

MARCH 23, 1998

No. 20

STATE OF NEW HAMPSHIRE

Legislative

SENATE CALENDAR

**REPORTS, AMENDMENTS, HEARINGS, MEETINGS, AND
NOTICES**

**THE SENATE WILL MEET IN SESSION ON THURSDAY, MARCH 26, 1998,
AT 10:00 A.M.**

LAI D ON TABLE

SB 359, providing immunity to the state and public employees for any harm resulting from certain computer errors in the millenium changeover.

SB 465-FN, relative to the disposition of firearms confiscated or otherwise acquired by state or local law enforcement agencies

HB 505, relative to smoking in indoor public places.

SENATE REPORTS

ECONOMIC DEVELOPMENT

SB 421-FN, relative to timber harvesting and penalties for timber trespass. Vote 5-0

Ought to pass with amendment, Senator Francoeur for the committee.

SB 427-FN, establishing a revolving fund for loans for intrastate energy infrastructure facilities improvements. Vote 6-0

Ought to pass with amendment, Senator Whipple for the committee.

SB 496, amending New Hampshire's trademark act to protect the United States Olympic Committee's trademark rights. Vote 5-1

Inexpedient to Legislate, Senator Patenaude for the committee.

HB 1235, relative to the small business innovation research program.
Vote 5-0

Ought to Pass, Senator McCarley for the committee.

EDUCATION

SB 443-LOCAL, requiring the state to pay for in-home support and care for special education children.

Vote 7-0

Ought to pass with amendment, Senator Larsen for the committee.

HB 1393, extending the reporting date for the postsecondary educational assistance for members of the New Hampshire national guard study committee and extending the repeal date relative to such assistance. Vote 7-0

Ought to Pass, Senator J. King for the committee.

HB 1661, relative to eligibility for postsecondary education tuition grants. Vote 7-0

Interim Study, Senator McCarley for the committee.

SB 318-LOCAL, relative to allowing a school district to transfer surplus funds to its capital reserve account or an expendable trust fund. Vote 4-3

Inexpedient to Legislate, Senator Johnson for the committee.

SB 481 FN-LOCAL, relative to the availability of school building aid for year-round schools. Vote 5-2

Ought to Pass, Senator Rubens for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 314, relative to testing the accuracy of voting machinery. Vote 5-0

Inexpedient to Legislate, Senator Rubens for the committee.

SB 332, requiring that the real estate transfer questionnaire be provided to the municipality in which the property is located. Vote 7-0

Ought to Pass, Senator Patenaude for the committee.

SB 367, requiring attorneys to be bonded through the New Hampshire Bar Association. Vote 6-1

Ought to pass with amendment, Senator Roberge for the committee.

SB 425, relative to the powers and duties of the commissioner of health and human services. Vote 6-0

Inexpedient to Legislate, Senator J. King for the committee.

SB 426, relative to the powers and duties of the commissioner of the department of health and human services.

MAJORITY REPORT, Inexpedient to Legislate, Senator Francoeur for the committee. Vote 5-2

MINORITY REPORT, Ought to pass with amendment, Senator Whipple for the committee. Vote 2-5

SB 441, relative to the authority of and protections for fire chiefs. Vote 3-2

Ought to pass with amendment, Senator Whipple for the committee.

HB 1222, increasing the membership of the Christa McAuliffe planetarium commission. Vote 4-0

Ought to Pass, Senator Podles for the committee.

INSURANCE

SCR 7, supporting the mission of economic security 2000.

MAJORITY REPORT, Ought to pass with amendment, Senator D. Wheeler for the committee. Vote 5-3

MINORITY REPORT, Ought to pass with amendment, Senator Hollingworth for the committee. Vote 3-5

SB 371, requiring health insurers to provide certain information regarding a denial of a requested medical service. Vote 8-0

Ought to pass with amendment, Senator Blaisdell for the committee

SB 393, relative to health insurance deductibles. Vote 8-0

Ought to pass with amendment, Senator Fraser for the committee.

SB 490, relative to life and accident and health insurance and relative to certain salaries. Vote 8-0

Ought to pass with amendment, Senator Squires for the committee.

SB 494, establishing the voluntary small employer health insurance purchasing alliance. Vote 5-3

Ought to Pass, Senator Fraser for the committee.

SB 504-FN, relative to members of predecessor systems of the New Hampshire retirement system. Vote 5-0

Ought to Pass, Senator Blaisdell for the committee.

SB 506, requiring certain reports relative to independent review under managed care. Vote 8-0

Ought to Pass, Senator Squires for the committee.

JUDICIARY

HB 290, relative to digital signatures. Vote 5-0

Ought to Pass, Senator Hollingworth for the committee.

SB 422, relative to open access to judicial records. Vote 7-0

Ought to pass with amendment, Senator D. Wheeler for the committee.

SB 487, relative to the general powers and duties of a guardian over the estate of the minor. Vote 6-0

Ought to pass with amendment, Senator Gordon for the committee

SB 498, clarifying the definition of "right of custody" with respect to the crime of interference with custody. Vote 6-0

Ought to pass with amendment, Senator Gordon for the committee

HB 1474, establishing a study committee on a unified corrections system. Vote 5-0

Inexpedient to Legislate, Senator Podles for the committee.

PUBLIC AFFAIRS

HCR 20, recognizing the 100th anniversary of Old Home Day in New Hampshire. Vote 6-0

Ought to Pass, Senator Roberge for the committee.

SB 333, allowing any registered voter who is unable to vote in person for any cause to vote by absentee ballot. Vote 6-0

Ought to pass with amendment, Senator Roberge for the committee.

HB 1244-FN, relative to collusive bidding at auctions. Vote 5-0

Ought to Pass, Senator Barnes for the committee.

WILDLIFE & RECREATION

HB 132, allowing New Hampshire residents on active duty in the armed forces or coast guard to be issued hunting and fishing licenses at no charge. Vote 4-0

Ought to Pass, Senator Danaïs for the committee.

HB 177-FN, increasing the wild black bear license and tag fee.

Ought to pass with amendment, Senator McCarley for the committee.

SB 361, relative to deer hunting on Long Island in the town of Moultonborough and establishing a task force on wildlife population control. Vote 5-0

Inexpedient to Legislate, Senator Cohen for the committee.

SB 376, relative to animal cruelty.

MAJORITY REPORT, Ought to pass with amendment, Senator Roberge for the committee. Vote 4-3

MINORITY REPORT, Ought to pass with amendment, Senator D. Wheeler for the committee. Vote 3-4

SB 401-FN, establishing a special animal welfare motor vehicle license plate.

MAJORITY REPORT, Ought to Pass, Senator Roberge for the committee. Vote 4-3

MINORITY REPORT, Inexpedient to Legislate, Senator D. Wheeler for the committee. Vote 3-4

HB 793, defining the responsibility of individuals engaged in equine activities. Vote 6-0

Ought to Pass, Senator K. Wheeler for the committee.

AMENDMENTS

Economic Development

March 20, 1998

1998-1145s

10/01

Amendment to SB 421-FN

Amend the bill by inserting after the enacting clause the following and renumbering the original sections 1-5 to read as 2-6, respectively:

1 Definition Changed; Persons Not Required to File Intent to Cut or be Subject to Yield Tax.
Amend RSA 79:1, II(b)(1) to read as follows:

(1) A person who cuts, within the tax year, up to 10,000 board feet of logs from his *or her* own land ~~[for use in the construction, reconstruction, or alteration of his own buildings, structures, or fences situated in the state of New Hampshire; provided that such buildings are not being built for sale purposes];~~

1998-1145s

AMENDED ANALYSIS

This bill adds certain penalties for violations of the timber harvesting law and changes the definition of persons who are not required to file an intent to cut or be subject to the yield tax.

Economic Development

March 20, 1998

1998-1146s

03/08

Amendment to SB 427-FN

Amendment to SB 427-FN Amend the title of the bill by replacing it with the following:

AN ACT establishing a revolving fund for loans for intrastate energy pipeline facilities improvements.

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

1 New Paragraph; Public Safety and Welfare; Business Finance Authority Revenue Bonds; Declaration of Need and Purpose; Intrastate Energy Pipeline Facility Revolving Loan Fund. Amend RSA 162-I:1 by inserting after paragraph VII the following new paragraph:

VIII. It is hereby declared that there is a need for the development of intrastate energy pipeline facilities to make use of the additional capacity provided by the construction of additional interstate energy pipeline facilities in the state, thereby increasing the state's ability to meet the energy needs of its citizens and businesses at the lowest reasonable cost while providing for the reliability and diversity of energy sources, and creating or preserving employment opportunities, protecting the physical environment, preserving or increasing the social or economic prosperity of the state and its political subdivisions and promoting the general welfare of the state's citizens.

2 New Paragraphs; Public Safety and Welfare; Business Finance Authority Revenue Bonds; Definitions; Intrastate Energy Pipeline Facility; Intrastate Energy Pipeline Facility Revolving Loan Fund; Natural Gas; Petroleum. Amend RSA 162-I:2 by inserting after paragraph VII the following new paragraphs:

VII-a. "Intrastate energy pipeline facility" means a pipeline, right of way, facility, building, or equipment used in the transportation, distribution, or sale of natural gas or petroleum, and which is situated wholly within this state.

