

January 30, 2004  
No. 5

# STATE OF NEW HAMPSHIRE

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



Legislative

## SENATE CALENDAR

REPORTS, AMENDMENTS, HEARINGS,  
MEETINGS & NOTICES

---

**THE SENATE WILL MEET IN SESSION ON  
THURSDAY, FEBRUARY 5, 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 340**, repealing the restriction on the fish and game department related to release of information on fish stocking. 1/22/04, pending motion committee amendment (0095s), Wildlife & Recreation, SJ 2, pg. 38

**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 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

## SPECIAL ORDER

### INTERNAL AFFAIRS

**SB 358**, relative to incompatibility of municipal offices.

Ought to Pass, Vote 3-0

Senator Boyce for the committee.

**SB 418**, relative to voting procedures in the Hanover school district.

Ought to pass with amendment, Vote 4-0

Senator O'Hearn for the committee.

**CACR 27**, relating to elective franchises. Providing that the right to vote in elections shall be limited to citizens of the United States.

Ought to Pass, Vote 4-0

Senator Kenney for the committee.

### JUDICIARY

**SB 301-FN**, relative to liquor licenses.

Ought to Pass, Vote 5-0

Senator Clegg for the committee.

**SB 327**, relative to the scope of the administrative review or hearing following suspension or revocation.

Ought to Pass, Vote 5-0

Senator Clegg for the committee.

**SB 328**, relative to preservation of breath samples.

Inexpedient to Legislate, Vote 3-2

Senator Sapareto for the committee.

**SB 511-FN**, relative to the penalties for rioting.

Ought to pass with amendment, Vote 5-0

Senator Foster for the committee.

### **TRANSPORTATION**

**SB 496**, relative to the definition of snow traveling vehicle.

Ought to pass with amendment, Vote 5-0

Senator Flanders for the committee.

### **WILDLIFE & RECREATION**

**SB 346**, relative to prohibiting the operation of snowmobiles on open water.

Ought to pass with amendment, Vote 5-0

Senator Sapareto for the committee.

**SB 372**, relative to the definition of necessary shelter for dogs.

Ought to pass with amendment, Vote 5-0

Senator Roberge for the committee.

**SB 377**, relative to damage to land by certain recreational uses.

Ought to pass with amendment, Vote 5-0

Senator Sapareto for the committee.

**SB 399-FN**, relative to the sale of animals.

Ought to pass with amendment, Vote 5-0

Senator Roberge for the committee.

## **REPORTS**

### **ENERGY & ECONOMIC DEVELOPMENT**

**SB 466**, relative to the records management services of the city of Keene.

Ought to pass with amendment, Vote 3-1

Senator Odell for the committee

### **ENVIRONMENT**

**SB 486**, prohibiting floatplanes on Pickerel Pond.

Inexpedient to Legislate, Vote 4-1

Senator Barnes for the committee.

**SB 501**, establishing a committee to study a certain parcel of land along the Baker river.

Ought to Pass, Vote 5-0

Senator Johnson for the committee.

### **EXECUTIVE DEPARTMENTS & ADMINISTRATION**

**SB 350**, relative to access by the legislative budget assistant to confidential information maintained by the department of revenue administration.

Ought to Pass, Vote 4-0

Senator Estabrook for the committee.

**SB 445**, relative to the regulation of dietitians by the board of licensed dietitians.

Ought to Pass, Vote 4-0

Senator Estabrook for the committee.

### **INTERNAL AFFAIRS**

**SB 313-FN**, relative to unsolicited commercial electronic mail.

Inexpedient to Legislate, Vote 2-0

Senator Boyce for the committee.

**SB 315**, establishing a committee to study cyber security.

Inexpedient to Legislate, Vote 2-0

Senator Boyce for the committee.

**SB 391**, relative to bond votes in municipalities using chartered official ballot voting procedures.

Ought to pass with amendment, Vote 2-0

Senator Boyce for the committee.

**SB 507**, establishing a committee to study the application of advanced information technology in certain state agencies.

Ought to Pass, Vote 2-0

Senator Boyce for the committee.

### **INTERSTATE COOPERATION**

**SB 373-L**, relative to the disposal of mercury-added products.

Interim Study, Vote 3-1

Senator Clegg for the committee.

**SB 491-FN**, relative to reimbursement for certain unpaid tobacco taxes and relative to refunds for stolen tobacco tax stamps.

Inexpedient to Legislate, Vote 4-0

Senator Clegg for the committee.

### **PUBLIC AFFAIRS**

**SB 364**, increasing the penalties for littering.

Ought to Pass, Vote 3-0

Senator Morse for the committee.

### **WAYS & MEANS**

**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.

Ought to Pass, Vote 5-0

Senator Clegg for the committee.

