highway trust fund and relative to the classification of certain roads in the city of Berlin and the town of Hooksett.

Amend the bill by bill by replacing all after sections 5 with the following:

6 New Section; Main Street in the town of Hooksett; Classification Changed to Class V. Main Street in the town of Hooksett, beginning at the intersection with the Connector Roadway and continuing to the intersection with U.S. Route 3 and New Hampshire Route 28 shall be reclassified as a class V highway.

7 New Section; Connector Roadway in the town of Hooksett; Classification. Upon completion and acceptance of the construction and transfer of right of way ownership to the state, the department shall accept the Connector Roadway as a class II highway with full responsibility for liability and maintenance, except that winter maintenance of sidewalks, regardless of the date of construction, shall be the responsibility of the town of Hooksett.

8 Effective Date.

I. Sections 1-5 shall take effect upon its passage.

II. The remainder of this act shall take effect 60 days after its passage.

**2007-0973s**

#### **AMENDED ANALYSIS**

This bill:

I. This bill establishes a commission to study the state highway trust fund.

II. Classifies 2 roads in the city of Berlin and 2 roads in the town of Hooksett.

**Sen. Burling, Dist. 5**

**March 6, 2007**

**2007-0451s**

**09/04**

#### **Amendment to HB 104-FN**

Amend RSA 263:11, III as inserted by section 1 of the bill by replacing it with the following:

III. Any member of the national guard who is called to military service or mobilized for a period of 60 days or more, and who was a resident of this state and was a holder of a valid New Hampshire license to drive motor vehicles in this state, is entitled to renewal of such license without cost or penalty by application to the division. Said application must be accompanied by a letter giving a projected date of expiration of said service, signed by a commissioned officer. Such a person while driving a motor vehicle shall carry upon his or her person the license issued.

**2007-0451s****AMENDED ANALYSIS**

This bill allows certain members of the national guard who are called to military service or mobilized for a period of 60 days or more to renew a New Hampshire driver's license without cost by application to the division of motor vehicles.

This bill was requested by the committee to study state benefit programs for national guard members established by 2006, 66 (SB 344).

**Transportation and Interstate Cooperation****March 21, 2007****2007-0916s****04/01****Amendment to HB 122**

Amend the bill by replacing section 3 with the following:

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

**HEARINGS*****TUESDAY, MARCH 27, 2007*****COMMERCE, LABOR AND CONSUMER PROTECTION, Room 102, LOB**

Sen. Gottesman (C), Sen. DeVries (VC), Sen. Reynolds, Sen. Cilley, Sen. Barnes, Sen. Roberge

- 10:15 a.m. **SB 92**, relative to the definition of employee and clarifying the criteria for exempting workers from employee status.
- 10:30 a.m. **SB 131**, relative to insurance coverage for services of midwives.
- 10:45 a.m. **SB 244**, relative to employers withholding from employees' wages for the use of health or fitness facilities.
- 11:00 a.m. **SB 188**, relative to unfair claim settlement practices by insurers.
- 11:15 a.m. **SB 254**, relative to legal representation during contract negotiations.

**EXECUTIVE SESSION MAY FOLLOW****EDUCATION, Room 103, SH**

Sen. Estabrook (C), Sen. Foster (VC), Sen. Fuller Clark, Sen. Kelly, Sen. Bragdon, Sen. Letourneau

- 8:30 a.m. **HB 53**, relative to school health personnel.
- 8:50 a.m. **HB 126**, relative to the definition of "school."
- 9:10 a.m. **HB 167**, relative to areas of assessment required under the statewide improvement and assessment program.
- 9:30 a.m. **HB 87**, relative to the exceptions to compulsory school attendance.

