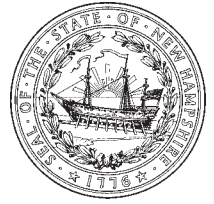


# STATE OF NEW HAMPSHIRE

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## SENATE JOURNAL 1



*January 7, 2004*

The Senate met at Noon.

A quorum was present.

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

*Gentle and genuine God, bless this noble and caring crowd of servants. Make them wise, brave, energetic, honest, humble, flexible, firm, grounded and transparently themselves. For, Lord, if You do that, what a year it will be!*  
*Amen.*

Senator Gallus led the Pledge of Allegiance.

### INTRODUCTION OF GUESTS INTRODUCTION OF SENATE BILLS

Senator Clegg offered the following Resolution:

RESOLVED that, in accordance with the list in the possession of the Senate Clerk, Senate legislation numbered from **SB 301-FN** to **SJR 2**, shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

**Adopted.**

### First and Second Reading and Referral

04-3032

**SB 301-FN**, relative to liquor licenses. (Eaton, Dist 10; Clegg, Dist 14; Gallus, Dist 1; Weyler, Rock 79; Francoeur, Rock 85: Judiciary)

04-3114

**SB 302-FN-LOCAL**, making technical corrections to the education funding formula. (Gatsas, Dist 16; Morse, Dist 22; O'Hearn, Dist 12; King, Coos 1: Finance)

04-3002

**SB 311**, relative to civil penalties for unlawful campaign practices. (Estabrook, Dist 21; Below, Dist 5; Cohen, Dist 24; D'Allesandro, Dist 20; Foster, Dist 13; Gallus, Dist 1; Green, Dist 6; Larsen, Dist 15; Sapareto, Dist 19; Dickinson, Carr 4; Drisko, Hills 46: Internal Affairs)

04-3003

**SB 312-FN**, establishing a state code of ethics. (Larsen, Dist 15; D'Allesandro, Dist 20; Cohen, Dist 24; Estabrook, Dist 21; Burling, Sull 19; Norelli, Rock 86; D. Eaton; Ches 24; Nordgren, Graf 17: Public Affairs)

04-3004

**SB 313-FN**, relative to unsolicited commercial electronic mail. (Cohen, Dist 24; Sapareto, Dist 19: Internal Affairs)

04-3006

**SB 314**, relative to access to medical records. (Sapareto, Dist 19: Insurance)

04-3007

**SB 315**, establishing a committee to study cyber security. (Sapareto, Dist 19; Morris, Rock 84: Internal Affairs)

04-3008

**SB 316**, relative to the payment of salaried employees. (Sapareto, Dist 19: Insurance)

04-3144

**SB 317**, relative to registration of pesticide applicators and rules of the pesticide control board. (Below, Dist 5; Johnson, Dist 2; Odell, Dist 8: Environment)

04-3012

**SB 318**, relative to the applicability of driving while intoxicated prohibitions. (Sapareto, Dist 19; Morris, Rock 84: Judiciary)

04-3013

**SB 319-FN-LOCAL**, relative to the New Hampshire state flag. (Barnes, Dist 17; Sapareto, Dist 19; R. L'Heureux, Hills 58: Internal Affairs)

04-3014

**SB 320-FN**, relative to penalties for damaging emergency vehicles. (Cohen, Dist 24; Bridle, Rock 85: Transportation)

04-3015

**SB 321**, relative to the certification of pharmacy technicians by the board of pharmacy. (Cohen, Dist 24: Executive Departments and Administration)

04-3017

**SB 322-FN**, relative to payment of medical benefits costs for disabled group II members of the retirement system. (Larsen, Dist 15; Pepino, Hills 51; DeJoie, Merr 39: Insurance)

04-3018

**SB 323-LOCAL**, relative to the age groups under the elderly property tax exemption. (Barnes, Dist 17; Flanagan, Rock 78: Ways and Means)

04-3019

**SB 324-FN-A-LOCAL**, relative to the calculation of the commissioner's warrant for the statewide enhanced education tax to be raised by a municipality. (Clegg, Dist 14; Packard, Rock 75; Carson, Rock 75; Introne, Rock 75; Headd, Rock 75; McKinney, Rock 75: Ways and Means)

04-3020

**SB 325-FN-LOCAL**, relative to penalties for a false report to a law enforcement officer. (Boyce, Dist 4; Giuda, Graf 13: Judiciary)

04-3021

**SB 326-FN**, relative to contributions by political subdivision employers for certain employee service, and repealing certain retirement system provisions permitting additional contributions by members. (Flanders, Dist 7; Zolla, Rock 77: Insurance)

04-3023

**SB 327**, relative to the scope of the administrative review or hearing following suspension or revocation. (Flanders, Dist 7; Tholl, Coos 2: Judiciary)

04-3024

**SB 328**, relative to preservation of breath samples. (Flanders, Dist 7; Tholl, Coos 2: Judiciary)

04-3026

**SB 329-FN**, relative to the recovery by the retirement system of the overpayment of benefit amounts. (Flanders, Dist 7; Zolla, Rock 77: Insurance)

04-3027

**SB 330-FN**, relative to creditable service of retirement system members reemployed after qualifying military service. (Flanders, Dist 7; Zolla, Rock 77: Insurance)

04-3028

**SB 331-FN**, relative to the offset of workers' compensation lump sum payments against retirement system disability allowances and death benefits. (Flanders, Dist 7; Zolla, Rock 77: Insurance)

04-3029

**SB 332-FN**, relative to tolls for disabled veterans. (O'Hearn, Dist 12; Kenney, Dist 3; Barnes, Dist 17; Flanders, Dist 7; Johnson, Dist 2; Gallus, Dist 1; Below, Dist 5; Green, Dist 6; Odell, Dist 8; Roberge, Dist 9; Foster, Dist 13; Clegg, Dist 14; Larsen, Dist 15; Gatsas, Dist 16; Martel, Dist 18; Sapareto, Dist 19; D'Allesandro, Dist 20; Estabrook, Dist 21; Morse, Dist 22; Cohen, Dist 24: Transportation)

04-3030

**SB 333-FN**, establishing a unique pupil identification system. (O'Hearn, Dist 12; Odell, Dist 8; Peterson, Dist 11; Carson, Rock 75; Scovner, Graf 17; Naro, Graf 15: Education)

04-3031

**SB 334**, relative to the dredging of Hampton-Seabrook harbor. (Prescott, Dist 23; Cohen, Dist 24; Weare, Rock 84; McCann, Rock 84; O'Neil, Rock 85; Francoeur, Rock 85: Capital Budget)

04-3033

**SB 335**, relative to access to birth records. (D'Allesandro, Dist 20: Public Institutions, Health and Human Services)

04-3034

**SB 336-LOCAL**, relative to certain costs in the development of a high school in the town of Bedford. (Roberge, Dist 9; Hawkins, Hills 57; Graham, Hills 57: Public Affairs)

04-3035

**SB 337**, relative to the regulation of traps by the fish and game department and relative to the liability of trappers for certain injuries to domestic animals. (Gallus, Dist 1; Prescott, Dist 23; Woodward, Coos 3; Theberge, Coos 3; Brady, Coos 2; Russell, Belk 31; Stone, Rock 73: Wildlife and Recreation)

04-3036

**SB 338-FN**, relative to the purchase of prior service credit by certain political subdivision employee members. (Roberge, Dist 9: Insurance)

04-3037

**SB 339-FN**, relative to the involuntary commitment of certain persons found not competent to stand trial for certain criminal offenses. (Peterson, Dist 11: Judiciary)

04-3038

**SB 340**, repealing the restriction on the fish and game department related to release of information on fish stocking. (Gallus, Dist 1; Green, Dist 6; Martel, Dist 18; Roberge, Dist 9; H. Richardson, Coos 2; S. Eaton, Graf 9; D. Fields, Hills 58: Wildlife and Recreation)

04-3039

**SB 341-FN**, relative to prohibited methods of taking wildlife in certain fish and game laws. (Gallus, Dist 1; Odell, Dist 8; Morse, Dist 22; Kenney, Dist 3; Boyce, Dist 4; Stohl, Coos 1; Woodward, Coos 3; Brady, Coos 2; Russell, Belk 31; Guay, Coos 2: Wildlife and Recreation)

04-3040

**SB 342-FN**, relative to payment of utility assessments and relative to regulation of electric generation companies. (Odell, Dist 8; Below, Dist 5; Kurk, Hills 48; Thomas, Belk 31: Energy and Economic Development)

04-3041

**SB 343**, relative to landowner permission for OHRV operation and relative to loading and unloading OHRVs on highways. (Odell, Dist 8; Gallus, Dist 1; Flanders, Dist 7; Royce, Ches 28; Alger, Graf 14: Wildlife and Recreation)

04-3042

**SB 344**, relative to the use of gifts and donations to the fish and game department and relative to off highway recreational vehicle fees. (Odell, Dist 8; Gallus, Dist 1; Flanders, Dist 7; Royce, Ches 28; Alger, Graf 14: Wildlife and Recreation)

04-3044

**SB 345**, exempting payroll accounts from trustee process. (Gallus, Dist 1; Odell, Dist 8; Sapareto, Dist 19; Morse, Dist 22; Green, Dist 6; Rausch, Rock 77; Russell, Belk 31; Weyler, Rock 79; Zolla, Rock 77: Banks)

