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Contains: House Resolution 50, Concurrence Statements and Amendments.

HOUSE CALENDAR
THURSDAY, APRIL 13

HOUSE RESOLUTION 50

2000 SESSION

00-2838

04/09

HOUSE RESOLUTION *50*

A RESOLUTION authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of David A. Brock, chief justice, and/or any other justice of the New Hampshire supreme court.

SPONSORS: Rep. Mirski, Graf 12; Rep Chandler, Carr 1; Rep Burling, Sull 1; Rep. Hess, Merr 11; Rep. Richardson, Ches 12

ANALYSIS

This house resolution authorizes and directs the house judiciary committee to investigate whether cause exists for the impeachment of David A. Brock, chief justice, and/or any other justice of the New Hampshire supreme court.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

A RESOLUTION authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of David A. Brock, chief justice, and/or any other justice of the New Hampshire supreme court.

Whereas, on March 31, 2000 the attorney general of the state of New Hampshire completed an investigation and issued a report entitled "In re: W. Stephen Thayer, III and Related Matters"; and

Whereas, said report issued by the attorney general contains information raising concerns about the conduct of David A. Brock, chief justice, and/or any other justices of the New Hampshire supreme court; and

Whereas, under Part II, Article 38 of the New Hampshire constitution, a public officer may be removed by impeachment for bribery, corruption, malpractice or maladministration of office, or any combination thereof; and

Whereas, under Part II, Articles 17 and 38 of the New Hampshire constitution, impeachments are made by the house of representatives, and then heard and tried by the senate; and

Whereas, the conduct reported in the attorney general's report may be cause for the house of representatives to find that impeachment proceedings should be initiated against chief justice David A. Brock and/or any other justice of the New Hampshire supreme court; now, therefore, be it

Resolved by the House of Representatives:

That the house of representatives authorizes and directs the house judiciary committee, acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with the rules of the house and rules which may be adopted by the committee, to investigate whether grounds exist, based on the investigation and report of the attorney general, and any information arising out of the judiciary committee investigation, for the house of representatives to exercise its constitutional power to impeach chief justice David A. Brock and/or any other justice of the New Hampshire supreme court; and

That the committee shall report to the house of representatives such resolutions, articles of impeachment, or other recommendations as it deems proper; and

That for the purposes of making such an investigation, the committee is authorized to compel by subpoena the attendance and giving of testimony by any person, and the committee is further authorized to compel the production of such things as it deems necessary. Such testimony may be taken under oath, either in the form of interrogatory, deposition, or by oral testimony at a hearing. Counsel for the committee may be authorized to ask any or all questions on behalf of the committee. For purposes of this section, "things" includes, without limitation, books, records, correspondence, electronic mail, logs, journals, memoranda, papers, documents, writings, reproductions, recordings, tapes, transcripts, printouts, data compilations from which information can be obtained, tangible objects, and other things of any kind; and

That such authority of the committee may be exercised by the chairman or by the committee acting as a whole or by subcommittee. Subpoenas or interrogatories so authorized may be issued over the signature of the chairman or any member so designated by the chairman, and may be served by any person designated by the chairman.

concurrence WITH SENATE AMENDMENTS TO

HOUSE BILLS

CHAIRMEN'S EXPLANATIONS

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1264-FN, relative to the unlawful use of theft detection shielding devices.

This bill makes the use or possession of theft detection shielding devices or theft detection device removers a misdemeanor when he or she intends to use the device or devices with the intent to commit theft. The Senate amendment changes the effective date to "on passage."

Rep. David A. Welch

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1583, increasing the education requirement for estheticians and manicurists and relative to the board of barbering, cosmetology, and esthetics.

The committee concurs with the Senate amendment to reinstate the members of the board of barbering, cosmetology and esthetics that had inadvertently been deleted from the bill. This allows the present board to continue to serve out the full duration of their terms.

Rep. Robert S. Mercer

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1301, relative to regional appointments to the state committee on aging.

