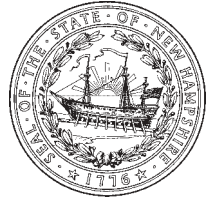


# STATE OF NEW HAMPSHIRE

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## SENATE JOURNAL 20 (Cont.)



*June 24, 2003*

**Out of Recess.**

### REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**SB 47**, relative to refunds for tolls paid on account of shrinkage or loss by evaporation of motor fuel, relative to a transfer of funds to the highway fund, and relative to oil import and underground storage facility fees.

Senator Clegg moved adoption.

**Adopted.**

**June 25, 2003**

**2003-2276-EBA**

**09/01**

Enrolled Bill Amendment to HB 2-FN-A

The Committee on Enrolled Bills to which was referred HB 2-FN-A

AN ACT relative to state fees, funds, revenues, and expenditures.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

### Explanation to Enrolled Bill Amendment to HB 2-FN-A

This enrolled bill amendment makes technical corrections and reference changes, provides for a contingency if HB 663-FN-A-LOCAL of 2003 legislative session becomes law; and deletes the repeal of 2 RSA paragraphs in section 131 of the bill which are also deleted in section 120 of the bill.

### Enrolled Bill Amendment to HB 2-FN-A

Amend RSA 188-D:18-a as inserted by section 3 of the bill by replacing line 6 with the following:

***programs at the regional community-technical institute and colleges. To address this***

Amend RSA 188-D:18-e, II-b as inserted by section 5 of the bill by replacing line 1 with the following:

II-b. Licensed nursing assistants and medication nursing assistants shall be eligible to apply

Amend RSA 162-L:11, V as inserted by section 13 of the bill by replacing line 1 with the following:

V. "Federal act" means Title I of the Housing and Community Development Act of 1974, as amended,

Amend RSA 162-L:15, II as inserted by section 13 of the bill by replacing line 1 with the following:

II. The committee shall consist of 10 voting members as follows:

Amend RSA 162-L:18, I(b) as inserted by section 13 of the bill by replacing line 1 with the following:

(b) Limit the availability of payments under this subdivision under such conditions as the

Amend RSA 162-N:2 as inserted by section 47 of the bill by replacing line 2 with the following:

state jobs grant fund. The state jobs grant fund shall be administered by the commissioner and

Amend RSA 162-N:3, II(a) as inserted by section 47 of the bill by replacing line 1 with the following:

(a) Up to \$1,000 per job created at a wage which is at least  $1\frac{3}{4}$

Amend RSA 162-N:3, II(f) as inserted by section 47 of the bill by replacing line 2 with the following:  
more above the 2003 minimum wage.

Amend RSA 162-N:3, IV as inserted by section 47 of the bill by replacing line 3 with the following:

jobs grant fund on a pro-rated share basis for the amount of the 5-year period when the job does not

Amend RSA 290:1 as inserted by section 66 of the bill by replacing line 6 with the following:

provided in RSA 5-C:7. The cause or causes of death shall be printed or typed on all records required

Amend RSA 126:24-e, I as inserted by section 77 of the bill by replacing line 2 with the following:

attached, pursuant to RSA 21-G:10, to the department to review requests for vital records

Amend section 105 of the bill by replacing line 1 with the following:

105 Department of Safety; Fire Standards and Training Commission. Amend RSA 21-P:26, I to

Amend RSA 21-P:36, II as inserted by section 108 of the bill by replacing line 7 with the following:

as provided for personnel of other state agencies. With the approval of the [~~director~~] **assistant commissioner**, the

Amend RSA 21-P:48, I(h) as inserted by section 113 of the bill by replacing it with the following:

(h) The director of the governor's [~~energy~~] office **of state planning and energy programs**.

Amend the bill by replacing section 131 with the following:

131 Repeal. The following are repealed:

I. RSA 21-P:12, V, relative to oversight of the office of emergency management by the state fire marshal.

II. RSA 21-P:35, II, relative to the coordinator of emergency management.

III. RSA 21-P:37, V, relative to the delegation of administrative authority to the coordinator of emergency management.

IV. RSA 106-H:4, relative to the administrative attachment of the bureau of emergency communications to the office of the commissioner of the department of administrative services.

V. RSA 106-H:7, relative to rulemaking authority of the bureau of emergency communications.

Amend section 157 of the bill by replacing lines 2-3 with the following:

any other act of the 2003 legislative session, then section 156 of this act shall take effect. If RSA 4-D is not enacted by HB 663-FN-A or by any other act of the 2003 legislative session, then section 156 of

Amend the bill by replacing all after section 174 with the following:

175 Appointment Change. RSA 5-C:24, I(h) is repealed and reenacted to read as follows:

(h) The chief information officer, office of information technology, or designee.

176 Contingency. If HB 663-FN-A-LOCAL of the 2003 session becomes law, then section 175 of this act shall take effect July 1, 2003 at 12:01 a.m. If HB 663-FN-A-LOCAL does not become law, then section 175 of this act shall not take effect.

177 Name Change. Amend RSA 216-J:2, I(g) to read as follows:

(g) The director of the office of state planning **and energy programs**, or designee.

178 Effective Date.

I. Sections 12, 25, 34, 134, 135, 171, and 174 of this act shall take effect June 30, 2003.

II. Sections 21 and 22 of this act shall take effect as provided in section 24 of this act.

III. Sections 31, 99-132, 133, 138-143, and 146-150 of this act shall take effect upon its passage.

IV. Sections 80-98, and 172 of this act shall take effect January 1, 2004.

V. Section 152 of this act shall take effect June 30, 2005.

VI. Section 156 of this act shall take effect as provided in section 157 of this act.

VII. Section 175 of this act shall take effect as provided in section 176 of this act.

VIII. The remainder of this act shall take effect July 1, 2003.

Senator Eaton moved adoption.

**Adopted.**

**June 25, 2003**  
**2003-2277-EBA**  
**05/09**

Enrolled Bill Amendment to HB 663-FN-A-LOCAL

The Committee on Enrolled Bills to which was referred HB 663-FN-A-LOCAL  
 AN ACT relative to county and state funding of long-term care medicaid programs .

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 663-FN-A-LOCAL

This bill makes technical corrections and inserts a contingency.

Enrolled Bill Amendment to HB 663-FN-A-LOCAL

Amend RSA 28-B:3, II as inserted by section 2 of the bill by replacing line 4 with the following:  
 services by the division for children, youth, and families, and the division of juvenile justice services,

Amend RSA 28-B:3, V as inserted by section 2 of the bill by replacing line 3 with the following:  
 under RSA 167-18-b, IV.

Amend section 9 of the bill by replacing line 1 with the following:

9 New Chapter; Nursing Facility Quality Assessment. Amend RSA by inserting after chapter 84-B

Amend RSA 151-E:14 as inserted by section 11 of the bill by replacing line 2 with the following:  
 facility trust fund for the receipts from the nursing facility quality assessment under RSA 84-C:3,

Amend RSA 21-J:31 as inserted by section 12 of the bill by replacing line 7 with the following:  
 RSA 77-E:8, RSA 83-C:6, RSA 83-E:5 [or], RSA 84-A:7, **or RSA 84-C:7**, or the failure to file was due to

Amend the bill by replacing all after section 24 with the following:

25 Contingency. If HB 2-FN-A of the 2003 legislative session becomes law, section 22 of this act shall not take effect. If HB 2-FN-A does not become law, section 22 of this act shall take effect on July 1, 2003.

26 Effective Date.

I. Section 8 of this act shall take effect June 30, 2003.

II. Paragraph I of section 17 of this act shall take effect as provided in section 18 of this act.

III. Section 22 of this act shall take effect as provided in section 25 of this act.

IV. The remainder of this act shall take effect July 1, 2003.

Senator Eaton moved adoption.

**Adopted.**

**June 13, 2003**  
**2003-2105-EBA**  
**05/10**

Enrolled Bill Amendment to HB 646-FN

The Committee on Enrolled Bills to which was referred HB 646-FN  
 AN ACT relative to liquor licenses and fees.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 646-FN

This enrolled bill amendment makes technical corrections and incorporates an amendment to an RSA section made by 2003, 61 (SB 66).

Enrolled Bill Amendment to HB 646-FN

Amend RSA 78-A:3, X(c)(7) as inserted by section 1 of the bill by replacing it with the following:

(7) Meals prepared and sold by nonprofit organizations other than educational institutions. However, if the nonprofit organization is required to have a license issued by the liquor commission other than licenses issued pursuant to RSA ~~[178:20, V(h)]~~ **178:22, V(I)** for 3 or fewer days per year, the meals are taxable meals;

Amend RSA 178:12, V as inserted by section 13 of the bill by replacing line 1 with the following:

V. Beverage manufacturers shall pay a fee as required by RSA 178:26 for each gallon of

Amend RSA 178:13, II as inserted by section 13 of the bill by replacing line 4 with the following:  
beverage and liquor as permitted by RSA 178:21, II(a)(l) and RSA 178:22, V(q).

Amend RSA 178:22, V(h)(1) as inserted by section 13 of the bill by replacing line 11 with the following:  
, V(h)(9)(B)-(C), and V(h)(10)-(12).

Amend RSA 178:22, V(n)(2) as inserted by section 13 of the bill by replacing line 3 with the following:  
the cocktail lounge definition of RSA 175:1, XXIII and requirements under RSA 178:22, V(n)(1) to sell

Amend the bill by replacing section 57 with the following:

57 Effective Date.

I. Section 1 of this bill shall take effect July 1, 2003, at 12:01 a.m.

II. Section 54 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect July 1, 2003.

Senator Eaton moved adoption.

**Adopted.**

**June 20, 2003**  
**2003-2271-EBA**  
**03/09**

Enrolled Bill Amendment to HB 105

The Committee on Enrolled Bills to which was referred HB 105

AN ACT relative to sexual assaults committed by corrections officers, probation and parole officers, and juvenile probation and parole officers against individuals under their supervision, making a technical correction, and permitting the court to prohibit visitation between a parent convicted of sexual abuse or sexual assault against a minor child or stepchild and a sibling or step-sibling of the victim.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 105

This enrolled bill amendment inserts a new section reconciling the amendments to RSA 632-A:4 contained in this bill and in HB 278-FN of the 2003 session; this new section is contingent on HB 278-FN becoming law. This enrolled bill amendment also deletes a contingency that is no longer necessary and makes a typographical correction.

Enrolled Bill Amendment to HB 105

Amend the bill by replacing section 7 with the following:

7 Contingency. If HB 278-FN of the 2003 regular legislative session becomes law, section 9 of this act shall take effect January 1, 2004 at 12:01 a.m. If HB 278-FN of the 2003 regular legislative session does not become law, section 9 of this act shall not take effect.

Amend RSA 458:17, IV-a as inserted by section 8 of the bill by replacing line 6 with the following:

XXVII-a, and "sexual assault" shall mean sexual assault as provided in RSA 632-A:2, RSA 632-A:3,

Amend the bill by replacing all after section 8 with the following:

9 Sexual Assault and Related Offenses; Sexual Assault. RSA 632-A:4 is repealed and reenacted to read as follows:

632-A:4 Sexual Assault.

I. A person is guilty of a class A misdemeanor under any of the following circumstances:

(a) When the actor subjects another person who is 13 years of age or older to sexual contact under any of the circumstances named in RSA 632-A:2.

