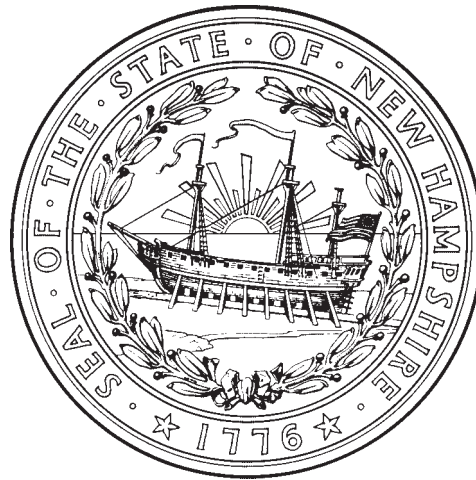


February 27, 2004  
No. 9

# STATE OF NEW HAMPSHIRE

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Legislative

## SENATE CALENDAR

REPORTS, AMENDMENTS, HEARINGS,  
MEETINGS & NOTICES

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**THE SENATE WILL MEET IN SESSION ON  
THURSDAY, MARCH 4, 2004 AT 10:00 A.M.**

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## **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 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**

**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 422-FN**, relative to the use of Route 28 in Derry and establishing a penalty for violating weight control designations made by the commissioner of the department of transportation. **2/19/04, pending motion ITL, Transportation, SJ 6 pg. 105**

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

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

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

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

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

**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**

## **REPORTS**

### **CAPITAL BUDGET**

**SB 446-FN**, relative to a park and ride multi-modal facility in the city of Nashua.

Interim Study, Vote 4-1

Senator Morse for the committee.

## **ENERGY & ECONOMIC DEVELOPMENT**

**SB 426**, allowing municipalities to adopt a property tax exemption for certain public utility property.

Inexpedient to Legislate, Vote 3-0

Senator Odell for the committee

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

Ought to Pass, Vote 3-0

Senator Odell for the committee

**SB 505-FN-A-L**, authorizing CROP zone tax credits within the town of Whitefield.

Ought to Pass, Vote 2-1

Senator Gallus for the committee.

## **ENVIRONMENT**

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

Ought to Pass, Vote 3-0

Senator Prescott for the committee.

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

Inexpedient to Legislate, Vote 3-0

Senator Barnes for the committee.

**SB 506**, relative to site plan review by planning boards in mining and reclamation projects.

Inexpedient to Legislate, Vote 3-0

Senator Johnson for the committee.

## **EXECUTIVE DEPARTMENTS & ADMINISTRATION**

**SB 447**, relative to corporate names.

Inexpedient to Legislate, Vote 2-1

Senator Peterson for the committee.

**HB 65**, relative to educational assistance for national guard members.

Ought to pass with amendment, Vote 5-0

Senator Kenney for the committee.

**HB 465**, relative to the rulemaking authority of the department of health and human services and relative to licensing rules for health facilities.

Ought to Pass, Vote 3-0

Senator Estabrook for the committee.

## **FINANCE**

**SB 529**, making a technical correction to the eminent domain procedure act.

Ought to pass with amendment, Vote 5-0

Senator Gatsas for the committee.

## **INSURANCE**

**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.

Ought to pass with amendment, Vote 3-1

Senator Flanders for the committee.

**SB 419**, relative to the use of standardized health statements.

Ought to Pass, Vote 3-0

Senator Flanders for the committee.

**SB 420-FN**, relative to the payment of medical benefits costs for certain group II permanent firemen members injured in the performance of duty.

Inexpedient to Legislate, Vote 4-0

Senator Flanders for the committee.

**SB 425-FN**, relative to payment of medical benefits costs for certain group I retirement system members.

Inexpedient to Legislate, Vote 3-1

Senator Flanders for the committee.

**SB 430-FN**, relative to mandated insurance benefits.

Ought to pass with amendment, Vote 4-0

Senator Flanders for the committee.

**SB 460**, relative to insurance compliance self-audits.

Inexpedient to Legislate, Vote 4-0

Senator Flanders for the committee.

**SB 482-FN**, relative to captive insurance companies and reciprocal insurers.

Ought to pass with amendment, Vote 3-0

Senator Prescott for the committee.

**SB 515-FN**, relative to benefit options for surviving spouses and designated beneficiaries of deceased members of the retirement system.

Inexpedient to Legislate, Vote 3-0

Senator Prescott for the committee.

## **JUDICIARY**

**SB 365-FN**, requiring courts to use gender neutral terms in documents used in divorce and custody proceedings.

Interim Study, Vote 4-1

Senator Sapareto for the committee.

**SB 388-FN**, relative to proof of successful completion of an impaired driver intervention program.

Ought to pass with amendment, Vote 5-0

Senator Clegg for the committee.

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

Ought to pass with amendment, Vote 4-0

Senator Foster for the committee.

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

Interim Study, Vote 4-0

Senator Foster for the committee.

**SB 478-FN**, relative to penalties for DWI offenses and relative to prohibited alcohol sales to intoxicated individuals.

Ought to pass with amendment, Vote 4-1

Senator Peterson for the committee.

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

Ought to pass with amendment, Vote 4-0

Senator Sapareto for the committee.

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

Ought to pass with amendment, Vote 3-2

Senator Sapareto for the committee.

**SB 516-FN**, relative to special needs trusts.

Interim Study, Vote 4-0

Senator Clegg for the committee.

#### **PUBLIC AFFAIRS**

**SB 348**, relative to prohibited practices of owners or operators of manufactured housing parks.

Ought to pass with amendment, Vote 5-0

Senator Barnes for the committee.

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

Ought to pass with amendment, Vote 5-0

Senator Roberge for the committee.

**SB 414-FN**, clarifying the laws relative to municipal impact fees, off-site exactions, vesting of development rights, and waiver of subdivision regulations.

Ought to pass with amendment, Vote 5-0

Senator Green for the committee.

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

**SB 383-FN**, relative to pharmacy benefit management.

Inexpedient to Legislate, Vote 3-2

Senator O'Hearn for the committee.

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

Ought to Pass, Vote 3-2

Senator Martel for the committee.

#### **TRANSPORTATION**

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

Ought to pass with amendment, Vote 4-1

Senator Flanders for the committee.

**SB 518**, establishing a commission to study railroad matching funds.

Ought to pass with amendment, Vote 5-0

Senator Flanders for the committee.

### **WAYS & MEANS**

**SB 378-FN-L**, relative to property tax procedures and contingency funds of village districts.

Interim Study, Vote 5-0

Senator Odell for the committee

**SB 410-FN-A-L**, relative to funding for the statewide education improvement and assessment programs.

Inexpedient to Legislate, Vote 5-0

Senator D'Allesandro for the committee.

**SB 450-FN**, relative to pari-mutuel licenses.

Ought to pass with amendment, Vote 4-1

Senator Clegg for the committee.

**SB 522-FN-L**, decreasing the rate of interest charged on overdue land use change taxes assessed on property removed from current use.

Inexpedient to Legislate, Vote 5-0

Senator D'Allesandro for the committee.

## **AMENDMENTS**

### **Insurance**

**February 18, 2004**

**2004-0538s**

**10/04**

### **Amendment to SB 326-FN**

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

AN ACT relative to interest credited to additional contributions in the retirement system and requiring reimbursement of certain state contributions to the retirement system by political subdivisions, and relative to charges for provision of police services.

