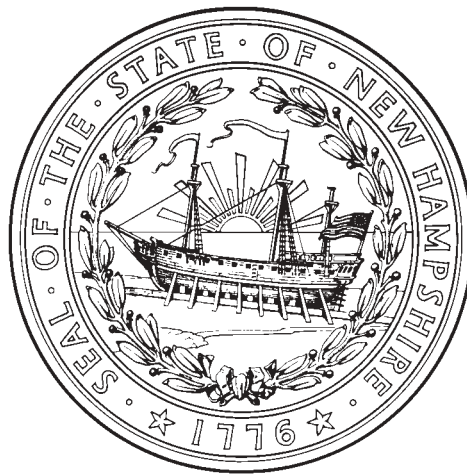


May 24, 2006
Nos. 16 - 17

STATE OF NEW HAMPSHIRE

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Legislative

SENATE JOURNAL

ADJOURNMENT – MAY 24, 2006 SESSION
COMMENCEMENT – JUNE 28, 2006 SESSION

SENATE JOURNAL 16 *(Cont.)*

May 24, 2006

HOUSE MESSAGE

The House of Representatives has laid on the table the report of the Committees of Conference to which was referred the following entitled Bills:

HB 1603-FN, relative to administration and enforcement by the division of forests and lands over forest resources and timber harvesting.

HB 1752, requiring notice regarding the classifications of employee and independent contractor.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

HB 37-FN, relative to health insurance coverage for full-time students on medical leaves of absence.

HB 76, relative to distribution of state aid to charter schools; relative to establishing the 21st century scholars program and making an appropriation therefor; and relative to funding for charter schools.

HB 349, relative to placement and removal of political advertising.

HB 506, including employees of charitable organizations under the protection of the state law against discrimination.

HB 582, relative to management of electronic records by the department of state, and relative to departmental salaries.

HB 587, relative to child abuse and neglect investigations by the department of health and human services.

HB 656-FN, relative to medical decision making for those adults without capacity to make health care decisions for themselves and establishing procedures for Do Not Resuscitate Orders.

HB 678-FN, relative to the insurance premium tax.

HB 1126, relative to licenses for first mortgage bankers, brokers, pawnbrokers, and money lenders and relative to licensing of money transmitters.

HB 1146, establishing a commission to study certain energy and environmental issues.

HB 1194, relative to job protection for firefighters, rescue workers, and emergency medical personnel, and relative to health insurance claim review and the qualifications and responsibilities of a medical director.

HB 1238-FN, relative to centralized voter registration database information and relative to interference with campaign communications.

HB 1315, relative to the definition and classification of dams and relative to the acceptance of Jericho Lake dam and dike in Berlin.

HB 1331, relative to the New Hampshire Temporary Assistance to Needy Families (TANF) program and making an appropriation therefor.

HB 1332, establishing a commission to study health care in New Hampshire correctional facilities.

HB 1343, relative to the duties of the council on resources and development, and making bonded appropriations to the department of environmental services and the New Hampshire veterans' home.

HB 1373, establishing a commission to study ways to encourage the proper recycling and disposal of grease trap wastes and to determine ways to develop additional disposal capacity.

HB 1407-FN-A, relative to funding exotic aquatic weeds eradication and control.

HB 1426, granting a right-of-way over state-owned land.

HB 1429, relative to municipal exemptions for hazardous waste cleanup liability and preventing the exemption of privately-owned landfills and ancillary facilities from property taxes.

HB 1459-FN-A, making an appropriation to the department of regional community-technical colleges for tuition maintenance; authorizing the temporary use of the department of regional community-technical colleges nonlapsing account for tuition maintenance; and making a bonded capital appropriation to the department of regional community-technical colleges for construction of a health education center nursing wing at the New Hampshire technical institute in Concord.

HB 1463, relative to boating and water safety.

HB 1474-FN, relative to unemployment compensation contribution rates and benefits and establishing a commission to investigate the feasibility of merging the department of employment security into the department of labor.

HB 1491, extending certain deadlines relating to the Great Bay Estuary Commission.

HB 1508, relative to acceptance of applications by planning boards.

HB 1574, relative to membership on the public employees deferred compensation commission and relative to criminal penalties for certain securities violations.

HB 1590-FN, relative to the pari-mutuel commission.

HB 1626-FN-A, relative to appropriations for the expenses of certain departments of the state and establishing a quality early learning opportunity initiative and making an appropriation therefor.

HB 1692-FN, establishing the New Hampshire sexual predators act.

HB 1697-FN, relative to certain state salaries; establishing the position of director of homeland security and emergency management in the department of safety; authorizing the commissioner of safety to reorganize certain divisions, responsibilities, and activities of the department; relative to appeals of reclassification of positions; relative to a study of the unclassified salary schedule; and relative to the registration of apprentices by the board of barbering, cosmetology, and esthetics.

HB 1710-FN-A, making an appropriation to the department of health and human services for home care providers.

HB 1720-FN, relative to notice of parent liability in CHINS proceedings.

HB 1724-FN, relative to compensation and benefits for reserve and national guard members who are state employees and amending certain capital appropriations to the adjutant general.

HB 1744-FN-A, authorizing the pari-mutuel commission to regulate games of chance conducted by charitable organizations and relative to tournaments conducted by charitable organizations where chips have no monetary face value.

HB 1758, classifying bio-oil, bio synthetic gas, and biodiesel as renewable energy sources and relative to taxation of renewable generation facilities.

HB 1761, relative to hold over tenants in vacation or recreational rental units.

HB 1767-FN-A, authorizing the state acquisition of real estate destroyed in the October 2005 floods, establishing a commission to determine the appropriate use of the property, and making an appropriation therefor.

ENROLLED BILL AMENDMENTS

May 26, 2006
2006-2385-EBA
05/10

Enrolled Bill Amendment to SB 140

The Committee on Enrolled Bills to which was referred SB 140

AN ACT relative to the acceptance of in-lieu payments for the restoration or creation of wetlands and the preservation of upland areas adjacent to wetland areas.

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 140

This enrolled bill amendment makes technical corrections to RSA references and a reference to the executive director of the fish and game department.

Enrolled Bill Amendment to SB 140

Amend RSA 482-A:31, II as inserted by section 1 of the bill by replacing lines 1 and 2 with the following:

II. The method of calculating the amount of in lieu payments under RSA 482-A:30 which shall approximate the total cost of wetlands construction or such other

Amend RSA 482-A:31, III(d) as inserted by section 1 of the bill by replacing line 2 with the following:
established under RSA 482-A:32.

Amend RSA 482-A:32, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The executive director of the fish and game department, or designee.

Adopted.

May 17, 2006
2006-2296-EBA
06/01

Enrolled Bill Amendment to SB 200-FN

The Committee on Enrolled Bills to which was referred SB 200-FN

AN ACT establishing the uniform athlete agents 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 SB 200-FN

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 200-FN

Amend RSA 332-J:10, I as inserted by section 1 of the bill by replacing line 4 with the following:
at which the student-athlete is enrolled, or the educational institution at which the athlete agent has

Adopted.

May 11, 2006
2006-2233-EBA
04/09

Enrolled Bill Amendment to SB 221

The Committee on Enrolled Bills to which was referred SB 221

AN ACT relative to obtaining a driver's license and creating a violation for failure to pay a highway toll.

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 221

This enrolled bill amendment renumbers an RSA section to avoid duplicate numbering with an RSA section inserted by 2006, 116 (HB 1155).

Enrolled Bill Amendment to SB 221

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

3 New Section; Failure to Pay a Highway Toll. Amend RSA 236 by inserting after section 31-a the following new section:

236:31-b Failure to Pay a Highway Toll. Notwithstanding the provisions of RSA 236:31, any

Adopted.

May 22, 2006
2006-2320-EBA
06/10

Enrolled Bill Amendment to SB 244

The Committee on Enrolled Bills to which was referred SB 244

AN ACT relative to unclaimed deposits for utility services.

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 244

This enrolled bill amendment makes a technical correction to a bill section heading.

Enrolled Bill Amendment to SB 244

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

1 Abandoned Deposits. Amend the section heading of RSA 471-C:8 and RSA 471-C:8, I to read as follows:

Adopted.

May 22, 2006
2006-2376-EBA
03/01

Enrolled Bill Amendment to SB 245

The Committee on Enrolled Bills to which was referred SB 245

AN ACT repealing laws relative to the municipal courts and the administrative committee of the district and municipal courts.

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 245

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 245

Amend RSA 604-A:7 as inserted by section 2 of the bill by replacing line 2 with the following:

and judicial branch family division shall each have the authority to establish such rules and

Adopted.

May 26, 2006
2006-2384-EBA
06/09

Enrolled Bill Amendment to SB 250

The Committee on Enrolled Bills to which was referred SB 250

AN ACT relative to lead paint poisoning prevention.

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 250

This enrolled bill amendment corrects a statutory reference and makes a technical correction.

Enrolled Bill Amendment to SB 250

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

1 Reference Deleted. Amend RSA 130-A:2, I(c) to read as follows:

Amend section 3 of the bill by replacing line 5 with the following:

order, ***served by the commissioner***; is not followed ***or a fine imposed by the commissioner is not***

Adopted.

May 22, 2006
2006-2374-EBA
04/09

Enrolled Bill Amendment to SB 251

The Committee on Enrolled Bills to which was referred SB 251

AN ACT relative to the enforcement authority of the division of safety services.

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 251

This enrolled bill amendment inserts a contingency provision changing a statutory reference and adding text to reflect changes made in HB 298 of the 2006 legislative session, if HB 298 becomes law.

Enrolled Bill Amendment to SB 251

Amend the bill by replacing all after section 2 with the following:

3 Navigation; Enforcement Powers. RSA 270:12-a, I(b) is repealed and reenacted to read as follows:

(b) The provisions of RSA 265-A, relative to the operation or attempted operation of boats by a person under the influence of intoxicating liquor or a controlled drug or other unlawful operation of boats thereunder;

4 Contingency. If HB 298 of the 2006 legislative session is enacted into law, section 3 of this act shall take effect on January 1, 2007 and section 26 of HB 298 shall not take effect. If HB 298 of the 2006 legislative session does not become law, section 3 of this act shall not take effect and section 26 of HB 298 shall take effect January 1, 2007.

5 Effective Date.

I. Section 3 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect July 1, 2006.

Adopted.

May 18, 2006
2006-2321-EBA
06/10

Enrolled Bill Amendment to SB 252

The Committee on Enrolled Bills to which was referred SB 252

AN ACT relative to certification of speech-language assistants for purposes of speech language pathology practice.