04-3045

**SB 346**, relative to prohibiting the operation of snowmobiles on open water. (Flanders, Dist 7; Odell, Dist 8; Johnson, Dist 2; Royce, Ches 28: Wildlife and Recreation)

04-3046

**SB 347-FN**, relative to financial responsibility and conduct after an OHRV accident. (Flanders, Dist 7; Odell, Dist 8; Royce, Ches 28: Transportation)

04-3047

**SB 348**, relative to prohibited practices of owners or operators of manufactured housing parks. (Flanders, Dist 7; Barnes, Dist 17; Letourneau, Rock 77; Russell, Belk 31: Public Affairs)

04-0348

**SB 349**, relative to criteria for trail construction on state-owned property for all-terrain vehicles and trail bikes. (Flanders, Dist 7; Gallus, Dist 1; Alger, Graf 14; Royce, Ches 28: Transportation)

04-3051

**SB 350**, relative to access by the legislative budget assistant to confidential information maintained by the department of revenue administration. (Barnes, Dist 17; Green, Dist 6; Larsen, Dist 15; Clegg, Dist 14; Estabrook, Dist 21; M. Smith, Straf 72; Francoeur, Rock 85; Emerton, Hills 48; Weyler, Rock 79: Executive Departments and Administration)

04-3052

**SB 351-FN**, relative to concurrent enrollment at regional vocational education centers. (O'Hearn, Dist 12; S. L'Heureux, Merr 37: Education)

04-3053

**SB 352-FN-LOCAL**, relative to computing school building aid grant amounts. (O'Hearn, Dist 12; Alger, Graf 14: Education)

04-3054

**SB 353-FN**, relative to the regulation and servicing of fire sprinkler systems. (Prescott, Dist 23: Public Affairs)

04-3055

**SB 354**, relative to the regulation and servicing of fire alarm and detection systems. (Prescott, Dist 23: Public Affairs)

04-3056

**SB 355**, relative to the regulation and servicing of portable fire extinguishers and fixed fire extinguishing systems. (Prescott, Dist 23: Public Affairs)

04-3057

**SB 356**, relative to the authority of the community development finance authority. (Green, Dist 6: Energy and Economic Development)

04-3058

**SB 357**, authorizing municipalities to adopt quarterly billing of taxes. (Odell, Dist 8; Gallus, Dist 1; Gould, Rock 77; Theberge, Coos 3: Ways and Means)

04-3059

**SB 358**, relative to incompatibility of municipal offices. (Odell, Dist 8; Jones, Sull 19; Rodeschin, Sull 20; Leone, Sull 21: Internal Affairs)

04-3060

**SB 359**, relative to construction of buildings on certain pre-existing streets. (Green, Dist 6: Public Affairs)

04-3061

**SB 360**, requiring written notification concerning certain offenders against children. (Foster, Dist 13: Judiciary)

04-3062

**SB 361-FN-A**, relative to fees of the postsecondary education commission for preserving certain academic records and relative to the responsibilities of the postsecondary education commission. (Green, Dist 6; O'Hearn, Dist 12; D'Allesandro, Dist 20: Finance)

04-3063

**SB 362**, changing the name of the college for lifelong learning to Granite state college. (Green, Dist 6; O'Hearn, Dist. 12; Gallus, Dist 1; D'Allesandro, Dist 20; Larsen, Dist 15; S. L'Heureux, Merr 37; King, Coos 1; Densmore, Graf 10; Gilman, Graf 9: Executive Departments and Administration)

04-3068

**SB 363**, relative to notification of cancellation of insurance coverage. (Cohen, Dist 24: Insurance)

04-3069

**SB 364**, increasing the penalties for littering. (Sapareto, Dist 19; Morse, Dist 22; Martel, Dist 18; Barnes, Dist 17; Morris, Rock 84: Public Affairs)

04-3070

**SB 365-FN**, requiring courts to use gender neutral terms in documents used in divorce and custody proceedings. (Sapareto, Dist 19; Bickford, Straf 68: Judiciary)

04-3072

**SB 366-FN**, relative to the Interstate Insurance Product Compact. (Flanders, Dist 7; Hunt, Ches 28; Francoeur, Rock 85: Insurance)

04-3073

**SB 367**, relative to the New Hampshire Insurance Guaranty Association Act. (Flanders, Dist 7; Hunt, Ches 28: Insurance)

04-3074

**SB 368**, relative to reinsurance. (Flanders, Dist 7; Hunt, Ches 28: Insurance)

04-3075

**SB 369**, relative to examinations of insurance companies by the insurance department. (Flanders, Dist 7; Hunt, Ches 28: Insurance)

04-3076

**SB 370**, relative to the insurance rating law. (Flanders, Dist 7; Hunt, Ches 28: Insurance)

04-3077

**SB 371**, relative to certain technical changes in the insurance laws. (Flanders, Dist 7; Hunt, Ches 28: Insurance)

04-3078

**SB 372**, relative to the definition of necessary shelter for dogs. (Roberge, Dist 9: Wildlife and Recreation)

04-3079

**SB 373**, relative to the disposal of mercury-added products. (Cohen, Dist 24; Phinizy, Sull 23: Interstate Cooperation)

04-3080

**SB 374**, relative to emissions requirements for municipal waste combustion units. (Cohen, Dist 24; Phinizy, Sull 23: Energy and Economic Development)

04-3081

**SB 375**, relative to the regulation of physician assistants. (D'Allesandro, Dist 20: Public Institutions, Health and Human Services)

04-3082

**SB 376-FN-A**, making an appropriation to the department of health and human services for mental health services. (D'Allesandro, Dist 20; Martel, Dist 18; Clegg, Dist 14; Gatsas, Dist 16; Emerton, Hills 48: Finance)

04-3084

**SB 377**, relative to damage to land by certain recreational uses. (Johnson, Dist 2; Royce, Ches 28; Alger, Graf 14: Wildlife and Recreation)

04-3085

**SB 378-FN-LOCAL**, relative to property tax procedures and contingency funds of village districts. (Johnson, Dist 2; Philbrick, Carr 5: Ways and Means)

04-3089

**SB 379**, relative to safety inspection and certification of certain equipment of vehicles. (Clegg, Dist 14; D'Allesandro, Dist 20; Barnes, Dist 17; Morse, Dist 22; Gallus, Dist 1; Packard, Rock 75; E. Smith, Ches 26; Letourneau, Rock 77; Ferland, Sull 23; C. Bouchard, Merr 39: Transportation)

04-3090

**SB 380**, establishing a statewide incident command system. (Clegg, Dist 14; D'Allesandro, Dist 20; Barnes, Dist 17; Foster, Dist 13; Welch, Rock 79; Tholl, Coos 2: Executive Departments and Administration)

04-3092

**SB 381**, relative to the transfer of certain capital appropriations within the department of safety. (Clegg, Dist 14; D'Allesandro, Dist 20; Morse, Dist 22; Welch, Rock 79; Kennedy, Merr 34: Capital Budget)

04-3094

**SB 382-FN-LOCAL**, relative to medical service rates for state prisoners. (Clegg, Dist 14; Flanders, Dist 7; Boyce, Dist 4; Johnson, Dist 2; O'Hearn, Dist 12; Kurk, Hills 48; Weyler, Rock 79; Rogers Johnson, Rock 83: Public Institutions, Health and Human Services)

04-3095

**SB 383-FN**, relative to pharmacy benefit management. (Clegg, Dist 14: Public Institutions, Health and Human Services)

04-3096

**SB 384-FN**, relative to drugs paid for by the state. (Clegg, Dist 14; Green, Dist 6; Boyce, Dist 4; Martel, Dist 18; Prescott, Dist 23; Batula, Hills 58; Emerton, Hills 48; Rogers Johnson, Rock 83: Public Institutions, Health and Human Services)

04-3098

**SB 385**, relative to challengers appointed by party committee. (Roberge, Dist 9: Internal Affairs)

04-3099

**SB 386**, relative to the guardian ad litem board and providing for certification of guardians ad litem. (Foster, Dist 13; Bickford, Straf 68: Judiciary)

04-3101

**SB 387-FN**, relative to the taxation of manufactured housing. (Morse, Dist 22: Public Affairs)

04-3102

**SB 388-FN**, relative to proof of successful completion of an impaired driver intervention program. (Flanders, Dist 7; Clegg, Dist 14; Almy, Graf 18; Tholl, Coos 2: Judiciary)

04-3103

**SB 389**, relative to health carrier and provider contract disputes. (Flanders, Dist 7; Estabrook, Dist 21; Johnson, Dist 2: Insurance)

04-3104

**SB 390**, relative to liability of third person under workers' compensation. (Flanders, Dist 7; Clegg, Dist 14; Gilman, Graf 9: Insurance)

04-3105

**SB 391**, relative to bond votes in municipalities using chartered official ballot voting procedures. (Clegg, Dist 14; Martel, Dist 18; Flanders, Dist 7; Packard, Rock 75; Carson, Rock 75; Introne, Rock 75: Internal Affairs)

04-3107

**SB 392**, relative to criminal responsibility for certain offenses committed by persons 13 years of age or older. (Foster, Dist 13; Estabrook, Dist 21; Knowles, Straf 69: Judiciary)

04-3109

**SB 393**, establishing a commission to study the appointment of a drug czar as a means of curtailing illegal drug use in the state. (Martel, Dist 18; Batula, Hills 58; MacKay, Merr 39: Executive Departments and Administration)