### **WILDLIFE & RECREATION**

**SB 337**, relative to the regulation of traps by the fish and game department and relative to the liability of trappers for certain injuries to domestic animals.

Ought to pass with amendment, Vote 2-0

Senator Sapareto for the committee.

**SB 341-FN**, relative to prohibited methods of taking wildlife in certain fish and game laws.

Ought to pass with amendment, Vote 2-0

Senator Sapareto for the committee.

**SB 417**, relative to vicious dog assaults.

Ought to pass with amendment, Vote 2-0

Senator Sapareto for the committee.

**SB 457**, relative to animal population control.

Ought to Pass, Vote 2-0

Senator Sapareto for the committee.

**SB 477**, relative to ski craft operation on Pine River Pond in the town of Wakefield.

Inexpedient to Legislate, Vote 2-0

Senator Gallus for the committee.

## AMENDMENTS

### Wildlife and Recreation

January 29, 2004

2004-0267s

10/01

#### Amendment to SB 337

Amend RSA 210:18 as inserted by section 1 of the bill by replacing it with the following:

210:18 Damage to Domestic Animals. Any person causing injury or damage to domestic animals, ***except for dogs at large pursuant to RSA 466:33***, by the aid or use of traps shall be liable to the owner therefor. ***An injury to a licensed dog at large shall be reported to the town or city listed on the dog's tag, and to the owner of the dog if identifiable.***

2004-0267s

#### AMENDED ANALYSIS

This bill repeals a provision of law restricting certain traps. This bill also excludes trappers from liability for injuries to dogs running at large and requires reporting of injuries to licensed dogs.

### Wildlife and Recreation

January 29, 2004

2004-0266s

10/01

#### Amendment to SB 341-FN

Amend the bill by replacing section 2 with the following:

2 Discharging Firearm Across Highway; Bow, Crossbow Added. Amend RSA 207:3-c to read as follows:

207:3-c Use of Firearms, ***Bow, or Crossbow*** in or Across Highway Prohibited. No person shall discharge a firearm [~~in pursuit of wild birds or wild animals~~], ***bow and arrow, or crossbow and bolt*** from ***within 15 feet of the traveled portion of*** or across any class I through V [~~public~~] highway of the state [~~including~~]; ***except for the New Hampshire turnpike system as defined in RSA 237:1, III or other divided highways, where the prohibition shall be within*** the rights of way thereof. This section shall not apply to those persons holding a special permit pursuant to RSA 207:7-a. Any person convicted of discharging a firearm, ***bow and arrow, or crossbow and bolt*** under the provisions of this section shall be guilty of a violation.

**2004-0266s**

**AMENDED ANALYSIS**

This bill adds bow and arrow and crossbow and bolt to fish and game laws related to certain prohibited uses of firearms.

This bill also clarifies the extent of the traveled portion of highways on which the discharge of firearms, bow and arrow, and crossbow and bolt on or across highways in pursuit of wild birds or animals is prohibited.

**Wildlife and Recreation**

**January 16, 2004**

**2004-0142s**

**10/09**

**Amendment to SB 346**

Amend RSA 215-A:5-b as inserted by section 1 of the bill by replacing it with the following:

215-A:5-b Operation on Open Water Prohibited. No person shall knowingly operate a snow traveling vehicle on open water, also known as skimming. For the purpose of this section, "open water" means any area of an inland water body that is free of ice and snow. This section shall not apply to events as permitted pursuant to RSA 215-A:30.

**Wildlife and Recreation**

**January 16, 2004**

**2004-0140s**

**08/09**

**Amendment to SB 372**

Amend the bill by replacing section 1 with the following:

1 Dogs; Shelter; Definition. Amend RSA 644:8, II-a to read as follows:

II-a. In this section, "shelter" or "necessary shelter" for dogs shall mean any natural or artificial area which provides protection from the direct sunlight when that sunlight is likely to cause heat exhaustion of a dog tied or caged outside. Shelter from inclement weather shall have an area within to afford the dog the ability to stand up, turn around and lie down, and be of proportionate size as to allow the natural body heat of the dog to be retained. ***It shall be a wind-proof and moisture-proof structure and shall include four walls, a roof, and a solid floor raised off the ground, with an entrance large enough to allow access to the animal, but placed to keep the animal out of the direct path of winds. Metal barrels are prohibited for use as shelter. The structure shall be provided with a sufficient quantity of suitable bedding material. The containment area shall be free of accumulated waste and debris so that the animal shall be free to walk or lie down without coming in contact with any such waste or debris. A suitable method of draining shall be provided to eliminate excess water or moisture.***

**Wildlife and Recreation**

**January 16, 2004**

**2004-0141s**

**08/09**

**Amendment to SB 377**

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

1 New Paragraph; Limited Landowner Liability. Amend RSA 482-A:14-b by inserting after paragraph II the following new paragraph:

III. A landowner shall not be liable for violations of this chapter caused by operators of OHRVs, as defined in RSA 215-A, in a location or in a manner not authorized by the landowner.

