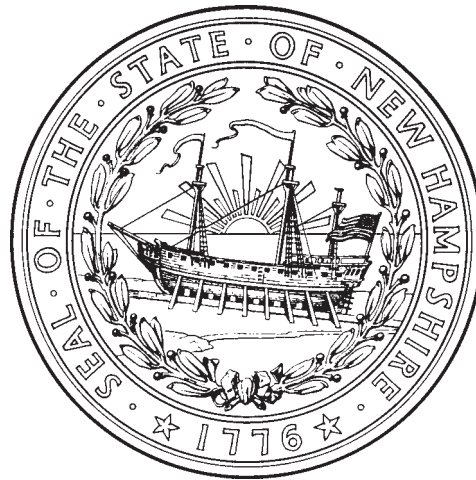


April 30, 2004
No. 18

STATE OF NEW HAMPSHIRE

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



Legislative

SENATE CALENDAR

REPORTS, AMENDMENTS,
MEETINGS & NOTICES

**THE SENATE WILL MEET IN SESSION ON
THURSDAY, MAY 6, 2004 AT 10:00 A.M.**

LAID 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 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. 2/19/04, pending motion Interim Study, Interstate Cooperation, SJ 6, pg. 97

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

SB 398, relative to residency requirements for Medicaid recipients in nursing homes. 3/17/04, pending motion OTP, Public Institutions, Health & Human Services, SJ 9, pg. 229

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 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, pg. 70

SB 468, relative to solid waste management. 3/17/04, pending motion committee amendment (0822s), Environment, SJ 9, pg. 187

SB 474-L, exempting property owned by a private secondary or postsecondary educational institution from the education property tax. 3/17/04, pending motion OTP, Ways & Means, SJ 9, pg. 218

SB 485-FN, relative to video stalking. 2/12/04, pending motion ITL, Judiciary, SJ 5, pg. 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 651-FN, (2nd New Title) relative to the purchase of prior service credit in the retirement system, and repealing certain provisions permitting additional contributions. **4/22/04, pending motion committee amendment (1157s), Insurance, SJ 13, pg. 320**

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**

HB 1148, (New Title) defining a wetland for the purpose of fill and dredge in wetlands and for local land use planning. **4/15/04, pending motion committee amendment (1096s), Environment, SJ 12, pg. 271-272**

HB 1290, (New Title) establishing a study committee to examine time limits on eligibility for Temporary Assistance for Needy Families. **4/01/04, pending motion ITL, Public Institutions, Health & Human Services, SJ 10, pg. 247**

HB 1335-L, (New Title) establishing a commission to examine the workers' compensation system in New Hampshire. **4/29/04, pending motion committee amendment (1277s), Insurance, SJ 14, TBA**

HB 1376, (New Title) relative to agency fees assessed pursuant to public employer collective bargaining agreements. **4/29/04, pending motion OTP, Public Affairs, SJ 14, TBA**

HB 1424-FN-A, (New Title) establishing a pharmaceutical study commission to study direct purchasing of prescription medication by the state. **4/22/04, pending motion ITL, Interstate Cooperation, SJ 13, pg. 324**

REPORTS

CAPITAL BUDGET

HB 2004-FN-L, (New Title) relative to the state 10-year transportation improvement plan and making certain adjustments to turnpike funds.

Ought to pass with amendment, Vote 5-0

Senator Morse for the committee.

EDUCATION

HB 1281, (New Title) permitting the adoption of an alternative cost apportionment method in a cooperative school district.

Ought to pass with amendment, Vote 4-0

Senator O'Hearn for the committee.

EXECUTIVE DEPARTMENTS & ADMINISTRATION

HJR 26, prohibiting the liquor commission from adopting proposed administrative rule Liq 404.05(d)(3).

Ought to Pass, Vote 2-0

Senator Kenney for the committee.

FINANCE

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

Ought to pass with amendment, Vote 6-2

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 6-1

Senator Green for the committee.

HB 640-FN, relative to post-conviction DNA testing.

Ought to Pass, Vote 8-0

Senator Clegg for the committee.

HB 697-FN, relative to the sale of motor fuel.

Ought to Pass, Vote 8-0

Senator Below for the committee.

HB 698-FN, relative to electronic toll collections.

Ought to Pass, Vote 7-0

Senator Below for the committee.

HB 727-FN-L, (New Title) establishing a legislative oversight committee for the school administrative unit system.

Ought to pass with amendment, Vote 5-2

Senator Green for the committee.

HB 803-FN-A-L, (New Title) relative to the establishment of municipal economic development and revitalization districts by municipalities.

Ought to Pass, Vote 6-0

Senator Below for the committee.

HB 1188, (New Title) relative to indoor air quality and indoor environmental standards in public schools and requiring public schools to develop a written building maintenance plan.

Inexpedient to Legislate, Vote 5-2

Senator Boyce for the committee.

HB 1207-FN-A, (New Title) relative to a Global War on Terrorism operations service bonus payment.

Ought to pass with amendment, Vote 5-0

Senator Gatsas for the committee.

HB 1228, (New Title) relative to changes to the uniform fine schedule.

Ought to pass with amendment, Vote 5-0

Senator Odell for the committee.

HB 1378-FN-A, (New Title) relative to New Hampshire service medals for veterans of World War II, the Korean War, and the Vietnam War and making an appropriation therefor.

Ought to pass with amendment, Vote 6-0

Senator Green for the committee.

HB 1399-FN-A, establishing the telecommunications planning and development fund.

Ought to Pass, Vote 7-0

Senator Odell for the committee.

INTERNAL AFFAIRS

HB 264, establishing state representative districts.

Ought to pass with amendment, Vote 3-1

Senator Boyce for the committee.

PUBLIC AFFAIRS

HB 426, relative to the monitoring and approval of appraisers by the commissioner of revenue administration.

Ought to pass with amendment, Vote 5-0

Senator Green for the committee.

HB 1428-FN, relative to the administration of the medical assistance program for home care for children with severe disabilities and establishing a commission to review the medical assistance program for home care for children with severe disabilities.

Ought to pass with amendment, Vote 3-2

Senator Morse for the committee.

TRANSPORTATION

HJR 25, requested by the joint legislative committee on administrative rules relative to a certain rule proposed by the department of transportation.

Ought to Pass, Vote 3-0

Senator Kenney for the committee.

AMENDMENTS

Internal Affairs

April 28, 2004

2004-1428s

03/05

Amendment to HB 264

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

AN ACT relative to state senate districts.

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

1 State Senate Districts. RSA 662:3 is repealed and reenacted to read as follows:

662:3 State Senate Districts. The state is divided into 24 districts for the choosing of state senators, each of which may elect one senator. The districts shall be constituted as follows:

I. Senatorial district number 1 is constituted of Coos county and Albany, Bartlett, Bethlehem, Franconia, Hale's Location, Hart's Location, Jackson, Lincoln, Lisbon, Littleton, Livermore, Lyman, Sugar Hill, and Waterville Valley.

II. Senatorial district number 2 is constituted of Alexandria, Ashland, Bath, Benton, Bridgewater, Bristol, Campton, Center Harbor, Dorchester, Easton, Ellsworth, Groton, Haverhill, Hebron, Holderness, Landaff, Lyme, Meredith, Monroe, New Hampton, Orange, Orford, Piermont, Plymouth, Rumney, Sanbornton, Thornton, Warren, Wentworth, and Woodstock.

III. Senatorial district number 3 is constituted of Brookfield, Chatham, Conway, Eaton, Effingham, Farmington, Freedom, Madison, Middleton, Milton, Moultonborough, Ossipee, Sandwich, Tamworth, Tuftonboro, Wakefield, and Wolfeboro.

IV. Senatorial district number 4 is constituted of Alton, Barnstead, Belmont, Gilford, Gilmanton, Laconia, New Durham, Strafford, and Tilton.

V. Senatorial district number 5 is constituted of Andover, Cornish, Croydon, Danbury, Enfield, Franklin, Grafton, Grantham, Hanover, Hill, Lebanon, Plainfield, Springfield, and Wilmot.

VI. Senatorial district number 6 is constituted of Barrington, Madbury, Nottingham, Rochester, and Somersworth.

VII. Senatorial district number 7 is constituted of Antrim, Bennington, Boscawen, Bradford, Canterbury, Deering, Frankestown, Hancock, Harrisville, Henniker, Hillsborough, Loudon, Nelson, Northfield, Salisbury, Warner, Weare, Webster, and Windsor.

VIII. Senatorial district number 8 is constituted of Acworth, Alstead, Charlestown, Claremont, Gilsum, Goshen, Langdon, Lempster, Marlow, New London, Newbury, Newport, Roxbury, Stoddard, Sullivan, Sunapee, Sutton, Unity, Walpole, Washington, and Westmoreland.

IX. Senatorial district number 9 is constituted of Bedford, Greenfield, Lyndeborough, Merrimack, Mont Vernon, and New Boston.

X. Senatorial district number 10 is constituted of Chesterfield, Dublin, Fitzwilliam, Hinsdale, Keene, Marlborough, Richmond, Surry, Swanzey, Troy, and Winchester.

XI. Senatorial district number 11 is constituted of Amherst, Greenville, Jaffrey, Milford, New Ipswich, Peterborough, Rindge, Sharon, Temple, and Wilton.