**EXECUTIVE SESSION MAY FOLLOW****ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT, Room 102, LOB**

Sen. Fuller Clark (C), Sen. Hassan (VC), Sen. Cilley, Sen. Sgambati, Sen. Barnes, Sen. Odell

- 2:00 p.m. **SB 237**, relative to rapid response teams and notification of layoffs and establishing a council on employment issues affecting veterans.
- 2:30 p.m. **SCR 3**, urging preservation of traditional powers of state and local governments under international trade agreements.
- 3:15 p.m. **SB 162**, establishing a commission to oversee and negotiate issues relative to the North American Free Trade Agreement (NAFTA) and the World Trade Organization (WTO).

4:00 p.m. **SB 140**, relative to the Public Service Company of New Hampshire.  
**(THE PREVIOUS HEARING FOR SB 140, WAS RECESSED ON MARCH 20<sup>TH</sup>)**  
**EXECUTIVE SESSION MAY FOLLOW**

**HEALTH AND HUMAN SERVICES**, Room 103, SH

Sen. Estabrook (C), Sen. Sgambati (VC), Sen. Fuller Clark, Sen. Janeway, Sen. Gallus, Sen. Kenney  
 10:15 a.m. **SB 182**, establishing a committee to study the confidentiality of health care records in abuse and neglect proceedings.  
 10:30 a.m. **SB 194**, establishing a commission to study the trafficking of persons across borders for sexual and labor exploitation.  
**(NOTE TIME CHANGE FOR SB 194)**  
 11:00 a.m. **SB 61**, relative to pharmaceutical marketers.  
**(NOTE TIME CHANGE FOR SB 61)**  
 11:00 a.m. **SB 262**, establishing a committee to study certain prohibitions on smoking.  
 11:45 a.m. **SB 263**, establishing a committee to study Medicaid payments for hospital-based physicians and outpatient services and establishing a moratorium on certain reimbursement policy changes pending the study's recommendations.  
**EXECUTIVE SESSION MAY FOLLOW**

**JUDICIARY**, Room 103, SH

Sen. Foster (C), Sen. Gottesman (VC), Sen. Reynolds, Sen. Clegg, Sen. Letourneau  
 2:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**  
 2:25 p.m. **SB 261**, naming the state law library the John W. King law library.  
 2:40 p.m. **SB 264**, relative to filing liens on personal and real property to recover uncollected small claims judgments.  
 2:50 p.m. **SB 240-FN**, establishing contractual cohabitation and extending certain rights to parties to a contractual cohabitation.  
**EXECUTIVE SESSION MAY FOLLOW**

**PUBLIC AND MUNICIPAL AFFAIRS**, Room 101, LOB

Sen. Hassan (C), Sen. Burling (VC), Sen. DeVries, Sen. Sgambati, Sen. Roberge, Sen. Barnes  
 8:30 a.m. **SB 247**, establishing a committee to study the adjudication of land use issues and ordinance violations.  
 8:45 a.m. **HB 33**, relative to the compensation of members of the county convention.  
 9:00 a.m. **HB 44**, (New Title) relative to the authority of authorized persons to take custody of nuisance dogs.  
 9:15 a.m. **SB 256**, relative to hazardous buildings.  
**EXECUTIVE SESSION MAY FOLLOW**

***WEDNESDAY, MARCH 28, 2007***

**ELECTION LAW AND INTERNAL AFFAIRS**, Room 103, SH

Sen. Burling (C), Sen. Cilley (VC), Sen. DeVries, Sen. Gallus, Sen. Letourneau  
 8:30 a.m. **SB 98**, relative to determining qualifications of voters.  
 8:50 a.m. **SB 248**, relative to ethical standards for volunteers in the executive branch.  
 9:10 a.m. **SB 258**, relative to reliance on ethics committee advisory opinions.  
 9:25 a.m. **HCR 4**, (New Title) recognizing the sacrifices and service of New Hampshire Air Force veterans on the 60th anniversary of the United States Air Force.  
**EXECUTIVE SESSION MAY FOLLOW**

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**, Room 103, SH

Sen. Burling (C), Sen. Fuller Clark (VC), Sen. Kelly, Sen. Cilley, Sen. Kenney, Sen. Downing