The Health and Human Services Committee agrees with the Senate amendment. Only small technical and gender-neutral changes were made. Otherwise, this bill is essentially the same as the House version.

Rep. Lawrence A. Emerton

MUNICIPAL AND COUNTY GOVERNMENT

HB 1413, relative to the rights of ownership of cemetery plots or burial spaces.

I recommend the House concur with the Senate amendment, which merely changes the effective date from January 1, 2001 to the date of the law's passage.

Rep. David W. Hess

PUBLIC WORKS AND HIGHWAYS

HB 305-A, relative to a lease-purchase agreement between Cheshire county and the state for construction of a new district courthouse to be located in the town of Jaffrey.

The committee concurs with the Senate amendment. The amendment increases the appropriation by \$600,000 to the Department of Safety to complete the capital project to build the trooper barracks and vehicle testing area off Clinton Street exit of I-89. The project scope was not changed but the cost to build to design specifications has increased. The committee could not find any funds within the appropriation to transfer to this project. Therefore the committee approved the amendment so as not to delay this important project.

Rep. Edwin O. Smith

TRANSPORTATION

HB 1161, making technical changes to the New Hampshire Aeronautics Act and establishing a committee to study revisions to the state aeronautics laws.

This bill updates New Hampshire aviation RSAs. We concur with the Senate’s decision to allow seven members of the House of Representatives to serve on a committee to evaluate/rewrite the aviation statutes of the Department of Transportation Aeronautics Division of the State of New Hampshire.

Rep. Sherman A. Packard

HB 1588, relative to the authority of the department of transportation regarding rail safety inspections.

This bill as amended by the Senate provides a reasonable compromise between the industry and the Department of Transportation providing an exception that anyone having previously worked for a carrier may not inspect property of that carrier for a period of one year. Rail properties within the state not subject to federal regulation will be subject to safety inspections by the Department of Transportation.

Rep. Sherman A. Packard

THURSDAY, APRIL 13

ADDITIONAL AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2000-4060h

Floor Amendment to HB 1521-FN-LOCAL

Proposed by Rep. Estabrook

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

1 Statement of Purpose. The general court finds that in order to implement New Hampshire’s policy of providing all pupils with the opportunity to acquire an adequate education, it is necessary to monitor, evaluate, and publicly report the progress of pupils, schools, and districts.

2 New Subdivision; School District Comprehensive Improvement and Assessment Program. Amend RSA 193-E by inserting after section 3 the following new subdivision:

School District Comprehensive Improvement and Assessment Program

193-E:4 Definitions. In this subdivision:

- I. "Commissioner" means the commissioner of the department of education.
- II. "Department" means the department of education.
- III. "Plan" means the comprehensive improvement and assessment plan as defined in RSA 193-E:5.
- IV. "State board" means the state board of education.

193-E:5 School District Quality Standards; Comprehensive Improvement and Assessment Plan. In order to implement New Hampshire’s policy of providing all pupils with the opportunity to acquire an adequate education, each school district shall implement the following quality standards:

- I. By July 1, 2001, each district shall file its current plan with the department. Each school district shall prepare and implement

its plan in accordance with a staggered schedule established by the department such that all plans shall be filed no later than June 1, 2007. Each plan shall be developed through a process involving parents, teachers, employers, and other community members. The department shall comment to the district on the plan in a timely fashion. Every 5 years following the filing of the initial plan, each school district shall file an updated plan developed through the process outlined in this paragraph. Districts may reference the statewide education improvement and assessment plan established in RSA 193-C:3, in preparing the plan. At a minimum, the plan shall include:

- (a) Curriculum and proficiency standards for all pupils.
- (b) School and district performance goals based on reported data on educational indicators listed in paragraph II of this section.
- (c) Procedures for aligning curriculum, instructional practices, and pupil and programmatic assessments, including annual reporting of results.
- (d) Local assessment measures which focus on individual pupil performance.
- (e) Role of support services and programs.
- (f) Role of instructional leadership.
- (g) Strategies to promote family and community involvement.
- (h) Staff supervision and evaluation and performance-based professional development.
- (i) Procedures for ongoing review and evaluation of the plan.
- (j) Pupil behavior and conduct codes.
- (k) Procedures to ensure that the school district budget reflects the goals of the plan.
- (l) Provisions for addressing individual school needs.