XII. Senatorial district number 12 is constituted of wards 1, 2, 5, and 9 in Nashua, and Brookline, Hollis, and Mason.

XIII. Senatorial district number 13 is constituted of wards 3, 4, 6, 7, and 8 in Nashua.

XIV. Senatorial district number 14 is constituted of Auburn, Hudson, and Londonderry.

XV. Senatorial district number 15 is constituted of Concord, Hopkinton, and Pembroke.

XVI. Senatorial district number 16 is constituted of wards 1, 2, and 12 in Manchester, and Bow, Candia, Dunbarton, and Hooksett.

XVII. Senatorial district number 17 is constituted of Allenstown, Brentwood, Chester, Chichester, Danville, Deerfield, Epsom, Fremont, Northwood, Pittsfield, Raymond, and Sandown.

XVIII. Senatorial district number 18 is constituted of wards 5, 6, 7, 8, and 9 in Manchester, and Litchfield.

XIX. Senatorial district number 19 is constituted of Derry, Hampstead, and Windham.

XX. Senatorial district number 20 is constituted of wards 3, 4, 10, and 11 in Manchester, and Goffstown.

XXI. Senatorial district number 21 is constituted of Dover, Durham, Epping, Lee, and Rollinsford.

XXII. Senatorial district number 22 is constituted of Atkinson, Pelham, Plaistow, and Salem.

XXIII. Senatorial district number 23 is constituted of East Kingston, Exeter, Kensington, Kingston, Newfields, Newmarket, Newton, Seabrook, South Hampton, and Stratham.

XXIV. Senatorial district number 24 is constituted of Greenland, Hampton, Hampton Falls, New Castle, Newington, North Hampton, Portsmouth, and Rye.

2 Application. The changes in state senate districts established by this act shall not affect constituencies or terms of office of senators presently in office. The state senate districts established by this act shall be in effect for the purpose of electing senators at the 2004 state general election. If there shall be a vacancy in a state senate district for any reason prior to the 2004 state general election, the vacancy shall be filled by and from the same state senate district that existed for the 2002 state general election. No provision of this act shall affect in any manner any of the proceedings of the membership of the senate of the general court that assembled for a biennial session in January 2003.

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

2004-1428s

AMENDED ANALYSIS

This bill establishes new state senate districts in accordance with the latest federal decennial census.

Senate Finance

April 28, 2004

2004-1416s

09/01

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.

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

1 Notwithstanding the provisions of RSA 502-A:1, XV and XXIII, all court business, proceedings, and activities scheduled for the Henniker district court on or after July 1, 2004 shall be transferred to the Hillsborough district court. The Henniker district court shall cease operations on or before June 30, 2004.

2 Effective Date. This act shall take effect June 30, 2004.

2004-1416s

AMENDED ANALYSIS

This bill transfers Henniker district court business, proceedings, and activities to the Hillsborough district court.

Public Affairs

April 28, 2004

2004-1441s

10/03

Amendment to HB 426

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

AN ACT relative to the certification of property assessors and assessing officials, the updating of tax maps by municipalities, the form for abatement applications, the enforcement of discretionary preservation easements, and the annual appraisal of real estate.

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

1 Commissioner of Revenue Administration; Municipal Assessments; Reference Corrected. Amend RSA 21-J:3, XXVI to read as follows:

XXVI. Review and report each municipality's assessments once within every 5 years pursuant to RSA 21-J:11-a[, H].

2 Revenue Administration; Rulemaking. Amend RSA 21-J:13, VI(a) and (b) to read as follows:

(a) Evidence of the ~~[financial responsibility and]~~ professional capability of personnel to be employed under contract under RSA 21-J:11; and

(b) The content of the contract to be approved under RSA 21-J:11, **as provided in RSA 71-B.**

3 Assessing Standards Board; Guidelines. RSA 21-J:14-b, I is repealed and reenacted to read as follows:

I. The assessing standards board shall recommend guidelines and appropriate legislation relative to:

(a) Guidelines to be followed by assessors, selectmen, and boards of assessors throughout the state, relating to the administration of the property tax and assessment of real property used in any state property tax system.

(b) The establishment of guidelines for monitoring of local assessment practices by the department of revenue administration, guidelines for the adequacy of tax maps and other records, and guidelines for audit by the department of revenue administration of municipalities.

(c) The identification of practices which constitute sales-chasing and penalties to be adopted by the legislature regarding such practices.

(d) Any study conducted for the purpose of determining the status of assessing practices or the improvement of assessing in the state.

4 New Paragraph; Rulemaking by Assessing Standards Board. Amend RSA 21-J:14-b by inserting after paragraph I the following new paragraph:

I-a. The assessing standards board shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The establishment of certification, continuing education, and revocation and suspension standards for assessing officials. The department of revenue administration shall be responsible for the enforcement of those standards.

(b) The forms and procedures necessary to fulfill the duties of the board consistent with board recommendations and to assure a fair opportunity for public comment.

(c) The annual update and publication of an assessing procedures manual for selectmen and boards of assessors.

5 Certification and Decertification of Assessors. RSA 21-J:14-f and 21-J:14-g are repealed and reenacted to read as follows:

21-J:14-f Certification Required.

I. Every person, whether working individually, for a firm or corporation, or as a municipal employee, making appraisals of a municipality for tax assessment purposes, except elected officials making appraisals pursuant to RSA 75:1, shall be certified by the department according to rules adopted by the assessing standards board as provided in paragraph II. Department of revenue administration employees shall be certified at the level appropriate to their duties.

II. The assessing standards board shall adopt rules, pursuant to RSA 541-A, relative to qualifications for certification, requirements for continuing education, and decertification of persons required to be certified in paragraph I. Such rules shall specify the minimum qualifications with respect to education and training required for certification according to the following functional job categories ranked in ascending hierarchical order:

- (a) Building measurer and lister.
- (b) Property assessor trainee.
- (c) Property assessor.
- (d) Property assessor supervisor.

III. No person, except boards of assessors and selectmen making appraisals pursuant to RSA 75:1, shall make appraisals without first obtaining the certification required by this section. Certification is non-assignable and cannot be transferred. Any person who willfully fails to obtain certification as provided in this section shall be subject to the penalties imposed under RSA 21-J:39, IV.

21-J:14-g Decertification.

I. The commissioner may decertify any person or may refuse to issue or renew any certification for failure to comply with the rules of assessing standards board adopted pursuant to RSA 21-J:14-f, II.

II. Any person aggrieved by a decertification or refusal to certify of the commissioner may appeal from such decision by application to the board of tax and land appeals or by petition to the superior court in the county in which such person resides or maintains his or her business within 30 days after receiving written notice of the commissioner's decision. The board of tax and land appeals or the court, as the case may be, shall hear the appeal forthwith.

6 Application; Certification of Assessors. All persons approved or certified by the department or by the New Hampshire Association of Assessing Officials on the effective date of this act shall be deemed certified subject to those rules or standards for continuing education and revocation or suspension of certification adopted by the commissioner of revenue administration until the assessing standards board adopts, repeals, or replaces such rules under RSA 21-J:14-b, I-a and the department implements the board's rules.

7 Commissioner of Revenue Administration; Assessors; Decertification. Amend RSA 21-J:3, XVIII to read as follows:

XVIII. Hear appeals on disputed taxes, penalties, and interest and on [~~certification suspension, revocation,~~] **decertification** or rejection under RSA 21-J:14-g.

8 Commissioner of Revenue Administration; Assessors; Rulemaking; Decertification. Amend RSA 21-J:13, XII to read as follows:

XII. Certification, **decertification**, enforcement, and hearing requirements under RSA 21-J: 14-f and 21-J:14-g.

9 Certified Assessors; Criminal Penalties. Amend RSA 21-J:39, IV(c) to read as follows:

(c) Any person who violates subparagraph (a) or (b) shall be guilty of [~~violation~~] **a class B misdemeanor**.

10 Tax Maps; Scale; Updating. Amend RSA 31:95-a, II-IV read as follows:

II.(a) The scale on a tax map shall be meaningful and adequately represent the land contained on the map, taking into consideration the urban or rural character of the land. The scale shall be sufficient to allow the naming and numbering of, and the placement of dimensions within, **if possible**, the parcel represented in the individual plat.

(b) Nothing in this paragraph shall apply to any city or town which, prior to the imposition of such scale requirements, has drawn a tax map, appropriated funds or contracted with any person or firm to prepare a tax map or expended funds in the initial phase of preparing a tax map.

III. Each parcel shall be identified by a map and parcel number and shall be indexed alphabetically by owner's name and numerically by parcel number.

IV. Tax maps shall be [~~continually~~] updated **at least annually** to indicate ownership and parcel size changes.

11 Assessing Standards Board; Municipal Official; Designee. Amend RSA 21-J:14-a, II(f) to read as follows:

(f) Three members appointed by the governor with the consent of council, one of whom shall be a municipal governing body official **or designee who shall not be an assessor** for a town with a population of less than 5,000; one of whom shall be a municipal governing body official **or designee who shall not be an assessor** for a town with a population of more than 5,000; and one of whom shall be a municipal governing body official **or designee who shall not be an assessor** for a city. Each member shall hold office for the term of such member's position for 2 years and until a successor shall have been appointed and qualified. Any vacancy shall be filled for the unexpired term by the governor with the consent of the council.