(b) In the absence of any of the circumstances set forth in RSA 632-A:2, when the actor engages in sexual penetration with a person, other than the actor's legal spouse, who is 13 years of age or older and under 16 years of age where the age difference between the actor and the other person is 4 years or less.

II. A person found guilty under subparagraph I(b) of this section shall not be required to register as a sexual offender under RSA 651-B.

III. A person is guilty of a misdemeanor if such person engages in sexual contact or sexual penetration with another person when the actor is in a position of authority over the person under any of the following circumstances:

(a) When the actor has direct supervisory or disciplinary authority over the victim by virtue of the victim being incarcerated in a correctional institution, the secure psychiatric unit, or juvenile detention facility where the actor is employed; or

(b) When the actor is a probation or parole officer or a juvenile probation and parole officer who has direct supervisory or disciplinary authority over the victim while the victim is on parole or probation or under juvenile probation.

Consent of the victim under any of the circumstances set forth in paragraph III shall not be considered a defense.

10 Effective Date.

I. Section 9 of this act shall take effect as provided in section 7 of this act.

II. Sections 7 and 8 of this act shall take effect upon its passage.

III. Section 6 of this act shall take effect January 1, 2004 at 12:01 a.m.

IV. The remainder of this act shall take effect January 1, 2004.

Senator Eaton moved adoption.

**Adopted.**

**June 20, 2003**  
**2003-2268-EBA**  
**06/01**

Enrolled Bill Amendment to HB 521

The Committee on Enrolled Bills to which was referred HB 521

AN ACT relative to requiring treatment for persons convicted of DWI offenses.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 521

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 521

Amend RSA 263:65-a, V as inserted by section 8 of the bill by replacing line 1 with the following:

V. A person shall be presumed to have furnished proof of successful completion of an impaired

Amend RSA 265:82-b, IV(d) as inserted by section 9 of the bill by replacing line 1 with the following:

(d) A person shall be presumed to have furnished proof of successful completion of an

Senator Eaton moved adoption.

**Adopted.**

**June 18, 2003**

**2003-2256-EBA**

**06/09**

## Enrolled Bill Amendment to HB 598-FN-A

The Committee on Enrolled Bills to which was referred HB 598-FN-A

AN ACT relative to the agriculture nutrient management program and making an appropriation therefor.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 598-FN-A

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 598-FN-A

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

AN ACT relative to the agricultural nutrient management program and making an appropriation therefor.

Amend section 1 of the bill by replacing line 1 with the following:

1 Appropriation.

Senator Eaton moved adoption.

**Adopted.**

**June 18, 2003**

**2003-2248-EBA**

**08/01**

## Enrolled Bill Amendment to HB 633-FN

The Committee on Enrolled Bills to which was referred HB 633-FN

AN ACT establishing the interstate compact for adult offender supervision.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 633-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 633-FN

Amend RSA 651-A:26, II as inserted by section 1 of the bill by replacing line 1 with the following:

II. "Bylaws" mean those bylaws established by the interstate commission for its

Amend RSA 651-A:27, III as inserted by section 1 of the bill by replacing line 6 with the following:

The interstate commission may provide in its bylaws for such additional, exofficio, non-voting



Amend RSA 651-A:27, IV as inserted by section 1 of the bill by replacing line 3 with the following:  
transaction of business, unless a larger quorum is required by the bylaws of the interstate

Amend RSA 651-A:27, VI as inserted by section 1 of the bill by replacing lines 7 and 8 with the following:  
provisions of the compact, its bylaws and as directed by the interstate commission and performs other duties  
as directed by the commission or set forth in the bylaws.

Amend RSA 651-A:28, III as inserted by section 1 of the bill by replacing line 2 with the following:  
terms of this compact and any bylaws adopted and rules adopted by the compact commission.

Amend RSA 651-A:28, IV as inserted by section 1 of the bill by replacing line 2 with the following:  
bylaws, using all necessary and proper means, including but not limited to, the use of judicial

Amend RSA 651-A:29, II as inserted by section 1 of the bill by replacing line 1 with the following:

II. Establishing an executive committee and such other committees as may be necessary;

Amend RSA 651-A:29, VI as inserted by section 1 of the bill by replacing line 4 with the following:  
programs of the interstate commission;

Amend RSA 651-A:29, VIII as inserted by section 1 of the bill by replacing line 1 with the following:

VIII. Providing transition rules for start up administration of the compact; and

Amend RSA 651-A:31, V as inserted by section 1 of the bill by replacing line 1 with the following:

V. The interstate commission's bylaws shall establish conditions and procedures under

Amend RSA 651-A:33, V as inserted by section 1 of the bill by replacing line 1 with the following:

V. The interstate commission shall enact a law or adopt a rule providing for both mediation

Senator Eaton moved adoption.

**Adopted.**

**June 20, 2003**

**2003-2272-EBA**

**03/10**

#### Enrolled Bill Amendment to HB 677-FN

The Committee on Enrolled Bills to which was referred HB 677-FN

AN ACT increasing the number of reserved student slots in medical programs, establishing a reduction of  
medical indebtedness program for physicians who practice in underserved areas, and making an  
appropriation therefor.

Having considered the same, report the same with the following amendment, and the recommendation that  
the bill as amended ought to pass.

#### FOR THE COMMITTEE

#### Explanation to Enrolled Bill Amendment to HB 677-FN

This enrolled bill amendment inserts language to be removed from current law.

#### Enrolled Bill Amendment to HB 677-FN

Amend RSA 200-J:2, IV as inserted by section 3 of the bill by replacing line 2 with the following:  
enrollment of not more than 5 students each for veterinary[~~-medical~~] and optometric school for each class year,  
Senator Eaton moved adoption.

**Adopted.**

**June 19, 2003**

**2003-2262-EBA**

**03/01**

#### Enrolled Bill Amendment to HB 719-FN-A

The Committee on Enrolled Bills to which was referred HB 719-FN-A

AN ACT relative to the duties, function, and operation of the Pease development authority.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 719-FN-A

This enrolled bill amendment corrects a statutory section title to reflect the contents of the statute and makes typographical and grammatical corrections.

Enrolled Bill Amendment to HB 719-FN-A

Amend 2001, 290:1-a as inserted by section 1 of the bill by replacing line 1 with the following:

290:1-a Department of Resources and Economic Development Rules Relative to

Amend 2001, 290:1-a as inserted by section 1 of the bill by replacing line 4 with the following:

Hampton Harbor shall remain in effect until amended or superseded by rules of the Pease

Amend RSA 12-G:50-a, III(b) as inserted by section 16 of the bill by replacing line 3 with the following:  
assistant harbor master to secure such vessel to such mooring; or

Amend RSA 12-G:52-b, I as inserted by section 16 of the bill by replacing line 3 with the following:

RSA 12-G:50-a or any rule adopted pursuant to this chapter. All reasonable charges for such

Amend RSA 12-G:52-b, V as inserted by section 16 of the bill by replacing line 6 with the following:

storage, and shall obtain release of the lien identified in paragraph I. Any money received by

Senator Eaton moved adoption.

**Adopted.**

**June 11, 2003**

**2003-2070-EBA**

**05/09**

Enrolled Bill Amendment to SB 23-FN

The Committee on Enrolled Bills to which was referred SB 23-FN

AN ACT allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 23-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 23-FN

Amend RSA 100-A:4, VI(c) as inserted by section 1 of the bill by replacing line 2 with the following:

creditable service for the purpose of determining service retirement eligibility or for the purpose of

Senator Eaton moved adoption.

**Adopted.**

**June 19, 2003**

**2003-2263-EBA**

**03/09**

Enrolled Bill Amendment to SB 69-FN-A

The Committee on Enrolled Bills to which was referred SB 69-FN-A

AN ACT combining the career incentive program and the nursing leveraged scholarship loan program within the department of postsecondary education, and establishing a workforce incentive program within the department of postsecondary education, and making an appropriation therefor.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.



## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 69-FN-A

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 69-FN-A

Amend RSA 188-D:18-h, VII(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) Serving on active duty as a member of the armed services of the United States, or

Senator Eaton moved adoption.

**Adopted.**

**June 20, 2003**

**2003-2273-EBA**

**05/09**

Enrolled Bill Amendment to SB 130-FN-LOCAL

The Committee on Enrolled Bills to which was referred SB 130-FN-LOCAL

AN ACT relative to county departments of corrections.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 130-FN-LOCAL

This enrolled bill amendment makes technical corrections, amends RSA 30-B:15 as inserted by section 3 of the bill to include changes made by 2003, 96 and amends RSA 623:1, I as inserted by section 8 of the bill to include changes made by 2003, 32.

Enrolled Bill Amendment to SB 130-FN-LOCAL

Amend RSA 30-B:4, I-b(b) as inserted by section 1 of the bill by replacing line 1 with the following:

***(b) Exercise general supervisory authority over all department employees,***

Amend RSA 30-B:15 as inserted by section 3 of the bill by replacing it with the following:

30-B:15 Place of Commitment; Expense of Protective Custody.

I. Any person committed to a county correctional facility for any offense shall be committed to a county correctional facility in the county in which the offense is committed.

II. The expense of lodging persons in a county correctional facility under the protective custody of a peace officer under RSA 172:15 or RSA 172-B:3 shall be a charge upon the county.

Amend RSA 504-A:5 as inserted by section 5 of the bill by replacing line 2 with the following:

of RSA 504-A:4 or RSA 651-A:25 shall be detained at the county jail closest to the location where he ***or she***

Amend RSA 623:1, I as inserted by section 8 of the bill by replacing it with the following:

I. Any person confined in a county department of corrections facility, state prison or other place of detention may, under necessary precautions, be taken by some regular or specially authorized officer from such place of detention to a medical facility for the purpose of receiving medical examination or treatment upon recommendation of a physician, ***a physician's assistant***, or an advanced registered nurse practitioner (ARNP) and upon approval of the [administrator] ***superintendent*** of the institution in which the person is confined. In the case of a transfer ***of a pretrial prisoner*** for medical purposes for a period in excess of [24 hours] ***10 days***, the justice of the court who originally ordered the prisoner's commitment shall be given written notice of the transfer within [5] ***15*** days of said transfer, and shall be given notice upon the return of the prisoner within [5] ***15*** days of the prisoner's return, provided the prisoner is not in the custody of correctional personnel while at the medical facility. The provisions of RSA 402:79 shall apply to payments for medical care provided pursuant to this section.

Amend the bill by replacing section 16 with the following:

16 Effective Date.

I. Sections 3 and 8 of this act shall take effect January 1, 2004 at 12:01 a.m.

II. Section 14 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect January 1, 2004.

Senator Eaton moved adoption.

**Adopted.**

**June 10, 2003**  
**2003-2041-EBA**  
**04/09**

Enrolled Bill Amendment to SB 164

The Committee on Enrolled Bills to which was referred SB 164

AN ACT relative to the unauthorized and deceptive use of a financial institution's name.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 164

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 164

Amend RSA 384:68 as inserted by section 2 of the bill by replacing line 8 with the following:  
unauthorized and deceptive manner the name or trademark of any financial institution subject to the  
Senator Eaton moved adoption.