II. By September 1, 2002, and annually thereafter, each school district shall report to the department its data for the previous school year on its school and district performance and demographic indicators. The requirements for data keeping and the form of the report shall be established in accordance with rules adopted by the state board.

- (a) Performance and demographic indicators shall include the following areas:
 - (1) Attendance, tardiness, truancy, transfer, and drop-out rates.
 - (2) Length of school day and length of instructional time.
 - (3) School environment indicators, such as safe-schools data.
 - (4) Proportion of graduating pupils going on to post-secondary education, military service, and the workplace.
 - (5) Performance on state tests administered pursuant to RSA 193-C and other standardized tests administered at local option.
 - (6) Extent to which pupils meet or exceed behavior conduct codes.
 - (7) Extent to which teachers are certified in all areas in which they teach.
 - (8) Extent to which teachers engage in performance-based professional development to promote pupil learning.
 - (9) Frequency of and resulting actions from staff supervision and evaluations.
 - (10) Extent to which district schools implement components of effective family/community involvement standards including communicating, parenting, pupil learning, volunteering, school decision-making and advocacy, and collaborating with the community.
 - (11) Frequency of and resulting actions from supervision and evaluations of instructional and administrative leaders.
 - (12) Teacher and administrator turnover rates reported by area of certification and by elementary, middle, junior high, and high school levels.

(b) In addition, local districts shall report on locally developed performance indicators and assessment measures.

III. Each elementary, middle, junior high, and/or high school in the school district shall meet the standards for school approval adopted by the state board.

IV. Beginning December 1, 2003, and annually thereafter, the commissioner, in accordance with rules adopted by the state board pursuant to RSA 541-A, shall determine whether each school district is meeting the quality standards established in paragraphs I–III of this section. A school district that does not meet these quality standards shall be designated by the commissioner as a district in need of assistance. The commissioner, annually, shall provide a report of such determinations to the governor and council, the speaker of the house, the senate president, the chairpersons of the house and senate education committees, the state board, and the attorney general.

V. No later than December 1, 2002, and annually thereafter, the department shall issue a report on the condition of education statewide and on a district-by-district and school-by-school basis. This report shall include demographic and pupil performance data including, but not limited to, school and district performance on state tests administered pursuant to RSA 193-C, other standardized tests administered at local option by at least 25 percent of school districts, and data provided under paragraph II of this section, as well as other relevant statistics including English as a second language pupils, special education pupils, and pupils eligible for free or reduced-price meals. Comparisons with state averages and with the condition of each district and school in comparison with previous years shall be provided, including, but not limited to, statewide rankings of each district and school on the state tests administered pursuant to RSA 193-C and on other standardized tests administered at local option by at least 25 percent of school districts. The report shall be organized and presented in a manner that is easily understood by the public and that assists each school district with the identification of trends, strengths, and weaknesses and the development of its local education improvement and assessment plan.

VI. Within 45 days of the issuance of the annual report on the condition of education as required in paragraph II of this section, each school district shall provide an opportunity for public discussion of the report at a meeting of the governing body called for the exclusive purpose of reviewing the report. At least 7 days advance public notice shall be given.

VII. A school district that meets or exceeds the quality standards set forth in paragraphs I–III of this section shall receive formal recognition from the state board and the governor. Any school district, school, or teacher that demonstrates a best practice worthy of recognition shall also receive formal recognition from the state board and the governor. Such school districts, schools, or teachers shall be eligible to receive funds from a special projects and district improvement fund administered by the department. Such funds shall be used to disseminate best practices throughout the state.

193-E:6 Request for Assistance. A school district, in response to the annual report on the condition of education, may request from the department the assistance available under this subdivision on behalf of the district as a whole or on behalf of one or more schools in the district. Within 30 days of such request, the commissioner may, based on the availability of resources, provide appropriate assistance to the district. The commissioner shall work with local school board and school district officials in determining the assistance specific to the district's needs.