1:00 p.m. **SB 251**, allowing the board of medicine to issue licenses for physicians to engage in a correctional institution medical practice.1:20 p.m. **SB 202**, establishing a lifetime license for certain long-serving emergency medical care providers.**EXECUTIVE SESSION MAY FOLLOW****FINANCE**, Room 100, SH

Sen. D'Allesandro (C), Sen. Janeway (VC), Sen. Larsen, Sen. Hassan, Sen. Sgambati, Sen. Odell, Sen. Gallus

10:15 a.m. **SB 82-FN**, reorganizing the administration and governance of the regional community-technical college system.**EXECUTIVE SESSION ON PENDING LEGISLATION*****TUESDAY, APRIL 3, 2007*****ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT**, Room 102, LOB

Sen. Fuller Clark (C), Sen. Hassan (VC), Sen. Cilley, Sen. Sgambati, Sen. Barnes, Sen. Odell

2:00 p.m. **SB 259**, establishing state appliance and equipment energy efficiency standards.2:15 p.m. **SB 177**, relative to orders of reparation by the public utilities commission.2:45 p.m. **SB 246**, relative to a temporary moratorium on the issuance of large groundwater withdrawal permits and on large groundwater withdrawals from bedrock aquifers if withdrawal has not commenced.**EXECUTIVE SESSION MAY FOLLOW****JUDICIARY**, Room 103, SH

Sen. Foster (C), Sen. Gottesman (VC), Sen. Reynolds, Sen. Clegg, Sen. Letourneau

1:15 p.m. **CACR 18**, relating to funding of public education. Providing that the general court shall define an adequate education, regularly determine the cost thereof, fund not less than fifty percent of the total statewide cost of an adequate education each year and distribute state aid to promote equal opportunity to receive an adequate education.**EXECUTIVE SESSION MAY FOLLOW****PUBLIC AND MUNICIPAL AFFAIRS**, Room 101, LOB

Sen. Hassan (C), Sen. Burling (VC), Sen. DeVries, Sen. Sgambati, Sen. Roberge, Sen. Barnes

8:30 a.m. **HB 72**, relative to the payment of municipal sewage assessments.8:45 a.m. **HB 107-L**, authorizing towns to charge property owners for solid waste removal.9:00 a.m. **HB 42**, (New Title) relative to resource protection sections of local master plans.9:15 a.m. **HB 63**, (New Title) relative to conflicts of interest involving county officers and employees.**EXECUTIVE SESSION MAY FOLLOW*****WEDNESDAY, APRIL 4, 2007*****FINANCE**, Room 100, SH

Sen. D'Allesandro (C), Sen. Janeway (VC), Sen. Larsen, Sen. Hassan, Sen. Sgambati, Sen. Odell, Sen. Gallus

10:15 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

## ***TUESDAY, APRIL 10, 2007***

### **PUBLIC AND MUNICIPAL AFFAIRS, Room 101, LOB**

Sen. Hassan (C), Sen. Burling (VC), Sen. DeVries, Sen. Sgambati, Sen. Roberge, Sen. Barnes

- 8:30 a.m.                    **HB 198-FN**, relative to collection of taxes on land with a discretionary easement and relative to the calculation of penalties applied to tax-deeded properties.
- 8:45 a.m.                    **HB 115**, relative to the procedure for counties to apply for, accept, and expend federal, state, or other grants.
- 9:00 a.m.                    **HB 39**, repealing the penalty provision in discretionary preservation easements.  
**EXECUTIVE SESSION MAY FOLLOW**

## **MEETINGS**

### ***FRIDAY, MARCH 23, 2007***

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

10:00 a.m.                    Room 304, LOB                    Regular Meeting

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

Cancelled                    NH Department of Revenue                    Regular Meeting  
Administration Training Room  
57 Regional Drive  
Concord, NH