VII-b. "Intrastate energy pipeline facility revolving loan fund" means the fund established by RSA 162-I:3-b.

VII-c. "Natural gas" means any manufactured or natural gas or any combination thereof.

VII-d. "Petroleum" means crude petroleum, refined petroleum products, or combinations of petroleum products.

3 New Subparagraph; Public Safety and Welfare; Business Finance Authority Revenue Bonds; Powers of Authority; Administration of Intrastate Energy Pipeline Facility Revolving Loan Fund. Amend RSA 162-I:3, I by inserting after subparagraph (e) the following new subparagraph:

(f) To take all actions necessary or appropriate in its administration of the intrastate energy pipeline facility revolving loan fund established in this chapter, including, but not limited to, underwriting loan applications and exercising any of the other powers granted to the authority under this section or elsewhere.

4 New Section; Public Safety and Welfare; Business Finance Authority Revenue Bonds; Intrastate Energy Pipeline Facility Revolving Loan Fund. Amend RSA 162-I by inserting after RSA 162-I:3-a the following new section:

162-I:3-b Intrastate Energy Pipeline Facility Revolving Loan Fund.

I. There is hereby established in the office of the state treasurer a fund to be known as the intrastate energy pipeline facility revolving loan fund which shall be kept separate and distinct from all other funds. Moneys in the fund shall be nonlapsing and shall be continually appropriated to the authority, and shall be used to provide loans for the construction of intrastate energy pipeline facilities in the state in order to increase the state's ability to meet the energy needs of its citizens and businesses at the lowest reasonable cost, while providing for the reliability and diversity of energy sources. The intrastate energy pipeline facilities shall be eligible for the revolving funds upon the operator receiving all applicable local, state, and federal permits. Loans provided to operators of intrastate energy pipeline facilities shall be approved by the governor and council.

II. The operator of the intrastate energy pipeline facility provided a loan under this section shall furnish assurance to the authority by a signed agreement that the facility intends to operate as an intrastate energy provider for the life of the capital improvement for which the funds are loaned.

III. The operator of the intrastate energy pipeline facility shall repay any loan made pursuant to this section upon such terms and conditions as are recommended by the authority. The term of the loan shall be no less than 5 years and no longer than 20 years, and shall to the extent possible consistent with this section be determined so as to match the useful life of the improvements funded by the loan. The terms and conditions shall be contained in the binding agreement between the state and the operator of the intrastate energy pipeline facility and shall be sufficient to fully reimburse the state for the principal and interest payments on that portion of the bonds authorized to fund the loan. The authority shall execute all such binding agreements on behalf of the state. All money received through reimbursement shall be deposited by the state treasurer in the intrastate energy pipeline facility revolving loan fund.

IV. In addition to such other terms and conditions that the authority may impose with regard to collateral for a loan, a lien on the property and equipment of the operator of the intrastate energy pipeline facility, including the improved property or equipment, shall be created in favor of the state in an amount which equals the sum of principal and interest to be repaid by the operator of the intrastate energy pipeline facility. The lien shall be recorded in the registry of deeds

of the county or counties in which the improved property is situated and shall not supersede any pre-existing lien created by a mortgage, bond indenture, or similar form of security instrument affecting such property. The lien shall expire only when the loan has been fully repaid.

V. To provide funds for the revolving loan fund established pursuant to this section, the state treasurer, as may be requested from time to time by the authority, is authorized to borrow from time to time upon the credit of the state such amounts so that the aggregate principal amount of the bonds outstanding at any time shall not exceed \$15,000,000 and for said purposes may issue bonds and notes at such time in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The authority shall request and the treasurer shall issue bonds only for such amounts from time to time as are required for the purposes of this section and provided that the principal and interest payments can be satisfied from sums in the fund established in paragraph I.

VI. The payments of principal and interest on the bonds issued under paragraph V shall be made when due from the special fund established by paragraph I.

VII. While the authority shall administer the fund as set forth in this section, and shall have the authority to charge borrowers to whom funds are loaned a fee to reimburse the authority for the services provided by it and costs incurred by it, the authority shall have no financial responsibility for the bonds issued under this section, said bonds being the obligation of the state as set forth in this section.

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

1998-1146s

AMENDED ANALYSIS

This bill establishes a revolving loan fund to be used to provide loans to improve intrastate energy pipeline facilities and authorizes bonds to be issued by the treasurer with principal and interest paid for from the fund for purposes of the revolving loan program.

Senate Education

March 19, 1998

1998-1132s

04/09

Amendment to SB 443

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

AN ACT establishing a committee to study the delivery of and funding for in-home support services for children with disabilities and their families.

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

1 Committee Established. There is established a committee to study the delivery of and funding for in-home support services for children with disabilities and their families.

2 Membership and Compensation.

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

(a) Three members of the senate, appointed by the president of the senate, in consultation with the minority leader, one of whom shall be from the senate education committee and one of whom shall be from the public institutions, health and human services committee.

(b) Three members of the house of representatives, appointed by the speaker of the house, in consultation with the minority leader, one of whom shall be from the house education committee and one of whom shall be from the health, human services and elderly affairs committee.

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

3 Duties.

I. The committee shall study the delivery of and funding for in-home support services for children with disabilities and their families. The committee's study shall include, but not be limited to the following:

(a) Identifying in-home support services needed by children with disabilities and their families to make it possible for these children to remain in their homes.

(b) Examining the nature, scope, sources, and cost of in-home support services currently available.

(c) Examining the funding sources available to pay for in-home support services.

II. The committee shall solicit information and assistance from the following persons or entities, including but not limited to:

(a) The commissioner of health and human services, or designee.

(b) The commissioner of education, or designee.

(c) Parents of children with disabilities.

(d) An individual designated by the Parent Information Center.

(e) An individual designated by the Disabilities Rights Center.

(f) A representative of the New Hampshire Association of Special Education Directors.

(g) A representative of the area agency system, designated by the commissioner of health and human services.

(h) A representative of the community mental health centers, designated by the commissioner of health and human services.

(i) An individual designated by the Developmental Disabilities Council.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 1998.

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

1998-1132s

AMENDED ANALYSIS

This act establishes a study committee on the issue of the delivery of and funding for in-home support services for children with disabilities and their families.

Senate Executive Departments and Administration

March 23, 1998

1998-1147s

10/01

Amendment to SB 367

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

AN ACT relative to the public protection fund administered by the New Hampshire Bar Association.

Amend the bill by replacing section 1 with the following:

1 New Section; Public Protection Fund; Report; Requirements. Amend RSA 311 by inserting after section 6 the following new section:

311:6-a Public Protection Fund.

I. The supreme court shall report annually by October 1 to the governor, the president of the senate, and the speaker of the house of representatives on the status of the public protection fund established by rule of the supreme court and administered by the New Hampshire Bar Association. The report shall include a description of the amount of revenues received by the Bar Association under the fund, the number of claims, and the amount paid out to claimants from the fund.

II. Any such fund established by the supreme court and administered by the New Hampshire Bar Association shall:

(a) Require that active, practicing attorneys be assessed not less than \$100 per year for inclusion in the fund.

(b) Authorize a surcharge to be assessed members in any year where claims approved exceed available funds.

(c) Set an aggregate annual cap on payment from the fund no lower than \$2,000,000, with no cap on individual claim amounts up to the aggregate cap.

(d) Be administered by a 11-member committee consisting of at least 2 public members, appointed by the governor; 2 members of the New Hampshire house of representatives, appointed by the speaker of the house; and 2 members of the New Hampshire senate, appointed by the senate president.

III. The supreme court may authorize the New Hampshire Bar Association to create, as an alternative to or in addition to the public protection fund, a self-insurance group to be responsible for developing a fund of up to \$5,000,000 for the purpose of addressing claims by clients against attorneys.

1998-1147s

AMENDED ANALYSIS

This bill requires the supreme court to report annually on the status of the public protection fund administered by the New Hampshire Bar Association. The bill also establishes certain requirements for public protection fund.

Senate Executive Departments and Administrative

March 20, 1998

1998-1135s

01/09

Amendment to SB 426-FN

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

AN ACT relative to the powers and duties of the commissioner of health and human services and relative to certain trips by state officials or employees.

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

1 Out-of-State Trips. Amend RSA 9:25 to read as follows:

9:25 Out-of-State Trips. Expenses for ~~[out-of-the-state]~~ **out-of-state** trips by **4 or more** state officials or employees shall not be a charge against the state, unless advance authorization for such trips has been procured from the governor and council.

2 Repeals.

I. RSA 126-A:3, I, relative to certain authority of the commissioner of health and human services.

II. RSA 9:26, relative to an exception to out-of-state trips.

III. RSA 126-A:16, III relative to departmental rules.

IV. RSA 99:9, IV, relative to bumping rights.

V. 1995, 310:3, I, relative to the prospective repeal on December 1, 1998, of the commissioner's transfer authority.

VI. RSA 126-A:9, II(b)-(c), relative to appointments to certain positions and termination of appointees.

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

1998-1135s

AMENDED ANALYSIS

This bill makes certain changes in the powers and duties of the commissioner of the department of health and human services. Specifically, this bill:

(1) Repeals the provisions of law authorizing broad transfer authority within program appropriation units, authority to transfer personnel, and authority to delegate any duty to any employee.