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

**Internal Affairs**  
**January 28, 2004**  
**2004-0248s**  
**08/01**

**Amendment to SB 391**

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

AN ACT relative to bond votes in municipalities using chartered official ballot voting procedures and relative to Claremont school district elections.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Repeal. 1969, 618:1 - 4, relative to Claremont school district elections, is repealed.

3 Claremont School District; Terms of Office. The Claremont school district shall commence regular district elections in March 2005 in accordance with RSA 40:13. Each Claremont school district officer shall remain in office until a replacement is elected at the next election following the expiration of his or her term of office established prior to the repeal of 1969, 618:1-4.

**2004-0248s**

**AMENDED ANALYSIS**

This bill clarifies the authority to approve municipal bonds by either a 2/3 or 3/5 vote in towns with a municipal charter.

This bill also repeals the law that allows the Claremont school district to conduct elections in November, provides for a March 2005 school board election, and extends the terms of office of school board officers.

**Wildlife and Recreation**  
**January 16, 2004**  
**2004-0139s**  
**08/09**

**Amendment to SB 399-FN**

Amend the bill by deleting section 4 and renumbering the original sections 5 and 6 to read as 4 and 5, respectively.

**Wildlife and Recreation**  
**January 29, 2004**  
**2004-0263s**  
**08/01**

**Amendment to SB 417**

Amend the bill by replacing section 1 with the following:

1 Dogs a Menace, a Nuisance or Vicious. RSA 466:31, II-a is repealed and reenacted to read as follows:

II-a. If the skin of a person has been punctured by a dog any medical personnel who treated the victim shall make a report of the incident to the animal officer, if any, or to the town clerk in the town or city where the incident occurred. The report shall include the name and address of the injured person, and the identity of the dog and its owner, if known. The animal officer or town clerk shall, within 24 hours, notify the injured person, or, in the case of a minor, the minor's parent or guardian, whether, according to town records, the dog has been appropriately immunized against rabies. Anyone making a report in good faith under this paragraph shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed.

**Internal Affairs**  
**January 21, 2004**  
**2004-0189s**  
**04/10**

**Amendment to SB 418**

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

VII. Notwithstanding RSA 197:1, the 2 sessions of the annual meeting may be held before March 1 or after March 25 to allow for voting in coordination with the Dresden school district.

**2004-0189s**

AMENDED ANALYSIS

This bill enables the Hanover school district to adopt and implement a method of voting on warrant articles similar to the procedures used by the Dresden school district, and would allow passage of bond issues by a 3/5 majority vote. The bill also allows the voters of the Hanover school district to hold school district elections to coincide with voting in the Dresden school district.

**Energy and Economic Development**

**January 29, 2004**

**2004-0264s**

**08/09**

**Amendment to SB 466**

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

AN ACT relative to records management services of a municipality.

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

1 New Subdivision; Records Storage and Management. Amend RSA 31 by inserting after section 131 the following new subdivision:

Records Storage and Management

31:132 Records Storage. A municipality may offer storage space for paper records and associated records management services to any agency of the United States government, political subdivisions of the state and qualified non-profit organizations operating under Internal Revenue Code section 501 (c). A municipality, by written agreement, shall establish a rate for service that is no higher than the actual expense of operation and associated capital costs.

31:133 Liability Limitation. A municipality shall employ the highest standards in record management practices. However, a municipality's liability for loss, damage, delay, improper delivery, or non-delivery shall be limited to the actual value of the storage container and the value of the paper contained within the storage container.

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

**2004-0264s**

AMENDED ANALYSIS

This bill authorizes a municipality to offer records management and storage services to government and non-profit entities and limits a municipality's liability for any loss or damage.

**Senate Transportation**

**January 23, 2004**

**2004-0217s**

**10/09**

**Amendment to SB 496**

Amend RSA 215-A:1, XIII as inserted by section 1 of the bill by replacing it with the following:

XIII. "Snow traveling vehicle" means any vehicle propelled by mechanical power that is designed to travel over ice or snow supported in part by skis, belts or cleats. ***Only vehicles that are no more than 52 inches in width and no more than 1000 pounds in weight shall be considered snow traveling vehicles under this chapter.*** For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.

**2004-0217s**

AMENDED ANALYSIS

This bill defines when vehicles are snow traveling vehicles for purposes of the OHRV laws.



