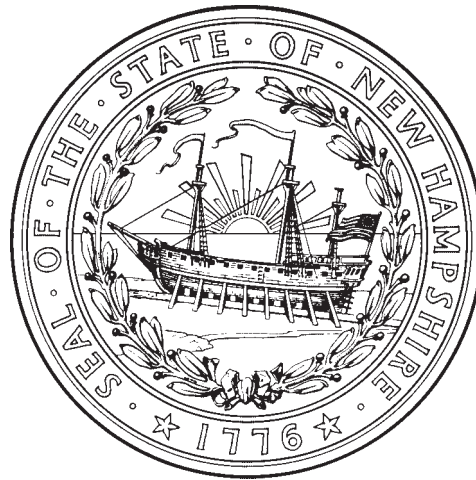


**March 12, 2004**  
**No. 11**

# **STATE OF NEW HAMPSHIRE**

**Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)**



**Legislative**

## **SENATE CALENDAR**

**REPORTS, AMENDMENTS, HEARINGS,  
MEETINGS & NOTICES**

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**THE SENATE WILL MEET IN SESSION ON WEDNESDAY, MARCH 17, 2004  
& THURSDAY, MARCH 18, 2004 AT 10:00 A.M.**

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## **LAI D ON THE TABLE**

**SB 20**, relative to the qualifications for the property tax exemption for the disabled. **(Re-referred from 2003) 1/7/04, pending motion committee amendment (2560s), Public Affairs, SJ 1, pg. 24**

**SB 112-FN-L**, relative to state use of domestic steel. **(Re-referred from 2003) 1/7/04, pending motion Interim Study, Public Affairs, SJ 1, pg. 24**

**SB 302-FN-L**, making technical corrections to the education funding formula. **3/11/04, pending motion committee amendment, (0652s), Finance, SJ 8, pg. TBA**

**SB 327**, relative to the scope of the administrative review or hearing following suspension or revocation. **2/5/04, pending motion OTP, Judiciary, SJ 4, pg. 57**

**SB 394-FN**, relative to children's product safety. **3/11/04, pending motion Interim Study, Interstate Cooperation, SJ 7, pg. 97**

**SB 396-FN**, relative to farm tractor registrations. **2/19/04, pending motion ITL, Transportation, SJ 6, pg. 104**

**SB 405-FN**, relative to standards for comprehensive physical rehabilitation service areas. **3/04/04, pending motion OTP, Public Institutions, Health & Human Services, SJ 7, pg. 133**

**SB 407-FN-L**, relative to default budgets. **3/04/04, pending motion committee amendment (0521s), Public Affairs, SJ 7, pg. 129**

**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. **2/19/04, pending motion ITL, Transportation, SJ 6 pg. 105**

**SB 435-FN**, relative to accessible housing for persons of all abilities. **2/12/04, pending motion ITL, Executive Departments & Administration, SJ 5, 70**

**SB 485-FN**, relative to video stalking. **2/12/04, pending motion ITL, Judiciary, SJ 5, 74**

**SB 486**, prohibiting floatplanes on Pickerel Pond. **2/5/04, pending motion ITL, Environment, SJ 4, pg. 60**

**SB 501**, establishing a committee to study a certain parcel of land along the Baker river. **2/5/04, pending motion OTP, Environment, SJ 4, pg. 60**

**SB 507**, establishing a committee to study the application of advanced information technology in certain state agencies. **2/5/04, pending motion ITL, Internal Affairs, SJ 4, pg. 62**

**SB 516-FN**, relative to special needs trusts. **3/04/04, pending motion Interim Study, Judiciary, SJ 7, pg. 126**

**HB 107**, relative to bingo. **(Re-referred from 2003) 1/7/04, pending motion OTP, Ways & Means, SJ 1, pg. 24**

**HB 108**, (New Title) relative to the adoption of an optional veterans' property tax credit. **(Re-referred from 2003) 1/7/04, pending motion ITL, Ways & Means, SJ 1, pg. 24-25**

**HB 499**, expanding opportunities for teacher certification. **(Re-referred from 2003) 1/22/04, pending motion Interim Study, Education, SJ 2, pg. 34**

**HB 503**, relative to septic system construction permits. **3/11/04, pending motion OTP, Environment, SJ 8, pg.TBA**

**HB 829**, relative to ward boundaries in Manchester and Nashua to be used in state elections. **(Re-referred from 2003) 1/22/04, pending motion committee amendment (0068s), Internal Affairs, SJ 2, pg. 37**

## REPORTS

### EDUCATION

**SB 421**, relative to charter schools.

Ought to pass with amendment, Vote 5-0

Senator Green for the committee.

**SB 451**, giving degree-granting authority to the Hellenic American University.

Ought to pass with amendment, Vote 4-0

Senator O'Hearn for the committee.

**HB 133-L**, relative to amending certain articles of agreement in the Fall Mountain regional cooperative school district.

Ought to pass with amendment, Vote 4-0

Senator Larsen for the committee.

### ENERGY & ECONOMIC DEVELOPMENT

**SB 374**, relative to emissions requirements for municipal waste combustion units.

Interim Study, Vote 3-2

Senator Gatsas for the committee.

**SB 433-FN**, requiring the public utilities commission to conduct a comprehensive study of utility rates every 5 years.

Ought to pass with amendment, Vote 4-1

Senator Below for the committee.

### ENVIRONMENT

**SB 468**, relative to solid waste management.

Ought to pass with amendment, Vote 3-2

Senator Below for the committee.

**SB 449**, relative to fluoridation of municipally-owned public water systems.

Ought to pass with amendment, Vote 5-0

Senator Below for the committee.

**SB 524**, relative to the incineration of construction or demolition debris.

Interim Study, Vote 3-2

Senator Johnson for the committee.

### EXECUTIVE DEPARTMENTS & ADMINISTRATION

**SB 440**, relative to statutory bumping rights by state employees.

Interim Study, Vote 2-1

Senator Prescott for the committee.

**SCR 5**, commending the United States Congress for supporting full concurrent receipt of disability and retirement benefits by disabled veterans.

Ought to Pass, Vote 2-1

Senator Prescott for the committee.

**FINANCE**

**SB 126-FN-A**, exempting certain transfers of title from the real estate transfer tax.

Ought to pass with amendment, Vote 6-2

Senator Green for the committee.

**SB 303-FN**, clarifying the language in the education funding formula.

Ought to pass with amendment, Vote 8-0

Senator Clegg for the committee.

**SB 376-FN-A**, making an appropriation to the department of health and human services for mental health services.

Ought to pass with amendment, Vote 7-1

Senator Green for the committee.

**SB 411-FN-L**, relative to liability for special education transportation costs.

Ought to pass with amendment, Vote 6-0

Senator Below for the committee.

**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.

Inexpedient to Legislate, Vote 6-1

Senator Green for the committee.

**SB 448-FN**, relative to consumer guaranty contracts.

Ought to pass with amendment, Vote 6-0

Senator Below for the committee.

**SB 481-FN-L**, (New Title) establishing a sewer and other water-related purposes district for Great Bay.

Ought to Pass, Vote 5-0

Senator Green for the committee.

**SB 532-FN**, exempting biodiesel from the road toll.

Ought to pass with amendment, Vote 6-0

Senator Odell for the committee

**INSURANCE**

**SB 389**, relative to health carrier and provider contract disputes.

Ought to pass with amendment, Vote 5-0

Senator Flanders for the committee.

**SB 437**, relative to unemployment compensation.

Inexpedient to Legislate, Vote 5-0

Senator Prescott for the committee.

**SB 502**, establishing a committee to study the feasibility of allowing certain groups to join together for purposes of small group insurance.

Inexpedient to Legislate, Vote 4-1

Senator Flanders for the committee.

**SB 528**, establishing a right to work act which provides for freedom of choice on whether to join a labor union.

Interim Study, Vote 3-2

Senator Martel for the committee.

## **INTERNAL AFFAIRS**

**SB 311**, relative to civil penalties for unlawful campaign practices.

Ought to pass with amendment, Vote 4-1

Senator Larsen for the committee.

**SB 385**, relative to challengers appointed by party committee.

Inexpedient to Legislate, Vote 5-0

Senator Boyce for the committee.

**SB 489**, relative to requests for special elections.

Ought to Pass, Vote 4-0

Senator Boyce for the committee.

**SB 526**, relative to sexual harassment complaint procedures for public employees.

Ought to pass with amendment, Vote 4-0

Senator Larsen for the committee.

**HB 1292**, apportioning state representative districts.

Ought to Pass, Vote 4-0

Senator Kenney for the committee.

## **JUDICIARY**

**SB 462**, relative to limits on non-economic damages in medical injury actions.

Interim Study, Vote 3-1

Senator Peterson for the committee.

**SB 463**, relative to limits on attorney contingency fees in civil actions for medical injury.

Interim Study, Vote 3-1

Senator Peterson for the committee.

**SB 464**, relative to periodic payments of future damages in medical injury actions.

Interim Study, Vote 4-1

Senator Foster for the committee.

**SB 465**, relative to the statute of limitations in an action for injury or death against a medical care provider.

Ought to pass with amendment, Vote 5-0

Senator Clegg for the committee.

**HB 1212**, relative to the circumstances under which a juvenile may be committed to the youth development center until the age of 18.

Ought to pass with amendment, Vote 5-0

Senator Foster for the committee.

## **PUBLIC AFFAIRS**

**SB 461**, relative to the regulation of gift certificates under the consumer protection act.

Ought to Pass, Vote 5-0

Senator Morse for the committee.

**SB 492**, relative to registration requirements for home inspectors.

Ought to Pass, Vote 5-0

Senator Barnes for the committee.

**SB 533**, relative to licensing requirements for certain recreation and child care programs.

Ought to pass with amendment, Vote 5-0

Senator Roberge for the committee.

**HB 664-FN**, relative to the requirements for the sale of permissible fireworks and prohibiting the retail sale of certain fireworks.

Ought to Pass, Vote 5-0

Senator Larsen for the committee.

**HB 1259**, relative to the medical certification required for a walking disability plate or placard.

Ought to Pass, Vote 5-0

Senator Roberge for the committee.