(2) Repeals certain aspects of the commissioner's rulemaking authority.

(3) Repeals the provision of law limiting bumping privileges.

(4) Repeals a provision granting the commissioner the power to appoint and terminate certain employees.

This bill also requires out-of-state trips by 4 or more state officials or employees to be approved by the governor and council.

Senate Executive Departments and Administration

February 5, 1998

1998-0616s

10/09

Amendment to SB 441-FN-L

Amend the bill by replacing section 1 with the following:

1 Appointed Chief Fireward, Engineer, or Fire Chief. Amend RSA 154:5 to read as follows:

154:5 Chief Fireward, Engineer, or Fire Chief.

I. The chief fireward, engineer or fire chief in any town, village district, precinct, city or area which has adopted the provisions of this section, shall be appointed for an indefinite period of time or for a definite term, as determined by the legislative body, and the tenure of office shall depend upon good conduct and efficiency. The chief fireward, engineer or fire chief shall be technically qualified by training or experience and shall have ability to command firefighters and hold their respect and confidence. ~~[The chief fireward, engineer or fire chief may be removed only for just cause and after hearing with reasonable notice in writing of the charges against that person.]~~ Any town may adopt the provisions of this section at any annual meeting by an article in the warrant calling for such action.

II. Subject to such written formal policies as may be adopted by the appointing authority, each chief fireward, engineer, or fire chief of any city or town who is appointed rather than elected, shall have authority to direct and control all employees of his or her department in their normal course of duty and shall be responsible for the efficient and economical use of all department equipment. Such chief fireward, engineer,

or fire chief shall be subject to suspension without pay or dismissal only for cause, and after he or she has been presented with a written specification of the reasons. Upon such suspension or dismissal, the chief fireward, engineer, or fire chief shall be entitled to a hearing, on the merits and reasonableness of the action, in superior court in the county in which the municipality is located, provided that the chief fireward, engineer, or fire chief petitions the clerk of the superior court for such a hearing within 10 days of suspension or dismissal. The court shall have the power to affirm, modify or negate such suspension or dismissal, based upon its findings.

Insurance-Majority

March 18, 1998

1998-1118s

01/09

Amendment to SCR 7

Amend the resolution by replacing the title of the resolution with the following:

A RESOLUTION supporting economic security in retirement of all Americans.

1998-1118s

AMENDED ANALYSIS

This senate concurrent resolution supports economic security in retirement for all Americans.

Insurance-Minority

March 18, 1998

1998-1119s

01/09

Amendment to SCR 7

Amend the resolution by replacing the title of the resolution with the following:

A RESOLUTION supporting economic security for senior citizens.

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

Resolved by the Senate, the House of Representatives concurring:

That the federal government must honor its obligations to current retirees who depend on social security; and

That a social security safety net needs to be maintained so that no beneficiary is forced to live in poverty; and

That copies of this resolution, signed by the president of the senate and the speaker of the house, be forwarded by the senate clerk to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the New Hampshire Congressional delegation.

1998-1119s

AMENDED ANALYSIS

This senate concurrent resolution supports economic security for senior citizens.

Insurance

March 20, 1998

1998-1138s

08/09

Amendment to SB 371

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

AN ACT requiring health carriers to provide certain information to health care providers and consumers.

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

1 New Paragraph; Explanation of Benefits. Amend RSA 420-H:4 by inserting after paragraph V the following new paragraph:

VI. For companies or insurers providing health insurance through a managed care system of health care delivery or reimbursement, a description of the grievance procedures as required pursuant to RSA 420-J:5, II(a).

2 New Subparagraph; Information to be Provided. Amend RSA 420-J:5, II by inserting after subparagraph (d) the following new subparagraph:

(c) If requested by the consumer or health care provider acting on behalf of the consumer, a written explanation of any adverse determination, with the name and credentials of the health carrier medical director or designee, including board status and the state or states where the person is currently licensed, and the relevant clinical rationale used to make the adverse determination. Nothing in this section shall be construed to require a health carrier to provide proprietary information protected by third party contracts.

3 Effective Date. This act shall take effect January 1, 1999.

1998-1138s

AMENDED ANALYSIS

This bill requires health insurers to provide, upon request of the patient or the health care provider, a written explanation of an adverse determination, the relevant clinical rationale used to make the adverse determination, and information regarding the credentials of the health carrier medical director.

The bill also requires managed care health care delivery systems to provide a description of the grievance procedure to insureds.

Insurance

March 20, 1998

1998-1137s

08/09

Amendment to SB 393

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

1 New Paragraph; Terminating Carrier's Liability for Deductibles. Amend RSA 420-G:6 by inserting after paragraph VIII the following new paragraph:

IX. A health carrier which has discontinued coverage in the individual market, the small employer market, or any combination thereof, in accordance with paragraph VII, shall continue to be liable for the payment of claims in accordance with the following:

(a) This section shall apply only to terminating carriers of insureds who obtain creditable replacement health coverage. This paragraph shall be effective with respect to all in-force policies, certificates or other evidences of coverage as of the effective date of this paragraph.

(b) The terminating carrier shall continue to be liable for the payment of claims if the succeeding carrier's policy requires the satisfaction of any deductibles, individual or family stop-loss provisions limiting out-of-pocket payments, or waiting periods in its plan but only to the extent satisfaction or partial satisfaction of the same or similar provisions were included in the terminated plan providing similar benefits. In the case of deductible provisions and stop-loss provisions, the liability shall be for the same or overlapping benefit periods and shall be for expenses actually incurred and applied against the deductible and stop-loss provisions of the terminating carrier's plan but only to the extent those expenses are recognized under the terms of the succeeding carrier's plan and are subject to a similar stop-loss or deductible provision. The terminating company shall inform its insureds at the time of cancellation that this provision is applicable to them and that this is a requirement of New Hampshire statute. The provision should also appear in all policies or certificates where the provision about termination of the insurance company appears. Nothing in this subparagraph shall be deemed to prevent a succeeding carrier's plan from having stop-loss levels or deductible amounts that are higher than those specified in the terminating carrier's plan.

(c) Whenever a determination of the terminating carrier's benefits is required by the succeeding carrier, at the succeeding carrier's request the terminating carrier shall furnish, in a timely manner, but in no event later than 30 days, a statement of the benefits available or pertinent information, sufficient to permit verification of the terminating carrier's liability to the succeeding carrier. Any determination of the liability of the terminating plan shall be made in accordance with all the definitions, conditions, and covered expense provisions of the terminating plan rather than those of the succeeding plan. The benefit determination shall be made as if coverage had not been replaced by the succeeding carrier. The succeeding carrier shall notify the terminating carrier as to its liabilities pursuant to RSA 420-G:6, IX(b) and shall indemnify the insured for the same. Upon determination of any liability of the terminating plan, the terminating plan shall pay the succeeding plan in a timely manner, in no event later than 15 days, upon receipt of said claim information.

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

1998-1137s

AMENDED ANALYSIS

This bill provides a mechanism to preserve deductibles accrued by an insured in the event the insured's health carrier terminates business operations in the state.

Insurance

March 19, 1998

1998-1127s

01/09

Amendment to SB 490-FN

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

1 Definition Clarified. Amend RSA 408-A:2, III(e) to read as follows:

(e) "Indebtedness" means the total amount payable by a debtor to a creditor in connection with a loan or other credit transaction, ***except, with respect to credit life insurance issued in connection with a loan or other credit transaction with terms greater than 75 months, "indebtedness" shall mean only the amount necessary to liquidate the remaining debt of a debtor in a single lump sum payment, excluding any unearned interest, unearned finance charges, late charges, or past due amounts more than 2 months delinquent. This exception shall not apply to leases;***

2 Mental and Nervous Conditions. Amend RSA 420-B:8-b, I(b) to read as follows:

(b) In addition to the requirements of subparagraph (a), every health maintenance organization offering such benefits shall ~~[provide to its subscribers a list of psychiatrists and mental health care providers within the organization's network. The health maintenance organization shall allow its subscribers 2 visits for diagnosis followed by up to 3 treatment visits. Subsequent visits may be subject to utilization review. The policy shall also include a statement that a primary care physician may refer an enrolled participant to a psychiatrist or other mental health care provider within the organization's network. There shall be no economic penalty to the primary care physician for such a referral.]~~:

(1) Provide to its subscribers a list of psychiatrists and mental health providers within the organization's network.

(2) Allow each enrolled member a total of 5 visits, 2 visits for diagnosis followed by up to 3 treatment visits, that shall not be subject to utilization review. These visits shall be allowed the member during the member's first 12 months of membership and, thereafter, whenever the member enters into a counseling relationship with a new mental health provider or upon the onset of an acute mental illness episode. The latter shall be allowed only if the member has not received any mental health treatment, other than medications, within the 6-month period prior to the onset of the acute mental illness episode. Subsequent visits may be subject to utilization review.