**Adopted.**

**June 18, 2003**  
**2003-2257-EBA**  
**04/10**

Enrolled Bill Amendment to SB 197-FN

The Committee on Enrolled Bills to which was referred SB 197-FN

AN ACT relative to extended unemployment benefits and making an appropriation therefor.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 197-FN

This enrolled bill amendment corrects a reference to federal law.

Enrolled Bill Amendment to SB 197-FN

Amend section 1 of the bill by replacing lines 1-3 with the following:

1 Money Credited Under Section 903 of Social Security Act. RSA 282-A:140-a is repealed and reenacted to read as follows:

282-A:140-a Money Credited Under Section 903 of the Social Security Act.

Senator Eaton moved adoption.

**Adopted.**

**June 26, 2003**  
**2003-2278-EBA**  
**08/01**

Enrolled Bill Amendment to HB 25-FN-A

The Committee on Enrolled Bills to which was referred HB 25-FN-A

AN ACT making appropriations for capital improvement.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 25-FN-A

This enrolled bill amendment makes a technical change.

Enrolled Bill Amendment to HB 25-FN-A

Amend paragraph LXXXVIII as inserted by section 34 of bill by replacing line 2 with the following:  
regional vocational center renovation – Keene.

Senator Eaton moved adoption.

**Adopted.**

**June 27, 2003**  
**2003-2280-EBA**  
**04/09**

Enrolled Bill Amendment to HB 287

The Committee on Enrolled Bills to which was referred HB 287

AN ACT establishing a professional malpractice claims study commission.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 287

This enrolled bill amendment amends the title of the bill to reflect its contents.

Enrolled Bill Amendment to HB 287

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

AN ACT establishing a professional malpractice claims study commission and establishing a commission to identify medical errors and their causes.

Senator Eaton moved adoption.

**Adopted.**

**REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 2**, relative to state fees, funds, revenues, and expenditures.

**HB 663**, relative to county and state funding of long-term care medicaid programs and relative to transferring state information technology management to the governor's office of information technology.

Senator D'Allesandro moved adoption.

**Adopted.**

**LATE SESSION**

Senator Clegg moved that the Senate adjourn from the late session.

**Adopted.**

**Adjournment.**

# SENATE JOURNAL 21

***June 30, 2003***

The Senate met at 10:30 a.m.

A quorum was present.

The Reverend David P. Jones, Chaplain to the Senate, offered the prayer.

*Creator of the minds with which we think and the hearts with which we care, illuminate for us the pathways upon which You call us to journey together. And may You give these leaders the capacity and the persistence to never settle merely for what is right, until they have found the ways and the means to accomplish it that is righteous.*  
Amen.

Senator Prescott led the Pledge of Allegiance.

Senator Boyce is excused for the day.

### INTRODUCTION OF GUESTS

#### REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 25**, making appropriations for capital improvements.

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

**HB 481**, establishing a committee to study the pricing of milk products.

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

**HB 598**, relative to the agricultural nutrient management program and making an appropriation therefor.

**HB 633**, establishing the interstate compact for adult offender supervision.

**SB 69**, combining the career incentive program and the nursing leveraged scholarship loan program within the department of postsecondary education, and establishing a workforce incentive program within the department of postsecondary education, and making an appropriation therefor.

**SB 164**, relative to the unauthorized and deceptive use of a financial institution's name.

**SB 197**, relative to extended unemployment benefits and making an appropriation therefor.

Senator D'Allesandro moved adoption.

**Adopted.**

#### REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 105**, relative to sexual assaults committed by corrections officers, probation and parole officers, and juvenile probation and parole officers against individuals under their supervision, making technical correction, and permitting the court to prohibit visitation between a parent convicted of sexual abuse or sexual assault against a minor child or stepchild and a sibling or step-sibling of the victim.

**HB 646**, relative to liquor licenses and fees.

**HB 677**, increasing the number of reserved student slots in medical programs, establishing a reduction of medical indebtedness program for physicians who practice in underserved areas, and making an appropriation therefor.

**HB 719**, relative to the duties, function, and operation of the Pease development authority.

**HB 768**, establishing a committee to study the flow in the Connecticut River and the effect of the flow on water levels in Lake Francis and the Connecticut Lakes.

Senator D'Allesandro moved adoption.

**Adopted.**

### HOUSE MESSAGE

The House of Representatives has voted to sustain the Governor's veto on the following entitled Bill(s):

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005.

**HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

### HOUSE MESSAGE

The House of Representatives has passed a Resolution with the following title in the passage of which it asks the concurrence of the Senate:

**HJR 3**, making temporary appropriations for the expenses and encumbrances of the state of New Hampshire.

**SUSPENSION OF THE RULES**

Senator Clegg moved that the Rules of the New Hampshire Senate be so far suspended as to dispense with introduction, referral to committee, notice of hearing, a committee hearing, a committee report, and notice of report in the calendar and that **HJR 3** be on second reading at the present time.

**Question is on the adoption of the suspension of the rules.**

**A roll call was requested by Senator Green.**

**Seconded by Senator Barnes.**

**The following Senators voted Yes: Gallus, Johnson, Kenney, Below, Green, Flanders, Odell, Roberge, Eaton, Peterson, O'Hearn, Foster, Clegg, Larsen, Gatsas, Barnes, Martel, Sapareto, D'Allesandro, Estabrook, Morse, Prescott, Cohen.**

**The following Senators voted No: None.**

**Yeas: 23 - Nays: 0**

**Adopted by the necessary 2/3 votes.**

**HJR 3**, making temporary appropriations for the expenses and encumbrances of the state of New Hampshire.

**Senator Flanders moved ought to pass.**

Senator Clegg offered a floor amendment.

**Sen. Clegg, Dist. 14**

**June 30, 2003**

**2003-2284s**

**08/03**

**Floor Amendment to HJR 3**

Amend the resolution by replacing all after the title with the following:

Whereas, a budget has not yet been enacted for fiscal years 2004 and 2005; and

Whereas, action at this time is necessary to carry out the functions of state government after fiscal year 2003, and prior to enacting said budget act; now therefore be it;

Resolved by the Senate and House of Representatives in General Court convened:

I.(a) That each state agency or state entity for which the general court appropriated funds for its operating budget for fiscal year 2003 is authorized to obligate additional funds for expenditures during the period this resolution is in effect at a rate not in excess of 3/12 of, and for the same purposes of, the appropriations contained in HB 1-A of the 2003 regular legislative session as amended and adopted by the legislature, unless due to an emergency it shall be otherwise authorized by the governor with the advice and consent of the council with prior approval of the legislative fiscal committee; and

(b) Enactment of this resolution shall constitute acceptance by the state of federal funds in such amounts as under applicable state or federal law shall be necessary to give effect to the provisions of this resolution and shall further constitute the appropriation of such state funds as under federal law shall be required to be added to such federal funds as a condition of their transfer to the state. The authorization provided in this resolution shall be deemed to be a budget within the meaning of RSA 9; and

(c) Funds subject to obligation under this resolution shall be deemed subject to transfer under the provisions of RSA 9:16-9:17-d, with prior approval of the legislative fiscal committee. The governor is authorized by and with the advice and consent of the council to draw his warrants for the sums necessary to discharge obligations authorized by this resolution out of any money in the treasury not otherwise appropriated or, in the case of special funds, out of any such special funds. Expenditures obligated under authority of this resolution shall be charges upon any appropriations subsequently enacted with respect to identical purposes and periods; and

II. That the provisions of RSA 9 inconsistent with the provisions of this resolution and the provisions of any other statutes so inconsistent are hereby suspended to the extent of such inconsistencies during the time this resolution is in effect. The state of New Hampshire hereby indemnifies any state official, commissioner, trustee, or other person having control of public funds appropriated by the general court for any liability personally incurred because of the provisions of RSA 9:19 and RSA 9:20 for whatever period of time elapses from 12:01 a.m. July 1, 2003, until the time that the provisions of this resolution making temporary appropriations become law; and

III. That the provisions of HB 2-FN-A of the 2003 legislative session, and HB 663-FN-A-LOCAL of the 2003 legislative session as amended and adopted by the legislature, being necessary to give effect to the provisions of this resolution, shall be deemed to be in effect during the period that this resolution is in effect; and

IV. That this resolution shall take effect July 1, 2003 and shall continue in effect until an operating budget is enacted into law but in no event later than October 1, 2003.

**Question is on the adoption of the floor amendment.**

**A roll call was requested by Senator Flanders.**

**Seconded by Senator Barnes.**

**The following Senators voted Yes: Gallus, Johnson, Kenney, Below, Green, Flanders, Odell, Roberge, Eaton, Peterson, O'Hearn, Foster, Clegg, Larsen, Gatsas, Barnes, Martel, Sapareto, D'Allesandro, Estabrook, Morse, Prescott, Cohen.**

**The following Senators voted No: None.**

**Yeas: 23 - Nays: 0**

**Floor amendment adopted by the necessary 2/3 votes.**

### **SUSPENSION OF THE RULES**

Senator Clegg moved that the Rules of the New Hampshire Senate be suspended and that **HJR 3** be, by this motion, ordered to third reading in the early session and passed at this time.

**Adopted by the necessary 2/3 votes.**

### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in its amendment to the following entitled Resolution sent down from the Senate:

**HJR 3**, making temporary appropriations for the expenses and encumbrances of the state of New Hampshire.

### **RESOLUTION**

Senator Clegg moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time.

**Adopted.**

### **LATE SESSION**

### **ANNOUNCEMENTS**

### **RESOLUTION**

Senator Clegg moved that the Senate recess to the Call of the Chair for the sole purpose of receiving messages and processing Enrolled Bill Reports and Amendments, and that when we adjourn, we adjourn to the Call of the Chair.

**Adopted.**

**In recess to the Call of the Chair.**

**Out of recess.**

### **REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HJR 3**, making temporary appropriations for the expenses and encumbrances of the state of New Hampshire.

Senator D'Allesandro moved adoption.

**Adopted.**

**July 1, 2003**

**2003-2290-EBA**

**03/10**

Enrolled Bill Amendment to HB 608-FN-LOCAL

The Committee on Enrolled Bills to which was referred HB 608-FN-LOCAL

AN ACT reducing the education property tax rate and relative to the calculation of adequate education grants.



Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 608-FN-LOCAL

This enrolled bill amendment corrects certain references in the bill, inserts omitted language and indicates certain language deleted from current law, and makes grammatical corrections.

Enrolled Bill Amendment to HB 608-FN-LOCAL

Amend RSA 198:40, III as inserted by section 5 of the bill by replacing line 1 with the following:

III. For ~~[each]~~ **the 2004** fiscal year, the statewide cost of an adequate education for all pupils shall

Amend RSA 198:45-a, II(a)(4) as inserted by section 8 of the bill by replacing line 1 with the following:

(4) Multiply the statewide average per pupil target amount by 2 and multiply the

Amend RSA 198:45-a, II(c) as inserted by section 8 of the bill by replacing line 1 with the following:

(c) The department of education shall subtract the amount obtained in subparagraph (b) from the amount obtained in

Amend RSA 189:1-d, III as inserted by section 9 of the bill by replacing line 4 with the following:

pupils shall be divided by the number of instructional days offered to higher-level elementary grades.