12 New Subparagraph; Abatements; By Selectmen or Assessors; Form. Amend RSA 76:16, III by inserting after subparagraph (g) the following new subparagraph:

(h) The statement: "If an abatement is granted and taxes have been paid, interest on the abatement shall be paid in accordance with RSA 76:17-a. Any interest paid to the applicant must be reported by the municipality to the United States Internal Revenue Service, in accordance with federal law. Prior to the payment of an abatement with interest, the taxpayer shall provide the municipality with the applicant's social security number or federal tax identification number. Municipalities shall treat the social security or federal tax identification information as confidential and exempt from a public information request under RSA 91-A."

13 Assessment Report; Appeals. Amend RSA 21-J:11-a, II to read as follows:

II. The commissioner shall issue a copy of the report upon its completion to the municipality and to the assessing standards board. When issued, the report shall be a public document, **but may not be used as a basis for appeal to the board of tax and land appeals under RSA 71-B until after the municipality's 5-year review under RSA 21-J:3, XXVI is complete and provided that the assessing standards board has adopted standards under RSA 21-J:14-b, I-a.**

14 Discretionary Preservation Easements; Enforcement. Amend RSA 79-D:13 to read as follows:

79-D:13 Enforcement. All taxes levied pursuant to RSA 79-D:8 which are not paid when due shall be collected in the same manner as provided in RSA [~~80:1-80:42~~] **80**.

15 New Section; Appraisal of Taxable Property; Annual Appraisal. Amend RSA 75 by inserting after section 8-a the following new section:

75:8-b Annual Appraisal. Except when assessing real estate under RSA 75:8-a, any municipality intending to appraise real estate annually at market value, as defined in RSA 75:1, shall authorize such annual appraisal by a majority vote of the governing body. The governing body shall hold 2 public hearings regarding the annual appraisal process at least 15 days, but not more than 60 days, prior to the governing body's authorization vote. Any municipality annually appraising real estate at market value shall provide notification of changes to the assessed valuation prior to the issuance of the final tax bill, either by individual notice to the property owner, by public notice in a newspaper of general circulation, or by any other means deemed appropriate by the governing body.

16 Repeal. RSA 71-B:5, V, relative to petitions for corrective action before the board of tax and land appeals, is repealed.

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

2004-1441s

AMENDED ANALYSIS

This bill:

I. Provides for the certification and decertification of assessors of taxable property by the commissioner of revenue administration and the assessing standards board.

II. Allows towns and cities to change the scale and updating of tax maps, and requires certain information on abatement application forms.

III. Changes a reference to enforcement procedures applicable to discretionary preservation easements.

IV. Establishes procedures by which a municipality may adopt annual appraisals of real estate.

Senate Finance

April 28, 2004

2004-1419s

09/01

Amendment to HB 618-FN-A

Amend the bill by inserting after section 10 the following and renumbering the original section 11 to read as 12:

11 Low and Moderate Income Homeowners Property Tax Relief; Refund of Tax Claims. Amend RSA 198:61 to read as follows:

198:61 Refund of Tax Claims. The department of revenue administration shall review a claim for tax relief filed with it and, if such claim is determined to be valid, shall certify such amount to the state treasurer within 120 days[~~The state treasurer shall pay the claim to the claimant~~] **who shall pay such claims** from funds in the education trust fund. ***Such sums are hereby appropriated and the governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the commissioner of the department of revenue administration shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the payment of valid claims.*** The department shall notify a claimant whose claim is rejected in whole or in part of such determination within 90 days of the department's receipt of the claim and all required documentation.

2004-1419s

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. Provides that valid claims for low and moderate income homeowner property tax relief shall be paid from the education trust fund and authorizes the governor to draw a warrant to pay such claims regardless of the balance of the fund.

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

VI. Allows Manchester Airport to tow and impound abandoned vehicles.

Senate Finance

April 28, 2004

2004-1444s

04/10

Amendment to HB 727-FN-LOCAL

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

AN ACT establishing a school choice certificate program, relative to imposing a nonparticipating manufacturer equity assessment, and relative to reports on the status of monthly tax refunds.

Amend the bill by replacing section 3 with the following:

3 New Section; Tobacco Tax; Nonparticipating Manufacturer Equity Assessment. Amend RSA 541-C by inserting after section 3 the following new section:

541-C:4 Nonparticipating Manufacturer Equity Assessment.

I. In this section, “nonparticipating manufacturer” means a tobacco product manufacturer that is not a participating manufacturer within the meaning of subsection II(jj) of the Master Settlement Agreement, as defined in RSA 541-C:2, V.

II. There is levied an equity assessment, at the rate 35 cents per package of 20 for all cigarette packages of nonparticipating manufacturers to which a stamp is affixed as required under RSA 78:12.

(a) The equity assessment imposed by this section is in addition to all other assessments, fees, and taxes levied under existing law.

(b) The equity assessment imposed by this section shall be paid by affixing a stamp in the manner and at the time described in RSA 78:12.

(c) Except as otherwise provided in this section, the equity assessment shall be collected, paid, administered, and enforced in the same manner as the tax on cigarettes levied by RSA 78:7.

III. The purposes of this equity assessment are:

(a) To recover health care costs to the state imposed by nonparticipating manufacturers.

(b) To prevent nonparticipating manufacturers from undermining the state’s policy of reducing underage smoking by offering cigarettes for sale substantially below the prices of cigarettes of other manufacturers.

(c) To protect funding, which is reduced as a result of the growth of nonparticipating manufacturer cigarette sales, for programs funded in whole or in part by payments to the state under the Master Settlement Agreement, as defined in RSA 541-C:2, V.

(d) To recoup settlement-payment revenue lost to the state as a result of nonparticipating manufacturer cigarette sales.

(e) To fund enforcement and administration of:

(1) RSA 541-C relative to tobacco manufacturers not entering the Master Settlement Agreement; and

(2) The equity assessment imposed by this section.

IV.(a) Each manufacturer, distributor, wholesaler, or retail dealer who under RSA 78:12 affixes a stamp to a package of cigarettes, shall report monthly to the commission for each place of business, the number and denominations of stamps affixed to individual packages of nonparticipating manufacturer cigarettes sold by the manufacturer, distributor, wholesaler, or retail dealer in the preceding month, including the manufacturer and brand family.

(b) A person required to file a report under this section is subject to the penalties under RSA 78:12, III for failing to file a report in a timely manner, or for supplying false or fraudulent information.

V. Funds collected under this section shall be deposited in the education trust fund as established in RSA 198:39.

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

5 New Subdivision; Reports on Status of Monthly Tax Refunds. Amend RSA 21-J by inserting after section 44 the following new subdivision:

Reports

21-J:45 Reports on Status of Monthly Tax Refunds.

I. The commissioner of the department of revenue administration shall report to the fiscal committee within 10 days after the close of each month, the status of monthly refunds pending from the combined general fund and education trust fund for the following taxes:

- (a) Business profits tax.
- (b) Business enterprise tax.
- (c) Interest and dividends tax.

II. This report shall include, but not be limited to, the number of refunds claimed, dollar value of refunds carried over from the prior month, current claims, paid out refunds, and refunds outstanding at the end of the month. This report shall also include the total anticipated refund for the next 3 calendar months for each tax in subparagraphs I(a)– (c).

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

2004-1444s

AMENDED ANALYSIS

This bill:

I. Establishes a school choice certificate program.

II. Imposes a nonparticipating manufacturer equity assessment of 35 cents per package of 20 for all cigarette packages of manufacturers which do not participate in the Master Settlement Agreement and requires such funds collected to be deposited in the education trust fund.

III. Requires the commissioner of the department of revenue administration to make reports to the fiscal committee on the status of monthly tax refunds.

Senate Finance

April 28, 2004

2004-1453s

09/01

Amendment to HB 1207-FN-A

Amend RSA 115-A:16 as inserted by section 1 of the bill by replacing it with the following:

115-A:16 Qualifications for Bonus. Each person who actively served in any capacity as a member of the uniformed forces of the United States on or after September 11, 2001 and on or before a date to be determined by the Secretary of Defense, and who earned the expeditionary medal for Global War on Terrorism operations; and who was discharged, released or has a certificate of service therefrom, with an honorable discharge, or who is missing in action or who was killed in action; and who at the time of entry on such active service, and at the time of such service was a bona fide resident of this state shall be entitled to the benefits provided under this subdivision. A person shall demonstrate bona fide residency under this section through such person's home of record at time of entry as listed on a DD Form 214 or a written verification from a town or city clerk that such person was a resident of a New Hampshire town or city at the time of active service. No individual who has received a Global War on Terrorism operations bonus payment from another state shall be qualified to receive the benefits provided under this subdivision.

Senate Finance

April 8, 2004

2004-1105s

09/10

Amendment to HB 1228

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

2 Reference Change. Amend RSA 262:44, III to read as follows:

III. The uniform fine schedule referred to in paragraph I shall be developed [~~and promulgated by the New Hampshire supreme court after approval by the legislative fiscal committee~~] **pursuant to RSA 502-A:19-b, V.**

Senate Education

April 28, 2004

2004-1457s

09/04

Amendment to HB 1281

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

AN ACT permitting the adoption of an alternative cost apportionment method in a cooperative school district and establishing a legislative oversight committee for the school administrative unit system.

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

1 New Section; Cooperative School Districts; Alternative Method of Apportioning Costs. Amend RSA 195 by inserting after section 14 the following new section:

195:14-a Alternative Apportionment of Operating Costs.