(3) Include within the evidence of coverage issued to each subscriber a statement that a primary care physician may refer an enrolled member to a psychiatrist or other mental health care provider within the organization's network. There shall be no economic penalty to the primary care physician for such a referral.

3 Salaries; Insurance Department. Amend RSA 94:1-a, I by inserting:

I. In group M: Health care statistician, insurance department.

II. In group O: Health care policy analyst, insurance department.

4 Salaries; Insurance Department. Amend RSA 94:1-a, I by deleting:

I. In group M: Health care policy analyst, insurance department.

II. In group O: Health care statistician, insurance department.

5 Effective Date.

I. Sections 3 and 4 of this act shall take effect upon its passage.

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

1998-1127s

AMENDED ANALYSIS

This bill:

(1) Clarifies the definition of indebtedness with respect to credit life insurance.

(2) Clarifies the coverage for mental and nervous conditions under health maintenance organizations.

(3) Changes certain salaries.

This bill is a request of the insurance department.

Judiciary

March 20, 1998

1998-1143s

09/08

Amendment to SB 422-FN

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

AN ACT establishing a study committee on the procedures for and affordability of open access to judicial records.

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

1 Committee Established. There is established a committee to study procedures for and the affordability of open access to judicial records.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study the procedures for and affordability of open access to judicial records, including but not limited to:

I. Who can have access to the records.

II. Who owns the records.

III. Use of court modernization funds to provide open access.

IV. Record-keeping procedures.

V. The form in and media on which records are maintained.

VI. Electronic availability of dockets and records, including on-line availability of dockets and records.

4 Chairperson; Quorum. The first-named senate member shall chair the committee and call the first meeting of the committee. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 1998.

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

1998-1143s

AMENDED ANALYSIS

This bill establishes a study committee on procedures for and affordability of open access to judicial records.

Judiciary

March 20, 1998

1998-1144s

04/09

Amendment to SB 487

Amend RSA 463:19, II as inserted by section 1 of the bill by replacing it with the following:

II. Except as limited by statute or order of the court, the guardian of the estate shall have the power to perform, without court authorization, every act which persons of prudence, discretion, and intelligence, and exercising judgment and care as in the management of their own affairs, would perform, including but not limited to, the powers specified in the Uniform Trustee's Powers Act pursuant to RSA 564-A:3. ***The guardian of the estate, with court authorization, shall have the power to create and fund a trust, to terminate at some time after the termination of the guardianship, for the benefit of the minor into which all or part of such minor's estate may be transferred provided, however, that the trust shall not continue beyond the twenty-fifth birthday of the minor.***

1998-1144s

AMENDED ANALYSIS

This bill authorizes the guardian of the estate of a minor to create and fund a trust for the minor's estate, and specifies that such trust shall not continue beyond the minor's twenty-fifth birthday.

Judiciary

March 20, 1998

1998-1142s

09/08

Amendment to SB 498

Amend the bill by deleting sections 1 and 2 and renumbering sections 3-4 to read as 1-2, respectively.

Public Affairs

March 18, 1998

1998-1121s

03/09

Amendment to SB 333

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

AN ACT allowing any registered voter who is unable to vote in person, by reason of extended work hours, lack of transportation, or illness in the family, to vote by absentee ballot.

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

1 Absentee Voting; Eligibility; Unable to Appear Causes Added. Amend RSA 657:1 to read as follows:

657:1 Absence, Religious Observance, and Disability Absentee Voting. Any person who is absent on the day of any state election from the city, town, or unincorporated place in which ~~he~~ **the person** is registered to vote or who cannot appear in public on any election day because of ~~his~~ **the person's** observance of a religious commitment or who is unable to vote there in person by reason of physical disability, **extended work hours, lack of transportation, or illness in the family**, may vote at such elections as provided in this chapter.

2 Town Elections; Official Ballot; Absentee Voting; Unable to Appear Causes Added. Amend RSA 669:26 to read as follows:

669:26 Absentee Voting. Every town which has adopted an official ballot system for town elections as provided in RSA 669:12 or 669:13 shall provide for absentee voting. Any registered voter or armed services voter who is absent from such a town on the day of a town election, or who cannot

appear in public on election day because of ~~[his]~~***the person's*** observance of a religious commitment, or who, by reason of physical disability, ***extended work hours, lack of transportation, or illness in the family***, is unable to vote in person may vote at a town election in accordance with the provisions of this section and RSA 669:27-29.

1998-1121s

AMENDED ANALYSIS

This bill allows any registered voter who is unable to vote in person, by reason of extended work hours, lack of transportation, or illness in the family, to vote by absentee ballot.

Wildlife and Recreation

March 23, 1998

1998-1157s

10/01

Amendment to HB 177-FN

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 1999.

Wildlife and Recreation-Majority

March 23, 1998

1998-1148s

01/09

Amendment to SB 376

Amend RSA 644:8, IV as inserted by section 1 of the bill by replacing it with the following:

IV. In addition to being guilty of crimes as provided in paragraphs III and III-a, any person charged with cruelty to animals may have his animal confiscated by the arresting officer and, upon said person's conviction of cruelty to animals, the court may dispose of said animal in any manner it decides. ***Courts shall give cases in which animals have been confiscated by an arresting officer priority on the court calendar.*** The costs, if any, incurred in boarding and treating the animal, pending disposition of the case, and in disposing of the animal, upon a conviction of said person for cruelty to animals, shall be borne by the person so convicted. ***In addition, the court may prohibit any person convicted of animal cruelty from having future ownership or custody of other animals for any period of time the court deems reasonable or impose any other reasonable restrictions on the person's future ownership or custody of animals as necessary for the protection of the animals.***

1998-1148s

AMENDED ANALYSIS

This bill declares that a court may prohibit a person convicted of animal cruelty from owning animals in the future for a period of time the court deems reasonable. This bill also provides that a court shall give cases in which animals have been confiscated priority on the court calendar.

Wildlife and Recreation-Minority

March 23, 1998

1998-1149s

01/09

Amendment to SB 376

Amend RSA 644:8, IV as inserted by section 1 of the bill by replacing it with the following:

IV. In addition to being guilty of crimes as provided in paragraphs III and III-a, any person charged with cruelty to animals may have his animal confiscated by the arresting officer and, upon said person's conviction of cruelty to animals, the court may dispose of said animal in any manner it decides. ***Courts shall give cases in which animals have been confiscated by an arresting officer priority on the court calendar.*** The costs, if any, incurred in boarding and treating the animal, pending disposition of the case, and in disposing of the animal, upon a conviction of said person for cruelty to animals, shall be borne by the person so convicted.

1998-1149s

AMENDED ANALYSIS

This bill declares that a court shall give cases in which animals have been confiscated priority on the court calendar.

SENATE HEARINGS

TUESDAY, MARCH 24, 1998

BANKS, Room 102, LOB

1:30 p.m. **HB 1111** relative to the types of investments allowable by local treasurers.

2:15 p.m. **HB 1146**, relative to the use of capital reserve funds for multiple payments of lease/purchase agreements.

3:00 p.m. **HB 1126-L**, relative to municipal debts limits.

3:45 p.m. **HB 1213-L**, relative to the authority of a town to appoint agents to expend funds for certain purposes.

PUBLIC INSTITUTIONS, HEALTH AND HUMAN SERVICES, Room 105-A, SH

2:00 p.m. **SB 501-FN**, relative to authorizing an attorney for prosecutions by the board of medicine and making an appropriation therefor.

2:45 p.m. **HB 234-FN-L**, relative to disposition by counties of funds of deceased patients of county nursing homes.

3:15 p.m. **HB 1335-FN**, authorizing the department of administrative services to accept donations, gifts, and grants for the purpose of funding a design to expand the veterans' home in the town of Tilton and establishing the patients' needs committee.

4:00 p.m. **HB 686-FN-A**, relative to financing child day care facilities.

TRANSPORTATION, Room 101, LOB

● **HEARINGS RESCHEDULED FROM MARCH 17, 1998**

1:00 p.m. **HB 1328-FN**, extending the exemption period for motor vehicle titles and modifying the process for obtaining a duplicate motor vehicle certificate.

1:10 p.m. **HB 1330-FN**, naming the bridge over the Newfound River on route 104 west in the town of Bristol, New Hampshire, the Richard W. Musgrove bridge.

1:20 p.m. **HB 1340-L**, establishing a committee to study the upgrade of Dean Memorial Airport in North Haverhill, New Hampshire.

1:30 p.m. **HB 1537**, relative to aeronautics enforcement authority.

1:45 p.m. **HB 1629**, relative to walking disability plates and placards.

EXECUTIVE SESSION TO FOLLOW

WAYS AND MEANS, Room 103, SH2:45 p.m. **HB 1130-FN**, relative to the distribution of beverages.

3:00 p.m. **HB 1284-FN-A** directing the liquor commission to study and investigate the location of a new liquor store and possible welcome center and New Hampshire products store in the city of Keene.