### ***MONDAY, MARCH 26, 2007***

#### **INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)**

9:00 a.m.                    Room 100, SH                    Regular Meeting

#### **OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)**

9:00 a.m.                    Room 305, LOB                    Regular Meeting

### ***THURSDAY, MARCH 29, 2007***

#### **EXOTIC AQUATIC WEEDS AND SPECIES COMMITTEE (RSA 487:30)**

10:00 a.m.                    Room 308, LOB                    Regular Meeting

### ***FRIDAY, MARCH 30, 2007***

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

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

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

1:00 p.m.                    NH Department of Revenue                    Regular Meeting  
Administration Training Room  
57 Regional Drive  
Concord, NH

### ***TUESDAY, APRIL 3, 2007***

#### **LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17M:1)**

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

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

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

### ***THURSDAY, APRIL 5, 2007***

#### **CURRENT USE BOARD (RSA 79-A:3)**

|           |  |                    |
|-----------|--|--------------------|
| 1:00 p.m. | NH Department of Revenue<br>Administration Training Room<br>57 Regional Drive<br>Concord, NH | Work Group Meeting |
|-----------|--|--------------------|

### ***FRIDAY, APRIL 6, 2007***

#### **GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J:1)**

|           |                    |                 |
|-----------|--------------------|-----------------|
| 9:00 a.m. | Rooms 305-307, LOB | Regular Meeting |
|-----------|--------------------|-----------------|

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

|            |               |                 |
|------------|---------------|-----------------|
| 12:00 p.m. | Room 303, LOB | Regular Meeting |
|------------|---------------|-----------------|

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

|           |  |                 |
|-----------|--|-----------------|
| 1:00 p.m. | NH Department of Revenue<br>Administration Training Room<br>57 Regional Drive<br>Concord, NH | Regular Meeting |
|-----------|--|-----------------|

### ***MONDAY, APRIL 9, 2007***

#### **EQUALIZATION STANDARDS BOARD (RSA 21-J:14-c)**

|           |  |                 |
|-----------|--|-----------------|
| 1:00 p.m. | NH Department of Revenue<br>Administration Training Room<br>57 Regional Drive<br>Concord, NH | Regular Meeting |
|-----------|--|-----------------|

### ***THURSDAY, APRIL 12, 2007***

#### **ESTABLISHING A STATE ENERGY POLICY COMMISSION (HB 1146, Chapter 257:1, Laws of 2006)**

|           |               |                      |
|-----------|---------------|----------------------|
| 9:00 a.m. | Room 304, LOB | Subcommittee Meeting |
|-----------|---------------|----------------------|

### ***FRIDAY, APRIL 13, 2007***

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

|            |               |                 |
|------------|---------------|-----------------|
| 12:00 p.m. | Room 102, LOB | Regular Meeting |
|------------|---------------|-----------------|

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

|           |  |                 |
|-----------|--|-----------------|
| 1:00 p.m. | NH Department of Revenue<br>Administration Training Room<br>57 Regional Drive<br>Concord, NH | Regular Meeting |
|-----------|--|-----------------|

### ***MONDAY, APRIL 16, 2007***

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

|           |               |                 |
|-----------|---------------|-----------------|
| 9:30 a.m. | Room 201, LOB | Regular Meeting |
|-----------|---------------|-----------------|

### ***FRIDAY, APRIL 20, 2007***

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

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



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

1:00 p.m.

NH Department of Revenue  
Administration Training Room  
57 Regional Drive  
Concord, NH

Regular Meeting

***FRIDAY, APRIL 27, 2007*****WORKERS COMPENSATION ADVISORY COUNCIL (RSA 281-A:62)**

9:00 a.m.

Room 305, LOB

Regular Meeting

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

1:00 p.m.

NH Department of Revenue  
Administration Training Room  
57 Regional Drive  
Concord, NH

Regular Meeting

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

1:00 p.m.

Room 102, LOB

Work Session

***MONDAY, APRIL 30, 2007*****INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)**

9:00 a.m.

Room 100, SH

Regular Meeting

***FRIDAY, MAY 4, 2007*****JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.

Rooms 306-308, LOB

Continued Meeting

***FRIDAY, MAY 11, 2007*****GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

1:00 p.m.