193-E:7 School District in Need of Assistance. If a school district has been designated as a district in need of assistance, then that school district shall receive assistance from the department as follows:

I. A school district shall have one year from the date of the designation as a district in need of assistance pursuant to RSA 193-E:5, IV to prepare a corrective action plan for approval by the state board. The school district may decide to implement its corrective action plan on its own, through the use of a technical assistance advisor, or a peer review team as provided in this section. Any such decision shall be included in the corrective action plan. A district's corrective action plan shall first examine and access the district's professional development resources and available state initiatives. After accessing district resources and available state initiatives, the district shall have access, with the consent of the commissioner, to the special projects and improvement fund, if necessary, in order to participate in workshops, conferences, seminars, courses, and other similar academic and professional development opportunities which may be available and which shall be related to the specific educational goals of a district as outlined in the plan.

II. If a school district has not developed and implemented an approved corrective action plan within one year of that designation, then on December 1 of the year following the designation, if that school district continues to be designated as a district in need of assistance, the commissioner may provide technical assistance to review the educational programming and effectiveness of the school district. In cooperation with local officials, the technical assistance advisor shall prepare and present a report at the beginning of a regularly scheduled public meeting of the local school board and to the state board. This report

shall be issued within 4 months of the advisor's appointment. Based on this report, the local school board and superintendent shall, within 6 months of the issuance of the report, prepare a corrective action plan and submit it to the state board for approval. If the state board does not approve a corrective action plan, then the commissioner, in cooperation with the superintendent and the local school board, shall work with the school district to revise its corrective action plan. If the school district fails to revise its corrective action plan or the state board does not approve the revised corrective action plan, then the commissioner, in cooperation with the superintendent and the local school board, shall develop a corrective action plan, including methods for implementation. The commissioner shall, to the greatest extent possible, solicit advice and comment from the local community regarding the revised corrective action plan, at a special meeting called for the purpose, and submit the plan to the state board for approval without further action of the school district.

III. Any approved corrective action plan that includes the use of a technical assistance advisor, then the commissioner shall appoint a technical assistance advisor who shall be authorized to access the state special projects and district improvement fund, subject to rules adopted by the state board, to provide assistance to the local school district staff in the implementation of the corrective action plan.

IV. Any approved corrective action plan that includes the use of a peer review team, then the commissioner shall name a peer review team consisting of an appointee of the local school district, an appointee of the state board, and a third member chosen by the local and state appointees to advise the school district's superintendent and the local school board relative to the implementation of the corrective action plan until the goals of the corrective action plan are met.

V. If a school district that has been designated a district in need of assistance pursuant to RSA 193-E:5, IV has not submitted a request for assistance by the time of the annual school district meeting in a town, or by April 30 in a city, then the legislative body of the school district may vote to direct the governing body to submit a request for assistance pursuant to this section. If a majority of the legislative body votes in favor of requesting assistance, then that assistance shall be requested and provided in accordance with this subdivision.

193-E:8 Appeals. A school district that has been designated as a district in need of assistance may file an appeal in writing with the state board no later than 30 days from the date of the designation. The scope of the appeal shall be limited to the basis for the school district's designation as a district in need of assistance. The state board shall expedite all school district appeals on this matter by scheduling a hearing and rendering a written decision no later than 30 days from the date on which the school district's request for appeal was received.

193-E:9 Special Projects and District Improvement Fund. A special projects and district improvement fund is hereby established in the department of education. Moneys in this fund shall be continually appropriated to the department. The department shall use moneys appropriated for this fund to provide grants pursuant to RSA 193-E:7. The department shall also use moneys appropriated for this fund to support the implementation of approved corrective action plans. The technical assistance advisor assigned to work in these school districts shall be authorized to access this fund in accordance with rules adopted by the state board.