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

1 Retirement System; Additional Contributions; Interest Rate. Amend RSA 100-A:16, I(c)(1) to read as follows:

(c)(1) In addition to the contributions deducted from the compensation of members as hereinbefore provided, and subject to the approval of the board of trustees [~~and to such rules and regulations as the board may make with respect to the crediting of interest thereon~~], any member may provide an additional retirement allowance by making contributions at an additional rate not in excess of the rate computed to be sufficient to provide an additional retirement allowance which, together with his *or her* regular retirement allowance, will result in a total retirement allowance not in excess of 50 percent of his *or her* average final compensation. ***The board of trustees shall adopt rules concerning the crediting of interest on additional contributions; provided, that annual interest credited to a member's additional contributions shall not exceed the return in any year realized by the retirement system on such contributions.*** Such additional contributions shall become part of [his] ***the member's*** accumulated contributions except in the case of retirement, when they shall be treated as excess contributions returnable to the member in cash or as a member annuity of equivalent actuarial value.

2 Retirement System; Employer Contributions; Political Subdivisions; Reimbursement. Amend RSA 100-A:16, III(c) to read as follows:

**(c) A county, city, town, school district or other political subdivision of the state having any employee members whose compensation for extra or special duty is reimbursed in whole or in part by other than employer or state funds, shall likewise reimburse the state for that part of the employer contribution made by the state to this system.**

**(d)** At the beginning of each year commencing on the first day of July the board of trustees shall certify to each employer other than the state the percentage rates of contribution due the system from each such employer, and shall assess upon each such employer such percentages of the earnable compensation of members in its employ, and it shall be the duty of the treasurer or other disbursing officer of each such employer to pay to the board of trustees such portion of the annual amount so assessed at such times and in such manner as the board of trustees may prescribe. Each such employer is hereby authorized to appropriate the sums necessary for the payment of such assessments.

3 Police Attendance; Charges for Services. Amend RSA 105:9, III-a to read as follows:

III-a. The applicant or sponsor of any public meeting or function may be charged for the services of any police officers that may be detailed or assigned to that meeting or function, unless charges authorized by this section for the services of a police officer are waived by the chief of police when in his judgment such authorization does not conflict with an existing local ordinance or policy. **Any contract, agreement, or charge for services of police officers shall reflect the actual cost of compensation for such services and may include up to an additional 5 percent for other costs.**

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

**2004-0538s**

#### AMENDED ANALYSIS

This bill requires that interest paid on additional contributions made by or on behalf of retirement system members shall not exceed the return received by the system.

This bill requires political subdivision employers under the retirement system to reimburse the state for contributions by the state for extra or special duty pay of employees which was later reimbursed by other non-state employers.

This bill also allows for contracts, agreements, or charges for police services to include the cost of compensation and an additional 5 percent.

**Public Affairs**  
**February 18, 2004**  
**2004-0514s**  
**05/04**

#### Amendment to SB 348

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

AN ACT relative to the sale of manufactured housing and the management of manufactured housing parks.

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

1 New Subparagraphs; Manufactured Housing Parks, Prohibited Practices by Park Owners Relative to Sale of Manufactured Housing. Amend RSA 205-A:2, II by inserting after subparagraph (d) the following new subparagraphs:

(e) Impose a non-refundable fee for processing an application for tenancy that exceeds \$125 unless the park owner provides the applicant with an itemized breakdown of the application fee. Any application fee in excess of \$125 shall be reasonable.

(f) If the park rules require a pre-sale inspection of the home, fail to provide written notice to the park tenant, within 14 calendar days of receiving written notification from the tenant that he or she is going to attempt to sell his or her home in place, of all repairs and improvements that the park owner requires in order to approve the sale. If the park rules do not require a pre-sale inspection of the home and the tenant makes a written request for a specification of the repairs and improvements that the park owner requires for approval of an on-site sale, the park owner shall have 14 days to provide a written list of the required repairs and improvements. The park owner's response to the tenant is valid for 90 days after which time if a sale has not been completed, the park owner may require additional improvements or repairs of any defective conditions which have arisen since the park owner's initial response. The park owner may not require:



(1) The repair or removal of anything inside the home that does not adversely affect the infrastructure of the park.

(2) Compliance with an aesthetic standard if the standard relates to physical characteristics, such as size, original construction materials or color; provided however that nothing in this subparagraph shall prevent a park owner from requiring compliance with aesthetic standards related to maintenance or repairs of deteriorating or defective features of the home, or the removal of a structure or fixture which was added to the home by the seller without the permission of the park owner.

(g) Fail to provide written notice to the prospective buyer, within 14 calendar days of receipt of the prospective buyer's completed application for tenancy, setting forth the reason for the park owner's refusal to approve or indicating the park owner's approval of the prospective buyer as a park tenant. If the prospective buyer is denied the park owner shall, upon request of the seller, send a notice of the denial to the seller that does not disclose the reason therefor.

2 Manufactured Housing Parks; Aesthetic Standard. RSA 205-A:2, III is repealed and reenacted to read as follows:

III. Require manufactured housing at the time of sale or otherwise, which is safe, sanitary and in conformance with aesthetic standards, if any, of general applicability contained in the rules, to be removed from the park. For the purposes hereof, manufactured housing shall be presumed to be safe if it is established that the manufactured housing was constructed to any nationally recognized building or construction code or standard. Failure to meet any such standard or code, in and of itself, shall raise no presumption that the manufactured housing is unsafe; nor may such failure be used as a reason for withholding approval of an on-site sale. The park owner or operator shall have the burden of showing that manufactured housing is unsafe, unsanitary or fails to meet the aesthetic standards of the park. No aesthetic standard shall be applied against manufactured housing if such standard relates to physical characteristics, such as size, original construction materials or color.

3 New Paragraphs; Board of Manufactured Housing; Decisions Pertaining to the Reasonableness of Park Rules. Amend RSA 205-A:27 by inserting after paragraph I the following new paragraphs:

I-a. The board shall have the power to issue a decision as to whether a rule of a manufactured housing park is reasonable as applied to the facts of a specific case. If the board determines that the rule is unreasonable, such ruling shall be binding on the parties in any subsequent court proceeding between the parties, unless the board's decision is reversed on appeal under RSA 205-A:28.

I-b. If a park owner promulgates a park rule which the board finds unreasonable as applied to the facts of a specific case, but such rule does not violate any provision of RSA 205-A:2, I-X, no damages, civil penalty, or attorneys fees shall be awarded to the tenant notwithstanding the provisions of RSA 205-A:12, 205-A:12-a, 205-A:13-a, or 358-A.

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

**2004-0514s**

#### AMENDED ANALYSIS

This bill regulates certain practices by manufactured housing park owners, including tenant application fees, repairs and improvements required prior to sale or inside the home, compliance with an aesthetic standard, and written notice if an application for tenancy is denied. The bill also provides the circumstances in which a prior decision of the board of manufactured housing relative to the reasonableness of park rules shall be binding on the parties in a future proceeding.

**Senate Judiciary**  
**February 18, 2004**  
**2004-0527s**  
**03/10**

#### Amendment to SB 388-FN

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

1 Attendance at Impaired Driver Intervention Program Required; Proof Of Successful Completion. Amend RSA 263:65-a, V to read as follows:



V. **(a)** A person shall be presumed to have furnished proof of successful completion of an impaired driver intervention program if the person furnishes a report indicating that he or she has completed attendance at the I.D.I.P., the M.O.P., or an equivalent program, **and that he or she has paid all assessed program fees.** The presumption may be overcome by a hearing requested by the department, **or the I.D.I.P., the M.O.P., or an equivalent program,** with notice to and an opportunity to be heard by the person, where the department **and or the I.D.I.P., the M.O.P., or an equivalent program,** shall have the burden of proving that the person has not successfully completed an impaired driver intervention program.