3:15 p.m. **HB 1313**, requiring brew pub licensee's to report delinquencies by wholesale distributors.

3:30 p.m. **HB 1480-L**, allowing a city or town to petition the liquor commission to revoke the liquor license of a licensee located within the city or town.

EXECUTIVE SESSION TO FOLLOW

wEDNESDAY, MARCH 25, 1998

EDUCATION, Room 105-A, SH

1:00 p.m. **HB 1502**, extending the reporting date for the statewide school technology plan study committee.

1:15 p.m. **HB 1394**, extending the reporting date for the school building aid system study committee.

1:30 p.m. **HB 1247**, establishing a study committee relative to access to public school facilities and programs by home school students.

2:00 p.m. **HB 1159**, establishing a committee to study strategies for increasing parental involvement in public education.

ENVIRONMENT, Room 102, LOB

8:30 a.m. **EXECUTIVE SESSION FOR SB 347, SB 351, SB 374, SB 488-FN**

INSURANCE, Room 101, LOB

8:30 a.m. **HB 579-FN LOCAL**, providing that a person who, having made all reasonable efforts to preserve employment, leaves a job in order to protect himself or herself from domestic abuse, shall not be denied unemployment compensation.

9:00 a.m. **HB 1245**, relative to the management of New Hampshire retirement system funds by the board of trustees.

JUDICIARY, Room 103, SH

10:15 a.m. **HB 734-FN**, establishing a study committee on district court evening sessions.

10:30 a.m. **HB 1406**, increasing the maximum amount for a small claim action.

10:45 a.m. **HB 616-FN**, relative to jury selection reforms.

11:00 a.m. **HB 1158**, changing the process for designating a part-time district court justice a full-time district court justice.

11:30 a.m. **HB 152**, relative to permissible fireworks.

12:00 p.m. **HB 1407**, clarifying the unlawful practice of medicine.

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1430**, relative to political expenditure limitation amounts.

11:00 a.m. **HB 1518-L**, increasing the minimum purchase amount by a county requiring competitive bidding.

11:15 a.m. **HB 1192**, permitting the city of Concord to combine the positions of tax collector and treasurer.

11:45 a.m. **HB 1221-L**, relative to the acceptance of personal property donated to towns or village districts.

12:00 p.m. **HB 1279-FN-L**, relative to the procedures for vacating uninhabitable or unsafe buildings.

THURSDAY, MARCH 26, 1998

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

1:30 p.m. **SB 505-FN**, eliminating the separate fee for licensed master plumbers who are the sole shareholders of a plumbing corporation.

1:45 p.m. **HB 1147**, relative to corporate filing with the secretary of state

2:00 p.m. **HB 1150**, establishing a committee to study the authority, functions, duties, funding, and responsibilities of the bureau of emergency medical services.

EXECUTIVE SESSION ON ALL PENDING SENATE BILLS

WILDLIFE AND RECREATION, Room 102, LOB

2:45 p.m. **HB 272**, relative to boat docking facilities

3:30 p.m. **HB 1211-FN-A**, re-designing Governors state park in Laconia as Ahern state park.

FRIDAY, MARCH 27, 1998

● **THE FOLLOWING BILLS WERE RESCHEDULED TO APRIL 6, 1998:**
HB 1527, HB 1368, HB 651, HB 587, HB 485

TUESDAY, MARCH 31, 1998

BANKS, Room 102, LOB

1:30 p.m. **HB 1125**, repealing laws relative to trading stamp companies and solar equipment warranties.

2:15 p.m. **HB 1165**, relative to the incorporation, management, branching, and merger of banks.

3:00 p.m. **HB 1497**, establishing a committee to study adoption of a single factor method of apportionment for business taxation purposes.

3:45 p.m. **HB 1627**, relative to deposits with the state treasurer of amounts due certain stockholders and creditors on the dissolution of a corporation.

PUBLIC INSTITUTIONS, HEALTH AND HUMAN SERVICES, Room 105-A, SH

1:30 p.m. **HB 1298-FN-LOCAL**, requiring health care providers to wear identification.

2:00 p.m. **HB 1457**, permitting physician assistants to possess, compound, administer or distribute prescription drugs.

2:30 p.m. **HB 1118**, relative to the expiration of contact lens prescriptions.

3:00 p.m. **HB 1657**, extending the consultant's reporting date for surveying the department of youth development services' facilities.

TRANSPORTATION, Room 101, LOB

● **HEARINGS RESCHEDULED FROM MARCH 10, 1998**

● **HB 1275 WILL BE RESCHEDULED AT A LATER DATE**

1:00 p.m. **EXECUTIVE SESSION**

2:00 p.m. **HB 1272-L**, requiring the long range capital planning and utilization committee and the Skyhaven airport operation commission to develop a plan to transfer the Skyhaven airport to a local public entity.

2:20 p.m. **HB 1135**, relative to the use of watercraft and boats on Ledge Pond in the town of Sunapee.

2:40 p.m. **HB 1157**, relative to the layout of highways.

WAYS AND MEANS, Room 103, SH

2:45 p.m. **HB 707-LOCAL**, relative to municipal taxation of telecommunications poles and conduits.

3:15 p.m. **HB 1539**, an act relative to property tax billing procedures for land parcels having multiple owners.

EXECUTIVE SESSION TO FOLLOW

wednesday, april 1, 1998

EDUCATION, Room 105-A, SH

1:00 p.m. **HB 1526-FN-A**, requiring the department of education to publish an annual report of special education statistics.

2:00 p.m. **HB 784-FN-A**, relative to changing the amount of estimated expenditures per pupil beyond which the department of education is liable for the cost of school district borrowing.

ENVIRONMENT, Room 102, LOB

8:30 a.m. **HB 497**, excluding domestic septage from regulation as sludge or biosolids.

9:00 a.m. **HB 1124**, relative to disposal of septage or sludge.

9:30 a.m. **HB 1225**, restricting the land application of solid wastes within certain distances of natural, rural, rural-community, and community rivers and exempting certain uses allowed under prior interpretations of the law.

INSURANCE, Room 101, LOB

8:30 a.m. **HB 1446**, relative to certain private employees under worker's compensation.

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1592-L**, relative to the enhanced 911 data base.

10:30 a.m. **HB 1651**, establishing a committee to study the protection of cable consumers and the enhancement of cable electronic services.

11:00 a.m. **HJR 21**, requesting that the United States Congress return to the states the authority to regulate campaign finance.

11:15 a.m. **HB 1128-FN**, relative to space heaters.

11:45 a.m. **HB 204-FN-L**, granting responsibility for court security and custody and control of prisoners while in the courthouse to the county sheriff and providing for state reimbursement of the sheriff for the costs of such security services.

THURSDAY, APRIL 2, 1998

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

1:30 p.m. **HB 256**, establishing uniform adjudicative proceedings for state agencies.

2:00 p.m. **HB 721**, authorizing municipalities to restrict the advertising of alcohol and tobacco through the exercise of zoning powers.

FINANCE, Room 103, SH

1:30 p.m. **HB 1514-FN**, setting the biennial rate for the
medicaid enhancement tax.

2:00 p.m. **HB 1295 FN**, relative to reimbursing the state medical assistance program

2:30 p.m. **HB 1217**, relative to balancing the operating budget

EXECUTIVE SESSION TO FOLLOW ON PENDING LEGISLATION

WILDLIFE AND RECREATION, Room 102, LOB

2:45 p.m. **HB 747-FN-A**, establishing a wildlife habitat stamp or license for persons engaged in taking wild animals or birds and continually appropriating the funds for wildlife habitats.

3:00 p.m. **HB 1120**, establishing a commission to study the effects of and jurisdiction over alternative agricultural products.

3:15 p.m. **HB 1331-FN**, relative to granting special hunting and fishing licenses to persons aged 68 or over for trapping.

MONDAY, APRIL 6, 1998

- THE FOLLOWING HEARINGS ARE RESCHEDULED FROM MARCH 27, 1998.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

9:00 a.m. **HB 1527**, relative to unauthorized switching of telecommunications or energy-related service providers.

9:30 a.m. **HB 1368**, relative to distribution services and metering and billing in electric utility restructuring.

10:30 a.m. **HB 651**, relative to electric rate reduction financing.

1:00 p.m. **HB 587**, relative to the system benefits charge.

1:30 p.m. **HB 485**, relative to limited electrical energy
producers.

TUESDAY, APRIL 7, 1998

BANKS, Room 102, LOB

1:30 p.m. **HB 1540-FN**, allowing non-banks to establish cash dispensing machines.

2:15 p.m. **HB 1555-FN**, relative to including revocable trusts for medicaid estate recovery purposes.

WAYS AND MEANS, Room 103, SH

2:45 p.m. **HB 1131**, relative to the sale of liquor and beverages and relative to enforcement of the liquor laws.

3:00 p.m. **HB 1122**, relative to the licensure of charitable organizations to conduct bingo games or sell lucky 7 tickets in towns and cities in which the organizations have been conducting charitable activities.

3:30 p.m. **HB 1109**, allowing prepayment of property taxes before April 1.

