

April 26, 2007
No. 18

STATE OF NEW HAMPSHIRE

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Legislative

SENATE CALENDAR

REPORTS, AMENDMENTS, HEARINGS,
MEETINGS AND NOTICES

**THE SENATE WILL MEET IN SESSION ON
THURSDAY, MAY 3, 2007 AT 1:00 P.M.**

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 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. **4/12/07, pending motion Ordering to Third Reading, Judiciary, SJ 12, pg. 288**

SB 120, establishing a commission to study the removal of thimerosal from vaccines. **3/29/07, pending motion ITL, Health and Human Services, SJ 10, pg. 201**

SB 151, relative to drug nuisance abatement. **4/5/07, pending motion ITL, Judiciary, SJ 11, pg. 249**

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. 175**

SB 203, relative to the use of the English language in writs and other court documents. **4/5/07, pending motion OTP, Judiciary, SJ 11, pg. 250**

SB 218, relative to notice of sale requirements for manufactured housing parks. **4/5/07, pending motion ITL, Commerce, Labor and Consumer Protection, SJ 11, pg. 218**

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. 177**

SB 227-FN, authorizing land and community heritage investment program donations accompanying motor vehicle registrations. **4/5/07, pending motion OTP, Transportation and Interstate Cooperation, SJ 11, pg. 247**

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. 153**

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**

HB 87, relative to the exceptions to compulsory school attendance. **4/5/07, pending motion OTP, Education, SJ 11, pg. 232**

HB 88, establishing a committee to study single payer health care. **4/26/07, pending motion OTP, Commerce, Labor and Consumer Protection, SJ 14, pg. TBA**

HB 146, relative to nicknames on ballots. **4/18/07, pending motion Committee Amendment (1164s), Election Law and Internal Affairs, SJ 13, pg. 312**

HB 638, relative to lease agreements entered into by the department of transportation. **4/26/07, pending motion Ought to Pass with Amendment, Finance, SJ 14, pg. TBA**

REPORTS

EDUCATION

HB 911-FN-L, (New Title) establishing an automated external defibrillator advisory commission. Ought to Pass, Vote 6-0
Senator Estabrook for the committee.

ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT

HB 458, relative to the exemption of replacement or redundant wells from the large groundwater withdrawal permitting process.

Ought to Pass, Vote 4-0

Senator Barnes for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 543, establishing a commission to study the licensing process for licensed alcohol and drug counselors.

Ought to pass with amendment, Vote 6-0

Senator Kelly for the committee.

HEALTH AND HUMAN SERVICES

HB 286-FN, relative to a Medicaid waiver for family planning services.

Ought to pass with amendment, Vote 3-0

Senator Sgambati for the committee.

JUDICIARY

HB 187, (New Title) establishing that sheriffs' departments have sole jurisdiction to enforce civil orders.

Ought to pass with amendment, Vote 5-0

Senator Reynolds for the committee.

HB 292, (New Title) relative to consideration of the preference of a mature minor in the modification of parental rights and responsibilities.

Ought to pass with amendment, Vote 5-0

Senator Gottesman for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

HB 71, (New Title) prohibiting the sale, rent, lease, transfer, or distribution of records, information, or lists of licensed dog owners in New Hampshire to another person by the town clerk's office.

Ought to Pass, Vote 5-0

Senator Roberge for the committee.

HB 152, relative to public access to meeting minutes.

Ought to Pass, Vote 5-0

Senator DeVries for the committee.

HB 513, establishing a housing commission.

Ought to pass with amendment, Vote 4-1

Senator Sgambati for the committee.

HB 551, allowing cities to use capital reserve funds for debt replacement.

Ought to pass with amendment, Vote 6-0

Senator Burling for the committee.

HB 566-FN-L, relative to the housing of inmates in county correctional facilities.

Ought to Pass, Vote 6-0

Senator Barnes for the committee.

TRANSPORTATION AND INTERSTATE COOPERATION

HB 301, relative to nonresident registration of motor vehicles.

Ought to Pass, Vote 4-0

Senator Burling for the committee.

WILDLIFE, FISH AND GAME

HB 59, relative to crossbow hunting by a person with a disability.

Ought to Pass, Vote 2-0

Senator Janeway for the committee.

HB 309, relative to the uniform fine schedule for the fish and game department.

Ought to Pass, Vote 2-0

Senator Gallus for the committee.

HB 604-FN, prohibiting the taking of deer from baited areas.

Inexpedient to Legislate, Vote 3-1

Senator D'Allesandro for the committee.

AMENDMENTS

Senate Judiciary
April 25, 2007
2007-1340s
09/04

Amendment to HB 187

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

AN ACT establishing that sheriffs' departments have authority to enforce civil orders.

Amend RSA 104:6, II as inserted by section 1 of the bill by replacing it with the following:

II. Notwithstanding any law to the contrary, sheriffs and their deputies shall have authority to enforce civil orders issued by any court.

2007-1340s

AMENDED ANALYSIS

This bill establishes that sheriffs' departments have authority to enforce civil orders.

Health and Human Services
April 25, 2007
2007-1349s
01/04

Amendment to HB 286-FN

Amend RSA 126-A:4-c as inserted by section 1 of the bill by replacing it with the following:

126-A:4-c Family Planning Waiver. The department shall develop a Medicaid waiver to support the extension of Medicaid-allowable family planning services, as defined in the state's Medicaid plan, to Medicaid-eligible clients. The department shall present the proposed waiver design, including proposed coverage groups and budget neutrality calculation, to the legislative fiscal committee prior to submission of a final concept paper to the Centers for Medicare and Medicaid Services (CMS) for federal approval. The department shall provide periodic reports to the legislative fiscal committee throughout the waiver development, approval, and implementation processes. The department shall seek input from health care providers and the public in the course of developing the waiver. The department shall ensure that the state realizes the enhanced 90 percent federal Medicaid match available for these services and ensure that budget neutrality is maintained or exceeded through the 5-year life of the waiver. The department may contract with an independent third party on an annual basis for the life of the waiver to evaluate the clinical and financial outcomes of the waiver. A report shall be made to the legislative fiscal committee within 6 months of the end of the first full year of waiver implementation and subsequently on an annual basis.