04-3112

**SB 394-FN**, relative to children's product safety. (Martel, Dist 18: Interstate Cooperation)

04-3113

**SB 395**, relative to wireless communications equipment insurance. (Clegg, Dist 14; Green, Dist 6; Odell, Dist 8; Flanders, Dist 7; Giuda, Graf 13; Gilman, Graf 9; Letourneau, Rock 77: Insurance)

04-3115

**SB 396-FN**, relative to farm tractor registrations. (Johnson, Dist 2; Alger, Graf 14: Transportation)

04-3116

**SB 397**, requiring the department of environmental services to adopt certain rules and to opt out of the reformulated gasoline program. (Prescott, Dist 23; Barnes, Dist 17; Kenney, Dist 3; Johnson, Dist 2; Green, Dist 6; Dodge, Rock 80; Dickinson, Carr 4; Letourneau, Rock 77: Environment)

04-3145

**SB 398**, relative to residency requirements for Medicaid recipients in nursing homes. (Clegg, Dist 14: Public Institutions, Health and Human Services)

04-3118

**SB 399-FN**, relative to the sale of animals. (Roberge, Dist 9; Johnson, Dist 2; Morse, Dist 22; Rausch, Rock 77: Wildlife and Recreation)



04-3119

**SB 400**, relative to real estate appraisals conducted for mortgage loan applicants. (D'Allesandro, Dist 20; Emerton, Hills 48: Public Affairs)

04-3120

**SB 401-FN**, relative to funeral processions using the New Hampshire turnpike system. (D'Allesandro, Dist 20; Emerton Hills 48: Transportation)

04-3121

**SB 402**, relative to an optional retirement annuity benefit for members of the Manchester retirement system. (D'Allesandro, Dist 20; Martel, Dist 18: Insurance)

04-3122

**SB 403**, relative to the board of medicine. (D'Allesandro, Dist 20: Executive Departments and Administration)

04-3124

**SB 404**, establishing a committee to study the feasibility of providing statewide access to "Newsline for the Blind." (D'Allesandro, Dist 20: Public Institutions, Health and Human Services)

04-3125

**SB 405-FN**, relative to standards for comprehensive physical rehabilitation service areas. (Green, Dist 6; Kenney, Dist 3; Estabrook, Dist 21; Johnson, Dist 2; Gallus, Dist 1; Wall, Straf 72; Kathleen Taylor, Straf 70: Public Institutions, Health and Human Services)

04-3126

**SB 406**, relative to adoption procedures. (Peterson, Dist 11; Foster, Dist 13; McRae, Hills 48: Judiciary)

04-3127

**SB 407-FN-LOCAL**, relative to default budgets. (Roberge, Dist 9; Barnes, Dist 17; Boyce, Dist 4; Prescott, Dist 23; N. Johnson, Straf 68: Public Affairs)

04-3128

**SB 408**, relative to a civil liability exemption for claims resulting from weight gain and obesity. (Odell, Dist 8; Roberge, Dist 9; Foster, Dist 13; Brady, Coos 2; Spiess, Hills 47; Liebl, Ches 27: Judiciary)

04-3131

**SB 409-FN**, revising the vocational school licensing statutes. (Peterson, Dist 11: Executive Departments and Administration)

04-3133

**SB 411-FN-LOCAL**, relative to liability for special education transportation costs. (O'Hearn, Dist 12; Green, Dist 6; Johnson, Dist 2; Larsen, Dist 15; Alger, Graf 14; Carson, Rock 75: Finance)

04-3135

**SB 412**, extending a public trust grant for the Gunstock Area ski resort's snowmaking. (Johnson, Dist 2; Pilliod, Belk 31; Fitzgerald, Belk 30; Boyce, Belk 31: Environment)

04-3137

**SB 413-FN**, relative to financing federally aided highway projects. (Morse, Dist 22; Clegg, Dist 14; Johnson, Dist 2; Gatsas, Dist 16; Sapareto, Dist 19; Rausch, Rock 77; Graham, Hills 57: Transportation)

04-3138

**SB 414-FN**, clarifying the laws relative to municipal impact fees, off-site exactions, vesting of development rights, and waiver of subdivision regulations. (Green, Dist 6; Clegg, Dist 14; Foster Dist 13; Patten, Carr 7; Gillick, Rock 85; Osborne, Merr 40: Public Affairs)

04-3139

**SB 415-FN**, continuing and expanding to all counties the Grafton county court pilot project relative to abuse and neglect hearings. (Roberge, Dist 9; Johnson, Dist 2; Gallus, Dist 1; Gile, Merr 38; Gargas, Hills 46; Itse, Rock 80: Judiciary)

04-3140

**SB 416**, relative to membership of the advisory committee on child care. (Estabrook, Dist 21; Odell, Dist 8; Wallner, Merr 40; Gile, Merr 38; J. Brown, Straf 67; Hallyburton, Hills 45: Education)

04-3141

**SB 417**, relative to vicious dog assaults. (Estabrook, Dist 21: Wildlife and Recreation)

04-3143

**SB 418**, relative to voting procedures in the Hanover school district. (Below, Dist 5; Nordgren, Graf 17: Internal Affairs)

04-3065

**SB 419**, relative to the use of standardized health statements. (Flanders, Dist 7; Hunt, Ches 28: Insurance)

04-0316

**SB 420-FN**, relative to the payment of medical benefits costs for certain group II permanent firemen members injured in the performance of duty. (Larsen, Dist 15; Pepino, Hills 51; DeJoie, Merr 39: Insurance)

04-3001

**SB 421**, relative to charter schools. (Estabrook, Dist 21; Foster, Dist 13; Green, Dist 6; Naro, Graf 15; Leone, Sull 21: Education)

04-3010

**SB 422-FN**, relative to the use of Route 28 in Derry and establishing a penalty for violating weight control designations made by the commissioner of the department of transportation. (Sapareto, Dist 19; Wiley, Rock 77; Gleason, Rock 77: Transportation)

04-3022

**SB 423**, relative to confidentiality and workers' compensation. (Flanders, Dist 7; Clegg, Dist 14; Foster, Dist 13; Kurk, Hills 48: Insurance)

04-3025

**SB 424-FN**, relative to boating and carnival-amusement regulation by the department of safety. (Flanders, Dist 7; Johnson, Dist 2; Odell, Dist 8; Tholl, Coos 2: Transportation)

04-3043

**SB 425-FN**, relative to payment of medical benefits costs for certain group I retirement system members. (Gallus, Dist 1; Larsen, Dist 15; Martel, Dist 18; Theberge, Coos 3; C. Bouchard, Merr 39: Insurance)

04-3064

**SB 426**, allowing municipalities to adopt a property tax exemption for certain public utility property. (Green, Dist 6; Stone, Rock 73: Energy and Economic Development)

04-3066

**SB 427**, relative to the definition of marriage. (Prescott, Dist 23; Barnes, Dist 17; Kenney, Dist 3; Johnson, Dist 2; Letourneau, Rock 77; Brassard, Hills 50: Public Institutions, Health and Human Services)

04-3067

**SB 428**, relative to protection of consumers from unfair lending practices. (Cohen, Dist 24: Banks)

04-3083

**SB 429**, relative to state and municipal contracting practices for public works. (Clegg, Dist 14; Morse, Dist 22; Kenney, Dist 3; Gatsas, Dist 16; Graham, Hills 57; Infantine, Hills 54: Executive Departments and Administration)

04-3086

**SB 430-FN**, relative to mandated insurance benefits. (Flanders, Dist 7; Clegg, Dist 14; Prescott, Dist 23; D. Flanders, Belk 30; Spiess, Hills 47: Insurance)

04-3088

**SB 431**, prohibiting the waiver of workers' compensation subrogation rights. (Clegg, Dist 14; Foster, Dist 13; Flanders, Dist 7; Gallus, Dist 1; D'Allesandro, Dist 20; Stone, Rock 73; Rausch, Rock 77; Ferland, Sull 23; Gilman, Graf 9: Insurance)

04-3093

**SB 432-FN**, establishing a division of emergency services, communications, and management, a division of fire standards and training and emergency medical services, and a division of fire safety in the department of safety. (Clegg, Dist 14; Green, Dist 6; D'Allesandro, Dist 20; Gallus, Dist 1; Odell, Dist 8; Welch, Rock 79; Tholl, Coos 2: Executive Departments and Administration)

04-3106

**SB 433-FN**, requiring the public utilities commission to conduct a comprehensive study of utility rates every 5 years. (Green, Dist 6; Prescott, Dist 23; Ross, Hills 44; Stone, Rock 73: Energy and Economic Development)



04-3110

**SB 434**, relative to importing prescription drugs from Canada. (Martel, Dist 18; Gatsas, Dist 16; Gallus, Dist 1; Kenney, Dist 3; Berube, Straf 67; Alger, Graf 14; S. Harris, Sull 22: Public Institutions, Health and Human Services)

04-3123

**SB 435-FN**, relative to accessible housing for persons of all abilities. (D'Allesandro, Dist 20: Executive Departments and Administration)

04-3129

**SB 436-FN-LOCAL**, relative to the Claremont and Newport district courts. (Odell, Dist 8; Clegg, Dist 14; Below, Dist 5; Rodeschin, Sull 20; J. Pratt, Ches 24; Cloutier, Sull 22; S. Harris, Sull 22: Energy and Economic Development)

04-3130

**SB 437**, relative to unemployment compensation. (Odell, Dist 8; Ferland, Sull 23; Giuda, Graf 13; J. Pratt, Ches 24: Insurance)

