

MARCH 31, 1998

No. 22

STATE OF NEW HAMPSHIRE

Legislative

SENATE CALENDAR

REPORTS, AMENDMENTS, HEARINGS, MEETINGS, AND
NOTICES

THE SENATE WILL MEET IN SESSION ON THURSDAY, APRIL 2, 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.

SCR 7, supporting the mission of economic security 2000.

HB 505, relative to smoking in indoor public places.

SENATE REPORTS

ECONOMIC DEVELOPMENT

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

EDUCATION

SB 400, relative to withdrawal of a school district from an area district. Vote 5-0.

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

SB 456, enabling school districts to allow full parental choice in education. Vote 4-3.

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

SB 492, amending the charter of the union school district of Keene. Vote 6-0

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

ENVIRONMENT

SB 347, relative to land application of septage and sludge. Vote 4-3

Ought to Pass, Senator Johnson for the committee.

SB 351, requiring all inhalers sold in the state to be CFC-free. Vote 7-0

Inexpedient to Legislate, Senator Russman for the committee.

SB 374, requiring the commissioner of the department of environmental services to adopt rules regarding impacts of certain large water withdrawals on surface waters, subsurface waters, water-related natural resources, and private, residential, and farm wells. Vote 7-0

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

SB 488-FN, directing the department of environmental services to create a model for managing the flow of water in the Winnepesaukee River watershed and creating an advisory committee. Vote 7-0

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 326, relative to representation and costs in utility rate proceedings. Vote 5-3

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

SB 358-L, including the regulation of the practice of podiatry under the authority of the board of registration in medicine.

MAJORITY REPORT, Ought to pass with amendment, Senator Larsen for the committee. Vote 6-2

MINORITY REPORT, Ought to Pass, Senator Francoeur for the committee. Vote 2-6

SB 363-L, relative to procedures applicable to state owned radio or communication towers on state land.

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

Vote 6-2

MINORITY REPORT, Ought to pass with amendment, Senator Francoeur for the committee. Vote 2-6

SB 369, relative to the appeal of disciplinary actions of the New Hampshire real estate commission. Vote 6-2

Ought to pass with amendment, Senator Patenaude for the committee

SB 367, requiring attorneys to be bonded through the New Hampshire Bar Association. Vote 5-3

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

SB 388, relative to membership of the personnel appeals board.

MAJORITY REPORT, Inexpedient to Legislate, Senator Roberge for the committee. Vote 4-3

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

SB 389, transferring rulemaking authority from the director of the division of personnel to the commissioner of the department of administrative services.

MAJORITY REPORT, Inexpedient to Legislate, Senator Roberge for the committee. Vote 6-2

MINORITY REPORT, Ought to Pass, Senator Whipple for the committee. Vote 2-6

SB 466-FN-L, relative to filing security interests. Vote 8-0

Inexpedient to Legislate, Senator Patenaude for the committee

SB 472-FN-L, relative to the place for filing security interests under the Uniform Commercial Code.

Vote 7-0

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

SB 502-FN, allowing federal judges to perform marriages after obtaining a special license. Vote 8-0

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

SB 505-FN, eliminating the separate fee for licensed master plumbers who are the sole shareholders of a plumbing corporation. Vote 6-0

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

INSURANCE

SB 354, requiring insurance coverage for hospitalization and anesthesia for dental procedures for certain patients. Vote 6-0

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

SB 378, relative to very small employer and individual insurance.

SPLIT REPORT, Inexpedient to Legislate, Senator Fraser for the committee. Vote 3-3-1

SPLIT REPORT, Ought to pass with amendment, Senator Francoeur for the committee. Vote 3-3-1

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

Ought to pass, Senator Fraser for the committee.

SB 500, relative to obtaining automobile and homeowners insurance.

MAJORITY REPORT, Ought to pass, Senator Hollingworth for the committee. Vote 4-3

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

JUDICIARY

SB 387, permitting one-party consent recording of communications under certain circumstances by presumed victims of criminal offenses, abuse, or sexual harassment and expanding the attorney general's authority to record communications in criminal investigations. Vote 5-2

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

SB 440-FN-L, relative to civil bench warrants for defaults on civil fines which may be paid by mail and continuing the court modernization fund. Vote 6-0

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

PUBLIC AFFAIRS

SB 317, relative to the time for consideration of applications to planning boards. Vote 7-0

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

HB 1430, relative to political expenditure limitation amounts. Vote 5-0

Ought to pass with amendment, Senator Patenaude for the committee

PUBLIC INSTITUTIONS, HEALTH AND HUMAN SERVICES

SB 312, relative to the health care transition fund.
Vote 5-0

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

SB 329, changing the title of "juvenile services officers" to "juvenile probation-parole officers." Vote 5-0

Inexpedient to Legislate, Senator Larsen for the committee.