I. As an alternative to the apportionment of operating costs set forth in RSA 195:14, the cooperative school board may fix a specific percentage of the state education grant amount received in a given year to be applied to the operating costs of the cooperative school district, before the apportionment of remaining cooperative school district operating costs. Such percentage shall not be less than zero percent and not more than 100 percent and shall be the same in each city or town in the cooperative school district.

II. The question shall be proposed as an article in the warrant of the next cooperative school district annual or special meeting pursuant to RSA 195:13. A majority vote in each city or town in the cooperative school district voting on the question shall be required for adoption.

III. The procedure for modification or rescission of a specified percentage shall be as set forth in this section, and shall not be subject to the provisions of RSA 195:18, III(i). A majority vote in each city or town in the cooperative school district voting on the question shall be required for modification or rescission.

2 New Sections; School Administrative Units; Legislative Oversight Committee. Amend RSA 194-C by inserting after section 10 the following new sections:

194-C:11 Legislative Oversight Committee. An oversight committee shall be established consisting of:

- I. The chairperson of the house education committee, or a designee.
- II. The chairperson of the senate education committee, or a designee.
- III. One member of the house of representatives, appointed by the speaker of the house of representatives.
- IV. One member of the senate, appointed by the senate president.
- V. One member of the house finance committee, appointed by the speaker of the house of representatives.
- VI. One member of the senate finance committee, appointed by the senate president.

194-C:12 Duties of the Legislative Oversight Committee. The oversight committee shall monitor the process of organization and withdrawal of school districts from school administrative units and shall oversee the general operation, creation, or dissolution of school administrative units. The committee shall submit an annual report to the speaker of the house of representatives, the president of the senate, and the state board of education summarizing its findings.

3 Effective Date.

- I. Section 2 of this act shall take effect 60 days after its passage.
- II. The remainder of this act shall take effect July 1, 2004.

2004-1457s

AMENDED ANALYSIS

The bill allows a cooperative school district to adopt an alternative method of apportioning the operating costs.

This bill establishes a legislative oversight committee to oversee the school administrative unit system.

Senate Finance

April 28, 2004

2004-1429s

09/01

Amendment to HB 1378-FN-A

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

AN ACT relative to New Hampshire service awards for veterans of World War II, the Korean War, and the Vietnam War and making an appropriation therefor.

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

1 New Subdivision; Service Awards for Veterans of World War II, the Korean War, and the Vietnam War. Amend RSA 115-A by inserting after section 15 the following new subdivision:

New Hampshire Service Awards

115-A:16 New Hampshire Service Awards.

I. The adjutant general shall, with the cooperation and advice of the director of the state veteran's council and the state veterans advisory committee, design and cause to be manufactured or produced service awards for service in World War II, the Korean War, and the Vietnam War. Service awards may be in the form of medals, medallions, or certificates.

II. The awards shall be designed in a manner which:

(a) Indicates the major branches of the armed forces, which are the army, navy, air force, marine corps, and coast guard.

(b) Displays the seal of the state of New Hampshire and a likeness of the "Old Man of the Mountain."

(c) Displays an inscription stating that the award is a "New Hampshire Award for Service," the name of the war in which the recipient served and the beginning and ending dates of the war.

115-A:17 Eligibility for Award. Any person who served in any of the following wars; who, if deemed necessary by the adjutant general, earned the appropriate service medal; and who was honorably discharged, or who is missing in action, or who was killed in action; and who, at the time of entry on such active service, and at the time of such service was a bona fide resident of this state shall be eligible for the award provided under this subdivision. Eligible service is service in:

I. "World War II" between December 7, 1941 and December 31, 1946.

II. The "Korean War" between June 27, 1950 and January 31, 1955.

III. The "Vietnam War" between August 5, 1964 and May 7, 1975 or between February 28, 1961 and May 7, 1975 for persons who served in Vietnam prior to August 5, 1964.

115-A:18 Application for Service Award. Any person eligible for a service award under this subdivision, or if such person is incapacitated or deceased, the surviving spouse or child of such eligible person, may apply to the adjutant general for such service award during 2-year application time periods established by the adjutant general for each war. The adjutant general shall establish application forms and procedures.

115-A:19 Rulemaking. The adjutant general shall adopt rules, pursuant to RSA 541-A, relative to:

I. The dates for the 2-year application time period for each war for which a service award may be awarded under this subdivision.

II. Application forms and procedures under RSA 115-A:18.

III. Any other matter deemed necessary by the adjutant general relative to the design, manufacture, production, or distribution of service awards under this subdivision.

115-A:20 Gifts, Grants, and Donations. Notwithstanding any other provision of law, the adjutant general may solicit and receive monetary gifts, grants, or donations for the purpose of paying costs of the design, manufacture or production, and distribution of New Hampshire service awards under this subdivision.

115-A:21 New Hampshire Service Award Fund. There is established in the office of the state treasurer a fund to be known as the New Hampshire service award fund. All monetary gifts, grants, and donations received by the adjutant general pursuant to RSA 115-A:20 shall be deposited in such fund. The fund is established to pay the costs of the design, manufacture or production, and distribution of New Hampshire service awards under this subdivision. The money in this fund shall be nonlapsing and shall be continually appropriated to the department of the adjutant general.

2 Appropriation; Adjutant General. The sum of \$10,000 is hereby appropriated to the New Hampshire service award fund for the fiscal year ending June 30, 2005, for the purposes of start-up costs for the design, manufacture or production, and distribution of New Hampshire service awards under RSA 115-A:16-21, as inserted by section 1 of this act. This appropriation shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Contingency. If by July 1, 2006, the funds contained in the New Hampshire service award fund are insufficient to fund the costs of the design, manufacture, and distribution of New Hampshire service awards in the form of medallions or medals, the adjutant general shall use the funds contained in the New Hampshire service award fund to design, produce, and distribute New Hampshire service awards in the form of certificates.

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

2004-1429s

AMENDED ANALYSIS

This bill establishes New Hampshire service awards for veterans of World War II, the Korean War, and the Vietnam War who were residents of New Hampshire at their time of entrance into military service. An appropriation is made to the adjutant general for purposes of design, manufacture or production, and distribution of the awards.

Public Affairs

April 28, 2004

2004-1451s

05/10

Amendment to HB 1428-FN

Amend RSA 167:3-e as inserted by section 2 of the bill by inserting after paragraph II the following new paragraphs:

III. To be eligible for home care for children with severe disabilities, a child shall, at a minimum, have an impairment or combination of impairments that meets, medically equals, or functionally equals the criteria for an impairment as listed in 20 CFR, Part 404, Subpart P, App. 1.

IV. A child who has been determined to meet the requirements of institutional level of care shall receive services to the extent the estimated cost of care outside an institution is no higher than the estimated medicaid cost of appropriate institutional care.

Amend the bill by inserting after section 7 the following and renumbering the original section 8 to read as 10:

8 Public Assistance; Department of Health and Human Services Rulemaking; Age Limit for Medical Assistance Program Eligibility. Amend RSA 167:3-c, VI to read as follows:

VI. Establishing an optional state coverage group under RSA 167:6, VII to provide medical assistance for children under the age of ~~[18]~~ **19** years who are severely disabled.

9 Department of Health and Human Services; General Fund Appropriation Reduction. Notwithstanding the general fund appropriation reduction requirement in 2003, 318:9, II, and any action taken by the fiscal committee of the general court pursuant thereto, the department of health and human services shall not reduce the appropriation to the medical assistance program for home care for children with severe disabilities for the biennium ending June 30, 2005.

2004-1451s

AMENDED ANALYSIS

This bill:

I. Establishes a position in the department of health and human services to assist recipients of home care for children with severe disabilities in obtaining reimbursement or payment from private insurers whenever possible, and appropriates \$1 in each year of the biennium to fund the position.

II. Establishes program eligibility criteria for home care for children with severe disabilities and authorizes the department to loan specialized equipment to program participants.

III. Directs the department to adopt the expired rules regulating home care for children with severe disabilities as interim rules and provides that such rules shall remain in effect until July 1, 2005.

IV. Establishes a commission to study the medical assistance program.

V. Expands the definition of health carrier for purposes of disclosing insurance information to the department of health and human services for medicaid reimbursement.

VI. Permits the department to seek reimbursement or payment from a health carrier for a medical assistance recipient if the claim is made within 5 years of the service.

VII. Prohibits a reduction in the appropriation to the home care program for children with severe disabilities for the biennium ending June 30, 2005.

Capital Budget
April 27, 2004
2004-1387s
06/01

Amendment to HB 2004-FN-LOCAL

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

AN ACT relative to the state 10-year transportation improvement plan and making certain adjustments to turnpike funds, relative to frivolous actions against the state concerning state construction projects, and relative to financing federally aided highway projects.

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

6 Purpose; Frivolous Actions Relative to State Construction Projects. The general court finds that it is in the interests of the state that state construction projects be able to proceed without delay. Legal actions that unnecessarily delay state construction projects increase taxpayer expense and merit limitation.

7 New Section; Frivolous Actions Relative to State Construction Projects. Amend RSA 507 by inserting after section 15 the following new section:

507:15-a Frivolous Actions Relative to State Construction Projects.