04-3134

**SB 438**, relative to immunization practices for hospitals, nursing homes, adult day care facilities, home health providers, and assisted living facilities. (Martel, Dist 18; Kenney, Dist 3; Peterson, Dist 11; Sapareto, Dist 19; Larsen, Dist 15; Pilotte, Hills 55: Public Institutions, Health and Human Services)

04-3142

**SB 439**, relative to probationary drivers' licenses. (Estabrook, Dist 21; Clegg, Dist 14; Wall, Straf 72: Transportation)

04-3146

**SB 440**, relative to statutory bumping rights by state employees. (Clegg, Dist 14: Executive Departments and Administration)

04-3147

**SB 441**, relative to the operation of dental clinics by health care charitable trusts. (Clegg, Dist 14; Eaton, Dist 10; Odell, Dist 8; D'Allesandro, Dist 20; Martel, Dist 18; Batula, Hills 58; Wallner, Merr 40; Whalley, Belk 31; Emerton, Hills 48: Public Institutions, Health and Human Services)

04-3148

**SB 442**, relative to manufactured housing installation standards. (Clegg, Dist 14; Barnes, Dist 17; Gallus, Dist 1; D'Allesandro, Dist 20; Whalley, Belk 31; E. Smith, Ches 26; Patten, Carr 7; Letourneau, Rock 77: Public Affairs)

04-3149

**SB 443**, relative to rural electric cooperatives. (Odell, Dist 8; Johnson, Dist 2; Wendelboe, Belk 29; Kaen, Straf 72: Energy and Economic Development)

04-3150

**SB 444**, relative to the age at which a person remains under the juvenile court's jurisdiction under RSA 169-B, the juvenile delinquency statute. (Foster, Dist 13; Clegg, Dist 14; Bickford, Straf 68; B. Richardson, Ches 26; J. Brown, Straf 67: Judiciary)

04-3151

**SB 445**, relative to the regulation of dietitians by the board of licensed dietitians. (Below, Dist 5: Executive Departments and Administration)

04-3152

**SB 446-FN**, relative to a park and ride multi-modal facility in the city of Nashua. (Foster, Dist 13; O'Hearn, Dist 12; D'Allesandro, Dist 20; Odell, Dist 8; Martel, Dist 18; Larsen, Dist 15; Kenney, Dist 3; Gallus, Dist 1; N. Allan, Hills 63; Mosher, Hills 63; Kopka, Hills 63; Lasky, Hills 65; McHugh, Hills 61: Capital Budget)

04-3153

**SB 447**, relative to corporate names. (Foster, Dist 13: Executive Departments and Administration)

04-3154

**SB 448-FN**, relative to consumer guaranty contracts. (Foster, Dist 13; Roberge, Dist 9; Langley, Rock 88; Hunt, Ches 28: Banks)

04-3155

**SB 449**, relative to fluoridation of municipally-owned public water systems. (D'Allesandro, Dist 20; Beaton, Hills 49: Environment)

04-3156

**SB 450-FN**, relative to pari-mutuel licenses. (Morse, Dist 22; D'Allesandro, Dist 20; Sapareto, Dist 19: Ways and Means)

04-3157

**SB 451**, giving degree-granting authority to the Hellenic American University. (D'Allesandro, Dist 20; Gatsas, Dist 16; Clegg, Dist 14: Education)

04-3158

**SB 452**, relative to qualifications of expert witnesses in medical injury actions. (Boyce, Dist 4; Sen Gallus, Dist 1; Roberge, Dist 9: Judiciary)

04-3160

**SB 453**, changing a requirement for tobacco manufacturers not participating in the tobacco Master Settlement Agreement. (Johnson, Dist 2: Interstate Cooperation)

04-3161

**SB 454-FN**, relative to carrying a concealed weapon without a license. (Prescott, Dist 23; Clegg, Dist 14; Barnes, Dist 17; Peterson, Dist 11; Kenney, Dist 3; Letourneau, Rock 77: Judiciary)

04-3167

**SB 455**, removing the requirement that district courts be open on Saturdays for arraignments. (Morse, Dist 22; Rausch, Rock 77: Judiciary)

04-3168

**SB 456**, relative to record books maintained by registers of deeds. (Roberge, Dist 9; Barry, Hills 55; Rep Mercer, Hills 59: Public Affairs)

04-3169

**SB 457**, relative to animal population control. (Roberge, Dist 9; Babson, Carr 6; Rausch, Rock 77: Wildlife and Recreation)

04-3171

**SB 458**, relative to private driving instruction and exhibition facilities. (Gallus, Dist 1; Clegg, Dist 14; Boyce, Dist 4; Sapareto, Dist 19; Flanders, Dist 7; Martel, Dist 18; Packard, Rock 75; Letourneau, Rock 77, Introne, Rock 75: Transportation)

04-3172

**SB 459**, making certain changes to the real estate practice act. (Gallus, Dist 1; Sapareto, Dist 19, Clegg, Dist 14; Martel, Dist 18; Woodward, Coos 3; S. Eaton, Graf 9: Public Affairs)

04-3173

**SB 460**, relative to insurance compliance self-audits. (Gallus, Dist 1: Insurance)

04-3174

**SB 461**, relative to the regulation of gift certificates under the consumer protection act. (Gallus, Dist 1; Kenney, Dist 3; Guay, Coos 2: Public Affairs)

04-3175

**SB 462**, relative to limits on non-economic damages in medical injury actions. (Gallus, Dist 1: Judiciary)

04-3176

**SB 463**, relative to limits on attorney contingency fees in civil actions for medical injury. (Gallus, Dist 1: Judiciary)

04-3177

**SB 464**, relative to periodic payments of future damages in medical injury actions. (Gallus, Dist 1: Judiciary)

04-3178

**SB 465**, relative to the statute of limitations in an action for injury or death against a medical care provider. (Gallus, Dist 1: Judiciary)

04-3179

**SB 466**, relative to the records management services of the city of Keene. (Eaton, Dist 10; D'Allesandro, Dist 20; Liebl, Ches 27; Dexter, Ches 27; Espieffs, Ches 25; Slack, Ches 25: Energy and Economic Development)

04-3180

**SB 467**, establishing an exemption from the public sewer connection requirements for 2 projects in the town of Derry. (Sapareto, Dist 19; Gallus, Dist 1; P. Katsakiores, Rock 77; Wiley, Rock 77; Rausch, Rock 77; G. Katsakiores, Rock 77; Gleason, Rock 77: Environment)

04-3182

**SB 468**, relative to solid waste management. (Gallus, Dist 1; Odell, Dist 8; Green, Dist 6; Densmore, Graf 10; Woodward, Coos 3; Russell, Belk 31; Theberge, Coos 3: Environment)

04-3183

**SB 469**, relative to licensing of boiler inspectors. (Gallus, Dist 1; Prescott, Dist 23; Kenney, Dist 3; Barnes, Dist 17; Woodward, Coos 3; Theberge, Coos 3: Executive Departments and Administration)

04-3184

**SB 470-FN**, relative to funding for the physician effectiveness program. (Martel, Dist 18; O'Hearn, Dist 12; Gallus, Dist 1; Green, Dist 6; Peterson, Dist 11; Batula, Hills 58; Pilliod, Belk 31: Public Institutions, Health and Human Services)

04-3185

**SB 471-FN-LOCAL**, relative to the administration and operation of Manchester Airport. (Martel, Dist 18; Gatsas, Dist 16; D'Allesandro, Dist 20: Judiciary)

04-3186

**SB 472**, relative to updating the terminology in statutes affecting children with special health care needs. (Martel, Dist 18; O'Hearn, Dist 12; Kenney, Dist 3; Estabrook, Dist 21; Batula, Hills 58; MacKay, Merr 39; P. Katsakiores, Rock 77: Public Institutions, Health and Human Services)

04-3187

**SB 473-FN-LOCAL**, relative to services provided by community mental health centers. (Martel, Dist 18; Kenney, Dist 3; O'Hearn, Dist 12; Clegg, Dist 14; P. Katsakiores, Rock 77; Batula, Hills 58; Kurk, Hills 48; Emerton, Hills 48; Flanagan, Rock 78: Public Institutions, Health and Human Services)

04-3188

**SB 474-LOCAL**, exempting property owned by a private secondary or postsecondary educational institution from the education property tax. (Clegg, Dist 14; O'Hearn, Dist 12; Hunt, Ches 28: Ways and Means)

04-3189

**SB 475**, relative to employee leasing companies. (Clegg, Dist 14; Barnes, Dist 17; Adams, Hills 43: Insurance)

04-3191

**SB 476**, extending the period for completing work under the Skyhaven airport wetlands permit. (Kenney, Dist 3: Transportation)

04-3192

**SB 477**, relative to ski craft operation on Pine River Pond in the town of Wakefield. (Kenney, Dist 3: Wildlife and Recreation)

04-3193

**SB 478-FN**, relative to penalties for DWI offenses and relative to prohibited alcohol sales to intoxicated individuals. (Barnes, Dist 17; Clegg, Dist 14; Flanders, Dist 7; Morris, Rock 84; Welch, Rock 79: Judiciary)

04-3194

**SB 479**, commemorating the anniversary of the founding of the United States Marine Corps. (Kenney, Dist 3; Thomas, Belk 31: Internal Affairs)