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 252

This enrolled bill amendment makes grammatical corrections.

Enrolled Bill Amendment to SB 252

Amend RSA 326-F:1, II-a as inserted by section 1 of the bill by replacing line 1 with the following:

II-a. "Speech-language assistant" means any person certified by the board who meets

Adopted.

May 22, 2006
2006-2375-EBA
03/09

Enrolled Bill Amendment to SB 262

The Committee on Enrolled Bills to which was referred SB 262

AN ACT establishing the position of an administrator of women offenders and family services within the department of corrections, and establishing an interagency coordinating council on women offenders, 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 SB 262

This enrolled bill amendment amends the title of the bill to reflect the contents of the bill and makes typographical and grammatical corrections.

Enrolled Bill Amendment to SB 262

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

AN ACT establishing the position of an administrator of women offenders and family services within the department of corrections and establishing an interagency coordinating council on women offenders.

Amend RSA 21-H:14-b, II(e) as inserted by section 1 of the bill by replacing line 5 with the following:

make recommendations to the commissioner regarding women offender supervision and services,

Amend RSA 21-H:14-c, II(b) as inserted by section 1 of the bill by replacing line 2 with the following:

attending to the duties of the council.

Amend RSA 21-H:14-c, III(f) as inserted by section 1 of the bill by replacing line 1 with the following:

(f) Assess the impact of incarceration on family relations during and after incarceration.

Amend RSA 21-H:14-c, III(g) as inserted by section 1 of the bill by replacing line 1 with the following:

(g) Apply for and administer federal and private sector grants for the furtherance of the

Amend RSA 21-H:14-c, IV as inserted by section 1 of the bill by replacing line 5 with the following:

the chairperson when deemed necessary by the chairperson.

Amend RSA 21-H:14-c, V as inserted by section 1 of the bill by replacing line 2 with the following:

coterminous with his or her term in office. The terms of the remaining members shall be for 3 years.

Adopted.

May 15, 2006
2006-2248-EBA
04/01

Enrolled Bill Amendment to SB 269

The Committee on Enrolled Bills to which was referred SB 269

AN ACT ratifying certain actions at the 1996 Seabrook annual town meeting.

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 269

This enrolled bill amendment corrects the title of the bill to accurately reflect its contents.

Enrolled Bill Amendment to SB 269

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

AN ACT ratifying all actions from the 1996 Seabrook annual town meeting, pertaining to the adoption of article 3, through September 12, 2006.

Adopted.

May 22, 2006
2006-2319-EBA
05/01

Enrolled Bill Amendment to SB 284-FN

The Committee on Enrolled Bills to which was referred SB 284-FN

AN ACT establishing a third full-time justice position in the Manchester, Nashua, and Concord District Courts and equalizing the annual salaries of all justices of the Manchester, Nashua, and Concord District Courts.

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 284-FN

This enrolled bill amendment corrects the title of the bill to reflect its contents after the house divided the question on the adoption of the bill as amended by the senate.

Enrolled Bill Amendment to SB 284-FN

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

AN ACT establishing a third full-time justice position in the Manchester, Nashua, and Concord District Courts.

Adopted.

June 1, 2006

2006-2398-EBA

08/10

Enrolled Bill Amendment to SB 287-FN

The Committee on Enrolled Bills to which was referred SB 287-FN

AN ACT making certain changes to the eminent domain statute and establishing a committee to study eminent domain issues.

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 287-FN

This enrolled bill amendment amends the title of the bill to reflect its contents, removes bill sections which duplicate changes made in the bill, and makes technical corrections.

Enrolled Bill Amendment to SB 287-FN

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

AN ACT making certain changes to eminent domain statutes.

Amend RSA 205:3-b, II as inserted by section 9 of the bill by replacing line 1 with the following:

II. Except as provided in subparagraphs I(b) and (d) of this section, public use shall not

Amend RSA 498-A:1, I as inserted by section 10 of the bill by replacing line 2 with the following:

procedure to govern all condemnations of property for public [~~purposes~~] **uses** including the review of

Amend RSA 498-A:5, II(e) as inserted by section 12 of the bill by replacing lines 1 and 2 with the following:

(e) A brief description of the purpose of the condemnation [~~and~~], the need therefor, **and the public use to which the real property will be put;**

Amend the bill by deleting section 24 and renumbering the original sections 25-28 to read as 24-27, respectively.

Amend the bill by deleting renumbered sections 25-26 and renumbering section 27 to read as 25.

Adopted.

May 22, 2006

2006-2380-EBA

06/10

Enrolled Bill Amendment to SB 295-FN

The Committee on Enrolled Bills to which was referred SB 295-FN

AN ACT relative to registration of business entities.

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 295-FN

This enrolled bill amendment incorporates changes made to an RSA section by 2006, 81 (HB 1227-FN).

Enrolled Bill Amendment to SB 295-FN

Amend RSA 304-C:81, I(d) as inserted by section 14 of the bill by replacing line 3 with the following:
year, an additional late filing fee in the amount of \$50; ~~and~~ upon receipt for filing

Adopted.

May 18, 2006
2006-2322-EBA
04/09

Enrolled Bill Amendment to SB 323

The Committee on Enrolled Bills to which was referred SB 323

AN ACT establishing a legislative youth advisory council.

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 323

This enrolled bill amendment inserts a contingency renumbering an RSA chapter to avoid duplicate numbering with HB 1722-FN.

Enrolled Bill Amendment to SB 323

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Contingency. If HB 1722-FN of the 2006 legislative session becomes law, RSA 19-J as inserted by section 1 of this act shall be renumbered as RSA 19-K and the reference to RSA 19-J:5 in RSA 6:12, I(b)(248) as inserted by section 2 of this act shall be renumbered as RSA 19-K:5.

Adopted.

May 24, 2006
2006-2331-EBA
08/10

Enrolled Bill Amendment to SB 325

The Committee on Enrolled Bills to which was referred SB 325

AN ACT making technical corrections and other changes to motor vehicle laws.

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 325

This enrolled bill amendment incorporates an addition to an RSA section made by 2006, 108 (HB 1749-FN).

This enrolled bill amendment also inserts a contingency to incorporate changes made by HB 1243-FN of the 2006 legislative session.

Enrolled Bill Amendment to SB 325

Amend section 12 of the bill by inserting after line 14 the following:

III-b. A corporation that is operating under an active DD Form 441 Department of Defense Security Agreement and has a facility located within the state may request that the commissioner grant a waiver to the corporation that would permit it to obtain the name and address of the owner of any motor vehicle that is on or adjacent to the corporation's property within the state of New Hampshire. The corporation shall only use information received under this paragraph for security purposes. The commissioner may grant or renew the waiver for any period up to one year. During the period when the

waiver is valid, the police department of jurisdiction shall, upon request, provide to the corporation's security operations center supervisor, or equivalent person, the name and address of the owner of any motor vehicle on or adjacent to the corporation's property within the state of New Hampshire.

Amend the bill by replacing all after section 15 with the following:

16 Registration Required. RSA 261:40 is repealed and reenacted to read as follows:

261:40 Registration Required. Except as otherwise provided, it is a violation for any person to drive or any owner or custodian to knowingly permit or cause to be driven on the ways of this state any vehicle which is not specifically exempt by statute or rule from the requirement of registration, unless the same has been registered and the appropriate fee paid in accordance with the provisions of this chapter. The fine for a violation of this section shall be \$72.

17 Contingency. If HB 1243-FN of the 2006 legislative session becomes law, section 16 of this act shall take effect at 12:01 a.m. on the day one day after the passage of the state operating budget for the biennium ending June 30, 2009. If HB 1243-FN does not become law, section 16 of this act shall not take effect.

18 Effective Date.

I. Section 16 of this act shall take effect as provided in section 17 of this act.

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

Adopted.

May 25, 2006
2006-2382-EBA
05/01

Enrolled Bill Amendment to SB 352-FN

The Committee on Enrolled Bills to which was referred SB 352-FN

AN ACT relative to the regulation of real estate appraisers.

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 352-FN

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 352-FN

Amend RSA 310-B:2, II as inserted by section 2 of this act by replacing line 6 with the following:

market information. ***Nothing in this paragraph shall be interpreted to affect the right of any***

Adopted.

June 1, 2006
2006-2399-EBA
03/01

Enrolled Bill Amendment to SB 359-FN

The Committee on Enrolled Bills to which was referred SB 359-FN

AN ACT relative to the regulation of plumbers and water treatment technicians by the plumbers' board.

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 359-FN

This enrolled bill amendment inserts an omitted word and makes a punctuation correction.

Enrolled Bill Amendment to SB 359-FN

Amend RSA 329-A:9-a, III as inserted by section 9 of the bill by replacing lines 3-6 with the following:

installs, maintains, or repairs water treatment systems, provided the entity designates one employee certified 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 ***is*** certified under

Adopted.

May 8, 2006
2006-2212-EBA
03/10

Enrolled Bill Amendment to SB 382

The Committee on Enrolled Bills to which was referred SB 382

AN ACT relative to the guardian ad litem board.

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 382

This enrolled bill amendment makes grammatical and technical corrections.

Enrolled Bill Amendment to SB 382

Amend RSA 490-C:4, I(g) as inserted by section 3 of the bill by replacing line 6 with the following:

~~appropriate investigation and resolution by the appointing]~~ **to the appropriate court for**

Amend RSA 490-C:4, II(f) as inserted by section 3 of the bill by replacing line 3 with the following:

investigations, ~~or~~ adjudicatory hearings, **or other proceedings** held by the board.

Amend RSA 490-C:5-b, II(d) as inserted by section 6 of the bill by replacing lines 1-4 with the following:

(d) The board, **its representatives, or its agents** may, **without a specific court order**, disclose to any [New Hampshire] court ~~[with the authority to appoint a guardian]~~ **that appoints or oversees guardians** ad litem, or **any other entity or group** which possesses oversight authority over **any type of** ~~[the]~~ professional ~~[activities]~~ **activity** of ~~[individuals]~~ **persons** who may

Amend RSA 490-C:5-b, IV(d) as inserted by section 6 of the bill by replacing line 2 with the following:

proceeding or any proceeding or other matter before the board, including but not limited to the

Amend RSA 490-C:5-b, VI(a)(4) as inserted by section 6 of the bill by replacing line 2 with the following:

proceeding or any proceeding or other matter before the board, including but not limited to the

Amend RSA 490-C:5-b, IX(a)(2) as inserted by section 6 of the bill by replacing lines 2-4 with the following:

matter for the reasons set forth in subparagraphs IV(c) through (e), unless prior permission to make such disclosure has been obtained from the board or the disclosure is allowed under paragraph II, other provisions of this chapter, or other law.