Room 102, LOB

Regular Meeting

***FRIDAY, MAY 18, 2007*****JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.

Rooms 306-308, LOB

Regular Meeting

***FRIDAY, MAY 25, 2007*****ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

9:30 a.m.

NH Department of Revenue  
Administration Training Room  
57 Regional Drive  
Concord, NH

Regular Meeting

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**FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2007 BILLS.**

**SENATE BILLS: 35, 55, 65, 90, 93, 103, 113, 122, 128, 138, 145, 163, 166, 168, 169, 176, 184, 186, 200, 204, 205, 206, 210, 213, 217, 224, 226, 240, 242, 243, 249, 255, 260**

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# NOTICES

## NEW SMOKING POLICY

At the Monday, March 12, 2007 meeting of the Joint Legislative Facilities Committee, a new smoking policy was adopted, and reads as follows:

Effective this date, smoking is prohibited in the State House and Legislative Office Building, including all outdoor areas adjacent to these buildings up to the city owned sidewalks, with the exception of the following designated areas:

1. The existing smoking room in the basement of the Legislative Office Building, and
2. The basement and first floor levels of the covered outdoor parking garage located behind the Legislative Office Building

Sylvia B. Larsen, Senate President

\* \* \* \* \*

Upon presentation of proper credentials at the ticket window, NH Senators and Representatives may receive a lift ticket for their personal use and one for a guest. The elected official must be present to personally present the credentials, unless prior arrangement is made with the Commissioner Bald. Any exceptions to this policy will be made in writing by the Commissioner and/or Division Director and the Mountain Manager will be informed about the exception. (Lift tickets are to be picked up at Guest Services at the Peabody Base Lodge or the Tramway Ticket Window at Cannon).

Sylvia B. Larsen, Senate President

\* \* \* \* \*

## WEDNESDAY, MARCH 28, 2007

In recognition of "Save Your Vision" month, the New Hampshire Optometric Association invites legislators and staff to drop by the State House Cafeteria any time from 8:00 – 9:00 a.m. on Wednesday, March 28<sup>th</sup> for an "Eye Opener" breakfast and information on eye health. Muffins, fruits, juices and coffee will be available.

Senator Bob Odell

\* \* \* \* \*

## THURSDAY, MARCH 29, 2007

The New Hampshire Public Health Association invites you to a conference at St. Paul's Church, 21 Centre St; on Thursday, March 29, 2007 at 11:00 a.m. Public Health in the Granite State: A Non-Partisan Overview for Policymakers will give lawmakers an overview of public health in New Hampshire. Speakers include Rosemary Caron, Director MPH Program at the University of New Hampshire, Kathy Mandeville, Senior Public Health Specialist for the Manchester Health Department, and Mary Ann Cooney, Director of DHHS.

Senator Iris W. Estabrook

\* \* \* \* \*

## WEDNESDAY, APRIL 4, 2007

The University of New Hampshire Alumni Association and Parents Association are pleased to invite members of the New Hampshire General Court & Staff to the annual UNH Legislative Breakfast on Wednesday, April 4, 2007 from 7:30 to 9:00 a.m. at the New Hampshire Historical Society Tuck Library, Park Street, Concord. Learn how undergraduate student researchers at UNH are focused on the most compelling challenges in New Hampshire and the world. Meet students as they share their discoveries at this special event.

Senator Iris W. Estabrook

\* \* \* \* \*

**FRIDAY, JUNE 1, 2007**

The 34th Annual Bill White Memorial Legislative Golf Tournament is scheduled for Friday, June 1, 2007 at the Waukegan Golf Course, Meredith, NH. The entry fee for this annual tournament is \$90.00 per person which includes greens fee, cart, barbecue dinner and prizes.

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

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

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

Return your entry and payment no later than May 14th to Sandra Anderson at the LOB Lobby Desk. Checks should be made payable to Sandra Anderson.