04-3196

**SB 480-FN-A**, making an appropriation to the tobacco use prevention fund for the purpose of smoking cessation programs. (Martel, Dist 18; Green, Dist 6; Roberge, Dist 9; O'Hearn, Dist 12; Kenney, Dist 3; Dalrymple, Rock 76; S. Harris, Sull 22: Finance)

04-3198

**SB 481-FN-LOCAL**, establishing the Great Bay sewer district. (Prescott, Dist 23; Green, Dist 6; Wall, Straf 72; Roessner, Rock 83: Environment)

04-3200

**SB 482-FN**, relative to captive insurance companies and reciprocal insurers. (Flanders, Dist 7: Insurance)

04-3201

**SB 483**, relative to a landlord's obligation to store personal property of a tenant after the tenant has vacated the premises. (Sapareto, Dist 19; Gallus, Dist 1: Public Affairs)

04-3202

**SB 484**, establishing the Collaborative Practice for Emergency Contraception Act. (D'Allesandro, Dist 20; Norelli, Rock 86: Public Institutions, Health and Human Services)

04-3203

**SB 485-FN**, relative to video stalking. (Johnson, Dist 2; Keans, Straf 67: Judiciary)

04-3204

**SB 486**, prohibiting floatplanes on Pickerel Pond. (Johnson, Dist 2: Environment)

04-3205

**SB 487**, relative to lead sinkers. (Johnson, Dist 2: Environment)

04-3206

**SB 488**, establishing a committee to study the effects of electric utility restructuring on state dams and the alternatives for the operation and maintenance of state-owned dams. (Johnson, Dist 2; Gallus, Dist 1; Below, Dist 5; Royce, Ches 28; Spang, Straf 72; M. Blanchard, Rock 86: Energy and Economic Development)

04-3208

**SB 489**, relative to requests for special elections. (Martel, Dist 18; Clegg, Dist 14; Dickinson, Carr 4: Internal Affairs)

04-3209

**SB 490-FN**, relative to the Help America Vote Act. (Martel, Dist 18; D'Allesandro, Dist 20; Fields, Hills 58: Internal Affairs)

04-3210

**SB 491-FN**, relative to reimbursement for certain unpaid tobacco taxes and relative to refunds for stolen tobacco tax stamps. (Martel, Dist 18; O'Hearn, Dist 12; Kenney, Dist 3: Interstate Cooperation)

04-3211

**SB 492**, relative to registration requirements for home inspectors. (Barnes, Dist 17: Public Affairs)

04-3212

**SB 493**, repealing examination standards for certified public accountants. (Prescott, Dist 23: Executive Departments and Administration)

04-3213

**SB 494**, repealing the prohibition on taking conch and winkles. (Cohen, Dist 24: Environment)

04-3215

**SB 495-FN**, relative to original and youth operators' licenses. (Flanders, Dist 7; Clegg, Dist 14; Tholl, Coos 2; Gleason, Rock 77; Letourneau, Rock 77: Transportation)

04-3216

**SB 496**, relative to the definition of snow traveling vehicle. (Flanders, Dist 7; Kenney, Dist 3: Transportation)

04-3218

**SB 497-FN**, relative to renewal of electrician's licenses. (Flanders, Dist 7; Infantine, Hills 54: Executive Departments and Administration)

04-3219

**SB 498-FN**, relative to the regulation of debt adjustment services. (Flanders, Dist 7; Hunt, Ches 28: Banks)

04-3220

**SB 499**, making a change to the electrician licensing exemption. (Flanders, Dist 7; Infantine, Hills 54: Executive Departments and Administration)

04-3221

**SB 500-FN**, relative to certain procedures of financial institutions. (Flanders, Dist 7; Hunt, Ches 28: Banks)

04-3222

**SB 501**, establishing a committee to study a certain parcel of land along the Baker river. (Johnson, Dist 2; Stohl, Coos 1; Barker, Graf 14; Alger, Graf 14: Environment)

04-3223

**SB 502**, establishing a committee to study the feasibility of allowing certain groups to join together for purposes of small group insurance. (Prescott, Dist 23: Insurance)

04-3225

**SB 503-FN-LOCAL**, relative to bonds for construction, development, improvement, and acquisition of broadband facilities. (D'Allesandro, Dist 20: Energy and Economic Development)

04-3226

**SB 504-FN**, relative to disbursements from the alcohol abuse prevention and treatment fund. (Odell, Dist 8; Below, Dist 5: Finance)

04-3259

**SB 505-FN-A-LOCAL**, authorizing CROP zone tax credits for taxpayers within the town of Whitefield. (Gallus, Dist 1; Flanders, Dist 7; Clegg, Dist 14; R. Cooney, Rock 76; Tholl, Coos 2; H. Richardson, Coos 2: Energy and Economic Development)

04-3227

**SB 506**, relative to site plan review by planning boards in mining and reclamation projects. (Odell, Dist 8; Phinizy, Sull 23: Environment)

04-3228

**SB 507**, establishing a committee to study the application of advanced information technology in certain state agencies. (Boyce, Dist 4; Gallus, Dist 1; Kenney, Dist 3; Morris, Rock 84; Kennedy, Merr 34: Internal Affairs)

04-3230

**SB 508-FN**, relative to grant-funded programs. (Clegg, Dist 14; Francoeur, Rock 85: Internal Affairs)

04-3231

**SB 509-FN**, relative to civil recoveries for false claims paid or approved by the department of health and human services. (Clegg, Dist 14; Martel, Dist 18; Green, Dist 6; Boyce, Dist 4; Batula, Hills 58; Emerton, Hills 48; Wendelboe, Belk 29; Elliott, Hills 42: Judiciary)

04-3232

**SB 510-FN**, relative to unprivileged physical contact without the intent to harm. (Sapareto, Dist 19; Barnes, Dist 17; Wiley, Rock 77; Morris, Rock 84: Judiciary)

04-3233

**SB 511-FN**, relative to the penalties for rioting. (Estabrook, Dist 21; Johnson, Dist 2; Eaton, Dist 10; M. Smith, Straf 72; Knowles, Straf 69; Naro, Graf 15, D. Eaton, Ches 24: Judiciary)

04-3235

**SB 512-FN**, relative to improving public boat access to Lake Sunapee. (Below, Dist 5; French, Merr 24; Leone, Sull 21; McCormick, Merr 32; Kennedy, Merr 34; C. Hamm, Merr 34: Wildlife and Recreation)

04-3236

**SB 513**, relative to the death penalty. (Below, Dist 5; O'Hearn, Dist 12; Pilliod, Belk 31; Splaine, Rock 86: Judiciary)

04-3237

**SB 514**, changing the staffing requirements of the joint legislative committee on administrative rules. (Below, Dist 5; Barnes, Dist 17; Mercer, Hills 59; King, Coos 1: Internal Affairs)

04-3238

**SB 515-FN**, relative to benefit options for surviving spouses and designated beneficiaries of deceased members of the retirement system. (Below, Dist 5; Odell, Dist 8; Pepino, Hills 51: Insurance)

04-3239

**SB 516-FN**, relative to special needs trusts. (Below, Dist 5; Larsen, Dist 15; Gatsas, Dist 16; Flanders, Dist 7; Estabrook, Dist 21; Patten, Carr 7; O'Neil, Rock 85; Wall, Straf 72; Kathleen Taylor, Straf 70; Fields, Hills 58: Judiciary)

04-3242

**SB 517**, relative to authorizing a 2-year program to use certain OHRV fees for publications and promotions. (Flanders, Dist 7; Alger, Graf 14: Wildlife and Recreation)

04-3245

**SB 518**, establishing a commission to study railroad matching funds. (Flanders, Dist 7; Mosher, Hills 63; G. Katsakiores, Rock 77; J. Flanders, Rock 79: Transportation)

04-3246

**SB 519**, establishing a committee to study the establishment of a farm viability program. (Odell, Dist 8; Johnson, Dist 2; Below, Dist 5; Ahern, Belk 29; Babson, Carr 6; Spang, Straf 72; R. Johnson, Rock 73; Owen, Merr 34: Environment)

04-3247

**SB 520**, relative to modification of child support obligation. (Sapareto, Dist 19; Clegg, Dist 14; Roberge, Dist 9; Bickford, Straf 68: Judiciary)

04-3248

**SB 521-FN**, increasing the penalty for identity fraud. (Larsen, Dist 15; Estabrook, Dist 21; Foster, Dist 13; Clegg, Dist 14; Green, Dist 6; MacKay, Merr 39; Craig, Hills 50: Judiciary)

04-3250

**SB 522-FN-LOCAL**, decreasing the rate of interest charged on overdue land use change taxes assessed on property removed from current use. (Larsen, Dist 15; D'Allesandro, Dist 20; Wallner, Merr 40; Osborne, Merr 40: Ways and Means)

04-3251

**SB 523-FN**, prohibiting the use of government property for electioneering. (Larsen, Dist 15; Foster, Dist 13; Estabrook, Dist 21; D'Allesandro, Dist 20; Cohen, Dist 24; Burling, Sull 19; Nordgren, Graf 17; D. Eaton, Ches 24: Internal Affairs)

04-3252

**SB 524**, relative to the incineration of construction or demolition debris. (Larsen, Dist 15; Flanders, Dist 7; Gallus, Dist 1; Kenney, Dist 3; C. Hamm, Merr 34; Kennedy, Merr 34; Currier, Merr 34; Owen, Merr 34; Phinizy, Sull 23: Environment)