Adopted.

May 24, 2006
2006-2378-EBA
03/01

Enrolled Bill Amendment to SB 386

The Committee on Enrolled Bills to which was referred SB 386

AN ACT relative to large groundwater withdrawals.

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 386

This enrolled bill amendment makes grammatical corrections.

Enrolled Bill Amendment to SB 386

Amend RSA 485-C:21, V-c(a)(3) as inserted by section 5 of the bill by replacing line 3 with the following:

indicating that the reduction in flow has resulted in the inability to meet his or her water

Amend RSA 485-C:21, V-c(j) as inserted by section 5 of the bill by replacing line 3 with the following:

causing the contamination of an aquifer or contributing to the spread of any existing

Adopted.

May 31, 2006
2006-2389-EBA
06/09

Enrolled Bill Amendment to SB 388

The Committee on Enrolled Bills to which was referred SB 388

AN ACT relative to farm composting and pesticides.

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 388

This enrolled bill amendment rennumbers a subparagraph to avoid a numbering conflict with 2006, 11(HB 331) and makes a technical correction.

Enrolled Bill Amendment to SB 388

Amend RSA 21:34-a, II(b)(7) as inserted by section 1 of the bill by replacing line 1 with the following:

(8) The production and storage of compost and the materials necessary to

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

2 Pesticides. Amend RSA 430:31, IV(x) to read as follows:

Adopted.

May 22, 2006
2006-2373-EBA
05/09

Enrolled Bill Amendment to SB 391-FN

The Committee on Enrolled Bills to which was referred SB 391-FN

AN ACT relative to insurance third party administrators.

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 391-FN

This enrolled bill amendment corrects a section heading and inserts a gender neutral reference.

Enrolled Bill Amendment to SB 391-FN

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

4 Third Party Administrators; Approval of Advertising. Amend RSA 402-H:5 to read as

Amend RSA 402-H:11, I as inserted by section 8 of the bill by replacing line 1 with the following:

I. No person shall act as, or offer to act as, or hold himself ***or herself*** out to be an administrator in this

Adopted.

May 31, 2006
2006-2386-EBA
04/09

Enrolled Bill Amendment to SB 394

The Committee on Enrolled Bills to which was referred SB 394

AN ACT establishing the Trust Modernization and Competitiveness 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 SB 394

This enrolled bill amendment makes grammatical and technical corrections to the bill.

Enrolled Bill Amendment to SB 394

Amend RSA 383:9-d, II(a) as inserted by section 2 of the bill by replacing line 2 with the following:

prepared in accordance with RSA 384:43, III(a) and (b), and a fiduciary audit conforming to

Amend section 27 of the bill by replacing line 1 with the following:

27 Trust Companies; Certificate of Organization. RSA 392:18 is repealed and reenacted to read as follows:

Amend RSA 392:25, VIII as inserted by section 33 of the bill by replacing line 1 with the following:

VIII. In calculating compliance with the investment limits set forth in paragraph VII, a

Amend section 38 of the bill by replacing line 1 with the following:

38 Trust Companies; Treasurer. RSA 392:31 is repealed and reenacted to read as follows:

Amend section 45 of the bill by replacing lines 1-4 with the following:

45 New Subdivision; Family Fiduciary Services Companies. Amend RSA 392 by inserting after section 40 the following new subdivision:

Family Fiduciary Services Companies

392:40-a Definitions; Exemption From Certain Laws.

Amend section 45 of the bill by replacing lines 7- 8 with the following:

under RSA 392:40-b, I(e) requesting an exemption from certain provisions of this chapter pursuant to RSA 392:40-a, III.

Amend section 45 of the bill by replacing line 34 with the following:

was organized or operated for the purpose of evading the limitations of RSA 392:40-a, I.

Amend section 45 of the bill by replacing line 72 with the following:

392:40-b Requirements to Apply for and Maintain Status as a Family Fiduciary Services

Amend section 45 of the bill by replacing line 75 with the following:

requesting an exemption from the provisions of this chapter pursuant to RSA 392:40-a shall file an

Amend section 45 of the bill by replacing line 86 with the following:

determines whether the individuals are family members under RSA 392:40-a, I(b). The designated

Amend section 45 of the bill by replacing lines 120-121 with the following:

family fiduciary services company has violated any of the requirements of RSA 392:40-a through RSA 392:40-c or fails to meet any condition or limitation on which an exemption from the provisions

Amend section 45 of the bill by replacing line 144 with the following:

392:40-c Conversion to Nondepository Public Trust Company Transacting Business With the

Amend section 45 of the bill by replacing line 149 with the following:

applicable to the family fiduciary services company pursuant to RSA 392:40-a shall cease to apply once

Amend section 45 of the bill by replacing line 168 with the following:

previously had been exempted pursuant to RSA 392:40-a. Such determination shall be based on the

Amend RSA 564-B:7-703(i) as inserted by section 57 of the bill by replacing line 6 with the following:

cotrustee or other fiduciary designated by the terms of the trust to perform his or her duties as a trustee or

Amend RSA 564-B:8-802(f) as inserted by section 61 of the bill by replacing lines 1-2 with the following:

(f) The following transactions, if fairly priced and in accordance with the interest of the beneficiaries and the purposes of the trust, are not presumed to be affected by a conflict between the

Amend RSA 564-B:8-813(k) as inserted by section 64 of the bill by replacing lines 12-13 with the following:

shall affect the limitation on the liability of the excluded fiduciary provided by RSA 564-B:12-1206 and RSA 564-B:12-1207.

Amend RSA 564-C:1-104(h)(4)(B)-(C) as inserted by section 68 of the bill by replacing them with the following:

(B) the beneficiary or a person who may represent and bind the beneficiary under the provisions of article 3 of RSA 564-B or the person who has the rights of a qualified beneficiary receives actual notice; or

(C) the beneficiary or a person who may represent and bind the beneficiary under the provisions of article 3 of RSA 564-B or the person who has the rights of a qualified beneficiary consents in writing to the proposed action either before or after the action is taken.

Adopted.

May 11, 2006

2006-2234-EBA

05/09

Enrolled Bill Amendment to SB 405

The Committee on Enrolled Bills to which was referred SB 405

AN ACT relative to the acceptance of certain tax-sheltered funds by the Manchester employees' contributory retirement system.

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 405

This enrolled bill amendment rennumbers a session law section to avoid duplicating the numbering inserted by 2006, 115 (SB 404).

Enrolled Bill Amendment to SB 405

Amend section 1 of the bill by replacing lines 2-4 with the following:

Tax Sheltered Funds for Allowable Service Purchases. Amend 1973, 218, as amended by 2002, 194 and 2006, 115, by inserting after section 30 the following new section:

218:31 Acceptance of Certain Tax Sheltered Funds.

Adopted.

June 1, 2006

2006-2394-EBA

03/09

Enrolled Bill Amendment to HB 37-FN

The Committee on Enrolled Bills to which was referred HB 37-FN

AN ACT relative to health insurance coverage for full-time students on medical leaves of absence.

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 37-FN

This enrolled bill amendment corrects a reference in the bill and makes a technical correction.

Enrolled Bill Amendment to HB 37-FN

Amend RSA 415:18, V(b) as inserted by section 3 of the bill by replacing line 1 with the following:

(b) If the coverage for dependent children under paragraph IV includes

Amend RSA 415:18, V(b) as inserted by section 3 of the bill by replacing line 12 with the following:

date the insurance coverage under this subparagraph commences.

Adopted.

June 1, 2006
2006-2397-EBA
06/01

Enrolled Bill Amendment to HB 76

The Committee on Enrolled Bills to which was referred HB 76

AN ACT relative to distribution of state aid to charter schools; relative to establishing the 21st century scholars program and making an appropriation therefor; and relative to funding for charter 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 HB 76

This enrolled bill amendment amends the title of the bill to accurately reflect the contents of the bill and makes a technical correction.

Enrolled Bill Amendment to HB 76

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

AN ACT relative to distribution of state aid to charter schools and relative to funding for charter schools.

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

2 State Aid; Education Trust Fund. Amend the introductory paragraph of RSA 198:39, I to

Adopted.

May 24, 2006
2006-2372-EBA
05/01

Enrolled Bill Amendment to HB 298

The Committee on Enrolled Bills to which was referred HB 298

AN ACT relative to consolidating statutes relating to driving while intoxicated.

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 298

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 298

Amend RSA 265-A:24, II as inserted by section 1 of the bill by replacing line 2 with the following:

system, or who refuses to take a test to determine his or her alcohol concentration, shall be placed

Amend RSA 21-P:14, IV(j)-(k) as inserted by section 5 of the bill by replacing them with the following:

(j) Suspension or revocation of a driver's license or driving privilege, as authorized by RSA [263:53-66] **263:53 through RSA 263:65**, [and] RSA 263:73, **RSA 265-A:26, and RSA 265-A:29.**

(k) Appeals of driver's license denial, suspension, or revocation, as authorized by RSA 263:75, **RSA 265-A:34**, and **RSA 263:76.**

Amend section 18 of the bill by replacing line 1 with the following:

18 References Changed. Amend RSA 262:23, III to read as follows:

Adopted.

June 5, 2006
2006-2403-EBA
04/09

Enrolled Bill Amendment to HB 656-FN

The Committee on Enrolled Bills to which was referred HB 656-FN

AN ACT relative to medical decision making for those adults without capacity to make health care decisions for themselves and establishing procedures for Do Not Resuscitate Orders.

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 656-FN

This enrolled bill amendment inserts text which is current law and which was unintentionally omitted from RSA 153-A:20, II as amended by section 3 of the bill; corrects a subparagraph number; and makes a technical correction.

Enrolled Bill Amendment to HB 656-FN

Amend RSA 153-A:20, II as inserted by section 3 of the bill by replacing it with the following:

II. Protocols approved and issued by the emergency medical services medical control board for provision of emergency medical care, which shall address living wills established under RSA [137-H] **137-J**, durable powers of attorney for health care established under RSA 137-J, and patient-requested, physician generated orders relative to resuscitation. Notwithstanding RSA 541-A:12, III, the department may incorporate by reference into such rules protocols pertaining solely to medical and pharmaceutical patient care processes issued by the emergency medical services board and approved by the commissioner.

Amend section 4 of the bill by replacing lines 1-2 with the following:

4 Guardians; Reference Change. Amend RSA 464-A:25, I(e) to read as follows:

(e) If a ward has previously executed a valid living will, under RSA [137H] **137-J**, a

Amend section 5 of the bill by replacing line 1 with the following:

5 Jurisdiction; Reference Change. Amend RSA 547:3, I(j) to read as follows:

Adopted.