Senate Judiciary  
January 22, 2004  
2004-0203s  
04/10

#### Amendment to SB 511-FN

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

IV. Riot is a class B felony if, in the course of and as a result of the conduct, any person suffers physical injury, or substantial property damage or arson occurs, or the defendant was armed with a deadly weapon, ***or knowingly throws or causes to propel any object or substance of any kind at any law enforcement officer or uniformed emergency responder; regardless of whether such object actually strikes the law enforcement officer or uniformed emergency responder;*** except that if the deadly weapon was a firearm, he ***or she*** shall be sentenced in accordance with RSA 651:2, II-g. Otherwise, it is a misdemeanor.

2004-0203s

#### AMENDED ANALYSIS

This bill adds the act of throwing or propelling any object or substance at a law enforcement officer or uniformed emergency responder as a class B felony under the riot statute.

## HEARINGS

***TUESDAY, FEBRUARY 3, 2004***

#### **BANKS**, Room 103, SH

Sen. Flanders (C), Sen. Peterson (VC), Sen. Barnes, Sen. Foster, Sen. Odell

1:15 p.m.

**SB 345**, exempting payroll accounts from trustee process.

2:00 p.m.

**SB 428**, relative to protection of consumers from unfair lending practices.

**EXECUTIVE SESSION MAY FOLLOW**

#### **ENERGY & ECONOMIC DEVELOPMENT**, Room 102, LOB

Sen. Odell (C), Sen. Below (VC), Sen. Gallus, Sen. Gatsas, Sen. Prescott

3:00 p.m.

**SB 436-FN-L**, relative to the Claremont and Newport district courts.

3:20 p.m.

**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.

3:40 p.m.

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

**EXECUTIVE SESSION MAY FOLLOW**

#### **FINANCE**, Room 103, SH

Sen. Green (C), Sen. Boyce (VC), Sen. Below, Sen. Clegg, Sen. D'Allesandro, Sen. Eaton, Sen. Gatsas, Sen. Odell

10:15 a.m.

**SB 361-FN-A**, relative to fees of the postsecondary education commission for preserving certain academic records and relative to the responsibilities of the postsecondary education commission.

10:30 a.m.

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

11:00 a.m.

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

**EXECUTIVE SESSION MAY FOLLOW**

#### **INSURANCE**, Room 101, LOB

Sen. Flanders (C), Sen. Prescott (VC), Sen. Cohen, Sen. Martel, Sen. Roberge

8:30 a.m.

**SB 366-FN**, relative to the Interstate Insurance Product Compact.

9:15 a.m. **SB 326-FN**, relative to contributions by political subdivision employers for certain employee service, and repealing certain retirement system provisions permitting additional contributions by members.

9:55 a.m. **SB 437**, relative to unemployment compensation.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

10:15 a.m. **SB 462**, relative to limits on non-economic damages in medical injury actions.  
**SB 463**, relative to limits on attorney contingency fees in civil actions for medical injury.

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

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

**SB 452**, relative to qualifications of expert witnesses in medical injury actions.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

3:00 p.m. **SB 335**, relative to access to birth records.

*(THE PREVIOUS HEARING FOR SB 335 WAS RECESSED ON JANUARY 15<sup>TH</sup>)*

3:45 p.m. **SB 404**, establishing a committee to study the feasibility of providing statewide access to "Newsline for the Blind."

*(THE PREVIOUS HEARING FOR SB 404 WAS RECESSED ON JANUARY 13<sup>TH</sup>)*

3:55 p.m. **SB 470-FN**, relative to funding for the physician effectiveness program.

*(NOTE THE TIME CHANGE FOR SB 470-FN)*

4:10 p.m. **SB 375**, relative to the regulation of physician assistants.

*(THE PREVIOUS HEARING FOR SB 375 WAS RECESSED ON JANUARY 13<sup>TH</sup>)*

Rescheduled **SB 405-FN**, relative to standards for comprehensive physical rehabilitation service areas.

*(SB 405-FN, HAS BEEN RESCHEDULED FOR FEBRUARY 10<sup>TH</sup>)*

**EXECUTIVE SESSION MAY FOLLOW**

**WEDNESDAY, FEBRUARY 4, 2004**

**EDUCATION**, Room 105-A, SH

Sen. O'Hearn (C), Sen. Johnson (VC), Sen. Foster, Sen. Green, Sen. Larsen

1:15 p.m. **SB 416**, relative to membership of the advisory committee on child care.

1:35 p.m. **SB 421**, relative to charter schools.

**EXECUTIVE SESSION MAY FOLLOW**

**ENVIRONMENT**, Room 104, LOB

Sen. Johnson (C), Sen. Cohen (VC), Sen. Barnes, Sen. Below, Sen. Prescott

10:15 a.m. **SB 397**, requiring the department of environmental services to adopt certain rules and to opt out of the reformulated gasoline program.

11:15 a.m. **SB 449**, relative to fluoridation of municipally-owned public water systems.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

1:15 p.m.