SB 346, establishing a committee to study issues relating to foster care.

MAJORITY REPORT, Ought to pass with amendment, Senator McCarley for the committee. Vote 6-2

MINORITY REPORT, Inexpedient to Legislate, Senator D. Wheeler for the committee. Vote 2-6

SB 360, establishing a child and family resource group for coordinating a wellness and primary prevention approach at the state level and within local communities. Vote 6-2

Ought to pass with amendment, Senator Gordon for the committee

SB 396, requiring the commissioner of the department of youth development services to submit a quality assessment report to the legislature and to the juvenile justice commission. Vote 6-0

Ought to Pass, Senator McCarley for the committee.

SB 404, relative to home care. Vote 8-0

Ought to Pass, Senator Squires for the committee.

SB 442-FN, requiring doctors performing abortions on first pregnancies to warn patients of breast cancer risks. Vote 6-2

Inexpedient to Legislate, Senator Larsen for the committee.

SB 453-FN, relative to reimbursable treatment and expenses under the catastrophic illness program. Vote 7-1

Inexpedient to Legislate, Senator Larsen for the committee.

SB 458-FN-A, establishing a supportive residential care pilot program and making an appropriation therefor. Vote 6-2

Inexpedient to Legislate, Senator Squires for the committee.

SB 470-FN, establishing a "parents as scholars" pilot program.

SPLIT REPORT, Ought to pass with amendment, Senator K. Wheeler for the committee. Vote 4-4

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

SB 473-FN, relative to child day care providers. Vote 3-2

Ought to pass with amendment, Senator Gordon for the committee

SB 479-FN, relative to juvenile services. Vote 6-0

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

SB 501-FN-A, relative to authorizing an attorney for prosecutions by the board of medicine and making an appropriation therefor. Vote 5-0

Ought to pass, Senator Podles for the committee.

TRANSPORTATION

SB 306-L, relative to municipal officials and their discretion over the use of traffic devices and the purchase of liability insurance. Vote 7-0

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

SB 407-FN, allowing certain nonprofit agencies to purchase fuel at statewide automated fuel distribution centers. Vote 4-3

Inexpedient to Legislate, Senator Patenaude for the committee.

SB 429 FN, relative to the confidentiality of drivers' motor vehicle records. Vote 7-0

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

SB 445, relative to penalties for personal use of walking disabled motor vehicle plates or placards by persons not issued the plates or placards. Vote 7-0

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

SB 461-FN-A, designating low digit number plates as vanity number plates and establishing a lottery system for issuing such plates. Vote 4-3

Inexpedient to Legislate, Senator Patenaude for the committee.

SB 464-FN, relative to limitations from civil liability for volunteers and relative to special license plates and related fees for volunteer emergency personnel with 2-way radio equipment in their vehicles. Vote 7-0

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

AMENDMENTS

Senate Education

March 26, 1998

1998-1208s

03/08

Amendment to SB 400

Amend the bill by replacing sections 3-4 with the following:

3 New Paragraph; Education; Authorized Regional Enrollment Area (Area) Schools; Procedure; Area Plan Adopted by Voters Valid for 10 Years. Amend RSA 195-A:3 by inserting after paragraph X the following new paragraph:

XI. An area plan adopted by the voters of the sending and receiving districts shall be valid for a period of 10 years. The area plan may be renegotiated at the request of the receiving district or extended for additional 10-year periods upon a mutual vote of each sending and receiving school district legislative body 2 years prior to the expiration of the area plan. An area plan approved prior to the effective date of this paragraph shall remain valid until the plan is renegotiated or amended or a district or districts withdraw from the plan.

4 Education; Area Schools; Review of Area Plan and Withdrawal of Districts; Approval and Procedures for Withdrawal of District. RSA 195-A:14, III-VII is repealed and reenacted to read as follows:

III. After the third anniversary of the date of operating responsibility a sending or receiving school district, at an annual or special school district meeting, may vote to undertake a study of the feasibility and suitability of a withdrawal from the area. The study shall be conducted by a committee composed of one school board member from each district of the AREA, the superintendent of schools 2 members of the town or city governing body from the school district requesting the study, as well as its town or city treasurer and town or city manager, if applicable. Within 120 days after the date of its formation, the committee shall submit to the state board of education either a report that withdrawal is not feasible or suitable or a report that includes a withdrawal plan prepared in accordance paragraph IV. If the committee determines that withdrawal is not feasible or suitable, the district which voted to undertake the study may submit a minority report at the same time as the committee report is filed with the state board of education.