I. If, upon the hearing of any action against the state pertaining to a state construction project, which has commenced after the necessary state and federal approvals for construction have been issued, it appears to the court that the action is frivolous or intended to otherwise harass or intimidate the prevailing party, then the court, upon motion of a prevailing party or on its own motion, may order summary judgment or other relief against the party who brought such action, and award the amount of costs and attorneys' fees incurred by the prevailing party. Costs shall include, but not be limited to, increased construction costs incurred by the state.

II. For purposes of this section, "state construction project" shall mean a capital budget project.

8 New Chapter; Federal Highway Grant Anticipation Bonds. Amend RSA by inserting after chapter 228 the following new chapter:

CHAPTER 228-A **FEDERAL HIGHWAY GRANT ANTICIPATION BONDS**

228-A:1 Title; Definitions. This chapter may be referred to as the "Federal Highway Anticipation Bond Act." For purposes of this chapter, unless a different meaning clearly appears from the context, the following words shall have the following meanings:

I. "Bonds" means any bonds, notes, or other evidences of indebtedness issued under this chapter.

II. "Federal highway construction program" means the state's federally assisted highway program, as it may be provided for from time to time, including without limitation, projects financed by the issuance of bonds under this chapter or any other federal highway project previously undertaken or to be undertaken at any time hereafter while any such bonds are outstanding as part of such program.

III. "Federal highway construction trust funds" means all federal highway construction reimbursements and any other federal highway assistance received from time to time by the state with respect to the federal highway construction program, or received from time to time by the state under any successor program established under federal law.

IV. "Project costs" means all the costs of constructing, reconstructing, altering, or dismantling any highway eligible to receive federal funds in accordance with RSA 235:7 or any other applicable federal or state law, and, without limiting the generality of the foregoing, may include the costs of planning, designing, constructing, reconstructing, altering, dismantling, and landscaping any such highway and all approaches, bridges and roads connecting thereto or connecting parts thereof, of all lands, property rights, rights-of-way, easements and franchises necessary or convenient for such construction, of all machinery and equipment,

and of traffic estimates, administration, engineering, architectural and legal services, labor, plans, specifications, surveys, and estimates of costs and revenues, financing charges, interest prior to or during construction, and all such other expenses as may be necessary or incident to the financing and construction of such highway and the placing of the same fully in operation, and may include the funding of reserves for debt service and other expenses as may be determined in a bond resolution or trust or security agreement adopted or entered into pursuant to this chapter.

V. "Revenues" means all federal aid for highways received by the state pursuant to Title 23 of the United States Code and all other federal laws, heretofore or hereafter enacted, relating to federal aid for highways and all rights to receive the same, and any grants, loans, and other contributions from any governmental unit relating thereto or to projects financed, in whole or in part, pursuant to this chapter, investment earnings, and the proceeds of any borrowing hereunder or of any sale or disposition or insurance of any highway assets of the state.

228-A:2 Issuance of Revenue Bonds. The state may issue bonds under this chapter to be known as "federal highway grant anticipation bonds." The bonds may be issued from time to time for the purpose of financing project costs related to the widening of Interstate 93 from Manchester to the Massachusetts border and any other federally aided highway project hereafter authorized by the general court to be financed under this chapter. Bonds issued hereunder shall be special obligations of the state and the principal of, premium, if any, and interest on all bonds shall be payable solely from the particular funds provided therefor under this chapter. The bonds shall be issued by the treasurer in such amounts as the governor and council shall determine, not exceeding in the aggregate \$333,000,000. Bonds of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker's loan rate or other method as may be determined by the treasurer, and shall mature at such time or times as may be determined by the treasurer, except that no bond shall mature more than 15 years from the date of its issue. Bonds may be made redeemable before maturity either at the option of the state or at the option of the holder, or on the occurrence of specified events, at such price or prices and under such terms and conditions as may be fixed by the treasurer prior to the issue of bonds. The treasurer shall determine the form and details of bonds. Subject to RSA 93-A, the bonds shall be signed by the treasurer and countersigned by the governor. The bonds may be sold in such manner, either at public or private sale, for such price, including above or below par value, at such rate or rates of interest, or at such discount in lieu of interest, as the treasurer may determine.

228-A:3 Trust or Security Agreement or Resolution.

I. Any bonds issued under this chapter may be secured by a resolution or by a trust or security agreement between the state and a corporate trustee or by a trust or security agreement directly between the state and the purchasers of the bonds. Any corporate trustee that is a party to such resolution or trust or security agreement may be any trust company or bank having the powers of a trust company within or without the state. Any such resolution or trust or security agreement shall be in such form and executed in such manner as may be determined by the treasurer, with the approval of the governor and council. Such trust or security agreement or resolution may pledge or assign, in whole or in part, the revenues held or to be received by the state and any contract or other rights to receive the same, whether then existing or thereafter coming into existence and whether then held or thereafter acquired by the state, and any proceeds thereof. Such trust or security agreement or resolution may contain such provisions for protecting and enforcing the rights, security and remedies of the bondholders as may, in the discretion of the treasurer, be reasonable and proper and not in violation of law. Without limiting the generality of the foregoing, such agreement or resolution may include:

(a) Provisions defining defaults and providing for remedies in the event thereof, which may include the acceleration of maturities; and

(b) Covenants setting forth the duties of, and limitations on, the state in relation to:

- (1) The custody, safeguarding, investment and application of moneys;
- (2) The issue of additional or refunding bonds;
- (3) The use of any surplus bond proceeds;
- (4) The establishment of reserves;
- (5) The construction and operation of any highway or project related thereto;

(6) Any contracts relating thereto; and

(7) Subsequent amendments of such provisions and contracts.

II. It shall be lawful for any bank or trust company to act as a depository or trustee of the proceeds of bonds, revenues or other moneys under a trust or security agreement or resolution. It shall be lawful for any bank or trust company to furnish such indemnification or to pledge such securities and issue such letters or lines of credit or other credit facilities as may be required by the state acting under this chapter. Any such trust or security agreement or resolution may set forth the rights and remedies of bondholders and of the trustee and may restrict the individual right of action by bondholders.

228-A:4 Credit Facilities and Insurance. Any bonds issued under authority of this chapter may be issued pursuant to lines of credit or other banking arrangements under such terms and conditions not inconsistent with this chapter, and under such agreements with the purchasers or makers thereof, as the treasurer may determine to be in the best interests of the state. In addition to other security provided herein or otherwise by law, bonds issued by the state under this chapter may be secured, in whole or in part, by insurance or by letters or lines of credit or other credit facilities issued to the state by any bank, trust company, or other financial institution, within or without the state, and the state may pledge or assign any of the revenues as security for the reimbursement by the state to the issuers of such letters or lines of credit, insurance, or credit facilities of any payments made thereunder.

228-A:5 Pledge of Revenues or Other Property. Any pledge of revenues or other property made by the state under this chapter shall be valid and binding and shall be deemed continuously perfected for the purposes of RSA 382-A and other laws from the time when the pledge is made; the revenues, moneys, rights, and proceeds so pledged and then held or thereafter acquired or received by the state shall immediately be subject to the lien of such pledge without any physical delivery or segregation thereof or further act; and the lien of such pledge shall be valid and binding against all parties having claims of any kind in tort, contract, or otherwise against the state, irrespective of whether such parties have notice thereof. No such revenues may be used in a manner inconsistent with the pledge. Neither the resolution, any trust or security agreement nor any other agreement by which a pledge is created need be filed or recorded except in the records of the secretary of state and no filing need be made under RSA 382-A.

228-A:6 Enforcement of Rights. Any owner of a bond issued under the provisions of this chapter and any trustee under a trust or security agreement or resolution securing the same, except to the extent the rights given in this section may be restricted by such agreement or resolution, may bring suit upon the bonds and may, either at law or in equity, by suit, action, mandamus, or other proceeding for legal or equitable relief, protect and enforce any and all rights under the laws of the state or granted hereunder or under such trust or security agreement or resolution and may enforce and compel the performance of all duties required by this chapter or by such agreement or resolution to be performed by the state or by any officer thereof.

228-A:7 Refunding Bonds. The treasurer, when authorized by the governor and council, may issue refunding bonds for the purpose of paying any bonds issued under the provisions of this chapter at or prior to maturity or upon acceleration or redemption. Refunding bonds may be issued at such times prior to the maturity or redemption of the bonds being refunded as the treasurer may determine. The refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium thereon, any interest accrued or to accrue to the date of payment of such bonds, the expenses of issue of the refunding bonds, the expenses of redeeming the bonds being refunded, and such reserves for debt service or other expenses from the proceeds of such refunding bonds as may be required by a trust or security agreement or resolution securing the bonds. The authorization and issue of refunding bonds, the maturities and other details thereof, the security therefor, the rights of the holders thereof, and the rights, duties and obligations of the state in respect to the same shall be governed by the provisions of this chapter relating to the issue of the bonds other than refunding bonds insofar as the same may be applicable.

228-A:8 Bonds Not General Obligations. Except as provided in the following sentence, bonds issued under the provisions of this chapter shall not be general obligations of the state for which its full faith and credit is pledged, nor shall they be payable out of any funds other than the funds provided therefor in this chapter nor shall they be deemed debt of the state in determining its borrowing capacity under any applicable law. Notwithstanding the foregoing, the general court may from time to time authorize the use of any other funds of the state to pay any portion of bonds issued under the provisions of this chapter.