**(b) The I.D.I.P., the M.O.P., or an equivalent program shall inform the department of safety in writing of any further treatment it deems necessary in order to be considered a completed program before a license suspension should be restored. The department of safety shall notify the licensee of their ability to request a hearing to dispute the findings and the licensee shall inform the department of safety if the licensee requests a hearing within 20 days of receipt of such notice. At such hearing the I.D.I.P., the M.O.P., or an equivalent program shall have the burden of proving the person has not successfully completed an impaired driver intervention program. The I.D.I.P., the M.O.P., or an equivalent program shall inform the department of safety in writing within 5 days after the end of the program attended by the licensee.**

2 Penalties for Intoxication or Under Influence of Drugs Offenses; Proof of Successful Completion of Program. Amend RSA 265:82-b, IV(d) to read as follows:

(d) A person shall be presumed to have furnished proof of successful completion of an impaired driver intervention program if the person furnishes a report indicating that he or she has completed attendance at the I.D.I.P., the M.O.P., or an equivalent program, **and that he or she has paid all assessed program fees.** The presumption may be overcome by a hearing requested by the department, **or the I.D.I.P., the M.O.P., or an equivalent program,** with notice to and an opportunity to be heard by the person, where the department **and or the I.D.I.P., the M.O.P., or an equivalent program** shall have the burden of proving that the person has not successfully completed an impaired driver intervention program.

**(e) The I.D.I.P., the M.O.P., or an equivalent program shall inform the department of safety in writing of any further treatment it deems necessary in order to be considered a completed program before a license suspension should be restored. The department of safety shall notify the licensee of their ability to request a hearing to dispute the findings and the licensee shall inform the department of safety if the licensee requests a hearing within 20 days of receipt of such notice. At such hearing the I.D.I.P., the M.O.P., or an equivalent program shall have the burden of proving the person has not successfully completed an impaired driver intervention program. The I.D.I.P., the M.O.P., or an equivalent program shall inform the department of safety in writing within 5 days after the end of the program attended by the licensee.**

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

**Public Affairs  
February 18, 2004  
2004-0521s  
08/10**

#### **Amendment to SB 407-FN-LOCAL**

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

AN ACT relative to default budgets in the budget adoption procedure in political subdivisions which have adopted official ballot voting.

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

1 Use of Official Ballot; Operating Budget. Amend RSA 40:13, IX-XI to read as follows:

IX. **(a)** "Operating budget" as used in this subdivision means "budget," as defined in RSA 32:3, III, exclusive of "special warrant articles," as defined in RSA 32:3, VI, and exclusive of other appropriations voted separately.

**(b) "Default budget" as used in this subdivision means the amount of the same appropriations as contained in the operating budget authorized for the previous year, reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred or mandated by law, and reduced by one-time expenditures contained in the operating budget. For**

***the purposes of this paragraph, one-time expenditures shall be appropriations not likely to recur in the succeeding budget, as determined by the governing body or the budget committee, if there is one, of the local political subdivision.***

X. If no operating budget article is adopted, the local political subdivision either shall be deemed to have approved ~~[the same appropriations as contained in the operating budget authorized for the previous year; reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred or mandated by law, or reduced by one-time expenditures contained in the operating budget;]~~ ***the default budget*** or the governing body may hold a special meeting pursuant to paragraph XVI to take up the issue of a revised operating budget only; provided that RSA 31:5 and RSA 197:3 shall not apply to such a special meeting. If no operating budget article is adopted the estimated revenues shall nevertheless be deemed to have been approved. ~~[For the purposes of this paragraph, one-time expenditures shall be appropriations not likely to recur in the succeeding budget, as determined by the governing body of the local political subdivision].~~

XI. The ~~[amount of the previous year's operating budget, as adjusted pursuant to paragraph X;]~~ ***default budget*** shall be disclosed ~~[to the voters at the first session]~~ ***at the first budget hearing held pursuant to RSA 32:5 or RSA 197:6. The governing body or the budget committee, if there is one, shall demonstrate how the default budget amount was determined by showing the appropriations contained in the operating budget authorized for the previous year and the reductions and increases made pursuant to paragraph IX(b) on a default budget form created by the department of revenue administration.*** This amount shall not be amended by the legislative body. However, this amount may be adjusted by the governing body ***or the budget committee, if there is one,*** acting on relevant new information at any time before the ballots are printed, ***provided the governing body or the budget committee, if there is one, completes an amended default budget form.*** The wording of the second session ballot question concerning the operating budget shall be as follows:

"Shall the (local political subdivision) raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$\_\_\_\_\_.? Should this article be defeated, the ~~[operating]~~ ***default*** budget shall be \$\_\_\_\_\_, which is the same as last year, with certain adjustments required by previous action of the (local political subdivision) or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only."

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

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

***(b) The governing body in official ballot referenda jurisdictions operating under RSA 40:13 shall post certified copies of the default budget form or any amended default budget form with the proposed operating budget and the warrant.***

3 Budget Committee; Duties. Amend RSA 32:16, I to read as follows:

I. To prepare the budget as provided in RSA 32:5 ***or a default budget under RSA 40:13, IX(b)*** for submission to each annual or special meeting of the voters of the municipality, and, if the municipality is a town, the budgets of any school district or village district wholly within the town, unless the warrant for such meeting does not propose any appropriation.

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

**2004-0521s**

#### AMENDED ANALYSIS

This bill provides for certain changes to the budget adoption procedure in political subdivisions which have adopted official ballot voting.

**Public Affairs**  
**February 18, 2004**  
**2004-0515s**  
**06/09**

**Amendment to SB 414-FN**

Amend the introductory paragraph of RSA 674:39, I as inserted by section 1 of the bill by replacing it with the following:

I. Every plat approved by the planning board and properly recorded in the registry of deeds and every site plan approved by the planning board and properly recorded in the registry of deeds, if recording of site plans is required by the planning board or by local regulation, shall be exempt from all subsequent changes in subdivision regulations, site plan review regulations, and zoning ordinances adopted by any city, town, or county in which there are located unincorporated towns or unorganized places, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of 4 years after the date of approval; provided, however, that once substantial completion of the improvements as shown on the plat has occurred in compliance with the approved plat, or the terms of said approval or unless otherwise stipulated by the planning board, the rights of the owner or the owner's successor in interest shall vest and no subsequent changes in subdivision regulations or zoning ordinances, except impact fees adopted pursuant to RSA 674:21 and 675:2-4, shall operate to affect such improvements; and further provided that:

**Insurance**  
**February 19, 2004**  
**2004-0551s**  
**01/10**

**Amendment to SB 430-FN**

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

AN ACT relative to mandated insurance benefits and establishing a committee to study the feasibility of mandating that health insurers provide medical loss information to small group employers.

Amend the bill by replacing all after section 3 with the following:

4 Committee Established. There is established a committee to study the feasibility of mandating that health insurers provide medical loss information to small group employers.

5 Membership and Compensation.

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

- (a) Three members of the house of representatives, appointed by the speaker of the house.
- (b) One member of the senate, appointed by the president of the senate.

II. The committee shall solicit information from the insurance commissioner, small group health insurance companies, small group employers, and any other source the committee deems relevant.

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

6 Duties. The committee shall study the feasibility of mandating that health insurers provide medical loss information to small group employers. The committee shall include in its study the appropriate use of this information, privacy issues, and determining the cost to insurers of requiring that this information be provided to small group employers.

7 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 60 days of the effective date of this section. Four members of the committee shall constitute a quorum.

8 Report. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2004.

9 Effective Date.

- I. Sections 1–3 of this act shall take effect 60 days after its passage.
- II. The remainder of this act shall take effect upon its passage.

2004-0551s

## AMENDED ANALYSIS

This bill requires that any legislative proposal which mandates insurance benefits, including workers' compensation benefits, be evaluated by the insurance department before being enacted into law. Under this bill, the insurance department shall make a report within 90 days to the appropriate standing committee.