May 16, 2006
2006-2258-EBA
04/10

Enrolled Bill Amendment to HB 690-FN

The Committee on Enrolled Bills to which was referred HB 690-FN

AN ACT relative to aid to the needy blind to undue hardship for public assistance, and to eligibility for and recovery of public assistance.

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 grammatical corrections to the title of the bill.

Enrolled Bill Amendment to HB 690-FN

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

AN ACT relative to aid to the needy blind, undue hardship for public assistance, and eligibility for and recovery of public assistance.

Adopted.

May 12, 2006
2006-2241-EBA
03/10

Enrolled Bill Amendment to HB 716-FN

The Committee on Enrolled Bills to which was referred HB 716-FN

AN ACT relative to securities regulation.

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 716-FN

This enrolled bill amendment deletes a provision previously enacted in 2005, 224, combines 2 bill sections amending the same RSA provision, and makes grammatical and technical corrections.

Enrolled Bill Amendment to HB 716-FN

Amend RSA 421-B:2, XIII-a as inserted by section 1 of the bill by replacing line 2 with the following:
partnership, limited liability company, association, joint stock company, trust where the interests

Amend section 7 of the bill by replacing lines 1-10 with the following:

7 Licensing. Amend RSA 421-B:6, V(c) to read as follows:

(c) Each **broker-dealer** branch office within this state shall be supervised by ~~an on-~~

Amend RSA 421-B:7, VIII(b) as inserted by section 10 of the bill by replacing line 1 with the following:

(b) Each applicant for a license under this paragraph shall make application on the

Amend RSA 421-B:17, II(a)(3)(A) as inserted by section 15 of the bill by replacing lines 1-5 with the following:

(A) "General solicitation" and "general advertisement" includes, but is not limited to any advertisement, article, notice, or other communication published in any newspaper, magazine, or similar media or broadcast over television or radio, and any seminar or meeting whose attendees have been invited by any general solicitation or general advertising. General solicitation and general advertisement shall not include communications and disclosure material specifically directed to

Amend RSA 421-B:17, II(r)(1)(D) as inserted by section 17 of the bill by replacing line 3 with the following:
disclosure requirements of 17 C.F.R. section 230.502(b), the secretary of state shall require

Amend RSA 421-B:31, IV(a) as inserted by section 23 of the bill by replacing line 3 with the following:

~~[or (h)]~~, (3) a notice filing under section 18(b)(4)(D) of the Securities Act of 1933, or (4) a notice filing

Amend the bill by deleting section 29 and renumbering the original sections 30-31 to read as 29-30, respectively.

Adopted.

June 6, 2006

2006-2408-EBA

05/09

Enrolled Bill Amendment to HB 1126

The Committee on Enrolled Bills to which was referred HB 1126

AN ACT relative to licenses for first mortgage bankers, brokers, pawnbrokers, and money lenders and relative to licensing of money transmitters.

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 1126

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1126

Amend section 5 of the bill by replacing lines 1 and 2 with the following:

5 Licensing of Sales Finance Companies and Retail Sellers Required. Amend the introductory paragraph of RSA 361-A:2, II(a) and RSA 361-A:2, II(a)(1) to read as follows:

Amend RSA 399-G:1, V(d) as inserted by section 35 of the bill by replacing it with the following:

(d) In the case of an owner that is a limited liability company (LLC):

(1) Those members that have the right to receive upon dissolution, or have contributed, 25 per cent or more of the LLC's capital; and

(2) If managed by elected managers, all elected managers; and

Adopted.

May 26, 2006
2006-2383-EBA
06/01

Enrolled Bill Amendment to HB 1146

The Committee on Enrolled Bills to which was referred HB 1146

AN ACT establishing a commission to study certain energy and environmental issues.

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 1146

This enrolled bill amendment corrects the title of the bill to accurately reflect the contents of the bill.

Enrolled Bill Amendment to HB 1146

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

AN ACT establishing a state energy policy commission.

Adopted.

May 18, 2006
2006-2328-EBA
08/10

Enrolled Bill Amendment to HB 1167-FN-A

The Committee on Enrolled Bills to which was referred HB 1167-FN-A

AN ACT relative to the department of transportation pilot program for effective investment of state highway mitigation funds and making an appropriation to the land and community heritage investment program.

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 1167-FN-A

This enrolled bill amendment corrects the effective date of the bill.

Enrolled Bill Amendment to HB 1167-FN-A

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

I. Sections 1 and 2 of this act shall take effect upon its passage.

Adopted.

June 2, 2006
2006-2402-EBA
04/01

Enrolled Bill Amendment to HB 1194

The Committee on Enrolled Bills to which was referred HB 1194

AN ACT relative to job protection for firefighters, rescue workers, and emergency medical personnel, and relative to health insurance claim review and the qualifications and responsibilities of a medical director.

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 1194

This enrolled bill amendment corrects the title of the bill to accurately reflect its contents and makes technical corrections.

Enrolled Bill Amendment to HB 1194

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

AN ACT relative to job protection for firefighters, rescue workers, and emergency medical personnel, and relative to health insurance claim review.

Amend RSA 415-A:4-b, V(a)(6)-(8) as inserted by section 3 of the bill by replacing them with the following:

(6) ~~[If the claim denial is based on a medical necessity or experimental treatment or similar exclusion or limit, either an explanation of the scientific or clinical judgment for the denial, applying the terms of the plan to the claimant's medical circumstances, or a statement that such explanation will be provided free of charge upon request;~~

(7) The following statement: "You and your plan may have other voluntary alternative dispute resolution options, such as mediation. One way to find out what may be available is to contact your local U.S. Department of Labor Office and your state insurance regulatory agency;" and

~~[(8)]~~ (7) A statement describing the claimant's right to contact the insurance commissioner's office for assistance which shall include a toll-free telephone number and address of the commissioner.

Adopted.

May 30, 2006
2006-2387-EBA
08/10

Enrolled Bill Amendment to HB 1238-FN

The Committee on Enrolled Bills to which was referred HB 1238-FN

AN ACT relative to centralized voter registration database information and relative to interference with campaign communications.

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 1238-FN

This enrolled bill amendment incorporates changes made to an RSA section in the bill by 2006, 94:1 (HB 391).

Enrolled Bill Amendment to HB 1238-FN

Amend the bill by replacing section 3 with the following:

3 Right to Know Exemption; Public Information; Mailing Address. Amend RSA 654:31-a to read as follows:

654:31-a Right to Know Exemption. The information contained on the checklist of a town or city, specifically, the name, street address, **mailing address**, town or city, and party affiliation, if any, of registered voters, except as otherwise provided by statute, is public information subject to RSA 91-A. All other information on the voter registration form, absentee registration affidavit, citizenship and domicile affidavits, and application for absentee ballot shall be treated as confidential information and the records containing this information shall be exempt from the public disclosure provisions of RSA 91-A, except as provided by statutes other than RSA 91-A. Notwithstanding the foregoing, citizenship and domicile affidavits are public records subject to RSA 91-A for the sole purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted, to the extent that such ballot challenges are specifically authorized by law, or determining the accuracy of any citizenship or domicile affidavit. Election officials and law enforcement personnel in furtherance of their official duties may access and may disclose information from the voter registration form, citizenship and domicile affidavits, absentee registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law enforcement access and use of such records for the investigation or prosecution of crimes unrelated to election law violations shall be limited to the records of the specific individuals who are the subject of the investigation or prosecution.

Adopted.

May 24, 2006
2006-2230-EBA
04/10

Enrolled Bill Amendment to HB 1243-FN

The Committee on Enrolled Bills to which was referred HB 1243-FN

AN ACT reducing certain fines for motor vehicle violations.

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 1243-FN

This enrolled bill amendment incorporates the fine reductions required by this bill into HB 298 of the 2006 legislative session in the event HB 298 becomes law.

Enrolled Bill Amendment to HB 1243-FN

Amend the bill by replacing all after section 29 with the following:

30 Penalties for Aggravated Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18, I(b)(2) to read as follows:

(2) Fined not less than [~~\$750~~] **\$500**;

31 Penalties for Subsequent Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18, IV(a)(2) to read as follows:

(2) The person shall be fined not less than [~~\$750~~] **\$500**.

32 Transporting Alcoholic Beverages. Amend RSA 265-A:44, IV to read as follows:

IV. A person who violates this section shall be guilty of a violation [~~and shall be subject to a fine of \$150~~]. In addition, a person who violates paragraph II of this section may have his or her drivers' license, if a resident, or driving privilege, if a nonresident, suspended 60 days for a first offense and up to one year for a second or subsequent offense.

33 Contingency. If HB 298 of the 2006 legislative session becomes law, sections 20, 21, and 22 of this act shall not take effect and sections 30, 31, and 32 of this act shall take effect one day after the passage of the state operating budget for the biennium ending June 30, 2009. If HB 298 does not become law, sections 30, 31, and 32 of this act shall not take effect and sections 20, 21, and 22 of this act shall take effect one day after the passage of the state operation budget for the biennium ending June 30, 2009.

34 Effective Date.

I. Sections 20, 21, 22, 30, 31, and 32 of this act shall take effect as provided in section 33 of this act.

II. Section 33 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect one day after the passage of the state operating budget for the biennium ending June 30, 2009.

Adopted.

May 31, 2006
2006-2390-EBA
08/09

Enrolled Bill Amendment to HB 1315

The Committee on Enrolled Bills to which was referred HB 1315

AN ACT relative to the definition and classification of dams and relative to the acceptance of Jericho Lake dam and dike in Berlin.

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 1315

This enrolled bill amendment changes the title of the bill to reflect its contents.

Enrolled Bill Amendment to HB 1315

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

AN ACT relative to the definition and classification of dams, the acceptance of Jericho Lake dam and dike in Berlin, the fish and game department's acquisition of property rights to Big Brook Bog dam in Pittsburg, and the study of potential sources of funding for the repair and maintenance of dams by the state.

Adopted.

June 5, 2006

2006-2406-EBA

08/10

Enrolled Bill Amendment to HB 1331

The Committee on Enrolled Bills to which was referred HB 1331

AN ACT relative to the New Hampshire Temporary Assistance to Needy Families (TANF) program 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 1331

This enrolled bill amendment corrects a reference to a provision amended in the bill, rennumbers an RSA paragraph for grammatical purposes, and makes technical corrections.