EXECUTIVE SESSION TO FOLLOW

wednesday, april 8, 1998

ENVIRONMENT, Room 102, LOB

8:30 a.m. **HJR 23**, supporting the state's petition to the federal EPA to reduce interstate transport of air pollutants from other states, requesting that Congress make certain changes in the federal Clean Air Act, and requesting that the EPA enforce certain existing provisions of the Clean Air Act regarding interstate transport of air pollution.

8:45 a.m. **HB 1155**, relative to wastewater in low flow areas.

9:00 a.m. **HB 1162**, relative to permit applications before the hazardous waste facility siting board.

9:15 a.m. **HB 1246**, relative to enforcement of oil spillage laws.

9:30 a.m. **HB 1274-FN**, relative to enforcement of air pollution laws by the department of environmental services.

9:45 a.m. **HB 1395-L**, relative to property tax exemptions for water and pollution control facilities.

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1169-L**, clarifying the authority of the ballot law commission relative to the examination of programs used to count votes.

10:45 a.m. **HB 1115-L**, relative to boundary markers.

11:00 a.m. **HB 1156-FN-L**, relative to primary elections and absentee ballots.

11:15 a.m. **HB 1170-FN**, allowing municipalities to designate areas and conditions for the placement of political advertising and relative to the removal of improperly placed political advertising.

11:30 a.m. **HB 1333-FN-L**, (New Title) relative to the erection of voting booths at polling places.

11:45 a.m. **HB 1204**, relative to political party expenditures.

THURSDAY, APRIL 9, 1998

FINANCE, Room 103, SH

EXECUTIVE SESSION ON PENDING LEGISLATION

INTERNAL AFFAIRS, Room 103, LOB

3:00 p.m. **HB 1154**, establishing a committee to study the issue of updating New Hampshire laws related to fences.

3:30 p.m. **HB 1338-FN-A**, establishing a house study committee to examine the adoption of articles 41, 72-a and 73-a of the second part of the New Hampshire constitution.

EXECUTIVE ACTION ON PENDING LEGISLATION MAY OCCUR AS TIME ALLOWS

WILDLIFE AND RECREATION, Room 102, LOB

2:45 p.m. **HB 1123**, relative to the control of wolf hybrids.

3:30 p.m. **HB 1621**, relative to the membership of the advisory committee on shore fisheries.

3:45 p.m. **HB 1481**, granting rulemaking authority to the executive director of fish and game to determine the legal length of lobsters.

WEDNESDAY, APRIL 15, 1998

ENVIRONMENT, Room 102, LOB

8:30 a.m. **HB 1443**, relative to the time frame for the department of environmental services to act on certain wetlands applications.

8:50 a.m. **HB 1531-FN**, relative to reimbursement for removal of petroleum storage facilities from the oil pollution control fund.

9:20 a.m. **HB 1238**, establishing a committee to study ways to manage land use and to preserve and protect the state's farmland, rural and community character, and environmental quality against low density sprawl and the loss of sense of place.

9:40 a.m. **HB 1229**, exempting biological control agents from registration requirements for pesticides.

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1444**, requiring a special primary for all parties if there are at least 2 candidates for election from one party.

10:30 a.m. **HB 1488**, amending the definition of candidate and requiring additional reporting under the political expenditures and contributions act.

● **THE FOLLOWING BILL WAS RECESSED ON MARCH 11, 1998, AND RESCHEDULED TO THIS DATE:**

11:00 a.m. **HB 798**, relative to the regulation of health clubs.

THURSDAY, APRIL 16, 1998

FINANCE, Room 103, SH

2:00 p.m. **HB 1399-FN**, an act revising certain information required in the state operating budget.

2:30 p.m. **HB 1384-FN-A**, an act making appropriation for use by the New Hampshire commission on the Smithsonian festival of American Folklife.

3:00 p.m. **HB 1456**, an act relative to the budget making process.

EXECUTIVE SESSION TO FOLLOW

WILDLIFE AND RECREATION, Room 102, LOB

2:45 p.m. **HB 1145**, relative to the definition of "livestock"

3:30 p.m. **HB 1160**, relative to the definitions of terms "farm", "agriculture." and "farming".

WEDNESDAY, APRIL 22, 1998

ENVIRONMENT, Room 102, LOB

8:30 a.m. **HB 1346**, relative to certain definitions under the solid waste management act

9:15 a.m. **HB 1606-L**, relative to liability for response to hazardous materials accidents.

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1112**, relative to the placement of articles on the official ballot.

10:45 a.m. **HB 1236-L**, relative to limitations on the amendment of warrant articles in official ballot voting.

11:00 a.m. **HB 1299**, requiring members of executive branch councils to file annual financial statements and relative to certain person's who fail annual financial statements.

WEDNESDAY, APRIL 29, 1998

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1011-FN**, making it a felony to operate certain gambling businesses and prohibiting possession of gambling machines unless specifically authorized under state law.

10:45 a.m. **HB 1172**, relative to the number of members on a municipal budget committee.

11:00 a.m. **HB 1121**, making technical corrections to the election laws.

11:15 a.m. **HB 1113**, relative to reports of town and school district meetings to be certified to the department of revenue administration.

11:30 a.m. **HB 1252**, relative to the right to farm

WEDNESDAY, MAY 6, 1998

PUBLIC AFFAIRS, Room 104, LOB

10:15 a.m. **HB 1568**, relative to the timing of special school district meetings simplifying the charter amendment procedure for the purpose of establishing official ballot voting.

10:30 a.m. **HB 1434-L**, simplifying the charter amendment procedures for the purpose of establishing official ballot voting.

10:45 a.m. **HB 1417-L**, relative to the involvement in mediation in collective bargaining negotiations by certain municipalities

11:00 a.m. **HB 1447-L**, relative to the approval by the legislative body of cost items in a collective bargaining agreement.

11:00 a.m. **HB 1435-L**, relative to board of tax and land appeals jurisdiction over town line disputes, relative to time limits for abatement and appeal of a land use change tax, relative to the vote required for a legislative body of a municipality to accept a street, and relative to allowing municipalities to except islands from certain requirements concerning streets.

MEETINGS

TUESDAY, MARCH 24, 1998

DEPARTMENT OF TRANSPORTATION, Southern NH Planning Commission, 438 Dubuque Street, Manchester

3:00 p.m. Committee Meeting to recommend projects for funding, Congestion Mitigation and Air Quality (CMAQ) Advisory Committee

WEDNESDAY, MARCH 25, 1998

SENATE SELECT COMMITTEE ON EDUCATION FUNDING AND ADEQUACY, Room 103, SH

4:00 p.m. Work Session

LABOR INDUSTRIAL AND REHABILITATIVE SERVICES, Department of Employment Security Office, 85 Mechanic Street, Lebanon

7:00 p.m. Public forum on New Hampshire labor laws.

FRIDAY, MARCH 27, 1998

NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN COMMISSION (RSA 195-H:2), Room 103, SH

10:00 a.m. Marketing Subcommittee Meeting

11:00 a.m. Legal Subcommittee Meeting

12:00 p.m. Administrative Subcommittee Meeting

1:30 p.m. Regular Meeting

WORKER'S COMPENSATION ADVISORY (RSA 281-A:62) Room 306, LOB

9-12 p.m. Meeting

monday, march 30, 1998

STATEWIDE SCHOOL TECHNOLOGY PLAN OVERSIGHT COMMITTEE (HB 262, CH. 191, Laws of 1997), The Centennial Inn, 96 Pleasant St, Concord

9:00 a.m. Regular Meeting

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4), Room 305, LOB

9:00 a.m. Regular Meeting and Hearing

THE DEPARTMENT OF TRANSPORTATION, Haverhill Town Office, Morrill Municipal Building Rte. 10, North Haverhill

7:00 p.m. Public Officials Meeting, Haverhill, NH to Newbury VT, US 302 bridge over the Connecticut River

TUESDAY, MARCH 31, 1998

DEPARTMENT OF TRANSPORTATION, Rollingsford Town Office, 667 Main Street, Rollingsford

7:00 p.m. Public Informational meeting concerning the replacement of the Rollins Road Bridge

WEDNESDAY, APRIL 1, 1998

CAPITAL BUDGET OVERVIEW COMMITTEE, Room 201, LOB

9:00 a.m. Meeting

COMMISSION ON JUVENILE JUSTICE (RSA 169-H:1), Room 204, LOB

11:00 a.m. Regular Meeting

DEPARTMENT OF TRANSPORTATION, Runnell's Hall in Chocorua

2:00 p.m. Open House, Rte. 16 Corridor Study

SENATE SELECT COMMITTEE ON EDUCATION FUNDING AND ADEQUACY, Room 103, SH

4:00 p.m. Work Session

THURSDAY, APRIL 2, 1998

SENATE RULES MEETING, Room 302, SH

8:30 a.m. Meeting

FRIDAY, APRIL 3, 1998

TELECOMMUNICATIONS OVERSIGHT COMMITTEE, (RSA 374:22-h) Representatives Hall

9:00 a.m. Public Forum in conjunction with Public Utilities
Commission

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

MONDAY, APRIL 6, 1998

NEW HAMPSHIRE BRAIN & SPINAL CORD INJURY ADVISORY COMMITTEE, (RSA 137-K:12) Room 205, LOB

2:00 p.m. Regular Meeting

TUESDAY, APRIL 7, 1998

**NEW HAMPSHIRE COMMISSION ON THE SMITHSONIAN FESTIVAL OF AMERICAN
FOLKLIFE (SJR 20, Chapter 204, Laws of 1996) Room 307, LOB**

3:00 p.m. Commission Meeting

WEDNESDAY, APRIL 8, 1998

FISCAL COMMITTEE OF THE GENERAL COURT, Rooms 210-211, LOB

9:00 a.m. Regular Business

9:30 a.m. Audits: (1) State of New Hampshire Sweepstakes
Commission Audit Report for the years ended June 30, 1997 and
1996. (2) State of New Hampshire State Treasury Report for the
Fiscal year ended June 30, 1997. (3) State of New Hampshire
Department of Safety services Marine Patrol Bureau Staffing
Performance Audit Report March 1998.