This bill also establishes a committee to study the feasibility of mandating that health insurers provide medical loss information to small group employers.

**Senate Judiciary**  
**February 18, 2004**  
**2004-0524s**  
**05/10**

**Amendment to SB 444**

Amend RSA 169-B:4-a, III(c) as inserted by section 2 of the bill by replacing it with the following:

(c) For the purpose of assessing whether a minor meets the criteria of subparagraph (a), by order of the court, the department may provide representatives of the department of corrections with access to the minor's case records.

Amend RSA 169-B:4-a, IV(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Violation of court orders issued pursuant to paragraph III that provide for supervision and services in the criminal justice system shall be addressed in the criminal justice system by a finding of criminal contempt. With authorization by the court, the state may utilize any relevant portion of a juvenile's records in a criminal contempt proceeding.

**Senate Ways and Means**  
**February 19, 2004**  
**2004-0536s**  
**08/10**

**Amendment to SB 450-FN**

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

AN ACT relative to pari-mutuel licenses, and relative to trainer responsibility for the condition of horses and dogs.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Malicious Interference with Horses or Dogs. Amend RSA 284:38 to read as follows:

284:38 Malicious Interference with Horses or Dogs.

**I.** Any person who willfully or maliciously attempts to or does interfere with, tamper with, injure, or destroy by the use of narcotics, drugs, stimulants, or appliances of any kind any horse or dog used for the purpose of racing, whether such horse or dog be the property of such person or another, or who willfully or maliciously causes, instigates, counsels, or in any way aids or abets any such interference, tampering, injury, or destruction shall be guilty of a class B felony if a natural person, or guilty of a felony if any other person. The owner of any race horse or race dog engaged in racing within this state that is found to have been stimulated or doped, or any entry of which such horse or dog is a part, shall be denied any part of the purse offered for such race, and the purse shall be distributed as in the case of a disqualification.

**II.** *The trainer of record shall be responsible for and shall be the absolute insurer of the condition of any kind of horses or dogs used for the purposes of racing, which such trainer of record enters to race. For purposes of this section, trainer of record shall mean the person registered and identified as trainer of such horse or dog used for the purpose of racing in the records of the commission.*

2004-0536s

## AMENDED ANALYSIS

This bill eliminates the restriction on one pari-mutuel licensee from holding more than one license.

This bill extends the time frame in which licensees may sell pari-mutuel pools.

This bill also makes the trainer of horses and dogs responsible for the condition of horses and dogs under their control when used for racing.

Senate Judiciary  
February 18, 2004  
2004-0526s  
03/04

### Amendment to SB 478-FN

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

AN ACT relative to penalties for DWI offenses.

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

1 Penalties for Intoxication or Under Influence of Drug Offenses. Amend RSA 265:82-b, I to read as follows:

I. Except as otherwise provided in this section:

(a) Any person who is convicted of any offense under RSA 215-A:11, I or RSA 265:82 shall be:

(1) Guilty of a ~~[violation]~~ **class B misdemeanor**;

(2) Fined not less than ~~[\$350]~~ **\$500**;

(3) Required to furnish proof of successful completion of an impaired driver intervention program prior to the restoration of the person's driver's license or privilege to drive, provided that, if the person has previously completed, or been required by a court or motor vehicle bureau to complete, an impaired driver intervention program or any similar program in any jurisdiction, the person shall be required to furnish proof of successful completion of the multiple DWI offender intervention detention center program or an equivalent 7-day residential intervention program approved by the commissioner of health and human services; ~~and]~~

(4) The person's driver's license or privilege to drive shall be revoked for not less than 9 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. The court may suspend up to 6 months of this sentence, provided that the person has entered into the relevant driver intervention program required by subparagraph (3) within 45 days after conviction, or as soon thereafter as any extenuating circumstances approved by the department of health and human services allow;

***(5) The sentencing court may, consistent with RSA 651:2, III, sentence the person to additional alcohol and/or drug treatment and counseling to be monitored by the department of corrections, or to a treatment program approved by the commissioner of the department of health and human services, or both. In addition, the court may require the person to submit to random urinalysis by the department of corrections if deemed necessary and appropriate; and***

***(6) The court in which the person was convicted may reduce the conviction to a violation upon a motion filed by either party at least one year after the date of the conviction. In deciding whether to reduce the conviction to a violation, the court may consider the person's subsequent driving record, any evidence of drug or alcohol treatment, the hardship that having a criminal record may cause for the person, and any other factors that the court deems relevant.***

(b) Any person who is convicted of any aggravated DWI offense under RSA 215-A:11, II, or RSA 265:82-a, except as provided in subparagraph (c), shall be:

(1) Guilty of a **class A** misdemeanor;

(2) Fined not less than \$500;

(3) ~~[Required to furnish proof of successful completion of an impaired driver intervention program prior to the restoration of the person's driver's license or privilege to drive, provided that, if the person has previously completed, or been required by a court or motor vehicle bureau to complete, an impaired driver intervention program or any similar program in any jurisdiction, the person shall be required to furnish proof of successful completion of the multiple DWI offender intervention detention center program or an equivalent 7-day residential intervention program approved by the commissioner of health and human services; and]~~ ***Sentenced to a mandatory sentence of not less than 10 consecutive days of which 3 consecutive 24-hour periods shall be served in the county correctional facility and 7 consecutive 24-hour periods shall be served at the state-operated 7-day multiple DWI offender intervention detention center established under RSA 172-B:2-b within 21 days after conviction, except that in circumstances where the state-operated 7-day multiple DWI offender intervention detention center has***



***no available space the person shall be assigned the first available space. The person shall begin following any treatment recommendations arising out of the final evaluation given to the person at the multiple DWI offender intervention detention center program within 60 days after the person has completed serving the required 7 consecutive 24-hour periods at the center or such other time as the court may order;***

(4) The person's driver's license or privilege to drive shall be revoked for not less than 18 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. Except for good cause found by the court and noted in writing, the court may suspend up to 6 months of this sentence, provided that the person has entered into the relevant driver intervention program required by subparagraph (3) within 45 days after conviction, or as soon thereafter as any circumstances approved by the department of health of human services allow; ***and***

***(5) The sentencing court may, consistent with RSA 651:2, III, sentence the person to additional alcohol and/or drug treatment and counseling to be monitored by the department of corrections, or to a treatment program approved by the commissioner of the department of health and human services, or both. In addition, the court may require the person to submit to random urinalysis by the department of corrections if deemed necessary and appropriate.***

(c) Any person who is convicted of aggravated DWI under RSA 215-A:11, II(a)(1) or II(b)(1), or RSA 265:82-a, I(b) or II(b), shall be:

- (1) Guilty of a class B felony;
- (2) Fined not less than \$1,000;

(3) ~~Required to furnish proof of successful completion of an impaired driver intervention program prior to the restoration of the person's driver's license or privilege to drive, provided that, if the person has previously completed, or been required by a court or motor vehicle bureau to complete, an impaired driver intervention program or any similar program in any jurisdiction, the person shall be required to furnish proof of successful completion of the multiple DWI offender intervention detention center program]~~ ***Sentenced to a mandatory sentence of not less than 10 consecutive days of which 3 consecutive 24-hour periods shall be served in the county correctional facility and 7 consecutive 24-hour periods shall be served at the state-operated 7-day multiple DWI offender intervention detention center established under RSA 172-B:2-b within 21 days after conviction, except that in circumstances where the state-operated 7-day multiple DWI offender intervention detention center has no available space the person shall be assigned the first available space. The person shall begin following any treatment recommendations arising out of the final evaluation given to the person at the multiple DWI offender intervention detention center program within 60 days after the person has completed serving the required 7 consecutive 24-hour periods at the center or such other time as the court may order, and***

(4) The person's driver's license or privilege to drive shall be revoked for not less than 18 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. Except for good cause found by the court and noted in writing, the court may suspend up to 6 months of this sentence, provided that the person has entered into the relevant driver intervention program required by subparagraph (3) within 45 days after conviction, or as soon thereafter as any extenuating circumstances approved by the department of health and human services allow.