### **PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES**

**SB 398**, relative to residency requirements for Medicaid recipients in nursing homes.

Ought to Pass, Vote 3-2

Senator Boyce for the committee.

**SB 441**, relative to the operation of dental clinics by healthcare charitable trusts.

Ought to pass with amendment, Vote 5-0

Senator Martel for the committee.

**SB 484**, establishing the Collaborative Practice for Emergency Contraception Act.

Inexpedient to Legislate, Vote 3-2

Senator Martel for the committee.

### **TRANSPORTATION**

**SB 495-FN**, relative to original and youth operators' licenses.

Ought to pass with amendment, Vote 4-1

Senator Kenney for the committee.

**HB 1363**, establishing a policy for naming state highways, bridges, and buildings.

Inexpedient to Legislate, Vote 4-1

Senator Kenney for the committee.

### **WAYS & MEANS**

**SB 323-L**, relative to the age groups under the elderly property tax exemption.

Inexpedient to Legislate, Vote 5-0

Senator D'Allesandro for the committee.

**SB 357**, authorizing municipalities to adopt quarterly billing of taxes.

Ought to pass with amendment, Vote 5-0

Senator Odell for the committee

**SB 474-L**, exempting property owned by a private secondary or postsecondary educational institution from the education property tax.

Ought to Pass, Vote 3-1

Senator Clegg for the committee.

**HB 520-FN**, relative to maintaining records of greyhounds used in pari-mutuel racing.

Inexpedient to Legislate, Vote 5-0

Senator Boyce for the committee.

**HB 618-FN-A**, (New Title) making technical corrections to certain local property tax laws.

Ought to pass with amendment, Vote 5-0

Senator D'Allesandro for the committee.

**HB 1311-FN**, (New Title) establishing a committee to study decreasing the insurance premium tax.

Ought to pass with amendment, Vote 5-0

Senator D'Allesandro for the committee.

### **WILDLIFE & RECREATION**

**SB 343**, relative to landowner permission for OHRV operation and relative to loading and unloading OHRVs on highways.

Ought to Pass, Vote 3-2

Senator Gallus for the committee.

## **AMENDMENTS**

**Senate Finance**

**March 9, 2004**

**2004-0744s**

**09/10**

### **Amendment to SB 126-FN-A**

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

AN ACT exempting transfers of title between spouses from the real estate transfer tax.

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

1 Real Estate Transfer Tax; Exceptions; Transfers of Title Between Spouses. Amend RSA 78-B:2, XIII to read as follows:

XIII. To ***any transfer of title between spouses, including*** a transfer of title between spouses pursuant to final decree of divorce or nullity.

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

**2004-0744s**

### **AMENDED ANALYSIS**

This bill exempts any transfers of title between spouses from the real estate transfer tax.

**Senate Finance**

**March 8, 2004**

**2004-0732s**

**04/09**

### **Amendment to SB 303-FN**

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

AN ACT eliminating the business profits tax exemption for qualified investment companies.

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

1 Taxation of Incomes; Who Taxable. Amend RSA 77:3, I(b) to read as follows:

(b) Partnerships, limited liability companies, associations, and trusts, the beneficial interest in which is not represented by transferable shares, whose gross interest and dividend income from all sources exceeds \$2,400 during the taxable year, but not including ~~[a qualified investment company as defined in RSA 77-A:1, XXI, or]~~ a trust comprising a part of an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section 3.

2 Business Profits Tax; Definitions. Amend RSA 77-A:1, I to read as follows:



I. "Business organization" means any enterprise, whether corporation, partnership, limited liability company, proprietorship, association, business trust, real estate trust or other form of organization; organized for gain or profit, carrying on any business activity within the state, except such enterprises as are expressly made exempt from income taxation under the United States Internal Revenue Code as defined in RSA 77-A:1, XX. Each enterprise under this definition shall be subject to taxation under RSA 77-A:2 as a separate entity, unless specifically authorized by this chapter to be treated otherwise, such as, but not limited to, combined reporting. Trusts treated as grantor trusts under section 671 of the United States Internal Revenue Code shall be included in the return of their owners, and such owners shall be subject to the tax thereon to the extent such owners would be considered a business organization hereunder notwithstanding the existence of the trust. The use of consolidated returns as defined in the United States Internal Revenue Code as defined in RSA 77-A:1, XX is not permitted. ~~Notwithstanding any other provision of this paragraph, an enterprise shall not be characterized as a business organization and shall be excluded from taxation at the entity level if it is a qualified investment company as defined in RSA 77-A:1, XXI that is not taxable under RSA 77-A:2-c.]~~ A partnership, limited liability company, estate, trust except grantor trusts pursuant to section 671 of the United States Internal Revenue Code, "S" corporation, real estate investment trust, or any other such entity, ~~[other than a qualified investment company as defined in RSA 77-A:1, XXI that is not taxable under RSA 77-A:2-c,]~~ whose net income is reportable by the true owners either directly or indirectly shall be subject to tax at the entity level, and no part of such earnings or loss shall be included in the calculation of the gross business profits of the owners of such entity.

3 Business Profits Tax; Definitions. Amend RSA 77-A:1, XII to read as follows:

XII. "Business activity" means a group of actions performed by a business organization for the purpose of earning income or profit from such actions and includes every operation which forms a part of, or a step in, the process of earning income or profit from such group of actions. The actions ordinarily include, but are not limited to, the receipt of money, property, or other items of value and the incurring or payment of expenses. ~~[Notwithstanding any other provision of this paragraph, a holder of an ownership interest in a qualified investment company as defined in RSA 77-A:1, XXI, shall not be deemed to be carrying on any business activity within this state due solely to its holding an ownership interest in such qualified investment company.]~~

4 Business Enterprise Tax; Definitions. Amend RSA 77-E:1, II-III to read as follows:

II. "Business activity" means a transfer of legal or equitable title to or rental of property, whether real, personal or mixed, tangible or intangible, or the performance of services, or a combination thereof, made or engaged in, or caused to be made or engaged in, whether in intrastate, interstate, or foreign commerce, with the object of gain, benefit, income, revenue or advantage, whether direct or indirect, to the business enterprise or to others, but shall not include the services rendered by an employee to an employer or services as a director of a corporation. Although an activity of an enterprise may be incidental to another of its business activities, each activity shall be considered to be business engaged in or carried on within the meaning of this chapter. ~~[Notwithstanding any other provision of this paragraph, a holder of an ownership interest in a qualified investment company as defined in RSA 77-E:1, XIV, shall not be deemed to be carrying on any business activity within this state due solely to its holding an ownership interest in such qualified investment company.]~~

III. "Business enterprise" means any profit or nonprofit enterprise or organization, whether corporation, partnership, limited liability company, proprietorship, association, trust, business trust, real estate trust or other form of organization engaged in or carrying on any business activity within this state, except such enterprises as are expressly made exempt from income taxation under section 501(c)(3) of the United States Internal Revenue Code to the extent such enterprise does not engage in any business activity constituting unrelated business activity as defined by section 513 of the United States Internal Revenue Code. Each business enterprise under this definition shall be subject to the tax imposed under RSA 77-E as a separate entity except that trusts treated as grantor trusts under section 671 of the United States Internal Revenue Code shall be included in the return of their owners, and such owners shall be subject to the tax thereon to the extent any such owners would be considered a business enterprise hereunder notwithstanding the existence of the trust. The use of consolidated returns as defined in the United States Internal Revenue Code or of combined reporting is not permitted. ~~[Notwithstanding any other provision of this paragraph, an enterprise shall not be characterized as a business enterprise and shall be excluded from taxation at the entity level if it is a qualified investment company as defined in RSA 77-E:1, XIV.]~~

5 Treatment of New Hampshire Investment Trusts; Definitions; New Hampshire Investment Trust; Other Investment Entity. RSA 293-B:2, IV and V are repealed and reenacted to read as follows:



IV.(a) “New Hampshire investment trust” means:

- (1) A regulated investment company as defined in section 851 of the United States Internal Revenue Code as amended;
- (2) An organization that is an investment company under the Investment Company Act of 1940 as amended;
- (3) An organization that would be an investment company under the Investment Company Act of 1940 as amended, but for the exception from investment company status provided by section 3(c)(1) or 3(c)(7) of the Investment Company Act; or
- (4) An investment capital company as defined in paragraph IV-a.

(b) A New Hampshire investment trust shall limit its activities to investment or other activities consistent with its organizational purpose and those incidental to, or in support of, such activities, and provided further that any such exception from investment company status by reason of section 3(c)(7) of the Investment Company Act is available only to issuers whose securities are owned by persons or organizations who are deemed under section 3(c)(7) of the Investment Company Act or any order, regulation, or interpretation thereunder, not to require protection under the provisions of the Investment Company Act by reason of their size, nature, status, or sophistication.

IV-a(a). “Investment capital company” means a business organization that satisfies the following criteria:

(1) The principal purpose of the investment capital company is to provide investment capital to companies through investment in equity and debt securities or interests issued by such companies, including common and preferred stock, indebtedness and convertible securities, to provide such management oversight and business advice to such companies as is reasonably appropriate to protect the investment and to encourage the success of the company and the investment, and to take any and all actions that may become necessary to preserve and protect investments in accordance with the terms of the investment securities.

(2) At least 30 percent of the investment capital company’s outstanding equity, capital, and profits interest is owned by at least one person who is not related to the investment company’s trustee or trustees.

(b) For purposes of this paragraph, a trustee is related to a person if it owns or controls, directly or indirectly, not including ownership through the investment capital company, more than 25 percent of the voting interests in such person.

V. “Other investment entity” means an out-of-state investment entity which otherwise meets the definition of New Hampshire investment trust.

6 Repeal. The following are repealed:

I. RSA 77:3, II, relative to interest and dividend taxation of qualified investment company income.

II. RSA 77:4, V and VI, relative to interest and dividend taxation of qualified investment company income and qualified investment capital company income.

III. RSA 77:4-f, relative to adjustments for contributions and distributions with respect to qualified investment capital companies.