Senate Judiciary
April 25, 2007
2007-1341s
05/01

Amendment to HB 292

Amend RSA 461-A:11, I(e) as inserted by section 1 of the bill by replacing it with the following:

(e) If the court finds by clear and convincing evidence that a minor child is of sufficient maturity to make a sound judgment ~~[about his or her proper custody]~~, the court may give substantial weight to the preference of the mature minor child as to the parent with whom he or she wants to live. Under these circumstances, the court shall also give due consideration to other factors which may have affected the minor child's preference, including whether the minor child's preference was based on undesirable or improper influences.

2007-1341s

AMENDED ANALYSIS

This bill provides that, in the modification of parental rights and responsibilities, if the court finds that a minor child is of sufficient maturity to make a sound judgment, the court may give substantial weight to the child's preference as to the parent with whom the child wants to live.

Public and Municipal Affairs
April 24, 2007
2007-1324s
05/10

Amendment to HB 513

Amend paragraph I of section 2 of the bill by inserting after subparagraph (f) the following new subparagraph:

(g) One executive director from the New Hampshire Association of Regional Planning Commissions, appointed by the association.

Senate Executive Departments and Administration
April 26, 2007
2007-1353s
09/01

Amendment to HB 543

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

AN ACT establishing a committee to study the licensing process for licensed alcohol and drug counselors.

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

1 Committee Established; Purpose. The New Hampshire legislature recognizes that substance abuse is a growing problem made worse by insufficient access to treatment. The general court therefore establishes a committee to study the licensing process for licensed alcohol and drug counselors.

2 Membership and Compensation.

I. The members of the committee shall be at least 4 and not more than 6 members of the house of representatives, 2 of whom shall be from the executive departments and administration committee, 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.

III. The committee shall seek testimony, input, advice, and recommendations from the state senate, state agencies, boards, and commissions, and from any interested party or organization as it deems proper.

3 Duties. The committee shall study the licensing process for licensed alcohol and drug counselors. Subjects of the study shall include:

I. The supervision offered to those in training.

II. The course content required for licensure.

III. The number of hours required for licensure.

IV. The credentialing necessary to generate third party reimbursement.

V. The licensing process used in other states.

VI. The scope of practice.

VII. Any other areas deemed necessary by the committee.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the house and senate executive departments and administration committees, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2007.

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

2007-1353s

AMENDED ANALYSIS

This bill establishes a committee to study the licensing process for licensed alcohol and drug counselors.

Public and Municipal Affairs

April 24, 2007

2007-1328s

05/01

Amendment to HB 551

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

AN ACT allowing cities and towns to use capital reserve funds for debt repayment.

Amend the bill by replacing sections 2 and 3 with the following:

2 Municipalities; Expenditures of Reserve. Amend RSA 34:10 to read as follows:

34:10 Expenditures.

I. The trustees of trust funds holding said capital reserve funds in trust, as hereinbefore provided, shall hold the same until such time as the city councils shall name agents of the city to carry out the objects designated by the city councils as prescribed by RSA 34:2. Expenditures from said capital reserve funds shall be made only for or in connection with the purposes for which said fund was established, or as amended as provided by RSA 34:11.

II. Notwithstanding the prohibition of debt retirement fund establishment in RSA 33:2, capital reserve funds may be used for multiple payments under a financing agreement for the purpose for which the capital reserve was established. If the financing agreement is a lease purchase agreement, the lease purchase agreement may not contain an "escape clause" or a "non-appropriation clause."

3 Municipalities; Expenditure of Reserve. Amend RSA 35:15, III to read as follows:

III.(a) Notwithstanding the prohibition of debt retirement fund establishment in RSA 33:2, capital reserve funds may be used for multiple payments [of lease/purchase agreements for the purpose stated for the capital reserve provided:] under a financing agreement for the purpose for which the capital reserve was established. If the financing agreement is a lease purchase agreement the following shall apply:

(1) The lease/purchase agreement does not contain an "escape clause" or "non-appropriation clause"; and

(2) The lease/purchase agreement has been ratified by the legislative body by a vote by ballot of 2/3 of all the voters present and voting at an annual or special meeting.

(b) If agents have been named according to RSA 35:15, then no further vote is required to disburse funds following the initial vote which ratified the [lease/purchase] **financing** agreement.

2007-1328s

AMENDED ANALYSIS

This bill allows cities and towns to use capital reserve funds for debt repayment.

HEARINGS

FRIDAY, APRIL 27, 2007

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Representatives' Hall

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

10:00 a.m.

HB 876-FN-L, (New Title) establishing a commission to make recommendations to ensure the long-term viability and sustainability of the New Hampshire retirement system.

