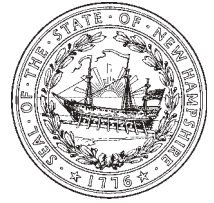


# SENATE JOURNAL 19 – Part 2



*June 5, 2003*

Sen. Green, Dist. 6

June 2, 2003

2003-2005s

01/03

## Floor Amendment to HB 705

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

AN ACT relative to the collection of the communications services tax by retailers of communications services and establishing a committee to study the application of the communications services tax.

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

1 Communications Services Tax; Collection by Retailer. Amend RSA 82-A:6 to read as follows:

82-A:6 Collection of Tax.

***I.*** The tax imposed under this chapter shall be collected from the taxpayer by a retailer maintaining a place of business in this state or having taxable sales in excess of \$10,000 and remitted to the department pursuant to this section. The tax required to be collected by this chapter and any such tax collected by such retailer shall constitute a debt owed by the retailer to this state. Retailers shall collect the tax from the taxpayer by adding the tax to the gross charge for communications services in this state, in the manner prescribed by the department. Whenever possible, the tax imposed by this chapter shall, when collected, be stated as a distinct item separate and apart from the gross charge for communications services, and shall be labeled "State Tax." The tax imposed by this chapter shall constitute a debt of the purchaser to the retailer who provides such taxable services until paid, and, if unpaid, is recoverable at law in the same manner as the original charge for such taxable services.

***II. To compensate retailers for keeping the prescribed records and the proper account and remitting of taxes by them, retailers are allowed to retain 3 percent of the taxes due and to be remitted if the return and payment are timely received by the department of revenue administration, as provided in RSA 82-A:7.***

2 Communications Services Tax; Tax Returns by Retailer. Amend RSA 82-A:7, VII to read as follows:

VII. The retailer making the return herein provided for shall, at the time of making such return, pay to the department the amount of tax herein imposed. ***The retailer may deduct from the taxes collected the compensation allowed by RSA 82-A:6, II, and remit the net taxes to the commissioner of revenue administration.***

3 Committee Established. There is established a committee to study the application of the communications services tax.

4 Membership and Compensation.

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

(a) Five members of the house of representatives, appointed by the speaker of the house.

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

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

5 Duties. The committee shall study the application of the communications services tax.

6 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 house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Six members of the committee shall constitute a quorum.

7 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2003.

8 Effective Date.

I. Sections 3-7 shall take effect upon its passage.

II. The remainder of this act shall take effect July 1, 2003.

**2003-2005s**

#### AMENDED ANALYSIS

This bill allows retailers required to collect the communications services tax to retain 3 percent of the revenue collected.

This bill also establishes a committee to study the application of the communications services tax.

**Senator Green withdrew his floor amendment.**

Senator Green offered a floor amendment.

**Sen. Larsen, Dist. 15**

**Sen. Green, Dist. 6**

**Sen. Below, Dist. 5**

**Sen. Cohen, Dist. 24**

**June 5, 2003**

**2003-2025s**

**09/10**

#### Floor Amendment to HB 705

Amend the bill by replacing section 6 with the following:

6 Purpose. The general court finds that the exemption from the local property tax for wooden poles and conduits shall be extended for one year, pending a report by the legislative study committee established in this act.

Amend the bill by replacing section 8 with the following:

8 Prospective Repeal Date Extended for Exemption of Wooden Poles and Conduits Under RSA 72:8-b. Amend 1998, 304:6, I as amended by 1999, 163:7 and 2001, 158:2 to read as follows:

I. Section 5 of this act shall take effect July 1, [~~2003~~] **2004**.

**2003-2025s**

#### AMENDED ANALYSIS

This bill establishes a committee to study the application of the communications services tax.

The bill also extends a property tax exemption for certain wooden poles and conduits until July 1, 2004.

**A division vote was requested.**

**Yeas: 14 - Nays: 8**

**Floor amendment adopted.**

**Senator Foster #42 on HB 705**

**Question is on the adoption of the bill as amended.**

**Adopted.**

#### SUSPENSION OF THE RULES

Senator Clegg moved that the rules of the Senate be so far suspended and that **HB 705** be ordered to third reading in the early session and passed at this time.

**Adopted by the necessary 2/3 vote.**

**HB 671-FN-A**, establishing a contributory defined benefit judicial retirement plan. Finance Committee. Ought to pass with amendment, Vote 4-2. Senator Gatsas for the committee.

**Senate Finance**  
**June 2, 2003**  
**2003-1937s**  
**10/01**

**Amendment to HB 671-FN-A**

Amend 100-C:5, I as inserted by section 1 of the bill by replacing it with the following:

I. Any member who has at least 15 years of creditable service and is at least 60 years of age, or who has at least 10 years of creditable service and is at least 65 years of age, or who has at least 7 years of service and is 70 years of age may retire on a service retirement allowance or a reduced service retirement allowance, upon written application to the board setting forth on what date, not less than 30 days nor more than 90 days subsequent to the filing of the application, the member desires to be retired. During such period of notification, the member may have separated from service.

Amend 100-C:5, IV as inserted by section 1 of the bill by replacing it with the following:

IV. A member who is at least 60 years of age with at least 15 years of service may retire on a service retirement allowance equal to 70 percent of the member's final year's salary. A member who has at least 15 years of service and is at least 60 years of age shall be granted an additional percent over the 70 percent level for each year of continued service over 15 years.

Amend RSA 100-C:13, IV as inserted by section 1 of the bill by replacing it with the following:

IV. State Contributions. On or before the first day of October preceding each regular session of the state legislature, the board of trustees shall certify to the commissioner of administrative services the amounts which will become due and payable by the state during the biennium next following to the judicial retirement plan and it shall be the duty of the commissioner of administrative services in preparing the executive budget for each ensuing biennium to include in the budget the amounts so certified which amounts shall be appropriated by the legislature. The amounts so certified under this paragraph shall include the unfunded accrued liability of the judicial retirement plan; provided, however, that if bonds are issued to fund or eliminate the unfunded accrued liability, the payments of principal and interest for the bonds or notes shall be made from the general fund.

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

4 District Court Judges; Part-Time. Amend RSA 491-A:3, III to read as follows:

III. The salary of a part-time justice shall not exceed 70 percent of the **taxable** salary of a full-time district court justice as provided by RSA 491-A:1. Judicial time shall be measured in weighted case units which shall reflect judicial time required to process a case. The compensation per weighted case unit shall be proportional to the **taxable** compensation for a full-time judge. A part-time justice, whose weighted caseload equals 3.5 judicial days per week, shall receive the maximum salary as provided by this section. The compensation schedule provided by this section shall be based upon the **taxable** salary of a full-time district court justice pursuant to RSA 491-A:1.

5 Probate Court Judges; Part-Time. Amend RSA 491-A:4, III to read as follows:

III. The salary of a part-time justice shall not exceed 70 percent of the **taxable** salary of a full-time district court justice as provided by RSA 491-A:1. Judicial time shall be measured in weighted case units which shall reflect judicial time required to process a case. The compensation per weighted case unit shall be proportional to the **taxable** compensation for a full-time judge. A part-time justice, whose weighted caseload equals 3.5 judicial days per week, shall receive the maximum salary as provided by this section. The compensation schedule provided in this section shall be based upon the **taxable** salary of a full-time district court justice pursuant to RSA 491-A:1.

6 Retired Judges and Beneficiaries; Application of Salary Increase.

I. Any judge, or the spouse or beneficiary of any such judge, who retired prior to the effective date of the repeals of RSA 490:2, RSA 491:2, RSA 493-A:2, and RSA 502-A:6-a by section 10 of this act or the amendment to RSA 547:2-a by section 2 of this act, shall continue to receive the disability and retirement benefits to which the person is entitled, provided however that the amount of the salary increase for current full-time judges provided in section 3 of this act, which amends RSA 491-A:1, shall not be included in the currently effective salary used for the calculation of the retired judge's disability or retirement benefit. Any other judicial salary increases shall be used for such calculation.

II. The supreme court is not required to consider the salary increase for full-time judges provided in section 3 of this act when determining proportional compensation of other judicial branch employees.

7 Appropriation. The sum of \$250,000 is hereby appropriated for the fiscal year ending June 30, 2004 to the board of trustees of the judicial retirement system as established in this act. Such sum shall be nonlapsing and shall be used for legal, administrative, and other start-up costs of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

8 Capital Appropriation; Unfunded Liability. The sum of \$42,800,000 is hereby appropriated to the board of trustees of the judicial retirement system under RSA 100-C as established in this act. Such sum shall be used for the payment of the unfunded accrued liability attributable to the judicial retirement system.

9 Bonds Authorized. To provide funds for the appropriation made in section 8 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$42,800,00 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state. The bonds shall be 30-year bonds.

10 Repeal. The following are repealed:

I. RSA 490:2, relative to disability and retirement compensation for supreme court judges.

II. RSA 491:2, relative to disability and retirement compensation for superior court judges.

III. RSA 493-A:2, relative to compensation of judicial referees.

IV. RSA 502-A:6-a, relative to relative to disability and retirement compensation for district court judges.

11 Contingent Implementation of Judicial Retirement Plan. The provisions of section 1 of this act establishing RSA 100-C relating to contributions by members, retirement benefits, and operation of the judicial retirement plan and sections 2, 3, 6, 8, 9, and 10 of this act shall be implemented and made applicable beginning on the latter of July 1, 2004 or 180 days after the date that the board of trustees established in RSA 100-C certifies to the joint legislative fiscal committee of the judicial retirement plan's receipt of a favorable determination letter from the Internal Revenue Service as to the tax qualified status of the plan under section 401(a) of the Internal Revenue Code of 1986 as amended. Such date shall be the date of implementation of the judicial retirement plan. The provisions of RSA 100-C:11 for the appointment of the board and the administration of the duties and responsibilities of the board may begin on the effective date of this act.

12 Effective Date. This act shall take effect July 1, 2003.

## **2003-1937s**

### **AMENDED ANALYSIS**

This bill establishes a contributory defined benefit judicial retirement plan and repeals statutory provisions currently determining retirement salaries and benefits of supreme court, superior court, district court, and probate court judges.

The bill increases the salaries of judges upon the effective date of the contributory judicial retirement plan.

This bill makes a capital appropriation for the purposes of this bill.

**Floor amendment adopted.**

**Sen. Gatsas, Dist. 16**

**June 5, 2003**

**2003-2023s**

**10/04**

### **Floor Amendment to HB 671-FN-A**

Amend the bill by replacing section 9 with the following:

9 Bonds Authorized. To provide funds for the appropriation made in section 8 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$42,800,00 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state. The bonds shall have a term not later than 30 years from the date of issue.

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**SUSPENSION OF THE RULES**

Senator Clegg moved that the rules of the Senate be so far suspended and that **HB 671-FN-A** be ordered to third reading in the early session and passed at this time.

**Adopted by the necessary 2/3 vote.**

**HB 733-FN**, relative to drivers' licenses held by members of the national guard or military reserve. Finance Committee. Ought to pass with amendment, Vote 8-0. Senator Green for the committee.

**Senate Finance**

**June 3, 2003**

**2003-1981s**

**01/09**

**Amendment to HB 733-FN**

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

AN ACT relative to driver's license fees for national guard members.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Driver's License Fees; National Guard Members. Amend RSA 263:42 by inserting after paragraph III the following new paragraph:

III-a. Any person who, at the time of application or renewal, is a member of the national guard, shall be entitled to have the applicable fee reduced by  $\frac{1}{2}$ . To qualify for the fee reduction, the person shall provide satisfactory proof of national guard membership at the time of application or renewal.

**2003-1981s**

**AMENDED ANALYSIS**

This bill entitles national guard members to have their driver's license application and renewal fees reduced by  $\frac{1}{2}$ .

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**SUSPENSION OF THE RULES**

Senator Clegg moved that the rules of the Senate be so far suspended and that **HB 733-FN** be ordered to third reading in the early session and passed at this time.

**Adopted by the necessary 2/3 vote.**

**HB 751-FN-L**, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants. Finance Committee. Ought to Pass, Vote 7-0. Senator Boyce for the committee.

**Adopted.**

**SUSPENSION OF THE RULES**

Senator Clegg moved that the rules of the Senate be so far suspended and that **HB 751-FN-L** be ordered to third reading in the early session and passed at this time.

**Adopted by the necessary 2/3 vote.**

**HB 787-FN-A**, relative to forest products promotion, establishing a forest products utilization charge, and requiring the department of resources and economic development to convene a task force. Finance Committee. Ought to pass with amendment, Vote 7-1. Senator Odell for the committee.

**Senate Finance**

**June 3, 2003**

**2003-1974s**

**03/04**

**Amendment to HB 787-FN-A**

Amend subparagraphs I(d)-(e) of section 6 of the bill by replacing them with the following:

(d) A statement of the fuel required to be combusted at the eligible facility under any agreements associated with the termination of its rate order and copies of all such agreements;



(e) Adequate credit security to ensure payment of any payments required pursuant to paragraph II of section 7 of this act and section 9 of this act; and

(f) A statement that, assuming continual operation at the kilowatt-hour limit, the eligible facility will pay a minimum price of \$18 per ton of whole tree chips, 50 percent moisture content, delivered for wood fuel purchases.

Amend subparagraph I(d) of section 7 of the bill by replacing it with the following:

(d) A statement that the fuel burned during the production period complies with all agreements the eligible facility may have on such fuel composition and a quantification of such fuel amounts. With each statement submitted, the eligible facility shall submit a certification documenting that at least 95 percent of the wood combusted and attributable to eligible kilowatt-hours during the period was obtained from businesses or individuals engaged in logging, processing, or transporting timber, stumpage, or sawmills in this state or sawmills processing stumpage from New Hampshire and of that 95 percent at least 75 percent shall be from in-state stumpage.

**Amendment adopted.**

Senator Gallus offered a floor amendment.

**Sen. Gallus, Dist. 1**

**June 5, 2003**

**2003-2008s**

**03/04**

**Floor Amendment to HB 787-FN-A**

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

VIII. "Forest products utilization rate" means \$0.06 per kilowatt-hour, unless adjusted by the commission or the department under section 8 of this act.

Amend the bill by replacing sections 5 and 6 with the following:

5 Forest Products Utilization Program. There is hereby established a forest products utilization program in which eligible facilities may be voluntarily enrolled. The term of enrollment shall be through midnight, December 31, 2006, unless earlier terminated pursuant to paragraph IV of section 8 of this act. Eligibility verification by the department and acceptance by signature under section 6 of this act shall be a legally enforceable obligation upon both the department and the participant for the foregoing term to abide by the provisions of sections 4-10 of this act and the terms of the enrollment approval document, to the extent the enrollment approval document is in conformance with sections 4-10 of this act. An eligible facility may terminate its participation in the forest products utilization program at any time by providing written notice to the commission and the department.

