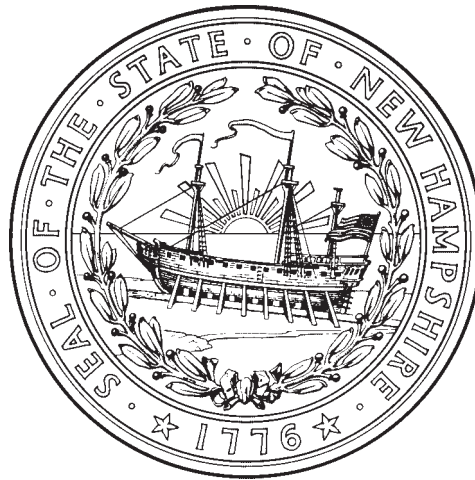


March 26, 2004
No. 13A

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



Legislative

SENATE CALENDAR ADDENDUM

REPORTS AND AMENDMENTS

**THE SENATE WILL MEET IN SESSION ON
THURSDAY, APRIL 1, 2004 AT 10:00 A.M.**

REPORTS

ENERGY & ECONOMIC DEVELOPMENT

HB 1416-FN, (New Title) extending the property tax exemption for wooden poles and conduits and establishing a committee to study issues related to the exemption.

Inexpedient to Legislate, Vote 2-1

Senator Below for the committee.

INSURANCE

HB 652-FN, relative to qualified wellness or disease management programs.

Ought to pass with amendment, Vote 3-0

Senator Prescott for the committee.

HB 1408-FN, relative to reporting requirements for certain nonprofit organizations, including health care charitable trusts.

Ought to pass with amendment, Vote 4-0

Senator Martel for the committee.

JUDICIARY

HB 369, relative to the Henniker and Hillsborough district courts.

Ought to pass with amendment, Vote 5-0

Senator Foster for the committee.

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

Ought to pass with amendment, Vote 5-0

Senator Sapareto for the committee.

HB 532, relative to notice and filing of divorce petitions.

Ought to pass with amendment, Vote 5-0

Senator Clegg for the committee.

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

Ought to pass with amendment, Vote 4-0

Senator Clegg for the committee.

PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES

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.

Ought to pass with amendment, Vote 4-0

Senator O'Hearn for the committee.

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

Inexpedient to Legislate, Vote 3-1

Senator O'Hearn for the committee.

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

Inexpedient to Legislate, Vote 4-0

Senator Kenney for the committee.

HB 1397, relative to youth suicide prevention.

Ought to Pass, Vote 3-0

Senator Martel for the committee.

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

Ought to pass with amendment, Vote 4-0

Senator Estabrook for the committee.

HB 1426-FN, relative to testing for the human immunodeficiency virus.

Ought to Pass, Vote 4-0

Senator Martel for the committee.

AMENDMENTS

Senate Judiciary

March 30, 2004

2004-0963s

06/09

Amendment to HB 369

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

AN ACT relative to the Henniker and Hillsborough district courts and to the Hampton and Exeter district courts.

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

6 Hampton District Court. Amend RSA 502-A:1, II to read as follows:

II. ~~[HAMPTON-EXETER]~~ **Hampton** DISTRICT. The ~~[Hampton-Exeter]~~ **Hampton** district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, **and** Seabrook~~[-Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, and Brentwood]~~. The **dis-**~~trict~~ court **for the district** shall be located in ~~[a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located]~~ **Hampton, holding sessions regularly therein and elsewhere in the district as justice may require. The name of this court shall be the Hampton District Court.**

7 New Paragraph; Exeter District Court. Amend RSA 502-A:1 by inserting after paragraph II the following new paragraph:

II-a. EXETER DISTRICT. The Exeter district shall consist of the towns of Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping and Brentwood. The district court for the district shall be located in Exeter, holding sessions regularly therein and elsewhere in the district as justice may require. The name of this court shall be the Exeter District Court.

8 HAMPTON-EXETER DISTRICT. RSA 502-A:1, II is repealed and reenacted to read as follows:

II. HAMPTON-EXETER DISTRICT. The Hampton-Exeter district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, Seabrook, Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, and Brentwood. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for

the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.

9 Repeal. RSA 502-A:1, II-a, relative to the Exeter District court, is repealed.

10 Contingency. If the department of administrative services and the towns in the Hampton and Exeter districts cannot reach an agreement on acceptable courthouse facilities and funding for courthouse facilities for each district on or before June 30, 2006 sections 8 and 9 of this act shall take effect July 1, 2006. If the department of administrative services and the towns in the Hampton and Exeter districts reach an agreement on acceptable courthouse facilities and funding for courthouse facilities for each district on or before June 30, 2006, sections 8 and 9 of this act shall not take effect.

11 Effective Date.

I. Sections 3 and 4 of this act shall take effect as provided in section 5 of this act.

II. Sections 8 and 9 of this act shall take effect as provided in section 10 of this act.

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

2004-0963s

AMENDED ANALYSIS

This bill prevents the consolidation of the Henniker district court and Hillsborough district court, if certain conditions are met regarding court facilities.

This bill also prevents the consolidation of the Hampton District court and the Exeter District court under 1992, 253, if certain conditions are met regarding court facilities.