Amend paragraph II of section 10 of the bill by replacing line 8 with the following:

of special education services, and the need for English as a second language instruction, is the most

Amend RSA 198:39, I as inserted by section 15 of the bill by replacing line 4 with the following:

education ~~[property]~~ tax hardship relief under RSA ~~[198:55]~~ **198:61**. The state treasurer shall deposit into

Amend RSA 198:38, X-XI as inserted by section 17 of the bill by replacing them the following:

X. "Pupils eligible for free or reduced-price meals" means pupils in a school district in grades 1 through 12 who are eligible to receive free or reduced-price meals.

XI. "Calculated rate" means the total revenue raised statewide by the local education tax multiplied by 1,000, and then divided by the total statewide equalized valuation.

Amend RSA 198:40-a, I(b)(1) as inserted by section 19 of the bill by replacing line 4 with the following:

targeted aid for pupils eligible to receive free or reduced-price meals in the municipality.

Amend RSA 198:40-a, I(b)(2) as inserted by section 19 of the bill by replacing line 4 with the following:

shall be available as targeted aid for pupils eligible to receive free or reduced-price meals in the

Amend RSA 198:40-b, IV(b) as inserted by section 19 of the bill by replacing line 3 with the following:

remaining after full payment of the excess tax required in subparagraph (a) shall become available for

Amend RSA 198:40-b, IV(d) as inserted by section 19 of the bill by replacing line 2 with the following:

excess amount owed by each municipality pursuant to subparagraph (a).

Amend RSA 198:41, I as inserted by section 20 of the bill by replacing line 5 with the following:

the tax warrant issued by the commissioner of the department of revenue administration reported pursuant

Amend RSA 198:46, I as inserted by section 25 of the bill by replacing line 2 with the following:

amount necessary to fund an adequate education determined by RSA ~~[198:40]~~ **198:40-c** shall assess and remit

Senator Eaton moved adoption.

**Adopted.**

**July 3, 2003**

**2003-2301-EBA**

**03/01**

Enrolled Bill Amendment to HB 310

The Committee on Enrolled Bills to which was referred HB 310

AN ACT establishing a commission to study child support and related child custody issues.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 310

This enrolled bill amendment corrects certain references in the bill.

Enrolled Bill Amendment to HB 310

Amend paragraph IV of section 1 of the bill by replacing it with the following:

IV. The administrator of the office of child support enforcement services, or a designee.

Amend paragraph IX of section 1 of the bill by replacing it with the following:

IX. The chair of the family law section of the New Hampshire Bar Association, or designee.

Senator Eaton moved adoption.

**Adopted.**

**July 7, 2003**  
**2003-2303-EBA**  
**03/09**

Enrolled Bill Amendment to SB 155

The Committee on Enrolled Bills to which was referred SB 155

AN ACT establishing a commission to study issues relative to groundwater withdrawals.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 155

This enrolled bill amendment makes a typographical correction.

Enrolled Bill Amendment to SB 155

Amend section 3 of the bill by replacing line 8 with the following:

groundwater, possible fees on water withdrawals, and the protection of New Hampshire's aquifers.

Senator Eaton moved adoption.

**Adopted.**

**June 30, 2003**  
**2003-2282-EBA**  
**05/10**

Enrolled Bill Amendment to SB 87

The Committee on Enrolled Bills to which was referred SB 87

AN ACT changing the membership of the commission to study setback requirements for septage, biosolids, and short paper fibers, and extending the temporary use of septage, biosolids, and short paper fiber by certain persons.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 87

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 87

Amend 2003, 43:10, II as inserted by section 1 of the bill by replacing line 2 with the following:

attending to the duties of the commission.

Senator Eaton moved adoption.

**Adopted.**

**July 1, 2003**  
**2003-2292-EBA**  
**08/01**

Enrolled Bill Amendment to SB 44

The Committee on Enrolled Bills to which was referred SB 44

AN ACT relative to penalties for vehicle dealers, relative to the applicability of motor vehicle inspection requirements, and relative to special number plates for certain veterans.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 44

This enrolled bill amendment changes the title of the bill to accurately reflect its contents.

Enrolled Bill Amendment to SB 44

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

AN ACT relative to penalties for vehicle dealers, relative to special number plates for certain veterans, and relative to the Conway Branch railroad line.

Senator Eaton moved adoption.

**Adopted.**

**July 2, 2003**  
**2003-2296-EBA**  
**08/10**

Enrolled Bill Amendment to HB 79

The Committee on Enrolled Bills to which was referred HB 79

AN ACT relative to the regulation of water treatment equipment installers by the plumber's board.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 79

This enrolled bill amendment changes the title of the bill to accurately reflect its contents.

Enrolled Bill Amendment to HB 79

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

AN ACT relative to the regulation of water treatment equipment installers by the plumber's board, and establishing a committee to study the regulation of the installation and servicing of fire detection and suppression systems and the licensure of water treatment technicians.

Senator Eaton moved adoption.

**Adopted.**

**July 2, 2003**  
**2003-2294-EBA**  
**06/09**

Enrolled Bill Amendment to HB 135-FN-LOCAL

The Committee on Enrolled Bills to which was referred HB 135-FN-LOCAL

AN ACT relative to charter schools.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 135-FN-LOCAL

This enrolled bill amendment makes technical corrections to the bill.

Enrolled Bill Amendment to HB 135-FN-LOCAL

Amend RSA 194-B:11, X as inserted by section 3 of the bill by replacing line 6 with the following:  
 section shall be administered and determined by the state board of education which shall have the  
 Amend RSA 194-B:11, XI as inserted by section 3 of the bill by replacing line 3 with the following:  
 paragraph X shall be used to provide a one-year transitional grant to public school districts that  
 Amend RSA 194-B:15, III as inserted by section 5 of the bill by replacing line 2 with the following:  
 school authorized under RSA 194-B:3-a shall first present its complaint to the board of trustees. If  
 Amend RSA 194-B:5, IV-a as inserted by section 6 of the bill by replacing line 2 with the following:  
 to the state board of education, or its designee, on a quarterly basis regarding the charter school's  
 Senator Eaton moved adoption.

**Adopted.**

**July 3, 2003**  
**2003-2300-EBA**  
**03/10**

Enrolled Bill Amendment to HB 139

The Committee on Enrolled Bills to which was referred HB 139

AN ACT relative to the collection and reporting of school drop-out, suspension, and expulsion data and relative to the deadlines for submitting certain reports to the department of education.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 139

This enrolled bill amendment amends the title of the bill to reflect the contents of the bill, makes typographical and grammatical corrections, and renumbers RSA 193-G as inserted by the bill as RSA 193-H to avoid a conflict with RSA 193-G as enacted in 2003, 186 (SB 114).

Enrolled Bill Amendment to HB 139

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

AN ACT relative to the collection and reporting of school drop-out, suspension, and expulsion data; relative to the deadlines for submitting certain reports to the department of education; and establishing a statewide education accountability system.

Amend RSA 193-E:3, I(f) as inserted by section 1 of the bill by replacing line 1 with the following:

(f) Expulsion and suspension rates, including in-school and out-of-school suspensions,

Amend section 3 of the bill by replacing line 1 with the following:

3 Submission of Data. RSA 198:45 is repealed and reenacted to read as follows:

Amend the bill by replacing section 6 with the following:

6 New Chapter; School Performance and Accountability. Amend RSA by inserting after chapter 193-G the following new chapter:

CHAPTER 193-H  
 SCHOOL PERFORMANCE AND ACCOUNTABILITY

193-H:1 Definitions. In this chapter:

I. "Commissioner" means the commissioner of the department of education.

II. "Department" means the department of education.

III. "Highly qualified teacher" means a person who is certified by the local school board and who has demonstrated, through a process approved by the department of education, teaching skills in the core subjects of instruction.

IV. "Statewide assessment" means the New Hampshire education improvement and assessment program as established under RSA 193-C.

193-H:2 Statewide Performance Targets.

I. On or before the 2013-2014 school year, schools shall ensure that all pupils are performing at the basic level or above on the statewide assessment as established in RSA 193-C.

II. In addition to the requirements of paragraph I, schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in rules adopted by the state board of education pursuant to RSA 541-A.

III. Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to the statewide assessment.

IV. Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to attendance rate.

V. Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to the percentage of pupils who graduate with a regular diploma from an approved high school.

VI. Notwithstanding RSA 541-A, the state board of education shall receive approval from the legislative oversight committee established in RSA 193-C prior to the submission of any rules to the joint legislative committee on administrative rules relative to statewide performance targets required under this section.

193-H:3 Identification and Public Disclosure of Schools in Need of Improvement.

I. The commissioner shall annually compile and disseminate to the governor and council, the president of the senate, the speaker of the house of representatives, local school boards, superintendents of schools, and the public, and shall make available on the department website, a list of schools that are not meeting the statewide performance targets established in RSA 193-H:2.

II. A school or school district designated by the commissioner as not meeting statewide performance targets shall have 30 days from the date of the report to appeal such designation to the state board of education.

193-H:4 Local Education Improvement Plan; Strategic Responses.

I.(a) A school or school district shall have one year from the date that a school or school district has been designated as in need of improvement pursuant to RSA 193-H:3 to take action to remedy identified problems at the local level. The school or school district shall create a plan that identifies actions that it intends to correct the areas of concern. This plan shall be submitted to the state board within 90 days of the date that the school or school district was designated as in need of improvement. If the plan does not sufficiently address the areas of concern, the state board shall disapprove the plan within 30 days. If the state board disapproves the plan, the state board's designee shall work with the school or school district to amend the plan so that it meets state board approval. One year following the designation, if the school or school district is not making satisfactory progress in implementing its plan, the commissioner of education shall issue a notice to the school or school district and shall initiate a process for providing assistance pursuant to paragraph II; or

(b) If a school or school district has been designated as in need of improvement, then the school or school district may request assistance from the department of education. The department shall provide technical assistance to those schools that request assistance under this section.

(c) On or before the one year anniversary of being designated as a school or school district in need of improvement, the commissioner shall designate a progress review team to evaluate the implementation of the improvement plans and the progress toward state performance targets. The progress review team shall deliver a report to the state board. This report shall include evidence of satisfactory implementation and progress towards state performance targets or lack thereof and recommendations regarding future actions pursuant to subparagraph II(b).

II. The department of education and the state board of education shall work cooperatively with the school or school district to provide assistance as follows:

(a) Within 30 days of a school district's request for assistance pursuant to subparagraph I(b), the commissioner of education may appoint a peer review team to review the educational programming and effectiveness of the school or school district. In cooperation with local officials, the team shall prepare and present a report at a regularly scheduled public meeting of the local school board and to the state board. This report shall be issued within 30 days of the team's appointment. Based on this report, the school or school district and superintendent shall, within 90 days of the issuance of the report, prepare a corrective action plan and submit it to the state board for approval. If the plan is not approved, the school or school district may revise the plan and resubmit it to the state board. The school or school district may decide to implement the corrective action plan on its own, through the use of a technical assistance advisor, or through the use of a peer review team. Any such decision shall be included in the corrective action plan.

(b) If the state board does not approve a corrective action plan in accordance with subparagraphs I(a) or II(a), or upon the state board's adoption of a progress review team recommendations, the commissioner of education shall work with the school or school district to revise the corrective action plan. If the school or school district does not revise the corrective action plan within 60 days or the state board does not approve the revised corrective action plan, then the commissioner of education shall submit in a timely manner a corrective action plan, including methods for implementing it, to the state board for approval. The state board shall direct the school board to implement the plan pursuant to RSA 186:5.