2 Penalties for Intoxication or Under Influence of Drug Offenses. Amend RSA 265:82-b, II(a)-(b) to read as follows:

(a) For a second offense:

- (1) The person shall be guilty of a ***class A*** misdemeanor.
- (2) The person shall be fined not less than \$500.

***(3) (A) If the complaint alleges that the prior conviction occurred within 2 years preceding the date of the second offense, the person shall be sentenced to a mandatory sentence of not less than [10] 30 consecutive days [of which 3 consecutive 24-hour periods shall] to be served in the county correctional facility [and] followed by 7 consecutive 24-hour periods [shall] to be served at the state-operated 7-day multiple DWI offender intervention detention center established under RSA 172-B:2-b within 21 days after conviction, except that in circumstances where the state-operated 7-day multiple DWI offender intervention detention center has no available space the person shall be assigned the first available space. The***

person shall begin following any treatment recommendations arising out of the final evaluation given to the person at the multiple DWI offender intervention detention center program within 60 days after the person has completed serving the required [7] **30** consecutive 24-hour periods at the center or such other time as the court may order.

***(B) If the complaint alleges that the prior conviction occurred more than 2 but less than 7 years preceding the date of the second offense, the person shall be sentenced to a mandatory sentence of not less than 10 consecutive days of which 3 consecutive 24-hour periods shall be served in the county correctional facility and 7 consecutive 24-hour periods shall be served at the state-operated 7-day multiple DWI offender intervention detention center established under RSA 172-B:2-b within 21 days after conviction, except that in circumstances where the state-operated 7-day multiple DWI offender intervention detention center has no available space the person shall be assigned the first available space. The person shall begin following any treatment recommendations arising out of the final evaluation given to the person at the multiple DWI offender intervention detention center program within 60 days after the person has completed serving the required 7 consecutive 24-hour periods at the center or such other time as the court may order.***

(4) The person's driver's license or privilege to drive shall be revoked for not less than 3 years.

(5) The person shall pay a fee to the commissioner, as established under RSA 126-A:43, for the costs of the state-operated, 7-day multiple DWI offender intervention detention center program prior to license restoration.

(6) A person who leaves the program before completion and fails to return and complete it as soon thereafter as extenuating circumstances approved by the department of health and human services allow, or who fails to begin following treatment recommendations within the time required by subparagraph II(a)(3) shall be in contempt of court and shall serve a minimum of 30 days in the county correctional facility.

***(7) The sentencing court may, consistent with RSA 651:2, III, sentence the person to additional alcohol and/or drug treatment and counseling to be monitored by the department of corrections, or to a treatment program approved by the commissioner of the department of health and human services, or both. In addition, the court may require the person to submit to random urinalysis by the department of corrections if deemed necessary and appropriate.***

(b) For a third offense, any person convicted under this paragraph shall be subject to all the penalties of subparagraph (a) except that:

(1) The person's driver's license or privilege to drive shall be revoked indefinitely and shall not be restored for at least 5 years. At the end of the 5-year minimum revocation period the person may petition the court for eligibility to reapply for a driver's license and the court, for good cause shown, may grant such eligibility subject to such terms and conditions as the court may prescribe. Any untimely petition under this subparagraph shall be dismissed without a hearing. If such petition is granted and the person is otherwise eligible for license restoration, the person may then apply to the director for restoration of driver's license, but the license shall not be restored until the provisions of RSA 263:65-a and all other requirements under law are met.

~~(2) [If the person has completed the state-operated 7-day multiple DWI offender intervention detention center program as required under subparagraph (a)(3) upon conviction for a prior offense,] The person shall be sentenced to a mandatory sentence of not less than [30] **180** consecutive days [of which 23 consecutive 24-hour periods shall be served] in the county correctional facility [and 7 consecutive 24-hour periods shall be served at the state-operated 7-day multiple DWI offender intervention detention center established under RSA 172-B:2-b, and] **following which** the person shall complete at the person's own expense a residential treatment program of at least 28 days duration or an intensive course of substance abuse treatment based upon a formal evaluation by a licensed alcohol and other drug counselor and approved by the department of health and human services before the driver's license may be restored.~~

~~(3) [A person who leaves the multiple DWI offender program before completion and fails to return and complete it as soon thereafter as extenuating circumstances approved by the department of health and human services allow, shall be in contempt of court and shall serve a minimum of 30 days in the county correctional facility] **The sentencing court may, consistent with RSA 651:2, III, sentence the person to additional alcohol and/or drug treatment and counseling to be monitored by the department of corrections, or to a treatment program approved by the commissioner of the department of health and human services, or both. In addition, the court may require the person to submit to random urinalysis by the department of corrections if deemed necessary and appropriate.**~~



3 Penalties for Intoxication or Under Influence of Drug Offenses. Amend the introductory subparagraph of RSA 265:82-b, II to read as follows:

II. Upon conviction of any offense under RSA 215-A:11, RSA 265:82, or RSA 265:82-a, based on a complaint which alleged that the person has had one or more prior convictions under RSA 215-A:11, RSA 265:82, or RSA 265:82-a, or RSA 630:3, II, or under reasonably equivalent offenses in an out-of-state jurisdiction, within [10] 7 years preceding the date of the second or subsequent offense, the person shall be subject to the following penalties in addition to those provided in paragraph I:

4 Penalties for Intoxication or Under Influence of Drug Offenses. Amend RSA 265:82-b, III to read as follows:

III. If any person is convicted of a violation of RSA 215-A:11, RSA 265:82, or RSA 265:82-a, and the conviction is not based upon a complaint which alleges prior convictions as provided in RSA 265:82-b, II, but the person is found to have had one or more such prior convictions in this state or in an out-of-state jurisdiction within [10] 7 years preceding the date of the offense, the person's driver's license or privilege to drive shall be revoked for not less than one year nor more than 3 years. Except for good cause found by the court and noted in writing, the court may suspend up to 6 months of this sentence, provided that within 45 days after conviction the person has entered the 7-day program at the state-operated multiple DWI offender intervention detention center program or an equivalent 7-day residential intervention program approved by the, commissioner of health and human services, as provided in RSA 172-B:2-b and RSA 263:65-a. The person's license shall not be restored until the person has successfully completed the program. The court may further order attendance at a residential treatment center, for a period not to exceed 30 days, at the person's own expense.

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

**2004-0526s**

#### AMENDED ANALYSIS

This bill modifies the penalties for certain DWI offenses.

#### **Insurance**

**February 19, 2004**

**2004-0555s**

**01/10**

#### **Amendment to SB 482-FN**

Amend RSA 405-B:2, II(b), (c), and the introductory paragraph of subparagraph (d) as inserted by section 1 of the bill by replacing them with the following:

(b) Its board of directors, or in the case of a reciprocal insurer its subscribers' advisory committee, holds at least one meeting each year in this state; and

(c) It appoints a registered agent to accept service of process and to otherwise act on its behalf in this state. In case of a captive insurance company:

#### **Senate Transportation**

**February 19, 2004**

**2004-0554s**

**03/10**

#### **Amendment to SB 495-FN**

Amend the bill by replacing section 4 with the following:

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

III.(a) The director is authorized to revoke or suspend any original license ~~[issued under title XXI]~~ **held by a person under 20 years of age** after a hearing upon a showing by its records or other sufficient evidence that the driver has committed ~~[an offense during the first year following the issuance of an original license or has committed 2 or more offenses during the first 2 years]~~ **a moving violation** following the issuance of an original license for which the original license holder has been convicted.