193-E:10 Rulemaking. The state board shall, pursuant to RSA 541-A:

I. No later than July 1, 2001, adopt rules relative to data keeping and the form of the school district report required under RSA 193-E:5, II.

II. No later than June 30, 2003, adopt rules relative to the approval of corrective action plans as required in RSA 193-E:7. In developing these rules, the state board shall solicit advice and information from educators at all levels, including those within the university system, business people, government officials, legislators and legislative committees, community representatives, parents, and members of the public.

III. No later than July 1, 2003, adopt rules relative to procedures for access to and disbursement from the special projects and district improvement fund established pursuant to RSA 193-E:9.

IV. No later than July 1, 2002, adopt rules relative to the criteria and procedures for determining compliance with quality standards. In developing these rules, the state board shall solicit advice and information from educators at all levels, including those within the university system, business people, government officials, legislators and legislative committees, community representatives, parents, and members of the public.

193-E:11 Audit; Report. Beginning July 1, 2002, and every 2 years thereafter until July 1, 2006, the provisions of this subdivision, and all rules and procedures adopted by the department pursuant to the authority granted in this subdivision, shall

be the subject of a performance audit, pursuant to RSA 14:31-a, IV, prepared by the audit division of the office of legislative budget assistant. After the July 1, 2006 audit, the joint legislative performance and audit committee established under RSA 17-N:1 shall determine and approve the scope and timing of any further audits of this program. A report of such audits shall be submitted to the speaker of the house, president of the senate, and the governor no later than December 1 of the year in which the audit is performed.

3 New Paragraph; Statewide Improvement and Assessment Plan; Review Required. Amend RSA 193-C by inserting after paragraph IV the following new paragraph:

V. By June 30, 2002, and every 5 years thereafter, the state board shall review and update the statewide education improvement plan developed in accordance with RSA 193-C that describes how the department will help schools and school districts improve pupil achievement, through a process that provides opportunities for public input from parents, employers, educators, and other citizens. The plan shall include goals and strategies for the delivery of technical assistance and professional development, the sharing of best practices, the modification or expansion of existing programs, and the establishment of new programs.

4 Statewide Improvement and Assessment Program; Legislative Oversight Committee; Duties Amended. Amend RSA 193-C:8 to read as follows:

193-C:8 Duties of the Legislative Oversight Committee; Report.

I. The oversight committee shall review the development and implementation of the program to ensure that they are in accordance with legislative policy. Implementation of the program shall be in conjunction with the committee's review.

II. To review the provisions of RSA 193-E, relative to an adequate public education and school district accountability, and file a report of such review to the speaker of the house of representatives, the president of the senate, the governor, and the chairpersons of the house and senate education committees every 2 years.

5 New Paragraph; State Board of Education; Duties of the State Board; Review of School Approval Standards Inserted. Amend RSA 186:11 by inserting after paragraph XXXV the following new paragraph:

XXXVI. REVIEW OF SCHOOL APPROVAL STANDARDS. No later than June 30, 2003, and every 5 years thereafter, the state board of education shall review and update as necessary school approval standards based on input from parents, employers, educators, and other citizens. No later than 60 days from the date of each review, the state board of education shall submit a report of its findings, including recommendations for proposed legislation, to the chairpersons of the house and senate education committees. At the discretion of the committee chairpersons, a public hearing on the report may be scheduled.

6 Repeal. RSA 194:23-d, relative to state financial aid to public elementary or high schools, is repealed.

7 Prospective Repeal. RSA 193-E:3, relative to the delivery of an adequate education, is repealed.

8 Effective Date.

I. RSA 193-E:9 as inserted by section 2 of this bill shall take effect July 1, 2003.

II. Section 7 of this act shall take effect December 1, 2002.

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

AMENDED ANALYSIS

This bill:

I. Requires each school district to prepare and implement quality standards and a local education improvement and assessment plan.

II. Establishes procedures for the department of education to identify local school districts which are in need of assistance.

III. Establishes procedures for the department of education to assist in improving the overall quality of educational programs and services offered by such districts.