04-3254

**SB 525-FN-A**, relative to the deposit of a portion of real estate transfer tax revenue in the land and community heritage investment program trust fund. (Larsen, Dist 15; Estabrook, Dist 21; Cohen, Dist 24; Below, Dist 5; Spang, Straf 72; C. Hamm, Merr 34: Finance)

04-3255

**SB 526**, relative to sexual harassment complaint procedures for public employees. (Larsen, Dist 15; Estabrook, Dist 21; Foster, Dist 13; O'Hearn, Dist 12; D'Allesandro, Dist 20; Wallner, Merr 40; Burling, Sull 19; Nordgren, Graf 17: Internal Affairs)

04-3256

**SB 527**, relative to sessions for correction of checklists. (Larsen, Dist 15; O'Hearn, Dist 12; Foster, Dist 13; Gile, Merr 38: Internal Affairs)

04-3009

**SCR 5**, commending the United States Congress for supporting full concurrent receipt of disability and retirement benefits by disabled veterans. (Sapareto, Dist 19: Executive Departments and Administration)

04-3117

**SCR 6**, designating January as stalking awareness month. (Clegg, Dist 14; O'Hearn, Dist 12; Martel, Dist 18; Gallus, Dist 1; Hunt, Ches 28; Leone, Sull 21; Batula, Hills 58: Internal Affairs)

04-3207

**CACR 0027**, relating to elective franchises. (Morse, Dist 22; Flanagan, Rock 78: Internal Affairs)

04-3190

**SJR 0002**, a resolution designating a Purple Heart Trail in New Hampshire. (Kenney, Dist 3; Barnes, Dist 17; Thomas, Belk 31; Giuda, Graf 13; Fields, Hills 58: Transportation)



**COMMITTEE REPORTS**

**SB 207**, relative to transactions exempt from the consumer protection act. Banks Committee. Ought to pass with amendment, Vote 3-0. Senator Flanders for the committee.

**Banks**

**December 22, 2003**

**2003-2572s**

**05/10**

**Amendment to SB 207**

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

1 Consumer Protection; Exempt Transactions. Amend RSA 358-A:3, I to read as follows:

I. Trade or commerce that is subject to the jurisdiction of [~~the bank commissioner;~~] the director of securities regulation, the insurance commissioner, the public utilities commission, the [~~financial institutions and~~] insurance regulators of other states, or [~~federal banking or~~] securities regulators who possess the authority to regulate unfair or deceptive trade practices.

***I-a. Trade or commerce by any entity that is subject to laws, regulations, standards, orders, or other action of a federal or state financial institution regulatory authority that regulates consumer complaints or unfair or deceptive acts or practices in the conduct of such trade or commerce, including conduct subject to RSA 361-A, that is either regularly examined for compliance with such laws, regulations, standards, orders, or other action by a federal or state regulatory authority or is subject to sanctions or remedial action by such authority for failure to comply with such laws, regulations, standards, orders, or other action.***

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

**2003-2572s**

**AMENDED ANALYSIS**

This bill partially narrows the "regulatory exemption" under current law as it applies to financial institutions and certain entities regulated by banking regulatory authorities.

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

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

**Seconded by Senator Barnes.**

**The following Senators voted Yes: Gallus, Johnson, Kenney, Boyce, Green, Flanders, Odell, Roberge, Peterson, O'Hearn, Clegg, Gatsas, Barnes, Martel, Sapareto, Morse, Prescott.**

**The following Senators voted No: Below, Larsen, D'Allesandro, Estabrook, Cohen.**

**Yeas: 17 - Nays: 5**

**Senator Foster Rule #42.**

**Amendment adopted.**

**Senator Below offered a floor amendment.**

**Sen. Below, Dist. 5**

**January 7, 2004**

**2004-0023s**

**05/10**

**Floor Amendment to SB 207**

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

1 Consumer Protection; Exempt Transactions. Amend RSA 358-A:3, I to read as follows:

I. Trade or commerce that is subject to the jurisdiction of [~~the bank commissioner;~~] the director of securities regulation, the insurance commissioner, the public utilities commission, the [~~financial institutions and~~] insurance regulators of other states, or [~~federal banking or~~] securities regulators who possess the authority to regulate unfair or deceptive trade practices, ***including the power to order restitution for injuries to victims of such unfair or deceptive trade practices.***

***I-a. Trade or commerce by any entity that is subject to laws, regulations, standards, orders, or other action of a federal or state financial institution regulatory authority that regulates consumer complaints or unfair or deceptive acts or practices in the conduct of such trade or commerce that is regularly examined for compliance with such laws, regulations, standards, orders, or other action by a federal or state regulatory authority and is subject to sanctions or remedial action by such authority for failure to comply with such laws, regulations, standards, orders, or other action, including the power to order restitution for injuries to victims of such unfair or deceptive trade practices.***

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

**2004-0023s**

#### AMENDED ANALYSIS

This bill partially narrows the "regulatory exemption" under current law as it applies to financial institutions and certain entities regulated by banking regulatory authorities.

#### MOTION TO TABLE

Senator Clegg moved to have **SB 207** laid on the table.

**Adopted.**

#### LAIID ON THE TABLE

**SB 207**, relative to transactions exempt from the consumer protection act.

**HB 326**, relative to establishing a 6-year capital budget. Capital Budget Committee. Ought to pass with amendment, Vote 4-0. Senator Morse for the committee.

#### Capital Budget

**November 4, 2003**

**2003-2452s**

**10/04**

#### Amendment to HB 326

Amend the bill by replacing section 2 with the following:

2 New Section; Capital Budget; Review and Update. Amend RSA 9 by inserting after section 3-a the following new sections:

9:3-b Review and Update of Capital Budget. In the first year of each biennium the legislature shall review the 6-year capital budget and update the extended projects, and may approve new projects over the next 6 years. The general court intends that once a capital budget project has been approved it shall be funded through each phase of the project unless some extreme and significant event makes further funding inappropriate.

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

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

**2003-2452s**

#### AMENDED ANALYSIS

This bill establishes a procedure for a 6-year capital budget for state capital improvement projects.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**SB 84-FN**, relative to eligibility for payment of medical benefits by the retirement system. Insurance Committee. Inexpedient to Legislate, Vote 3-0. Senator Flanders for the committee.

**Committee report of inexpedient to legislate is adopted.**

**Senator Larsen is in opposition to the motion of inexpedient to legislate on SB 84-FN.**

**SB 186-FN**, relative to sale of tobacco products. Interstate Cooperation Committee. Inexpedient to Legislate, Vote 2-1. Senator Estabrook for the committee.

**Committee report of inexpedient to legislate is adopted.**

**SB 109**, adopting the model Drug Dealer Liability Act. Judiciary Committee. Ought to pass with amendment, Vote 4-0. Senator Clegg for the committee.

**Senate Judiciary**  
**December 19, 2003**  
**2003-2569s**  
**09/04**

**Amendment to SB 109**

Amend RSA 318-C:4, I as inserted by section 1 of the bill by replacing it with the following:

I. "Illegal drug" means any drug which is a schedule I-IV drug under RSA 318-B.

Amend RSA 318-C:4, V-VIII as inserted by section 1 of the bill by replacing them with the following:

V. "Level 1 offense" means possession of 1/4 ounce or more, but less than 4 ounces, or distribution of less than one ounce of a specified illegal drug.

VI. "Level 2 offense" means possession of 4 ounces or more, but less than 8 ounces, or distribution of one ounce or more, but less than 2 ounces, of a specified illegal drug.

VII. "Level 3 offense" means possession of 8 ounces or more, but less than 16 ounces, or distribution of 2 ounces or more, but less than 4 ounces, of a specified illegal drug.

VIII. "Level 4 offense" means possession of 16 ounces or more or distribution of 4 ounces or more of a specified illegal drug.

Amend RSA 318-C:4, XIV as inserted by section 1 of the bill by replacing it with the following:

XIV. "Specified illegal drug" means cocaine, heroin, or methamphetamine and any other illegal drug.

Amend RSA 318-C:6, II as inserted by section 1 of the bill by replacing it with the following:

II. A person entitled to bring an action under this section may seek damages from a person convicted of a drug offense or a person who knowingly distributed, or knowingly participated in the chain of distribution of, the illegal drug that was actually used by the individual drug user and that was the proximate cause of the recoverable losses.

II-a. No governmental entity may bring an action against a person until after that person has been convicted of a criminal act related to the possession, manufacture, or distribution of drugs.

Amend RSA 318-C:6, III as inserted by section 1 of the bill by deleting RSA 318-C:6, III(c) and renumbering the original RSA 318-C:6, III(d)-(e) to read as RSA 318-C:6, III(c)-(d).

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 2005.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**SB 204**, relative to bail recovery agents. Judiciary Committee. Interim Study, Vote 4-0. Senator Peterson for the committee.

**Committee report of interim study is adopted.**

**SB 220**, repealing the professional malpractice claims panel. Judiciary Committee.

Interim Study, Vote 4-0. Senator Peterson for the committee.

**Committee report of interim study is adopted.**

**Senator Foster rule #42 on SB 220.**

**HB 121**, relative to grounds for modification of a permanent child custody order. Judiciary Committee. Ought to pass with amendment, Vote 5-0. Senator Sapareto for the committee.