IV. A plan for the withdrawal of a district or districts from an area shall include the following:

(a) The name or names of the withdrawing district or districts and the grades.

(b) The proposed date of withdrawal from the area, at which time the withdrawing district shall be responsible for the education of its pupils and after which the area shall no longer have such educational responsibility.

(c) The liability of the withdrawing district for its share of any outstanding indebtedness of the area in accordance with paragraph V or, if the area was formed by 2 districts, provision for the disposition of property and a statement of assumption of liabilities upon dissolution of the area.

(d) A detailed analysis of the financial and educational consequences of the proposed withdrawal.

(e) The manner in which the withdrawing district or districts shall provide for the education of all pupils in the withdrawing district or districts and a plan for the education of the pupils in the remaining sending and/or receiving districts. This shall include the proposed assignment of pupils and any necessary tuition arrangements or contracts.

(f) Modifications to the area agreement necessitated by the withdrawal plan.

(g) Any other matters which the committee, consistent with the law, may consider appropriate to include in the withdrawal plan.

V. Each withdrawing sending district shall remain liable to the area, or to the receiving district in the case of a dissolution of the area, for a rental charge, as determined by the area agreement, for the length of any outstanding bond issue, and for the reduction of school building aid based on the decrease of the annual grant for the payment of debt service for school construction. Payments in discharge of such liability shall be made in accordance with a schedule which may provide for annual payments for the length of the existing bond issue or any other schedule agreed upon by the school boards of the area, or, in the event they fail to agree, as determined by the state board of education. Such payments shall be deemed to be trust funds and shall be applied by the area solely in payment of its indebtedness which was incurred to finance area school facilities and which was outstanding on the effective date of the withdrawal vote.

VI. A receiving district, 4 months prior to a vote on a bond issue for construction of new facilities or additions to an area school, shall notify a sending district of a pending vote on a bond issue. Upon receipt of such notice, a sending district may initiate a withdrawal study in accordance with paragraph III. If the sending district has initiated a withdrawal study prior to the vote in the receiving district, the sending district shall not be further obligated to any bonded indebtedness as a result of such bond issue vote if the voters in the sending district approve, by a majority vote, the withdrawal plan.

VII. The committee established pursuant to paragraph III shall submit a copy of the report to the state board of education. If the report includes a plan for withdrawal, the state board of education shall review the proposed plan to determine whether or not the proposed plan meets the requirements of paragraph IV. If, in the opinion of the state board, the requirements have been properly addressed, the state board shall recommend for or against its adoption. If, in the opinion of the state board, the requirements have not been properly addressed, the deficiencies shall be noted and the plan shall be promptly returned for revision. When the plan is resubmitted, the state board shall promptly return the plan and make a recommendation for or against its adoption. The state board's recommendation shall be reported to the legislative body of the area districts. The state board shall forward a plan for withdrawal to the school board of the withdrawing school district. The school board shall publish the withdrawal plan once in a newspaper generally circulated within the area districts. The school board shall file the plan for withdrawal with the clerk of the withdrawing district and shall insert the plan in the warrant for the next annual meeting. The article in the warrant for the district meeting and the question on the ballot to be used at the meeting shall be in substantially the following form:

"Shall the school district accept the provisions of RSA 195-A:14, as amended, providing for the withdrawal of the sending (or receiving) district of _____ from the _____ area in accordance with the provisions of the proposed withdrawal plan filed with the school district clerk?"

Yes _____

No _____

If a majority of the voters present and voting shall vote in the affirmative, the clerk of the school district shall forthwith send to the state board of education a certified copy of the warrant, certificate of posting, evidence of publication, and minutes of the meeting. If the board finds that a majority of the voters present and voting have voted in favor of the withdrawal plan, it shall be conclusive evidence of the withdrawal of the district and the continuation of the area or the dissolution of a 2-district area.

VIII. The vote to withdraw from an area shall take effect on July 1 of the calendar year one year subsequent to the date on which the withdrawal vote is adopted, or as determined in the plan.

1998-1208s

AMENDED ANALYSIS

This bill changes the procedures whereby a school district may withdraw from an area district.

This bill also provides for the expiration and extension of area school plans, and deletes certain exceptions to the tuition obligations of school districts for pupils attending schools in other districts.

Senate Education

March 27, 1998

1998-1213s

04/09

Amendment to SB 456

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

Amend RSA 194-D:1 as inserted by section 1 of the bill by replacing it with the following:

194-D:1 Adoption, Modification, and Recission.