- 10:05 a.m. **HB 568-FN**, repealing the option to purchase nonqualified service credit in the New Hampshire retirement system.
- 10:10 a.m. **HB 653**, (New Title) relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.
- 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
AGENCY PRESENTATIONS ON THE BUDGET

- 9:00 a.m. **COMMUNITY TECHNICAL COLLEGE SYSTEM**
- 10:00 a.m. **PLANETARIUM**
- 10:15 a.m. **POLICE STANDARDS AND TRAINING**
- 10:30 a.m. **LOTTERY COMMISSION**
- 11:00 a.m. **DEPARTMENT OF EDUCATION**
- 12:00 p.m. **BREAK**
- 1:00 p.m. **DEPARTMENT OF TRANSPORTATION**
- 2:00 p.m. **POSTSECONDARY EDUCATION COMMISSION**
- 2:15 p.m. **UNIVERSITY SYSTEM OF NEW HAMPSHIRE**
- 3:15 p.m. **FISH AND GAME DEPARTMENT**

MONDAY, APRIL 30, 2007

FINANCE, Room 100, SH

Sen. D'Allesandro (C), Sen. Janeway (VC), Sen. Larsen, Sen. Hassan, Sen. Sgambati, Sen. Odell, Sen. Gallus
AGENCY PRESENTATIONS ON THE BUDGET

- 9:00 a.m. **DEPARTMENT OF REVENUE**
- 10:00 a.m. **TREASURY**
- 10:30 a.m. **LCHIP**
- 11:00 a.m. **PEASE DEVELOPMENT AUTHORITY**
- 11:30 a.m. **GOVERNOR'S COMMISSION ON DISABILITY**
- 12:00 p.m. **BREAK**
- 1:00 p.m. **DEPARTMENT OF SAFETY**

TUESDAY, MAY 1, 2007

CAPITAL BUDGET, Room 100, SH

Sen. Hassan (C), Sen. D'Allesandro (VC), Sen. Foster, Sen. Kelly, Sen. Gatsas, Sen. Clegg
AGENCY PRESENTATIONS

- 10:15 a.m. **DEPARTMENT OF ADMINISTRATIVE SERVICES**
- 11:15 a.m. **ADMINISTRATIVE SERVICES - COURT FACILITIES**
ADMINISTRATIVE OFFICE OF THE COURTS
- 12:00 p.m. **DEPARTMENT OF AGRICULTURE, MARKETS AND FOODS**
EXECUTIVE SESSION MAY FOLLOW

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. **HB 921-FN**, making technical changes in the insurance laws.
- 10:45 a.m. **HB 889-FN**, relative to securities regulation.

- 11:05 a.m. **HB 636-FN**, relative to physician credentialing under the managed care law.
- 11:20 a.m. **HB 471-FN-A**, relative to workers' compensation compliance in the construction sector and continually appropriating a special fund.
- 11:30 a.m. **HB 426**, relative to workers' compensation rates and resolution of disputes relative to classification of employees or independent contractors.

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 661-FN-A**, establishing an executive planning commission on special education.
(THE PREVIOUS HEARING FOR HB 661-FN-A, WAS RECESSED ON APRIL 24TH)
- 9:00 a.m. **HB 451-FN**, (New Title) relative to the application of non-state sources of funding to catastrophic special education costs.
- 9:30 a.m. **HB 558**, (New Title) repealing the education trust fund.
- 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

- 1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**
- 1:30 p.m. **HB 460**, relative to conservation restrictions to protect public water supplies.
(THE PREVIOUS HEARING FOR HB 460, WAS RECESSED ON APRIL 24TH)
- 2:00 p.m. **HB 144**, relative to operation of boats on Spectacle Pond.
- 2:15 p.m. **HB 189**, relative to swim lines in public waters.
- 2:30 p.m. **HB 665-FN**, relative to the comprehensive shoreland protection act.
- 3:30 p.m. **HB 663-FN-A**, (2nd New Title) relative to the protected shoreland permitting process and establishing and funding positions within the department of environmental services.
- 4:00 p.m. **HB 857-FN-L**, relative to permitting responsibilities under the comprehensive shoreland protection act.
- 4:30 p.m. **HB 710**, establishing a commission to study issues relative to the practice of leasing state-owned real estate on the shores of public waters.

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. **HB 867-FN-L**, relative to parent liability for court-ordered services in juvenile proceedings.
- 10:40 a.m. **HB 597-FN**, relative to expenditure caps for institutional health facilities under the certificate of need law.
- 11:15 a.m. **HB 495-FN**, (New Title) relative to criminal record and central registry checks of prospective foster and adoptive parents and relative to the custody of a child placed by the court in a delinquency proceeding or a proceeding for a child in need of services (CHINS).

EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 103, SH

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

- 2:00 p.m. **HB 394-FN**, relative to notice to defendants in small claims actions.
- 2:15 p.m. **HB 587-FN**, relative to the duties of probation and parole officers.
- 2:35 p.m. **HB 882-FN**, relative to limitations on tort liability of government units.
- 3:00 p.m. **HB 244**, (New Title) repealing a certain provision of law regarding advance directives and mentally incompetent or developmentally disabled persons.

3:20 p.m. **HB 504-FN**, relative to registration requirements for certain criminal offenders under age 21.

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 709**, making various changes to department of revenue administration authority concerning property tax administration.

8:40 a.m. **HB 83**, (New Title) relative to the deliberations of the board of tax and land appeals under the right-to-know law.

8:50 a.m. **HB 377-FN-L**, relative to the right-to-know law.

EXECUTIVE SESSION MAY FOLLOW

WAYS AND MEANS, Room 100, SH

Sen. Odell (C), Sen. D'Allesandro (VC), Sen. Janeway, Sen. Reynolds, Sen. Downing

REVENUE BRIEFINGS

8:30 a.m. **DARCY ROLLINS SAAS (FEDERAL RESERVE BANK OF BOSTON)**

9:15 a.m. **BRUCE DEMAY (ASSISTANT DIRECTOR OF EMPLOYMENT SECURITY)**

9:45 a.m. **PETER FRANCESE (ECONOMIST)**

WEDNESDAY, MAY 2, 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. **HCR 3**, urging that New Hampshire members and veterans of the armed forces and national guard and their dependents receive health screening for depleted uranium exposure.