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

(1) For a first ~~[offense during the first year following the issuance of an original license]~~ **moving violation**, 20 days.

(2) For a second [~~offense during the first 2 years following the issuance of an original license]~~ ***moving violation***, 45 days.

(3) For a third or subsequent [~~offense during the first 2 years following the issuance of an original license]~~ ***moving violation***, 90 days.

Amend the bill by replacing section 7 with the following:

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

**Senate Judiciary  
February 17, 2004  
2004-0486s  
09/01**

#### **Amendment to SB 509-FN**

Amend RSA 167:61-b, I as inserted by section 2 of the bill by deleting subparagraph (f) and renumbering subparagraphs (g)-(h) to read as (f) and (g), respectively.

Amend RSA 167:61-c, II as inserted by section 2 of the bill by replacing it with the following:

II.(a) An individual, hereafter referred to as "relator," may bring a civil action for a violation of RSA 167:61-b, I on behalf of the relator and for the state. The action shall be brought in the name of the state.

(b) When a relator brings an action under this section, no person other than the state may intervene or bring a related action based on the facts underlying the pending action.

(c) A copy of the complaint and written disclosure of substantially all material evidence and information the relator possesses shall be served on the state in accordance with the New Hampshire rules of civil procedure. The complaint shall be filed in camera, shall remain under seal for at least 60 days, and shall not be served on the defendant until the court so orders. The state may elect to intervene and proceed with the action within 60 days after it receives both the complaint and the material evidence and information.

(d) The state may, for good cause shown, move the court for one or more extensions of the 60-day time period during which the complaint shall remain under seal. Any such motion may be supported by affidavits or other submissions filed under seal.

(e) Before the expiration of the 60-day period or any extension obtained, the state shall:

(1) Proceed with the action, in which case the action shall be conducted by the state; or

(2) Notify the court that it declines to take over the action, in which case the action shall be dismissed.

Amend RSA 167:61-d and RSA 161:61-e as inserted by section 2 of the bill by replacing them with the following:

167:61-d Rights of Parties to Actions.

I. If the state proceeds with an action under RSA 167:61-c, the state shall have the primary responsibility for prosecuting the action and shall not be bound by an act of the relator bringing the action. The relator shall have the right to continue as a party to the action, subject to the following limitations:

(a) The state may dismiss the action notwithstanding the objections of the relator initiating the action if the court determines, after a hearing on the motion, that dismissal should be allowed.

(b) The state may settle the action with the defendant notwithstanding the objections of the relator initiating the action if the court determines, after a hearing, that the proposed settlement is fair, adequate, and reasonable under all the circumstances. Upon a showing of good cause, the hearing may be held in camera.

II. Notwithstanding RSA 167:61-c, the state may elect to pursue its claim through any alternate remedy available to the state, including any administrative proceeding to determine a civil monetary penalty. If any such alternate remedy is pursued in another proceeding, the relator initiating the action shall have the same rights in the proceeding as the relator would have had if the action had continued under this section. Any finding of fact or conclusion of law made in such other proceeding that has become final shall be conclusive on all parties to an action under this section.

III. Whether or not the state elects to proceed with the action, the parties to the action shall receive court approval of any settlements reached.

### 167:61-e Award to Relator.

I. If the state proceeds with an action brought by a relator under RSA 167:61-c, the relator shall, except as otherwise provided in this paragraph, receive at least 15 percent but not more than 25 percent of the proceeds of the action or settlement of the claim, depending upon the extent to which the relator substantially contributed to the prosecution of the action. Where the action is one that the court finds to be based primarily on disclosures of specific information, other than information provided by the relator bringing the action, relating to allegations or transactions in a criminal, civil, or administrative hearing, in a legislative or administrative report, hearing, audit, or investigation, or from the news media, the court may award sums as it considers appropriate, but in no case more than 10 percent of the proceeds, taking into account the significance of the information furnished by the relator and the role of the relator bringing the action in advancing the case to litigation. Any payment to a relator under this paragraph shall be made from the proceeds. The relator shall also receive an amount for reasonable expenses that the court finds to have been necessarily incurred, plus reasonable attorneys' fees and costs. All expenses, fees, and costs shall be awarded against the defendant.

II. If the court finds that the action was brought by a relator who planned and initiated the violation of RSA 167:61-b upon which the action was brought, then the court may, to the extent the court considers appropriate, reduce the share of the proceeds of the action that the relator would otherwise receive under paragraph I, taking into account the role of the relator in advancing the case to litigation and any relevant circumstances pertaining to the violation. If the relator bringing the action is convicted of criminal conduct arising from the relator's role in the violation of RSA 167:61-b, the relator shall be dismissed from the civil action and shall not receive any share of the proceeds of the action. The dismissal shall not prejudice the right of the state to continue the action represented by the attorney general.

III. No court shall have jurisdiction over an action brought under RSA 167:61-c:

(a) Against any department official or any division, board, bureau, commission or agency within the department;

(b) When the relator is a present or former employee of the state and the action is based upon information discovered by the employee during the course of the employee's employment, unless the employee first, in good faith, exhausted any existing internal procedures for reporting and seeking recovery of the falsely claimed sums through official channels and the state failed to act on the information provided within a reasonable period of time; or

(c) That is based upon allegations or transactions that are the subject of a civil or criminal investigation, civil suit, or an administrative civil money penalty proceeding, in which the state is already a party.

(d) That is based upon the public disclosure of allegations or transactions in a criminal, civil, or administrative hearing, in a legislative or administrative report, hearing, audit, or investigation, or from the news media, unless the action is brought by the attorney general or the relator bringing the action is an original source of the information.

IV. The state shall not be liable for expenses or fees, including attorneys' fees, that a relator incurs in bringing an action under RSA 167:61-c and shall not elect to pay those expenses or fees.

**Senate Judiciary**  
**February 17, 2004**  
**2004-0500s**  
**04/05**

### **Amendment to SB 510-FN**

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

AN ACT relative to simple assault.

Amend the bill by replacing section 1 with the following:

1 Simple Assault. Amend RSA 631:2-a, I (a) to read as follows:

(a) Purposely or knowingly causes bodily injury or unprivileged physical contact to another ***with the intent to harm***; or

**2004-0500s**

### **AMENDED ANALYSIS**

This bill amends the simple assault statute by requiring an act to be committed with the intent to harm another.

**Senate Transportation**  
**February 19, 2004**  
**2004-0549s**  
**06/10**

**Amendment to SB 518**

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

AN ACT establishing a commission to study railroad matching funds and authorizing an expenditure for a certain feasibility study.

Amend the bill by replacing section 2 with the following:

2 Membership and Compensation.

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

- (a) One member of the senate, appointed by the president of the senate.
- (b) Three members of the house of representatives, appointed by the speaker of the house.
- (c) The governor, or designee.
- (d) The commissioner of the department of transportation, or designee.

(e) A member of the New Hampshire Railroad Revitalization Association, nominated by the association and appointed by the governor.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

Amend the bill by replacing section 5 with the following:

5 Report. The commission shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2004.

Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 7:

6 New Subparagraph; Feasibility Funding Added. Amend RSA 228:69, I by inserting after subparagraph (b) the following new subparagraph:

(c) To provide funding for the Boston to Montreal High Speed Rail Planning and Feasibility Study for the high speed rail connection between Boston and Montreal in an amount not to exceed \$100,000.

**2004-0549s**

**AMENDED ANALYSIS**

This bill establishes a commission to study innovative ways to fund railroad construction including match-fund programs.

This bill also authorizes the commissioner of transportation to spend money in the special railroad fund for the feasibility study for the high speed rail connection between Boston and Montreal.