I. Any school district may adopt the provisions of this chapter relative to parental choice and reimbursement for public, nonpublic, and home school tuition and expenses in the following manner:

(a) The question shall be placed on the warrant of a special or annual school district meeting which body by a 2/3 vote of those voting on the question shall have final authority to adopt a parental choice and reimbursement program.

(b)(1) In districts without annual meetings, the legislative body of the school district shall consider and act upon the question in accordance with their current procedures. To the extent and if permitted by local ordinance, upon submission to the legislative body within 60 days of the legislative body's vote of a petition signed by 100 or 2 percent, whichever is less, of the registered voters, the legislative body shall place the question on the official ballot for any regular election otherwise in accordance with their current procedures for passage of referenda.

(2) The school district legislative body shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(3) In the event that the referendum is nonbinding, the question shall be returned for reconsideration to the legislative body which shall have final authority to adopt a parental choice program.

(4) In the event that the referendum is binding, the public vote shall be the final and binding authority to adopt a parental choice program.

II. A school district having adopted the provisions of this chapter may rescind or modify its action in the manner described in paragraph I.

III. An action to adopt, rescind, or modify a parental reimbursement program shall take effect on July 1 next following the action.

IV. No more than 5 school districts shall be permitted to operate a parental choice program as described under this chapter. The first 5 school districts to officially adopt a parental choice program, in accordance with the adoption procedures set forth in RSA 194-D:1, I, shall have precedence. If a school district rescinds the adoption of a parental choice program pursuant to the provisions of RSA 194-D:1, the next school district to officially adopt a parental choice program shall take its place.

V. School districts already operating a parental choice program prior to the effective date of this chapter shall be excluded from the provisions of paragraph IV and shall be permitted to continue operation.

1998-1213s

AMENDED ANALYSIS

This bill allows school districts to authorize reimbursement to parents of public, nonpublic, and home education program pupils for educational, tuition, textbooks, and necessary equipment expenses. This bill also provides that no more than 5 school districts shall be permitted to operate a parental choice program and that such programs in operation prior to the effective date of this act shall be grandfathered.

Senate Education

March 31, 1998

1998-1250s

04/01

Amendment to SB 492

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

1 Second Session Official Ballot. Amend 1967, 566:2 as amended by 1971, 186:1, and 1977, 309:1 to read as follows:

566:2 Elections.

I. [After the effective date of this act,] The district shall elect its district officers, except the treasurer and 3 trustees of trust funds, annually at the regular municipal election for the city of Keene held in November in odd numbered years and at the regular biennial election held in said city in November in even numbered years. The election officials for said city shall conduct the election for school district officers under the same provisions that govern the election of city officials. All members of the school board shall be elected at large.

II. The official ballot election for the second session of the annual meeting as may be required under RSA 40:13 shall be conducted by the district clerk who in cooperation with city election officials shall employ such officials and equipment as are necessary for the second session.

III. The school board may allow voting at additional polling places for second session voting pursuant to RSA 40:15.

IV. The school board may schedule the voting session between and inclusive of Tuesday and Saturday of the date prescribed for the school district meeting.

2 Preparation of School District Ballot; Coordination of School District Ballot With City Election. Amend 1967, 556:4 as amended by 1977, 229:1, and 1995, 40:1 to read as follows:

556:4 Declarations of Candidacy; Ballots. A candidate for school district office shall file a declaration of candidacy for the office with the district clerk during the same filing period as is established for a non-partisan town election. ~~[The district clerk shall prepare ballots for the election of said officials in the same form as nearly may be, as is presently used for ballots for the election of school officials for the union school district of Keene, except that such ballots shall be designed to be folded.]~~ ***The district clerk and the city clerk of the city of Keene shall coordinate the preparation of ballots for the election of said officials with such other voting materials as are in use for the election and may combine school district and city ballots. The costs of the preparation of such combined ballots shall be divided as the city and school district clerks shall determine. If the clerks do not coordinate the preparation of a combined city and school ballot, then the school district clerk shall prepare ballots for the election of school district officials in an appropriate form as will enable city election officials to handle the ballots and count them efficiently. The district clerk may prepare and use ballots suitable for machine counting.*** The district clerk shall deliver said ballots to the city clerk of the city of Keene, who shall deliver the same to the election officials in the several wards at the same time the ballots for the election of city or state officials are delivered.