**6 Enrollment.**

I. An owner of an eligible facility, or the owner's agent or designee, may apply to the department to enroll the eligible facility in the forest products utilization program by providing, to the satisfaction of the department, the following information:

(a) A statement of the eligibility of the facility, as determined solely by the definition of eligible facility under paragraph VI of section 4 of this act;

(b) The billing cycle and associated production periods of the eligible facility;

(c) The capacity rating, kilowatt-hour limit, and the kilowatt-hour production requirements of any privately-negotiated legal obligation existing on December 31, 2001, or then existing and later amended, including a copy of such, to be used to compute the eligible kilowatt-hours for the eligible facility;

(d) A statement of the fuel required to be combusted at the eligible facility under any agreements associated with the termination of its rate order and copies of all such agreements; and

(e) Adequate credit security to ensure payment of any payments required pursuant to paragraph II of section 7 of this act and section 9 of this act.

II. The department shall expeditiously verify the eligibility of the facility based on the definition of eligible facility under paragraph VI of section 4 of this act. If eligibility cannot be verified, the department shall expeditiously notify the applicant in writing and provide a reasonable opportunity for the facility to respond to the department's determination or remedy the basis of any such determination. If eligibility is verified, the department shall expeditiously issue an enrollment approval document for signature on behalf of the eligible facility that details the following:

- (a) The enrollment period is through midnight, December 31, 2006, unless earlier terminated pursuant to paragraph IV of section 8 of this act;
- (b) The billing cycle and the associated production periods to be used;
- (c) The composition of the fuel to be burned based on any agreements the applicant was required to submit under subparagraph I(d), or as modified due to termination, modification, or expiration of an agreement;
- (d) The method by which eligible kilowatt-hours and the average rate shall be calculated in accordance with this act;
- (e) Documentation requirements for payment submittals; and
- (f) Any required credit security measures.

III. Enrollment in the program shall commence upon receipt by the department of the document signed on behalf of the eligible facility. The document shall become void if not returned to the department within 30 days of issuance, unless an extension is granted by the department. The department shall forward a copy of the signed document to the commission within 3 days of receipt.

IV. Subparagraphs I(e) and II(f) of this section, subparagraph I(d)(2) of section 7, paragraphs I-V of section 8, and paragraph II of section 9 shall not apply to any eligible facility that certifies to the department and the commission that:

- (a) Assuming continual operation at the kilowatt-hour limit, the eligible facility will pay a minimum price of \$18 per ton of whole tree chips, 50 percent moisture content, delivered for wood fuel purchases;
- (b) On an annual basis, at least 95 percent of the wood combusted and attributable to eligible kilowatt-hours during the period will be obtained from businesses or individuals engaged in logging, processing, or transporting timber, stumpage, or sawmills in this state or sawmills processing stumpage from New Hampshire and of that 95 percent at least 75 percent shall be from in-state stumpage;
- (c) The eligible facility will provide the notice required by paragraph I of section 9;
- (d) Staffing levels at the eligible facility will not increase over those for calendar year 2002, except for the addition of a fuel handler position and the reestablishment of a team leader position; and
- (e) The eligible facility or its corporate parent has entered a written guarantee of the payment of real property taxes to the municipality in which the eligible facility is located, at least through calendar year 2006.

V. The accuracy of a paragraph IV certification shall be verified by an independent auditor, selected by and paid for by the eligible facility and acceptable to the commission. The independent auditor shall maintain the confidentiality of the eligible facility's data and records pertaining to the certification and shall file a report on the accuracy of the certification twice per year with the commission and the department. If the report identifies any noncompliance by the eligible facility with the paragraph IV certification, the commission may commence an investigative proceeding and the commission, after notice and hearing, may issue an order directing compliance. If the commission issues an order directing compliance, the commission shall notify the department of the order and any subsequent compliance.

Amend subparagraph I(d) of section 7 the bill by replacing it with the following:

- (d)(1) A statement that the fuel burned during the production period complies with all agreements the eligible facility may have on such fuel composition and a quantification of such fuel amounts.
- (2) With each statement submitted, the eligible facility shall submit a certification documenting that at least 85 percent of the wood combusted and attributable to eligible kilowatt-hours during the period was obtained from suppliers, procurers, or sources located in this state.

Amend section 8 of the bill by inserting after paragraph V the following new paragraph:

VI. If the eligible facility has provided the certification set forth in paragraph IV of section 6, the department, on each anniversary date of enrollment, shall increase the forest products utilization rate by the rate of change in the consumer price index for northeast consumers published by the Bureau of Labor Statistics, United States Department of Labor. If, on the anniversary date, the eligible facility is subject to an order directing compliance under paragraph V of section 6, the increase shall not take effect until the commission notifies the department that the eligible facility is in compliance.

Amend the bill by replacing section 9 with the following:

## 9 Review of Sales Revenue.

I. The eligible facility shall provide written notice to its suppliers and procurers to seek to obtain such supply from in-state locations, where it can be done so in a commercially reasonable manner.

II. A participant shall, within reasonable and prudent business practices, maximize sales revenue for eligible kilowatt-hours produced during the term of enrollment. The commission may from time to time, up until 4 months after a participant's enrollment in the program ends, review the participant's sales revenue to determine compliance with this requirement. If the commission determines that a participant has not complied, the commission shall notify the department and shall require the participant to repay to the department any amount received in excess of the amount that would have been received had sales revenue been appropriately maximized. The participant shall make such repayment to the department in equal monthly installments over a period of 12 months, beginning on the date 15 days after the commission's determination. In any review before the commission under this paragraph, the participant shall be subject to the same requirements that a public utility is subject to in a similar review before the commission.

Amend paragraphs III and IV of section 10 the bill by replacing them with the following:

III. Each public utility having a system benefits charge, including any public utility where authorization for such charges arises at any time during the existence of the program created under section 5 of this act shall pay to the department, by the 15th of each month for deposit in the fund, \$0.00018 per kilowatt-hour distributed to its customers in the prior month; payments shall be made for all electricity distributed by the utility for the period that any eligible facility is enrolled in the program. Notwithstanding any other provision of law, the commission shall allow any such public utility to be reimbursed through that portion of revenues collected from its existing system benefits charge and allocated to energy efficiency programs by the commission.

IV. Each public utility not having a system benefits charge and each municipal electric system furnishing electric utility service shall assess a charge on the utility bill of their customers in the amount of \$0.00018 per kilowatt-hour distributed to its customers during the period that any eligible facility is enrolled in the program created under section 5 of this act or until such time as a system benefits charge is authorized for the public utility. The public utility or municipal electric system shall collect such charge and forward the revenue to the department for deposit in the fund.

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

### **SUSPENSION OF THE RULES**

Senator Clegg moved that the rules of the Senate be so far suspended and that **HB 787-FN-A** be ordered to third reading in the early session and passed at this time.

**Adopted by the necessary 2/3 vote.**

**HB 135-FN-L**, relative to charter schools. Finance Committee. Ought to pass with amendment, Vote 5-2. Senator Green for the committee.

### **Senate Finance**

**June 3, 2003**

**2003-1972s**

**04/09**

### **Amendment to HB 135-FN-LOCAL**

Amend RSA 194-B:11, I as inserted by section 2 of the bill by replacing it with the following:

I. There shall be no tuition charge for any pupil attending an open enrollment or charter conversion school located in that pupil's resident district. Funding limitations in this chapter shall not be applicable to charter conversion or open enrollment schools located in a pupil's resident district. For any other charter or open enrollment school **authorized by the school district**, the pupil's resident district shall pay to such school an amount equal to not less than 80 percent of that district's average cost per pupil as determined by the department of education using the most recent available data as reported by the district to the department. **For any charter school authorized by the state board of education, the pupil's resident district shall pay tuition beginning July 1, 2004 and every fiscal year thereafter; in an amount per pupil equal to the amount determined in RSA 198:40, I.** Tuition amounts shall be prorated on a per diem basis for pupils attending a school for less than a full school year. To the extent permitted by law, ~~[funding for a pupil attending a charter or open enrollment school shall be paid on the same time schedule as the resident district.]~~ **tuition payments shall coincide with the distribution of adequacy grants under RSA 198:42** or on such other terms as ~~[the school and the funding source may find]~~ **are** mutually acceptable.



Amend RSA 194-B:11, XII as inserted by section 3 of the bill by replacing it with the following:

XII. Any money appropriated in the budget for matching charter school grants that remains unused after the department of education issues matching grants to eligible recipients under paragraph XI shall be used to provide a one-year transitional grant to public school districts that have lost pupils as a result of the establishment of a charter school, and have paid tuition to the charter school in cash pursuant to subparagraph IX(a). For the first year in which a public school pupil leaves the public school and enrolls in a charter school, the school district that loses the pupil shall be eligible for a charter school transitional grant ***beginning July 1, 2004 and every fiscal year thereafter, in an amount per pupil equal to the amount determined in RSA 198:40, I.*** Such transitional grants shall be administered by the state board of education which shall have the authority to determine eligibility and the amount of money to be awarded to school districts under this section, subject to the amount appropriated in the budget.

Amend the bill by inserting after section 7 the following and renumbering the original section 8 to read as 9:

8 Charter Schools; Employees. Amend RSA 194-B:14, III to read as follows:

III. A ***public*** charter school may choose to participate in the state teacher retirement system, and service in a ***public*** charter school shall be deemed creditable service under RSA 100-A:4.

**Amendment adopted.**

Senator O'Hearn offered a floor amendment.

**Sen. O'Hearn, Dist. 12**

**June 5, 2003**

**2003-2021s**

**04/05**

#### **Floor Amendment to HB 135-FN-LOCAL**

Amend RSA 194-B:3-a, II as inserted by section 1 of the bill by replacing it with the following:

II. The proposed charter school application shall be presented for approval directly to the state board of education by the applicant for the prospective charter school. The content of such application shall conform to the requirements set forth in RSA 194-B:3, II(a)-(bb). The department of education shall notify an applicant of any missing information within 10 days of the initial filing or by June 30, whichever is earlier. The applicant shall have until July 15 to refile an application.

Amend RSA 194-B:11 as inserted by section 3 of the bill by deleting paragraph X and renumbering the original paragraphs XI-XII to read as paragraphs X-XI respectively.

**2003-2021s**

#### **AMENDED ANALYSIS**

This bill establishes a 10-year pilot program for the approval of up to 20 charter schools by the state board of education and creates certain exemptions from existing law relative to the approval process, while subjecting charter schools approved by the state board of education to the same oversight and reporting requirements found in the existing charter school laws. The bill provides that funding for charter schools shall be through reimbursement anticipation notes or cash tuition payments directly payable to the charter school, and establishes a state matching grant program for charter schools. The bill also provides that a charter school shall be considered to be a public charter school.

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 468**, relative to enforcement of labor protection statutes. Insurance Committee. Inexpedient to Legislate, Vote 5-0. Senator Prescott for the committee.

**Committee report of inexpedient to legislate is adopted.**

**HB 470**, relative to health insurance providers. Insurance Committee. Ought to pass with amendment, Vote 5-0. Senator Flanders for the committee.

**Senate Insurance**  
**May 27, 2003**  
**2003-1829s**  
**09/01**

**Amendment to HB 470**

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

AN ACT relative to health insurance providers and establishing a committee to study current insurance market trends and insurance carrier non-payment discrimination.

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

2 Nondiscrimination Among Health Care Providers. Amend RSA 420-J:4, VI to read as follows:

VI. **(a)** Nothing in this section shall be construed to require a health carrier to select a health care professional as a participating provider solely because the health care professional meets the health carrier's credentialing verification standards, or to prevent a health carrier from utilizing separate or additional criteria in selecting the health care professionals with whom it contracts.

***(b) The fact that a health carrier does not include in its network any hospital with which a health care professional holds privileges shall not be grounds to refuse to select a health care professional as a participating provider.***

3 Committee Established. There is established a committee to study current insurance market trends and insurance carrier non-payment discrimination.

4 Membership and Compensation.

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

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

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

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

5 Duties. The committee shall study current insurance market trends and insurance carrier non-payment discrimination. The committee shall study issues related to:

(a) The effect of lack of competition in the New Hampshire small group health insurance market.

(b) New Hampshire health insurance price trends relative to other states.

(c) Fairness in physician contracting, including whether statewide payment schedules utilized by major insurance companies are affecting access to specialty providers and access to health care in rural areas of the state.

(d) Profitability of major insurers in New Hampshire.

(e) The effect of insurance carrier non-payment discrimination and the impact of legislation eliminating non-payment discrimination.

(f) Any other issues relating to willing provider policies.

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

7 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, 2003.

8 Effective Date.

I. Section 1 of this act shall take effect January 1, 2004.

II. The remainder of this act shall take effect upon its passage.

**2003-1829s****AMENDED ANALYSIS**

The bill requires health insurers to keep a provider's personal information confidential.

This bill states that the fact that a health carrier does not include in its network a hospital with which a health care professional holds privileges is not grounds to refuse to select such health care professional as a participating provider.

The bill also establishes a committee to study current insurance market trends and insurance carrier non-payment discrimination.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 546**, relative to uniform prescription drug information cards. Insurance Committee. Ought to pass with amendment, Vote 5-0. Senator Martel for the committee.

**Insurance****May 27, 2003****2003-1826s****01/10****Amendment to HB 546**

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

AN ACT relative to uniform prescription drug information cards and relative to nurses possessing and administering prescription drugs.

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

6 Possessing Prescription Drugs. Amend RSA 318:42, XI to read as follows:

XI. A ~~[licensed-registered]~~ nurse ***licensed under RSA 326-B*** who is an employee of a home health care or hospice agency licensed pursuant to RSA 151:2, and who ~~[is licensed by the board of nursing as a registered nurse]~~ ***is acting in the course of his or her employment***, from possessing~~[- in the course of employment;]~~ such noncontrolled prescription drugs as are approved by the board of nursing and agreed upon jointly by the board of registration in medicine and the pharmacy board and~~[- in the course of such employment;]~~ from administering such preapproved noncontrolled prescription drugs according to written protocols approved annually by such employer's professional advisory committee which includes a physician licensed by the board of registration in medicine.

**2003-1826s****AMENDED ANALYSIS**

This bill requires that insurers providing coverage for prescription drugs issue to their enrollees a card or other similar item containing uniform prescription drug information.

This bill also clarifies the procedure for licensed nurses to possess and administer prescription drugs.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 776**, relative to emergency medical care for pregnant women. Insurance Committee. Inexpedient to Legislate, Vote 5-0. Senator Prescott for the committee.

**MOTION TO TABLE**

Senator Prescott move **HB 776** be laid on the table.