IV. Establishes a special projects and district improvement fund within the department of education.

2000-4113h

Floor Amendment to HB 1623

Proposed by Reps. Kurk, Keans, Garrish and Vachon

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

IV. Customers' relations with financial institutions are based on trust and confidence. Such trust and confidence are severely threatened by lack of adequate information concerning such institutions' privacy policies and information practices and by lack of customer control over the use and dissemination of their personal information. The customer trust necessary to the proper functioning of financial institutions depends on customers understanding and having opportunities to prevent disclosure of personal information for purposes not directly related to providing the services customers choose to purchase or apply for.

Amend RSA 383-A:2 as inserted by section 2 of the bill by replacing it with the following:

383-A:2 Disclosure of Financial Records Prohibited. Except as otherwise expressly provided in this chapter, a financial institution, its officers, employees, agents, and directors shall not disclose to any person any financial information relating to a customer who has elected to bar such disclosure. A customer shall be notified of the right to so elect in the same form and timing as is provided for similar elections in the Financial Services Modernization Act of 1999. A financial institution may not refuse to do business with a customer or potential customer who makes such an election.

Amend RSA 383-A:3, I as inserted by section 2 of the bill by replacing it with the following:

I. The provisions of this chapter shall not prohibit any of the following activities with respect to disclosures of financial information of a customer who has elected to bar disclosure of financial information pursuant to RSA 383-A:2:

- (a) Disclosure of information to the customer after proper identification.
- (b) Disclosure of information sought by the department of health and human services, office of child support pursuant to its authority and obligations under RSA 161-C:3-a, or by an agency of similar function of another state, pursuant to similar authority.
- (c) Disclosure of information sought by the department of health and human services pursuant to its authority and obligations regarding public assistance under RSA 167.
- (d) Disclosure sought by higher education loan corporations pursuant to the authority and obligations under RSA 195-E.
- (e) The preparation, examination, handling, or maintenance of financial records by any officer, employee, or agent of a financial institution that has custody of the records.
- (f) The examination of financial records by a certified public accountant while engaged by the financial institution to perform an independent audit.
- (g) The disclosure of information to a collection agency, its employees or agents, or to any person engaged by the financial institution to assist in recovering an amount owed to the financial institution, if such disclosure is made in the furtherance of recovering such amount.
- (h) The examination of financial records by, or the disclosure of financial records to, any officer, employee, or agent of a state or federal regulatory agency under authority of state or federal law for use only in the exercise of that person's duties as an officer, employee, or agent.
- (i) The publication of information derived from financial records if the information cannot be identified to any particular customer, deposit, or account.
- (j) The making of reports, disclosures, or returns required by federal or state laws.
- (k) The disclosure of any information permitted to be disclosed under the laws governing dishonor of negotiable instruments.
- (l) The exchange, in the regular course of business, of credit information between a financial institution and a credit reporting agency, provided such exchange is in compliance with the fair credit reporting act, RSA 359-B, and the federal Fair Credit

Reporting Act, 15 U.S.C. section 1681 et. seq.

(m) The exchange, in the regular course of business, of information between a financial institution and a mercantile agency, provided such exchange is solely for the purpose of reporting to third parties on the credit rating or creditworthiness of any business, and is in compliance with the fair credit reporting act, RSA 359-B, and the federal Fair Credit Reporting Act, 15 U.S.C. section 1681 et. seq.

(n) The exchange of loan information that specifically affects a sale, foreclosure, or loan closing, provided such exchange is for the purpose of accomplishing such sale, foreclosure, or loan closing.

(o) The disclosure to civil or criminal law enforcement authorities for use in the exercise of such authority's duties, or the sharing of information, within an industry network, of suspected criminal activities.

(p) Disclosures requested pursuant to a summons for trustee process.

(q) Disclosure requested pursuant to subpoena or civil investigative demand, provided that no disclosure shall be made until 10 days after the financial information among directors, officers, employees, or financial institution has notified the customer that financial information has been requested by subpoena or civil investigative demand. Such notice shall be served by first class mail to the customer at the most recent address known to the financial institution. The provisions of this chapter shall not apply where the subpoena or civil investigative demand is issued by or on behalf of a regulatory, criminal, or civil law enforcement agency.