III. At a minimum, the corrective action plan filed by the commissioner shall:

(a) Identify the area in which the school failed to meet the annual statewide performance targets established under RSA 193-H:2.

(b) Identify and describe the strategy the school intends to implement to improve its performance.

(c) Establish and explain a strategy designed to promote family and community involvement.

(d) Detail how the school district budget reflects the goals of the local education improvement plan.

IV. In addition to the provisions of paragraph III, each plan filed by the commissioner may include the following elements:

(a) The school's curriculum including curricular priorities and instructional materials.

(b) Instructional models that incorporate research-based practices that have been proven to be effective in improving student achievement.

(c) Formal and informal opportunities to assess and monitor each child's progress.

(d) Evidence of data-based decisions.

(e) Structural reform strategies that may include schedule, organization, support mechanisms, and resources.

(f) Shared leadership structure to support school improvement.

(g) Professional development that is aligned with school improvement goals.

(h) External support and resources based on their effectiveness and alignment with the school improvement plan.

(i) Extended learning activities for students.

193-H:5 Powers of the Department of Education. Nothing in this chapter shall be construed to permit either the department of education or the state board of education to take control of the daily operations of any local public school.

Amend RSA 193-C:8 as inserted by section 8 of the bill by replacing it with the following:

193-C:8 Duties of the Legislative Oversight Committee. The committee shall:

I. Review the development and implementation of the school performance and accountability program set forth in RSA 193-H to ensure compliance with state and federal law. Implementation of the program shall be in conjunction with the committee's review.

II. Review the provisions of RSA 193-H and submit a report of such review annually to the speaker of the house of representatives, the president of the senate, the governor, and the chairpersons of the house and senate education committees.



III. Propose legislation that is needed as a result of the review of the progress and results of the policies implemented under this chapter and under RSA 193-H, including any changes necessitated by federal law.

IV. Confer with the commissioner and the state board of education to identify operational principles which should guide the work of the department of education in supporting improved school performance and accountability.

V. Analyze existing department of education programs and initiatives which support improved school performance and accountability.

VI. Receive reports from the commissioner regarding the status of public education in New Hampshire, updates on the improvement made by local school districts toward achieving satisfactory progress in state-wide student performance under RSA 193-H:2 and status reports on the on-going issues and implications of school accountability at the state and federal level. Reports by the commissioner shall occur at least once annually or more frequently as needed, as determined by the committee and the commissioner.

VII. Review and approve statewide performance targets required under RSA 193-H:2 developed by the department of education and recommended to the legislative oversight committee by the state board of education.

VIII. Receive reports from the state board of education including rules recommended by the department to be adopted by the state board of education under RSA 541-A relative to statewide performance targets required under RSA 193-H:2. The legislative oversight committee shall propose legislation to be submitted to establish such statewide performance targets in state statute during the legislative session following the approval of any recommendations which the state board of education is required to make.

Senator Eaton moved adoption.

**Adopted.**

**July 7, 2003**  
**2003-2302-EBA**  
**06/09**

#### Enrolled Bill Amendment to HB 242

The Committee on Enrolled Bills to which was referred HB 242

AN ACT relative to the number of members on, and quorum necessary for, the assessing standards board.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

#### FOR THE COMMITTEE

#### Explanation to Enrolled Bill Amendment to HB 242

This enrolled bill amendment makes technical corrections and inserts a contingency to resolve a conflict with SB 54-FN-LOCAL of the 2003 legislative session if SB 54-FN-LOCAL becomes law.

#### Enrolled Bill Amendment to HB 242

Amend RSA 21-J:14-a, II(e) as inserted by section 2 of the bill by replacing line 2 with the following:

council, [~~at least one of whom shall be a selectman in a town with a population of 5,000 or less~~] ***none of whom shall be an assessor or a municipal official.***

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

5 Assessing Standards Board; Powers and Duties. RSA 21-J:14-b II is repealed and reenacted to read as follows:

II. All guidelines and practices developed or identified by the board, pursuant to this section, shall be reviewed and updated annually. The board shall hold a series of at least 3 public forums annually throughout the state to receive general comment through verbal and written testimony on assessing guidelines and practices. A quorum of the board shall not be required to hold such public forums.

6 Contingency. If SB 54-FN-LOCAL of the 2003 legislative session becomes law, section 5 of this act shall take effect 60 days after its passage and section 4 of this act shall not take effect. If SB 54-FN-LOCAL does not become law, section 4 of this act shall take effect 60 days after its passage and section 5 of this act shall not take effect.

7 Effective Date.

I. Sections 4 and 5 of this act shall take effect as provided in section 6 of this act.

II. Section 6 of this act shall take effect upon its passage.

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

Senator Eaton moved adoption.

**Adopted.**

**July 1, 2003**  
**2003-2291-EBA**  
**05/01**

**Enrolled Bill Amendment to HB 262**

The Committee on Enrolled Bills to which was referred HB 262

AN ACT relative to operators of bingo and games of chance.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

**FOR THE COMMITTEE**

**Explanation to Enrolled Bill Amendment to HB 262**

This enrolled bill amendment makes a technical correction.

**Enrolled Bill Amendment to HB 262**

Amend section 2 of the bill by replacing line 1 with the following:

2 Operation of Games of Chance. Amend RSA 287-D:2-b, VI to read as follows:

Senator Eaton moved adoption.

**Adopted.**

**July 9, 2003**  
**2003-2310-EBA**  
**05/09**

**Enrolled Bill Amendment to HB 303**

The Committee on Enrolled Bills to which was referred HB 303

AN ACT relative to life, accident, and health technicals and relative to minimum standards for claim review.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

**FOR THE COMMITTEE**

**Explanation to Enrolled Bill Amendment to HB 303**

This enrolled bill amendment makes technical corrections and inserts a section to resolve a conflict with 2003, 201 (SB 21).

**Enrolled Bill Amendment to HB 303**

Amend section 2 of the bill by replacing lines 2-3 with the following:

inserting after paragraph V the following new paragraph:

V-a. "Group excess loss insurance" means coverage purchased by an employer against the

Amend RSA 420-J:6, III as inserted by section 11 of the bill by replacing line 1 with the following:

III. Notification of claim denial shall be made within the following time periods:

Amend the bill by replacing all after section 12 with the following:

13 High Risk Pool Eligibility. RSA 404-G:5-e, I (d)-(e) are repealed and reenacted to read as follows:

(d) The individual is an "eligible individual" as defined in section 2741(b) of the Public Health Service Act;

(e) The individual has been certified as eligible for either federal trade adjustment assistance or for pension benefit guarantee corporation, as prescribed by the federal Trade Adjustment Assistance Reform Act of 2002 and the association, in accordance with procedures set forth in its plan of operation, is offering coverage in the high risk pool to such eligible persons at the time of the individual's application; or

(f) The individual has received an offer of coverage from a carrier of individual health insurance that contains a rider or endorsement excluding coverage for a specified condition pursuant to RSA 420-G:5, II.

14 Effective Date.

I. Section 13 of this act shall take effect August 29, 2003 at 12:01 a.m.

II. The remainder of this act shall take effect July 1, 2003.

Senator Eaton moved adoption.

**Adopted.**

**July 2, 2003**  
**2003-2298-EBA**  
**03/10**

Enrolled Bill Amendment to HB 357-FN

The Committee on Enrolled Bills to which was referred HB 357-FN

AN ACT relative to child support insurance settlement intercept.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 357-FN

This enrolled bill amendment rennumbers a new RSA provision to avoid a conflict with the provisions of 2003, 145 (HB 533).

Enrolled Bill Amendment to HB 357-FN

Amend section 1 of the bill by replacing lines 2-4 with the following:

Support Insurance Settlement Intercept. Amend RSA 161-C by inserting after section 3-e the following new section:

161-C:3-f Child Support Insurance Settlement Intercept. The department may provide certain

Senator Eaton moved adoption.

**Adopted.**

**July 2, 2003**  
**2003-2295-EBA**  
**08/09**

Enrolled Bill Amendment to HB 546

The Committee on Enrolled Bills to which was referred HB 546

AN ACT relative to uniform prescription drug information cards.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 546

This enrolled bill amendment rennumbers RSA sections to resolve a conflict with 2003, 216 (SB 152), and makes other technical changes.

Enrolled Bill Amendment to HB 546

Amend section 2 by replacing lines 2 and 3 with the following:

RSA 415 by inserting after section 6-j the following new section:

415:6-k Individual Policy Prescription Drug Information Cards.

Amend section 3 by replacing lines 2 and 3 with the following:

RSA 415 by inserting after section 18-n the following new section:

415:18-o Group or Blanket Plan Prescription Drug Information Cards.

Amend section 3 by replacing lines 13 and 14 with the following:

prescription benefit, the name or trademark logo of the benefit administrator.

(b) The certificate holder's name and identification number.

Amend RSA 420-A:2 as inserted by section 4 by replacing lines 4 and 5 with the following:

II(4), RSA 415:6-g, **RSA 415:6-k**, RSA 415:18, V, RSA 415:18, VII(g), RSA 415:18, VII-a, RSA 415:18-a, RSA 415:18-j, **RSA 415:18-o**, RSA 415:22, RSA 417, RSA 417-E, RSA 420-J, and all applicable

Senator Eaton moved adoption.

**Adopted.**

**July 9, 2003**

**2003-2313-EBA**

**03/01**

Enrolled Bill Amendment to HB 615-FN

The Committee on Enrolled Bills to which was referred HB 615-FN

AN ACT relative to the requirements for registration of sexual offenders.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 615-FN

This enrolled bill amendment incorporates changes to RSA 632-A:4 enacted in HB 105 of the 2003 regular session and amends the title of the bill to reflect the contents of the bill.

Enrolled Bill Amendment to HB 615-FN

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

AN ACT relative to the requirements for registration of sexual offenders and relative to certain acts of sexual assault.

Amend the bill by replacing section 7 with the following:

7 Sexual Assault and Related Offenses; Sexual Assault. RSA 632-A:4 is repealed and reenacted to read as follows:

632-A:4 Sexual Assault.

I. A person is guilty of a class A misdemeanor under any of the following circumstances:

(a) When the actor subjects another person who is 13 years of age or older to sexual contact under any of the circumstances named in RSA 632-A:2.

(b) In the absence of any of the circumstances set forth in RSA 632-A:2, when the actor engages in sexual penetration with a person, other than the actor's legal spouse, who is 13 years of age or older and under 16 years of age where the age difference between the actor and the other person is 3 years or less.

II. A person found guilty under subparagraph I(b) of this section shall not be required to register as a sexual offender under RSA 651-B.

III. A person is guilty of a misdemeanor if such person engages in sexual contact or sexual penetration with another person when the actor is in a position of authority over the person under any of the following circumstances:

(a) When the actor has direct supervisory or disciplinary authority over the victim by virtue of the victim being incarcerated in a correctional institution, the secure psychiatric unit, or juvenile detention facility where the actor is employed; or

(b) When the actor is a probation or parole officer or a juvenile probation and parole officer who has direct supervisory or disciplinary authority over the victim while the victim is on parole or probation or under juvenile probation.

Consent of the victim under any of the circumstances set forth in paragraph III shall not be considered a defense.