**Adopted.**

**LAID ON THE TABLE**

**HB 776**, relative to emergency medical care for pregnant women.

**Senator Boyce is in favor of the tabling motion on HB 776.**

**HB 242**, relative to the number of members on, and quorum necessary for, the assessing standards board. Internal Affairs Committee. Ought to pass with amendment, Vote 4-0. Senator Boyce for the committee.

**Internal Affairs**

**May 28, 2003**

**2003-1854s**

**08/09**

**Amendment to HB 242**

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

1 Assessing Standards Board. Amend RSA 21-J:14-a, II(e) to read as follows:

(e) Three members of the public appointed by the governor with the consent of the council, ***none of whom shall be an assessor nor a public official.***

2 New Subparagraph; Assessing Standards Board; Additional Members. Amend RSA 21-J:14-a, II by inserting after subparagraph (e) the following new subparagraph:

(f) Three members appointed by the governor with the consent of council, one of whom shall be a municipal official for a town with a population of less than 5,000; one of whom shall be a municipal official for a town with a population of more than 5,000; and one of whom shall be a municipal official for a city. Each member shall hold office for the term of such member's position for 2 years and until a successor shall have been appointed and qualified. Any vacancy shall be filled for the unexpired term by the governor with the consent of the council.

3 Assessing Standards Board; Powers and Duties. Amend RSA 21-J:14-b, II to read as follows:

II. All standards and practices developed or identified by the board, pursuant to this section, shall be reviewed and updated annually. The board shall hold a series of at least 3 public forums annually throughout the state to receive general comment through verbal and written testimony on assessing standards and practices. ***A quorum of the board shall not be required to hold such public forums.*** After the public forums are concluded and the board has made its recommended changes, in accordance with paragraph III, the board shall proceed to adopt any proposed rules.

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

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HCR 9**, urging the President and the Joint Chiefs of Staff to abandon the Total Information Awareness Initiative. Interstate Cooperation Committee. Ought to Pass, Vote 2-0. Senator Clegg for the committee.

**MOTION TO TABLE**

Senator Clegg moved to have **HCR 9** laid on the table.

**Adopted.**

**LAID ON THE TABLE**

**HCR 9**, urging the President and the Joint Chiefs of Staff to abandon the Total Information Awareness Initiative.

**HB 167**, relative to complaints against judges. Judiciary Committee. Re-refer to committee, Vote 5-0. Senator Roberge for the committee.

**Committee report of re-referred is adopted.**

**HB 175**, relative to membership of attorneys in the New Hampshire Bar Association and lobbying by the Bar Association. Judiciary Committee. Ought to pass with amendment, Vote 3-2. Senator Clegg for the committee.

**Senate Judiciary**  
**May 29, 2003**  
**2003-1901s**  
**10/09**

**Amendment to HB 175**

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

1 State Bar Association Membership Vote Required. The board of governors of the New Hampshire Bar Association, at the first election of officers following the effective date of this section, shall place on the ballot with the election of officers of the Association, the following question: "Shall membership in the New Hampshire Bar Association be required for all attorneys licensed to practice in this state?"

2 New Subdivision; State Bar Association. Amend RSA 311 by inserting after section 7-f the following new subdivision:

**State Bar Association**

**311:7-g Bar Association Legislative Activities.**

I. The New Hampshire Bar Association, if membership is mandatory for attorneys, shall be prohibited from using any part of dues paid by its members for the purpose of lobbying or influencing the general court on any matter.

II. If membership in the New Hampshire Bar Association is mandatory for attorneys, no person shall be permitted to engage in legislative activities on behalf of the New Hampshire Bar Association for the purpose of lobbying or influencing the general court on any matter.

III. Nothing in the section shall prevent officers and members of the Bar Association from appearing before the general court to express their views as individuals, as members of voluntary associations, or as representatives of clients, or from being elected and serving as members of the general court.

IV. Any member of the New Hampshire Bar Association, if membership is mandatory for attorneys, may refuse to pay that portion of the Bar Association dues that are used for political purposes.

311:7-h Severability. If any provision of this subdivision or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provisions or application, and to this end the provisions of this subdivision are severable.

3 Effective Date. This act shall take effect July 1, 2003.

**2003-1901s**

**AMENDED ANALYSIS**

This bill requires a vote by licensed attorneys on the requirement for mandatory membership in the New Hampshire Bar Association. The bill also defines when the New Hampshire Bar Association may lobby the general court.

**Amendment adopted.**

Senator Foster offered a floor amendment.

**Sen. Foster, Dist. 13**  
**Sen. Peterson, Dist. 11**  
**June 4, 2003**  
**2003-1986s**  
**10/01**

**Floor Amendment to HB 175**

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

1 State Bar Association Membership Vote Required. The board of governors of the New Hampshire Bar Association, at the first election of officers following the effective date of this section, shall place on the ballot with the election of officers of the Association, the following question: "Shall membership in the New Hampshire Bar Association be required for all attorneys licensed to practice in this state?"



2 New Subdivision; State Bar Association. Amend RSA 311 by inserting after section 7-f the following new subdivision:

State Bar Association

311:7-g Bar Association Legislative Activities.

I. If membership in the New Hampshire Bar Association is mandatory for attorneys, the Association shall conduct any legislative lobbying activities in accordance with its by-laws, the constitution, and applicable judicial decisions.

II. Nothing in the section shall prevent officers and members of the Bar Association from appearing before the general court to express their views as individuals, as members of voluntary associations, or as representatives of clients, or from being elected and serving as members of the general court.

III. Any member of the New Hampshire Bar Association, if membership is mandatory for attorneys, may refuse to pay that portion of the Bar Association dues that are used for political purposes.

311:7-h Severability. If any provision of this subdivision or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provisions or application, and to this end the provisions of this subdivision are severable.

3 Effective Date. This act shall take effect July 1, 2003.

**2003-1986s**

AMENDED ANALYSIS

This bill requires a vote by licensed attorneys on the requirement for mandatory membership in the New Hampshire Bar Association. The bill also defines when the New Hampshire Bar Association may lobby the general court.

**Question is on the adoption of the floor amendment.**

**A roll call was requested by Senator Clegg.**

**Seconded by Senator Green.**

**The following Senators voted Yes: Below, Peterson, O'Hearn, Foster, Larsen, D'Allesandro, Estabrook, Cohen.**

**The following Senators voted No: Gallus, Johnson, Kenney, Boyce, Green, Flanders, Odell, Roberge, Clegg, Gatsas, Barnes, Martel, Sapareto, Morse, Prescott.**

**Yeas: 8 - Nays: 15**

**Floor amendment failed.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 178**, relative to detention for violations of protective orders. Judiciary Committee. Ought to Pass, Vote 5-0. Senator Roberge for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 204**, relative to venue in juvenile proceedings. Judiciary Committee. Ought to pass with amendment, Vote 5-0. Senator Clegg for the committee.

**Senate Judiciary**

**May 28, 2003**

**2003-1847s**

**04/05**

**Amendment to HB 204**

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

2 Delinquent Children; Petition. Amend RSA 169-B:6, I to read as follows:

I. Any person may file a petition, alleging the delinquency of a minor, with a judge or clerk of the court in the judicial district in which the minor is found or resides *or where the offense is alleged to have occurred*. The petition shall be in writing and verified under oath.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 205**, relative to the use of criminal records and reports. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Roberge for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 245**, relative to child custody decisions. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Foster for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 248**, requiring the disclosure of information to victims in juvenile delinquency cases. Judiciary Committee. Ought to pass with amendment, Vote 4-0. Senator Clegg for the committee.

**Senate Judiciary**

**May 29, 2003**

**2003-1877s**

**05/09**

#### **Amendment to HB 248**

Amend RSA 169-B:34, III as inserted by section 1 of the bill by replacing it with the following:

III.~~(a)~~ At any time after the ~~[arrest]~~ ***diversion or arraignment*** of a juvenile ~~[or the service of a juvenile petition]~~, the following information regarding the juvenile ~~[may]~~ ***shall*** be disclosed to the victim, upon the victim's request, by a law enforcement agency or the prosecution:

- (1) Name.
- (2) Age.
- (3) Address.
- (4) Gender.
- (5) Offense charged.
- (6) Custody status.
- (7) Adjudicatory status and disposition.***

~~[(b) The information under subparagraph (a) shall not be unreasonably withheld.]~~

**Amendment adopted.**

Senator Peterson offered a floor amendment.

**Sen. Peterson, Dist. 11**

**June 4, 2003**

**2003-1999s**

**05/09**

#### **Floor Amendment to HB 248**

Amend the bill by replacing section 1 with the following:

1 Delinquent Children; Court Sessions; Access to Information; Disclosure to Victim. Amend RSA 169-B:34, III and IV to read as follows:

III. ~~[(a)]~~ At any time after the ~~[arrest]~~ ***diversion or arraignment*** of a juvenile ~~[or the service of a juvenile petition]~~, the following information regarding the juvenile ~~[may]~~ ***shall*** be disclosed to the victim, ***and may be disclosed to the victim's immediate family***, upon the ~~[victim's]~~ request ***of the victim or the victim's immediate family***, by a law enforcement agency or the prosecution:

- (1) Name.
- (2) Age.
- (3) Address.
- (4) Gender.
- (5) Offense charged.
- (6) Custody status.

***(7) Adjudicatory status and disposition.***

~~[(b) The information under subparagraph (a) shall not be unreasonably withheld.]~~

IV. It shall be unlawful for a victim ***or any member of the victim's immediate family*** to disclose any confidential information to any person not authorized or entitled to access such confidential information. Any person who knowingly discloses such confidential information shall be guilty of a misdemeanor.

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 296**, relative to settlement agreements in medical malpractice suits. Judiciary Committee. Ought to Pass, Vote 3-0. Senator Roberge for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 298**, relative to physical child custody decisions. Judiciary Committee. Inexpedient to Legislate, Vote 4-0. Senator Peterson for the committee.

**Committee report of inexpedient to legislate is adopted.**

**HB 299**, removing judicial discretion to order a divorced parent to contribute to an adult child's college expenses. Judiciary Committee. Re-refer to committee, Vote 4-0. Senator Clegg for the committee.

**Committee report of re-referred is adopted.**

**HB 323**, relative to the task force on family law. Judiciary Committee. Ought to pass with amendment, Vote 4-0. Senator Clegg for the committee.

**Senate Judiciary**

**May 29, 2003**

**2003-1878s**

**05/09**

**Amendment to HB 323**

Amend RSA 2002, 250:3, II as inserted by section 1 of the bill by replacing it with the following:

II. Submit a ~~[final]~~ ***preliminary*** report 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, 2003, ***and submit a final report on or before November 1, 2004***. The final report shall outline the findings and recommendations of the task force.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 384**, relative to financial affidavits in domestic relations cases. Judiciary Committee. Re-refer to committee, Vote 3-0. Senator Peterson for the committee.

**Committee report of re-referred is adopted.**

**Senator Foster Rule #42 on HB 384.**

**HB 415**, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors and relative to the exclusive authority of the state over the regulation of firearms, ammunition, and components thereof. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Sapareto for the committee.

Senator Foster offered a floor amendment.

**Sen. Foster, Dist. 13**

**Sen. Clegg, Dist. 14**

**June 5, 2003**

**2003-2019s**

**04/09**

**Floor Amendment to HB 415**

Amend RSA 159:26, I-II as inserted by section 2 of the bill by replacing it with the following:

I. To the extent consistent with federal law, the state of New Hampshire shall have authority and jurisdiction over the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearms components, ammunition, or firearms supplies in the state. Except as otherwise specifically provided by statute, no ordinance or regulation of a political subdivision may regulate the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearms components, ammunition, or firearms supplies in the state. Nothing in this section shall be construed as affecting a political subdivision's right to adopt zoning ordinances for the purpose of regulating firearms businesses in the same manner as other businesses or altering a political subdivision's authority to regulate hunting on its property pursuant to RSA 207:59.

II. Upon the effective date of this section, all municipal ordinances and regulations not authorized under paragraph I relative to the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearm components, ammunition, or firearms supplies shall be null and void.

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**A roll call was requested by Senator Green.**

**Seconded by Senator Barnes.**

**The following Senators voted Yes: Gallus, Johnson, Kenney, Boyce, Below, Green, Flanders, Odell, Roberge, Peterson, O'Hearn, Foster, Clegg, Gatsas, Barnes, Martel, Sapareto, D'Allesandro, Estabrook, Morse, Prescott, Cohen.**

**The following Senators voted No: Larsen.**

**Yeas: 22 - Nays: 1**

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 447**, limiting retroactive child support awards under the uniform act on paternity. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Foster for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 486**, relative to access to child support enforcement records. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Foster for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 495**, relative to unauthorized access to a wireless computer network. Judiciary Committee. Inexpedient to Legislate, Vote 5-0. Senator Foster for the committee.

**MOTION TO TABLE**

Senator Foster moved to have **HB 495** laid on the table.

**Adopted**

**LAIID ON THE TABLE**

**HB 495**, relative to unauthorized access to a wireless computer network.

**HB 749**, relative to the description in a criminal complaint of the party accused. Judiciary Committee. Re-refer to committee, Vote 4-0. Senator Peterson for the committee.

**Committee report of re-referred is adopted.**

**HB 509**, relative to access to motor vehicle records. Transportation Committee. Ought to pass with amendment, Vote 3-0. Senator Kenney for the committee.

**Senate Transportation**

**May 29, 2003**

**2003-1859s**

**03/01**

**Amendment to HB 509**

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

1 Motor Vehicle Records; Access by Insurance Companies. Amend RSA 260:14, IV(a)(2) to read as follows:

(2) Insurance companies authorized to write automobile ***and personal excess liability*** insurance policies [~~in this state~~], or by self-insured entities, or their authorized agents, for use in connection with claims investigation activities, anti-fraud activities, rating, or underwriting.

2 Motor Vehicle Records; Access by Life Insurance Companies. Amend RSA 260:14, V(a)(10) to read as follows:

(10) For use by life insurance companies authorized to write life insurance policies [~~in this state~~], or their authorized agents, on a case-by-case basis, [~~and upon representation by the company or authorized agent, on a form satisfactory to the department, that the named person's written consent to the release of the record has been obtained and that the record will be used solely~~] in connection with claims investigation, rating, and underwriting.

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

**2003-1859s**

**AMENDED ANALYSIS**

This bill gives personal excess liability insurance companies the same access to motor vehicle records that is given to automobile insurance companies. This bill also modifies other provisions relating to the release of motor vehicle records.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 107**, relative to bingo. Ways and Means Committee. Re-refer to committee, Vote 5-0. Senator D'Allesandro for the committee.

**Committee report of re-referred is adopted.**

**HB 108**, relative to the adoption of an optional veterans' property tax credit. Ways and Means Committee. Re-refer to committee, Vote 5-0. Senator Odell for the committee.

**Committee report of re-referred is adopted.**

**HB 173**, making technical corrections relative to the exception from the meals and rooms tax for gratuities. Ways and Means Committee. Ought to pass with amendment, Vote 5-0. Senator Clegg for the committee.