**Senate Finance**  
**February 18, 2004**  
**2004-0508s**  
**09/01**

**Amendment to SB 529**

Amend the bill by replacing section 2 with the following:

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

**Senate Executive Departments and Administration**  
**February 19, 2004**  
**2004-0546s**  
**09/04**

**Amendment to HB 65**

Amend the bill by replacing section 2 with the following:

2 Repeal of Prospective Repeal Date of National Guard Education Assistance Act. 1996, 237:7:1 as amended by 1998, 65:2 and 1999, 211:1, relative to the repeal date of RSA 110-B:63-a-100-B:63-f, is repealed.

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

**2004-0546s**

#### AMENDED ANALYSIS

This bill eliminates the consideration of Montgomery GI Bill benefits in the formula for the tuition waiver for national guard members.

The bill also continues the New Hampshire National Guard Educational Assistance Act, which is currently scheduled for repeal on July 1, 2004.

## HEARINGS

***TUESDAY, MARCH 2, 2004***

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

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

8:30 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

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

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

3:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

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

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

8:30 a.m. **SB 502**, establishing a committee to study the feasibility of allowing certain groups to join together for purposes of small group insurance.

8:45 a.m. **SB 367**, relative to the New Hampshire Insurance Guaranty Association Act.

9:10 a.m. **SB 368**, relative to reinsurance.

9:40 a.m. **SB 475**, relative to employee leasing companies.

**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. **EXECUTIVE SESSION ON PENDING LEGISLATION**

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

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

10:15 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

**SB 386**, relative to the guardian ad litem board and providing for certification of guardians ad litem.

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

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

**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.

**PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES**, Room 103, SH

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

2:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

3:00 p.m. **SB 398**, relative to residency requirements for Medicaid recipients in nursing homes.

3:20 p.m. **SB 441**, relative to the operation of dental clinics by healthcare charitable trusts.

3:40 p.m. **SB 484**, establishing the Collaborative Practice for Emergency Contraception Act.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

1:15 p.m. **SB 512-FN**, relative to improving public boat access to Lake Sunapee.

**HB 1334**, relative to retention of records of fish and game law violations by the fish and game department.

**HB 736**, relative to duties of the fish and game commission and complaints against fish and game commissioners.

**EXECUTIVE SESSION MAY FOLLOW**

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

**ENVIRONMENT**, Room 104, LOB

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

10:15 a.m. **HB 503**, relative to septic system construction permits.

**HB 1141**, relative to dioxin emissions reduction and medical waste incinerators.

**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. **EXECUTIVE SESSION ON PENDING LEGISLATION**

1:30 p.m. **HB 1154**, relative to the Hanover-Lebanon district court and the Plymouth-Lincoln district court.

**HB 1248-FN**, (New Title) relative to the state board of nursing.

**EXECUTIVE SESSION MAY FOLLOW**

**INTERNAL AFFAIRS**, Room 103, LOB

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

Cancelled **HB 85-FN-L**, (New Title) relative to the budget adoption procedure in political subdivisions which have adopted official ballot voting.

10:15 a.m. **HB 158**, allowing the voter to deposit the ballot into the ballot box.

**HB 236**, relative to recount application deadlines.

**HB 285**, (New Title) relative to warrant article recommendations in towns which have adopted the official ballot referendum form of meeting.

**HB 1403**, extending the reporting dates of certain study committees.

**EXECUTIVE SESSION MAY FOLLOW**



**INTERSTATE COOPERATION**, Room 101, LOB

Sen. Gatsas (C), Sen. Estabrook (VC), Sen. Clegg, Sen. Johnson, Sen. Sapareto

3:00 p.m.

**EXECUTIVE SESSION ON PENDING LEGISLATION****PUBLIC AFFAIRS**, Room 105-A, SH

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

8:30 a.m.

**SB 531**, permitting the state veterans' advisory committee to adopt bylaws.**SB 533**, relative to licensing requirements for certain recreation and child care programs.**HB 664-FN**, relative to the requirements for the sale of permissible fireworks and prohibiting the retail sale of certain fireworks.**HB 1160**, relative to the membership of the board of professional geologists.**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 532-FN**, exempting biodiesel from the road toll.

3:20 p.m.

**HB 1260**, naming the new Route 9 bridge over the Connecticut River between New Hampshire and Vermont the United States Navy Seabees Bridge.

3:40 p.m.

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

4:00 p.m.

**HB 1325-FN-A**, (New Title) relative to additional uses of the E-Z Pass system.**EXECUTIVE SESSION MAY FOLLOW****WAYS & MEANS**, Room 103, SH

Sen. D'Allesandro (C), Sen. Clegg (VC), Sen. Boyce, Sen. Gallus, Sen. Odell

8:30 a.m.

**HB 459**, (New Title) relative to the taxation of manufactured housing.

8:45 a.m.

**HB 1370**, (New Title) establishing a committee to study property tax relief.

9:05 a.m.

**HB 1254-FN**, (New Title) relative to the postsecondary education vocational school licensing fund and the forgivable loan fund in the workforce incentive program.**EXECUTIVE SESSION MAY FOLLOW*****MONDAY, MARCH 8, 2004*****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 303-FN**, clarifying the language in the education funding formula.**EXECUTIVE SESSION ON PENDING LEGISLATION****INSURANCE**, Rooms 306-308, LOB

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

1:00 p.m.

**SB 528**, establishing a right to work act which provides for freedom of choice on whether to join a labor union.**EXECUTIVE SESSION MAY FOLLOW*****WEDNESDAY, MARCH 10, 2004*****EDUCATION**, Room 105-A, SH

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



- 1:15 p.m. **SB 451**, giving degree-granting authority to the Hellenic American University.
- 1:35 p.m. **HB 133-L**, relative to amending certain articles of agreement in the Fall Mountain regional cooperative school district.
- 1:55 p.m. **HB 727-FN-L**, (New Title) establishing a legislative oversight committee for the school administrative unit system.
- 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. **HB 1259**, relative to the medical certification required for a walking disability plate or placard.
- HB 493**, relative to the municipal budget act.
- HB 713-FN**, (New Title) relative to the penalty for violating a zoning ordinance, relative to governmental land uses, and relative to notice of zoning rehearings.
- HB 426**, relative to the monitoring and approval of appraisers by the commissioner of revenue administration.
- EXECUTIVE SESSION MAY FOLLOW**

**WAYS & MEANS**, Room 103, SH

Sen. D'Allesandro (C), Sen. Clegg (VC), Sen. Boyce, Sen. Gallus, Sen. Odell

- 3:00 p.m. **HB 1311-FN**, (New Title) establishing a committee to study decreasing the insurance premium tax.
- 3:20 p.m. **HB 520-FN**, relative to maintaining records of greyhounds used in pari-mutuel racing.
- EXECUTIVE SESSION MAY FOLLOW**

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

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

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

- 3:00 p.m. **HB 551**, (New Title) relative to the effect of parental refusal to administer psychotropic drugs to their children and establishing a committee to study the prescription and use of psychotropic drugs, including Ritalin, in childcare centers, preschools, and public schools.
- 3:55 p.m. **HB 1170**, establishing a committee to study access to medical records of persons with highly communicable diseases.
- EXECUTIVE SESSION MAY FOLLOW**

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

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

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

- 3:00 p.m. **HB 1275**, relative to the role of the department of health and human services in juvenile proceedings.
- 3:30 p.m. **HB 1290**, (New Title) establishing a study committee to examine time limits on eligibility for Temporary Assistance for Needy Families.
- EXECUTIVE SESSION MAY FOLLOW**