228-A:9 Separate Funds. Any debt service fund, construction fund, debt service reserve fund, or other fund established in connection with the issuance of bonds under this chapter shall be kept separate from other moneys of the state. The moneys deposited in any such funds, together with income derived from any investments held as part of such funds, shall be expended without further authorization or appropriation as provided for in the trust or security agreement or resolution establishing such funds.

228-A:10 Trust Funds. All moneys received pursuant to the provisions of this chapter, whether as proceeds from the issue of bonds, as revenues, or otherwise, shall be deemed to be trust funds to be held and applied solely as provided in this chapter. All such trust funds shall be deposited, upon receipt, into the federal highway grant anticipation bond trust fund, which is hereby established as a subaccount of the highway fund. In order to increase the marketability of any bonds issued by the state pursuant to this chapter at the lowest possible cost to the state, all federal highway construction trust funds, any other funds hereafter appropriated to the federal highway grant anticipation bond trust fund, and investment earnings on funds held or credited to the federal highway grant anticipation bond trust fund or on the proceeds of any bonds issued pursuant to this chapter and secured by the federal highway grant anticipation bond trust fund, are hereby impressed with a trust for the benefit of the owners from time to time of such bonds. Such funds may be applied by the state, without appropriation, solely for the purposes of paying the principal or purchase price of, redemption premium, if any, and interest on such bonds in the fiscal year in which such funds are received or in any subsequent fiscal year, as such amounts come due or may be paid or deemed paid prior to maturity in accordance with their terms and further satisfying the terms of any trust or security agreement or resolution entered into in accordance with RSA 228-A:3 or credit facility entered into in accordance with RSA 228-A:44. Such payments with respect to the bonds may include, without limitation, the payment of any fees and expenses related to the bonds, maintaining reserves, if any, under any trust or security agreement or resolution or credit facility and paying reimbursement amounts in respect of any credit facility.

228-A:11 Investment of Funds. Moneys in any fund or account created under the provisions of this chapter, subject to the terms and provisions of any trust or security agreement or resolution applicable thereto, may be invested in accordance with RSA 6:7 and RSA 6:8. Except as otherwise provided by any such trust or security agreement or resolution, obligations so purchased as an investment of moneys in said fund or account shall be deemed at all times to be a part of said fund or account, and the interest thereon and any profit arising on the sale thereof shall be credited to said fund or account, and any loss resulting on the sale thereof shall be charged to said fund or account, respectively.

228-A:12 Agreement with Bondholders. The state pledges to and agrees with the holders of bonds issued under this chapter that until such bonds, together with interest thereon, with interest on any unpaid installment of interest and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged, or unless expressly permitted or otherwise authorized by the terms of each contract and agreement made or entered into by or on behalf of the state with or for the benefit of such holders, the state shall:

I. Carry out and perform, or cause to be carried out and performed, each and every promise, covenant, agreement, or contract made or entered into by the state or on its behalf by or under the provisions of this chapter and on its behalf to be performed; and

II. Not issue any bonds, notes, or other evidences of indebtedness, other than federal highway grant anticipation bonds, having any rights secured by any pledge of or other lien or charge on the revenues or any moneys or securities paid or to be paid to or held or to be held by the state or the treasurer hereunder, and shall not create or cause to be created any lien or charge on the revenues, any such moneys or securities, other than a lien and pledge thereon created by or pursuant to the provisions of this chapter; provided that nothing in this section shall prevent the state from issuing evidences of indebtedness which:

(a) Are secured by a pledge or lien which is and shall on the face of said evidences of indebtedness be expressed to be subordinate and junior in all respects to every lien and pledge created by or pursuant to the provisions of this chapter; or

(b) Pledge the full faith and credit of the state and which are not expressly secured by any specific lien or charge on revenues or any such moneys or securities; or

(c) Are secured by a pledge of or lien on moneys or funds to be derived on and after such date as every pledge or lien thereon created by or pursuant to the provisions of this chapter shall be discharged and satisfied; and

III. Not divert federal highway construction trust funds from the purposes identified herein except as provided in the trust or security agreement or resolution or credit facility relating thereto nor shall the trusts with which they are hereby impressed be broken, and the pledge and dedication in trust of such funds shall continue unimpaired unaborogated.

228-A:13 Prior Covenants and Contracts Not Affected. The provisions of this chapter shall not in any way limit, restrict, or alter the obligation or powers of the state to carry out and perform in every detail each and every promise, covenant, agreement, or contract made or entered into, prior to the enactment of this chapter, or limit, restrict, or alter the powers, rights, authority, duties, or obligations of the treasurer or the commissioner of transportation or any other officer of the state to do and perform each and every act or thing required on the part of the state or any such officer to be done or performed by any such promise, covenant, agreement, or contract.

228-A:14 Tax Exemption. Bonds issued under this chapter, their transfer and income therefrom, including any profit made on the sale or transfer thereof, shall at all times be exempt from all taxation by or within the state.

228-A:15 Investment Securities. Notwithstanding any of the provisions of this chapter or any recitals in any bonds issued under this chapter, all such bonds shall be deemed to be investment securities under RSA 382-A.

228-A:16 Eligible Investments. Bonds issued under the provisions of this chapter are hereby made securities in which all public officers, agencies and authorities of the state and of its political subdivisions, insurance companies, investment companies, executors, administrators, trustees, and other fiduciaries may properly and legally invest funds, including capital in their control or belonging to them. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency, authority, or political subdivision of the state for any purpose for which the deposit of bonds or obligations of the state or of any political subdivision is now or may hereafter be authorized by law.

228-A:17 Construction and Effect of Other Laws.

I. The provisions of this chapter shall be deemed to provide an additional and alternative method for the effectuation of the purposes of this chapter and shall be construed to be supplemental to, and not in derogation of, powers otherwise conferred by law; provided, however, that insofar as the provisions of this chapter are inconsistent with the provisions of any general or special law, administrative order or rule, or any limitation imposed by the state, the provisions of this chapter shall be controlling.

II. The provisions of this chapter are severable, and if any provision hereof shall be held invalid in any circumstances, such invalidity shall not affect or impair any other provisions or circumstances.

III. This chapter shall be construed in all respects so as to meet all constitutional requirements. In carrying out the purposes and provisions of this chapter, all steps shall be taken which are necessary to meet constitutional requirements.

IV. This chapter shall be liberally construed to effect the purposes thereof.

9 New Subparagraph; Special Fund; Federal Highway Grant Anticipation Bond Trust Fund. Amend RSA 6:12, I by inserting after subparagraph (227) the following new subparagraph:

(228) Moneys received under RSA 228-A, which shall be deposited in the federal highway grant anticipation bond trust fund.

10 Effective Date.

I. Sections 6 and 7 of this act shall take effect January 1, 2005.

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

2004-1387s

AMENDED ANALYSIS

This bill:

- I. Updates the 10-year transportation improvement plan to maintain highways and bridges in the state.
- II. Establishes a committee to study the adequacy of funding for the state's 10-year transportation plan.

III. Grants authority to the commissioner of transportation to make improvements to the turnpike system required by the 10-year transportation plan.

IV. Changes appropriations for certain projects in the turnpike system.

V. Allows the prevailing party, in a suit brought concerning a state construction project, to recover costs, attorneys' fees, and damages that include any increased construction costs incurred by the state.

VI. Establishes a class of state bonds for the purpose of financing project costs related to the widening of Interstate 93 and other federally aided highway projects.

MEETINGS

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)

Rescheduled Room 105-A, SH Regular Meeting

(RSA 137-K:2, HAS BEEN RESCHEDULED FOR MAY 17)

TUESDAY, MAY 4, 2004

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

10:30 a.m. Room 103, SH Regular Meeting

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)

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

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

3:00 p.m. Room 206, LOB Regular Meeting

MEDICAID PRESCRIPTION DRUG BENEFITS MANAGEMENT PROGRAM LEGISLATIVE OVERSIGHT COMMITTEE (HB 1218, Chapter 281:9, IV (b), Laws of 2002)

3:30 p.m. Room 205, LOB Regular Meeting

NH DEPARTMENT OF TRANSPORTATION (Windham 13113, South Lowell Road, Improvements to construct bike shoulders (2.1 miles))

7:00 p.m. Windham Planning Office Bike Committee Meeting
No. Lowell Road
Windham, NH

WEDNESDAY, MAY 5, 2004

NH DEPARTMENT OF TRANSPORTATION (Portsmouth 13455, 12900, US Route 1 Bypass Study)

10:00 a.m. Portsmouth Public Works Advisory Committee Meeting
680 Peverly Hill Road
Portsmouth, NH

NH DEPARTMENT OF TRANSPORTATION (Allenstown-Pembroke 12361, NH 3 double-decker bridge replacement over Suncook River)

6:30 p.m. Pembroke Town Hall Bridge Design Meeting
311 Pembroke Street
Pembroke, NH

THURSDAY, MAY 6, 2004

NH CANADIAN TRADE COUNCIL (RSA 12-A:2-g)

9:15 a.m. Room 204, SH Regular Meeting

NH DEPARTMENT OF TRANSPORTATION (Hampton-N. Hampton, 13760 I-93 Southbound Off Ramp at Exit 2, Toll Lanes)

7:00 p.m.	Hampton Town Hall 100 Winnacunnet Road Hampton, NH	Public Officials Meeting
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FRIDAY, MAY 7, 2004