**Senate Ways and Means**  
**May 28, 2003**  
**2003-1845s**  
**09/01**

**Amendment to HB 173**

Amend RSA 78-A:6-a, II as inserted by section 1 of the bill by replacing it with the following:

II. Gratuity charges added to the charge for a taxable meal or taxable room shall not be taxed under this chapter if:

(a) The gratuity is not used by the operator in lieu of the tipped employee minimum wage requirements of RSA 279:21, or as a pool from which bonuses are paid to managerial personnel;

(b) The gratuity is paid to the service personnel providing the service for which the gratuity is charged;

(c) The amount of the gratuity does not exceed 18 percent of the charge for the taxable meal and/or rent imposed on each occupancy;

(d) The gratuity exceeds the percentage specified in subparagraph (c) and the amount is not separately stated, the exception from tax shall be limited to the percentage enumerated and the additional gratuity shall be subject to tax; and

(e) The payroll or other business records of the operator substantiate the distribution of the gratuity to the service employees as a payment that does not supplement wages or is not in lieu of wages.

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

2 Collection of Tax. Amend RSA 78-A:7, I to read as follows:

I. **(a)** The operator shall either state the amount of the tax to each occupant, purchaser of a meal, or renter, or state that the tax is included in the price of the occupancy, meal, or gross rental receipts received. ***If the amount of the gratuity is not separately stated, the purchaser's or occupant's contract or receipt shall include the following language:***

***"The 8 percent tax on meals and rooms is included for the costs of meals and lodging only."***

**(b)** The operator shall demand and collect the tax from the occupant, purchaser, or renter. The occupant, purchaser, or renter shall pay the tax to the operator. If the tax is included in the price of the meal, occupancy, or gross rental receipts received, upon request the operator shall state to the purchaser, occupant, or renter the amount of the tax.

**Amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 261**, relative to lucky 7 licenses. Ways and Means Committee. Ought to pass with amendment, Vote 5-0. Senator Boyce for the committee.

**Senate Ways and Means**  
**May 28, 2003**  
**2003-1855s**  
**08/09**

**Amendment to HB 261**

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

4 New Section; Payment to Distributor. Amend RSA 287-E by inserting after section 23 the following new section:

287-E:23-a Payment to Distributor. Licensees shall pay for purchased tickets no later than 30 days after delivery.

**2003-1855s****AMENDED ANALYSIS**

This bill allows the sweepstakes commission to issue lucky 7 licenses for up to one year.

This bill also requires payment of purchased tickets with 30 days of delivery.

**Amendment adopted.****Question is on the adoption of the bill as amended.****Adopted.****Ordered to third reading.**

**HB 262**, relative to operators of bingo and games of chance. Ways and Means Committee. Ought to pass with amendment, Vote 5-0. Senator Boyce for the committee.

**Senate Ways and Means****May 28, 2003****2003-1857s****08/09****Amendment to HB 262**

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

1 Operation of Games of Chance. Amend RSA 287-D:2-a, V(c) to read as follows:

(c) That neither the applicant nor any member of the charitable organization who will be participating in the operation of the games of chance has been convicted of ~~[any crime]~~ **a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court**, or has violated the statutes or rules governing charitable gambling.

2 Operation of Games of Chance. RSA 287-D:2-b, VI is amended to read as follows:

VI. No person who has been convicted of ~~[any criminal offense]~~ **a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court**, or who has violated any of the statutes or rules governing charitable gambling in the past in this or any other state shall operate a game of chance licensed under this chapter, or rent, lease, sublease, or otherwise provide any hall or game of chance paraphernalia for the conduct of games of chance licensed under this chapter.

3 License Applications. Amend RSA 287-E:5, V (c) to read as follows:

(c) That neither the applicant nor any member of the charitable organization who will be participating in the operation of the bingo games **and sale of lucky 7 tickets** has been convicted of ~~[any crime]~~ **a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court**, or has violated the statutes or rules governing charitable gambling.

4 Operation of Bingo Games and Sale of Lucky 7. Amend RSA 287-E:7, VI to read as follows:

VI. No person who has been convicted of ~~[any criminal offense]~~ **a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court**, or who has violated any of the statutes or rules governing charitable gambling in the past in this or any other state shall operate a bingo game **or participate in the sale of lucky 7 tickets** licensed under this chapter, or rent, lease, sublease, or otherwise provide any hall or bingo paraphernalia for the conduct of bingo licensed under this chapter.

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

**Amendment adopted.****Question is on the adoption of the bill as amended.****Adopted.****Ordered to third reading.**

**HB 424**, relative to a net asset qualification for the elderly property tax exemption, and clarifying certain references in property tax exemptions. Ways and Means Committee. Inexpedient to Legislate, Vote 5-0. Senator Gallus for the committee.

**MOTION TO TABLE**

Senator Gallus moved to have **HB 424** laid on the table.

**Adopted.**

**LAID ON THE TABLE**

**HB 424**, relative to a net asset qualification for the elderly property tax exemption, and clarifying certain references in property tax exemptions.

**HB 455**, relative to residency requirements for disabled persons applying for a tax deferral of property taxes. Ways and Means Committee. Inexpedient to Legislate, Vote 5-0. Senator Odell for the committee.

**MOTION TO TABLE**

Senator Odell moved to have **HB 455** laid on the table.

**Adopted.**

**LAID ON THE TABLE**

**HB 455**, relative to residency requirements for disabled persons applying for a tax deferral of property taxes.

**HB 466**, relative to the adoption procedure for property tax exemptions and credits. Ways and Means Committee. Inexpedient to Legislate, Vote 5-0. Senator Odell for the committee.

**MOTION TO TABLE**

Senator Odell moved to have **HB 466** laid on the table.

**Adopted.**

**LAID ON THE TABLE**

**HB 466**, relative to the adoption procedure for property tax exemptions and credits.

**HB 467**, allowing towns or cities to increase the property tax credit for service-connected total disability, and relative to the date for filing for exemptions and tax credits. Ways and Means Committee. Inexpedient to Legislate, Vote 5-0. Senator Gallus for the committee.

**MOTION TO TABLE**

Senator Gallus moved to have **HB 467** laid on the table.

**Adopted.**

**LAID ON THE TABLE**

**HB 467**, allowing towns or cities to increase the property tax credit for service-connected total disability, and relative to the date for filing for exemptions and tax credits.

**HB 558**, relative to financial reports on bingo and lucky 7 operations. Ways and Means Committee. Ought to pass with amendment, Vote 5-0. Senator Clegg for the committee.

**Senate Ways and Means**

**May 28, 2003**

**2003-1856s**

**08/09**

**Amendment to HB 558**

Amend the bill by replacing section 2 with the following:

2 New Subparagraph; Lucky 7; Financial Reports; Consultant Information. Amend RSA 287 E:24, III by inserting after subparagraph (d) the following new subparagraph:

(e) The name and address of, and the fee paid to, any person or business entity who provided consulting, accounting, management, or other similar services to the organization for the operation of lucky 7.

**Amendment adopted.**

**Sen. D'Allesandro, Dist 20**

**June 5, 2003**

**2003-2009s**

**08/01**

**Floor Amendment to HB 558**

Amend the bill by replacing sections 1 and 2 with the following:

1 New Subparagraph; Bingo; Financial Reports; Consultant Information. Amend RSA 287-E:9, III by inserting after subparagraph (e) the following new subparagraph:

(f) The name and address of, and the fee paid to, any person, or business entity, who provided consulting, accounting, management, or other similar services to the organization for the operation of bingo.

2 New Subparagraph; Lucky 7; Financial Reports; Consultant Information. Amend RSA 287-E:24, III by inserting after subparagraph (d) the following new subparagraph:

(e) The name and address of, and the fee paid to, any person, or business entity, who provided consulting, accounting, management, or other similar services to the organization for the operation of lucky 7.

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**HB 752**, relative to the distribution of business tax revenues to the education trust fund. Ways and Means Committee. Inexpedient to Legislate, Vote 5-0. Senator Boyce for the committee.

**Committee report of inexpedient to legislate is adopted.**

**HB 748**, making changes to the laws governing off highway recreational vehicles and the multi-use state-wide trail system. Wildlife and Recreation Committee. Ought to pass with amendment, Vote 4-0. Senator Sapareto for the committee.

**Wildlife and Recreation**

**May 28, 2003**

**2003-1858s**

**10/01**

**Amendment to HB 748**

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

AN ACT making changes to the laws governing off highway recreational vehicles and the multi-use state-wide trail system and allowing the department of safety to suspend or revoke a motor vehicle drivers' license for causing certain serious damage to property.

Amend the bill by replacing section 4 with the following:

4 Registration Fees; Department of Resources and Economic Development Funds; Land Purchase Account Amend RSA 215-A:23, VII(c) to read as follows:

(c) Land purchases, easements, [and] rights-of-way, **and new construction of trails**. A separate account shall be established into which \$2 of each resident trail bike and other OHRV registration fee appropriated for administration of the bureau under RSA 215-A:23, I(b) and \$2 of each nonresident trail bike and other OHRV registration fee appropriated for administration of the bureau under RSA 215-A:23, III(b) shall be deposited to be used only for land purchases, easements, [and] rights-of-way [for], **and direct costs attributed to the physical construction of** ATV or trail bike ~~[trail and facility development]~~ **trails**.

Amend the bill by replacing all after section 14 with the following:

15 New Paragraph; Definition Added; Youth Model Trail Bike. Amend RSA 215-A:1 by inserting after paragraph XIX the following new paragraph:

XX. "Youth model trail bike" means a trail bike that is equipped with an internal combustion engine with a maximum piston displacement of 95 cubic centimeters.

16 New Paragraph; Registration; Youth Model Trail Bike. Amend RSA 215-A:21 by inserting after paragraph II-b the following new paragraph:

II-c. Notwithstanding RSA 215-A:21, II, no registration shall be required for a youth model trail bike when the operator is under 12 years of age and accompanied by a person 18 years of age or older who holds a valid license to operate an OHRV.

17 Department of Safety; Authority to Suspend or Revoke Motor Vehicle License; Punctuation Changed. Amend RSA 263:56, I(g) and (h) to read as follows:

(g) Has by reckless or unlawful operation of motor vehicle caused or materially contributed to an accident resulting in death or injury to any other person or serious property damage; [or]

(h) Is a hazard to the public safety as evidenced by proper evidence or information received from a law enforcement agency of misconduct or misuse or abuse of driving privileges[-]; **or**

18 New Subparagraph; Department of Safety; Authority to Suspend or Revoke Motor Vehicle License. Amend RSA 263:56, I by inserting after subparagraph (h) the following new subparagraph:

(i) Has by reckless disregard or unlawful operation of a motor vehicle caused or materially contributed to serious damage to public or private property.

19 Repeal. RSA 215-A:19, VIII, relative to the refund of OHRV fines after completing a training program, is repealed.

20 Effective Date. This act shall take effect July 1, 2003.

## **2003-1858s**

### **AMENDED ANALYSIS**

This bill makes various changes to the laws governing off highway recreational vehicles and the statewide trail system.

The bill also allows the department of safety to suspend or revoke a motor vehicle drivers' license for reckless or illegal operation which causes certain serious damage to property.

### **Amendment adopted.**

Senator Sapareto offered a floor amendment.

**Sen. Sapareto, Dist 19**

**June 3, 2003**

**2003-1971s**

**10/01**

### **Floor Amendment to HB 748**

Amend the bill by deleting section 4 and renumbering the original sections 5-20 to read as 4-19, respectively.

### **Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

### **MOTION TO REMOVE FROM THE TABLE**

Senator Roberge moved to have **HB 461**, establishing a commission to study financial exploitation of the elderly and persons with disabilities, removed from the table.

**Adopted.**

**HB 461**, establishing a commission to study financial exploitation of the elderly and persons with disabilities.

**Question is on the committee report of ought to pass.**



Senator Roberge offered a floor amendment.

**Sen. Roberge, Dist. 9**

**June 5, 2003**

**2003-2024s**

**01/05**

**Floor Amendment to HB 461**

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

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

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**MOTION TO REMOVE FROM THE TABLE**

Senator O'Hearn moved to have **HB 336-L**, relative to the development and adoption of the school administrative unit budget, removed from the table.

**Adopted.**

**HB 336-L**, relative to the development and adoption of the school administrative unit budget.

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**MOTION TO REMOVE FROM THE TABLE**

Senator Martel moved to have **HB 709-FN**, relative to nursing homes in receivership, removed from the table.

**Adopted.**

**HB 709-FN**, relative to nursing homes in receivership.

**The question is on the adoption of floor amendment (#1849).**

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

**MOTION TO REMOVE FROM THE TABLE**

Senator Prescott moved to have **HB 79**, relative to the regulation of the installation and servicing of fire suppression systems, removed from the table.

**Adopted.**

**HB 79**, relative to the regulation of the installation and servicing of fire suppression systems.

**Question is on the committee report of re-referred.**

**Motion failed.**

Senator Prescott offered a floor amendment.

**Sen. Prescott, Dist. 23**

**June 4, 2003**

**2003-1992s**

**10/01**

**Floor Amendment to HB 79**

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

AN ACT relative to the regulation of water treatment equipment installers by the plumber's board.

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

1 New Paragraphs; Plumber's Board; Water Treatment System Installers. Amend RSA 329-A:2 by inserting after paragraph V the following new paragraphs:

VI. "Water treatment system" means any apparatus for treating or processing water to modify, enhance, or improve its quality or to meet a specific water quality need, desire, or standard, and the pipes, fittings, and other components servicing such apparatus.

VII. "Water treatment technician" means any person who installs, maintains, or repairs water treatment systems.

VIII. "Water treatment trainee" means any person who is engaged in learning about and assisting in installing, maintaining, or repairing water treatment systems under the direct supervision of a person licensed under this chapter .

2 Board; Membership. Amend RSA 329-A:3, I to read as follows:

I. There shall be a state board for the licensing and regulation of plumbers consisting of [5] 7 members: 2 master plumbers, one journeyman plumber, ***one water treatment technician who is neither a master plumber nor a journeyman plumber***, and [2] 3 public members, each to be appointed by the governor, with the approval of the council, to a term of 5 years. No member of the board shall be appointed to more than 2 consecutive terms. A member of the board shall serve as the board secretary.