8:45 a.m. **HCR 5**, endorsing the National Health Insurance Act.

9:00 a.m. **HCR 6**, urging Congress to prevent the implementation of the North American Free Trade Agreement superhighway system.

9:15 a.m. **HJR 1**, (New Title) urging that more veterans' mental health counseling centers be established in New Hampshire and urging that funding be continued for the Manchester Veterans' Center.

9:30 a.m. **HB 482**, adding the song "Live Free or Die" as an official state song.

EXECUTIVE SESSION MAY FOLLOW

ELECTION LAW AND INTERNAL AFFAIRS, Room 103, SH

Sen. Burling (C), Sen. Cilley (VC), Sen. DeVries, Sen. Gallus, Sen. Letourneau

3:15 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

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. **HB 407-FN-A**, (2nd New Title) relative to assistance for milk producers.

1:30 p.m. **HB 488-FN-A-L**, (New Title) relative to the state chief medical examiner and medico-legal death investigations and making an appropriation to the department of justice for autopsy costs.

1:45 p.m. **HB 571-FN**, relative to full-time seasonal state employees.

2:00 p.m. **HB 629-FN**, (New Title) relative to authorizing continued membership in the Manchester employees' contributory retirement system, and relative to the Nashua public works retirement system.

2:45 p.m. **HB 652-FN**, relative to the collection of debts owed to the state.

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

AGENCY PRESENTATIONS ON THE BUDGET

9:00 a.m.	ADMINISTRATIVE SERVICES
10:00 a.m.	RETIREMENT SYSTEM
11:00 a.m.	PARI-MUTUEL COMMISSION
12:00 p.m.	BREAK
1:00 p.m.	JUDICIAL BRANCH
2:00 p.m.	DEPARTMENT OF JUSTICE
3:00 p.m.	DEPARTMENT OF CORRECTIONS
4:00 p.m.	JUDICIAL COUNCIL

TRANSPORTATION AND INTERSTATE COOPERATION, Room 101, LOB

Sen. Letourneau (C), Sen. Burling (VC), Sen. Kelly, Sen. DeVries, Sen. Clegg

10:15 a.m.	HB 753-FN-A , relative to the electronic toll collection transponder inventory fund.
10:35 a.m.	HB 754-FN , repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority.
10:55 a.m.	HB 714-FN , relative to motorized watercraft rental agencies.
11:15 a.m.	HB 188 , excluding certain watercraft from the definition of ski craft.
11:35 a.m.	HB 731 , relative to the use of vehicle information or location tracked by an electronic toll collection system.
11:55 a.m.	HB 247 , (New Title) allowing surviving spouses to retain temporarily special number plates for veterans.

EXECUTIVE SESSION MAY FOLLOW***THURSDAY, MAY 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

9:00 a.m.	HB 903-FN , prohibiting delivery of oil to non-compliant underground storage facilities.
9:30 a.m.	HB 472-FN , (New Title) increasing fees for hazardous waste management and contaminated site cleanup and changing reporting requirements.
10:00 a.m.	HB 907-FN , (New Title) relative to the sale and distribution of certain mercury-added products.
11:00 a.m.	HB 416 , relative to mercury reduction.

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

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

8:30 a.m.	HB 554 , requiring that funds in the civil legal services fund be distributed to New Hampshire Legal Assistance to establish an office in Concord.
9:00 a.m.	HB 311 , (New Title) establishing a committee to review liability issues for commuter rail operations.
9:20 a.m.	HB 796 , relative to civil liability for damaging highway protective barriers.

EXECUTIVE SESSION MAY FOLLOW**WILDLIFE, FISH AND GAME**, Room 103, LOB

Sen. Gallus (C), Sen. D'Allesandro (VC), Sen. Janeway, Sen. Estabrook, Sen. Gatsas

9:00 a.m.	HB 898 , relative to the use of sled dogs and the training of sled dogs on state trails.
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9:15 a.m. **HB 142**, relative to the sale of out-of-state animals.
 9:30 a.m. **HB 243**, relative to a rabies immunization exemption.
EXECUTIVE SESSION MAY FOLLOW

FRIDAY, MAY 4, 2007

FINANCE, Room 100, SH

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

AGENCY PRESENTATIONS ON THE BUDGET

9:00 a.m. **LIQUOR COMMISSION**
 10:00 a.m. **PUBLIC UTILITIES COMMISSION**
 10:30 a.m. **OFFICE OF INFORMATION TECHNOLOGY**
 11:30 a.m. **EMPLOYMENT SECURITY**
 12:00 p.m. **BREAK**
 1:00 p.m. **DEPARTMENT OF RESOURCES & ECONOMIC DEVELOPMENT**
 2:00 p.m. **DEPARTMENT OF ENVIRONMENTAL SERVICES**
 3:00 p.m. **REAL ESTATE COMMISSION**
 3:30 p.m. **BANKING DEPARTMENT**
 4:00 p.m. **PUBLIC EMPLOYEES LABOR RELATIONS BOARD**
 4:30 p.m. **DEPARTMENT OF LABOR**

TUESDAY, MAY 8, 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. **HB 81**, relative to required pay for employees called into work.
 10:30 a.m. **HB 102**, (New Title) defining "food" for purposes of the alcoholic beverages laws.
 10:45 a.m. **HB 137**, relative to food safety in restaurants.
 11:00 a.m. **HB 203**, relative to protections for temporary workers.
 11:15 a.m. **HB 236**, relative to the use of "farmer's markets" in trade names.
 11:30 a.m. **HB 281**, relative to the cancellation of buying club memberships.
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