IV. RSA 77-A:1, XXI, relative to the definition of qualified investment company for the purposes of the business profits tax.

V. RSA 77-A:1, XXIV and XXV, relative to the definition of qualified investment capital company and investment company manager for the purposes of the business profits tax.

VI. RSA 77-A:4, XV, relative to additions and deductions for qualified investment companies concerning business profits tax.

VII. RSA 77-A:4, XVII and XVIII, relative to additions and deductions for qualified investment capital companies concerning business profits tax.

VIII. RSA 77-A:5-b, relative to reporting for qualified investment capital companies.

IX. RSA 77-E:1, XIV, relative to the definition of qualified investment company for the purposes of the business enterprise tax.

7 Applicability. This act shall apply to returns for taxable periods ending after June 30, 2004.

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

**2004-0732s**

**AMENDED ANALYSIS**

This bill eliminates the tax-exempt status of qualified investment companies and qualified investment capital companies.

**Internal Affairs**

**March 10, 2004**

**2004-0791s**

**03/05**

**Amendment to SB 311**

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

1 New Paragraph; Distributing Campaign Materials at Polling Place; Civil Penalty. Amend RSA 659:43 by inserting after paragraph III the following new paragraph:

IV.(a) Whoever violates any of the provisions of this section shall be subject to a civil penalty not to exceed \$1,000.

(b) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 659:43 a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the election fund established pursuant to RSA 5:6-d.

(c) The attorney general shall have authority to notify suspected violators of this section of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the election fund established pursuant to RSA 5:6-d.

2 Push-Polling; Identification Required; Penalty. Amend RSA 664:16-a, II to read as follows:

II. Any person or entity who violates paragraph I shall be subject to penalty under RSA 664:21, V **and VI**.

3 New Paragraph; Push-Polling and Improper Removal or Destruction of Political Advertising; Civil Penalty. Amend RSA 664:21 by inserting after paragraph V the following new paragraph:

VI.(a) Whoever violates any of the provisions of RSA 664:16-a or the provisions of RSA 664:17 relative to removing, defacing, or destroying political advertising on private property shall be subject to a civil penalty not to exceed \$1,000.

(b) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 664:16-a or the provisions of RSA 664:17 relative to removing, defacing, or destroying political advertising on private property a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the election fund established pursuant to RSA 5:6-d.

(c) The attorney general shall have authority to notify suspected violators of RSA 664:16-a or the provisions of RSA 664:17 relative to removing, defacing, or destroying political advertising on private property of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the election fund established pursuant to RSA 5:6-d.

4 Impersonation of Candidates; Civil Penalty. Amend RSA 666:7-a to read as follows:

666:7-a Impersonation of Candidates.

**I.** Any person who places a telephone call during which the person falsely represents himself or herself as a candidate for office shall be guilty of a misdemeanor.

**II.(a) Whoever violates paragraph I shall be subject to a civil penalty not to exceed \$1,000.**

**(b) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 666:7-a a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the election fund established pursuant to RSA 5:6-d.**

***(c) The attorney general shall have authority to notify suspected violators of this section of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the election fund established pursuant to RSA 5:6-d.***

5 Effective Date. This act shall take effect June 1, 2004.

**Senate Ways and Means**

**March 11, 2004**

**2004-0817s**

**08/10**

#### **Amendment to SB 357**

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

1 New Section; Quarterly Collection of Taxes. Amend RSA 76 by inserting after section 15-a the following new section:

76:15-aa Quarterly Billing of Taxes in Certain Towns and Cities. Any city or town which has adopted an optional fiscal year may adopt a system for quarterly billing and collection of taxes as provided in RSA 76:15-b.

I. In a city or town that adopts the provisions of RSA 76:15-b, III, the first quarterly bill shall be due and payable on April 1 during the 6-month conversion period prior to the fiscal year beginning on July 1. This bill shall be an amount based on 1/4 of the total previous year's complete city or town, school, and county levy. The entire amount collected on April 1, except for the county portion, shall be credited to the city or town to fund the 6-month conversion period budget as adopted by the legislative body.

(a) For the purposes of RSA 76:16, RSA 76:16-a, and RSA 76:17, the "notice of tax" means the date the board of tax and land appeals determines to be the last date of mailing of the tax bill issued under this paragraph.

(b) For the purposes of RSA 80:19, the assessment date for the tax bills due and payable on April 1 of the first year of implementation of quarterly tax billing shall be that same date of April 1.

(c) Thereafter, beginning with the newly adopted fiscal year beginning July 1, tax payments shall be due as provided in paragraph III.

II. In any city or town which has adopted both an optional fiscal year and quarterly billing, taxes shall be collected in the following manner.

III.(a) Tax payments shall be due July 1, October 1, January 2, and March 31 of each fiscal year to fund the optional fiscal year budget and shall be the basis upon which the tax rate shall be established by the department of revenue administration.

(b) A partial billing of the taxes to be due in any tax year shall be computed by taking the previous year's assessed valuation times the previous year's tax rate, as determined by the department of revenue administration, divided by 4; provided, however, that whenever it appears to the assessors that certain individual properties have physically changed in valuation, they may use the current year's appraisal times the previous year's tax rate divided by 4 to compute the partial payment. Partial payments of taxes assessed under this section shall be due and payable on July 1 and October 1. For the purpose of the partial payments, a list of assessed property shall be committed by the board of assessors with 2 separate warrants under their hands and seal directed to the collector no later than January 15. The collector shall mail all the bills for the 2 quarterly partial payments no later than 30 days before their due dates. The collector shall receive such payments and credit the amount paid towards the amount of the taxes eventually assessed against the property.

(c) Payments of the remainder of the taxes, minus the 2 partial payments due on July 1 and October 1 of that year, shall be due and payable in 2 equal billings on January 2 and March 31. For the purpose of these final remaining partial payments, the assessor shall commit 2 separate warrants to the collector. The collector shall mail all the bills for the 2 remaining tax payments no later than 30 days before their due dates. For purposes of RSA 76:16, RSA 76:16-a, and RSA 76:17, the "notice of tax" shall mean the date the board of tax and land appeals determines to be the last date of mailing of the January 2 quarterly tax bill, which bill is based on the current year's tax rate and assessments.

(d) For the purpose of establishing the real estate tax lien under the provisions of RSA 80:59, for the tax bills due and payable each year after the adoption of quarterly tax billing, the real estate of every person or corporation may be subject to the tax lien procedure by the collector, in case all taxes against the owner shall not be paid in full on or before April 1 next after its assessment.

IV. If, subsequent to the collector issuing quarterly bills, the assessors are made aware of a change in ownership in a parcel so billed, the assessors shall amend the tax list and notify the collector, who, upon the request of the taxpayer, shall cause to be mailed to the new owner a statement of account showing the balance due on the current quarterly billing.

V. Interest at the rate of 12 percent per annum shall be charged on all taxes not paid on or after their due dates or 30 days after mailing, whichever is later.

2 Resident Taxes; Definitions. Amend RSA 72:1-d, I(b)–(c) to read as follows:

(b) In towns that bill semiannually, pursuant to RSA 76:15-a, the date the town mails the second tax bill to the taxpayers; ~~and~~

(c) In towns operating with an optional fiscal year, pursuant to RSA 31:94-a or a special legislative act, the date the town mails the first tax bill to the taxpayers, provided that first tax bill establishes the total tax liability for the tax year and the bill includes notice that abatements must be sought from the first bill[-]; **and**

***(d) In municipalities that bill quarterly, pursuant to RSA 76:15-aa, the date the municipality mails the final tax bill to the taxpayers.***

3 Apportionment, Assessment and Abatement of Taxes; Definitions. Amend RSA 76:1-a, I(b)–(c) to read as follows:

(b) In towns that bill semiannually, pursuant to RSA 76:15-a, the date the town mails the second tax bill to the taxpayers; ~~and~~

(c) In towns operating with an optional fiscal year, pursuant to RSA 31:94-a or a special legislative act, the date the town mails the first tax bill to the taxpayers, provided that first tax bill establishes the total tax liability for the tax year and the bill includes notice that abatements must be sought from the first bill[-]; **and**

***(d) In municipalities that bill quarterly, pursuant to RSA 76:15-aa, the date the municipality mails the final tax bill to the taxpayers.***

4 Collection of Taxes; Local Option. Amend RSA 76:15-b to read as follows:

76:15-b Local Option.

***I.*** Other provisions of law to the contrary notwithstanding, taxes shall be collected in any town or city in a manner pursuant to RSA 76:15-a if said town or city, by majority vote of the governing body, adopts the provisions thereof. A town or city which adopts the provisions of RSA 76:15-a may rescind said adoption by majority vote of the governing body, and the general statutes relating to collection of taxes shall once again apply.

***II.*** Taxes shall be collected in any town or city in a manner pursuant to RSA 76:15-aa, if said town or city, by majority vote of the legislative body, adopts the provisions thereof. A town or city which adopts the provisions of RSA 76:15-aa may rescind said adoption by majority vote of the legislative body, and the general statutes relating to collection of taxes shall once again apply.

***III.*** Any city or town may, by majority vote of the legislative body, adopt a fiscal year running from July 1 to June 30 of the following year. In conjunction with that vote, the city or town is also authorized, by majority vote, to adopt a budget for the purpose of funding a 6-month conversion period through the adoption of a system for quarterly collection and billing of taxes as provided in RSA 76:15-aa.

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

**Senate Finance  
March 9, 2004  
2004-0737s  
03/04**

#### **Amendment to SB 376-FN-A**

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

AN ACT relative to pharmaceutical purchases for receiving facilities and nonprofit hospitals.

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

1 New Paragraph; Administrative Services; Additional Purchasing Authority; Pharmaceuticals. Amend RSA 21-I:17 by inserting after paragraph II the following new paragraph:

III. The state through the director of plant and property management or any other appropriate purchasing authority may purchase pharmaceuticals and allied products and services for any receiving facility as defined in RSA 135-C or any nonprofit hospital, whenever the governing body thereof so desires and the director or other authority deems that he or she can make such purchases advantageously. Any savings realized from the state's purchase of pharmaceuticals and allied products and services for a receiving facility or nonprofit hospital shall be allocated equally between the state and that receiving facility or nonprofit hospital.