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

1:00 p.m.	Room 208, LOB	Prioritization Subcommittee Meeting
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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
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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
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BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m.	Room 201, LOB	Public Hearing for proposed Admin Rules/Regular Meeting
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GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m.	Room 102, LOB	Regular Meeting
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TUESDAY, MAY 11, 2004

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

1:00 p.m.	Police Standards & Training 17 Institute Dr. Concord, NH	Regular Meeting
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WEDNESDAY, MAY 12, 2004

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

9:30 a.m.	Room 201, LOB	Regular Meeting
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MENTAL HEALTH COURT PILOT PROGRAM IN KEENE DIST COURT LEGISLATIVE OVERSIGHT COMMITTEE (SB 435, Chapter 72:3, Laws of 2002)

10:00 a.m.	Room 209, LOB	Regular Meeting
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THURSDAY, MAY 13, 2004

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

6:00 p.m.	Plymouth Regional Senior Center 8 Depot Street Plymouth, NH	Public Hearing
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NH DEPARTMENT OF TRANSPORTATION (Nashua-Merrimack 14189, Improvements to US 3 from the intersection of US 3 and the Henry Burque Hwy north approx. 4 miles to Greeley St. The work will consist of a 1 1/2" inlay and updating existing guardrail)

7:00 p.m.	Merrimack Town Hall 8 Baboosic Lake Road Merrimack, NH	Public Officials/Public Informational Meeting
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FRIDAY, MAY 14, 2004

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3)

9:30 a.m. Room 207, 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 Subcommittee Meeting

MONDAY, MAY 17, 2004

PUBLIC HEALTH AND ENVIRONMENT RELATIONSHIP COMMISSION (HB 1390, Chapter 114:2, Laws of 2000)

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

WEDNESDAY, MAY 19, 2004

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

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

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

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

NH LONG-TERM CARE INSTITUTE BOARD (RSA 126-L:2)

10:00 a.m. Rooms 210-211, LOB 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

MONDAY, MAY 24, 2004

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

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

FRIDAY, MAY 28, 2004

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

Cancelled Room 205, LOB Regular Meeting

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

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

WEDNESDAY, JUNE 2, 2004

WATER RESOURCES COMMITTEE (RSA 481:1-b)

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

NH DEPARTMENT OF TRANSPORTATION (Ossipee-Effingham 13332, Pavement overlay, upgrading existing guardrail & bridge deck replacement along NH 25 from NH 16/ NH 25 interchange east 6.4 miles to the NH 25 / School Street intersection)

7:00 p.m. Ossipee Town Hall Public Officials/
55 Main Street Public Informational Meeting
Ossipee, NH

FRIDAY, JUNE 4, 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, JUNE 7, 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

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

WEDNESDAY, JUNE 9, 2004

NH DEPARTMENT OF TRANSPORTATION (Conway, 13078 Widening of River Road, provide 4' shoulders for bikes, road surface rehab/drainage improve 500 ft west of intersection Rte 16 approximately 1.5 miles west to intersection of River and West Side Rd.)

7:00 p.m. Conway Police Department Public Officials/Public
39 East Conway Road Informational Meeting
Conway, NH

THURSDAY, JUNE 10, 2004

NH DEPARTMENT OF TRANSPORTATION (Londonderry 13015, Alterations to NH Route 128)

7:00 p.m. Londonderry High School Room 221 Public Hearing (Commission)
295 Mammoth Road
Londonderry, NH

MONDAY, JUNE 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

MONDAY, JUNE 28, 2004

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

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

FRIDAY, JULY 16, 2004

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

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

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: 126, 128, 205, 303, 312, 313, 324, 325, 326, 329, 331, 333, 338, 347, 348, 353, 361, 365, 366, 367, 376, 381, 383, 384, 388, 396, 401, 407, 409, 411, 413, 414, 415, 419, 422, 424, 429, 430, 432, 433, 435, 436, 442, 444, 448, 450, 454, 469, 471, 473, 478, 481, 485, 490, 491, 494, 495, 498, 500, 503, 504, 505, 508, 509, 510, 511, 512, 515, 516, 518, 523, 525, 532, 534, HOUSE BILLS: 85, 369, 618, 643, 651, 698, 713, 730, 803, 1188, 1162, 1207, 1225, 1241, 1248, 1254, 1276, 1308, 1325, 1348, 1380, 1416, 1426, 1424, 2004

SENATE BILLS AMENDED BY THE HOUSE

SB 19-FN, (New Title) relative to notification of groundwater contamination and requiring a certain report from the department of environmental services. (**Senate Concurred**)

SB 99, relative to high cost mortgage loans. (1/7/04, HJ 5, p. 252)

SB 128-FN, transferring the bureau of vital records and health statistics from the department of health and human services to the department of state. (**Senate Concurred**)

SB 176, relative to standards for plats recorded in the registry of deeds. (**Senate Concurred**)

SB 199, revising the nurse practice act. (1/15/04, HJ 8, p. 429)

SB 207, relative to transactions exempt from the consumer protection act. (4/15/04, HJ 29, p. 1147)

SB 301-FN, relative to liquor licenses. (4/22/04, HJ 31, p. 1224)

SB 303-FN, (2nd New Title) eliminating the business profits tax exemption for qualified investment companies and relative to access by the legislative budget assistant to confidential information maintained by the department of revenue administration. (4/22/04, HJ 31, p. 1255)

SB 314, relative to access to medical records. (4/29/04, HJ, TBA)

SB 316, relative to the payment of salaried employees. (4/29/04, HJ, TBA)

SB 317, relative to registration of pesticide applicators and rules of the pesticide control board. (3/11/04, HJ 20, p. 873)

SB 324-FN-A-L, relative to the calculation of the commissioner's warrant for the statewide enhanced education tax to be raised by a municipality. (4/22/04, HJ 31, 1257)

SB 329-FN, relative to the recovery by the retirement system of the overpayment of benefit amounts. (4/15/04, HJ 29, p. 1153)

SB 333-FN, establishing a unique pupil identification system. (4/15/04, HJ 29, p. 1150)

SB 336-L, relative to certain costs in the development of a high school in the town of Bedford. (**Senate Concurred & Signed by Governor**)

SB 338-FN, relative to the purchase of prior service credit by certain political subdivision employee members. (4/15/04, HJ 29, p. 1154)

SB 342-FN, relative to payment of utility assessments and relative to regulation of electric generation companies. (4/29/04, HJ, TBA)

SB 343, relative to landowner permission for OHRV operation and relative to loading and unloading OHRVs on highways. (4/15/04, HJ 29, p. 1182)

SB 344, relative to the use of gifts and donations to the fish and game department and relative to off highway recreational vehicle fees. (**Senate Concurred**)

SB 348, (New Title) relative to the sale of manufactured housing and the management of manufactured housing parks. (4/29/04, HJ, TBA)

SB 351-FN, relative to concurrent enrollment at regional vocational education centers. (**Senate Concurred**)

SB 355, (New Title) relative to the regulation and servicing of portable fire extinguishers and fixed fire extinguishing systems, fire sprinkler systems, and fire alarm and detection systems. (**Senate Concurred**)

SB 357, authorizing municipalities to adopt quarterly billing of taxes. (4/22/04, HJ 31, p. 1242)

SB 359, relative to construction of buildings on certain pre-existing streets. (4/22/04, HJ 31, 1243)

SB 361-FN-A, (New Title) relative to fees of the postsecondary education commission for preserving certain academic records. (**Senate Concurred**)

SB 368, relative to reinsurance. (4/22/04, HJ 31, 1224)

SB 370, relative to the insurance rating law. (4/22/04, HJ 31, 1225)

SB 371, relative to certain technical changes in the insurance laws. (4/29/04, HJ, TBA)

SB 377, relative to damage to land by certain recreational uses. **(Senate Concurred)**

SB 380, establishing a statewide incident command system. **(Senate Concurred)**

SB 381, relative to the transfer of certain capital appropriations within the department of safety. (4/15/04, HJ 29, p. 1162)

SB 383-FN, relative to pharmacy benefit management. (4/15/04, HJ 29, p. 1168)

SB 386, relative to the guardian ad litem board and providing for certification of guardians ad litem. (4/29/04, HJ, TBA)

SB 391, (New Title) relative to bond votes in municipalities using chartered official ballot voting procedures and relative to Claremont school district elections. (4/22/04, HJ 31, 1243)

SB 392, relative to criminal responsibility for certain offenses committed by persons 13 years of age or older. (4/15/04, HJ 29, p. 1149)

SB 397, requiring the department of environmental services to adopt certain rules and to opt out of the reformulated gasoline program. (4/29/04, HJ, TBA)

SB 399-FN, relative to the sale of animals. **(Senate Concurred)**

SB 402, relative to an optional retirement annuity benefit for members of the Manchester retirement system. (4/15/04, HJ 29, p. 1156)

SB 409-FN, revising the vocational school licensing statutes. (4/15/04, HJ 29, p. 1181)

SB 413-FN, relative to financing federally aided highway projects. (4/15/04, HJ 29, p. 1162)

SB 414-FN, clarifying the laws relative to municipal impact fees, off-site exactions, vesting of development rights, and waiver of subdivision regulations. (4/22/04, HJ 31, 1246)

SB 418, relative to voting procedures in the Hanover school district. (4/29/04, HJ, TBA)

SB 421, relative to charter schools. (4/29/04, HJ, TBA)