3 Referendum. The clerks of the union school district of Keene and the city of Keene shall prepare referendum ballots for use by the voters at the municipal election of the city of Keene to be held in November, 1998, upon which shall be printed the question: "Are you in favor of amending the

charter of the union school district of Keene to permit the school district and city clerks to coordinate the preparation of ballots for the municipal election; to permit second session voting at additional polling places pursuant to RSA 40:15; to permit the school board to schedule the voting session between and inclusive of Tuesday and Saturday of the date prescribed for the school district meeting and shall the provisions of an act entitled "An act amending the charter of the union school district of Keene" enacted by the 1998 session of the legislature be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with an oval immediately opposite each such word in which the voter may indicate his or her choice. If a majority of the voters present and voting on the question shall signify their approval thereof, this act shall be declared adopted. Ballots cast on said question shall be counted and the results announced by the city election officials in the manner prescribed in RSA 659. Ward moderators shall forthwith certify the results of said vote in their respective wards to the district clerk; and the district clerk shall within 10 days after said election certify to the secretary of state the result of the vote on said question.

4 Effective Date.

I. Sections 1 and 2 of this act shall take effect as provided in section 3.

II. The remainder of this act shall take effect July 1, 1999.

1998-1250s

AMENDED ANALYSIS

This bill amends the charter of the union school district of Keene to allow the school district clerk to facilitate the official ballot election of the second session of the annual meeting, and to provide for the coordination of ballots between the school district and the city of Keene, to allow voting at additional voting places, and to allow for voting on multiple dates of the week prescribed for the school district annual meeting.

Environment

March 30, 1998

1998-1235s

03/09

Amendment to SB 374

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

AN ACT relative to large water withdrawals and relative to exemptions from local planning and zoning requirements for public utilities.

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

1 New Paragraph; Safe Drinking Water Act; Drinking Water Rules; New Large Water Withdrawals by Public Water Systems. Amend RSA 485:3 by inserting after paragraph XII the following new paragraph:

XIII. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to new groundwater withdrawals of 57,600 gallons or more in any 24-hour period by public water systems. Such rules shall include:

(a) Criteria and procedures for requiring public water systems to identify and address impacts of withdrawals on surface waters, subsurface waters, water-related natural resources, and public, private, residential, and farm wells within the anticipated zone of contribution to the withdrawal.

(b) Requirements relative to conservation management plans which demonstrate the need for the proposed withdrawals, to be submitted by the public water system seeking approval for a withdrawal.

(c) Procedures by which the department may deny permission for withdrawals or order the applicant to provide a response policy, as provided by department rules, for provision of alternative water supply at no initial capital cost to persons whose wells are adversely affected by the proposed withdrawal or order reduced withdrawals if hydrogeologic data indicate that water-related resources are being adversely affected by the withdrawals.

2 New Paragraph; Water Management and Protection; Groundwater Protection Act; Rulemaking; New Groundwater Withdrawals. Amend RSA 485-C:4 by inserting after paragraph XI the following new paragraph:

XII. All new groundwater withdrawals of 57,600 gallons or more in any 24-hour period. Such rules shall include:

(a) Criteria and procedures for requiring persons to identify and address impacts of withdrawals on surface waters, subsurface waters, water-related natural resources, and public, private, residential, and farm wells within the anticipated zone of contribution to the withdrawal.

(b) Requirements relative to conservation management plans which demonstrate the need for the proposed withdrawals, to be submitted by the persons seeking approval for a withdrawal.

(c) Procedures by which the department may deny permission for withdrawals or order the applicant to provide a response policy, as provided by department rules, for provision of alternative water supply at no initial capital cost to persons whose wells are adversely affected by the proposed withdrawal or order reduced withdrawals if hydrogeologic data indicate that water-related resources are being adversely affected by the withdrawals.

3 New Section; Water Management and Protection; Groundwater Protection Act; Notification of Large Groundwater Withdrawals. Amend RSA 485-C by inserting after section 14 the following new section:

485-C:14-a Notification of Large Groundwater Withdrawal Required. Notwithstanding any provision of law to the contrary, before any person may withdraw 57,600 gallons or more of water in any 24-hour period from a well, such person shall provide written notice to the governing body of the municipality in which the well is located and to the governing bodies of each municipality and each supplier of water within the anticipated zone of contribution to the well. This section shall apply only to wells established after the effective date of this section.

4 New Section; Water Management and Protection; Groundwater Protection Act; Approval for Large Groundwater Withdrawals. Amend RSA 485-C by inserting after section 20 the following new section:

485-C:21 Approval for Large Groundwater Withdrawals.

I. No person may withdraw 57,600 gallons or more of water in any 24-hour period from a well sited after the effective date of this section without the prior approval of the department.