2 Effective Date. This act shall take effect July 1, 2004.

**2004-0737s**

#### AMENDED ANALYSIS

This bill authorizes the director of plant and property management or any other appropriate purchasing authority to purchase pharmaceuticals and allied products and services for any receiving facility as defined in RSA 135-C or any nonprofit hospital.

#### **Insurance**

**March 11, 2004**

**2004-0811s**

**01/09**

#### **Amendment to SB 389**

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

AN ACT relative to certain insurance contracts.

Amend the bill by replacing section 1 with the following:

1 Provider Contract Standards; Continued Access. Amend RSA 420-J:8, XI to read as follows:

XI. **(a)** Every contract entered into after July 1, 2003 between a health carrier and any physician or facility shall contain a provision that ensures that covered persons will have continued access to the provider in the event that the contract is terminated for any reason other than unprofessional behavior. The continued access to providers shall be made available for 60 days from the date of termination of the contract and shall be provided and paid for in accordance with the terms and conditions of the covered person's health benefit plan and the prior contract between a health carrier and a health care provider. Within 5 business days of the contract termination, the health carrier shall provide written notice to affected covered persons explaining their continued access rights.

***(b) Notwithstanding subparagraph (a) or any provision conforming with subparagraph (a) contained in the contract, if a contract between a health carrier and a health care facility is terminated, the health carrier shall not, for a period of 120 days from the termination of the contract, terminate its network affiliation with physicians having admitting privileges at the facility or otherwise disrupt or interfere with continued access to health care services for covered persons provided by such physicians for any reason other than unprofessional behavior. This prohibition against disrupting or interfering with continued access to health care services for covered persons shall include all services provided to covered persons at the terminated facility when such persons have been admitted by a physician who is a participating provider. The continued access to such facility shall be provided and paid for in accordance with the terms and conditions of the covered person's health benefit plan and the prior contract between the health carrier and the health care facility; provided, that the continued access required by this subparagraph shall no longer be required upon the effective date of a new contract between such health carrier and such health care facility.***

**2004-0811s**

#### AMENDED ANALYSIS

This bill clarifies that covered persons shall have continued access to their physicians in the event of a termination of a contract between a facility or facilities and a health carrier.



Senate Finance  
 March 9, 2004  
 2004-0743s  
 04/10

#### Amendment to SB 411-FN-LOCAL

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

1 Special Education; Transportation. Amend RSA 186-C:11 to read as follows:

186-C:11 Transportation.

*I. Each school district shall furnish suitable transportation to all educationally disabled children whose individualized education plan requires such transportation. The school district may board a child near the place where instruction is to be furnished and shall provide transportation if required by the child's individualized education plan from the place where the child is boarded to the place of instruction.*

*II. Transportation costs for educationally disabled children shall be paid in accordance with RSA 198, provided that:*

*(a) A school district receiving and expending adequate education grant funds for the transportation of an educationally disabled child shall not apply for reimbursement for those same transportation costs under RSA 186-C:18. However, if an educationally disabled child's individualized education plan is amended resulting in transportation costs which exceed the per pupil adequate education grant amount for the fiscal year for that child, such excess transportation costs shall be eligible for reimbursement under RSA 186-C:18.*

*(b) A school district shall only count costs for educationally disabled children who are transported on a bus or other vehicle specifically designed or designated primarily for the transportation of educationally disabled children, net of any costs incurred for transportation of children without educational disabilities, in the calculation of special education transportation costs. A school district shall count an educationally disabled child transported on a regular school bus in the calculation of regular transportation costs.*

2 Effective Date. This act shall take effect July 1, 2004.

2004-0743s

#### AMENDED ANALYSIS

This bill revises the method of calculating transportation costs for educationally disabled children.

Senate Education  
 March 12, 2004  
 2004-0826s  
 04/05

#### Amendment to SB 421

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

1 New Paragraph; Charter Schools; Statement of Purpose.. Amend RSA 194-B:1-a by inserting after paragraph VIII the following new paragraph:

IX. Encourage the establishment of charter schools that meet the needs and interests of pupils, parents, school districts, and the state as a whole.

2 Charter Schools; Establishment and Application. Amend RSA 194-B:3, II (f) to read as follows:

(f) Curriculum **and its relevant research base.**

3 Charter Schools; Establishment and Application. Amend RSA 194-B:3, II (r) to read as follows:

(r) Annual budget, including all sources of funding, **and a projected budget for the next 2 years.**

4 Charter Schools; Charter School Approval by State Board of Education. Amend RSA 194-B:3-a, II to read as follows:

II. **(a)** The proposed charter school application shall be presented for approval directly to the state board of education by the applicant for the prospective charter school. The content of such application shall con-

form to the requirements set forth in RSA 194-B:3, II(a)-(bb). The department of education shall notify an applicant of any missing information within 10 days of the initial filing. The applicant shall file any missing information before the department reviews the application.

***(b) In addition to the requirements of RSA 194-B:3, II, charter school applications submitted directly to the state board of education shall be evaluated, selected, and approved by the state board of education based on criteria to be developed by the state board of education in rules, adopted pursuant to RSA 541-A, which evaluate the applicant's ability to:***

***(1) Provide a quality educational mission, goals, and program to increase opportunities for learning and access to a quality education for all pupils.***

***(2) Demonstrate sound financial planning and administration.***

***(3) Demonstrate that board members and staff have adequate experience in the operation of a school, management of finances, and working on or with boards.***

***(4) Demonstrate sound curriculum and instructional practices.***

***(5) Provide an adequate plan to determine pupil expectations and performance beyond participation in the state assessment.***

***(6) Provide educational leadership to encourage community and parent involvement in pupil learning and school decision making.***

***(7) Demonstrate evidence of a need for a particular school.***

***(8) Develop an accountability plan which clarifies expectations for evaluating the school's program.***

5 Charter School Approval by State Board of Education. Amend RSA 194-B:3-a, IV to read as follows:

IV. ~~[The state board of education shall either approve or deny an application based on the criteria set forth in RSA 194-B:1-a.]~~ Approval of an application constitutes the granting of charter status and the right to operate as a charter school. The state board of education shall notify all applicants of its decision, and shall include in any notice of denial a statement that the applicant may reapply under RSA 194-B:3, RSA 194-B:4, or under this section in a subsequent year.

6 Charter Schools; Establishment and Application. Amend RSA 194-B:3, II (g) to read as follows:

(g) Academic and other learning goals and objectives, ***including an accountability plan which clarifies expectations for evaluating the school's program.***

7 Charter Schools; Authority and Duties of Board of Trustees. Amend the introductory paragraph of RSA 194-B:5, III to read as follows:

III. An established charter school shall be a corporation, ***registered with the secretary of state***, with authority necessary or desirable to carry out its charter program including, but not limited to, the following:

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

**2004-0826s**

#### AMENDED ANALYSIS

This bill establishes criteria for the evaluation of charter school applications submitted directly to the state board of education and revises the general application requirements for charter schools.

**Energy and Economic Development**

**March 11, 2004**

**2004-0812s**

**09/04**

#### Amendment to SB 433-FN

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

AN ACT establishing a committee to study utility rate review by the public utilities commission.

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



1 Committee Established. There is established a committee to study utility rate review by the public utilities commission.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall conduct a study of utility rate review procedures and practices by the public utilities commission. The committee shall consider the frequency and scope of desk analyses, field audits, and rate cases conducted by the public utilities commission. The committee shall also examine instituting new reporting requirements on utility rate reviews and the availability of information to the public concerning rate review processes and outcomes. The committee shall also consider potential costs and savings of various options.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 30, 2004.

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

**2004-0812s**

AMENDED ANALYSIS

This bill establishes a committee to study utility rate review by the public utilities commission.

**Public Institutions, Health and Human Services**

**March 10, 2004**

**2004-0789s**

**08/01**

**Amendment to SB 441**

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

AN ACT relative to the operation of dental clinics by health care charitable trusts and non-profit hospitals.

Amend RSA 317-A:20-a as inserted by section 1 of the bill by replacing it with the following:

317-A:20-a Health Care Charitable Trust and Non-Profit Hospital Dental Clinics.

I. Notwithstanding RSA 317-A:20, a health care charitable trust, as defined under RSA 7:32-d, V, and non-profit hospitals, may apply to the board to own, lease, maintain, or operate a dental clinic where dental operations are performed. The board shall approve such application if the following criteria are met:

(a) The health care charitable trust or non-profit hospital is a not-for-profit corporation under RSA 292 and section 501(c)(3) of the Internal Revenue Code;

(b) The health care charitable trust complies with the provisions of RSA 7:19 through RSA 7:32-b;

(c) The health care charitable trust identifies dental care as part of its mission statement in its community benefit plan required under RSA 7:32-e, or non-profit hospitals currently providing free dental care as part of their community health program.

(d) The provision of dental services provided by the health care charitable trust or non-profit hospital are under the general supervision of a dentist licensed by the board;

II. A clinic operated by a not-for-profit entity on the effective date of this section shall be allowed to continue to operate provided it meets the requirements of paragraph I.

Amend RSA 317-A:12, XII-d as inserted by section 3 of the bill by replacing it with the following:

XII-d. The application and approval of dental clinics operated by health care charitable trusts or non-profit hospitals under RSA 317-A:20-a; and

**2004-0789s**

#### AMENDED ANALYSIS

This bill allows health care charitable trusts and non-profit hospitals to own, lease, maintain, or operate dental clinics.

**Senate Finance**

**March 9, 2004**

**2004-0750s**

**05/03**

#### Amendment to SB 448-FN

Amend RSA 415-C:2, II as inserted by section 1 of the bill by replacing it with the following:

II. Consumer guaranty contracts are not insurance and are exempt from this state's insurance laws, except for the provisions of RSA 400-A:16 through RSA 400-A:25 and RSA 400-A:32-c, or as provided by this chapter.