Amend the bill by replacing section 10 with the following:

10 Effective Date.

I. Section 7 of this act shall take effect January 1, 2004 at 12:02 a.m.

II. Sections 8 and 9 of this act shall take effect January 1, 2004.

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

Senator Eaton moved adoption.

**Adopted.**

**July 1, 2003**

**2003-2293-EBA**

**05/09**

Enrolled Bill Amendment to HB 619-FN-A

The Committee on Enrolled Bills to which was referred HB 619-FN-A

AN ACT expanding opportunities for dropout prevention and dropout recovery

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 619-FN-A

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 619-FN-A

Amend RSA 189:60, III(a) as inserted by section 1 of the bill by replacing line 1 with the following:

III.(a) The term of office for council members in subparagraphs I (a)-(d) shall be coterminous

Amend RSA 189:62, I as inserted by section 1 of the bill by replacing line 2 with the following:

programs and funds under this subdivision, provided that such programs and funds shall be targeted,

Amend RSA 189:62, II(d) as inserted by section 1 of the bill by replacing it with the following:

(d) Programs shall be existing operations with boards of directors.

Senator Eaton moved adoption.

**Adopted.**

**July 10, 2003**

**2003-2316-EBA**

**04/01**

Enrolled Bill Amendment to HB 627-FN

The Committee on Enrolled Bills to which was referred HB 627-FN

AN ACT relative to domicile for voting purposes, penalties for voter fraud, and access to preserved ballots.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 627-FN

This enrolled bill amendment makes technical corrections to the bill.

Enrolled Bill Amendment to HB 627-FN

Amend RSA 654:8-a, I as inserted by section 27 of the bill by replacing it with the following:

I. Any **person** qualified **as a** voter in a city whose name does not appear on the checklist where registration is required because the voter's voting [residence] **domicile** has changed from one ward in the city to another ward in the same city, and who is otherwise registered to vote in the election, may change voter registration at the office of the city clerk. A change in voter registration under this section shall be made no later than the final date set for correcting the checklist in the city. The city clerk [may] **shall** require the voter to provide acceptable proof of identification and acceptable proof of [residence] **domicile**.

Amend the bill by deleting section 60 and renumbering the original sections 61-66 to read as 60-65, respectively.

Senator Eaton moved adoption.

**Adopted.**

**July 8, 2003**

**2003-2306-EBA**

**08/09**

Enrolled Bill Amendment to HB 670-FN

The Committee on Enrolled Bills to which was referred HB 670-FN

AN ACT establishing a procedure for release by a state agency of statistical information for research purposes and relative to health care data.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 670-FN

This enrolled bill amendment inserts a section to integrate amendments made to RSA 420-G:11, II by section 3 of this bill and by 2003, 145:3 (HB 533).

Enrolled Bill Amendment to HB 670-FN

Amend the bill by replacing all after section 6 with the following:

7 Information Disclosure to Child Support Enforcement Services. RSA 420-G:11, II is repealed and reenacted to read as follows:

II.(a) All health carriers shall electronically provide:

(1) Their encrypted claims data to the department and to the department of health and human services in accordance with rules approved by the commissioner of health and human services and adopted by the insurance commissioner under RSA 420-G:14.

(2) To the department of health and human services, cross-matched claims data on requested policyholders, and subscriber information necessary for third party liability for benefits provided under RSA 167, filed in accordance with rules adopted under RSA 167:3-c.

(b) Notwithstanding RSA 91-A:10, the collection, storage and release of health care data and statistical information that is subject to the federal requirements of the Health Information Privacy and Accountability Act (HIPAA) shall be governed exclusively by the rules adopted thereunder in 45 CFR Parts 160 and 164.

(c) To the department of health and human services, cross-matched claims data on requested policyholders, and subscriber information necessary to enforce medical child support orders administered by the office of child support enforcement services under RSA 161-C:3-b and RSA 161-C:3-e.

8 Effective Date.

I. Section 7 of this act shall take effect August 16, 2003 at 12:01 a.m.

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

Senator Eaton moved adoption.

**Adopted.**



**July 9, 2003**  
**2003-2307-EBA**  
**05/01**

Enrolled Bill Amendment to HB 671-FN-A

The Committee on Enrolled Bills to which was referred HB 671-FN-A

AN ACT establishing a contributory defined benefit judicial retirement plan.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 671-FN-A

This enrolled bill amendment makes a technical change.

Enrolled Bill Amendment to HB 671-FN-A

Amend RSA 100-C:1, XX as inserted by section 1 of the bill by replacing line 1 with the following:

XX. "Terminal funding" means providing the full present value of the total liability for

Senator Eaton moved adoption.

**Adopted.**

**July 10, 2003**  
**2003-2314-EBA**  
**10/09**

Enrolled Bill Amendment to HB 796-FN-LOCAL

The Committee on Enrolled Bills to which was referred HB 796-FN-LOCAL

AN ACT relative to the taxation of manufactured housing and relative to notice required prior to the sale of a recreational campground.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 796-FN-LOCAL

This enrolled bill amendment makes certain changes in section 8 of the bill to clarify the meaning of RSA 216-I:16, I.

Enrolled Bill Amendment to HB 796-FN-LOCAL

Amend RSA 216-I:16, I as inserted by section 8 of the bill by replacing lines 3-5 with the following:

owner in the recreational campground of a recreational trailer, as defined in RSA 216-I:1, VIII(c), who pays property taxes to the municipality in which the recreational campground is located and to each owner of a manufactured home who pays property taxes to the municipality for a home used seasonally in the recreational

Senator Eaton moved adoption.

**Adopted.**

**July 7, 2003**  
**2003-2305-EBA**  
**05/09**

Enrolled Bill Amendment to HB 798

The Committee on Enrolled Bills to which was referred HB 798

AN ACT relative to gifts by fiduciaries.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 798

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 798

Amend RSA 506:6, V(b) as inserted by section 3 of the bill by replacing line 1 with the following:

***(b) No attorney in fact may make a gift to himself or herself of property belonging***

Senator Eaton moved adoption.

**Adopted.**

**July 2, 2003  
2003-2297-EBA  
08/10**

Enrolled Bill Amendment to HB 817

The Committee on Enrolled Bills to which was referred HB 817

AN ACT relative to the regulation of first and second mortgage brokers and mortgage servicers.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 817

This enrolled bill amendment incorporates amendments to RSA sections made by SB 121-FN of the 2003 session and 2003, 166:2 (SB 181) and makes various technical corrections.

Enrolled Bill Amendment to HB 817

Amend RSA 397-A:5, II (c) as inserted by section 4 of the bill by replacing line 18 with the following:

***brings suit naming the principal within 6 years after the act upon which the recovery or***

Amend RSA 397-A:5, III as inserted by section 4 of the bill by replacing line 16 with the following:

***(a) The plaintiff, who may be the attorney general in a suit, action, or***

Amend RSA 397-A:5, III as inserted by section 4 of the bill by replacing lines 19 and 20 with the following:

***on file with the commissioner; and***

***(b) The plaintiff's affidavit of compliance with this paragraph is filed in the***

Amend RSA 397-A:12, VII as inserted by section 9 of the bill by replacing line 2 with the following:

representatives of such person shall make freely available to the commissioner or his or her examiners, the

Amend RSA 397-A:12, IX as inserted by section 9 of the bill by replacing line 4 with the following:

hearing and issuance of his or her order thereon. If no such closed hearing has been requested or held, the

Amend section 10 of the bill by replacing lines 1 – 7 with the following:

10 Annual Report; Financial Statement Added. Amend RSA 397-A:13, II - IV to read as follows:

Amend RSA 397-A:17, II as inserted by section 13 of the bill by replacing line 1 with the following:

II. The banking department may, upon due notice and opportunity for a hearing, suspend

Amend RSA 397-A:21, V as inserted by section 17 of the bill by replacing line 13 with the following:

***know, and in the exercise of reasonable care could not have known, of the existence of facts***

Amend RSA 397-B:4, I as inserted by section 23 of the bill by replacing line 6 with the following:

on a form prescribed by the [bank] commissioner and paying a renewal registration fee of \$50, on or

Amend RSA 397-B:4, II as inserted by section 23 of the bill by replacing line 16 with the following:

**(a) The plaintiff, who may be the attorney general in a suit, action, or**

Amend RSA 397-B:4, II as inserted by section 23 of the bill by replacing lines 19 and 20 with the following:  
**on file with the commissioner; and**

**(b) The plaintiff's affidavit of compliance with this paragraph is filed in the**

Amend RSA 397-B:6, V as inserted by section 24 of the bill by replacing line 13 with the following:

**know, and in the exercise of reasonable care could not have known, of the existence of facts**

Amend RSA 397-B:8, I as inserted by section 25 of the bill by replacing line 6 with the following:

to such effect. The [bank] commissioner shall adopt rules in accordance with RSA 541-A relative to

Amend RSA 398-A:1-a, II as inserted by section 30 of the bill by replacing line 2 with the following:

by the [bank] commissioner.

Amend RSA 398-A:1-a, IV(b) as inserted by section 30 of the bill by replacing line 3 with the following:  
under this chapter[-]; and [that]

Amend RSA 398-A:7-a, V as inserted by section 36 of the bill by replacing line 13 with the following:

**know, and in the exercise of reasonable care could not have known, of the existence of facts**

Amend RSA 398-A:14, III as inserted by section 38 of the bill by replacing line 2 with the following:

provides the commissioner with:

Amend the bill by replacing all after section 40 with the following:

41 Revocation; SB 181 Amendment. Amend RSA 398-A:1-b, I(b) to read as follows:

(b) Does not meet the standards established in RSA 398-A:1-a, IV[-: ~~The licensee shall have a right of appeal to the board of trust company incorporation~~];

42 Nullification of SB 181 Amendment. RSA 398-A:1-b as inserted by 2003, 166:2 (SB 181) shall not take effect.

43 Contingent Amendment; SB 121; New Paragraph; Definition. Amend RSA 398-A:1 by inserting after paragraph V the following new paragraph:

V-a. "Originator" means an individual who is employed or retained and supervised by a mortgage lender or broker required to be licensed under RSA 397-A or 398-A, and who, for compensation or gain or in the expectation of compensation or gain, negotiates, solicits, arranges, or finds a mortgage loan. No individual may act as an originator for more than one licensee.

44 Contingent Amendment; SB 121. RSA 398-A:1-a, II is repealed and reenacted to read as follows:

II. The application for such license shall be in writing, under oath and in the form prescribed by the commissioner. Each applicant shall provide a list of all individuals, and the address of the work location of each such individual, who will act as originators for the licensee.

45 Contingent Amendment; SB 121. RSA 398-A:1-e, I is repealed and reenacted to read as follows:

I. Each licensee shall file with the commissioner on or before February 1 of each year a report under oath concerning the business and operations for the preceding calendar year ending December 31 in the form prescribed by the commissioner. The annual report shall include a list of all individuals, and the address of the work location of each such individual, who act as originators for the licensee. The commissioner shall publish an analysis of the information required under this section as a part of his or her annual report. Any licensee failing to file the report required by this section within the time prescribed shall pay to the commissioner the sum of \$25 for each calendar day the report is overdue.

46 Contingency. If SB 121-FN of the 2003 session becomes law, then sections 43 –45 of this act shall take effect at 12:01 a.m. on the effective date of sections 1-40 of this act. If SB 121-FN of the 2003 session does not become law, then sections 42 – 45 of this act shall not take effect.