II. Applications for approval of water withdrawals of 57,600 gallons or more per day shall be filed with the department in a form approved by the department. A preliminary report submitted by a public water system pursuant to department rules shall be an application for purposes of this section. Copies of the application shall be forwarded by certified mail by the applicant to the governing bodies of each municipality and each supplier of water within the anticipated zone of contribution to the well.

III. Following the submission of the application, the department shall hold a public hearing on the application in the municipality in which the proposed withdrawal is to be made upon the request of the governing body of any municipality or supplier of water within the anticipated zone of contribution, provided that such a hearing is requested within 15 days of receipt of the application.

IV. The department shall hold the public hearing within 30 days after the request of the governing body of the municipality or the supplier of water made pursuant to paragraph III. Notice of the hearing shall be made by the applicant and shall be published twice in 2 different weeks, the last publication to be 7 days before the hearing, in one newspaper of general circulation throughout the state and another newspaper of general circulation in the municipality. The notice shall also be posted in 2 public places in the municipality.

V. The applicant and the governing body of each municipality and each supplier of water within the anticipated zone of contribution to the well may submit comments to the department relative to the proposed withdrawal within 45 days after the public hearing in the municipality or, if no hearing is requested, within 45 days after the receipt of the application. If the comments relative to the application make recommendations to the department, the department shall specifically consider such recommendations and shall issue written findings with respect to each issue raised that is contrary to the decision of the department.

VI. Rehearings and appeals from a decision of the department under this section shall be in accordance with RSA 541.

5 Local Land Use Planning; Emergency Temporary Zoning and Planning Ordinances; Utility Structures; Exemption; Environmental Services Recommendation Added. Amend RSA 674:30, III to read as follows:

III. A public utility which uses or proposes to use a structure which does not fit the criteria described in paragraph I, or fits those criteria and has been denied a waiver, or has been granted a waiver with conditions unacceptable to the utility when the waiver was applied for pursuant to paragraph I, may petition the public utilities commission to be exempted from the operation of any local ordinance, code, or regulation enacted under this title. The public utilities commission, following a public hearing, may grant such an exemption if it decides that the present or proposed situation of the structure in question is reasonably necessary for the convenience or welfare of the public ***and, if the purpose of the structure relates to water supply withdrawal, the exemption is recommended by the department of environmental services.***

6 Water Management and Protection; Groundwater Protection Act; Effect on Local Ordinances; Groundwater Withdrawals Excepted. Amend RSA 485-C:20 to read as follows:

485-C:20 Effect on Local Ordinances. Nothing in this chapter shall be deemed to preempt the authority of municipalities, under other statutes, to enact local ordinances or regulations affecting groundwater, ***other than groundwater withdrawals***; provided, however, that requirements imposed under this chapter shall be considered as minimum.

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

1998-1235s

AMENDED ANALYSIS

This bill:

I. Requires notice of groundwater withdrawals of 57,600 gallons or more in a 24-hour period to governing bodies of municipalities and water suppliers within the anticipated zone of contribution of the well.

II. Requires the commissioner of the department of environmental services to adopt rules regarding identification of impacts on surface waters, subsurface waters, water-related natural resources, and public, private, residential, and farm wells of new groundwater withdrawals of 57,600 gallons or more in a 24-hour period.

III. Requires the commissioner of the department of environmental services to adopt rules regarding conservation management plans and approvals for new groundwater withdrawals of 57,600 gallons or more in a 24-hour period.

IV. Requires a recommendation by the department of environmental services for exemptions for water supply-related structures by the public utilities commission from local planning and zoning requirements for public utilities.

V. Requires approval by the department of environmental services for new groundwater withdrawals of 57,600 gallons or more in a 24-hour period.

Environment

March 31, 1998

1998-1251s

03/01

Amendment to SB 488-FN

Amend RSA 483-D:2, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Seven members appointed by the governor, with the consent of the council. Each appointee shall have an interest in the Winnepesaukee River watershed area, including one representative of the hydro power industry.

Amend the bill by replacing section 3 with the following:

3 Initial Terms of the Winnepesaukee River Watershed Advisory Committee Members. Of the members of the Winnepesaukee River watershed advisory committee first appointed pursuant to RSA 483-D:2, I(c), 3 members shall be appointed for one year, 2 members shall be appointed for 2 years, and 2 members shall be appointed for 3 years, the term of each to be designated by the governor.

Senate Executive Departments and Administration

March 30, 1998

1998-1231s

03/01

Amendment to SB 326

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

1 Proceedings Before the Public Utilities Commission; Rulemaking Authority; Recovery of Costs. Amend RSA 365:8, X to read as follows:

X. Standards and procedures for *the* determination and recovery of [~~rate case expenses~~]*cost associated with utility proceedings before the commission, provided that recovery of cost for utilities and other parties shall be just and reasonable and in the*

public interest. For purposes of this paragraph, other parties shall be defined as customers subject to the rates of the utility.