Enrolled Bill Amendment to HB 1331

Amend section 5 of the bill by replacing lines 1 and 2 with the following:

5 Definition of Specialized Services Replaced with Definition of Interim Activities. RSA 167:78, XXII is repealed and reenacted to read as follows:

Amend RSA 167:82, II, (i)-(j) as inserted by section 8 of the bill by replacing them with the following:

(i) A person with significant employment-related barriers, as determined by the department by rules adopted pursuant to RSA 541-A, that prevent the person from accepting immediate employment.

(j) Any other person as determined by the department by rules adopted pursuant to RSA 541-A as necessary to promote the purpose and goals of this subdivision.

Amend RSA 167:85, V as inserted by section 14 of the bill by replacing line 1 with the following:

V. A person temporarily exempted under RSA 167:82, II may participate in the employment

Amend RSA 167:91, I as inserted by section 16 of the bill by replacing it with the following:

I.(a) Each participant less than 20 years of age, who is not enrolled in school and who does not have a general education diploma (GED) or a high school diploma (HSD) shall:

(1) Actively pursue an education designed to prepare such person to qualify for a high school equivalency diploma; or

(2) Enroll in school to pursue a high school diploma.

(b) Each participant required to pursue an education under subparagraph I(a) and who is unable to obtain a GED or HSD in a specified period of time may participate in activities intended to enhance basic literacy and work skills.

(c) A participant shall be permitted to volunteer to participate under paragraphs I and II as funding and resources permit.

Amend section 19 of the bill by replacing line 6 with the following:

adopted under RSA 167.

Adopted.

May 22, 2006
2006-2361-EBA
05/01

Enrolled Bill Amendment to HB 1335

The Committee on Enrolled Bills to which was referred HB 1335

AN ACT relative to the authority of law enforcement officers during a state of emergency and prohibiting the taking of arms and ammunition in a declared state of emergency.

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 1335

This enrolled bill amendment deletes sections that are identical to those inserted by 2006, 124 (SB 348) and amends the title of the bill to accurately reflect its contents.

Enrolled Bill Amendment to HB 1335

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

AN ACT relative to the authority of law enforcement officers during a state of emergency.

Amend the bill by deleting sections 2 and 3 and renumbering the original section 4 to read as 2.

Adopted.

June 1, 2006
2006-2396-EBA
04/01

Enrolled Bill Amendment to HB 1343

The Committee on Enrolled Bills to which was referred HB 1343

AN ACT relative to the duties of the council on resources and development, and making bonded appropriations to the department of environmental services and the New Hampshire veterans' home.

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 1343

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1343

Amend paragraph I of section 7 of the bill by replacing it with the following:

I. \$510,000 from the oil discharge and disposal cleanup fund established in RSA 146-D:3.

Adopted.

May 24, 2006
2006-2301-EBA
08/01

Enrolled Bill Amendment to HB 1417-FN

The Committee on Enrolled Bills to which was referred HB 1417-FN

AN ACT establishing gold star number plates and relative to special number plates for veterans.

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 1417-FN

This enrolled bill amendment nullifies 2006, 53 (HB 1154) and inserts a new section to incorporate changes made to RSA 261:87-b by this bill and by HB 1154.

Enrolled Bill Amendment to HB 1417-FN

Amend the bill by replacing all after section 2 with the following:

3 Special Number Plates for Veterans. Amend RSA 261:87-b to read as follows:

261:87-b Special Number Plates for Veterans.

I. The director is hereby authorized to issue special number plates to be used on motor vehicles owned by veterans of the United States armed services, in lieu of other number plates. The design of these special plates shall be determined by the commissioner, and shall be distinct from the design or designs of those plates issued under RSA 261:86. Such plates shall be issued only to veterans as defined in RSA 21:50, I(a) upon application, proof of veteran status in a form authorized by RSA 21:50, I(b), and payment of a one time \$25 fee to recover production and administrative costs that shall be in addition to the regular motor vehicle registration fee and any other number plate fees otherwise required. The director shall also issue such plates to any person providing proof of honorable discharge from the armed services of any nation allied with the United States during World War II and proof of such person's service during World War II. Renewals of such special number plates shall be charged the fee assessed for standard motor vehicles as prescribed under RSA 261:141. The plates furnished pursuant to this section are non-transferable and shall expire upon the death of the veteran.

II. For purposes of this section, a motor vehicle is owned by a veteran if the veteran is the motor vehicle's owner under RSA 259:72, I, or if the legal ownership of the motor vehicle is held by a trust established by the veteran and the veteran has use of the motor vehicle or the motor vehicle is used for the transportation of the veteran. The director shall establish the documentation required for a motor vehicle held in trust to be eligible for plates under this section. The director shall not issue more than one set of plates under this section to any trust. A trustee of the trust or the administrator of the estate may be fined up to \$500 for failing to return within 60 days of the death of the veteran any plates issued under this section for a motor vehicle held in trust.

4 Nullification. 2006, 53 (HB 1154-FN) shall not take effect.

5 Effective Date.

I. Section 3 of this act shall take effect January 1, 2007.

II. Section 4 of this act shall take effect upon its passage.

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

Adopted.

**May 17, 2006
2006-2297-EBA
08/09**

Enrolled Bill Amendment to HB 1458-FN

The Committee on Enrolled Bills to which was referred HB 1458-FN

AN ACT relative to the regulation of landscape architects.

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 1458-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1458-FN

Amend RSA 310-A:142, IV as inserted by section 3 of the bill by replacing line 3 with the following:
incurred in carrying out the provisions of this subdivision.

Amend RSA 310-A:144, VI as inserted by section 3 of the bill by replacing line 1 with the following:

VI. Replacement of a lost or mutilated license.

Amend RSA 310-A:154, I as inserted by section 3 of the bill by replacing line 1 with the following:

I. All licenses issued by the board shall expire on the last day of the licensee's month of birth in

Amend RSA 310-A:156, VII as inserted by section 3 of the bill by replacing lines 2-3 with the following: connection with any disciplinary proceeding, including investigations, stenographers, and attorneys' fees, as a condition of probation or reinstatement.

Amend RSA 310-A:160, II as inserted by section 3 of the bill by replacing lines 2-3 with the following: construction or alteration of landscape design associated with farms, residences, or institutional or commercial uses, where the client or reviewing governmental entity does not require the stamp of a

Adopted.

June 1, 2006
2006-2395-EBA
06/09

Enrolled Bill Amendment to HB 1459-FN-A

The Committee on Enrolled Bills to which was referred HB 1459-FN-A

AN ACT making an appropriation to the department of regional community-technical colleges for tuition maintenance; authorizing the temporary use of the department of regional community-technical colleges nonlapsing account for tuition maintenance; and making a bonded capital appropriation to the department of regional community-technical colleges for construction of a health education center nursing wing at the New Hampshire technical institute in Concord.

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 1459-FN-A

This enrolled bill amendment amends the title of the bill to accurately reflect its contents.

Enrolled Bill Amendment to HB 1459-FN-A

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

AN ACT making an appropriation to the department of regional community-technical colleges for tuition maintenance; authorizing the temporary use of the department of regional community-technical colleges' nonlapsing account for tuition maintenance; and authorizing the use of the department of regional community-technical colleges' nonlapsing account for construction of a health education center nursing wing at the New Hampshire technical institute in Concord.

Adopted.

May 24, 2006
2006-2379-EBA
06/10

Enrolled Bill Amendment to HB 1464-FN-A-LOCAL

The Committee on Enrolled Bills to which was referred HB 1464-FN-A-LOCAL

AN ACT relative to mosquito control, establishing a mosquito control fund, making an appropriation therefor, and relative to a public health response to arbovirus.

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 1464-FN-A-LOCAL

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1464-FN-A-LOCAL

Amend subparagraph I(m) of section 6 of the bill by replacing line 1 with the following:

(m) Two private citizens, each a landowner, one of whom shall be nominated by

Adopted.

May 24, 2006
2006-2381-EBA
05/10

Enrolled Bill Amendment to HB 1672-FN

The Committee on Enrolled Bills to which was referred HB 1672-FN

AN ACT relative to a registry for founded cases of abuse, neglect, or exploitation of incapacitated adults, relative to certain background checks, and establishing a task force relative to central registries.

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 1672-FN

This enrolled bill amendment corrects paragraph references.

Enrolled Bill Amendment to HB 1672-FN

Amend RSA 161-F:49, II(d) as inserted by section 2 of the bill by replacing line 2 with the following:
court in accordance with paragraph V.

Amend RSA 161-F:49, II(e) as inserted by section 2 of the bill by replacing line 2 with the following:
registry pursuant to RSA 161-F:49, IX.

Amend RSA 161-F:49, X as inserted by section 2 of the bill by replacing line 1 with the following:

X. The department shall, in the notice it sends out pursuant to RSA 161-F:49, II(a), notify

Adopted.

June 5, 2006
2006-2404-EBA
03/01

Enrolled Bill Amendment to HB 1474-FN

The Committee on Enrolled Bills to which was referred HB 1474-FN

AN ACT relative to unemployment compensation contribution rates and benefits and establishing a commission to investigate the feasibility of merging the department of employment security into the department of labor.

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 1474-FN

This enrolled bill amendment incorporates a change to RSA 282-A:82 previously enacted by 2006, 130 and makes certain technical corrections.

Enrolled Bill Amendment to HB 1474-FN

Amend section 6 of the bill by replacing lines 1-2 with the following:

6 Chairperson. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first

Amend the bill by replacing all after section 8 with the following:

9 Minimum Rate. Amend RSA 282-A:2, II to read as follows:

II. The minimum contribution rate under this section shall be not less than ~~[-0.1]~~ **.10** percent.

10 Nullification; 2006, 130:10. The provisions of 2006, 130:10 shall not take effect.

11 Effective Date.

I. Section 1 of this act shall take effect July 1, 2007.

II. Section 2 of this act shall take effect July 1, 2006.

III. Section 9 of this act shall take effect January 1, 2007.

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

Adopted.

May 9, 2006
2006-2219-EBA
08/09

Enrolled Bill Amendment to HB 1477

The Committee on Enrolled Bills to which was referred HB 1477

AN ACT implementing the federal Law Enforcement Officers Safety Act of 2004.

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 1477

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1477

Amend RSA 188-F:26, XVII as inserted by section 1 of the bill by replacing line 2 with the following:

Officers Safety Act of 2004, 18 U.S.C. section 926C(d)(2)(B) in accordance with RSA 541-A.

Amend RSA 188-F:32-d as inserted by section 2 of the bill by replacing line 4 with the following:

meeting the standards established in Pol 404.03 to qualify under the provisions of 18 U.S.C.

Amend RSA 188-F:32-d as inserted by section 2 of the bill by replacing line 7 with the following:

not qualified under 18 U.S.C. section 926C(d)(2)(B) to have received such certification.