(r) Disclosure required by order of court.

(s) Disclosure of customer agents of affiliated financial institutions, provided that such disclosure is limited to information necessary or appropriate to the fulfillment of any such persons' duties and responsibilities to the financial institution or institutions to facilitate transactions or the delivery of services requested by a customer or otherwise necessary to provide services in connection with applications for or existing contractual or service relationships between a customer and a financial institution.

(t) Disclosure of customer financial information of one financial institution to another financial institution in connection with a proposed merger, consolidation, acquisition or other reorganization transaction involving such institution, provided that no further disclosure is made except in compliance with this chapter, and provided further that such disclosure is made in compliance with the fair credit reporting act, RSA 359-B, and the federal Fair Credit Reporting Act, 15 U.S.C. section 1681 et. seq.

(u) Disclosure sought by the department of revenue administration pursuant to its authority and obligations under RSA 21-J or by federal or other state taxing or revenue authorities

Amend RSA 383-A:4 as inserted by section 2 of the bill by replacing it with the following:

383-A:4 Rulemaking. The bank commissioner and the insurance commissioner may adopt separate and/or joint rules, pursuant to RSA 541-A, relative to the administration and enforcement of this chapter.

2000-4110h

Floor Amendment to HR 10

Proposed by the Committee on Finance

Amend the title of the resolution to read as follows:

AN ACT affirming revenue estimates for fiscal years 2000 and 2001.

Amend the resolution by replacing all after the title with the following:

Whereas, the House Finance Committee has considered what the unrestricted revenue estimates should be for fiscal years 2000, and 2001 and has presented those estimates to the House of Representatives; now, therefore, be it

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 2000 and 2001.

Committee estimates are based on current rates.

		(A)	(B)	(C)	(D)
FY 2000 FY 2001					
	GENERAL & ED TRUST FUNDS:	Official	Committee	Official	Committee
	(Dollars in Millions)	Estimate	Estimate	Estimate	Estimate
(1)	Business Profits Tax	\$194.400	\$194.400	\$190.800	\$190.800
(2)	Business Enterprise Tax	\$127.200	127.200	113.900	113.900
(3)	Subtotal	321.600	321.600	304.700	304.700
(4)	Meals & Rooms Tax	\$156.000	154.000	167.300	165.000
(5)	Liquor Sales	\$80.000	83.000	82.000	85.000
(6)	Interest & Dividends Tax	66.000	66.000	70.000	70.000
(7)	Insurance Tax	63.000	60.000	64.000	61.000
(8)	Tobacco Tax	102.600	96.000	102.600	96.000
(9)	Other	42.650	46.700	42.650	46.500
(10)	Communications Tax	49.000	47.000	53.000	49.000
(11)	Estate & Legacy Tax	52.000	55.000	56.000	59.000
(12)	Real Estate Transfer Tax	85.100	83.000	91.800	85.000
(13)	Court Fines & Fees	22.000	22.000	22.000	22.000
		(A)	(B)	(C)	(D)
FY 2000 FY 2001					
	GENERAL & ED TRUST FUNDS:	Official	Committee	Official	Committee
	(Dollars in Millions)	Estimate	Estimate	Estimate	Estimate
(14)	Utility Tax	10.500	9.500	10.500	9.500
(15)	Securities Revenue	22.500	23.000	22.500	23.000