2 Initiation of Rulemaking. The public utilities commission shall initiate the procedure for adoption of rules pursuant to the authority of this act within 90 days of the effective date of this act.

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

1998-1231s

AMENDED ANALYSIS

This bill modifies the rulemaking authority of the public utilities such that the commission is required to adopt rules relative to recovery of cost associated with utility proceedings that is just, reasonable, and in the public interest.

Senate Executive Departments and Administration

March 27, 1998

1998-1218s

10/08

Amendment to SB 358

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

AN ACT relative to the term physician in health care provider contracts.

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

1 New Section; Use of Term Physician in Provider Contracts. Amend RSA 415-A by inserting after section 2-a the following new section:

415-A:2-b Use of Term Physician in Provider Contracts. No contract shall use the term physician for the purpose of allowing a health care carrier to avoid contracting with other health care professionals for health care services. A physician shall mean a person licensed to practice medicine under RSA 329.

2 New Paragraph; Provider Contract Standards; Use of Term Physician . Amend RSA 420-J:8 by inserting after paragraph V the following new paragraph:

VI. No contract shall use the term physician for the purpose of allowing a health care carrier to avoid contracting with other health care professionals for health care services. A physician shall mean a person licensed to practice medicine under RSA 329.

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

1998-1218s

AMENDED ANALYSIS

This bill requires that the use of the term physician in accident and health insurance contracts and managed care contracts not be used by carriers to avoid contracting with other health professionals for services.

Senate Executive Departments and Administration

March 27, 1998

1998-1219s

10/09

Amendment to SB 363-LOCAL

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

AN ACT relative to notification to and jurisdiction of municipalities concerning governmental use of property.

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

1 Subdivision Heading Changed. Amend the subdivision heading preceding RSA 674:54 to read as follows:

~~[Notification to Municipalities of]~~ Governmental Use of Property

2 Requirements Expanded; Notification to and Jurisdiction of Municipalities Concerning Governmental Use of Property. Amend RSA 674:54 to read as follows:

674:54 Governmental Land Uses.

I. In this section, "governmental use" means a use, construction, or development of land owned or occupied, or proposed to be owned or occupied, by the state, university system, or by a

county, town, city, school district, or village district, or any of their agents, for any public purpose which is statutorily or traditionally governmental in nature.

II. The state, university system, county, town, city, school district, or village district shall give written notification to ***both the governing body and planning board of*** a municipality of any proposed governmental use of property within its jurisdiction, which constitutes a substantial change, ***enlargement, or intensification*** in use, or a substantial new use. Written notification shall contain plans, specifications, ~~and~~ explanations of proposed changes available at the time, ***a statement of the governmental nature of the use as set forth in paragraph I, and a proposed construction schedule. Such notification shall be timely enough to permit compliance with this paragraph prior to the beginning of construction.*** ~~[A] Either the governing body or planning board of the~~ municipality ~~[or its designated land use board]~~ may conduct a public hearing relative to the proposed governmental use. ~~[If the municipality chooses to hold a hearing, the]~~ ***Any such*** hearing shall be held within ~~[30]~~ ***60*** days after receipt of notice by the ~~[municipality]~~ ***governing body or planning board.*** A representative of the ~~[governmental entity]~~ ***sponsor of the governmental use*** ~~[which provided notice]~~ shall be available to present the plans, specifications, ~~or~~ ***and construction schedule, and to provide*** explanations. The ~~[municipality shall provide nonbinding]~~ ***governing body or planning board may issue*** written comments relative to conformity ***or nonconformity of the proposal*** with normally applicable land use regulations to the sponsor of the governmental use within 30 days after the hearing. ***The sponsor of the governmental use shall either conform to the comments, altering its plans if necessary, or shall, prior to construction, provide to the governing body or planning board a written statement of reasons why compliance with all or part of such comments would effectively exclude the governmental use, or would compromise its purposes or goals. Such a statement shall not exempt the governmental use from compliance unless endorsed, in the case of a sponsoring town, city, school district, or village district, by its governing body, or in the case of a county by the county commissioners, or in the case of the university system by its trustees, or in the case of the state by the governor and council.***

II-a. Any use, construction, or development of land occurring on governmentally owned or occupied land, but which is not a governmental use as defined in paragraph I, shall be fully subject to local land use regulations. If any use, construction, or development of land for a governmental use includes scope or capacity which is above and beyond that necessary to achieve the goals and purposes of the governmental use, and which is capable of being leased to, or occupied by, a private party not engaged in a governmental use, such excess scope or capacity shall be fully subject to local land use regulations.