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**
 2:00 p.m. **HB 61**, designating segments of the Ammonoosuc River into the rivers management protection program.
 2:15 p.m. **HB 219**, relative to the membership of the wetlands council.
 2:30 p.m. **HB 392**, relative to the use of property held by the state of New Hampshire under an easement specifying low impact recreational use only.
 3:00 p.m. **HB 664-FN**, relative to annual dam registration and permit application fees.
 3:15 p.m. **HB 648**, establishing a commission to develop a comprehensive flood management plan.
 3:30 p.m. **HB 459**, (New Title) relative to the identification of wells and monitoring wells.
 4:00 p.m. **HB 815-FN-A**, (New Title) requiring the display of boater education decals on vessels registered in other states.
EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 103, SH

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

- 2:00 p.m. **HB 406**, relative to access to state child support enforcement records.
- 2:15 p.m. **HB 410**, establishing a commission on child support issues.
- 2:30 p.m. **HB 602-FN**, relative to child support enforcement.
- 2:45 p.m. **HB 827-FN**, relative to the reasonable cost of medical support for dependent children.
- 3:00 p.m. **HB 444**, relative to parental rights in abuse and neglect cases.
- 3:20 p.m. **HB 470**, relative to the determination of parental rights and responsibilities.

EXECUTIVE SESSION MAY FOLLOW**WAYS AND MEANS**, Room 100, SH

Sen. Odell (C), Sen. D'Allesandro (VC), Sen. Janeway, Sen. Reynolds, Sen. Downing

REVENUE BRIEFINGS

- 8:30 a.m. **ADMINISTRATIVE OFFICE OF THE COURTS**
- 8:45 a.m. **LOTTERY COMMISSION**
- 9:00 a.m. **DEPARTMENT OF SAFETY**
- 9:15 a.m. **HEALTH AND HUMAN SERVICES**
- 9:30 a.m. **TRANSPORTATION**
- 9:45 a.m. **DEPARTMENT OF FISH AND GAME**
- 10:00 a.m. **PARI-MUTUAL COMMISSION**
- 10:15 a.m. **DEPARTMENT OF JUSTICE**

WEDNESDAY, MAY 9, 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. **HB 221**, removing the requirement that the department of transportation report certain information relative to highway activity to the department of administrative services.
- 10:30 a.m. **HB 721**, relative to the appropriation to the department of health and human services for rates paid for nursing services.
- 10:45 a.m. **HB 553-FN-A**, (New Title) requiring the state to pay legal fees for certain supreme court justices and making an appropriation therefor.

EXECUTIVE SESSION MAY FOLLOW**ELECTION LAW AND INTERNAL AFFAIRS**, Room 103, SH

Sen. Burling (C), Sen. Cilley (VC), Sen. DeVries, Sen. Gallus, Sen. Letourneau

3:15 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****FRIDAY, MAY 11, 2007****ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT**, Room 102, LOB

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

- 9:00 a.m. **HB 813-FN**, expanding the definition of income of the land conservation investment program monitoring endowment.
- 9:30 a.m. **HB 239-FN-A**, appropriating funds to the barn preservation fund matching grants program.
- 10:00 a.m. **HB 499**, relative to the innovative research center.

EXECUTIVE SESSION MAY FOLLOW

TUESDAY, MAY 15, 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. **HB 254**, relative to mandatory employer meetings about political and religious beliefs, including beliefs about joining a union.
- 10:30 a.m. **HB 305**, (New Title) establishing a task force to develop legislation for expanding access to affordable health insurance for the 2008 and 2009 legislative session.
- 10:45 a.m. **HB 336**, requiring notice of the classifications of employee and independent contractor.
- 11:00 a.m. **HB 337**, (New Title) relative to penalties for failure to have workers' compensation coverage and continually appropriating a special fund.
- 11:15 a.m. **HB 232**, (New Title) relative to retaliatory rent increases and mediation of manufactured housing park disputes.
- 11:30 a.m. **HB 767**, relative to insurance for volunteer drivers.

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. **EXECUTIVE SESSION ON PENDING LEGISLATION**

JUDICIARY, Room 103, SH

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

- 2:00 p.m. **HB 743**, relative to the rights of crime victims while making a victim impact statement.
- 2:15 p.m. **HB 539-FN**, relative to manslaughter.
- 2:30 p.m. **HB 446**, (New Title) relative to criminal threatening in a safe school zone.
- 2:45 p.m. **HB 707**, relative to the time frames for hearings in domestic violence cases.
- 3:00 p.m. **HB 395-FN**, relative to penalties for computer crime.
- 3:15 p.m. **HB 703**, relative to day reporting programs in the county department of corrections.
- 3:30 p.m. **HB 849**, relative to rent payments by voucher issued by a state or municipal agency.

EXECUTIVE SESSION MAY FOLLOW

FRIDAY, MAY 18, 2007

ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT, Room 102, LOB

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

- 9:00 a.m. **HB 689**, establishing a commission to study production and distribution of biodiesel fuel in New Hampshire.
- 9:30 a.m. **HB 694**, establishing a commission to study the feasibility of tidal power generation under the Little Bay and General Sullivan Bridges, in Dover.
- 10:00 a.m. **HB 768**, relative to voluntary registration with the Eastern Climate Registry.
- 10:30 a.m. **HB 917**, (New Title) relative to the duties of the oversight committee on telecommunications.
- 11:00 a.m. **HB 119**, relative to the sunset provision of the system benefits charge.
- 11:30 a.m. **HB 447**, relative to net energy metering.