47 Effective Date.

I. Sections 43 - 45 of this act shall take effect as provided in section 46.

II. Section 41 of this act shall take effect January 1, 2004.

III. The remainder of this act shall take effect 30 days after its passage.

Senator Eaton moved adoption.

**Adopted.**

**June 27, 2003**  
**2003-2279-EBA**  
**04/09**

Enrolled Bill Amendment to HB 248

The Committee on Enrolled Bills to which was referred HB 248

AN ACT requiring the disclosure of information to victims in juvenile delinquency cases.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 248

This enrolled bill amendment corrects the numbering of subparagraphs in RSA 169-B:34, III.

Enrolled Bill Amendment to HB 248

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

III. ~~[(a)]~~ At any time after the ~~[arrest]~~ ***diversion or arraignment*** of a juvenile ~~[or the service of a juvenile petition]~~, the following information regarding the juvenile ~~[may]~~ ***shall*** be disclosed to the victim, ***and may be disclosed to the victim's immediate family***, upon the ~~[victim's]~~ request ***of the victim or the victim's immediate family***, by a law enforcement agency or the prosecution:

~~[(1)]~~ ***(a)*** Name.

~~[(2)]~~ ***(b)*** Age.

~~[(3)]~~ ***(c)*** Address.

~~[(4)]~~ ***(d)*** Gender.

~~[(5)]~~ ***(e)*** Offense charged.

~~[(6)]~~ ***(f)*** Custody status.

(g) Adjudicatory status and disposition.

~~[(b) The information under subparagraph (a) shall not be unreasonably withheld.]~~

Senator Eaton moved adoption.

**Adopted.**

**July 1, 2003**  
**2003-2288-EBA**  
**05/09**

Enrolled Bill Amendment to HB 336-LOCAL

The Committee on Enrolled Bills to which was referred HB 336-LOCAL

AN ACT relative to the development and adoption of the school administrative unit budget.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 336-LOCAL

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 336-LOCAL

Amend RSA 194-C:9-b, I(a) as inserted by section 2 of the act by replacing lines 11-16 with the following:

"Shall the voters of \_\_\_\_\_ (name of town) \_\_\_\_\_ adopt a school administrative unit budget of \$\_\_\_\_\_ for the forthcoming fiscal year in which \$\_\_\_\_\_ is assigned to the school budget of this school district?

This year's adjusted budget of \$\_\_\_\_\_, with \$\_\_\_\_\_ assigned to the school budget of this town, will be adopted if the article does not receive the weighted majority vote of the school district voters in this school administrative unit."

Senator Eaton moved adoption.

**Adopted.**

**July 1, 2003**  
**2003-2289-EBA**  
**08/01**

Enrolled Bill Amendment to HB 387-FN

The Committee on Enrolled Bills to which was referred HB 387-FN

AN ACT allowing free day-use admission to the state park system for certain active and retired members of the New Hampshire national guard.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 387-FN

This enrolled bill amendment makes a technical change to reconcile statute changes made by previously enacted legislation.

Enrolled Bill Amendment to HB 387-FN

Amend section 1 of the bill by replacing lines 2-4 with the following:

New Hampshire National Guard. Amend RSA 216-A:3-g by inserting after paragraph IV the following new paragraph:

V.(a) Any active member of a federally recognized unit of the New Hampshire national

Senator Eaton moved adoption.

**Adopted.**

**June 30, 2003**  
**2003-2281-EBA**  
**08/10**

Enrolled Bill Amendment to HB 577-FN-A-LOCAL

The Committee on Enrolled Bills to which was referred HB 577-FN-A-LOCAL

AN ACT relative to implementing the Help America Vote Act of 2002 and relative to use of government property for electioneering.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 577-FN-A-LOCAL

This enrolled bill amendment changes the title of the bill to accurately reflect its contents.

Enrolled Bill Amendment to HB 577-FN-A-LOCAL

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

AN ACT relative to implementing the Help America Vote Act of 2002.

Senator Eaton moved adoption.

**Adopted.**

**June 30, 2003**  
**2003-2285-EBA**  
**05/09**

Enrolled Bill Amendment to HB 669-FN

The Committee on Enrolled Bills to which was referred HB 669-FN

AN ACT relative to dental insurance benefits and eligibility for medical benefits for retired state employees.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 669-FN

This enrolled bill amendment corrects the title of the bill to reflect its contents.

Enrolled Bill Amendment to HB 669-FN

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

AN ACT relative to eligibility for medical benefits for retired state employees.

Senator Eaton moved adoption.

**Adopted.**

**June 30, 2003**  
**2003-2286-EBA**  
**05/10**

Enrolled Bill Amendment to HB 606

The Committee on Enrolled Bills to which was referred HB 606

AN ACT establishing a right-to-know study commission and relative to meetings open to the public.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 606

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 606

Amend paragraph II of section 3 of the bill by replacing line 2 with the following:

attending to the duties of the commission.

Amend RSA 91-A:2, I(d) as inserted by section 7 of the bill by replacing it with the following:

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

Senator Eaton moved adoption.

**Adopted.**

**July 7, 2003**  
**2003-2304-EBA**  
**06/01**

Enrolled Bill Amendment to SB 41-FN

The Committee on Enrolled Bills to which was referred SB 41-FN

AN ACT relative to the installation of airbags.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.



## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 41-FN

This enrolled bill amendment makes a technical correction to the amending language of the bill.

Enrolled Bill Amendment to SB 41-FN

Amend section 1 of the bill by replacing line 2 with the following:

after section 11 the following new sections:

Senator Eaton moved adoption.

**Adopted.**

**July 9, 2003**

**2003-2308-EBA**

**04/01**

## Enrolled Bill Amendment to SB 54-FN-LOCAL

The Committee on Enrolled Bills to which was referred SB 54-FN-LOCAL

AN ACT relative to the local inventory of property values for assessment of property taxes, and relative to municipal property assessment certification goals of the department of revenue administration.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 54-FN-LOCAL

This enrolled bill amendment corrects a reference in a bill section heading and amends the title of the bill to reflect its contents.

Enrolled Bill Amendment to SB 54-FN-LOCAL

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

AN ACT relative to the local inventory of property values for assessment of property taxes, and relative to municipal property assessment certification guidelines of the department of revenue administration.

Amend section 2 of the bill by replacing line 1 with the following:

2 Inventory of Property; September 1 Deadline; Penalty Added. Amend RSA 21-J:34, I to read as

Senator Eaton moved adoption.

**Adopted.**

**July 10, 2003**

**2003-2315-EBA**

**03/09**

## Enrolled Bill Amendment to SB 72

The Committee on Enrolled Bills to which was referred SB 72

AN ACT relative to the regulation of small loans, title loans, and payday loans.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

## FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 72

This enrolled bill amendment makes various technical and grammatical corrections.

Enrolled Bill Amendment to SB 72

Amend RSA 399-A:1, IX as inserted by section 1 of the bill by replacing line 2 with the following:

may permit a borrower from time to time to obtain loans from the creditor as described in RSA 358-K:1,

Amend RSA 399-A:2, III as inserted by section 1 of the bill by replacing line 3 with the following:  
companies, savings or building and loan associations, or credit unions, or to loans made by them, nor

Amend RSA 399-A:3, I as inserted by section 1 of the bill by replacing line 6 with the following:  
principal officers; names of any branch managers; the trade name, if any, under which the applicant

Amend RSA 399-A:3, III as inserted by section 1 of the bill by replacing line 7 with the following:  
consent in connection with a previous application need not file another. When any person, including

Amend RSA 399-A:4, III as inserted by section 1 of the bill by replacing line 1 with the following:

III. Each license shall specify the name and address of the licensee and the location of the office

Amend RSA 399-A:4, VI as inserted by section 1 of the bill by replacing lines 2-3 with the following:

and regulations promulgated thereunder, including the Federal Truth in Lending Act, and the laws, orders, and rules of this state. Any violation of such law, rule, or order shall be a violation of

Amend RSA 399-A:6, I(b) as inserted by section 1 of the bill by replacing line 6 with the following:  
signed by a duly authorized officer of the licensee. The certification statement shall state that

Amend RSA 399-A:7, I(c) as inserted by section 1 of the bill by replacing line 1 with the following:

(c) Has made fraudulent misrepresentations, or has circumvented or concealed, through

Amend RSA 399-A:7, I(f) as inserted by section 1 of the bill by replacing line 2 with the following:  
jurisdiction from engaging in or continuing any conduct or practice involving any aspect of lending

Amend RSA 399-A:7, I(j) as inserted by section 1 of the bill by replacing it with the following:

(j) Should not be licensed for other good cause shown.

Amend RSA 399-A:11, VII(d) as inserted by section 1 of the bill by replacing line 3 with the following:  
waiver or limitation applies only to property subject to a security interest executed in connection with

Amend RSA 399-A:12, I as inserted by section 1 of the bill by replacing line 2 with the following:  
goods, or things of value upon such security not forbidden by RSA 399-A:11, VIII as may be agreed

Amend RSA 399-A:12, VI(e) as inserted by section 1 of the bill by replacing lines 2-3 with the following:  
lender of termination of such loan, and surrender to the lender of any checks or other device used to obtain  
credit: mark plainly every note, agreement, or assignment signed by an obligor, with the

Amend RSA 399-A:14 as inserted by section 1 of the bill by replacing lines 4-5 with the following:  
any fee charged to the lender by an unaffiliated financial institution for each dishonored check.

II. Make more than one outstanding loan that is secured by one title.

Amend RSA 399-A:18, III as inserted by section 1 of the bill by replacing line 3 with the following:  
suspension or revocation of any registration or license, or an administrative fine not to exceed

Amend RSA 399-A:18, IV as inserted by section 1 of the bill by replacing lines 3-4 with the following:  
suspension, revocation, or denial of any registration or license, including the forfeiture of any application fee,  
or an administrative fine not to exceed \$1,500 for each violation in lieu of or in addition

Amend RSA 399-A:18, V as inserted by section 1 of the bill by replacing line 3 with the following:  
by law, be subject to suspension, revocation, or denial of any registration or license, including

Amend RSA 399-A:18, VI as inserted by section 1 of the bill by replacing line 6 with the following:  
opportunity for hearing, and in addition to any other penalty provided for by law, be subject to

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

2 Application of Receipts; General Revenue Exceptions; Reference Changed. Amend RSA 6:12, I(b)(142) to read as follows:

(142) Moneys deposited in the consumer credit administration license fund under RSA [~~399-A:13~~] **399-A:5**.

Senator Eaton moved adoption.

**Adopted.**

**July 9, 2003**  
**2003-2311-EBA**  
**06/10**

Enrolled Bill Amendment to SB 227

The Committee on Enrolled Bills to which was referred SB 227

AN ACT relative to the board of occupational therapy, the board of respiratory care practice, the board of speech-language therapists, the board of athletic trainers practice, the board of physical therapy practice, and the board of directors of the office of licensed allied health professionals; relative to the board of podiatry; and relative to possession of prescription medication by licensed nurses.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 227

This enrolled bill amendment makes certain technical corrections to the bill.