Senate Judiciary

March 30, 2004

2004-0967s

04/09

Amendment to HB 403

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

AN ACT requiring persons who are acquitted of certain sexual assaults by reason of insanity to register as sexual offenders.

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

1 Registration of Criminal Offenders; Acquitted by Reason of Insanity. Amend the introductory paragraph of RSA 651-B:1, III to read as follows:

III. "Sexual offender" means a person who has been convicted, *or acquitted by reason of insanity* of any violation or attempted violation of:

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

2004-0967s

AMENDED ANALYSIS

This bill would require a person acquitted of certain sexual assaults by reason of insanity to register as a sexual offender.

Senate Judiciary

March 30, 2004

2004-0965s

05/09

Amendment to HB 532

Amend RSA 458:9, II(a)(ii) as inserted by section 1 of the bill by replacing it with the following:

(ii) Certified mail, return receipt requested, restricted delivery, mailed within 7 days of the date of filing of the petition, signed by the addressee only. The petitioner shall file the return receipt with the court as proof of service.

Amend the bill by replacing section 6 with the following:

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

Public Institutions, Health & Human Services
March 30, 2004
2004-0974s
05/03

Amendment to HB 551

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

AN ACT establishing a committee to study the use of prescription psychotropic drugs, including Ritalin, in childcare centers, preschools, and public schools.

Amend the bill by deleting section 1 and renumbering the original sections 2-8 to read as 1-7, respectively.

Amend the bill by replacing section 1 with the following:

1 Statement of Purpose. The general court finds that further study is needed to determine the biological or medical reasons for administering psychotropic drugs, such as Ritalin, to students in public schools, preschools, and childcare centers and to investigate the research documenting the medications' effects on their development, progress in school, and health.

Amend subparagraph I(b) as inserted by section 3 of the bill by replacing it with the following:

(b) One member of the senate, appointed by the president of the senate.

Amend paragraph VIII as inserted by section 4 of the bill by replacing it with the following:

VIII. Solicit information and advice from the commissioners of the departments of education and health and human services, child psychologists and psychiatrists, pediatric neurologists, early childhood specialists or child development specialists from the university of New Hampshire, Keene state college, or Plymouth state university, the New Hampshire Pediatric Society, the Parent Information Center-New Hampshire, the New Hampshire Children's Alliance, Children and Family Services, and any other organization or individual with relevant information or expertise.

2004-0974s

AMENDED ANALYSIS

This bill establishes a committee to study the use of prescription psychotropic drugs, including Ritalin, in childcare centers, preschools, and public schools.

Senate Judiciary
March 30, 2004
2004-0966s
01/09

Amendment to HB 622-FN

Amend the bill by replacing section 1 with the following:

1 Right-to-Know Law; Exemptions. Amend RSA 91-A:3, II(c)-(e) to read as follows:

(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. ***This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.***

(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his ***or her*** membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. ***Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any body, board, or agency for the purposes of this subparagraph.***

Insurance
March 30, 2004
2004-0958s
01/05

Amendment to HB 652-FN

Amend the bill by replacing section 2 with the following:

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

Insurance
March 30, 2004
2004-0969s
05/10

Amendment to HB 1408-FN

Amend RSA 7:28, III-a as inserted by section 1 of the bill by replacing it with the following:

III-a. Any charitable organization with a total revenue of \$500,000 or more that is required to file an Internal Revenue Service Form 990 with the attorney general shall also submit the organization's latest, audited financial report, including an audit of the organization's endowment fund, if any, as a report required pursuant to this section.

Public Institutions, Health & Human Services
March 30, 2004
2004-0976s
05/09

Amendment to HB 1410

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

AN ACT relative to the release of information to persons receiving a child for placement and relative to the department of health and human service's disclosure of information regarding the death of a child from abuse and neglect.

Amend the bill by replacing all after section 1 with the following:

2 Commissioner of the Department of Health and Human Services; Disclosure of Information Regarding Abuse and Neglect in Child Fatality Cases. Amend RSA 126-A:5, XII(c)(3)-(10) to read as follows:

(3) The date of any report to the department of suspected abuse or neglect, ***to include any prior reports on file***, provided that the identity of the person making the report shall not be made public.

(4) The statutory basis and supporting allegations of ***any*** such report, provided that the identity of the person making the report shall not be made public.

(5) Whether [the] ***any such*** report was referred to a district office for assessment and, if so, the priority assigned by central intake.

(6) The date [the] ***any such*** report was referred to the district office for assessment.

(7) ***For each report***, the date and means by which the district office made contact with the family regarding the assessment.

(8) ***For each report***, the date and means of any collateral contact made as part of the investigation provided that the identity of an individual so contacted shall not be made public.

(9) ***For each report***, the date the assessment was completed.

(10) ***For each report***, the fact that the department's investigation resulted in a finding of either abuse or neglect and the basis for the finding.

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

2004-0976s

AMENDED ANALYSIS

This bill provides that the department of health and human services shall adopt rules requiring the department to disclose a child's social and emotional history, including physical and mental health issues, to the person with whom the child is placed.

The bill also clarifies that the department may be required to disclose information regarding all prior reports of abuse and neglect in a child fatality case.