# MEETINGS

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

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

10:00 a.m. Plymouth State University Regular Meeting

### **SAFELY REDUCING THE PRISON POPULATION IN THE STATE (HB 825, Chapter 157:1, Laws of 2003)**

10:00 a.m. Room 204, LOB Regular Meeting

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

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

### **NH DEPARTMENT OF TRANSPORTATION (Alton 13802, Proposal to replace NH Rte 28 bridge over the Merrymeeting River in the Town of Alton)**

7:00 p.m. Alton Town Hall Public Officials/Public Info  
1 Monument Square  
Alton, NH

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

### **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

### **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***

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

8:30 a.m. UNH Kingman Farm Sub-commission Meeting  
Research Farm  
Rte 155, Madbury, NH

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

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

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

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

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

9:00 a.m. Room 307, 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

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

1:00 p.m. Room 208, LOB Subcommittee Meeting

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

**JUVENILE JUSTICE ADVISORY BOARD** (RSA 621-A:9)

9:00 a.m. Youth Development Center Regular Meeting  
1056 N River Rd  
Manchester NH

**STATE HERITAGE COLLECTIONS COMMITTEE** (RSA 227-C:18)

9:00 a.m. Room 208, LOB Regular Meeting

**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

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

10:00 a.m. NH Community Tech College Regular Meeting  
Manchester, NH

**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***

**OSTEOPOROSIS ADVISORY COUNCIL** (RSA 126-I:3)

9:30 a.m. - 11:00 a.m. Room 205, 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

**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

***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

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

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

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

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

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

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

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

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

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

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

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

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

3:00 p.m.	Rooms 201-203, LOB	Public comment hearing on proposed rules of the Guardian AD Litem Board relating to certification requirements (Gal Chapter 300)
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**WEDNESDAY, MARCH 24, 2004**

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

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

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

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

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

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

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

10:00 a.m.	Room 205, LOB	Subcommittee on purpose of Oversight Committee
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**BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)**

Cancelled	Room 201, LOB	Regular Meeting
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***FRIDAY, APRIL 2, 2004***

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

***MONDAY, APRIL 12, 2004*****COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH (HB 1283, Chapter 43:1, Laws of 2000)**

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

***FRIDAY, APRIL 16, 2004*****ADMINISTRATIVE RULES (RSA 541-A:2)**

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

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

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

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

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

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

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

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

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

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

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

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# NOTICES

## 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

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## THURSDAY, MARCH 11, 2004

Please note the date change for the lunch break hosted by the New Hampshire Order of Women Legislators at the Upham Walker House. The lunch break will be held for legislators to meet New Hampshire Poet Laureate, Marie Harris. Marie has entitled her presentation, "Poet Laureate Goes to the Dump".

The new date is Thursday, March 11, 2004 (changed from March 4, 2004).

Senator Sylvia B. Larsen

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## THURSDAY, MARCH 11, 2004

The American Red Cross in New Hampshire cordially invites all legislators and staff to its annual Breakfast on Thursday, March 11<sup>th</sup> from 8:00-10:00 a.m. in the State House cafeteria.

Senator Sylvia B. Larsen

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## THURSDAY, MARCH 11, 2004

The American Red Cross cordially invites all Legislative members and Staff to the THIRD annual State House Complex Blood Drive. The blood drive will take place on Thursday, March 11<sup>th</sup> from 9:00 a.m. to 3:00 p.m. The American Red Cross state of the art self-contained coach will be parked out in front of the State House for this event.

Appointments are strongly encouraged. To schedule an appointment, please call the State House Health Services, Ext. 2757.

In the past the Blood Drive has had overwhelming support - please help to make this year the best EVER!

Thomas R. Eaton, Senate President

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## WEDNESDAY, MARCH 17, 2004

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

Senator Robert E. Clegg, Jr.

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### WEDNESDAY, MARCH 17, 2004

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

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

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### THURSDAY, MARCH 18, 2004

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

Senator Carl R. Johnson

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## SENATE SCHEDULE 2004 SESSION

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

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

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

Kenneth Leidner, Director

<b><i>DATE</i></b>	<b><i>TIME</i></b>	<b><i>GROUP</i></b>	<b><i>CLASS/Size</i></b>
3-1-04	9:30 & 11:00 SH/HM	Chester Academy	4/85
3-2-04	10:30 & 12:00 SH/HM	Main Dunstable School – Nashua	4/60
3-3-04	10:30 & 12:00 SH/HM	Main Dunstable School – Nashua	4/50
3-4-04	10:00 & 11:30 SH/HM	Southwick Elem – Northfield	4/40
3-4-04	1:00	NH Ed Opportunity Program	HS/40
3-5-04	10:00 & 11:30 SH/HM	Southwick Elem – Northfield	4/60
3-8-04	9:30 & 10:45 SH/SC	Candia Moore School	4/40



<b>DATE</b>	<b>TIME</b>	<b>GROUP</b>	<b>CLASS/Size</b>
3-8-04	12:00	St Thomas Aquinas – Derry	4/30
3-9-04	9:00	BSA Troop 76 – Henniker	13-15 yrs/10
3-9-04	11:00	Crescent Lake School – Wolfeboro	4/40
3-9-04	12:30	Penacook Elementary School	4/50
3-10-04	9:30	Walker School – Concord/ Reschedule	4/25
3-10-04	11:00	Crescent Lake School – Wolfeboro	4/40
3-11-04	8:15 & 9:45	Merrimack Valley High School - Penacook	HS/50
3-11-04	11:00	Maplewood Elementary – Somersworth	4/46
3-11-04	12:30	Maplewood Elementary – Somersworth	3/40
S3-12-04	9:30 & 11:00 SH/HM	Webster Elementary – Manchester	4/115
3-15-04	9:30 & 10:45 SH/SC	Candia Moore School	4/40
3-15-04	10:45	Mt. Ascutney School-Vermont	2/8
3-15-04	12:00 & 1:30 SH/HM	Bristol Elementary School	4/60
3-16-04	10:00	Nashua Christian	4/22
3-16-04	10:00	Victory Baptist School – Londonderry	4/8
3-16-04	11:00	East Kingston Elementary	4/28
3-17-04	9:00	Beaver Meadow School-Concord	4/24
3-17-04	10:45	Charlestown Primary School	4/46
3-17-04	12:30	Simonds Elementary – Warner	4/36
3-18-04	9:30 & 11:00 SH/HM	Sunset Heights School – Nashua	6/78
3-19-04	9:30, 11:00 & 12:30 SH/HM/SC	Jaffrey Grade School	4/78
3-22-04	10:00 & 11:15 SH/SC	Seabrook Elementary	4/50
3-22-04	12:30	Beaver Meadow School – Concord	4/23
3-23-04	9:00	Beaver Meadow School – Concord	4&5/22
3-23-04	9:30 & 11:00 SH/HM	Presentation of Mary – Hudson	4/63
3-23-04	12:30	Beaver Meadow School – Concord	4/24
3-24-04	9:30 & 11:00 SH/HM	Barnstead Elementary	4/72
3-25-04	9:30 & 11:00 SH/HM	Symonds Elementary – Keene	4/62
3-26-04	10:00 & 11:15 SH/SC	Seabrook Elementary	4/50
3-26-04	10:00	Hillsboro Christian School	1-7/23
3-26-04	12:30	Sanbornton Central School	4/36
3-29-04	9:30 & 11:00 SH/HM	John Fuller School- North Conway	4/40
3-29-04	10:00 & 11:15 SH/SC	Windham Center School	
		Rescheduled from December 11	4/50
3-30-04	10:00 & 11:30 SH/HM	Thornton's Ferry – Merrimack	4/50
3-30-04	12:30	Allenstown Elementary School	4/30
3-31-04	10:00 & 11:30 SH/HM	Thornton's Ferry – Merrimack	4/50
3-31-04	12:30	Allenstown Elementary School	4/30