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to read as 4-5, respectively:

3 New Paragraph; Insurance Department; Consumer Guaranty Contracts; Premium Tax. Amend RSA 400-A by inserting after section 32-b the following new section:

400-A:32-c Consumer Guaranty Contracts; Premium Tax.

I. Every obligor of a service guaranty contract registered pursuant to RSA 415-C shall report to the commissioner, on or before March 1 of each year, premiums received during the prior calendar year.

II. The obligor shall annually pay to the insurance commissioner a tax of 2 percent upon premiums collected, as reported in paragraph I.

III. Premium taxes imposed herein shall become payable on or before March 1 of each year and shall be filed with the report required in paragraph I.

IV. If the premium tax is not paid when due, the commissioner may suspend or revoke the obligor's registration to do business in this state.

**Senate Environment**

**March 10, 2004**

**2004-0805s**

**06/10**

#### Amendment to SB 449

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

1 Use of Fluorine; Public Water Systems Serving More Than One Political Subdivision. RSA 485:14 is repealed and reenacted to read as follows:

485:14 Use of Fluorine.

I. No fluorine shall be introduced into the water of any lake, pond, reservoir or stream tributary from which the domestic water supply is taken unless and until the municipality using said waters has held a public hearing as to the introduction of fluorine into the public water supply of said municipality, and the voters of such municipality have approved such action pursuant to RSA 44:16, RSA 31:17-a or RSA 52:23.

II. Where the supplier of water for a public water system is a municipal water company and the public water system serves residents of more than one municipality, fluorine may be introduced into the public water system upon being approved in accordance with the following procedure:

(a) The municipality whose municipal water company is the supplier of water for the public water system may approve the introduction of fluorine into the public water system in accordance with RSA 44:16, RSA 31:17-a, or RSA 52:23. The municipality, prior to the vote shall hold a public hearing on the introduction of fluorine into the public water system. In addition to any other notice required by law, the municipality acting as the supplier of water shall post notice of the time and place of the public hearing in 2 appropriate places in any municipality whose residents are, in whole or in part, directly served by the public water system.

(b) If the majority of voters of the municipality acting as the supplier of water approves the introduction of fluorine into their public water system, any other municipality whose residents, in whole or in part, are directly served by the public water system may insert a question about the introduction of fluorine on the ballot in accordance with RSA 44:16, RSA 31:17-a, or RSA 52:23, as may be applicable. For purposes of this paragraph, the term "voter" in RSA 44:16, RSA 31:17-a, or RSA 52:23 shall mean any person who may lawfully vote at a municipal election in said municipality and whose residence is directly served by the public water system. Any vote on the question of fluoridation shall occur no later than the first municipal election following the approval by the municipality acting as the supplier of water. If a municipality fails to conduct a timely vote on the question of fluoridation, it shall be deemed to have acquiesced to the introduction of fluorine. The municipal water company shall provide municipalities with the information necessary to identify residences directly served by its public water system. If the majority of voters in all municipalities served by the public water system approve the introduction of fluorine into the public water system, fluorine may be introduced or may continue to be introduced into the public water system.

(c) The appropriate official in each municipality shall verify the results of any vote on the question as to the introduction of fluorine and shall forward a certified statement of the results to the clerk of the municipality acting as the supplier of water for the public water system. The clerk shall add together the certified results of all municipalities voting on the introduction of fluorine into the public water system. If the majority of voters overall approves the introduction of fluorine into the public water system, fluorine may be introduced or continue to be introduced into the public water system. Notwithstanding any law to the contrary, after such series of votes, the question of fluoridation shall not be inserted on a ballot used at a municipal election for a minimum period of 3 years from the date of the last vote of any of the participating municipalities and, only upon written application at that time of not less than 10 percent of the registered voters of the municipality acting as the supplier of water.

(d) After the introduction of fluorine has been approved in accordance with this section, no additional vote shall be required if the service area of the public water system is extended to new customers or new municipalities. Said customers or municipalities may participate in future votes about the introduction of fluorine in accordance with this section.

(e) Nothing in this section shall be construed to restrict the authority of municipalities to agree to other procedures under RSA 53-A, RSA 485-D, or similar statutes.

(f) Where fluorine is currently being introduced into a public water system and the voters of the municipality acting as the supplier of water have approved such action after public hearing pursuant to RSA 44:16, RSA 31:17-a, or RSA 52:23, that municipality and any other municipality whose residents, in whole or in part, are directly served by the public water system may insert the question about the introduction of fluorine on the ballot in accordance with subparagraph (b) at the next state general election following the effective date of this act. If any municipality fails to conduct a timely vote on the question of fluoridation, it shall be deemed to have acquiesced to the introduction of fluorine. Fluoridation of public water system may continue until the majority of voters vote to discontinue it.

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

**2004-0805s**

#### AMENDED ANALYSIS

This bill:

I. Allows the introduction of fluorine into public water supplies that serve more than one municipality if the voters of the municipality which supplies the water vote to approve its use.

II. Establishes a procedure for a referendum on the use of fluorine in other municipalities served by the water system.

III. Limits voting on the referendum to voters who are also directly served by the water system.

**Senate Education**  
**March 10, 2004**  
**2004-0804s**  
**08/10**

**Amendment to SB 451**

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

AN ACT giving degree-granting authority to the Hellenic American University and the St. Joseph's School of Nursing.

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

2 St. Joseph's School of Nursing. St. Joseph's School of Nursing, is hereby authorized to confer degrees upon its graduates, subject to the authority of the postsecondary education commission under RSA 188-D:8, IV. The degrees shall be specified by the postsecondary education commission as provided in RSA 292:8-h, III.

**2004-0804s**

**AMENDED ANALYSIS**

This bill gives degree-granting authority to the Hellenic American University.

This bill also give degree-granting authority to the St. Joseph's School of Nursing.

**Senate Judiciary**  
**March 10, 2004**  
**2004-0797s**  
**06/03**

**Amendment to SB 465**

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

AN ACT relative to testimony of witnesses about confidential settlements.

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

1 New Section; Confidential Settlements. Amend RSA 516 by inserting after section 33 the following new section:

516:33-a Confidential Settlements. Confidentiality agreements shall not prevent a party to an action from testifying about the facts and circumstances in a prior action when the court finds such information relevant in a pending action.

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

**2004-0797s**

**AMENDED ANALYSIS**

This bill allows testimony about the facts and circumstances in a prior action when the court finds the information relevant in a pending action, even if there is a confidentiality agreement.

**Environment**  
**March 11, 2004**  
**2004-0822s**  
**08/10**

**Amendment to SB 468**

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

AN ACT relative to tax exemptions for pollution control facilities.

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

1 New Paragraph; Property Taxation; Pollution Control Facilities. Amend RSA 72:12-a by inserting after paragraph I the following new paragraph:

I-a. Except as provided in RSA 72:12-b, the exemption from taxes under paragraph I shall not be granted to privately owned landfills and ancillary facilities, open and closed flares that use fuel waste gases produced by landfills, open and closed flares that burn landfill by-products, and privately owned solid waste incinerators, with the exception of pollution control devices installed on or within incinerators.

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

**2004-0822s**

AMENDED ANALYSIS

This bill restricts certain private facilities from receiving tax exemptions for pollution control equipment.

**Senate Transportation**

**March 10, 2004**

**2004-0803s**

**03/05**

**Amendment to SB 495-FN**

Amend the bill by replacing section 4 with the following:

4 Original License; Revocation and Suspension. Amend RSA 263:14, III(a)-(b) to read as follows:

III.(a) The director is authorized to revoke or suspend any original license ~~[issued under title XXI]~~ **held by a person under 20 years of age** after a hearing **before a hearing officer** upon a showing by its records or other sufficient evidence that the driver has committed ~~[an offense during the first year following the issuance of an original license or has committed 2 or more offenses during the first 2 years]~~ **an offense listed in RSA 259:39, I(g)-(q) or II** following the issuance of an original license for which the original license holder has been convicted.

(b) The periods of suspension or revocation set forth in subparagraph III(a) of this section shall be as follows:

(1) For a first ~~[offense during the first year following the issuance of an original license]~~ **offense listed in RSA 259:39, I(g)-(q) or II, up to** 20 days.

(2) For a second ~~[offense during the first 2 years following the issuance of an original license]~~ **offense listed in RSA 259:39, I(g)-(q) or II, up to** 45 days.

(3) For a third or subsequent ~~[offense during the first 2 years following the issuance of an original license]~~ **offense listed in RSA 259:39, I(g)-(q) or II, up to** 90 days.

Amend the bill by replacing section 7 with the following:

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

**Internal Affairs**

**March 10, 2004**

**2004-0796s**

**0801**

**Amendment to SB 526**

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Legislative Ethics Committee; Duties. Amend RSA 14-B:3, I by inserting after subparagraph (e) the following new subparagraph:

(f) Investigate allegations of sexual harassment by or against members of the general court, its officers, employees, or participants in officially sanctioned internships. Nothing in this section shall be construed to preclude legislative employees from pursuing any action against their employer in a court of law, the human rights commission, or any other forum.

**2004-0796s**

AMENDED ANALYSIS

This bill includes investigation of sexual harassment claims in the duties of the legislative ethics committee.

**Senate Finance**

**March 9, 2004**

**2004-0736s**

**03/04**

**Amendment to SB 532-FN**

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Road Tolls; Refunds; Biodiesel. Amend RSA 260:47 by inserting after paragraph VI the following new paragraph:

VII. Any distributor that sells or dispenses biodiesel or any blend of biodiesel with petroleum-based diesel fuel, where at least 20 percent of the blend by volume is biodiesel, shall be entitled to apply for a refund for the biodiesel or for the portion of the blend that is biodiesel as provided in this section.

**Public Affairs**  
**March 10, 2004**  
**2004-0777s**  
**05/10**

**Amendment to SB 533**

Amend RSA 170-E:3, I(f) and (g) as inserted by section 1 of the bill by replacing it with the following:

(f) Municipal recreation programs, ***including after-school and summer recreation programs.***

(g) Any ***school-age program or*** recreation program [~~of the Boys Club; Girls Club~~] ***offered by the Boys and Girls Club;*** Girls, Inc.; YMCA; YWCA; and any school or church group.