**SB 493**, repealing examination standards for certified public accountants.**SB 435-FN**, relative to accessible housing for persons of all abilities.**SCR 5**, commending the United States Congress for supporting full concurrent receipt of disability and retirement benefits by disabled veterans.**EXECUTIVE SESSION MAY FOLLOW****INTERNAL AFFAIRS**, Room 103, LOB

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

10:15 a.m.

**SB 311**, relative to civil penalties for unlawful campaign practices.**SB 319-FN-L**, relative to the New Hampshire state flag.**SB 479**, commemorating the anniversary of the founding of the United States Marine Corps.**EXECUTIVE SESSION MAY FOLLOW****PUBLIC AFFAIRS**, Room 105-A, SH

Sen. Roberge (C), Sen. Larsen (VC) Sen. Barnes, Sen. Green, Sen. Morse

8:30 a.m.

**SB 407-FN-L**, relative to default budgets.

9:00 a.m.

**SB 456**, relative to record books maintained by registers of deeds.

9:30 a.m.

**SB 483**, relative to a landlord's obligation to store personal property of a tenant after the tenant has vacated the premises.**EXECUTIVE SESSION MAY FOLLOW****TRANSPORTATION**, Room 104, LOB

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

3:00 p.m.

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

3:15 p.m.

**SB 349**, relative to criteria for trail construction on state-owned property for all-terrain vehicles and trail bikes.

3:30 p.m.

**SB 347-FN**, relative to financial responsibility and conduct after an OHRV accident.

4:10 p.m.

**SB 476**, extending the period for completing work under the Skyhaven airport wetlands permit.**EXECUTIVE SESSION MAY FOLLOW*****THURSDAY, FEBRUARY 5, 2004*****JUDICIARY**, Room 105-A, SH

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

**IMMEDIATELY FOLLOWING SENATE SESSION EXECUTIVE SESSION  
ON PENDING LEGISLATION****PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES**, Room 105-A, SH

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

**IMMEDIATELY FOLLOWING SENATE SESSION EXECUTIVE SESSION  
ON PENDING LEGISLATION*****MONDAY, FEBRUARY 9, 2004*****JUDICIARY**, Rooms 201-203, LOB

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

10:15 a.m.

**SB 513**, relative to the death penalty.**EXECUTIVE SESSION MAY FOLLOW**

## ***TUESDAY, FEBRUARY 10, 2004***

### **CAPITAL BUDGET**, Room 103, SH

Sen. Clegg (C), Sen. D'Allesandro (VC), Sen. Boyce, Sen. Johnson, Sen. Morse

8:30 a.m. **SB 334**, relative to the dredging of Hampton-Seabrook harbor.

8:45 a.m. **SB 381**, relative to the transfer of certain capital appropriations within the department of safety.

**EXECUTIVE SESSION MAY FOLLOW**

### **ENERGY & ECONOMIC DEVELOPMENT**, Room 102, LOB

Sen. Odell (C), Sen. Below (VC), Sen. Gallus, Sen. Gatsas, Sen. Prescott

3:00 p.m. **SB 505-FN-A-L**, authorizing CROP zone tax credits within the town of Whitefield.

3:20 p.m. **SB 426**, allowing municipalities to adopt a property tax exemption for certain public utility property.

**EXECUTIVE SESSION MAY FOLLOW**

### **FINANCE**, Room 103, SH

Sen. Green (C), Sen. Boyce (VC), Sen. Below, Sen. Clegg, Sen. D'Allesandro, Sen. Eaton, Sen. Gatsas, Sen. Odell

10:15 a.m. **SB 504-FN**, relative to disbursements from the alcohol abuse prevention and treatment fund.

10:30 a.m. **SB 525-FN-A**, relative to the deposit of a portion of real estate transfer tax revenue in the land and community heritage investment program trust fund.

11:00 a.m. **SB 480-FN-A**, making an appropriation to the tobacco use prevention fund for the purpose of smoking cessation programs.

**EXECUTIVE SESSION MAY FOLLOW**

### **INSURANCE**, Room 101, LOB

Sen. Flanders (C), Sen. Prescott (VC), Sen. Cohen, Sen. Martel, Sen. Roberge

8:30 a.m. **SB 370**, relative to the insurance rating law.

8:45 a.m. **SB 371**, relative to certain technical changes in the insurance laws.

9:15 a.m. **SB 389**, relative to health carrier and provider contract disputes.

9:30 a.m. **SB 460**, relative to insurance compliance self-audits.

10:00 a.m. **SB 419**, relative to the use of standardized health statements.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

10:15 a.m. **SB 454-FN**, relative to carrying a concealed weapon without a license.