Enrolled Bill Amendment to SB 227

Amend RSA 326-C:1, I as inserted by section 1 of the bill by replacing line 1 with the following:

I. "Board" means the occupational therapy governing board established in RSA [328-F:3] **328-F**.

Amend RSA 326-G:3 as inserted by section 4 of the bill by replacing line 3 with the following application of this chapter the practitioners of athletic training designated in RSA 326-G:2, III.

Amend RSA 328-A:2, I as inserted by section 5 of the bill by replacing line 1 with the following:

I. "Board" means the physical therapy governing board established in RSA [328-F:3, I] **328-F**.

Amend section 10 of the bill by replacing line 1 with the following:

10 Physical Therapy Practice. Amend the section heading of RSA 328-A:5 to read as follows:

Amend RSA 328-A:7, IV as inserted by section 20 of the bill by replacing line 6 with the following:

***applicant shall not retake the examination a fourth time unless:***

Amend section 25 of the bill by replacing line 1 with the following:

25 Physical Therapy Practice; Use of Titles. Amend the section heading of RSA 328-A:10 to read as

Amend section 26 of the bill by replacing line 1 with the following:

26 Physical Therapy Practice; Obligation of Licensees. Amend the section heading of RSA 328-A:11

Amend section 30 of the bill by replacing line 1 with the following:

30 Physical Therapy Practice; Rights of Consumers. Amend the section heading of RSA 328-A:15 to

Amend section 32 of the bill by replacing line 1 with the following:

32 Physical Therapy Practice; Reporting Violations; Rights of Consumers. Amend RSA 328-A:15, II

Amend RSA 328-F:2, V as inserted by section 37 of the bill by replacing line 2 with the following: defined in RSA [328-A:1, IX] **328-A:2, IX**.

Amend RSA 328-F:2, VI as inserted by section 37 of the bill by replacing line 2 with the following: RSA [326-G:1, V] **326-G:1, III**.

Amend section 45 of the bill by replacing line 1 with the following:

45 Board of Directors; Responsibilities. Amend RSA 328-F:12, IV to read as follows:

Amend RSA 328-F:18, II as inserted by section 49 of the bill by replacing line 2 with the following: reinstate any lapsed or suspended license, until the applicant has completed the application

Amend RSA 328-F:26 as inserted by section 56 of the bill by replacing line 5 with the following:

~~reduced to writing and combined with a hearing notice which complies with this chapter. A licensee~~

Amend RSA 318:42, XI as inserted by section 64 of the bill by replacing line 6 with the following:  
pharmacy board and~~[-in the course of such employment,]~~ from administering such preapproved  
Senator Eaton moved adoption.

**Adopted.**

**July 2, 2003**  
**2003-2299-EBA**  
**04/09**

**Enrolled Bill Amendment to SB 45**

The Committee on Enrolled Bills to which was referred SB 45

AN ACT relative to the adoption procedure, eligibility, and amounts of property tax exemptions and credits and the property tax deferral program.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

**FOR THE COMMITTEE**

**Explanation to Enrolled Bill Amendment to SB 45**

This enrolled bill amendment makes technical corrections.

**Enrolled Bill Amendment to SB 45**

Amend RSA 72:27-a, II as inserted by section 1 of the bill by replacing line 2 with the following:

of such exemption or credit, and the manner of its determination, as listed in paragraph I. The

Amend section 7 of the bill by replacing line 1 with the following:

7 Investigation of Application. Amend RSA 72:34, I to read as

Amend RSA 72:38-a, II-a as inserted by section 13 of the bill by replacing line 2 with the following:

with the selectmen or assessors, by March 1 following the date of notice of tax under RSA 72:1-d, a

Amend RSA 72:39-a, III as inserted by section 15 of the bill by replacing line 1 with the following:

III. Upon the death of an owner residing with a spouse pursuant to subparagraph II(b) or II(d),

Amend section 26 of the bill by replacing lines 1 and 2 with the following:

26 Contingent Amendment 2005; HB 806 Application for Exemptions or Tax Credits. The introductory paragraph of RSA 72:33, I is repealed and reenacted to read as follows:

Senator Eaton moved adoption.

**Adopted.**

**REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 81**, amending the effective date of HB 694-FN of the 2003 session.

**HB 608**, reducing the education property tax rate and relative to the calculation of adequate education grants.

**SB 23**, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces.

**SB 70**, establishing a commission to study implementing a recommendation of the New Hampshire estuaries project management plan.

**SB 130**, relative to county departments of corrections.

Senator D'Allesandro moved adoption.

**Adopted.**

**REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 173**, making technical corrections relative to the exception from the meals and rooms tax for gratuities.

**HB 175**, relative to membership of attorneys in the New Hampshire Bar Association and lobbying by the Bar Association.

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

**HB 198**, relative to the police powers of law enforcement officers called to respond to incidents in other jurisdictions and relative to the authority of the Maine marine patrol to perform certain law enforcement functions in the waters of New Hampshire.

**HB 204**, relative to venue in juvenile proceedings.

**HB 261**, relative to lucky 7 licenses.

**HB 287**, establishing a professional malpractice claims study commission and establishing a commission to identify medical errors and their causes.

**HB 288**, imposing a criminal penalty for the dissemination of certain materials without consent.

**HB 323**, relative to the task force on family law.

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

**HB 389**, relative to victim impact statements.

**HB 420**, relative to state-owned trails and parking lots in the town of Windham.

**HB 509**, relative to access to motor vehicle records.

**HB 558**, relative to financial reports on bingo and lucky 7 operations.

**HB 590**, relative to highway fund budget reporting requirements.

**HB 705**, establishing a committee to study the application of the communications services tax and continuing the property tax exemption for wooden poles and conduits.

**HB 709**, relative to nursing homes and other residential care facilities in receivership.

**HB 718**, relative to judicial proceedings for crimes committed by a minor which are not charged until after the minor reaches the age of majority and relative to the statute of limitations in cases involving destruction or falsification of evidence, witness tampering, or other unlawful conduct.

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

**SB 42**, relative to the insurance rebating laws.

**SB 62**, relative to the application and enforcement of the state building code and the membership of the state building code review board.

**SB 115**, increasing the fees for review of subdivisions and waste disposal systems by the department of environmental services and making an appropriation for implementing information technology and regulatory process improvements.

**SB 120**, relative to testimony by video teleconference in criminal cases.

**SB 134**, relative to the regulation of real estate brokers by the real estate commission.

**SB 154**, relative to landlord access to rental properties.

**SB 174**, relative to scheduled permanent impairment awards and remedial care under workers' compensation.

**SB 223**, relative to fees for copies of motor vehicle records, relative to the fire standards and training and emergency medical services fund, and relative to the fire standards and training and emergency medical services report and budget.

Senator D'Allesandro moved adoption.

**Adopted.**

**REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 248**, requiring the disclosure of information to victims in juvenile delinquency cases.

**HB 336**, relative to the development and adoption of the school administrative unit budget.

**HB 387**, allowing free day-use admission to the state park system for certain active and retired members of the New Hampshire national guard.

**HB 577**, relative to implementing the Help America Vote Act of 2002.

**HB 606**, establishing a right-to-know study commission and relative to meetings open to the public.

**HB 669**, relative to eligibility for medical benefits for retired state employees.

**SB 87**, changing the membership of the commission to study setback requirements for septage, biosolids, and short paper fibers, and extending the temporary use of septage, biosolids, and short paper fiber by certain persons.

Senator Green moved adoption.

**Adopted.**

**REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 79**, relative to the regulation of water treatment equipment installers by the plumber's board, and establishing a committee to study the regulation of the installation and servicing of fire detection and suppression systems and the licensure of water treatment technicians.

**HB 135**, relative to charter schools.

**HB 139**, relative to the collection and reporting of school drop-out, suspension, and expulsion data; relative to the deadlines for submitting certain reports to the department of education; and establishing a statewide education accountability system.

**HB 242**, relative to the number of members on, and quorum necessary for, the assessing standards board.

**HB 262**, relative to operators of bingo and games of chance.

**HB 303**, relative to life, accident, and health technicals and relative to minimum standards for claim review.

**HB 310**, establishing a commission to study child support and related child custody issues.

**HB 316**, relative to insurance coverage for anesthesia for child dental care.

**HB 357**, relative to child support insurance settlement intercept.

**HB 361**, permitting municipalities to form regional water districts.

**HB 415**, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors and relative to the exclusive authority of the state over the regulation of fire-arms, ammunition, and components thereof.

**HB 470**, relative to health insurance providers.

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

**HB 546**, relative to uniform prescription drug information cards.

**HB 615**, relative to the requirements for registration of sexual offenders and relative to certain acts of sexual assault.

**HB 619**, expanding opportunities for dropout prevention and dropout recovery.

**HB 627**, relative to domicile for voting purposes, penalties for voter fraud, and access to preserved ballots.

**HB 621**, extending the Parents as Teachers program in Sullivan county and making an appropriation therefor.



**HB 654**, relative to criminal liability for the destruction or disconnection of a smoke detector by a tenant in a rental dwelling.

**HB 670**, establishing a procedure for release by a state agency of statistical information for research purposes and relative to health care data.

**HB 671**, establishing a contributory defined benefit judicial retirement plan.

**HB 680**, establishing a committee to study service contracts and relative to prepaid legal services contracts.

**HB 702**, relative to payment of medical benefits costs for disabled group II members of the retirement system.

**HB 748**, making changes to the laws governing off highway recreational vehicles and the multi-use state-wide trail system and allowing the department of safety to suspend or revoke a motor vehicle drivers' license for causing certain serious damage to property.

**HB 751**, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants.

**HB 796**, relative to the taxation of manufactured housing and relative to notice required prior to the sale of a recreational campground.

**HB 798**, relative to gifts by fiduciaries.

**HB 817**, relative to the regulation of first and second mortgage brokers and mortgage servicers.

**SB 41**, relative to the installation of airbags.

**SB 44**, relative to penalties for vehicle dealers, relative to special number plates for certain veterans, and relative to the Conway Branch railroad line.

**SB 45**, relative to the adoption procedure, eligibility, and amounts of property tax exemptions and credits and the property tax deferral program.

**SB 54**, relative to the local inventory of property values for assessment of property taxes, and relative to municipal property assessment certification guidelines of the department of revenue administration.

**SB 60**, relative to voluntary certification of persons installing or servicing propane gas, natural gas, or heating oil equipment.

**SB 63**, relative to establishing community reinvestment and opportunity zones and granting business tax credits for investments in projects in such zones.

**SB 72**, relative to the regulation of small loans, title loans, and payday loans.

**SB 98**, prohibiting telemarketers from contacting customers on a federal do-not-call registry.

**SB 121**, relative to mortgage originators.

**SB 155**, establishing a commission to study issues relative to groundwater withdrawals.

**SB 212**, requiring fiscal impact statements for interim administrative rules, prohibiting agencies from requiring by rule the submission of social security numbers, and authorizing certain agencies to collect social security numbers.

**SB 227**, relative to the board of occupational therapy, the board of respiratory care practice, the board of speech-language therapists, the board of athletic trainers practice, the board of physical therapy practice, and the board of directors of the office of licensed allied health professionals; relative to the board of podiatry; and relative to possession of prescription medication by licensed nurses.

**SB 229**, changing the responsibility for administering the school building aid program and authorizing the Conway school district to hold a special meeting.

Senator Clegg moved adoption.

**Adopted.**

**In recess.**