(16)	Board & Care Revenue	10.700	12.000	10.700	11.000
(17)	Beer Tax	11.700	11.700	11.800	11.800
(18)	Horse Racing	2.500	2.500	2.500	2.500
(19)	Dog Racing	1.000	1.000	1.000	1.000
(20)	Tobacco Settlement Funds	58.698	54.000	46.107	40.000
(21)	SUBTOTAL	\$1,157.548	\$1,148.000	\$1,161.157	\$1,142.000
(22)	Other Medicaid Enhancement	10.000	10.000	10.000	10.000
(23)	Net Medicaid Enhance. Revenue	63.700	73.000	65.300	75.000
(24)	Utility Property Tax	32.400	32.600	23.900	17.500
(25)	State Property Tax	24.100	24.100	24.100	24.100
(26)	Transfers from Sweepstakes	56.000	60.000	56.000	61.000
(27)	TOTAL GEN'L & ED TRUST FUNDS	\$1,343.748	\$1,347.700	\$1,340.457	\$1,329.600
	HIGHWAY FUNDS:				
	(Dollars in Millions)				
(1)	Road Toll - Gross Total	\$142.600	\$137.600	\$147.000	\$141.200
(2)	Less Betterment	(\$18.600)	(\$18.600)	(\$18.700)	(\$18.700)
(3)	Road Toll - Net Total	\$124.000	\$119.000	\$128.300	\$122.500
(4)	Motor Vehicle Fees	68.000	68.000	69.000	69.000
(5)	Miscellaneous	10.200	9.200	10.400	9.400
(6)	TOTAL HIGHWAY FUNDS	\$202.200	\$196.200	\$207.700	\$200.900
	FISH & GAME FUNDS:				
	(Dollars in Millions)				

(7)	Fish & Game Licenses	\$6.800	\$6.800	\$6.900	\$6.900
(8)	Miscellaneous	1.400	1.400	1.400	1.400
(9)	TOTAL FISH & GAME FUNDS	\$8.200	\$8.200	\$8.300	\$8.300

2000-4120h

Floor Amendment to SB 432-FN-A
Proposed by Reps. O’Hearn and Estabrook

Amend RSA 189:14-f, I-a as inserted by section 2 of the bill by replacing it with the following:

I-a. Notwithstanding the provisions of paragraph I of this section, a teacher who submits written evidence to the state board of education demonstrating that he or she has successfully completed the National Board for Professional Teaching Standards certification course and who has met the requirements of RSA 189:14-f, I(a) and (b) shall be granted the credential of master teacher. Teachers receiving the master teacher credential under this paragraph shall be subject to the provisions of paragraph III of this section.

Amend the bill by replacing section 3 with the following:

3 New Section; Teachers; National Board Certification Course. Amend RSA 189 by inserting after section 14-f the following new section:

189:14-g National Board for Professional Teaching Standards Certification.

- I. A teacher possessing a valid professional standards certificate from the state board of education who has obtained a written recommendation from their local superintendent may apply, through the division of educational improvement, department of education, to take the National Board for Professional Teaching Standards certification course (NBPTS). A teacher applying through and selected by the division of educational improvement, department of education shall be eligible to receive reimbursement from the department of education for the course fee.
- II. Beginning July 1, 2001, the department of education shall, from existing budgetary allocations, reimburse the course fee for a maximum of 10 teachers per fiscal year who successfully complete the NBPTS course. The department is hereby authorized to expend funds for the purpose of reimbursing NBPTS course fees in accordance with this section.
- III. Nothing in this section shall be construed to prevent a teacher possessing a valid professional standards certificate from the state board of education from taking the NBPTS course as may be desired. Such teachers shall be financially responsible for all costs associated with obtaining the certification and shall be eligible to receive the master teacher credential pursuant to RSA 189:14-f, I-a.
- IV. A teacher who successfully completes the NBPTS certification course and receives funding under paragraph II of this section shall be required to perform a minimum of one year of full-time teaching at a primary or secondary public school in New Hampshire. In lieu of the one year of full-time teaching, a teacher may reimburse the department of education for any funds received in connection with the NBPTS course. Such reimbursement shall be completed within one year of the completion of the NBPTS course.

AMENDED ANALYSIS

This bill provides that the department of education shall pay the costs associated with 10 teachers annually taking the National Board for Professional Teaching Standards certification course, and provides that teachers who obtain such certification shall be automatically certified as master teachers in New Hampshire. The bill also establishes a one year teaching requirement for teachers who receive funds from the department of education to take the course.