**SB 471-FN-L**, relative to the administration and operation of Manchester Airport.

**SB 509-FN**, relative to civil recoveries for false claims paid or approved by the department of health and human services.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

3:00 p.m. **SB 382-FN-L**, relative to medical service rates for state prisoners.

3:20 p.m. **SB 383-FN**, relative to pharmacy benefit management.

**(NOTE THE TIME CHANGE FOR SB 383-FN)**

3:35 p.m. **SB 384-FN**, relative to drugs paid for by the state.

3:50 p.m.

**SB 405-FN**, relative to standards for comprehensive physical rehabilitation service areas.

**(NOTE THE TIME CHANGE FOR SB 405)**

**EXECUTIVE SESSION MAY FOLLOW**

## ***WEDNESDAY, FEBRUARY 11, 2004***

### **ENVIRONMENT**, Room 104, LOB

Sen. Johnson (C), Sen. Cohen (VC), Sen. Barnes, Sen. Below, Sen. Prescott

10:15 a.m. **SB 487**, relative to lead sinkers.

11:00 a.m. **SB 494**, repealing the prohibition on taking conch and winkles.

**(THE PREVIOUS HEARING FOR SB 494 WAS RECESSED ON JANUARY 14<sup>TH</sup>)**

**EXECUTIVE SESSION MAY FOLLOW**

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

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

1:15 p.m. **SB 409-FN**, revising the vocational school licensing statutes.

**SB 362**, changing the name of the college for lifelong learning to Granite state college.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

10:15 a.m. **SB 514**, changing the staffing requirements of the joint legislative committee on administrative rules.

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

**SCR 6**, designating January as stalking awareness month.

**EXECUTIVE SESSION MAY FOLLOW**

### **PUBLIC AFFAIRS**, Room 105-A, SH

Sen. Roberge (C), Sen. Larsen (VC) Sen. Barnes, Sen. Green, Sen. Morse

8:30 a.m. **SB 492**, relative to registration requirements for home inspectors.

9:00 a.m. **SB 459**, making certain changes to the real estate practice act.

9:30 a.m. **SB 461**, relative to the regulation of gift certificates under the consumer protection act.

**EXECUTIVE SESSION MAY FOLLOW**

## ***TUESDAY, FEBRUARY 17, 2004***

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

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

10:15 a.m. **SB 386**, relative to the guardian ad litem board and providing for certification of guardians ad litem.

**SB 510-FN**, relative to unprivileged physical contact without the intent to harm.

**SB 392**, relative to criminal responsibility for certain offenses committed by persons 13 years of age or older.

**SB 406**, relative to adoption procedures.

**SB 408**, relative to a civil liability exemption for claims resulting from weight gain and obesity.

**SB 444**, relative to the age at which a person remains under the juvenile court's jurisdiction under RSA 169-B, the juvenile delinquency statute.

**EXECUTIVE SESSION MAY FOLLOW**

## ***WEDNESDAY, FEBRUARY 18, 2004***

### **ENVIRONMENT**, Room 104, LOB

Sen. Johnson (C), Sen. Cohen (VC), Sen. Barnes, Sen. Below, Sen. Prescott

10:15 a.m. **SB 524**, relative to the incineration of construction or demolition debris.

**EXECUTIVE SESSION MAY FOLLOW**

### **PUBLIC AFFAIRS**, Room 105-A, SH

Sen. Roberge (C), Sen. Larsen (VC) Sen. Barnes, Sen. Green, Sen. Morse

8:30 a.m. **SB 442**, relative to manufactured housing installation standards.

**EXECUTIVE SESSION MAY FOLLOW**

## **MEETINGS**

### ***MONDAY, FEBRUARY 2, 2004***

#### **LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)**

9:00 a.m. Room 105-A, SH Regular Meeting

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

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

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

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

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

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

### ***FRIDAY, FEBRUARY 6, 2004***

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

9:00 a.m. - 11:00 a.m. Room 208, LOB Subcommittee Meeting

#### **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

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

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

### ***MONDAY, FEBRUARY 9, 2004***

#### **LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)**

9:00 a.m. Room 105-A, SH Formal Hearing of Complaint  
#2003-3

#### **PUBLIC HIGHER EDUCATION STUDY COMMITTEE (RSA 187-A:28-a)**

10:00 a.m. UNH at Durham Regular Meeting

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

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



## ***TUESDAY, FEBRUARY 10, 2004***

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

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

## ***WEDNESDAY, FEBRUARY 11, 2004***

### **NH DEPARTMENT OF TRANSPORTATION (Congestion Mitigation & Air Quality (CMAQ))**

2:00 p.m.                      Rooms 112-113, NH DOT                      Advisory Committee Meeting  
7 Hazen Drive  
Concord, NH