EXECUTIVE SESSION MAY FOLLOW

TUESDAY, MAY 22, 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. **HB 365**, establishing a commission to study foreclosures of home mortgages and the foreclosure rescue scam industry.
 (THE PREVIOUS HEARING FOR HB 365, WAS RECESSED ON APRIL 17TH)

10:35 a.m. **HB 533**, relative to Occupational Safety and Health Administration certification requirements for state contracts.

10:50 a.m. **HB 536**, relative to the regulation of martial arts schools.

11:05 a.m. **HB 611**, (New Title) relative to payment of wages by automated pay card or cash voucher.

11:20 a.m. **HB 848**, relative to a private right of action to recover workers' compensation coverage payments.

11:35 a.m. **HB 797**, regulating mandatory overtime for nurses and assistants.
EXECUTIVE SESSION MAY FOLLOW

FRIDAY, MAY 25, 2007

ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT, Room 102, LOB

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

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

MEETINGS

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)

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

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

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

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

12:00 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 103, SH Regular Meeting

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

9:00 a.m. Room 307, LOB Regular Meeting

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691, Chapter 175:15, Laws of 2005)

9:30 a.m. Room 205, LOB Subcommittee Meeting

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

12:00 p.m. Room 308, LOB Organizational Meeting

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

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

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

1:30 p.m. Room 103, SH Regular Meeting

TUESDAY, MAY 1, 2007

TASK FORCE TO STUDY COUNTY GOVERNMENT (SB 319, Chapter 221:1, Laws of 2006)

6:30 p.m. Hilton Auditorium Public Forum
Rockingham County Nursing Home
North Road, Brentwood, NH

FRIDAY, MAY 4, 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 Subcommittee Meeting
Administration Training Room
57 Regional Drive
Concord, NH

MONDAY, MAY 7, 2007

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

10:00 a.m. NH Higher Education Full Commission
Assistance Foundation
4 Barrel Court
Concord, NH

TUESDAY, MAY 8, 2007

JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)

3:30 p.m. Room 212, LOB Organizational Meeting and
Regular Business

THURSDAY, MAY 10, 2007

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

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

FRIDAY, MAY 11, 2007

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

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

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

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

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

12:00 p.m. Room 307, LOB Regular Meeting

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

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

MONDAY, MAY 14, 2007**EQUALIZATION STANDARDS BOARD (RSA 21-J:14-c)**

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

ESTABLISHING A TASK FORCE TO STUDY TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) (HB 1461, Chapter 247:1, Laws of 2006)

2:00 p.m. Room 205, LOB Regular Meeting

TUESDAY, MAY 15, 2007**FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)**

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

THURSDAY, MAY 17, 2007**ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

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

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

10:00 a.m. Room 102, LOB Subcommittee Meeting on Training

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

12:00 p.m. Room 102, LOB Regular Meeting and Possible Work Session

MONDAY, MAY 21, 2007**JOINT HEALTH COUNCIL (RSA 326-B:10, IV)**

6:00 p.m. NH Board of Nursing Office
Walker Building,
21 S. Fruit St. Concord, NH Regular Meeting

TUESDAY, MAY 22, 2007**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)**

2:30 p.m. Room 201, LOB Regular Meeting

THURSDAY, MAY 24, 2007

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

1:00 p.m.	NH Department of Revenue Administration Training Room 57 Regional Drive Concord, NH	Subcommittee Meeting
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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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RIGHT TO KNOW OVERSIGHT COMMISSION (RSA 91-A:11)

10:00 a.m.	Room 304, LOB	Regular Meeting
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THURSDAY, MAY 31, 2007

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

1:00 p.m.	NH Department of Revenue Administration Training Room 57 Regional Drive Concord, NH	Subcommittee Meeting
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FRIDAY, JUNE 1, 2007

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

12:00 p.m.	Room 307, LOB	Regular Meeting
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MONDAY, JUNE 11, 2007

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

1:00 p.m.	NH Department of Revenue Administration Training Room 57 Regional Drive Concord, NH	Subcommittee 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, 68, 74, 76, 82, 90, 93, 98, 103, 113, 122, 126, 128, 129, 134, 138, 145, 146, 148, 163, 166, 168, 169, 172, 176, 179, 183, 184, 186, 200, 204, 205, 206, 210, 213, 217, 219, 223, 224, 225, 226, 232, 233, 240, 242, 243, 249, 255, 257, 260, 263

HOUSE BILLS: 25, 46, 64, 95, 118, 228, 239, 243, 256, 272, 273, 417, 426, 440, 451, 523, 547, 553, 568, 590, 608, 629, 657, 718, 727, 733, 755, 790, 791, 826, 828, 857, 873, 876, 895, 907, 927

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

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TUESDAY, MAY 1, 2007

Governor Lynch and Chris Pope, the Director of Homeland Security and Emergency Management, will brief members on the recent floods and the FEMA process in response to the Governor's request for a major disaster declaration. The briefing will be held in Representatives Hall on Tuesday, May 1st at noon. The Governor has announced that donations are now being accepted for the New Hampshire Disaster Relief Fund, which will be used to help New Hampshire residents who suffered damage as a result of flooding during the recent storm. Donations may be made online at <https://www.egov.nh.gov/helping-hands/public/Default.asp> or by mail at:

State of New Hampshire, Disaster Relief
25 Capitol Street, Room 121
Concord, NH 03301

Sylvia B. Larsen, Senate President

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MONDAY, MAY 7, 2007

On Monday, May 7, 2007 at 8:00 a.m., the The NH Building & Construction Trades Council and the National Electrical Contractor's Association (NECA) will host an Appreciation Breakfast. All Legislators of the General Court and Legislative staff are invited to attend. The breakfast will be at the IBEW L.U. 490 Hall on 48 Airport Road in Concord.