LEGISLATIVE FACILITIES COMMITTEE, Room 103, SH

1:00 p.m. Meeting

**THE SENATE SELECT COMMITTEE ON EDUCATION
FUNDING AND ADEQUACY, Room 103, SH**

4:00 p.m. Work Session

DEPARTMENT OF TRANSPORTATION, Mabel Brown Room at Keene State College

7:00 p.m. Special Committee Public Hearing, Keene-Swanzey

THURSDAY, APRIL 9, 1998

DEPARTMENT OF TRANSPORTATION, Newington Town Hall in Newington

3:00 p.m. Open House Rt. 16 Corridor Study

MONDAY, APRIL 13, 1998

**PERINATAL ALCOHOL, TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19),
Room 101, LOB**

9:00 a.m. Meeting

**HEALTH & HUMAN SERVICES OVERSIGHT COMMITTEE
(RSA 126-A:13), Room 205, LOB**

9:30 a.m. Regular Meeting

**PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord**

10:00 a.m. Meeting

TUESDAY, APRIL 14, 1998

**DEPARTMENT OF TRANSPORTATION, Claremont Middle School Gymnasium, 107 South
Street, Claremont.**

7:00 p.m. Public Hearing, Washington Street, widening and
improvements

WEDNESDAY, APRIL 15, 1998

**THE SENATE SELECT COMMITTEE ON EDUCATION FUNDING AND ADEQUACY, Room
103, SH**

4:00 p.m. Work Session

**DEPARTMENT OF TRANSPORTATION, Northern Forest
Heritage Park in Berlin**

3:00 p.m. Open House, Rt. 16 Corridor Study

THURSDAY, APRIL 16, 1998

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2), Room 304, LOB

8:30 a.m. Public hearing on a request for an advisory opinion concerning the participation of legislators and staff in certain fundraising or commercial activities on state property.

Regular meeting

FRIDAY, APRIL 17, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

MONDAY, APRIL 20, 1998

VICTIM'S ASSISTANCE SUBCOMMITTEE OF THE GOVERNOR'S COMMISSION ON DOMESTIC VIOLENCE, Room 103, LOB

9:30 a.m. Meeting

MONDAY, APRIL 27, 1998

OIL FUND DISTRIBUTION BOARD (RSA 146-D:4), Room 305, LOB

9:00 a.m. Meeting

FRIDAY, MAY 1, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN COMMISSION (RSA 195-H:2), Room 103, SH

1:30 p.m. Meeting

MONDAY, MAY 11, 1998

PERINATAL ALCOHOL, TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19), Room 101, LOB

9:00 a.m. Meeting

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, MAY 15, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms
306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, MAY 29, 1998

NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN COMMISSION (RSA 195-H:2),
Room 103, SH

1:30 p.m. Meeting

FRIDAY, JUNE 5, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

MONDAY, JUNE 8, 1998

PERINATAL ALCOHOL, TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19),
Room 101, LOB

9:00 a.m. Meeting

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, JUNE 12, 1998

BOARD OF CLAIMS (RSA 541-B:3), Room 202, LOB

9:00 a.m. Quarterly Meeting

FRIDAY, JUNE 19, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, JUNE 26, 1998

NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN COMMISSION (RSA 195-H:2), Room 103, SH

1:30 p.m. Meeting

MONDAY, JULY 13, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, JULY 17, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

MONDAY, JULY 20, 1998

VICTIM'S ASSISTANCE SUBCOMMITTEE OF THE GOVERNOR'S COMMISSION ON DOMESTIC VIOLENCE, Room 103, LOB

9:30 a.m. Meeting

MONDAY, AUGUST 10, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, AUGUST 21, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, SEPTEMBER 11, 1998

BOARD OF CLAIMS (RSA 541-B:3), Room 202, LOB

9:00 a.m. Quarterly Meeting

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

MONDAY, SEPTEMBER 14, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, SEPTEMBER 18, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms
306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, OCTOBER 2, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

TUESDAY, OCTOBER 13, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, OCTOBER 16, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms
306-308, LOB

9:00 a.m. Regular Meeting

MONDAY, OCTOBER 19, 1998

**VICTIM'S ASSISTANCE SUBCOMMITTEE OF THE GOVERNOR'S COMMISSION ON
DOMESTIC VIOLENCE**, Room 103, LOB

9:30 a.m. Meeting

FRIDAY, NOVEMBER 6, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

MONDAY, NOVEMBER 9, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, NOVEMBER 20, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms
306-308, LOB

9:00 a.m. Regular Meeting

FRIDAY, DECEMBER 4, 1998

OSTEOPOROSIS EDUCATION AND ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular Meeting

FRIDAY, DECEMBER 11, 1998

BOARD OF CLAIMS (RSA 541-B:3), Room 202, LOB

9:00 a.m. Quarterly Meeting

MONDAY, DECEMBER 14, 1998

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, NH
Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Meeting

FRIDAY, DECEMBER 18, 1998

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2), Rooms
306-308, LOB

9:00 a.m. Regular Meeting

REVISED/ AMENDED FISCAL NOTES NOW AVAILABLE IN THE SENATE CLERK'S OFFICE:

SB 53, SB 102, SB 161, SB 205, SB 32, SB 391, SB 452, SB 505, HJR 24, HB 111, HB 177, HB 256, HB 443, HB 467, HB 485, HB 552, HB 559,, HB 565, HB 579, HB 587, HB 605, HB 606, HB 616, HB 630, HB 651, HB 670, HB 676, HB 682, HB 697, HB 707, HB 717, HB, 730, HB 734, HB 747, HB 749, HB 753, HB 774, HB 784, HB 1000, HB 1115, HB 1211, HB 1224, HB 1259, HB 1291, HB 1297, HB 1328, HB 1330, HB 1331, HB 1331, HB 1336, HB 1338, HB 1350, HB 1354, HB 1456, HB 1490, HB 1526, HB 1541, HB 1545, HB 1573, HB 1579, HB 1582, HB 1583, HB 1593, HB 1594, HB 1598, HB 1599, HB 1600, HB 1601, HB 1602, HB 1603, HB 1617, HB 1639, HB 1644, HB 1660, HB 1662, HB 1664

NOTICES

Members of the NH Senate and House are encouraged to utilize the complimentary ski privileges afforded them. Upon presentation of proper credentials at the ticket window, NH Senators and Representatives may receive a lift ticket for their personal use and one for a guest. The elected official must be present to personally present the credentials, unless prior arrangement is made with Commissioner Thomson. *Lift tickets are to be picked up at Guest Services at Sunapee; and at Guest Services or the Ticket Window at Cannon.*

Senator Joseph Delahunty

The third round of funding for the Health Care Transition Fund, Community Grant Program is about to begin. The Department of Health and Human Services, under the leadership of the Legislature, the Governor and the Executive Councilors, has initiated this grantmaking process to assist communities in their efforts to improve access to health care services. Grants will be awarded for up to eighteen months to encourage creativity and innovation in health care. Successful proposals will demonstrate broad community collaboration as an essential method of achieving project objectives. A *Request for Proposals* was mailed to the leadership of the New Hampshire House and Senate including Committee Chairs and 1,200 community organizations and providers. All legislators are invited to request a copy of the proposal by contacting Therese Smith of the Department's Office of Planning and Research at 271-5256 or access a copy through the Department's website at <http://www.state.nh.us/dhhs/deptlinks.htm>.

Senator Amy Patenaude

The Department of Administrative Services, Division of Information Technology Management (DITM) has just completed work on a paper entitled, The Year 2000 Report. This report is a compilation of a survey taken in the fall of 1997 to gauge the level of awareness and preparedness of state agencies relative to agency computers and the Year 2000 century date change.

Copies of the Year 2000 report are also available from the Legislative Budget Assistants Office, Room 102, State House. The report is also expected to be available soon in the electronic form on the State's web site.