### **WATER RESOURCES COMMITTEE (RSA 481:1-b)**

3:00 p.m.                      Room 103, SH                      Regular Meeting

### **NH DEPARTMENT OF TRANSPORTATION (Transportation Enhancement [TE])**

3:30 p.m.                      Rooms 112-113, NH DOT                      Advisory Committee Meeting  
7 Hazen Drive  
Concord, NH

## ***FRIDAY, FEBRUARY 13, 2004***

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

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

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

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

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

2:00 p.m.                      Rooms 201-203, LOB                      Regular Meeting

## ***WEDNESDAY, FEBRUARY 18, 2004***

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

9:00 a.m.                      Rooms 210-211, LOB                      Regular Business  
9:30 a.m.                      Rooms 210-211, LOB                      Audit:  
State of New Hampshire  
Single Audit of Federal Financial  
Assistance Programs  
For the Year Ended June 30, 2003

## ***FRIDAY, FEBRUARY 20, 2004***

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

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

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

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

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

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

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

#### ***(NOTE THE TIME CHANGE FOR HB 447)***

1:00 p.m. - 4:00 p.m.                      Room 208, LOB                      Regular Meeting

***FRIDAY, FEBRUARY 27, 2004***

**WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62)**

9:00 a.m.                      Room 306, LOB                      Regular Meeting

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

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

***MONDAY, MARCH 1, 2004***

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

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

***WEDNESDAY, MARCH 3, 2004***

**NH DEPARTMENT OF TRANSPORTATION (Warren 13224, Pavement Rehab, Guardrail Replacement and drainage improvements Along NH Rte. 25 beginning at the Intersection of 118 proceeding south 2.5 miles)**

7:00 p.m.                      Warren Town Hall                      Public Officials/Public Info  
19 Water Street  
Warren, NH

**NH DEPARTMENT OF TRANSPORTATION (Chichester 13922, Widening and minor approach work at US Route 4/Main Street/ Horse Corner Road intersection and sidewalk improvements)**

7:00 p.m.                      Chichester Grange Hall                      Public Officials/ Public Info  
54 Main Street  
Chichester, NH

***FRIDAY, MARCH 5, 2004***

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

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

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

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

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

10:00 a.m.                      Room 207, LOB                      Regular Meeting

***MONDAY, MARCH 8, 2004***

**PUBLIC HEALTH AND ENVIRONMENT RELATIONSHIP COMMISSION (HB 1390, Chapter 114:2, Laws of 2000 Extended by HB 393, Chapter 196, Laws of 2003)**

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

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

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

***WEDNESDAY, MARCH 10, 2004***

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

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

***FRIDAY, MARCH 12, 2004***

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

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



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

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

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

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

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

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

2:00 p.m. - 4:00 p.m.                      Room 307, LOB                      Regular Meeting

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

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

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

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

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

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

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

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

## ***MONDAY, APRIL 5, 2004***

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

1:00 p.m.                      Room 102, 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: 128, 312, 324, 325, 326, 331, 353, 365, 366, 396, 409, 430, 432, 435, 473, 481, 485, 490, 491, 504, 508, 515, 516, 523, HOUSE BILLS: 730**

\* \* \* \* \*

## **NOTICES**

### **WEDNESDAY, FEBRUARY 4, 2004**

A breakfast for Senators and Governor & Council members hosted by the Adjutant General will take place on February 4, 2004 from 7:30-9:30 at the Holiday Inn. There will be an overview of the status of the National Guard and a discussion of legislative issues. All Senators are welcome to attend.

Senator Robert B. Flanders

\* \* \* \* \*

### **THURSDAY, FEBRUARY 5, 2004**

The Retail Merchants Association of New Hampshire is pleased to invite legislators and staff to their 38th annual Legislative Reception / "Legislator of the Year" award on Thursday, February 5th, 4:30 p.m. or following the session in the Bartlett Room at the Holiday Inn. RSVP to [sheila@rmanh](mailto:sheila@rmanh) or 225-9748.

Senator Robert E. Clegg, Jr.

\* \* \* \* \*

### THURSDAY, FEBRUARY 5, 2004

All legislators are invited to the New Hampshire Community Health Centers' "Breakfast of Champions," at St. Paul's Church on Thursday, February 5, 2004. A session-day hot breakfast will be served from 7:30-9:00 a.m. There will be a brief program from 8:00-8:30 a.m. featuring Champions of Community Health Centers, including Mike Hickey (President and CEO of Verizon New Hampshire), providing an opportunity to learn about Health Centers and the role they play in the health and vitality of New Hampshire communities.

Senator Lou D'Allesandro  
Senator Bob Odell

\* \* \* \* \*

### FRIDAY, FEBRUARY 6, 2004

A meeting to discuss future legislation on health care decision making has been organized under the auspices of the Foundation for Healthy Communities. The meeting will take place February 6, 2004 at 10:00 a.m. in room 205, LOB. All interested senators are encouraged to attend.