Sylvia B. Larsen, Senate President

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FRIDAY, MAY 18, 2007

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Committee cordially invites you to the 15th Annual New Hampshire Law Enforcement Officers Memorial Ceremony. The Ceremony will be held on Friday, May 18, 2007, beginning promptly at 10:00 a.m., on the memorial site in front of the Legislative Office Building. The Ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please do not hesitate to contact either Major Timothy J. Acerno of Fish and Game at 603-271-3129 or Chief Timothy Russell of the Henniker Department at 603-428-3213 if you have questions.

Sylvia B. Larsen, Senate President

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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

34th 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

SENATE SCHEDULE

Thursday, May 17, 2007	Deadline for Policy Committees to ACT on all money bills, except bills exempted pursuant to Senate Rule 26(b)
Monday, May 28, 2007	Memorial Day (State Holiday)
Thursday, June 7, 2007	Last day to ACT on all remaining House Bills
Thursday, June 14, 2007	Last day to FORM Committees of Conference
Thursday, June 21, 2007	Last day to SIGN Committee of Conference Reports
Wednesday, June 27, 2007	Last day to ACT on Committee of Conference Reports
Wednesday, July 4, 2007	Fourth of July (State Holiday)
Monday, September 3, 2007	Labor Day (State Holiday)
Monday, November 12, 2007	Veteran's Day (State Holiday)
Thursday, November 22, 2007	Thanksgiving Day (State Holiday)
Friday, November 23, 2007	Day after Thanksgiving (State Holiday)
Tuesday, December 25, 2007	Christmas Day (State Holiday)

**THE STATE OF NEW HAMPSHIRE
SUPREME COURT**

In Case No. 2007-0263, Request for an Opinion of the Justices (Recommendations of Marital Masters), the court on April 19, 2007, issued the following order:

The following request of the senate for an opinion of the justices was adopted on April 12, 2007, and filed with the supreme court on April 17, 2007:

SENATE RESOLUTION 1

Whereas, SB 112, “An Act relative to recommendations of marital masters,” is presently pending in the senate; and

Whereas, SB 112 provides that “all recommendations of marital masters shall become final unless within 10 days of the date of the clerk’s written notice of the recommendation, a party requests that the recommendation be reviewed by a judge:” and

Whereas, part II, article 46 of the New Hampshire constitution states: “All *judicial officers*, the attorney general and all officers of the navy and general and field officers of the militia, *shall be nominated and appointed by the governor and council*; and every such nomination shall be made at least three days prior to such appointment; and no appointment shall take place, unless a majority of the council agree thereto.” (emphasis added); and

Whereas, part II, article 73 of the New Hampshire constitution states: “The tenure that all commissioned officers shall have by law in their offices shall be expressed in their respective commissions, and *all judicial officers duly appointed, commissioned and sworn, shall hold their offices during good behavior except those for whom a different provision is made in this constitution*. The governor with consent of the council may remove any commissioned officer for reasonable cause upon the address of both houses of the legislature, provided nevertheless that the cause for removal shall be stated fully and substantially in the address and shall not be a cause which is a sufficient ground for impeachment, and provided further that no officer shall be so removed unless he shall have had an opportunity to be heard in his defense by a joint committee of both houses of the legislature.” (emphasis added); and

Whereas, in Opinion of the Justices, 128 N.H. 17 (1986), the New Hampshire supreme court held that marital masters were not judicial officers within the meaning of part I, article 46 of the New Hampshire constitution **In Case No. 2007-0263, Request for an Opinion of the Justices (Recommendations of Marital Masters), the court on April 19, 2007, issued the following order:**

Page Two of Three

because they were neither nominated and appointed by the governor and council, nor enjoyed tenure during good behavior, and that such masters “are authorized to make recommendations, which, though normally approved, have no binding force upon the court;” and

Whereas, in Witte v. Justices of the N.H. Superior Court, 831 F.2d 362 (1987), the United States Court of Appeals for the First Circuit held that marital masters in New Hampshire “have no inherent power, but rather derive all their power from the appointing judge or from the agreement of the parties;” and

Whereas, in 2005, 177:14 (later codified as RSA 490-D:7), the legislature provided that henceforth the administrative judge of the judicial branch family division shall submit to the governor the name of a marital master nominee, and that upon acceptance by the governor, such nominee would be submitted to the executive council for confirmation, *see* RSA 490-D:7, II, but that once confirmed such new marital master is appointed for a specific term, *see* RSA 490-D:7, III; *see also* Super. Crt. Admin. R. 12-6; and

Whereas, a public hearing was held before the senate judiciary committee on SB 112, and the bill was reported out of committee with a recommendation of ought to pass and, upon second reading before the senate, was laid upon the table because a question has been raised concerning whether only the opportunity for review by a judge of a recommendation of a marital master is in any way contrary to the New Hampshire constitution; and

Whereas, SB 112 raises an important question of law awaiting further consideration and action in the New Hampshire senate; now therefore, be it

Resolved by the Senate:

That, pursuant to part II, article 74 of the New Hampshire constitution, the justices of the supreme court be respectfully requested to give their opinion as expeditiously as possible on the following questions of law:

1. Would the enactment of SB 112, authorizing all recommendations of marital masters to become final within 10 days of the date of the clerk's written notice of the recommendation unless a party requests that the recommendation be reviewed by a judge, as applied to recommendations of marital masters in both the judicial branch family division and in the superior **In Case No. 2007-0263, Request for an Opinion of the Justices (Recommendations of Marital Masters)**, the court on April 19, 2007, issued the following order:

Page Three of Three

court, violate the requirements of part II, article 46 and/or part II, article 73 of the New Hampshire constitution?