Senator Ned Gordon

WEDNESDAY, MARCH 25, 1998

The New Hampshire Automobile Dealers Association cordially invites all legislators and staff to it's "Crossover Reception" on March 25 from 4:00-7:00 p.m. or immediately following session at the New Hampshire Automobile Dealers Association offices, 507 South St, Bow, N.H.

Senator Barnes

Senator John King

WEDNESDAY, APRIL 1, 1998

The Board of Governors of the New Hampshire Trial Lawyers Association invites all Senators and Senate staff to a reception in honor of the New Hampshire Senate. Wednesday, April 1, from 4:30 p.m. to 6:30 p.m. at The Centennial Inn, 96 Pleasant St, Concord.

Senator Carl Johnson

VISITORS' CENTER SCHEDULE – MARCH

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of school groups visiting the State House in January/February 1998. These listings will replace individual notifications in an effort to reduce paper usage and to ensure all members will be notified in a timely manner. Please contact the Visitors' Center for further information. Thank you for your continued participation with our School Visitation Program.

Kenneth Leidner, Director

	<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>CLASS/Size</i>
3/2	9:30;10:45 & 12:30		Southwick School -Northfield	4 / 70
3/3	9:30 & 10:45		Epping High School	9 / 60
3/3	9:00		Parkside Jr. High - Manchester	6,7 &8 / 25
3/4	10:00 & 12:00		Bicentennial Elementary - Nashua	4 / 75
3/5	10:00 & 12:00		Bicentennial Elementary - Nashua	4 / 50
3/6	10:00 & 11:15		Stratham Memorial	4 / 60
3/9	10:00 & 11:15		Stratham Memorial	4 / 40
3/9	12:30		Bethel Christian School - Hudson	4 / 13
3/9	12:30		Goffstown Christian - Goffstown	4 / 11
3/9	1:30		Pleasant Street - Laconia	5 / 24

3/10	9:30 & 11:30	Canaan Elementary	4 / 84
3/11	10:00 & 11:15	Johnathan Daniels School - Keene	4 / 40
3/11	1:00	Unity Elementary	3&4 - 6&7 / 46
3/12	9:30	Broadstreet Elementary - Nashua	4 / 25
3/12	10:00 & 11:15	Hanover Street School - Lebanon	4 / 50
3/13	9:00	Bow Elementary	4 / 25
3/13	10:00 & 12:00	Newmarket Elementary	4 / 92
3/16	9:00	Bow Elementary	4 / 25
3/16	10:00 & 11:15	Seabrook Elementary	4 / 80
3/17	9:00	Bow Elementary	4 / 25
3/17	10:00 & 11:15	Hanover Elementary - Lebanon	4 / 50
3/17	1:00	White Farm	7&8 / 8
3/18	9:00	Parkside/Eng. as a 2 nd Language - Manchester	7&8/60
3/19	9:00 & 10:00	Deerfield Community School	4 / 36
3/19	11:00 & 1:00	Symonds Elementary - Keene	5 / 75
3/20	9:00 & 10:00	Webster School - Manchester	4 / 50
3/20	11:15 & 12:15	Bedford Memorial School	4 / 60
3/23	9:00	Bow Elementary	4 / 25
3/23	10:15 & 11:30	Moultonborough Central School	4 / 55
3/23	1:00	Calvary Christian High School	12 / 18
3/24	9:00	Bow Elementary	4 / 25
3/24	10:00 & 11:00	Lancaster School - Lancaster	4 / 60
3/24	12:30 & 2:00	Memorial School - Newton	4 / 75
3/25	10:00 & 11:30	Lincoln Street School - Exeter	4 / 75
3/26	10:00 & 11:30	Lincoln Street School - Exeter	4 / 75

3/27	9:00 & 10:00	Webster School - Manchester	4 / 50
3/27	11:00 & 1:00	Bedford Memorial School	4 / 80
3/30	10:00; 11:15 & 12:30	Mount Pleasant School - Nashua	4 / 75
3/31	9:15 & 10:45	Bristol Elementary	4 / 60
3/31	1:00	Walker School - Concord	4 / 36

NOTICE

LEGISLATIVE ETHICS COMMITTEE

Proposed Amendment to Ethics Guidelines

At its meeting on March 18, 1998, the Committee unanimously voted to amend Ethics Guidelines Sections 3 and 5, subject to approval by the General Court in accordance with RSA 14-B:3, II. The amendment, in its entirety, is printed below.

Representative Jeb E. Bradley, Chairman

PROPOSED AMENDMENT TO ETHICS GUIDELINES

3 LEGISLATOR'S FINANCIAL DISCLOSURE FORM.

Every representative, representative-elect, senator, senator-elect, and officer of the House and Senate, shall file with the Secretary of State the following financial disclosure form on or before January 31 of each year [~~for the preceding calendar year~~].

FINANCIAL DISCLOSURE FORM

FOR STATE SENATORS, STATE REPRESENTATIVES AND OFFICERS OF THE GENERAL COURT

Required by the Legislative Ethics Committee (RSA 14-B)

Name of Legislator/Officer _____

(print name)

Address _____

street

town/city

zip code

Office _____

County/District _____

Telephone Number _____

- I. Identify below the name, address, and type of any professional, business, or other organization (including any unit of government) in which you are or were an officer, director, associate, partner, proprietor, employee, or member, or served in any advisory capacity, from which you derived any income (including retirement benefits **other than federal retirement and/or disability benefits**) in excess of \$10,000 during the preceding calendar year.

- 1)
 - a) Name of organization
 - b) Address of organization
 - c) Type of organization
- 2)
 - a) Name of organization
 - b) Address of organization
 - c) Type of organization
- 3)
 - a) Name of organization
 - b) Address of organization
 - c) Type of organization

(attach additional sheets if necessary)

Please note: every State Senator, State Representative, and Officer of the General Court is required to file this form. If you feel that your income during the preceding calendar year does not qualify for disclosure according to the criteria stated above, signify by checking on the line below.

My income does not qualify _____

II. COMPLETION OF THIS SECTION IS OPTIONAL.

Disclosure and description below of your financial interest may eliminate the need to follow the conflict of interest procedure established in Section 5 of the Ethics Guidelines. If your participation in an official activity creates a conflict of interest not disclosed by the information on this form, you must complete and file a Declaration of Intent Form in accordance with Section 5 of the Ethics Guidelines. See Section 5 of the Ethics Guidelines for information regarding particular conflicts of interest that you may have.

FOR THIS SECTION, "FINANCIAL INTEREST" MEANS THAT A CHANGE IN THE LAW DEALING WITH ANY OF THESE SUBJECTS LISTED BELOW WOULD POTENTIALLY HAVE A GREATER FINANCIAL EFFECT ON YOU OR YOUR SPOUSE THAN IT WOULD ON THE GENERAL PUBLIC.

Do you or your spouse have a financial interest, as defined above, in any of the following businesses, professions, occupations, groups, or matters? Check any of the following which apply and describe the nature of your or your spouse's financial interest:

- a. any profession, occupation, or business licensed or certified by the State of New Hampshire**

- b. health care**

- c. insurance**

- d. real estate, including brokers, agents, developers, and landlords**

- e. banking or financial services**

- f. State of New Hampshire, county or municipal employment**

g. the New Hampshire Retirement System

h. the current use land assessment program

i. restaurants and lodging

j. the sale and distribution of alcoholic beverages

k. the practice of law

l. any business regulated by the Public Utilities Commission

m. horse or dog racing, or other legal forms of gambling

n. education

o. water resources

p. agriculture

q. New Hampshire taxes: Business Profits Tax, Business Enterprise Tax, Interest and Dividends Tax

r. other

The foregoing information is true to the best of my knowledge and belief.

Legislator/Officer

Signature of

Complete and return to the Office of Secretary of State no later than January 31, _____

5 CONFLICT OF INTEREST PROCEDURE.

I. No declaration shall be required if no benefit or detriment could reasonably be expected to accrue to the legislator as a member of a business, profession, occupation, or other group, to any greater extent than to any other member of such business, profession, occupation, or other group, provided that disclosure of the legislator's membership is made in the Financial Disclosure Form pursuant to section 3 of the Ethics Guidelines. For purposes of these guidelines, groups shall be limited to ones generally recognized and of a substantial size.

II. When a legislator becomes aware that a conflict of interest exists or may exist ***and the conditions set forth in paragraph I are not met***, the legislator shall proceed in accordance with either subparagraph (a) or (b):

(a) Declare that the legislator will not participate in any official activity associated with the issue.

(b) Declare that the legislator intends to participate in the official activity and will provide a description of the conflict of interest including:

affected;

- * names of all entities, both public and private, which might be

- * the nature of any benefit which may accrue to the legislator;

* the nature of any financial interest in the issue;

* the nature of any relationship which existed, exists or may exist between the legislator and any person or entity which might be affected;

* such additional information as may be required to permit clear public awareness and understanding of the nature and extent of the conflict.

III. The declaration required in subparagraphs **II** (a) and (b) of this procedure shall be publicly announced prior to the legislator's initial participation in the official activity. The information required in subparagraph (b) shall be filed with the clerk of the member's respective body within 24 hours of the time of the official activity and be made available for public inspection during normal business hours.