**Senate Judiciary**  
**November 19, 2003**  
**2003-2531s**  
**05/01**

**Amendment to HB 121**

Amend RSA 458:17, V(a)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) ~~[The circumstances affecting the welfare of the child have been so greatly altered that there is a strong possibility that the child will be harmed if the child continues to live under the present arrangement; or]~~ ***If the court finds by clear and convincing evidence that the child's present environment is detrimental to the child's physical, mental, or emotional health and that the advantage to the child of modifying a permanent custody order outweighs the harm likely to be caused by the change in environment;***

Amend the bill by replacing section 2 with the following:

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

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 134-FN**, relative to recommendations, appointments, and qualifications of marital masters and procedures for cases heard by marital masters. Judiciary Committee. Interim Study, Vote 4-0. Senator Peterson for the committee.

**Committee report of interim study is adopted.**

**HB 167**, relative to complaints against judges. Judiciary Committee. Inexpedient to Legislate, Vote 5-0. Senator Clegg for the committee.

**Committee report of inexpedient to legislate is adopted.**

**HB 299**, removing judicial discretion to order a divorced parent to contribute to an adult child's college expenses. Judiciary Committee. Ought to Pass, Vote 4-1. Senator Clegg for the committee

**Question is on the motion of ought to pass.**

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

**Seconded by Senator Kenney.**

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

**The following Senators voted No: Roberge, O'Hearn.**

**Yeas: 20 - Nays: 2**

**Adopted.**

**Ordered to third reading.****Senator Foster Rule #42 on HB 299.**

**HB 384**, relative to financial affidavits in domestic relations cases. Judiciary Committee. Ought to pass with amendment, Vote 3-1. Senator Clegg for the committee.

**Senate Judiciary**  
**November 6, 2003**  
**2003-2465s**  
**05/01**

**Amendment to HB 384**

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

1 New Section; Annulment, Divorce, and Separation; Procedure; Financial Affidavits. Amend RSA 458 by inserting after section 15-a the following new section:

458:15-b Financial Affidavits.

I. Except as provided in paragraph III, all financial affidavits filed under this chapter shall be confidential and accessible only to the parties, their attorneys, the guardian ad litem, department of health and human services employees responsible for child support administration, and state and federal officials for the purpose of carrying out their official functions.

II. Any person who knowingly discloses a financial affidavit to any person not authorized to obtain the financial affidavit under this section shall be guilty of a misdemeanor. This paragraph shall not apply to documents released by a court pursuant to paragraph III.

III. Notwithstanding paragraph I, the court may grant access to a financial affidavit filed under this chapter to a person upon a showing by clear and convincing evidence that the public interest served by release of the information outweighs the private interest served by maintaining the privacy of the financial affidavit. For the purposes of this paragraph, the right of the public to access court records shall not, absent further cause, constitute sufficient evidence to overcome the presumption of privacy contained in paragraph I.

2 Applicability. Section 1 of this act, relative to financial affidavits, shall apply to all proceedings under RSA 458 filed or brought forward on or after the effective date of this act.

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

**2003-2465s**

**AMENDED ANALYSIS**

This bill provides that financial affidavits in domestic relations cases are, with limited exceptions, confidential and accessible only to the parties, their attorneys, the guardian ad litem, and state and federal officials.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 464-FN**, establishing a criminal penalty for facilitating a drug or underage alcohol house party. Judiciary Committee. Ought to pass with amendment, Vote 4-1. Senator Foster for the committee.

**Senate Judiciary**  
**November 6, 2003**  
**2003-2463s**  
**04/10**

**Amendment to HB 464-FN**

Amend RSA 644:18 as inserted by section 1 of the bill by replacing it with the following:

I. A person shall be guilty of a misdemeanor if such person owns or has control of the occupied structure, dwelling, or curtilage, where a drug or underage alcohol house party is held and such person knowingly commits an overt act in furtherance of the occurrence of the party.

II. It is an affirmative defense to prosecution under this section if a person gives timely notice to a law enforcement official of the occurrence of the drug or underage alcohol house party or engages in other conduct designed to prevent the occurrence of such party, or takes action to terminate such party once underway.

III. In this section, "drug or underage alcohol house party" means a gathering of 5 or more people under the age of 21 at any occupied structure, dwelling, or curtilage, who are unrelated to the person who owns

such occupied structure, dwelling, or curtilage or has control thereof, where at least one person under the age of 21 unlawfully possesses or consumes an alcoholic beverage or controlled drug. "Occupied structure" has the same meaning as in RSA 635:1, and "dwelling" and "curtilage" have the same meaning as in RSA 627:9.

IV. The provisions of this section shall not apply to the use of alcoholic beverages at legally protected religious observances or activities, or to those persons using a controlled drug under a physician's care where the use of the drug is consistent with the directions of a physician.

Amend the bill by replacing section 2 with the following:

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

#### **MOTION TO TABLE**

Senator Peterson moved to have **HB 464-FN** laid on the table.

**Adopted.**

#### **LAIID ON THE TABLE**

**HB 464-FN**, establishing a criminal penalty for facilitating a drug or underage alcohol house party.

**HB 620-FN**, providing a right to counsel for indigent parents and other protections in cases involving the guardianship of minors. Judiciary Committee. Ought to pass with amendment, Vote 4-0. Senator Sapareto for the committee.

**Senate Judiciary**

**December 3, 2003**

**2003-2553s**

**09/01**

#### **Amendment to HB 620-FN**

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

AN ACT providing various protections for parents in cases involving the guardianship of minors.

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

1 Procedure for Appointment. Amend RSA 463:5, IV(d) to read as follows:

(d) *Whether guardianship is being sought by the department as part of the permanent plan for a child in the department's custody pursuant to the Adoption and Safe Families Act of 1997, Public Law 105-89.*

(e) Whether an adoption of the minor by the proposed guardian or guardians is contemplated.

2 Notice. RSA 463:6 is repealed and reenacted to read as follows:

463:6 Notice.

I. After the filing of a petition, the court shall set a date for a hearing, and issue orders of notice in reasonably understandable language. The orders of notice shall be sent by certified mail, return receipt requested to both parents of the minor and to any person or persons alleged to have had principal care and custody of the minor during the 60 days preceding the filing of the petition, and by first class mail to:

(a) The minor, if 14 years of age or older and not the petitioner.

(b) The person nominated in the petition to be the guardian.

(c) Any person named as a testamentary guardian of the person or of the estate or of both of the minor in the will of a decedent parent.

(d) The department, if the petition identifies any juvenile proceeding affecting the minor.

(e) Any parent or any sibling, aunt, uncle, or adult child of the parents of the minor if both parents are deceased.

(f) The petitioner or petitioners.

II. The orders of notice required by paragraph I shall further specify that:

(a) That either parent has a right to object to and contest the guardianship petition.



(b) That either parent has a right to consent to the granting of the guardianship petition, and if such parent consents, he or she shall do so before the court or the court's designee as specified in RSA 468:8, VII.

(c) The nature and purpose of the proceeding and hearing as set forth in RSA 463:8, and that the parent or parents with legal custody are required to attend the hearing whether consenting or objecting to the petition.

III. A written consent to the petition is submission to the jurisdiction of the court.

IV. If the location of the parent or parents is unknown and this fact is sworn to under oath by the petitioner, the court may take whatever steps it deems necessary to ensure due process is satisfied unless, for good cause shown, it determines that process is impracticable or would serve no purpose, in which case notice may be waived.

3 Ex Parte and Temporary Orders. Amend RSA 463:7, II to read as follows:

II. Ex parte or temporary orders issued may include the appointment of a guardian or co-guardian, injunctive relief, support orders, restraining orders, visitation orders, or such other orders as the court may enter on the merits.

4 Conduct of Hearing. Amend RSA 463:8, III(b) to read as follows:

(b) If a parent objects to the establishment of the guardianship of the person requested by a non-parent, ***the court shall set a date for the hearing specified in this section.*** The burden of proof shall be on the petitioner to establish by clear and convincing evidence that the best interests of the minor require substitution or supplementation of parental care and supervision to provide for the essential physical and safety needs of the minor or to prevent specific, significant psychological harm to the minor.

5 New Paragraphs; Conduct of Hearing. Amend RSA 463:8 by inserting after paragraph VI the following new paragraphs:

VII. If a parent consents to the appointment of a guardianship, such consent shall be executed by an instrument in writing, signed by the parent, in the presence and with the approval of the court of the county in which the case is pending. The court may designate a person or another court to take the parent's consent on the court's behalf for good cause shown. The court, or its designee, shall also question the consenting parent regarding his or her understanding and knowledge of the nature and consequences if the petition is granted; and to insure that the parent understands he or she has the right to contest the petition. If the court, based on its own determination or its duly certified designee, finds:

(a) That consent is being given voluntarily and knowingly, the court may conduct a hearing pursuant to this section and thereon make all orders authorized by this chapter; or

(b) That consent is not being given voluntarily and knowingly for any reason such as because the parent lacked the mental capacity to give such consent. In this case, the court may:

(1) Hold a hearing pursuant to this section within 6 months, or earlier, if it is reasonably likely that the parent's mental capacity will be restored within a shorter time period, and during the interim make or renew whatever temporary orders under RSA 463:7 the court deems necessary; or

(2) If it is unlikely that capacity will be restored within 6 months, schedule and conduct a hearing pursuant to this section as if the parent was objecting under paragraph III and make or renew whatever temporary orders under RSA 463:7 the court deems necessary until the hearing is conducted.

VIII. If the parent does not appear at the hearing and the court has not received a properly and duly executed consent form, the court may conduct such hearing as necessary to make the determinations required by this section and thereon make all orders authorized by this chapter.