Sylvia Larsen, President of the Senate

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**34<sup>th</sup> Annual Bill White Memorial Golf Tournament**

Waukegan Golf Course

Meredith, NH

Name: 1. \_\_\_\_\_  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_  
 4. \_\_\_\_\_

Telephone: \_\_\_\_\_ Amount Enclosed: \_\_\_\_\_

Senator Joseph A. Foster  
 Senator Theodore L. Gatsas

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## SENATE SCHEDULE

Thursday, April 12, 2007

Thursday, May 17, 2007

Monday, May 28, 2007

Thursday, June 7, 2007

Thursday, June 14, 2007

Thursday, June 21, 2007

Wednesday, June 27, 2007

Wednesday, July 4, 2007

Monday, September 3, 2007

Monday, November 12, 2007

Thursday, November 22, 2007

Friday, November 23, 2007

Tuesday, December 25, 2007

CROSSOVER – Last Day to ACT on all remaining Senate Bills

Deadline for Policy Committees to ACT on all money bills, except bills exempted pursuant to Senate Rule 26(b)

Memorial Day (State Holiday)

Last day to ACT on all remaining House Bills

Last day to FORM Committees of Conference

Last day to SIGN Committee of Conference Reports

Last day to ACT on Committee of Conference Reports

Fourth of July (State Holiday)

Labor Day (State Holiday)

Veteran's Day (State Holiday)

Thanksgiving Day (State Holiday)

Day after Thanksgiving (State Holiday)

Christmas Day (State Holiday)

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## ***VISITORS CENTER SCHEDULE - MARCH - APRIL***

### **State House Visitation Schedule 2007**

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in Mar. & Apr. 2007. These listings are to ensure all members be notified in a timely manner of visitors from their district. Please note that schools may schedule and reschedule, therefore you may contact the Visitor Center to check on updates. Our schedule is tightly booked for the remainder of the school year. Please contact the Visitors' Center concerning school tour booking information. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director