**2004-0777s**

**AMENDED ANALYSIS**

This bill clarifies that municipal recreation programs and similar programs offered by the Boys and Girls Club; Girls Inc; YMCA, YWCA, and any school or church group shall be exempt from the child day care licensing requirements under RSA 170-E.

**Senate Education**  
**March 12, 2004**  
**2004-0823s**  
**04/05**

**Amendment to HB 133-LOCAL**

Amend the bill by replacing section 1 with the following:

1 Fall Mountain Regional Cooperative School District; Amendments to Articles of Agreement.

I. Notwithstanding the limitations on review set forth in RSA 195:18, III(i), the Fall Mountain regional cooperative school district articles of agreement relating to the method of apportioning operating expenses under RSA 195:18, III(e), and relating to the method of apportioning capital expenses under RSA 195:18, III(g), may be subject to review pursuant to an article for that purpose duly inserted in the warrant for a district meeting which may be held at any time between the effective date of this act and the 2007 annual school district meeting.

II. Notwithstanding the limitations on review set forth in RSA 195:18, III(i), if the apportionment formula for the Fall Mountain regional cooperative school district has been duly changed, the basis for the apportionment of all such costs may be subject to review pursuant to an article for that purpose duly inserted in the warrant for a district meeting which may be held at any time between the effective date of this act and the 2007 annual school district meeting.

**2004-0823s**

**AMENDED ANALYSIS**

This bill exempts the Fall Mountain regional cooperative school district from the 5-year waiting period required for amending those articles of agreement in a cooperative school district which refer to apportionment of operating expenses and apportionment of capital expenses, and permits such amendments to occur within a specific time period.

**Senate Ways and Means**  
**March 9, 2004**  
**2004-0745s**  
**09/10**

**Amendment to HB 618-FN-A**

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

AN ACT making technical corrections to certain local property tax laws, relative to posting of municipal budgets, relative to claims for low and moderate income homeowners property tax relief, and allowing the city of Manchester to issue certificates of occupancy and building permits for airport district aeronautical facilities.



Amend the bill by replacing all after section 2 with the following:

3 Property Taxation; Conditions for Elderly Exemption. Amend RSA 72:39-a, II(d) to read as follows:

(d) Owned by a resident, or the resident's spouse, either of whom meets the age requirement for the exemption claimed, and when they have been married to each other for at least 5 **consecutive** years.

4 Elderly Exemption; Adoption and Modification. Amend RSA 72:39-b, II to read as follows:

II. An elderly exemption, based on assessed value for qualified taxpayers, ~~[shall]~~ **may** be granted for a different dollar amount determined by the town or city, to a person 65 years of age up to 75 years, to a person 75 years of age up to 80 years, and to a person 80 years of age or older. To qualify, the person must have been a New Hampshire resident for at least 5 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income in each applicable age group of not more than a dollar amount determined by the town or city of not less than \$13,400 or, if married, a combined net income of not more than a dollar amount determined by the town or city of not less than \$20,400; and own net assets not in excess of a dollar amount determined by the town or city of not less than \$35,000 excluding the value of the person's residence or, if married, combined net assets not in excess of a dollar amount determined by the town or city of not less than \$35,000 excluding the value of the residence. Under no circumstances shall the amounts of the exemption for any age category be less than \$5,000. The combined net asset amount for married persons shall apply to a surviving spouse until the sale or transfer of the property by the surviving spouse or until the remarriage of the surviving spouse.

5 Municipal Budget Law; Posting of Budget. Amend RSA 32:5, VII to read as follows:

VII. The governing body shall post certified copies of the budget, with the warrant for the meeting. ***The operating budget warrant shall contain the amount as recommended by the budget committee if there is one.*** In the case of towns, the budget shall also be printed in the town report made available to the legislative body at least one week before the date of the annual meeting. A school district or village district may vote, under an article inserted in the warrant, to require the district to print its posted budget in an annual report made available to the district's voters at least one week before the date of the annual meeting. Such district report may be separate or may be combined with the annual report of the town or towns within which the district is located.

6 Property Tax Relief; Exemption for Certain Late Filed Claims. Amend RSA 198:57, VI and VII to read as follows:

VI. ***(a)*** Complete applications for state tax relief shall be filed with the department of revenue administration between May 1 and June 30 following the due date of the final tax bill as defined in RSA 76:1-a for state education property taxes. ~~[If an otherwise qualified claimant shall satisfy the commissioner that such claimant was prevented by accident, mistake, or misfortune from filing a complete application on or before June 30, the commissioner may receive the complete application at a later date and grant the relief for that tax year.]~~

***(b) The commissioner may accept late filed, but complete, applications filed on or before November 1, under the following circumstances:***

***(1) The claimant satisfies the commissioner that the claimant was prevented from timely filing the application due to accident, mistake or misfortune.***

***(2) The claimant or other adult member of the household requested an extension of time to file his or her federal income tax return.***

VII. Each claimant shall provide a copy of his or her federal income tax return and a copy of the federal income tax return for each adult member of the claimant's household for the corresponding tax period. Claimants and adult household members who were not required to file a federal tax return for the immediately prior tax period may submit an affidavit to such effect in lieu of a tax return which document shall include the affiant's social security number. ***A claimant or any other adult member of the household, who requested an extension to file his or federal income tax return, shall attach a copy of the federal extension to the claim.*** A claimant who asserts ownership in a homestead because he or she holds equitable title, or the beneficial interest for life, in the homestead shall also submit a copy of the document creating such interest and a copy of the federal tax return, if any, for the immediately prior tax period, of the trust holding legal title to the homestead. Any documents submitted shall be considered confidential, and protected under RSA 21-J:14.



7 New Paragraph; Property Tax Relief; Authority to Audit Claims for Relief. Amend RSA 198:59 by inserting after paragraph I the following new paragraph:

I-a. The commissioner shall have the authority to audit any claim for relief filed under this subdivision to determine whether the claim has been granted erroneously. Any such audit shall commence within 3 years after the claim has been granted. Any assessment made by the commissioner shall be subject to appeal in accordance with RSA 198:60, I.

8 Property Tax Relief; Appeal of Assessment. Amend RSA 198:60, I to read as follows:

I. Whenever the commissioner refuses to grant a claimant [a] tax relief, ***or after an audit, assesses an amount against the claimant for property tax relief granted including interest and applicable penalties for an erroneously paid*** claim, the claimant may appeal in writing within 30 days of notice of such refusal ***or assessment*** to the board of tax and land appeals.

9 Certificates of Occupancy and Other Building Permits.

I. Notwithstanding any law to the contrary and in furtherance of the Intermunicipal Agreements between the City of Manchester and the Town of Londonderry dated March 3, 1981 and March 9, 1992, as amended on June 16, 2003, the city of Manchester, through its department of aviation, shall, with respect to aeronautical facilities within the airport district, have the authority to issue certificates of occupancy and other permits which a local building inspector would be authorized to issue under the state building code as defined by RSA 155-A. "Aeronautical facilities" and "airport district" shall have the same meaning as such terms do in the above agreements, as they may be amended from time to time by the parties.

II. The authority granted in this section shall lapse in the event that the above-referenced agreements and/or their successors are amended by the city of Manchester and the town of Londonderry to eliminate the department of aviation's authority to issue such permits.

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

**2004-0745s**

#### AMENDED ANALYSIS

This bill:

I. Makes technical corrections to certain local property tax laws allowing for exemptions.

II Clarifies the requirements for posting of the budget with the warrant for a town or school district meeting.

III. Limits the filing period for late low and moderate income homeowners property tax relief claims to the November 1 after the June 30 filing deadline for that tax year. The bill extends the late filing allowance to claimants who have requested an extension for filing their federal income tax returns. The bill also authorizes the commissioner of the department of revenue to audit low and moderate income property tax relief claims up to 3 years after the claim has been paid.

IV. Allows the city of Manchester to issue certificates of occupancy and local building permits with respect to aeronautical facilities within the airport district.

**Senate Judiciary**

**March 10, 2004**

**2004-0790s**

**05/03**

#### Amendment to HB 1212

Amend the bill by replacing section 3 with the following:

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

**Senate Ways and Means**

**March 11, 2004**

**2004-0816s**

**01/09**

#### Amendment to HB 1311

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

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

# HEARINGS

***TUESDAY, MARCH 16, 2004***

**EXECUTIVE DEPARTMENTS & ADMINISTRATION**, Room 102, LOB

Sen. Prescott (C), Sen. Cohen (VC), Sen. Estabrook, Sen. Kenney, Sen. Peterson

9:00 a.m.

**EXECUTIVE SESSION ON THE FOLLOWING LEGISLATION**

**SB 534-FN-A**, relative to the reorganization of certain functions and duties of state agencies.

**JUDICIARY**, Room 105-A, SH

Sen. Peterson (C), Sen. Foster (VC), Sen. Clegg, Sen. Roberge, Sen. Sapareto

10:15 a.m.

**HB 403**, (New Title) requiring a person found not guilty of certain sexual offenses by reason of insanity to register as a criminal offender.

**HB 422**, relative to the selection of replacement justices for supreme court justices who are disqualified to hear cases.

**HB 622-FN**, (New Title) clarifying certain exemptions from the right-to-know law.

**HB 1165**, relative to extending domestic violence protection orders.

**EXECUTIVE SESSION MAY FOLLOW**

**PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES**, Room 105-A, SH

Sen. Martel (C), Sen. Boyce (VC), Sen. Estabrook, Sen. Kenney, Sen. O'Hearn

3:00 p.m.

**HB 551**, (New Title) relative to the effect of parental refusal to administer psychotropic drugs to their children and establishing a committee to study the prescription and use of psychotropic drugs, including Ritalin, in childcare centers, preschools, and public schools.

3:25 p.m.

**HB 1170**, establishing a committee to study access to medical records of persons with highly communicable diseases.

***(NOTE THE TIME CHANGE FOR HB 1170)***

3:50 p.m.