3 Fees. Amend RSA 329-A:5-a to read as follows:

329-A:5-a Fees. The board shall establish fees for examination of applicants, for licensure and for renewal of licensure to practice under this chapter, and for transcribing and transferring records and other services. The fees established by the board shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board for the previous fiscal year. ***The fee for the annual renewal of licenses issued to persons or business entities licensed as water treatment technicians shall not be more than the fee for the annual renewal of licenses issued to journeyman plumbers.***

4 Examinations and Licenses. Amend RSA 329-A:7 to read as follows:

329-A:7 Examinations; Licenses. The board shall have authority to examine and license master plumbers, [and] journeyman plumbers, ***and water treatment technicians***. When issued, such license shall be valid throughout the state, and the licensee shall be entitled to perform the work of a master [or] ***plumber***; journeyman plumber, ***or water treatment technician***, as the case may be, anywhere within the state without any payment or additional fee. Each applicant for a license shall present to the secretary of the board on a blank furnished by the board a written application for license, containing such information as the board may require, accompanied by the required fee. Such examinations shall be held at such times and places as the board shall determine. The scope of such examinations and the methods of procedure shall be prescribed by the board, ***provided that the scope of examination of water treatment technicians shall be limited to the configuration and installation of water treatment systems and the provisions of this chapter and the rules adopted by the board that relate to water treatment systems.***

5 Licenses; Master Plumbers. Amend RSA 329-A:8 to read as follows:

329-A:8 Licenses; Master Plumbers. Any person who, having held a journeyman plumber's license for at least 6 months, shall, upon the payment of a fee established by the board, be entitled to an examination and, if found qualified by a majority of the board members, be licensed as a master plumber. A license issued under this section shall be publicly displayed at the licensee's principal place of business for as long as such business continues. Any person refused a license may be reexamined ~~[at any subsequent meeting of the board within one year of the time of the refusal without additional fee and thereafter may be examined]~~ as often as [he] ***such person*** may desire upon payment of a fee established by the board.

6 Licenses; Journeyman Plumbers. Amend RSA 329-A:9 to read as follows:

329-A:9 Licenses; Journeyman Plumbers. Any person who, having successfully completed his ***or her*** apprenticeship in plumbing, has received an official completion certificate from the organization conducting the program shall, upon payment of a fee established by the board, be entitled to examination and, if found qualified by a majority of the board members, be licensed as a journeyman plumber. A license issued under

this section shall be carried on the person licensed and displayed at any time upon request. Any journeyman plumber refused a license may be reexamined ~~[at any subsequent meeting of the board within one year of the time of the refusal without additional fee and thereafter may be examined]~~ as often as he *or she* may desire upon payment of a fee established by the board.

7 New Section; Examinations; Water Treatment Technicians. Amend RSA 329-A by inserting after section 9 the following new section:

329-A:9-a Licenses; Water Treatment Technicians. Any person who has acted as a water treatment trainee for a period of not less than one year shall, upon payment of a fee established by the board, be entitled to examination and, upon achieving the passing score on the examination, be licensed as a water treatment technician. A license issued under this section shall be carried on the person licensed and displayed at any time upon request. Any person failing to achieve the passing score on the examination may be examined as often as he or she may desire upon payment of a fee established by the board. The scope of such examination and the methods of procedure shall be prescribed by the board, provided, however, that the scope of the examination of water treatment technicians shall be limited to the configuration and installation of water treatment systems and the provisions of this chapter and the rules adopted by the board that relate to water treatment systems.

8 New Paragraphs; Licenses Without Examination. Amend RSA 329-A:10 by inserting after paragraph III the following new paragraphs:

IV. A corporation, partnership, limited liability company, or other business entity that installs, maintains or repairs water treatment systems, provided the entity designates one employee licensed under this chapter who is responsible for the entity's compliance with this chapter and the rules adopted by the board. Within 30 days after termination of employment of such employee by such entity, he or she shall give notice thereof to the board and, if no other employee licensed under this chapter, the entity shall not act as a water treatment technician until some other employee has obtained a license. Notwithstanding any other provision of this chapter, the board shall not require a fee for an entity that installs, maintains or repairs water treatment systems where the person licensed under this chapter is the sole owner of the entity.

V. A person for an identification card as a water treatment trainee.

9 Water Treatment Technician License; Renewal. Amend RSA 329-A:11 to read as follows:

329-A:11 Expiration and Renewal. Notwithstanding any outstanding license to the contrary, all licenses issued by the board shall expire on the last day of the month of the licensee's birth, but may be renewed during the following month, retroactive to the first day of the month. The fee for renewal of all licenses issued under this chapter shall be established by the board. Upon failure to pay the renewal fee within the required period, a licensee may renew his license by submitting the required fee plus \$10 before the last day of the second month following the month of his birth. Any application received thereafter shall be rejected, unless accompanied by proof of successful completion of the examination required under RSA 329-A:7. ***A water treatment technician shall attend one seminar of at least 2 hours duration before his or her license is renewed***

10 Exceptions. Amend RSA 329-A:13, V to read as follows:

V. To persons engaged in the installation of any heating, cooling, air conditioning or domestic water heating systems, whether solar, oil, gas or electric, and persons engaged in the installation and servicing of ~~[water softeners or]~~ swimming pools.

11 New Paragraph; Penalties. Amend RSA 329-A:18 by inserting after paragraph I the following new paragraph:

I-a. Any person, corporation, partnership, limited liability company or other legal entity that installs, maintains or repairs water treatment systems without first having obtained a license issued under this chapter or which employs a person who installs, maintains or repairs water treatment systems who has no such license, unless he or she is an apprentice or water treatment trainee, or procures any license wrongfully or by fraud, shall be guilty of a violation.

12 Transition. Notwithstanding RSA 329-A:9-a, no person shall be required to take an examination to obtain licensure as a water treatment technician under RSA 329-A if prior to January 1, 2005 such person files with the state board for the licensing and regulation of plumbers a statement sworn or affirmed before a notary or other person authorized to administer oaths that he or she has been engaged in the installation,

maintenance, or repair of water treatment systems. Any person who files such a statement with the state board for the licensing and regulation of plumbers shall be deemed qualified to be licensed as a water treatment technician unless, after a public hearing, the board finds the person's knowledge and understanding of, and experience with the configuration and installation of water treatment systems are questionable enough to require examination as required under RSA 329-A:9-a. Such person shall be entitled to retain his or her license as a water treatment technician unless and until he or she fails to achieve a passing score on the examination for water treatment technicians. Notwithstanding RSA 329-A, no fee shall be charged nor shall continuing education be required for the annual renewal of the license granted to a water treatment system technician if under RSA 329-A:11 such license expires on or before September 30, 2004.

13 New Paragraph; Exceptions. Amend RSA 329-A:13 by inserting after paragraph VI the following new paragraph:

VII. To employees of public drinking water systems and public water system operators certified by the department of environmental services for drinking water treatment.

14 Effective Date.

I. Section 2 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect January 1, 2004.

## **2003-1992s**

### **AMENDED ANALYSIS**

This bill regulates water treatment equipment installers by the plumber's board.

**Floor amendment adopted.**

**Question is on the adoption of the bill as amended.**

**Adopted.**

**Ordered to third reading.**

### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 21**, relative to health insurance riders.

### **SENATE CONCURS WITH HOUSE AMENDMENT**

**SB 21**, relative to health insurance riders.

Senator Flanders moved to concur.

**Adopted.**

### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 23-FN**, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces.

### **SENATE CONCURS WITH HOUSE AMENDMENT**

**SB 23-FN**, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces.

Senator Prescott moved to concur.

**Adopted.**

### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 58-FN-A**, relative to the net operating loss under the business profits tax.

**SENATE CONCURS WITH HOUSE AMENDMENT**

**SB 58-FN-A**, relative to the net operating loss under the business profits tax.

Senator D'Allesandro moved to concur.

**Adopted.**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 77**, relative to bond votes in school districts with official ballot voting procedures, and relative to adoption of revisions and the budget process in city charters.

**SENATE CONCURS WITH HOUSE AMENDMENT**

**SB 77**, relative to bond votes in school districts with official ballot voting procedures, and relative to adoption of revisions and the budget process in city charters.

Senator Boyce moved to concur.

**Adopted.**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 85-FN**, making certain revisions to the special education laws.

**SENATE CONCURS WITH HOUSE AMENDMENT**

**SB 85-FN**, making certain revisions to the special education laws.

Senator O'Hearn moved to concur.

**Adopted.**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 86-FN**, relative to disclosure of certain information about child fatalities and near fatalities resulting from abuse and neglect, and relative to accreditation of the department of health and human services by the Council on Accreditation for Children and Family Services.

**SENATE CONCURS WITH HOUSE AMENDMENT**

**SB 86-FN**, relative to disclosure of certain information about child fatalities and near fatalities resulting from abuse and neglect, and relative to accreditation of the department of health and human services by the Council on Accreditation for Children and Family Services.

Senator Martel moved to concur.

**Adopted.**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 107-FN-A-L**, establishing a statewide education accountability system.

**SENATE NONCONCURS WITH HOUSE AMENDMENT**

**SB 107-FN-A-L**, establishing a statewide education accountability system.

Senator O'Hearn moved to nonconcur.

**Adopted.**



**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 110**, relative to small group health insurance coverage.

**SENATE CONCURS WITH HOUSE AMENDMENT**

**SB 110**, relative to small group health insurance coverage.

Senator Flanders moved to concur.

**Adopted.**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 161**, relative to procedures in eminent domain proceedings.

**SENATE CONCURS WITH HOUSE AMENDMENT**

**SB 161**, relative to procedures in eminent domain proceedings.

Senator Green moved to concur.

**Adopted.**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 179-FN-A**, relative to positions in the banking department.

**SENATE CONCURS WITH HOUSE AMENDMENT**

**SB 179-FN-A**, relative to positions in the banking department.

Senator Flanders moved to concur.

**Adopted.**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bills sent down from the Senate:

**SB 16-FN**, establishing the governor's incentive and reward program.

**SB 46-FN**, repealing the meat inspection account and the poultry inspection account.

**SB 69-FN-A**, combining the career incentive program and the nursing leveraged scholarship loan program within the department of postsecondary education, and establishing a workforce incentive program within the department of postsecondary education, and making an appropriation therefor.

**SB 76**, relative to the process for nonrenewal of teacher contracts.

**SB 80**, relative to vocational education and the automotive technology curriculum.

**SB 90-FN**, increasing the cap for relocation assistance for businesses in eminent domain proceedings.

**SB 197-FN**, relative to extended unemployment benefits and making an appropriation therefor.

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 44**, relative to penalties for vehicle dealers.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: PACKARD, JOHN FLANDERS, LETOURNEAU, FERLAND.**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 72**, relative to the regulation of small loans, title loans, and payday loans.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: HUNT, SPIESS, STEPANEK, DESTEFANO**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 98-FN**, prohibiting telemarketers from contacting customers on a federal do-not-call registry.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: HUNT, FRASER, THOMAS, COES**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 121-FN**, relative to mortgage originator registration.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: HUNT, SPIESS, STEPANEK, DESTEFANO**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 174**, relative to scheduled permanent impairment awards and remedial care under workers' compensation.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: BISHOP, PAUL HARRINGTON, SLOCUM, BAROODY**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

**HB 105**, relative to sexual assaults committed by corrections officers, probation and parole officers, and juvenile probation and parole officers against individuals under their supervision, making a technical correction, and permitting the court to prohibit visitation between a parent convicted of sexual abuse or sexual assault against a minor child or stepchild and a sibling or step-sibling of the victim.

**HB 112-FN**, establishing a point system for the annual moose permit lottery.

**HB 210-FN-A**, relative to passenger tramway registration fees and relative to carnival or amusement ride fees.

**HB 259**, relative to the regulation of gift certificates under the consumer protection act and establishing a study committee relative to the regulation of gift certificates.

**HB 281-FN**, exempting automatic irrigation system installers from licensure by the electrician's board.

**HB 295**, relative to information filed with the regional planning commissions.

**HB 302-FN**, relative to the funding and use of the retirement system special account.

**HB 393**, extending the reporting date for the commission to study the relationship between public health and the environment.

**HB 521-FN**, relative to requiring treatment for persons convicted of DWI offenses.

**HB 568-L**, relative to legal residency for the purpose of public school education.

**HB 598-FN-A**, relative to the agriculture nutrient management program and making an appropriation therefor.

**HB 646-FN**, relative to liquor licenses and fees.

**HB 674-FN**, relative to notification requirements under the Child Protection Act.

**HB 677-FN**, increasing the number of reserved student slots in medical programs, establishing a reduction of medical indebtedness program for physicians who practice in underserved areas, and making an appropriation therefor.

**HB 719-FN-A**, relative to the duties, function, and operation of the Pease development authority.

**HB 724-FN-L**, extending the effective date of the Skyhaven airport transfer plan.

**HB 737-FN-A**, relative to the state conservation committee.

#### HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bills sent down from the Senate:

**SB 15**, relative to election day registration.

**SB 17**, relative to incompatible offices.

**SB 67**, relative to a report on municipal water needs.

**SB 123**, establishing a commission to study structures for increased voter education and improved enforcement of campaign practices laws.

#### HOUSE MESSAGE

The House of Representatives has voted to Lay On The Table the following entitled Bill sent down from the Senate:

**SB 29-FN-A-L**, refunding certain meals and rooms taxes paid by the city of Manchester.

#### HOUSE MESSAGE

The House of Representatives has Retained in Committee the following entitled Bills sent down from the Senate:

**SB 19-FN**, relative to notification of groundwater contamination and requiring a certain report from the department of environmental services.

**SB 35**, relative to the transfer and exchange of certain state-owned land for certain land owned by the Manchester water works.

**SB 74-FN-A-L**, increasing certain motor vehicle registration fees and appropriating the funds for local government records management programs.

**SB 78-FN**, establishing the New Hampshire health care information council.

**SB 95-FN-L**, relative to the development of workforce housing within municipalities.

**SB 99**, relative to high cost mortgage loans.

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

**SB 132-FN-A**, extending the Parents as Teachers program in Sullivan county and making an appropriation therefor.

**SB 159-FN**, relative to milfoil and other exotic aquatic weeds.

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

**SB 199**, revising the nurse practice act.

**SB 215-FN**, relative to the use of prerecorded telephone messages for political advocacy.

**SB 222-FN-A**, relative to motor vehicle fees.

**June 4, 2003**

**2003-1990-EBA**

**03/09**

Enrolled Bill Amendment to HB 368

The Committee on Enrolled Bills to which was referred HB 368

AN ACT making technical corrections to the statutory list of dedicated funds.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 368

This enrolled bill amendment incorporates changes to RSA 6:12, I previously enacted in HB 233 of the 2003 session, corrects references and makes certain technical corrections to the bill.

Enrolled Bill Amendment to HB 368

Amend RSA 6:12, I(b)(4) as inserted by section 1 of the bill by replacing line 1 with the following:

~~[(e)]~~ **(4)** Fees collected by the department of safety under

Amend RSA 6:12, I(b)(5) as inserted by section 1 of the bill by replacing lines 7-8 with the following:

motor vehicles, which shall be credited to the ~~[public works and highways]~~ department **of transportation** for maintenance of highways[;].