IX. When the court grants guardianship as part of the permanency plan for a child in the department's custody pursuant to the Adoption and Safe Families Act of 1997, Public Law 105-89, the court shall so specify in its order.

6 Letters of Guardianship. Amend RSA 463:11, I (c)-(d) to read as follows:

(c) The nature and scope of the guardianship, whether over the person and estate, or the person, or the estate; ~~and~~

(d) Limitations imposed by the court on the guardian[-]; ***and***

***(e) Whether the guardianship is part of the permanent plan for a child previously under the custody of the department pursuant to the Adoption and Safe Families Act of 1997, Public Law 105-89.***

7 Section Heading. Amend the section heading of RSA 463:13 to read as follows:

463:13 Order for Support for the Benefit of a Minor Under Guardianship ***and Visitation.***

8 New Paragraph; Order for Support; Visitation Rights. Amend RSA 463:13 by inserting after paragraph II the following new paragraph:

III. The court may award reasonable visitation rights to the parent or parents. The presumption shall be in favor of liberal visitation rights absent a showing of harm to the minor. If a party wishes to have any pre-existing court visitation orders incorporated into the guardianship order, that party has the burden of providing said visitation orders to the court for its consideration. The court shall incorporate such visitation orders in its order, unless there has been a change in circumstances that warrants different visitation arrangements. In guardianships granted as part of the permanency plan for a child previously in the department's custody pursuant to the Adoption and Safe Families Act of 1997, Public Law 105-89, the court may give the guardian discretion to determine visitation.

9 Periodic Court Review. RSA 463:17 is repealed and reenacted to read as follows:

463:17 Periodic Court Review. The status of all minors for whom guardianship or co-guardianship has been granted shall be reviewed by the court at 6, 12, and 24 months and annually thereafter, except that the court may waive (1) any or all reviews in cases in which a parent or the parents are co-guardians and (2) any or all reviews in all other cases after the 24-month review upon good cause shown. The guardian shall file a report with the court on or before each review date. The parent may file a statement or report with the court on or before each review date. The court may also, as part of the review, conduct a hearing on its own motion, or upon the request of a parent or guardian who seeks to substantially change the existing orders upon a showing by the parent that he or she has a reasonable likelihood of prevailing, if allowed a hearing. If termination of the guardianship is sought as part of the review proceeding, the burdens and standards of proof set forth in RSA 463:15 shall apply. Failure of any party to appear at any hearing held under this section without good cause, shall not cause the hearing to be continued.

10 Effective Date. This act shall take effect January 1, 2005.

**2003-2553s**

#### AMENDED ANALYSIS

This bill addresses various protections for parents in cases involving the guardianship of minors.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 630-FN**, relative to enhanced penalties for assault on law enforcement officers, firefighters, emergency medical care providers, and national guard members. Judiciary Committee. Interim Study, Vote 4-1. Senator Peterson for the committee.

**Committee report of interim study is adopted.**

**HB 749**, relative to the description in a criminal complaint of the party accused. Judiciary Committee. Ought to pass with amendment, Vote 4-0. Senator Peterson for the committee.

**Senate Judiciary**

**November 4, 2003**

**2003-2451s**

**04/09**

#### Amendment to HB 749

Amend RSA 592-A:7 as inserted by section 1 of the bill by replacing it with the following:

592-A:7 Complaints.

**I.** Criminal proceedings before a district court shall be begun by complaint, signed and under oath, addressed to such court, briefly setting forth, by name or description, the party accused and the offense

charged, provided that a complaint filed by a police officer, as defined in RSA 188-F:23, I, for a violation-level offense shall not require a signature or an oath. Any complaint filed electronically shall include notice that making a false statement on the complaint may result in criminal prosecution.

***II. The description of the accused may include an identifiable ridge skin impression or a DNA profile. A complaint that contains only an identifiable ridge skin impression or DNA profile, and that alleges one or more of the following offenses shall, upon its filing, toll the applicable statute of limitations under RSA 625:8:***

- (a) Capital murder under RSA 630:1.***
- (b) First degree murder under RSA 630:1-a.***
- (c) Second degree murder under RSA 630:1-b.***
- (d) Manslaughter under RSA 630:2.***
- (e) Negligent homicide under RSA 630:3.***
- (f) First degree assault under RSA 631:1.***
- (g) Second degree assault under RSA 631:2.***
- (h) Aggravated felonious sexual assault under RSA 632-A:2.***
- (i) Felonious sexual assault under RSA 632-A:3.***
- (j) Kidnapping under RSA 633:1.***
- (k) Arson under RSA 634:1, I-III.***
- (l) Robbery under RSA 636:1.***

**2003-2451s**

#### AMENDED ANALYSIS

This bill provides that a description of the accused in a criminal complaint may include an identifiable ridge skin impression or a DNA profile, and provides that complaints containing only an identifiable ridge skin impression or a DNA profile and which allege certain criminal offenses shall toll the applicable statute of limitations.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**SB 20**, relative to the qualifications for the property tax exemption for the disabled. Public Affairs Committee. Ought to pass with amendment, Vote 3-0. Senator Barnes for the committee.

**Public Affairs**

**December 11, 2003**

**2003-2560s**

**10/01**

#### Amendment to SB 20

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

AN ACT relative to the qualifications for property tax exemptions or deferrals for the disabled.

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

1 Property Taxation; Exemption for the Disabled; Eligibility. Amend RSA 72:37-b, I to read as follows:

I. Upon its adoption by a city or town as provided in RSA 72:27-a, any person [~~who is eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled~~] shall receive a yearly exemption in an amount to be chosen by the town or city ***if that person:***

***(a) Has been determined by the Social Security Administration to be eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled, or for Medicare benefits for the disabled under Title XVIII of the federal Social Security Act;***

*(b) Qualifies for disability benefits under the federal railroad retirement system, or from an insurance plan for governmental employees whose employment is not covered employment under Title II of the federal Social Security Act;*

*(c) Is eligible for a non-service-connected disability pension through the United States Department of Veterans' Affairs; or*

*(d) Is eligible for aid to the permanently and totally disabled.*

2 Property Tax Deferral; Eligibility. Amend RSA 72:38-a, I(a) to read as follows:

(a) Is either at least 65 years old or [~~eligible under Title II or Title XVI of the federal Social Security Act for benefits for the disabled~~]:

*(1) Has been determined by the Social Security Administration to be eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled, or for Medicare benefits for the disabled under Title XVIII of the federal Social Security Act; or*

*(2) Qualifies for disability benefits under the federal railroad retirement system, or from an insurance plan for governmental employees whose employment is not covered employment under Title II of the federal Social Security Act; or*

*(3) Is eligible for a non-service-connected disability pension through the United States Department of Veterans' Affairs; or*

*(4) Is eligible for aid to the permanently and totally disabled; and*

3 Effective Date. This act shall take effect April 1, 2004.

**2003-2560s**

#### AMENDED ANALYSIS

This bill allows towns and cities to extend property tax exemptions and deferrals for the disabled to additional persons who qualify for certain federal or state disability benefits.

#### MOTION TO TABLE

Senator Roberge moved to have **SB 20** laid on the table.

**Adopted.**

#### LAID ON THE TABLE

**SB 20**, relative to the qualifications for the property tax exemption for the disabled.

**SB 112-FN-L**, relative to state use of domestic steel. Public Affairs Committee. Interim Study, Vote 2-1. Senator Roberge for the committee.

#### MOTION TO TABLE

Senator Roberge moved to have **SB 112-FN-L** laid on the table.

**Adopted.**

#### LAID ON THE TABLE

**SB 112-FN-L**, relative to state use of domestic steel.

**SB 228**, relative to the preservation of historic barns and similar historic agricultural structures by municipalities. Public Affairs Committee. Inexpedient to Legislate, Vote 2-1. Senator Roberge for the committee.

**Committee report of inexpedient to legislate is adopted.**

**HB 107**, relative to bingo. Ways and Means Committee. Ought to Pass, Vote 4-0. Senator D'Allesandro for the committee.

#### MOTION TO TABLE

Senator D'Allesandro moved to have **HB 107** laid on the table.

**Adopted.**

#### LAID ON THE TABLE

**HB 107**, relative to bingo.

**HB 108**, relative to the adoption of an optional veterans' property tax credit. Ways and Means Committee. Inexpedient to Legislate, Vote 4-0. Senator D'Allesandro for the committee.

**MOTION TO TABLE**

Senator D'Allesandro moved to have **HB 108** laid on the table.

**Adopted.**

**LAIID ON THE TABLE**

**HB 108**, relative to the adoption of an optional veterans' property tax credit.

**RESOLUTION**

Senator Clegg moved that the Senate now adjourn from the early session and that the business of the late session be in order at the present time, and that all bills and resolutions ordered to third reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

**Adopted.**

**LATE SESSION****Third Reading and Final Passage**

**SB 109**, adopting the model Drug Dealer Liability Act.

**HB 121**, relative to grounds for modification of a permanent child custody order.

**HB 299**, removing judicial discretion to order a divorced parent to contribute to an adult child's college expenses.

**HB 326**, relative to establishing a 6-year capital budget.

**HB 384**, relative to financial affidavits in domestic relations cases.

**HB 620-FN**, providing a right to counsel for indigent parents and other protections in cases involving the guardianship of minors.

**HB 749**, relative to the description in a criminal complaint of the party accused.

**ANNOUNCEMENTS**

Senator Cohen (Rule #44).

Senator D'Allesandro (Rule #44).

**RESOLUTION**

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

**Adopted.**

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