**HB 1397**, relative to youth suicide prevention.

**EXECUTIVE SESSION MAY FOLLOW**

**WILDLIFE & RECREATION**, Room 104, LOB

Sen. Gallus (C), Sen. Roberge (VC), Sen. Cohen, Sen. Gatsas, Sen. Sapareto

1:15 p.m.

**HB 440**, relative to the discharge of firearms on or across highways in pursuit of wild birds or animals.

**HB 1166**, clarifying certain local regulation of OHRVs and relative to the operation of snow traveling vehicles on class VI roads.

**EXECUTIVE SESSION MAY FOLLOW**

***TUESDAY, MARCH 23, 2004***

**PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES**, Room 105-A, SH

Sen. Martel (C), Sen. Boyce (VC), Sen. Estabrook, Sen. Kenney, Sen. O'Hearn

3:00 p.m.

**HB 1275**, relative to the role of the department of health and human services in juvenile proceedings.

3:30 p.m.

**HB 1290**, (New Title) establishing a study committee to examine time limits on eligibility for Temporary Assistance for Needy Families.

3:45 p.m.

**HB 1410**, (New Title) relative to the release of information to persons receiving a child for placement.

**EXECUTIVE SESSION MAY FOLLOW**

## ***WEDNESDAY, MARCH 24, 2004***

### **INTERNAL AFFAIRS, Room 103, LOB**

Sen. Boyce (C), Sen. Flanders (VC), Sen. Kenney, Sen. Larsen, Sen. O'Hearn

10:15 a.m.

**HB 767-FN**, relative to political advertising not authorized by the candidate.

**HB 1299**, (New Title) relative to the removal of the tax collector, treasurer, or town clerk, and required notice to the board of selectmen by a candidate for office if the candidate has ever been removed from a bonded position.

**EXECUTIVE SESSION MAY FOLLOW**

### **TRANSPORTATION, Room 104, LOB**

Sen. Kenney (C), Sen. Morse (VC), Sen. Below, Sen. Flanders, Sen. Martel

3:00 p.m.

**HB 1261**, (New Title) establishing a committee to study alternative uses for a certain rest area on the F. E. Everett turnpike.

3:15 p.m.

**HB 1401-FN**, limiting the use of traffic signal preemption devices.

3:35 p.m.

**HB 1183**, (New Title) relative to transporting manufactured housing or modular buildings.

**EXECUTIVE SESSION MAY FOLLOW**

## ***WEDNESDAY, MARCH 31, 2004***

### **INTERNAL AFFAIRS, Room 103, LOB**

Sen. Boyce (C), Sen. Flanders (VC), Sen. Kenney, Sen. Larsen, Sen. O'Hearn

10:15 a.m.

**CACR 5**, (New Title) relating to the rulemaking authority of the supreme court. Providing that the supreme court may adopt rules, that the general court may regulate these matters by statute, and that in the event of a conflict between a statute and a rule, the statute, if otherwise valid, shall prevail over the rule.

**HB 1308-FN**, relative to lobbying activities by state employees.

**HB 1336**, relative to the procedures for the legislative ethics committee.

**EXECUTIVE SESSION MAY FOLLOW**

## **MEETINGS**

### ***TUESDAY, MARCH 16, 2004***

**NH DEPARTMENT OF TRANSPORTATION** (Warren 13324, Pavement rehabilitation, drainage improvements, new sidewalk, and guardrail replacement along NH Route 25 beginning 500' north of East Side Rd. continuing north 2.5 miles to NH route 118)

7:00 p.m.

Warren Town Hall  
19 Water Street  
Warren, NH

Public Officials/ Public Info

### ***FRIDAY, MARCH 19, 2004***

**COMMISSION ON SETBACK REQUIREMENTS FOR LAND APPLICATION OF SEPTAGE, BIOSOLIDS AND SHORT PAPER FIBERS** (SB 87, Chapter 302:1, Laws of 2003)

9:00 a.m.

Room 303, LOB

Regular Meeting

**JOINT ADMINISTRATIVE RULES** (RSA 541-A:2)

9:00 a.m.

Rooms 306-308, LOB

Regular Meeting

**COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH** (HB 1283, Chapter 43:1, Laws of 2000)

10:00 a.m.

Room 103, SH

Regular Meeting

**NEW HAMPSHIRE TASK FORCE ON DEAFNESS AND HEARING LOSS** (HB 225, Chapter 117:2, Laws of 2003)

1:00 p.m. Room 205, LOB Regular Meeting

**TASK FORCE ON FAMILY LAW** (HB 447, Chapter 250:1, Laws of 2002)

2:00 p.m. Room 208, LOB Regular Meeting

***MONDAY, MARCH 22, 2004***

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

9:00 a.m. NH Department of Revenue Administration Regular Meeting  
Community Services Division in the Training Room

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

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

**COMMISSION ON SETBACK REQUIREMENTS FOR LAND APPLICATION OF SEPTAGE, BIOSOLIDS AND SHORT PAPER FIBERS** (SB 87, Chapter 302:1, Laws of 2003)

10:00 a.m. UNH Kingman Farm Sub-commission Meeting  
Research Farm  
Rte 155, Madbury, NH

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

10:00 a.m. Room 205, LOB Subcommittee Meeting

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

3:00 p.m. Rooms 201-203, LOB Public comment hearing on  
proposed rules of the Guardian  
AD Litem Board relating to  
certification requirements  
(Gal Chapter 300)

***TUESDAY, MARCH 23, 2004***

**ADVISORY COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES** (RSA 186-C:3-b)

4:00 p.m. Room 207, LOB Regular Meeting

***WEDNESDAY, MARCH 24, 2004***

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

9:00 a.m. Rooms 210-211, LOB Regular Business  
9:30 a.m. Rooms 210-211, LOB Audit:  
Management Letter for the State  
of NH  
For the Year Ended June 30, 2003

***FRIDAY, MARCH 26, 2004***

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

9:30 a.m. NH Department of Revenue Administration Regular Meeting  
Community Services Division in the Training Room

**COMMISSION TO STUDY THE RIGHT-TO-KNOW LAW** (HB 606, Chapter 287:2, Laws of 2003)

10:00 a.m. Room 101, LOB Regular Meeting

***MONDAY, MARCH 29, 2004***

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

10:00 a.m. Room 205, LOB Subcommittee on Medical Errors/  
Resident Training Work Hours

**NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4)**

11:00 a.m. Room 204, LOB Subcommittee Meeting

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

Cancelled Room 201, LOB Regular Meeting

***TUESDAY, MARCH 30, 2004*****IMPACT OF WATER WITHDRAWALS ON INSTREAM FLOWS STUDY COMMITTEE (SB 330, Chapter 242:1, Laws of 2000)**

10:00 a.m. Room 104, LOB Regular Meeting

**COMMISSION TO STUDY CHILD SUPPORT AND RELATED CHILD CUSTODY ISSUES (HB 310, Chapter 277:1, Laws of 2003)**

2:00 p.m. Room 206, LOB Regular Meeting

***FRIDAY, APRIL 2, 2004*****ADMINISTRATIVE RULES (RSA 541-A:2)**

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

**CONSENSUS REVENUE ESTIMATING PANEL (RSA 17-Q:1)**

9:00 a.m. Room 202, LOB Regular Meeting

**COMMISSION TO STUDY THE RIGHT-TO-KNOW LAW (HB 606, Chapter 287:2, Laws of 2003)**

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

**NEW HAMPSHIRE TASK FORCE ON DEAFNESS AND HEARING LOSS (HB 225, Chapter 117:2, Laws of 2003)**

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

***MONDAY, APRIL 5, 2004*****COMMISSION ON SETBACK REQUIREMENTS FOR LAND APPLICATION OF SEPTAGE, BIOSOLIDS AND SHORT PAPER FIBERS (SB 87, Chapter 302:1, Laws of 2003)**

9:00 a.m. Room 303, LOB Regular Meeting

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

1:00 p.m. Room 201, LOB Complaint Hearing and Board Rules

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

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

**NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2)**

2:00 p.m. Room 105-A, SH Regular Meeting

***TUESDAY, APRIL 6, 2004*****STATE VETERANS' ADVISORY COMMITTEE (RSA 115-A:2, VI)**

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

***THURSDAY, APRIL 8, 2004*****NH DEPARTMENT OF TRANSPORTATION (Bed-Man-Lon-Lit-Merr 11512, Mitigation Hearing)**

7:00 p.m. Highland Inn  
2 Highlander Way  
Manchester NH Public Hearing  
(Special Committee)

### ***FRIDAY, APRIL 9, 2004***

#### **COMMISSION TO STUDY FINANCIAL EXPLOITATION OF THE ELDERLY AND PERSONS WITH DISABILITIES (HB 461, Chapter 227:2, Laws of 2003)**

1:00 p.m.                      Room 205, LOB                      Regular Meeting

### ***MONDAY, APRIL 12, 2004***

#### **COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH (HB 1283, Chapter 43:1, Laws of 2000)**

10:00 a.m.                      Room 103, SH                      Subcommittee Meeting

#### **COMMISSION TO STUDY ISSUES RELATIVE TO GROUND WATER WITHDRAWALS (SB 155, Chapter 305:1, Laws of 2003)**

10:00 a.m.                      Rooms 201-203, LOB                      Regular Meeting

### ***FRIDAY, APRIL 16, 2004***

#### **ADMINISTRATIVE RULES (RSA 541-A:2)**

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

#### **COMMISSION TO IDENTIFY MEDICAL ERRORS AND THEIR CAUSES (HB 287, Chapter 255:6, Laws of 2003)**

10:00 a.m.                      Room 205, LOB                      Regular Meeting

#### **COMMISSION TO STUDY THE RIGHT-TO-KNOW LAW (HB 606, Chapter 287:2, Laws of 2003)**

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

#### **NEW HAMPSHIRE TASK FORCE ON DEAFNESS AND HEARING LOSS (HB 225, Chapter 117:2, Laws of 2003)**

1:00 p.m.                      Police Academy (Tentative)                      Regular Meeting

#### **TASK FORCE ON FAMILY LAW (HB 447, Chapter 250:1, Laws of 2002)**

2:00 p.m. - 4:00 p.m.                      Room 208, LOB                      Regular Meeting