Senator Iris W. Estabrook

\* \* \* \* \*

### TUESDAY, MARCH 2, 2004

All senators are invited to participate in the fourth annual "Read Across America" event sponsored by NEA/NH to be held in the Senate Chamber on Tuesday, March 2, 2004 from 9:00 a.m. to 10:00 a.m. Senators will be divided into small groups to read to children from their district. Books will be provided, but senators may also bring a favorite book to share with the children.

Senator Robert E. Clegg, Jr.  
Senator Sylvia B. Larsen

\* \* \* \* \*

## SENATE SCHEDULE 2004 SESSION

|  |   |
|--|---|
| Monday, February 16, 2004                                | Washington's Birthday (State Holiday)                     |
| Monday, February 23, 2004 -<br>Friday, February 27, 2004 | Winter Break  |
| Thursday, March 18, 2004                                 | Last day to act on all Senate bills in the first body.    |
| Thursday, May 6, 2004                                    | Last day to act on all House bills in the second year.    |
| Thursday, May 13, 2004                                   | Last day to form Committees of Conference.                |
| Wednesday, May 19, 2004                                  | The deadline for Committee of Conference report sign off. |
| Monday, May 31, 2004                                     | Memorial Day (State Holiday)                              |

### ***VISITORS CENTER SCHEDULE - FEBRUARY***

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 **February 2004**. These listings will replace individual notifications in an effort to reduce paper usage and to ensure all members will be notified in a timely manner. Our schedule is tightly booked for the remainder of the school year. Please contact the Visitors' Center concerning school tour booking information. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

| <b>DATE</b> | <b>TIME</b>            | <b>GROUP</b>                           | <b>CLASS/Size</b> |
|-------------|------------------------|--|-------------------|
| 2-2-04      | 9:30 & 11:00 SH/SC     | Deerfield Community School             | 4/64              |
| 2-3-04      | 9:00 & 10:30 SH/Planet | Raymond Middle School                  | 5/60              |
| 2-3-04      | 12:00                  | New Franklin School – Portsmouth       | 4/30              |
| 2-4-04      | 9:30                   | Walker School – Concord                | 4/25              |
| 2-4-03      | 9:30                   | Sant Bani School – Sanbornton          | 4/14              |
| 2-4-04      | 10:00 & 11:30 SH/HM    | East Derry Memorial School             | 4/75              |
| 2-5-04      | 10:00 & 11:30 SH/HM    | East Derry Memorial School             | 4/75              |
| 2-6-04      | 9:00 & 10:30 SH/Planet | Raymond Middle School                  | 4/60              |
| 2-6-04      | 9:30                   | Walker School – Concord                | 4/25              |
| 2-9-04      | 10:00 & 11:30 SH/SC    | Moultonborough Central School          | 4/50              |
| 2-10-04     | 9:30 & 11:00 SH/HM     | Marston Elementary – Hampton           | 4/80              |
| 2-10-04     | 1:30                   | Salem Republican Woman's Club          | Adults/15         |
| 2-11-04     | 9:30 & 11:00 SH/HM     | Marston Elementary – Hampton           | 4/80              |
| 2-11-04     | 12:30                  | Henniker Community School              | 4/21              |
| 2-12-04     | 9:30 & 11:00 SH/HM     | Henry Wilson School – Farmington       | 4/60              |
| 2-12-04     | 10:30 & 12:30 SH/SC    | Hampstead Central School               |                   |
|             |                        | Rescheduled from December 17           | 4/45              |
| 2-13-04     | 9:30 & 11:00 SH/HM     | Henry Wilson School – Farmington       | 4/60              |
| 2-13-04     | 10:30 & 12:30 SH/SC    | Hampstead Central School               |                   |
|             |                        | Rescheduled from December 15           | 4/65              |
| 2-17-04     | 9:30 & 11:00 SH/HM     | Pembroke Hill School                   | 4/60              |
| 2-17-04     | 12:30                  | Laconia Christian School               | HS/25             |
| 2-18-04     | 9:30 & 11:00 SH/HM     | Pembroke Hill School                   | 4/60              |
| 2-19-04     | 10:00 & 11:30 SH/HM    | New Searles Elementary School – Nashua | 4/75              |
| 2-20-04     | 10:00 & 11:15 SH/SC    | Bakersville Elem – Manchester          | 4/50              |
| 2-24-04     | 10:00                  | Gibson Center – North Conway           | Adults/12         |
| 2-26-04     | 10:30                  | KA Brett School – Tamworth             | 4/23              |
| 2-27-04     | 10:00                  | Cub Scouts Pack 91                     | 9-11yrs/20        |