2. Would the enactment of SB 112 violate any other provision of the New Hampshire constitution?

That the clerk of the senate transmit copies of this resolution and SB 112 as recommended ought to pass by the senate judiciary committee, to the justices of the New Hampshire supreme court.

Typewritten memoranda on the questions presented by the request may be furnished by any legislator, attorney, organization, interested party, or member of the public on or before May 11, 2007. An original and eight copies of any memorandum must be filed with the clerk's office.

This order is entered by a single justice (Galway, J.). See Rule 21(7).

**Eileen Fox,
Clerk**

Distribution:

Sylvia B. Larsen, Senate President

Jeffrey A. Meyers, Esquire

File

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VISITORS CENTER SCHEDULE - APRIL & MAY

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 Apr. & May 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

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Grade/Size</i>
Apr. 27	10:00	Enfield Village School	4/42
Apr. 27	11:00/12:00	Maple Ave. School – Claremont	4/60
Apr. 27	2:00	Center High Youth Group – Hudson/Nashua	HS/15
Apr. 30	9:30/11:00 SH/SC	Lancaster Elementary School	4/57
Apr. 30	10:00/11:30 SH/HM	Nottingham West School – Hudson	4/70
May 1	9:30/11:00 SH/HM	Henry Wilson School – Farmington	4/65
May 1	12:30	Russell School – Rumney	4/26
May 2	9:30/11:00 SH/HM	Henry Wilson School- Farmington	4/55
May 2	12:00	Merrimack Middle School	8/50
May 2	12:30/2:00 SH/HM	Paul School – Wakefield	4/64
May 3	9:30/11:00 SH/HM	Ashland Elementary School	4&6/55
May 3	12:00	Merrimack Middle School	8/50

DATE	TIME	GROUP	Grade/Size
May 3	2:00	Home School Group – Hudson	
May 4	10:00	Greenfield Elementary School	4/21
May 4	10:00	Hancock Elementary School	4/12
May 4	10:00	The Well School – Peterborough	4/13
May 4	11:30	Antrim Elementary School	4/34
May 4	12:30	St. Joseph's School – Keene	4/10
May 4	1:00	Pine Tree Elementary School – Center Conway	4/36
May 7	8:45	New Hampton Community School	4/33
May 7	10:00	New London Rotary Club - Polish Travelers	Adult/12
May 7	10:00/11:30 SH/SC	Peterborough Elementary School	4/80
May 7	11:00/12:30	Matthew Thornton Elementary School – Londonderry	4/80
May 8	9:30	Campton Elementary School	4/37
May 8	10:00	Derry Village School	4/52
May 8	11:00	Bridgewater-Hebron Elementary School	4/23
May 8	1:00	Plainfield School – Meriden	4/37
May 9	9:15/10:30 SH/HM	Interlakes Schools – Meredith	4/80
May 9	11:30	Pleasant St. School – Laconia	4/52
May 10	10:00	Derry Village School	4/35
May 10	11:30/1:00 SH/HM	North Londonderry School	4/75
May 11	9:30	John Fuller School – North Conway	4/32
May 11	10:30	Madison Elementary School	4/23
May 11	10:30	St. Patrick's School – Jaffrey	4/7
May 11	12:30	Unity Elementary School	4/12
May 14	9:00	St. John's Regional School – Concord	4/24
May 14	10:00/11:15 SH/SC	Seabrook Elementary School	4/85
May 14	12:30	Presentation of Mary- Hudson	4/40
May 15	9:15	Jennie D. Blake School – Hill	4/13
May 15	10:30/12:00 SH/HM	Hampstead Central School	4/75
May 16	9:00	John Stark Civics Class – Weare	HS/24
May 16	10:30/12:00 SH/HM	Hampstead Central School	4/75
May 17	8:45	Henniker Community School	4/44
May 17	9:15	Cooperative Middle School – Stratham	8/110
May 17	11:30/1:00 SH/HM	North Londonderry School	4/50
May 18	10:00	Lin-Wood School – Lincoln	4/30
May 18	10:45/12:15 SH/HM	Matthew Thornton Elementary School – Londonderry	4/80
May 18	11:00	Lisbon School	4/28
May 18	1:00	Holderness Central School	4/20
May 21	8:45	Parkside Middle School – Manchester	8/45
May 21	9:30/11:00 SH/HM	Hallsville School – Manchester	4/60
May 21	12:30	Pierce Elementary School – Bennington	4/18
May 22	9:30/11:00 SH/HM	William T. Baron Elementary School-Salem	4/80
May 22	8:05 & 11:30 & 1:00	Merrimack Valley High School – Penacook	HS/75
May 23	10:00	Newfields Elementary School	4/28
May 23	11:30	Salisbury & Webster Schools	4/35
May 23	12:00	Henry W. Moore School – Candia	4/50
May 24	9:30/11:00 SH/HM	Gossler Park School- Manchester	4/75
May 24	11:30/12:30	Conant Elementary School – Concord	4/70
May 25	9:45	Salem Christian School	4/20
May 25	11:00/12:00 SH/SC	Riddle Brook School- Bedford	4/55
May 25	1:00	Bethlehem Elementary School	4/
May 29	9:30	St. Mary's School – Claremont	4/19
May 29	10:30	Mtn. Shadows School – Dublin	6/15
May 29	12:00	St. Elizabeth Seton School – Rochester	4/35
May 30	9:30/11:00 SH/HM	Green Acres School – Manchester	4/90
May 30	12:15	Maude Trefethan School – New Castle	3&4/18
May 31	9:30	Wentworth Elementary School	4/24
May 31	10:30/12:30 SH/Planet	Lakeway Elementary School – Littleton	4/80