Caitlin A. Daniuk, Public Information Administrator

| <b><i>DATE</i></b> | <b><i>TIME</i></b>    | <b><i>GROUP</i></b>  | <b><i>Grade/Size</i></b> |
|--------------------|-----------------------|--|--------------------------|
| Mar. 26            | 10:00                 | South Merrimack Christian School                                       | 4/18                     |
| Mar. 26            | 10:00                 | Milford Christian Academy  | 4/5                      |
| Mar. 26            | 11:00                 | Sarah Porter School – Langdon  | 3&4/16                   |
| Mar. 27            | 9:30                  | East Kingston Elementary School  | 4/36                     |
| Mar. 27            | 11:00                 | Greenland Central Elementary School                                    | 4/40                     |
| Mar. 28            | 9:30/11:00 SH/HM      | Smyth Road School – Manchester   | 4/75                     |
| Mar. 28            | 12:00                 | Wheelock School – Keene  | 4/15                     |
| Mar. 29            | 10:00/11:30 SH/HM     | Newmarket Elementary School  | 4/90-100                 |
| Mar. 30            | 9:30                  | Epsom Central School   | 4/41                     |
| Mar. 30            | 11:00/12:30 SH/HM     | Appleton Elementary School – New Ipswich                               | 4/60                     |
| Apr. 2             | 8:45                  | Parkside Middle School – Manchester                                    | 8/45                     |
| Apr. 2             | 10:00/11:30 SH/HM     | Marston Elementary School – Hampton                                    | 4/75                     |
| Apr. 3             | 9:30/11:00 SH/HM      | Maple Ave. Elementary School – Goffstown                               | 4/75                     |
| Apr. 3             | 12:00                 | St. Joseph's Regional School – Salem                                   | 4/24                     |
| Apr. 4             | 9:30/11:00 SH/HM      | Maple Ave. Elementary School- Goffstown                                | 4/50                     |
| Apr. 4             | 12:00                 | Effingham Elementary School – Center Ossipee                           | 4/19                     |
| Apr. 5             | 10:00/11:30 SH/HM     | Matthew Thornton Elementary School – Londonderry                       | 4/85                     |
| Apr. 6             | 10:00/11:30 SH/HM     | Marston Elementary School – Hampton                                    | 4/80                     |
| Apr. 6             | 1:00                  | Lafayette Regional School – Franconia                                  | 4/15                     |
| Apr. 9             | 9:30/10:30 SH/HM      | DAR  | 100                      |
| Apr. 9             | 11:00/12:30 SH/Planet | Little Harbor School – Portsmouth                                      | 4/60                     |
| Apr. 10            | 9:00                  | Broken Ground School – Concord   | 4/45                     |
| Apr. 10            | 10:00/11:30 SH/HM     | Garrison School – Dover  | 4/88                     |
| Apr. 11            | 8:30                  | Kimball Elementary School – Concord                                    | 4/52                     |
| Apr. 11            | 10:00/11:30 SH/HM     | Crescent Lake School – Wolfeboro                                       | 4/85                     |
| Apr. 12            | 9:00                  | Broken Ground School – Concord   | 4/45                     |
| Apr. 12            | 10:00/11:30 SH/HM     | Matthew Thornton School- Londonderry                                   | 4/85                     |
| Apr. 12            | 2:00                  | Kendal at Hanover  | Adult/25                 |
| Apr. 13            | 9:00                  | Broken Ground School – Concord   | 4/45                     |
| Apr. 13            | 10:00/11:45 SH/HM     | Nottingham West School- Hudson   | 4/70                     |
| Apr. 13            | 11:45                 | NH Rec. & Park Association   | Adult/20                 |
| Apr. 13            | 2:00                  | Heritage Home Schoolers – Dunbarton                                    | Multi-Age/18             |
| Apr. 16            | 8:45                  | Parkside Middle School – Manchester                                    | 8/45                     |
| Apr. 16            | 10:00/11:45 SH/HM     | Nottingham West School – Hudson  | 4/70                     |
| Apr. 17            | 9:45/11:00 SH/HM      | Southwick Elementary School – Northfield                               | 4/100                    |
| Apr. 17            | 1:30                  | French Exchange Students – Keene High School                           | HS/26                    |
| Apr. 18            | 8:30                  | Greater Rochester Chamber of Commerce –<br>Rochester/Dover/Somersworth | Adult/30                 |
| Apr. 18            | 9:45/11:00 SH/HM      | Hooksett Memorial Elementary School                                    | 5/83                     |
| Apr. 18            | 12:00/1:30 SH/HM      | Paul School – Wakefield  | 4/64                     |

| <b><i>DATE</i></b> | <b><i>TIME</i></b> | <b><i>GROUP</i></b>                       | <b><i>Grade/Size</i></b> |
|--------------------|--------------------|---|--------------------------|
| Apr. 19            | 9:45/11:00 SH/HM   | Hooksett Memorial Elementary School       | 5/61                     |
| Apr. 19            | 12:15              | Wilton School                             | 8/12                     |
| Apr. 20            | 9:30/11:00 SH/SC   | H.W. Moore School – Candia                | 4/50                     |
| Apr. 20            | 12:00              | Fuller School – Keene                     | 4/40                     |
| Apr. 23            | 1:00               | Kids For Democracy                        | 10                       |
| Apr. 24            | 9:30/11:00 SH/HM   | Towle Elementary School- Newport          | 4/90                     |
| Apr. 24            | 12:30              | Derry Girl Scouts & Homeschool            | 12                       |
| Apr. 25            | 9:30/11:00 SH/HM   | Canaan Elementary School                  | 3&4/90                   |
| Apr. 25            | 12:00              | Hinsdale Elementary School                | 4/40                     |
| Apr. 26            | 10:00/11:30 SH/HM  | Seminary Hill Elementary School – Lebanon | 4/60                     |
| Apr. 26            | 12:00              | Seminary Students                         | Adult/25                 |
| Apr. 27            | 10:00              | Enfield Village School                    | 4/42                     |
| Apr. 27            | 11:00/12:00        | Maple Ave. School – Claremont             | 4/60                     |
| Apr. 30            | 9:30/11:00 SH/SC   | Lancaster Elementary School               | 4/57                     |