Adopted.

May 30, 2006
2006-2388-EBA
05/10

Enrolled Bill Amendment to HB 1491

The Committee on Enrolled Bills to which was referred HB 1491

AN ACT extending certain deadlines relating to the Great Bay Estuary 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 HB 1491

This enrolled bill amendment amends the title of the bill to reflect its contents.

Enrolled Bill Amendment to HB 1491

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

AN ACT extending certain deadlines relative to the Great Bay Estuary Commission and the Estuary Alliance for Sewage Treatment, and establishing a commission to study the publicly owned treatment plant needs of New Hampshire and state laboratory water tests and fees.

Adopted.

May 12, 2006
2006-2235-EBA
04/09

Enrolled Bill Amendment to HB 1526

The Committee on Enrolled Bills to which was referred HB 1526

AN ACT relative to the composition of the medical review subcommittee of the medical review board.

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 1526

This enrolled bill amendment nullifies section 3 of 2006, 61 (HB 1517-FN) and inserts a new section to incorporate changes made to RSA 329:17, V-a by this bill and by section 3 of HB 1517-FN.

Enrolled Bill Amendment to HB 1526

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

2 Medical Review Subcommittee; Public Members. Amend RSA 329:17, V-a to read as follows:

V-a. A medical review subcommittee of [7] **9** members shall be nominated by the board of medicine and appointed by the governor and council. The subcommittee shall consist of one member of the board of medicine and [6] **8** other persons, [~~no more than~~] **3 of whom shall be public members and** 5 of whom shall be physicians. Any public member of the subcommittee shall be a person who is not, and never was, a member of the medical profession or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of medical services or an activity directly related to medicine, including the representation of the board or profession for a fee at any time during the 5 years preceding appointment. ***The terms of the public members shall be staggered so that no 2 public members' terms expire in the same year.*** The subcommittee members shall be appointed for 3-year terms, and shall serve no more than 2 terms. Upon referral by the board, the subcommittee shall review disciplinary actions reported to the board under paragraphs II-V of this section, except that matters concerning a medical director involved in a current internal or external grievance pursuant to RSA 420-J shall not be reviewed until the grievance process has been completed. Following review of each case, the subcommittee shall make recommendations to the board. Funds shall be appropriated from the general fund for use by the subcommittee to investigate allegations under paragraphs I-V of this section. The board shall employ a physician as a medical review subcommittee administrator who shall serve at the pleasure of the board. The salary of the medical review subcommittee administrator shall be established by the board in accordance with duties, experience, and amount of time required for the position.

3 Nullification. Section 3 of 2006, 61 (HB 1517-FN) shall not take effect.

4 Effective Date.

I. Section 2 of this act shall take effect June 23, 2006.

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

Adopted.

May 9, 2006
2006-2216-EBA
06/10

Enrolled Bill Amendment to HB 1546

The Committee on Enrolled Bills to which was referred HB 1546

AN ACT relative to patient information.

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 1546

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1546

Amend RSA 332-I:2, I(d) as inserted by section 2 of the bill by replacing line 3 with the following:
 recommended medical treatment and be involved in experimental research upon the patient's

Adopted.

May 31, 2006
2006-2393-EBA
06/10

Enrolled Bill Amendment to HB 1574

The Committee on Enrolled Bills to which was referred HB 1574

AN ACT relative to membership on the public employees deferred compensation commission and relative to criminal penalties for certain securities violations.

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 1574

This enrolled bill amendment nullifies section 1 of this bill, which duplicates the change made in HB 716-FN of the 2006 legislative session, in the event HB 716-FN becomes law.

Enrolled Bill Amendment to HB 1574

Amend the bill by replacing all after section 2 with the following:

3 Contingency. If HB 716-FN of the 2006 legislative session becomes law, section 1 of this act shall not take effect.

4 Effective Date.

I. Section 1 of this act shall take effect as provided in section 3 of this act.

II. Section 2 of this act shall take effect 60 days after its passage.

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

Adopted.

May 22, 2006

2006-2295-EBA

06/01

Enrolled Bill Amendment to HB 1581

The Committee on Enrolled Bills to which was referred HB 1581

AN ACT relative to drivers' licenses issued to persons under the age of 21.

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 1581

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1581

Amend RSA 263:40 as inserted by section 1 of the bill by replacing line 8 with the following:

of the applicant's date of birth, at which time the applicant shall be issued a traditional

Adopted.

May 31, 2006

2006-2391-EBA

06/09

Enrolled Bill Amendment to HB 1626-FN-A

The Committee on Enrolled Bills to which was referred HB 1626-FN-A

AN ACT relative to appropriations for the expenses of certain departments of the state and establishing a quality early learning opportunity initiative 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 1626-FN-A

This enrolled bill amendment makes technical corrections and inserts a contingency provision to avoid a numbering conflict with SB 374 of the 2006 legislative session.

Enrolled Bill Amendment to HB 1626-FN-A

Amend section 17 of the bill by replacing line 5 with the following:

parents are unable to afford the cost of quality, licensed child care. Sections 17-19 of this act are

Amend the bill by replacing section 20 with the following:

20 Contingency. If SB 374 of the 2006 legislative session becomes law, RSA 126-A:5, XIV as inserted by section 18 of this act shall be renumbered as RSA 126-A:5, XV.

21 Effective Date.

I. Sections 17-19 of this act shall take effect July 1, 2006.

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

Adopted.

May 9, 2006
2006-2220-EBA
08/01

Enrolled Bill Amendment to HB 1660-FN

The Committee on Enrolled Bills to which was referred HB 1660-FN

AN ACT regulating identity theft.

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 1660-FN

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1660-FN

Amend RSA 359-C:20, III (d) as inserted by section 1 of the bill by replacing lines 1-2 with the following:

(d) Substitute notice, if the person demonstrates that the cost of providing notice would exceed \$5,000, that the affected class of subject individuals to be notified exceeds 1,000, or the person

Adopted.

May 24, 2006
2006-2381-EBA
05/10

Enrolled Bill Amendment to HB 1672-FN

The Committee on Enrolled Bills to which was referred HB 1672-FN

AN ACT relative to a registry for founded cases of abuse, neglect, or exploitation of incapacitated adults, relative to certain background checks, and establishing a task force relative to central registries.

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 1672-FN

This enrolled bill amendment corrects paragraph references.

Enrolled Bill Amendment to HB 1672-FN

Amend RSA 161-F:49, II(d) as inserted by section 2 of the bill by replacing line 2 with the following:
 court in accordance with paragraph V.

Amend RSA 161-F:49, II(e) as inserted by section 2 of the bill by replacing line 2 with the following:
 registry pursuant to RSA 161-F:49, IX.

Amend RSA 161-F:49, X as inserted by section 2 of the bill by replacing line 1 with the following:

X. The department shall, in the notice it sends out pursuant to RSA 161-F:49, II(a), notify

Adopted.

May 10, 2006
2006-2223-EBA
04/09

Enrolled Bill Amendment to HB 1687

The Committee on Enrolled Bills to which was referred HB 1687

AN ACT extending certain studies and adding a certain duty relative to pharmacy reimbursement.

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 1687

This enrolled bill amendment corrects a date reference in the bill and inserts a contingency section re-numbering a paragraph if 2006, HB 1763 becomes law.

Enrolled Bill Amendment to HB 1687

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

until November 1, [2005] **2006**, and its members shall continue to serve until November 1, [2005] **2006**.

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

8 Contingent Renumbering. If HB 1763 of the 2006 legislative session becomes law, then paragraph III of 2005, 73:3 as inserted by section 6 of this bill shall be renumbered as paragraph VII.

Adopted.

June 6, 2006
2006-2409-EBA
03/01

Enrolled Bill Amendment to HB 1692-FN

The Committee on Enrolled Bills to which was referred HB 1692-FN

AN ACT establishing the New Hampshire sexual predators 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 1692-FN

This enrolled bill amendment incorporates changes to the law previously enacted in 2006, 89 and 2006, 162 and makes grammatical and technical corrections.

Enrolled Bill Amendment to HB 1692-FN

Amend RSA 651-B:1, V(a) as inserted by section 2 of the bill by replacing line 2 with the following:

the offense, RSA 632-A:2, RSA 632-A:3, RSA 633:1, RSA 633:2, RSA 633:3, RSA 639:2, or RSA 645:2; or

Amend RSA 651-B:1, VIII as inserted by section 4 of the bill by replacing line 1 with the following:

VIII. Notwithstanding RSA 21:6-a, "residence" means a place where a person

Amend RSA 651-B:3, II as inserted by section 6 of the bill by replacing line 12 with the following:

system. This paragraph shall not apply to a sexual offender or offender against children who has moved to New Hampshire and has registered with a local law enforcement agency.

Amend RSA 651-B:4, I(a)(3) as inserted by section 7 of the bill by replacing line 5 with the following:

vehicle make, model, color, and license tag number. A post office box shall not be provided in

Amend the bill by replacing section 9 with the following:

9 Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6, III to read as follows:

III. Notwithstanding the provisions of paragraph II, any sexual offender or offender against children who is required to register as a result ***of a violation*** of more than one offense listed in RSA 651-B:1, III or RSA 651-B:1, V, or who is sentenced to an extended term of imprisonment pursuant to RSA 651:6, I(b) shall be registered for life.

Amend RSA 651-B:7, II(a)(1)-(4) as inserted by section 11 of the bill by replacing them with the following:

(1) RSA 632-A:2, I(j).

(2) RSA 632-A:2, I(k).

~~[(1)]~~ **(3)** [Repealed.]

~~[(2)]~~ **(4)** [Repealed.]

Amend RSA 651-B:7, IV(c) as inserted by section 11 of the bill by replacing line 3 with the following:

by the agency pursuant to subparagraph IV(a) is residing in the community.