SB 427, relative to the definition of marriage. (4/29/04, HJ, TBA)

SB 432-FN, establishing a division of emergency services, communications, and management, a division of fire standards and training and emergency medical services and a division of fire safety in the department of safety. **(Senate Concurred)**

SB 439, relative to probationary drivers' licenses. (4/15/04, HJ 29, p. 1180)

SB 443, relative to rural electric cooperatives. (4/29/04, HJ, TBA)

SB 448-FN, relative to consumer guaranty contracts. (4/29/04, HJ, TBA)

SB 451, (New Title) giving degree-granting authority to the Hellenic American University and the St. Joseph's School of Nursing. **(Senate Concurred)**

SB 453, (New Title) establishing a committee to study the tobacco master settlement agreement revenue stream to the state. (4/22/04, HJ 31, p. 1249)

SB 455, removing the requirement that district courts be open on Saturdays for arraignments. **(Senate Concurred)**

SB 459, making certain changes to the real estate practice act. (4/29/04, HJ, TBA)

SB 461, relative to the regulation of gift certificates under the consumer protection act. (4/29/04, HJ, TBA)

SB 465, (New Title) relative to testimony of witnesses about confidential settlements. **(Senate Concurred)**

SB 467, establishing an exemption from the public sewer connection requirements for 2 projects in the town of Derry. **(Senate Concurred)**

SB 469, relative to licensing of boiler inspectors. **(Senate Concurred)**

SB 470-FN, relative to funding for the physician effectiveness program. (4/29/04, HJ, TBA)

SB 488, establishing a committee to study the effects of electric utility restructuring on state dams and the alternatives for the operation and maintenance of state-owned dams. **(Senate Concurred)**

SB 490-FN, relative to the Help America Vote Act. (4/22/04, HJ 31, p. 1240)

SB 493, (New Title) relative to examination standards for certified public accountants. (**Senate Concurred & Signed by the Governor**)

SB 494, (New Title) relative to the prohibition on taking conch and winkles and relative to licensing requirements for taking lobsters and crabs. (4/15/04, HJ 29, p. 1159)

SB 495-FN, relative to original and youth operators' licenses. (4/29/04, HJ, TBA)

SB 496, relative to the definition of snow traveling vehicle. (3/11/04, HJ 20, p. 884+938)

SB 498-FN, relative to the regulation of debt adjustment services. (4/22/04, HJ 31, p. 1225)

SB 500-FN, relative to certain procedures of financial institutions. (4/22/04, HJ 31, p. 1234)

SB 503-FN-L, (New Title) establishing a commission to study the benefit of municipalities using bonds for construction, development, improvement, and acquisition of broadband facilities. (4/15/04, HJ 29, p. 1182)

SB 508-FN, relative to grant-funded programs. (4/22/04, HJ 31, p. 1248)

SB 511-FN, relative to the penalties for rioting. (4/15/04, HJ 29, p. 1150)

SB 521-FN, increasing the penalty for identity fraud. (4/22/04, HJ 31, p. 1239)

SB 526, relative to sexual harassment complaint procedures for public employees. (4/29/04, HJ, TBA)

SB 530, relative to the duties of public safety responders and the expeditious clearance of a roadway. (4/29/04, HJ, TBA)

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

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NOTICES

MONDAY, MAY 3, 2004

All Senators are cordially invited to attend the First Annual Profile Award Ceremonies. The Profile Award is given to individuals and communities that best represent the spirit of the Old Man In The Mountain. The Awards will be given on the first anniversary of the falling of the Old Man during a reception on Monday, May 3 2004 at 6:00 p.m. at the Center of NH.

Senator John Gallus

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THURSDAY, MAY 6, 2004

On Thursday, May 6 during the noon break of the legislative session, members are invited for lunch at the Upham Walker House. The Task Force on Deafness and Hard of Hearing will present brief presentations to inform members about current developments and dilemmas facing the deaf and hard of hearing community.

Senator Andre A. Martel

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MONDAY, MAY 10, 2004

GO-NH Legislative Shoot will be held Monday, May 10, 2004 at the Country Pond Fish and Game Club in Newton.

Senator Robert K. Boyce

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TUESDAY, MAY 18, 2004

There will be an informational program put on by the Rockingham Area Committee on Aging. This program will give an overview on what the new Medicare bill means to you. There will be staff from HHS to explain where you fit into this newly passed legislation. Date is May 18, 2004 from 10:00 a.m. to 12:00 p.m.

Location will be the auditorium at the Rockingham Nursing Home in Brentwood NH. Light refreshments will be served at this very interesting session. Question and answer session will follow presentation.

Senator John S. Barnes, Jr.

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MONDAY, JUNE 7, 2004

The 31st Annual Bill White Memorial Legislative Golf Tournament is scheduled for Monday, June 7, 2004 at Canterbury Woods Country Club, Canterbury, NH. The entry fee for this annual tournament is \$75.00 per person which includes greens fee, cart, barbecue dinner and prizes.

A shotgun start is scheduled for 9:00 a.m. The format is "Captain and Crew".

Sign-up as a foursome or sign-up by yourself in order to be placed in a foursome.

A maximum of 120 players will be allowed. Please note that payment must be made upon registration. There will be no exceptions to this rule!

Return your entry and payment no later than May 20th to Sandy Anderson at the LOB Lobby Desk. Checks should be made payable to Sandy Anderson.

Thomas R. Eaton, Senate President

31th Annual Bill White Memorial Golf Tournament

Canterbury Woods Country Club
Canterbury, NH

Name: 1. _____
2. _____
3. _____
4. _____

Telephone: _____ Amount Enclosed: _____

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SENATE SCHEDULE 2004 SESSION

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 - MAY

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 **MAY 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 full for the remainder of the year.** Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>CLASS/Size</i>
5-3-04	9:30 & 11:00	Ben Franklin Elem – Keene	4/46
5-3-04	12:30	Greenfield Elementary School	4/25
5-4-04	9:30 to 11:00 SH/HM	Bartlett Elem – Goffstown	4/50
5-4-04	12:30	Salem Christian School	4/12
5-5-04	10:00	Salisbury & Webster Elementary Schools	4/32
5-5-04	11:00 & 12:30 SH/HM	Chesterfield Elem	4/50
5-6-04	9:00	New Hampton Community School	4/40
5-6-04	9:30	Jennie D. Blake Elem School – Hill	4/15
5-6-04	11:00	Campton Elem	4/40
5-7-04*****	Unkwn*****	Fuller Elem School – Keene*****	4/44 *****
5-7-04	9:30	Ed Fenn Elem – Gorham	4/45
5-7-04	11:00 & 12:00 SH/FG	Peterborough Elem	4/75
5-10-04	9:00	Conant Elementary School – Concord	4/24
5-10-04	10:00 & 11:30 SH/FG	Canaan Elem	4/60
5-10-04	12:30	Concord High School	HS/25
5-11-04	9:30 & 11:00 SH/HM	Maple Ave. School – Goffstown	4/75
5-11-04	12:30	Warren Village School	3 & 5 /27
5-12-04	9:30 & 11:00 SH/HM	Maple Ave. School – Goffstown	4/50
5-12-04	12:15 & 1:00 SH/TH	Maple Ave. School – Claremont	4/58
5-13-04	9:30 & 11:00 SH/HM	Epsom Central School	4/50
5-13-04	10:00	Rumford School – Concord	4/35
5-14-04	9:00	Conant Elementary School – Concord	4/24
5-14-04	10:00	St.Elizabeth Seton – Rochester	4/36
5-14-04	1:00	Conway Elem	4/38
5-17-04	9:00 & 10:15 SH/SC	New Boston Elem	4/80
5-17-04	12:30	Mason Elementary School	4/17
5-18-04	9:30 & 11:00 SH/HM	Interlakes School – Meredith	4/90
5-18-04	10:00	Bartlett Elem – Berlin	3/45
5-19-04	10:00 & 11:00 SH/HM	Little Harbor School – Portsmouth	4/60
5-20-04	9:30 & 11:00 SH/HM	DJ Bakie School – Kingston	4/86
5-21-04	9:00	Bow Elementary School	4/25
5-21-04	10:00	Linwood Elem – Lincoln	4/28
5-21-04	10:30	Wentworth Elem School	3,4,5/30
5-21-04	11:00	Stark Village School	4/7
5-21-04	11:00	St. Mary's School – Claremont	4/16
5-24-04	10:00 & 11:00 SH & ?	Lincoln-Akerman School – Hampton	3&4/45
5-24-04	11:00	Acworth School	4/8
5-24-04	10:00	Russell School – Rumney	4/20
5-25-04	9:30 & 11:00 SH/HM	St. Anthony's School – Manchester	4/50
5-25-04	10:45	Charlestown Primary School	
		Rescheduled From March 17	4/46
5-26-04	10:30 & 12:00 SH/FG	Enfield Village School	4/40
5-26-04	9:00	Fall Mountain High-Langdon	HS/40
5-26-04	10:30	The Well School – Peterborough	4/11
5-27-04	9:00	Andover Elementary	4/34
5-27-04	10:30	Mtn.Shadows School – Dublin	6/8
5-27-04	10:30 & 12:00 SH/FG	Enfield Village School	4/40
5-28-04	9:30 & 11:00 SH/HM	Gossler Park School – Manchester	4/75
5-28-04	12:30	Bethlehem Elementary School	4/22