Amend RSA 6:12, I(b)(7) as inserted by section 1 of the bill by replacing line 3 with the following:

~~[public works and highways]~~ department **of transportation** for the maintenance of highways.

Amend RSA 6:12, I(b)(14) as inserted by section 1 of the bill by replacing line 2 with the following:

~~[Philbrook]~~ **youth services** center ~~[for children and youth]~~ pursuant to RSA 186-C:20.

Amend RSA 6:12, I(b)(19) as inserted by section 1 of the bill by replacing lines 1-2 with the following:

~~[(u)]~~ **(19)** Money received under RSA 318-B:17-b, ~~[IV]~~ **V**, which shall be credited as specified in RSA 318-B:17-b, ~~[IV]~~ **V** to:

Amend RSA 6:12, I(b)(20) as inserted by section 1 of the bill by replacing line 2 with the following:

radiation long-term care fund.

Amend RSA 6:12, I(b)(27) as inserted by section 1 of the bill by replacing line 2 with the following:

wastewater ~~[treatment]~~ plant operator certification fund established in RSA 485-A:7-a, II.

Amend RSA 6:12, I(b)(65) as inserted by section 1 of the bill by replacing line 1 with the following:

~~[(www)]~~ **(65)** Money received under **RSA** 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B,

Amend RSA 6:12, I(b)(92) as inserted by section 1 of the bill by replacing line 2 with the following:

assessments fund under RSA 21-I:11, VIII~~[(b)]~~.

Amend RSA 6:12, I(b)(112) as inserted by section 1 of the bill by replacing line 2 with the following:

RSA 471-A:20, established in 1965, ~~[214:9]~~ **214:1** and repealed in 1986, 204:2.

Amend RSA 6:12, I(b)(141) as inserted by section 1 of the bill by replacing line 2 with the following:

activity center ~~[fund]~~ **account** under 1995, 52:1.

Amend RSA 6:12, I(b)(143) as inserted by section 1 of the bill by replacing line 2 with the following:  
recovery fund [~~under RSA 107-C:15~~] **established by RSA 21-P:46.**

Amend RSA 6:12, I(b)(191) as inserted by section 1 of the bill by replacing line 1 with the following:

[~~ssssssss~~] **(191)** Moneys deposited in the disabled [~~person's~~] **persons'** employment fund under

Amend RSA 6:12, I(b)(211) as inserted by section 1 of the bill by replacing it with the following:

**(211) Moneys deposited in the laboratory accreditation fund under RSA 485:46.**

Amend RSA 6:12, I(b)(212) as inserted by section 1 of the bill by replacing line 1 with the following:

**(212) Moneys deposited in the drug-free school zone sign fund under**

Amend RSA 6:12, I(b) as inserted by section 1 of the bill by deleting RSA 6:12, I(b)(218) and renumbering the original RSA 6:12, I(b)(219)-(223) to read as RSA 6:12, I(b)(218)-(222), respectively.

Amend RSA 6:12, I(b)(221) as inserted by section 1 of the bill by it with the following:

(221) Moneys deposited in the Connecticut Lakes headwaters natural areas stewardship endowment account under RSA 216:9.

Senator Eaton moved adoption.

**Adopted.**

**June 3, 2003**  
**2003-1961-EBA**  
**04/01**

#### Enrolled Bill Amendment to HB 507

The Committee on Enrolled Bills to which was referred HB 507

AN ACT relative to certain statutes that set minimum requirements for employee benefit plan procedures pertaining to the filing of benefit claims, notification of benefit determinations, and appeal of adverse benefit determinations.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

#### FOR THE COMMITTEE

##### Explanation to Enrolled Bill Amendment to HB 507

This enrolled bill amendment makes a technical correction.

#### Enrolled Bill Amendment to HB 507

Amend section 5 of the bill by replacing line 2 with the following:

415-A:4-b to read as follows:

Senator Eaton moved adoption.

**Adopted.**

**June 5, 2003**  
**2003-2027-EBA**  
**06/10**

#### Enrolled Bill Amendment to HB 601

The Committee on Enrolled Bills to which was referred HB 601

AN ACT relative to the long-term care insurance act.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

#### FOR THE COMMITTEE

##### Explanation to Enrolled Bill Amendment to HB 601

This enrolled bill amendment makes certain technical corrections to the bill.

Enrolled Bill Amendment to HB 601

Amend the bill by replacing lines 1-3 following the enacting clause with the following:

1 Long-Term Care Insurance Act. RSA 415-D is repealed and reenacted to read as follows:

CHAPTER 415-D  
LONG-TERM CARE INSURANCE ACT

Amend RSA 415-D:3, IV(d) as inserted by section 1 of the bill by replacing line 1 with the following:

(d) A group, other than as described in (c)(1) subject to a finding by the

Amend RSA 415-D:3, VII as inserted by section 1 of the bill by replacing lines 3 and 4 with the following:  
benefit society; nonprofit health, hospital, or medical service corporation; prepaid health plan; health maintenance organization or any similar organization.

Amend RSA 415-D:3, VIII-IX as inserted by section 1 of the bill by replacing them with the following:

VIII. "Qualified long-term care insurance contract" or "federally tax-qualified long-term care insurance contract" means:

(a) An individual or group insurance contract that meets the requirements of Section 7702B(b) of the Internal Revenue Code of 1986, as amended, as follows:

(1) The only insurance protection provided under the contract is coverage of qualified long-term care services. A contract shall not fail to satisfy the requirements of this subparagraph by reason of payments being made on a per diem or other periodic basis without regard to the expenses incurred during the period to which the payments relate;

(2) The contract does not pay or reimburse expenses incurred for services or items to the extent that the expenses are reimbursable under Title XVIII of the Social Security Act, as amended, or would be so reimbursable but for the application of a deductible or coinsurance amount. The requirements of this subparagraph do not apply to expenses that are reimbursable under Title XVIII of the Society Security Act only as a secondary payor. A contract shall not fail to satisfy the requirements of this subparagraph by reason of payments being made on a per diem or other periodic basis without regard to the expense incurred during the period to which the payments relate;

(3) The contract is guaranteed renewable, within the meaning of Section 7702B(b)(1)(C) of the Internal Revenue Code of 1986, as amended;

(4) The contract does not provide for a cash surrender value or other money that can be paid, assigned, pledged as collateral for a loan, or borrowed except as provided in subparagraph (e);

(5) All refunds of premiums, and all policyholder dividends or similar amounts, under the contract are to be applied as a reduction in future premiums or to increase future benefits, except that a refund on the event of death of the insured or a complete surrender or cancellation of the contract cannot exceed the aggregate premiums paid under the contract; and

(6) The contract meets the consumer protection provisions set forth in Section 7702(b)(g) of the Internal Revenue Code of 1986, as amended.

(b) The portion of a life insurance contract that provides long-term care insurance coverage by rider or as part of the contract and that satisfies the requirements of Sections 7702B(b) and (e) of the Internal Revenue Code of 1986, as amended.

Amend RSA 415-D:5, III(a) as inserted by section 1 of the bill by replacing line 2 with the following:  
condition that is more restrictive than the following: "Preexisting condition" means a condition for

Amend RSA 415-D:6,II as inserted by section 1 of the bill by replacing line 2 with the following:

policyholder, each certificate holder shall be entitled to have issued to him or her an individual policy or

Amend RSA 415-D:8, IV(g) as inserted by section 1 of the bill by replacing line 2 with the following:

is intended to be a federally tax-qualified long-term care insurance contract under Section 7702B(b) of the  
Senator Eaton moved adoption.

**Adopted.**



**June 4, 2003**  
**2003-1989-EBA**  
**03/01**

Enrolled Bill Amendment to HB 728-FN-A

The Committee on Enrolled Bills to which was referred HB 728-FN-A

AN ACT establishing a dedicated fund for organic certification inspections.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 728-FN-A

This enrolled bill amendment corrects references in the bill.

Enrolled Bill Amendment to HB 728-FN-A

Amend section 2 of the bill by replacing line 1 with the following:

2 New Paragraphs; Certification Inspections; Funds Established. Amend RSA 426:6-b by

Amend RSA 6:12, I(mmmmmmmmm) as inserted by section 4 of the bill by replacing line 2 with the following: the organic processors and handlers certification inspection fund established in RSA 426:6-b, IV.

Amend section 7 of the bill by replacing lines 2-3 with the following:

I. RSA 426:6-b, IV and V, relative to the organic processors and handlers certification inspection fund.

II. RSA 6:12, I(mmmmmmmmm), relative to the organic processors and handlers certification inspection fund.

Senator Eaton moved adoption.

**Adopted.**

**June 5, 2003**  
**2003-2013-EBA**  
**03/01**

Enrolled Bill Amendment to HB 738-FN-A-LOCAL

The Committee on Enrolled Bills to which was referred HB 738-FN-A-LOCAL

AN ACT permitting aid to public water systems to be used for forming or improving regional water systems and making an appropriation therefor.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 738-FN-A-LOCAL

This enrolled bill amendment makes technical and typographical corrections.

Enrolled Bill Amendment to HB 738-FN-A-LOCAL

Amend RSA 486-A:2, I(c) as inserted by section 2 of the bill by replacing line 2 with the following:

***including the scientific evaluation of the groundwater contributing area of public wells***

Amend section 3 of the bill by replacing line 1 with the following:

3 New Paragraphs; Definitions; Eligible Regional Water System Costs; Eligible Evaluation of the Groundwater Contribution Area of Public Wells That Have Recorded Levels of Chemical Contaminants Excluding MTBE. Amend RSA 486-A:2 by

Amend section 4 of the bill by replacing line 1 with the following:

4 New Paragraphs; Definitions; Regional Water System; Groundwaters. Amend

Amend RSA 486-A:2, V-b as inserted by section 4 of the bill by replacing line 1 with the following:

V-b. "Groundwaters" means all areas below the top of the water table, including aquifers,

Amend the section heading of RSA 486-A:3 as inserted by section 5 of the bill by replacing line 2 with the following:

**Costs; *Regional Water System Costs.***

Amend RSA 486-A:7, I(c) as inserted by section 9 of the bill by replacing line 7 with the following:

of the facilities in accordance with department instructions or both[-];

Amend RSA 486-A:7, I(d) as inserted by section 9 of the bill by replacing lines 4-5 with the following:

planning initiatives and to consider the results of such initiatives for purposes of long-term water supply planning and infrastructure development.

Amend section 16 of the bill by replacing lines 1-2 with the following:

16 New Section; Repayment Responsibility. Amend RSA 486-A by inserting after section 14 the following new section:

Senator Eaton moved adoption.

**Adopted.**

**June 5, 2003  
2003-2012-EBA  
06/01**

**Enrolled Bill Amendment to HB 753**

The Committee on Enrolled Bills to which was referred HB 753

AN ACT establishing the fourth Monday in April as General John Stark Day.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

**FOR THE COMMITTEE**

**Explanation to Enrolled Bill Amendment to HB 753**

This enrolled bill amendment makes a grammatical correction to the bill.

**Enrolled Bill Amendment to HB 753**

Amend line 2 of paragraph I of section 1 of the bill by replacing it with the following:

accomplishments of those New Hampshire citizens who risked their lives and property to establish a

Senator Eaton moved adoption.

**Adopted.**

**June 5, 2003  
2003-2015-EBA  
03/09**

**Enrolled Bill Amendment to HB 763**

The Committee on Enrolled Bills to which was referred HB 763

AN ACT requiring parental notification before abortions may be performed on unemancipated minors.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

**FOR THE COMMITTEE**

**Explanation to Enrolled Bill Amendment to HB 763**

This enrolled bill amendment corrects the RSA numbering within the bill.

Enrolled Bill Amendment to HB 763

Amend section 2 of the bill by replacing line 2 with the following:

section 23 the following new subdivision:

Amend section 2 of the bill by replacing line 4 with the following:

132:24 Definitions. In this subdivision:

Amend section 2 of the bill by replacing line 20 with the following:

132:25 Notification Required.

Amend section 2 of the bill by replacing lines 32-33 with the following:

132:26 Waiver of Notice.

I. No notice shall be required under RSA 132:25 if:

Amend section 2 of the bill by replacing line 67 with the following:

132:27 Penalty. Performance of an abortion in violation of this subdivision shall be a

Amend section 2 of the bill by replacing line 74 with the following:

132:28 Severability. If any provision of this subdivision or the application thereof to any person

Senator Eaton moved adoption.

**Adopted.**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 109-FN**, relative to telemarketing practices.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: THOMAS, MAXFIELD, HUNT, COES.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 109-FN**, relative to telemarketing practices.

Senator Gatsas moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: GATSAS, JOHNSON, ESTABROOK**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 139**, relative to the collection and reporting of school drop-out, suspension, and expulsion data and relative to the deadlines for submitting certain reports to the department of education.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: STEVE L'HEUREUX, NARO, CARSON, MARK CARTER.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 139**, relative to the collection and reporting of school drop-out, suspension, and expulsion data and relative to the deadlines for submitting certain reports to the department of education.

Senator O'Hearn moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: O'HEARN, GREEN, FOSTER**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 303**, relative to life, accident, and health technicals.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: HUNT, FRASER, SPIESS, MEADER.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 303**, relative to life, accident, and health technicals.

Senator Flanders moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: FLANDERS, ROBERGE, COHEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 332-FN**, relative to the use of prerecorded telephone messages by candidates and political committees.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: SPIESS, CADY, DRISKO, CLEMONS**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 332-FN**, relative to the use of prerecorded telephone messages by candidates and political committees.

Senator Gatsas moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: GATSAS, JOHNSON, ESTABROOK**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 420**, relative to state-owned trails and parking lots in the town of Windham.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ROYCE, LAWTON, BRUNO, DONOVAN.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 420**, relative to state-owned trails and parking lots in the town of Windham.

Senator Gallus moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: Morse, Barnes, Cohen**

**CONFERENCE CHANGE: Senator Sapareto replaced Senator Morse**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 606**, establishing a right-to-know study commission.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: MOCK, HAYTAYAN, THOMAS, WALL.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 606**, establishing a right-to-know study commission.

Senator Boyce moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: FLANDERS, ODELL, COHEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 627-FN**, relative to domicile for voting purposes and penalties for voter fraud.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: DRISKO, WHALLEY, CADY, REEVES.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 627-FN**, relative to domicile for voting purposes and penalties for voter fraud.

Senator Boyce moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: ROBERGE, BOYCE, LARSEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 702-FN**, relative to payment of medical benefits costs for disabled group II members of the retirement system.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ZOLLA, O'NEIL, IRWIN, ROBERT WHEELER.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 702-FN**, relative to payment of medical benefits costs for disabled group II members of the retirement system.

Senator Flanders moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: FLANDERS, PRESCOTT, COHEN**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 229**, making reference changes to the school building aid statutes.

**SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 229**, making reference changes to the school building aid statutes.

Senator O'Hearn moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: JOHNSON, O'HEARN, LARSEN**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 229**, making reference changes to the school building aid statutes.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: STEPHEN L'HEUREUX, ALGER, COLCORD, CLAIRE CLARKE.**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 227**, relative to the board of occupational therapy, the board of respiratory care practice, the board of speech-language therapists, the board of athletic trainers practice, the board of physical therapy practice, and the board of directors of the office of licensed allied health professionals, and relative to the board of podiatry.

**SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 227**, relative to the board of occupational therapy, the board of respiratory care practice, the board of speech-language therapists, the board of athletic trainers practice, the board of physical therapy practice, and the board of directors of the office of licensed allied health professionals, and relative to the board of podiatry.

Senator Prescott moved to nonconcur and requests a Committee of Conference.

**Adopted.**



The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: PRESCOTT, KENNEY, COHEN**

#### **HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 227**, relative to the board of occupational therapy, the board of respiratory care practice, the board of speech-language therapists, the board of athletic trainers practice, the board of physical therapy practice, and the board of directors of the office of licensed allied health professionals, and relative to the board of podiatry.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: O'NEIL, BERGIN, FITZGERALD, FRANCIS SULLIVAN.**

#### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 163-FN**, relative to the procedures of the health services planning and review board.

#### **SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 163-FN**, relative to the procedures of the health services planning and review board.

Senator Martel moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: MARTEL, FLANDERS, ESTABROOK**

#### **HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 163-FN**, relative to the procedures of the health services planning and review board.

And the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: BATULA, PRICE, MCMAHON, SANDRA HARRIS**

#### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 115**, increasing the fees for review of subdivisions and waste disposal systems by the department of environmental services and making an appropriation for implementing information technology and regulatory process improvements.

#### **SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 115**, increasing the fees for review of subdivisions and waste disposal systems by the department of environmental services and making an appropriation for implementing information technology and regulatory process improvements.

Senator Johnson moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: PRESCOTT, FLANDERS, COHEN**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 115**, increasing the fees for review of subdivisions and waste disposal systems by the department of environmental services and making an appropriation for implementing information technology and regulatory process improvements.

And the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: CAMM, INGRAM, CHRISTINE HAMM, ROBERT WHEELER**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 70**, establishing a commission to study implementing a recommendation of the New Hampshire estuaries project management plan.

**SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 70**, establishing a commission to study implementing a recommendation of the New Hampshire estuaries project management plan.

Senator Johnson moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: JOHNSON, BARNES, COHEN**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 70**, establishing a commission to study implementing a recommendation of the New Hampshire estuaries project management plan.

And the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ROYCE, MERROW, WILEY, SPANG**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 223-FN-A**, relative to fees for copies of motor vehicle records and relative to the fire standards and training and emergency medical services fund.

**SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 223-FN-A**, relative to fees for copies of motor vehicle records and relative to the fire standards and training and emergency medical services fund.

Senator Flanders moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: FLANDERS, CLEGG, FOSTER**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 223-FN-A** relative to fees for copies of motor vehicle records and relative to the fire standards and training and emergency medical services fund.

And the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: JEFFREY GILBERT, HUGHES, CHRISTINE HAMM, KING**

#### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 47-FN**, relative to refunds for tolls paid on account of shrinkage or loss by evaporation of motor fuel.

#### **SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 47-FN**, relative to refunds for tolls paid on account of shrinkage or loss by evaporation of motor fuel.

Senator Kenney moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: FLANDERS, MORSE, D'ALLESANDRO**

#### **HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 47**, relative to refunds for tolls paid on account of shrinkage or loss by evaporation of motor fuel.

And the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: EDWIN SMITH, KENISON, CLOUTIER, WEYLER**

#### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 212**, requiring fiscal impact statements for interim administrative rules and prohibiting agencies from requiring by rule the submission of social security numbers.

#### **SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 212**, requiring fiscal impact statements for interim administrative rules and prohibiting agencies from requiring by rule the submission of social security numbers.

Senator Prescott moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: PRESCOTT, GATSAS, BELOW**

#### **HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 212**, requiring fiscal impact statements for interim administrative rules and prohibiting agencies from requiring by rule the submission of social security numbers.

And the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: O'NEIL, HAMEL, NELSON ALLAN, PILOTTE**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 63-FN-A-L**, relative to establishing community reinvestment and opportunity zones and granting business tax credits for investments in projects in such zones.

**SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 63-FN-A-L**, relative to establishing community reinvestment and opportunity zones and granting business tax credits for investments in projects in such zones.

Senator Odell moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: FLANDERS, ODELL, BELOW**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 63-FN-A-L**, relative to establishing community reinvestment and opportunity zones and granting business tax credits for investments in projects in such zones.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: MAJOR, JEFFREY GILBERT, ESPIEFS, HAGER.**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 619-FN-A**, expanding opportunities for dropout prevention and dropout recovery.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: CARSON, NARO, JEAN, HAGER.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 619-FN-A**, expanding opportunities for dropout prevention and dropout recovery.

Senator O'Hearn moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: O'HEARN, ODELL, D'ALLESANDRO**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 663-FN-A-L**, relative to county and state funding of long-term care medicaid programs.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: JEFFREY GILBERT, GIBSON, O'NEIL, KURK.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 663-FN-A-L**, relative to county and state funding of long-term care medicaid programs.

Senator Martel moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: ODELL, FLANDERS, D'ALLESANDRO**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 733-FN**, relative to drivers' licenses held by members of the national guard or military reserve.  
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: PACKARD, JOHN FLANDERS, LETOURNEAU, FERLAND.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 733-FN**, relative to drivers' licenses held by members of the national guard or military reserve.

Senator Kenney moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: KENNEY, BARNES, BELOW**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 773**, establishing a committee to study a tuition tax credit program.  
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: MAJOR, MOCK, PACKARD, FERLAND.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 773**, establishing a committee to study a tuition tax credit program.

Senator D'Allesandro moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: PETERSON, ODELL, BELOW**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 787-FN-A**, relative to forest products promotion, establishing a forest products utilization charge, and requiring the department of resources and economic development to convene a task force.  
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: THOMAS, MAXFIELD, KAEN, LEACH.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 787-FN-A**, relative to forest products promotion, establishing a forest products utilization charge, and requiring the department of resources and economic development to convene a task force.

Senator Odell moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: JOHNSON, GALLUS, BELOW**

**RESOLUTION**

Senator Clegg moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that all bills and resolutions ordered to third reading be by this resolution read a third time and all titles be same as adopted, and that they be passed at the present time

**Adopted.**

**LATE SESSION**

**Third Reading and Final Passage**

**HB 79**, relative to the regulation of the installation and servicing of fire suppression systems.

**HB 135-FN-L**, relative to charter schools.

**HB 173**, making technical corrections relative to the exception from the meals and rooms tax for gratuities.

**HB 175**, relative to membership of attorneys in the New Hampshire Bar Association and lobbying by the Bar Association.

**HB 178**, relative to detention for violations of protective orders.

**HB 204**, relative to venue in juvenile proceedings.

**HB 205**, relative to the use of criminal records and reports.

**HB 242**, relative to the number of members on, and quorum necessary for, the assessing standards board.

**HB 245**, relative to child custody decisions.

**HB 248**, requiring the disclosure of information to victims in juvenile delinquency cases.

**HB 261**, relative to lucky 7 licenses.

**HB 262**, relative to operators of bingo and games of chance.

**HB 296**, relative to settlement agreements in medical malpractice suits.

**HB 323**, relative to the task force on family law.

**HB 336-L**, relative to the development and adoption of the school administrative unit budget.

**HB 415**, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors and relative to the exclusive authority of the state over the regulation of firearms, ammunition, and components thereof.

**HB 447**, limiting retroactive child support awards under the uniform act on paternity.

**HB 461**, establishing a commission to study financial exploitation of the elderly and persons with disabilities.

**HB 470**, relative to health insurance providers.

**HB 486**, relative to access to child support enforcement records.

**HB 509**, relative to access to motor vehicle records.



**HB 546**, relative to uniform prescription drug information cards.

**HB 558**, relative to financial reports on bingo and lucky 7 operations.

**HB 709-FN**, relative to nursing homes in receivership.

**HB 748**, making changes to the laws governing off highway recreational vehicles and the multi-use state-wide trail system.

## **ANNOUNCEMENTS**

### **RESOLUTION**

Senator Clegg moved that the Senate recess to the Call of the Chair for the sole purpose of introducing legislation, processing Enrolled Bill Reports and Amendments, and receiving House Messages, and that when we adjourn, we adjourn to the Call of the Chair.

**Adopted.**

**In recess.**

### **HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 357-FN**, relative to child support insurance settlement intercept.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ARNOLD, HALLYBURTON, DOKMO, BARBARA RICHARDSON.**

### **SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 357-FN**, relative to child support insurance settlement intercept.

Senator Peterson moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: SAPARETO, PETERSON, FOSTER**

### **HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 577-FN-A-L**, relative to implementing the Help America Vote Act of 2002 and relative to rulemaking by the secretary of state.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: DICKINSON, WHALLEY, RODESCHIN, DRISKO.**

### **SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 577-FN-A-L**, relative to implementing the Help America Vote Act of 2002 and relative to rulemaking by the secretary of state.

Senator Boyce moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: BOYCE, ROBERGE, COHEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 621-FN-A-L**, establishing an early childhood literacy program.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: CARSON, COLCORD, KURK, CLAIRE CLARKE.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 621-FN-A-L**, establishing an early childhood literacy program.

Senator O'Hearn moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: ODELL, O'HEARN, FOSTER**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 41-FN**, relative to the installation of airbags.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: PACKARD, BERGERON, FERLAND, LETOURNEAU.**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 135-FN-L**, relative to charter schools.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ALGER, LAURENT, SNYDER, DODGE.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 135-FN-L**, relative to charter schools.

Senator O'Hearn moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: O'HEARN, JOHNSON, LARSEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 175**, relative to membership of attorneys in the New Hampshire Bar Association and lobbying by the Bar Association.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ROWE, HAYTAYAN, JOHN PRATT, MOCK.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 175**, relative to membership of attorneys in the New Hampshire Bar Association and lobbying by the Bar Association.

Senator Peterson moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: ROBERGE, CLEGG, D'ALLESANDRO**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 280-FN**, relative to the poison information center.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: THOMAS, MAXFIELD, MAJOR, ELLIOTT.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 280-FN**, relative to the poison information center.

Senator Martel moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: MARTEL, BOYCE, ESTABROOK**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 389**, relative to victim impact statements and deleting the prohibition on funding certain positions in the office of victim/witness assistance with funds from the victims' assistance fund.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: STEVENS, NEDEAU, THOLL, TIMOTHY ROBERTSON.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 389**, relative to victim impact statements and deleting the prohibition on funding certain positions in the office of victim/witness assistance with funds from the victims' assistance fund.

Senator Prescott moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: PRESCOTT, BOYCE, COHEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 751-FN-L**, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ALGER, LAURENT, SNYDER, MERCER.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 751-FN-L**, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants.

Senator O'Hearn moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: O'HEARN, BOYCE, FOSTER**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 242**, relative to the number of members on, and quorum necessary for, the assessing standards board. and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: PATTEN, LOCKWOOD, STOHL, THEBERGE.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 242**, relative to the number of members on, and quorum necessary for, the assessing standards board.

Senator Boyce moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: BOYCE, FLANDERS, LARSEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 615-FN**, relative to the requirements for registration of sexual offenders.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: KARL GILBERT, STEVENS, KNOWLES, MOVSESIAN.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 615-FN**, relative to the requirements for registration of sexual offenders.

Senator Peterson moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: PETERSON, SAPARETO, FOSTER**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 81-FN-A**, setting the rate for the medicaid enhancement tax for the biennium ending June 30, 2005. and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ROESSNER, GRIFFIN, CHRISTOPHER PAPPAS, DANIEL EATON.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 81-FN-A**, setting the rate for the medicaid enhancement tax for the biennium ending June 30, 2005.

Senator D'Allesandro moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: D'ALLESANDRO, GALLUS, ODELL**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 45**, relative to property tax exemptions and credits for the elderly, veterans, and the disabled, and allowing municipalities to adopt an optional date for filing exemptions.

**SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 45**, relative to property tax exemptions and credits for the elderly, veterans, and the disabled, and allowing municipalities to adopt an optional date for filing exemptions.

Senator Roberge moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: ROBERGE, BARNES, D'ALLESANDRO**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 45**, relative to property tax exemptions and credits for the elderly, veterans, and the disabled, and allowing municipalities to adopt an optional date for filing exemptions.

And the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: BRUNDIGE, TWOMBLY, BOYCE, THEBERGE**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 62**, relative to the application and enforcement of the state building code.

**SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 62**, relative to the application and enforcement of the state building code.

Senator Roberge moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: ROBERGE, CLEGG, LARSEN**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 62**, relative to the application and enforcement of the state building code.

And the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: BRUNDIGE, GILICK, BUHLMN, OSBORNE**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 608-FN-L**, reducing the education property tax rate and relative to the calculation of adequate education grants.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: KING, HESS, MAJOR, JEFFREY GILBERT.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 608-FN-L**, reducing the education property tax rate and relative to the calculation of adequate education grants.

Senator O'Hearn moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: GREEN, MORSE, BELOW**

**CONFEE CHANGE: SENATOR GATSAS REPLACED SENATOR GREEN**

**ALTERNATE: SENATOR O'HEARN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: KURK, WHALLEY, WEYLER, ROGERS JOHNSON, WALLNER.**

**ALTERNATES: REPRESENTATIVES WENDELBOE, EMERTON, STONE, MAJOR, MARJORIE SMITH.**



**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005.

Senator Green moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: GREEN, BOYCE, CLEGG, D'ALLESANDRO**

**ALTERNATE: SENATOR EATON**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: KURK, WEYLER, WHALLEY, GIUDA, WALLNER.**

**ALTERNATES: REPRESENTATIVES EMERTON, WENDELBOE, STONE, ROGERS JOHNSON & MARJORIE SMITH.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

Senator Green moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: GREEN, BOYCE, CLEGG, D'ALLESANDRO**

**ALTERNATE: SENATOR EATON**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 25-FN-A**, making appropriations for capital improvements.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: EDWIN SMITH, LEBER, RAUSCH, WEYLER, CANDACE BOUCHARD.**

**ALTERNATES: REPRESENTATIVES FRANCOEUR, HOLLAND, DODGE, CLOUTIER.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 25-FN-A**, making appropriations for capital improvements.