Amend RSA 651-B:9, II as inserted by section 12 of the bill by replacing line 5 with the following:

for an additional 10 years from the date of conviction for violating this paragraph. The

Amend RSA 651-B:9, VII(a) as inserted by section 12 of the bill by replacing line 2 with the following:

about the offender's noncompliance with the requirements of this chapter; and, if known,

Amend RSA 651-B:11, II as inserted by section 13 of the bill by replacing lines 3-6 with the following:

commissioner. If such a request is made, the commissioner shall promptly schedule and conduct a hearing pursuant to rules adopted under RSA 541-A. At the hearing the offender shall have the burden to prove that the offender cannot afford to pay the fee because the offender is indigent. After hearing, the decision of the commissioner shall be final, and the offender shall have a right to appeal

Amend RSA 632-A:10-a, V(c) as inserted by section 16 of the bill by replacing line 1 with the following:

(c) Prior to granting any petition pursuant to subparagraph V(b), the court shall provide

Amend the bill by replacing section 18 with the following:

18 Sentences; Extended Term of Imprisonment. RSA 651:6, I(k)-(l) is repealed and reenacted to read as follows:

(k) Has committed or attempted to commit negligent homicide as defined in RSA 630:3, I against a person under 13 years of age who was in the care of, or under the supervision of, the defendant at the time of the offense;

(l) Has committed or attempted to commit any of the crimes defined in RSA 637 or RSA 638 against a victim who is 65 years of age or older or who has a physical or mental disability and that in perpetrating the crime, the defendant intended to take advantage of the victim's age or a physical or mental condition that impaired the victim's ability to manage his or her property or financial resources or to protect his or her rights or interests;

(m) Has committed or attempted to commit aggravated felonious sexual assault in violation of RSA 632-A:2, I(l) or RSA 632-A:2, II where the defendant was 18 years of age or older at the time of the offense;

(n) Has committed or attempted to commit aggravated felonious sexual assault in violation of RSA 632-A:2, III, and one or more of the acts comprising the pattern of sexual assault was an offense under RSA 632-A:2, I(l) or RSA 632-A:2, II, or both, and the defendant was 18 years of age or older when the pattern of sexual assault began;

(o) Has purposely, knowingly, or recklessly with extreme indifference to the value of human life committed an act or acts constituting first degree assault as defined in RSA 631:1 against a person under 13 years of age where the serious bodily injury has resulted in brain damage or physical disability to the child that is likely to be permanent; or

(p) Has committed murder as defined in RSA 630:1-b against a person under 13 years of age.

Amend RSA 651:6, IV as inserted by section 20 of the bill by replacing line 1 with the following:

IV. If authorized by subparagraphs I(m), (n), or (o) and if notice of the possible application of

Amend RSA 651:6, IV(c) as inserted by section 20 of the bill by replacing line 1 with the following:

(c) Any decision by the superior court under subparagraph (a) may be reviewed by the

Amend RSA 651:6, V as inserted by section 20 of the bill by replacing line 1 with the following:

V. If authorized by subparagraph I(p) and if notice of the possible application of this section

Amend section 21 of the bill by replacing lines 2-3 with the following:

inserting after chapter 135-D the following new chapter:

CHAPTER 135-E

INVOLUNTARY CIVIL COMMITMENT OF

Amend RSA 135-E:11, I as inserted by section 21 of the bill by replacing line 6 with the following:

previous trial, unless the subsequent proceeding is continued in accordance with RSA 135-E:9, III.

Amend RSA 135-E:13 as inserted by section 21 of the bill by replacing lines 3-8 with the following:

commit acts of sexual violence if discharged, the commissioner or his or her designee shall notify the court and the court shall hold a hearing. The petition shall be served upon the court and the county attorney or attorney general. The court, upon receipt of such notice, shall schedule a hearing within 60 days, unless continued for good cause.

II. The county attorney or attorney general shall represent the state, and has the right to have the person examined by professionals of the county attorney's or attorney general's choice. The

Amend RSA 135-E:17 as inserted by section 21 of the bill by replacing line 3 with the following:

the county attorney or attorney general and the county attorney's or attorney general's employees; and

Amend RSA 135-E:18 as inserted by section 21 of the bill by replacing lines 2-3 with the following:

or circumstance is held invalid, the invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid provisions or applications, and to this end the

Amend RSA 169-B:19, III-a(f) as inserted by section 24 of the bill by replacing line 4 with the following:

provided, the court retains jurisdiction over the case.

Amend the bill by replacing section 29 with the following:

29 Effective Date.

I. Sections 26, 27, and 29 of this act shall take effect upon its passage.

II. Section 2, RSA 651-B:3, II as inserted by section 6, RSA 651-B:7, II(a) as inserted by section 11, section 18, and RSA 651:6, IV-V as inserted by section 20 of this act shall take effect January 1, 2007, at 12:01 a.m.

III. The remainder of this act shall take effect January 1, 2007.

Adopted.

May 22, 2006
2006-2377-EBA
03/01

Enrolled Bill Amendment to HB 1696-FN

The Committee on Enrolled Bills to which was referred HB 1696-FN

AN ACT relative to the cremation of human remains.

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 1696-FN

This bill changes certain references in the bill to make them consistent with other provisions in the bill and with current law.

Enrolled Bill Amendment to HB 1696-FN

Amend RSA 325-A:7, I as inserted by section 2 of the bill by replacing line 1 with the following:

I. The application for an initial or renewal license as a crematory authority shall include a fee

Amend RSA 325-A:8, IV as inserted by section 2 of the bill by replacing lines 5-7 with the following:
adjudication, it may, with the approval of the attorney general, petition governor and council to receive funds not otherwise appropriated in order to retain professional advisors in the proceeding.

(c) If the governor and council approve the use of funds not otherwise appropriated, the
Amend RSA 325-A:12, I(c) as inserted by section 2 of the bill by replacing line 1 with the following:

(c) Placement of the licensee on probation for a period not to exceed 2 years during which
Amend RSA 325-A:29 as inserted by section 2 of the bill by replacing line 4 with the following:
which contain more stringent requirements than those provided in this chapter.

Adopted.

June 6, 2006
2006-2407-EBA
03/10

Enrolled Bill Amendment to HB 1697-FN

The Committee on Enrolled Bills to which was referred HB 1697-FN

AN ACT relative to certain state salaries; establishing the position of director of homeland security and emergency management in the department of safety; authorizing the commissioner of safety to reorganize certain divisions, responsibilities, and activities of the department; relative to appeals of reclassification of positions; relative to a study of the unclassified salary schedule; and relative to the registration of apprentices by the board of barbering, cosmetology, and esthetics.

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 1697-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1697-FN

Amend section 13 of the bill by replacing lines 5-6 with the following:

II Department of safety director of emergency services, communications, and management

Amend section 14 of the bill by replacing lines 5-7 with the following:

management from the division of emergency services, communications, and management to the director of homeland security and emergency management, and transferring the bureau of emergency management from the division of emergency services, communications, and management

Adopted.

May 18, 2006
2006-2330-EBA
08/09

Enrolled Bill Amendment to HB 1741-FN

The Committee on Enrolled Bills to which was referred HB 1741-FN

AN ACT relative to reporting requirements concerning infections in hospitals.

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 1741-FN

This enrolled bill amendment makes a grammatical correction and corrects subparagraph numbering.

Enrolled Bill Amendment to HB 1741-FN

Amend RSA 151:33, I(b) as inserted by section 1 of the bill by replacing line 2 with the following:
infected or was first diagnosed; and

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

Amend RSA 151-G:1, II by inserting after subparagraph (c) the following new subparagraph:

(d) The state epidemiologist, department of health and human services.

Adopted.

June 2, 2006

2006-2400-EBA

04/10

Enrolled Bill Amendment to HB 1744-FN-A

The Committee on Enrolled Bills to which was referred HB 1744-FN-A

AN ACT authorizing the pari-mutuel commission to regulate games of chance conducted by charitable organizations and relative to tournaments conducted by charitable organizations where chips have no monetary face value.

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 1744-FN-A

This enrolled bill amendment corrects the amending language in sections 6 and 11 of the bill and clarifies a reference in section 16 of the bill.

Enrolled Bill Amendment to HB 1744-FN-A

Amend section 6 of the bill by replacing lines 1-2 with the following:

6 New Section; Rulemaking. Amend RSA 287-D by inserting after section 1-a the following new section:

Amend section 11 of the bill by replacing lines 1-2 with the following:

11 New Sections; Licensing of Game Operators. Amend RSA 287-D by inserting after section 2-b the following new sections:

Amend paragraph I(d) of section 16 of the bill by replacing it with the following:

(d) The executive director of the pari-mutuel commission, or the executive director's designee.

Adopted.

May 22, 2006

2006-2249-EBA

04/10

Enrolled Bill Amendment to HB 1747-FN

The Committee on Enrolled Bills to which was referred HB 1747-FN

AN ACT establishing a New Hampshire healthy tidal waters and shellfish protection program 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 1747-FN

This enrolled bill amendment corrects a reference in the bill.

Enrolled Bill Amendment to HB 1747-FN

Amend section 4 of the bill by replacing lines 1 and 2 with the following:

4 Appropriation. The sum of \$175,000 is hereby appropriated for the fiscal year ending June 30, 2007 to the healthy tidal waters and shellfish protection fund established in RSA 487:37.

Adopted.

June 2, 2006
2006-2401-EBA
08/09

Enrolled Bill Amendment to HB 1761

The Committee on Enrolled Bills to which was referred HB 1761

AN ACT relative to hold over tenants in vacation or recreational rental units.

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 1761

This enrolled bill amendment amends the title of the bill to accurately reflect its contents and makes technical corrections.

Enrolled Bill Amendment to HB 1761

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

AN ACT relative to hold over tenants in vacation or recreational rental units and relative to lobbyist reporting requirements.

Amend section 1 of the bill by replacing line 5 with the following:

540-C:1 Covered Units. This chapter shall apply to all dwelling units which are:

Amend section 1 of the bill by replacing line 20 with the following:

540-C:4 Civil Penalty. Any person who directs a law enforcement officer to remove a tenant

Adopted.

May 11, 2006
2006-2221-EBA
03/01

Enrolled Bill Amendment to HB 1763

The Committee on Enrolled Bills to which was referred HB 1763

AN ACT extending a committee and adding certain duties relative to pharmacy reimbursement.

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 1763

This enrolled bill amendment makes grammatical corrections.

Enrolled Bill Amendment to HB 1763

Amend section 1 of the bill by replacing lines 3-7 with the following:

III. Examining rate changes in the price of drugs which are usually changed on a daily basis.

IV. Examining the electronic payment of pharmacy reimbursements for quicker turnaround on payments to pharmacies.

V. Examining the most favored nation issue.

VI. Examining a method to reimburse pharmacies for the copayments that Medicaid clients do

Adopted.

May 11, 2006
2006-2215-EBA
04/09

Enrolled Bill Amendment to CACR 41

The Committee on Enrolled Bills to which was referred CACR 41

RELATING TO: representative districts.

PROVIDING THAT: representative districts shall be apportioned according to specified standards.

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 CACR 41

This enrolled bill amendment corrects the word "flotarial" to read "floterial."