### ***FRIDAY, APRIL 23, 2004***

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

9:30 a.m.                      NH Department of Revenue Administration                      Regular Meeting  
Community Services Division in the Training Room

#### **COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH (HB 1283, Chapter 43:1, Laws of 2000)**

10:00 a.m.                      Room 103, SH                      Regular Meeting

### ***MONDAY, MAY 3, 2004***

#### **DEVELOPMENTAL DISABILITY WAITLIST FUND ALLOCATION OVERSIGHT COMMITTEE (RSA 171-A:1-c)**

10:00 a.m.                      Room 205, LOB                      Regular Meeting

#### **NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2)**

2:00 p.m.                      Room 105-A, SH                      Regular Meeting

### ***FRIDAY, MAY 7, 2004***

#### **COMMISSION TO STUDY FINANCIAL EXPLOITATION OF THE ELDERLY AND PERSONS WITH DISABILITIES (HB 461, Chapter 227:2, Laws of 2003)**

1:00 p.m.                      Room 205, LOB                      Regular Meeting



### ***MONDAY, MAY 10, 2004***

#### **COMMISSION ON SETBACK REQUIREMENTS FOR LAND APPLICATION OF SEPTAGE, BIOSOLIDS AND SHORT PAPER FIBERS (SB 87, Chapter 302:1, Laws of 2003)**

9:00 a.m. Room 303, LOB Regular Meeting

### ***WEDNESDAY, MAY 12, 2004***

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

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

### ***FRIDAY, MAY 14, 2004***

#### **COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH (HB 1283, Chapter 43:1, Laws of 2000)**

10:00 a.m. Room 103, SH Subcommittee Meeting

### ***FRIDAY, MAY 21, 2004***

#### **COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH (HB 1283, Chapter 43:1, Laws of 2000)**

10:00 a.m. Room 103, SH Regular Meeting

#### **TASK FORCE ON FAMILY LAW (HB 447, Chapter 250:1, Laws of 2002)**

2:00 p.m. - 4:00 p.m. Room 206-208, LOB Regular Meeting

### ***FRIDAY, MAY 28, 2004***

#### **COMMISSION TO IDENTIFY MEDICAL ERRORS AND THEIR CAUSES (HB 287, Chapter 255:6, Laws of 2003)**

10:00 a.m. Room 205, LOB Regular Meeting

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**FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2004 SENATE BILLS: 128, 205, 303, 312, 313, 324, 325, 326, 329, 331, 333, 347, 348, 353, 365, 366, 367, 384, 396, 401, 409, 411, 422, 424, 430, 433, 432, 435, 436, 444, 454, 471, 473, 478, 481, 485, 448, 490, 491, 494, 495, 503, 504, 505, 508, 509, 511, 512, 515, 516, 523, 525, 532, HOUSE BILLS: 85, 713, 730, 1254, 1308, 1325**

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## **NOTICES**

### **WEDNESDAY, MARCH 17, 2004**

The Demers Group cordially invites all Senators and staff to attend the 2<sup>nd</sup> Annual New Hampshire Capital St. Patrick's Day Breakfast & Roast on Wednesday, March 17 from 7:30 to 9:00 a.m. at the Grappone Conference Center - Marriott Courtyard, 70 Constitutional Ave., Concord. Once again, invited special guest roasters will include Governor Craig Benson and the Senate & House leadership with WMUR-TV reporter Scott Spradling as emcee.

Senator Robert E. Clegg, Jr.

\* \* \* \* \*



**WEDNESDAY, MARCH 17, 2004**

The annual Bobby Stephen's 26th St. Patrick's Day Bash to benefit Jobs for New Hampshire's Graduates will be held on Wednesday, March 17, 2004, at the Executive Court Banquet Facility (The Yard Restaurant), Manchester, NH. Doors open at 5:00 p.m. The cost is \$30.00 per person. All proceeds benefit Jobs for New Hampshire's Graduates.

Senator Robert E. Clegg, Jr.  
 Senator Carl R. Johnson  
 Senator Lou D'Allesandro

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**THURSDAY, MARCH 18, 2004**

All Legislators and staff are invited to attend the New Hampshire Automobile Dealers Association's (NHADA) Annual Crossover Day Reception at the NHADA office on 507 South Street on March 18<sup>th</sup> at 3:00 p.m. or immediately following legislative sessions. This is a wonderful opportunity to unwind and enjoy the company of fellow legislators and staff in a fun social gathering.

Senator Carl R. Johnson

\* \* \* \* \*

**TUESDAY, MARCH 23, 2004**

NH Solutions for the Affordable, Accessible Housing Shortage with Clairia Monier, Executive Director of the NH Housing Finance Authority. This is the third session of the 2004 legislative education series: SUPPORTING OLDER ADULTS AND INDIVIDUALS WITH DISABILITIES IN YOUR COMMUNITY: AN EDUCATION SERIES FOR LEGISLATORS. Date: Tuesday, March 23, 2004 at the NH Historical Society, Tuck Library, Park Street, Concord, NH. The session will be held from noon to 1:30 with lunch. Please contact Judy King at 1-800-238-2048 or [jaking@cisunix.unh.edu](mailto:jaking@cisunix.unh.edu) to confirm your attendance.

Senator Jane E. O'Hearn

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**THURSDAY, MARCH 25, 2004**

In Celebration of the YMCA Youth in Government Program and Legislative Awareness Day, all legislators are cordially invited to join the New Hampshire State Alliance of YMCAs at St. Paul's Church Conference Center, across the street from the State House on Thursday, March 25th at noon for an informal luncheon reception. Sandwiches, hot and cold drinks, and dessert will be served.

Senator Sylvia B. Larsen

\* \* \* \* \*

**THURSDAY, APRIL 1, 2004**

The University of New Hampshire Alumni Association and Parents Association are pleased to invite members of the New Hampshire General Court & staff to the annual UNH Legislative Breakfast on Thursday, April 1<sup>st</sup> from 7:30 to 9:00 a.m. at the New Hampshire Historical Society Tuck Library, Park Street, Concord. Learn how undergraduate student researchers at UNH are having an impact on the State of New Hampshire and beyond.

Senator Iris W. Estabrook

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### THURSDAY, APRIL 8, 2004

President Don Wharton would like to invite all members of the General Court and Staff to a breakfast hosted by Plymouth State University on Thursday, April 8th. The event will be held at the Capitol Grille across from the State House from 7:30 a.m. to 9:00 a.m. Please join us to learn more about this excellent North Country institution.

Senator Carl R. Johnson

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## SENATE SCHEDULE 2004 SESSION

Thursday, March 18, 2004	Last day to act on all Senate bills in the first body.
Thursday, May 6, 2004	Last day to act on all House bills in the second year.
Thursday, May 13, 2004	Last day to form Committees of Conference.
Wednesday, May 19, 2004	The deadline for Committee of Conference report sign off.
Monday, May 31, 2004	Memorial Day State Holiday
Monday, July 5, 2004	Independence Day State Holiday (Taken on Monday)
Monday, September 6, 2004	Labor Day State Holiday
Thursday, November 11, 2004	Veteran's Day State Holiday
Thursday, November 25, 2004	Thanksgiving Day State Holiday
Friday, November 26, 2004	Day after Thanksgiving State Employee Holiday
Friday, December 24, 2004	Christmas Day State Holiday (Taken on Friday)

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

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in **March** 2004. These listings will replace individual notifications in an effort to reduce paper usage and to ensure all members will be notified in a timely manner. Our schedule is tightly booked for the remainder of the school year. Please contact the Visitors' Center concerning school tour booking information. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

<i><b>DATE</b></i>	<i><b>TIME</b></i>	<i><b>GROUP</b></i>	<i><b>CLASS/Size</b></i>
3-15-04	9:30 & 10:45 SH/SC	Candia Moore School	4/40
3-15-04	10:45	Mt. Ascutney School – Vermont	2/8
3-15-04	12:00 & 1:30 SH/HM	Bristol Elementary School	4/60
3-16-04	10:00	Nashua Christian	4/22
3-16-04	10:00	Victory Baptist School – Londonderry	4/8
3-16-04	11:00	East Kingston Elementary	4/28
3-17-04	9:00	Beaver Meadow School – Concord	4/24
3-17-04	10:45	Charlestown Primary School	4/46
3-17-04	12:30	Simonds Elementary – Warner	4/36
3-18-04	9:30 & 11:00 SH/HM	Sunset Heights School – Nashua	6/78
3-19-04	9:30, 11:00 & 12:30 SH/HM/SC	Jaffrey Grade School	4/78
3-22-04	10:00 & 11:15 SH/SC	Seabrook Elementary	4/50
3-22-04	12:30	Beaver Meadow School – Concord	4/23
3-23-04	9:00	Beaver Meadow School – Concord	4&5/22
3-23-04	9:30 & 11:00 SH/HM	Presentation of Mary – Hudson	4/63
3-23-04	12:30	Beaver Meadow School – Concord	4/24
3-24-04	9:30 & 11:00 SH/HM	Barnstead Elementary	4/72

<b><i>DATE</i></b>	<b><i>TIME</i></b>	<b><i>GROUP</i></b>	<b><i>CLASS/Size</i></b>
3-25-04	9:30 & 11:00 SH/HM	Symonds Elementary – Keene	4/62
3-26-04	10:00 & 11:15 SH/SC	Seabrook Elementary	4/50
3-26-04	10:00	Hillsboro Christian School	1-7/23
3-26-04	12:30	Sanbornton Central School	4/36
3-29-04	9:30 & 11:00 SH/HM	John Fuller School – North Conway	4/40
3-29-04	10:00 & 11:15 SH/SC	Windham Center School	
		Rescheduled from December 11	4/50
3-30-04	10:00 & 11:30 SH/HM	Thornton's Ferry – Merrimack	4/50
3-30-04	12:30	Allenstown Elementary School	4/30
3-31-04	10:00 & 11:30 SH/HM	Thornton's Ferry – Merrimack	4/50
3-31-04	12:30	Allenstown Elementary School	4/30