Senator Clegg moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: CLEGG, MORSE, D'ALLESANDRO**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 461**, establishing a commission to study financial exploitation of the elderly and persons with disabilities. and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: JOSEPH MANNING, MACKAY, SELDIN, BATULA**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 461**, establishing a commission to study financial exploitation of the elderly and persons with disabilities. Senator Roberge moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: BARNES, MARTEL, LARSEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 470**, relative to health insurance providers. and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: HUNT, FRASER, LIEBL, KATHLEEN TAYLOR.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 470**, relative to health insurance providers.

Senator Flanders moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: FLANDERS, MARTEL, COHEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 546**, relative to uniform prescription drug information cards. and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: HUNT, FRASER, LIEBL, KATHLEEN TAYLOR.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 546**, relative to uniform prescription drug information cards.

Senator Flanders moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: FLANDERS, MARTEL, COHEN**

#### **HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 669-FN**, relative to dental insurance benefits and eligibility for medical benefits for retired state employees.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: O'NEIL, ZOLLA, IRWIN, ROBERT WHEELER.**

#### **SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 669-FN**, relative to dental insurance benefits and eligibility for medical benefits for retired state employees.

Senator Flanders moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: PRESCOTT, MARTEL, ESTABROOK**

#### **HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 671-FN-A**, establishing a contributory defined benefit judicial retirement plan.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: O'NEIL, HAMEL, ROBERT WHEELER, MITCHELL.**

#### **SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 671-FN-A**, establishing a contributory defined benefit judicial retirement plan.

Senator Flanders moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: GATSAS, MORSE, COHEN**

#### **HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 705**, establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wooden poles and conduits.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: HESS, ROESSNER, THOMAS, HAGER.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 705**, establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wooden poles and conduits.

Senator Odell moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: GREEN, ODELL, D'ALLESANDRO**

**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

**SB 42**, relative to charitable contributions by insurance agents.

**SENATE NONCONCURS AND REQUESTS A COMMITTEE OF CONFERENCE**

**SB 42**, relative to charitable contributions by insurance agents.

Senator Flanders moved to nonconcur and requests a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as member of said Committee of Conference:

**SENATORS: ODELL, FLANDERS, COHEN**

**HOUSE MESSAGE**

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

**SB 42**, relative to charitable contributions by insurance agents.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: HUNT, FRASER, DONALD FLANDERS, MEADER**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 204**, relative to venue in juvenile proceedings.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: MORAN, MCRAE, ARNOLD, BARBARA RICHARDSON.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 204**, relative to venue in juvenile proceedings.

Senator Peterson moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: PETERSON, SAPARETO, FOSTER**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 248**, requiring the disclosure of information to victims in juvenile delinquency cases.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: MORAN, JANET ALLEN, ARNOLD, GILE.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 248**, requiring the disclosure of information to victims in juvenile delinquency cases.

Senator Peterson moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: PETERSON, ROBERGE, FOSTER**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 323**, relative to the task force on family law.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: MORAN, MCRAE, ARNOLD, BARBARA RICHARDSON.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 323**, relative to the task force on family law.

Senator Peterson moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: ROBERGE, PETERSON, FOSTER**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 415**, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors and relative to the exclusive authority of the state over the regulation of fire-arms, ammunition, and components thereof.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: STEVENS, WELCH, BICKNELL, KNOWLES.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 415**, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors and relative to the exclusive authority of the state over the regulation of fire-arms, ammunition, and components thereof.

Senator Peterson moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: ROBERGE, SAPARETO, FOSTER**

**CONFeree CHANGE: SENATOR CLEGG REPLACED SENATOR SAPARETO**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 509**, relative to access to motor vehicle records.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: PACKARD, JOHN FLANDERS, LETOURNEAU, FERLAND.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 509**, relative to access to motor vehicle records.

Senator Kenney moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: KENNEY, MORSE, BELOW**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 173**, making technical corrections relative to the exception from the meals and rooms tax for gratuities.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ROESSNER, HUGHES, INGRAM, CHRISTINE HAMM.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 173**, making technical corrections relative to the exception from the meals and rooms tax for gratuities.

Senator D'Allesandro moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: D'ALLESANDRO, GALLUS, ODELL**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 261**, relative to lucky 7 licenses.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: GRIFFIN, GIBSON, MCCORMICK, CHRISTOPHER PAPPAS.**



**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 261**, relative to lucky 7 licenses.

Senator D'Allesandro moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: D'ALLESANDRO, BOYCE, GALLUS**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 262**, relative to operators of bingo and games of chance.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: GIBSON, GRIFFIN, MCCORMICK, CHRISTOPHER PAPPAS.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 262**, relative to operators of bingo and games of chance.

Senator D'Allesandro moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: D'ALLESANDRO, BOYCE, GALLUS**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 558**, relative to financial reports on bingo and lucky 7 operations.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: JASPER, GRIFFIN, GIBSON, CHRISTOPHER PAPPAS.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 558**, relative to financial reports on bingo and lucky 7 operations.

Senator D'Allesandro moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: GALLUS, D'ALLESANDRO, BOYCE**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 748**, making changes to the laws governing off highway recreational vehicles and the multi-use state-wide trail system.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: LAWTON, ROYCE, RICHARD COONEY, BRUEGGEMANN.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 748**, making changes to the laws governing off highway recreational vehicles and the multi-use state-wide trail system.

Senator Gallus moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: ODELL, JOHNSON, COHEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 336-L**, relative to the development and adoption of the school administrative unit budget.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: ALGER, LAURENT, SNYDER, LEONE.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 336-L**, relative to the development and adoption of the school administrative unit budget.

Senator O'Hearn moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: JOHNSON, O'HEARN, LARSEN**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 709-FN**, relative to nursing homes in receivership.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: WENDELBOE, SHULTIS, PHYLLIS KATSAKIORES, DALRYMPLE.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 709-FN**, relative to nursing homes in receivership.

Senator Martel moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: MARTEL, JOHNSON, ESTABROOK**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 79**, relative to the regulation of the installation and servicing of fire suppression systems.  
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: O'NEIL, HALL, NELSON ALLAN, DEJOIE.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 79**, relative to the regulation of the installation and servicing of fire suppression systems.

Senator Prescott moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: PRESCOTT, KENNEY, ESTABROOK**

**HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 796-FN-L**, relative to the taxation of manufactured housing.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

**REPRESENTATIVES: HUNT, FRASER, SPIESS, MEADER.**

**SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE**

**HB 796-FN-L**, relative to the taxation of manufactured housing.

Senator Roberge moved to accede to the request for a Committee of Conference.

**Adopted.**

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

**SENATORS: ROBERGE, BARNES, LARSEN**

**June 5, 2003**

**2003-2020-EBA**

**06/09**

Enrolled Bill Amendment to HB 690-FN

The Committee on Enrolled Bills to which was referred HB 690-FN

AN ACT relative to agricultural crop damage and relative to agricultural liming materials.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

**FOR THE COMMITTEE**

Explanation to Enrolled Bill Amendment to HB 690-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 690-FN

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

AN ACT relative to agricultural vandalism and relative to agricultural liming materials.

Amend RSA 539:9, I as inserted by section 1 of the bill by replacing line 3 with the following:

pasture or pasture land, livestock or other farm raised animals, as defined in RSA 21:34-a, and all

Amend RSA 539:9, I as inserted by section 1 of the bill by replacing line 5 with the following:  
livestock or other farm raised animals, or aid in such action without permission of the owner, shall  
Senator Eaton moved adoption.

**Adopted.**

**June 9, 2003**  
**2003-2035-EBA**  
**08/09**

Enrolled Bill Amendment to HB 725

The Committee on Enrolled Bills to which was referred HB 725

AN ACT relative to fraternal benefit societies.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 725

This enrolled bill amendment corrects references and makes technical changes.

Enrolled Bill Amendment to HB 725

Amend RSA 418:1 as inserted by section 1 of the bill by replacing line 2 with the following:  
without capital stock, including one exempted under RSA 418:36, I(b), whether incorporated or not,  
Amend RSA 418:4, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Providing benefits as specified in RSA 418:15; and

Amend RSA 418:11 as inserted by section 1 of the bill by replacing line 2 with the following:  
organizations to operate, not-for-profit institutions to further the purposes permitted in RSA 418:4, I(b).

Amend RSA 418:12, II as inserted by section 1 of the bill by replacing line 2 with the following:  
another society in a consolidation or merger approved by the commissioner under RSA 418:13, or as

Amend RSA 418:28, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) A power of attorney to the commissioner as prescribed in RSA 418:33;

Amend RSA 418 as inserted by section 1 of the bill by renumbering sections 31–38 to read as 30-37, respectively.

Senator Eaton moved adoption.

**Adopted.**

**June 5, 2003**  
**2003-2017-EBA**  
**04/09**

Enrolled Bill Amendment to SB 94-FN

The Committee on Enrolled Bills to which was referred SB 94-FN

AN ACT requiring criminal conviction record checks for employees working in long-term care facilities and in home health care and for applicants for a license from the board of nursing.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 94-FN

This enrolled bill amendment makes a technical correction to the bill.

Enrolled Bill Amendment to SB 94-FN

Amend RSA 151:2-d, IV(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) The cost of criminal history record checks for such temporary or per diem staff shall be

Senator Eaton moved adoption.

**Adopted.**

**June 5, 2003**

**2003-2026-EBA**

**08/09**

Enrolled Bill Amendment to SB 113

The Committee on Enrolled Bills to which was referred SB 113

AN ACT changing the name of Plymouth state college to Plymouth state university and amending the responsibilities of the postsecondary education commission.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 113

This enrolled bill amendment deletes a statutory reference made obsolete by 2003, 38 (SB 51-FN).

Enrolled Bill Amendment to SB 113

Amend section 1 of the bill by replacing lines 5 and 6 with the following:

RSA 187-A:16, I; RSA 187-A:16, XIV; RSA 187-A:20; RSA 187-A:28-a; and RSA 188-D:2, I.

Senator Eaton moved adoption.

**Adopted.**

**June 4, 2003**

**2003-1994-EBA**

**06/10**

Enrolled Bill Amendment to SB 114

The Committee on Enrolled Bills to which was referred SB 114

AN ACT implementing an unsafe school choice option for pupils attending schools which have been classified as persistently dangerous and authorizing the state board of education to implement a complaint process to address school safety and school violence issues in nonpublic schools.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 114

This enrolled bill amendment makes certain technical corrections to the bill.

Enrolled Bill Amendment to SB 114

Amend RSA 193-G:1, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Aggravated felonious sexual assault under RSA 632-A:2.

Amend section 2 of the bill by replacing line 2 with the following:

after paragraph XXIX the following new paragraph:

Senator Eaton moved adoption.

**Adopted.**

**June 3, 2003**  
**2003-1968-EBA**  
**08/09**

Enrolled Bill Amendment to SB 178

The Committee on Enrolled Bills to which was referred SB 178

AN ACT relative to guaranty funds.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 178

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 178

Amend RSA 404-B:5, IV as inserted by section 1 of the bill by replacing line 16 with the following:

***insured's or third party liability claimant's net worth on such date shall be deemed to***

Senator Eaton moved adoption.

**Adopted.**

**REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 66**, relative to executive agency rulemaking authority.

**HB 75**, relative to timber harvesting.

**HB 82**, to change the name of "Mount Clay" to Mount Reagan.

**HB 123**, relative to notice given to putative fathers in adoption proceedings.

**HB 214**, relative to discovery deposition of minors in criminal cases.

**HB 240**, establishing a committee to study ways to prevent suicide among young people in New Hampshire.

**HB 431**, eliminating application of the rule against perpetuities to instruments that contain safeguards relative to the continued alienability of property.

**HB 460**, relative to property and casualty insurance.

**HB 533**, relative to health carrier disclosure for medical child support enforcement.

**HB 560**, relative to penalties for operating an aircraft while under the influence of alcohol or drugs, relative to fees related to aircraft, and making a technical correction.

**HB 564**, relative to access to information in proceedings of the judicial conduct commission.

**HB 578**, establishing a program for self-certification by small quantity hazardous waste generators and making an appropriation therefor.

**HB 591**, allowing a certain former state employee to apply for accidental disability benefits.

**HB 605**, relative to prohibited election day activity and relative to electioneering by public employees.

**HB 617**, relative to the licensure of dentists and regulation by the board of dental examiners.

**HB 684**, relative to the insurance rating law.

**HB 693**, relative to the jurisdiction and constitution of the ballot law commission.

**HB 694**, relative to tobacco product manufacturers not entering master settlement agreements and changing the tax on tobacco products other than cigarettes.

**HB 703**, permitting free day-use admission to the state park system for disabled veterans.

**HB 758**, relative to the criteria for medicaid eligibility.

**HB 805**, establishing a consensus revenue estimating panel.

**HB 816**, making technical corrections to the securities laws.

**HB 819**, relative to original and youth operators' licenses.



**HB 825**, establishing a committee to study methods of safely reducing the prison population in the state.

**SB 40**, relative to filing of complaints for violation-level offenses and making the electronic submission of a false statement chargeable as unsworn falsification.

**SB 116**, establishing a committee to study methods to prevent or reduce the high school dropout rate.

**SB 133**, relative to amending the charter of Dartmouth college.

**SB 135**, relative to hotelkeeper or innkeeper liability for personal child care services.

**SB 139**, relative to exhibition fees charged by the boxing and wrestling commission.

**SB 177**, relative to credit unions.

**SB 180**, making certain changes in the banking laws.

**SB 181**, relative to investigations by and license revocation appeals to the board of trust company incorporation.

**SB 193**, extending the report date for the commission on the education of the deaf and hard of hearing in New Hampshire and the commission on architecturally secure facilities and community shelter care facilities for juveniles.

**SB 221**, relative to the offense of obstructing government administration by the use of simulated legal process.

**SB 226**, increasing the homestead exemption.

Senator D'Allesandro moved adoption.

**Adopted.**

#### **REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 368**, making technical corrections to the statutory list of dedicated funds.

**HB 507**, relative to certain statutes that set minimum requirements for employee benefit plan procedures pertaining to the filing of benefit claims, notification of benefit determinations, and appeal of adverse benefit determinations.

**HB 565**, establishing a commission to implement the Hampton Beach Master Plan.

**HB 728**, establishing a dedicated fund for organic certification inspections.

**HB 738**, permitting aid to public water systems to be used for forming or improving regional water systems and making an appropriation therefor.

**SB 113**, changing the name of Plymouth state college to Plymouth state university and amending the responsibilities of the postsecondary education commission.

**SB 157**, establishing a committee to study certain issues relative to municipal planning.

**SB 179**, relative to positions in the banking department.

Senator D'Allesandro moved adoption.

**Adopted.**

#### **REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 763**, requiring parental notification before abortions may be performed on unemancipated minors.

Senator D'Allesandro moved adoption.

**Adopted.**

**In recess to the Call of the Chair.**