Enrolled Bill Amendment to CACR 41

Amend paragraph I of the resolution by replacing line 7 with the following:

non-floterial representative district. When any town, ward, or unincorporated place has fewer than

Amend paragraph I of the resolution by replacing line 13 with the following:

number of inhabitants of other districts to form at-large or floterial districts conforming to

Amend paragraph IV of the resolution by replacing line 8 with the following:

non-floterial representative district. When any town, ward, or unincorporated place has fewer than

Amend paragraph IV of the resolution by replacing line 14 with the following:

number of inhabitants of other districts to form at-large or floterial districts conforming to

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):

SB 388, relative to farm composting and pesticides.

Senator Clegg 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):

SB 140, relative to the acceptance of in-lieu payments for the restoration or creation of wetlands and the preservation of upland areas adjacent to wetland areas.

SB 250, relative to lead paint poisoning prevention.

SB 251, relative to the enforcement authority of the division of safety services.

SB 287-FN, making certain changes to the eminent domain statutes.

SB 295-FN, relative to registration of business entities.

SB 325, making technical corrections and other changes to motor vehicle laws.

SB 352-FN, relative to the regulation of real estate appraisers.

SB 359-FN, relative to the regulation of plumbers and water treatment technicians by the plumbers' board.

SB 386, relative to large groundwater withdrawals.

SB 394, establishing the Trust Modernization and Competitiveness Act.

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):

SB 336, relative to security deposits in landlord tenant matters.

SB 358-FN, relative to a nurse's duty to warn of violent acts of patients.

SB 371-FN, relative to the continuation of certain wetlands fees.

SB 374-FN, relative to the state children's health insurance program.

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 690-FN, relative to aid to the needy blind, undue hardship for public assistance, and eligibility for and recovery of public assistance.

HB 1167-FN-A, relative to the department of transportation pilot program for effective investment of state highway mitigation funds and making an appropriation to the land and community heritage investment program.

HB 1335, relative to the authority of law enforcement officers during a state of emergency.

HB 1346, requiring certain persons to keep the contents of prescriptions confidential.

HB 1464-FN-A-L, relative to mosquito control, establishing a mosquito control fund, making an appropriation therefor, and relative to a public health response to arbovirus.

HB 1581, relative to drivers' licenses issued to persons under the age of 21.

HB 1696-FN, relative to the cremation of human remains.

HB 1741-FN, relative to reporting requirements concerning infections in hospitals.

HB 1747-FN, establishing a New Hampshire healthy tidal waters and shellfish protection program and making an appropriation therefor.

SB 403, relative to verification of identity when a person registers or attempts to vote.

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 1243-FN, reducing certain fines for motor vehicle violations.

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 298, relative to consolidating statutes relating to driving while intoxicated.

HB 1417-FN, establishing gold star number plates and relative to special number plates for veterans.

HB 1672-FN, relative to a registry for founded cases of abuse, neglect, or exploitation of incapacitated adults, relative to certain background checks, and establishing a task force relative to central registries.

SB 200-FN, establishing the uniform athlete agents act.

SB 244, relative to unclaimed deposits for utility services.

SB 245, repealing laws relative to the municipal courts and the administrative committee of the district and municipal courts.

SB 252, relative to certification of speech-language assistants for purposes of speech language pathology practice.

SB 262, establishing the position of an administrator of women offenders and family services within the department of corrections and establishing an interagency coordinating council on women offenders.

SB 284-FN, establishing a third full-time justice position in the Manchester, Nashua, and Concord District Courts.

SB 323, establishing a legislative youth advisory council.

SB 391-FN, relative to insurance third party administrators.

Senator D'Allesandro moved adoption.

Adopted.

Out of Recess.

LATE SESSION

Senator Clegg moved that the Senate adjourn from the late session.

Adopted.

Adjournment.

SENATE JOURNAL 17

June 28, 2006

The Senate met at 10:00 a.m.

A quorum was present.

Reverend Jared Rardin, Pastor of the South Congregational Church in Concord, guest chaplain to the Senate, offered the prayer.

God of infinite patience, mercy and wisdom, whose heart is always open and whose vision never relents, still for just a moment our busy thoughts and our rushing lives. That underneath the din of technological advances and pressing speech. We may again listen for Your still, small voice which has spoken from the beginning of time and speaks still. Make of us superb listeners today, O God. Teach us to listen for what is true and not merely what sounds pleasing; what is just and not merely convenient; which is grand and not simply petty. Teach us to listen to our colleagues with fresh patience and intention; tune our hearing to the dictates of Your heart and the desires of Your mind. In our listening during this session and during our whole lives, let there be enough Holy Silence and sufficient pause. That every now and then our breath would be taken away by the sound of You. We give You thanks for one another's presence and participation in this session, whether in times of agreement or discord. We give thanks for the commitment of time and energy of all who serve this Senate. We recognize and give thanks for the privilege we have of living in a state and a nation where freedom is honored and responsibility encourage and where the open exchange of differing ideas makes us stronger, not weaker. We offer to You this day our prayers for those whose personal presence with us today is not possible because of illness or hospitalization. Amen

Senator Letourneau led the Pledge of Allegiance.

Senators Barnes and Boyce are excused for the day.

INTRODUCTION OF GUESTS

VETO MESSAGES

Veto Message of Governor John H. Lynch Regarding Senate Bill 249

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, on May 26, 2006, I vetoed SB 249, an act allowing a master electrician to have 2 apprentice electricians under his or her supervision.

Above all, electrical services have to be safe, and mistakes can cost lives. New Hampshire has a time-honored tradition of apprenticeship for electricians. Through this training relationship between apprentice and master electrician, our trades workers receive the safety instruction, job skills, education and direct supervision that is necessary to provide electrical services with the highest degree of competence and safety.

I cannot support SB 249 because it will undermine public safety and reduce the nature and quality of training that apprentices receive from master electricians. That is why the Bureau of Electrical Safety and Licensing of the Office of the State Fire Marshal, the Department of Labor, and the State Apprenticeship Council oppose this bill.

No states in New England have less than a one-to-one ratio between apprentice and electrician, and some even require greater than one-on-one supervision. SB 249 eliminates direct supervision of one apprentice by one master electrician, and by doing so, risks long-term public safety. Today, the retention rate for apprentice electricians is very low, and this bill is likely to increase the drop out rate for apprentices who will no longer receive the guidance and one-on-one practical skills training they need to be successful and permanently enter the trade. For these reasons, I am vetoing SB 249.

Respectfully submitted,
John H. Lynch
Governor

Date: May 26, 2006

The question is notwithstanding the Governor's Veto, shall SB 249 become law?

A roll call is required.

The following Senators voted Yes: Gallus, Johnson, Kenney, Green, Flanders, Odell Roberge, Eaton, Bragdon, Clegg, Gatsas, Letourneau, Morse.

The following Senators voted No: Burling, Gottesman, Foster, Larsen, Martel, D'Allesandro, Estabrook, Hassan, Fuller Clark.

Yeas: 13 - Nays: 9

Veto sustained.

Veto Message of Governor John H. Lynch Regarding Senate Bill 318

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, on May 12, 2006, I vetoed SB 318, an act relative to the use of deadly force to protect oneself.

SB 318 will undermine public safety in New Hampshire and will frustrate aggressive prosecutions against drug dealers and other felons who escalate violence and dangerously discharge guns in our streets and neighborhoods. That is why the Attorney General, the New Hampshire Association of Police Chiefs, county attorneys and law enforcement officials across this state have all urged me to veto this bill. Moreover, both policy committees that heard testimony on this bill - the Senate Judiciary Committee and the House Criminal Justice and Public Safety Committee - opposed the bill.

I have tremendous respect for New Hampshire's police officers. Each day, they put themselves in harm's way to ensure that our communities remain safe and our laws are diligently enforced. SB 318 will make it more difficult, and more dangerous, for police officers to do their jobs.

New Hampshire law already makes clear that citizens can stand their ground and use deadly force whenever necessary to protect themselves and their loved ones whose lives are in jeopardy. Current law allows a person to use deadly force in any location against another in response to deadly force, or to prevent the commission of a serious crime such as kidnapping or forcible sexual assault, wherever and whenever those crimes may occur. Current law also justifies the use of deadly force against intruders entering one's home, regardless of whether the intruder has used or threatened to use deadly force. These laws honor the sanctity of human life, the sanctity of one's own home, and the right of citizens to defend themselves and others.

Our current laws are working well, and there is no indication that they have been misapplied or abused by prosecutors. At the public hearings on this bill, no cases were identified where an individual was wrongly convicted or unjustly charged with a criminal offense for having used deadly force in self defense or in defense of others. Prosecutors recognize the legitimate use of deadly force in self defense by New Hampshire citizens.

SB 318 would legalize a host of inappropriate uses of deadly force. The bill would allow a person to use deadly force in response to many instances of non-deadly force that do not warrant the taking of another human life, even in public places such as shopping malls, public streets, restaurants and churches. In a crowded shopping mall, for example, SB 318 would authorize any shopper to instantly shoot and kill a thief

who had grabbed or tugged at the shopper's purse or briefcase, regardless of how many shoppers might be placed in harm's way by such actions. Deadly force should only be used in public places when absolutely necessary, for which existing law already provides.

In our courts, SB 318 would offer new defenses to hardened criminals. SB 318 would burden our prosecutors and benefit felons and drug dealers who brandish weapons and carry out violent encounters to support their illegal trade. This bill will only encourage felons to inject violence into our public places under the guise of self defense.

I will continue to support legislation that supports our police officers, strengthens our public safety and honors the rights of New Hampshire citizens to protect themselves and their loved ones against danger. This bill does not further any of those goals, and represents a dramatic and unwarranted change in our criminal law. Given that current law is effectively working and widely supported by the law enforcement community, I am vetoing SB 318.

Respectfully submitted,
John H. Lynch
Governor

Date: May 12, 2006

The question is notwithstanding the Governor's Veto, shall SB 318 become law?

A roll call is required.

The following Senators voted Yes: Gallus, Johnson, Kenney, Roberge, Eaton, Bragdon, Clegg, Gatsas, Martel, Letourneau, Morse.

The following Senators voted No: Burling, Green, Flanders, Odell, Gottesman, Foster, Larsen, D'Allesandro, Estabrook, Hassan, Fuller Clark.

Yeas: 11 - Nays: 11

Veto sustained.

HOUSE MESSAGE

The House of Representatives has voted to sustain the Governor's veto on the following entitled Bills:

HB 345, requiring photo identification to obtain a ballot.

HB 1566, relative to the definitions of resident for motor vehicle law purposes and domicile for voting purposes and relative to vehicle registration and driver's license requirements.

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.

Adopted.

ANNOUNCEMENTS

RESOLUTION

Senator Clegg moved that the Senate recess to the Call of the Chair.

Adopted.

In recess to the Call of the Chair.