III. This section shall not apply to the layout or construction of public highways of any class, or to the distribution lines or transmission apparatus of governmental utilities, provided that the erection of a highway or utility easement across a parcel of land, shall not, in and of itself, be deemed to subdivide the remaining land into 2 or more lots or sites for conveyance for development purposes in the absence of subdivision approval under this title. ***For purposes of this paragraph, "transmission apparatus" shall not include wireless communication facilities.***

IV. In the event of exigent circumstances where the delay entailed by compliance with this section would endanger public health or safety, the governor may declare a governmental use exempt from the requirements of this section.

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

AMENDED ANALYSIS

This bill provides that governmental uses of property are subject to certain notification and other requirements. The use, construction or development of property which is either not governmental use or which is capable of being leased to, or occupied by, a private party is subject to local land use regulations.

Senate Executive Departments and Administration - Minority

March 30, 1998

1998-1230s

10/09

Amendment to SB 363-LOCAL

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

AN ACT relative to participation of municipalities concerning governmental uses of property.

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

1 Governmental Uses of Property; Participation by Municipalities. Amend RSA 674:54, II to read as follows:

II. The state, university system, county, town, city, school district, or village district shall give written notification to a municipality of any proposed governmental use of property within its jurisdiction, which constitutes a substantial change in use or a substantial new use. Written notification shall contain plans, specifications, and explanations of proposed changes available at the time. A municipality or its designated land use board may conduct a public hearing relative to the proposed governmental use ***and may invite officials of abutting municipalities to participate in the public hearing***. If the municipality chooses to hold a hearing, the hearing shall be held within 30 days after receipt of notice by the municipality. A representative of the governmental entity which provided notice shall be available to present the plans, specifications, or explanations. The municipality ~~[shall]~~ ***and any abutting municipalities which participated in the public hearing may*** provide nonbinding written comments relative to conformity with normally applicable land use regulations to the sponsor of the governmental use within 30 days after the hearing ***and such sponsor shall respond in writing to the comments prior to proceeding with its plans***.

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

1998-1230s

AMENDED ANALYSIS

This bill allows for participation of abutting municipalities in hearings concerning governmental uses of property in a municipality, requires a sponsor of the governmental use to respond to written comments.

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 Administration

March 27, 1998

1998-1217s

10/09

Amendment to SB 369

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

AN ACT relative to procedures for licensees following disciplinary actions by the New Hampshire real estate commission.

Amend the bill by replacing section 1 with the following:

1 Decisions of the Real Estate Commission; Appeal, Trial De Novo. RSA 331-A:28, III is repealed and reenacted to read as follows:

III.(a) A licensee aggrieved by the commission's action in revoking, suspending, or denying a license, or levying a fine may, within 30 days after the commission files its decision, appeal to the superior court. The record of the hearing of the action of the commission shall be

presented to the superior court for review and the superior court shall give the review priority on the court calendar. The superior court may confirm, reverse, or modify the commission's decision as justice may require.

(b) A licensee aggrieved by the commission's action in revoking or suspending one or more licenses granted under this chapter may request a trial de novo in the superior court. A licensee shall be entitled to trial de novo and the superior court shall give the trial priority on the court calendar.

(c) An appeal or request for trial de novo pursuant to this paragraph shall suspend the commission's decision unless the licensee's alleged action involves dishonesty, fraud, or a breach of fiduciary duty.

1998-1217s

AMENDED ANALYSIS

This bill provides that a licensee of the New Hampshire real estate commission may appeal a decision of the real estate commission to the superior court. A licensee whose license is revoked or suspended may also request a trial de novo.

Senate Executive Departments and Administration

March 23, 1998

1998-1151s

10/08

Amendment to SB 388

Amend the bill by replacing section 1 with the following:

1 Personnel Appeals Board; Membership. Amend RSA 21-I:47, I to read as follows:

I. The [~~director of personnel~~] **commissioner** shall assign, with the approval of the board, an employee of the [~~division of personnel~~] **department of administrative services** to serve as executive secretary to the board. Neither the director of personnel nor any **employee of** [~~bureau administrator within~~] the division of personnel shall be appointed to this position.

1998-1151s

AMENDED ANALYSIS

This bill prohibits the commissioner of administrative services from appointing an employee of the division of personnel as executive secretary to the personnel appeals board.

Senate Executive Departments and Administration

March 27, 1998

1998-1227s

01/09

Amendment to SB 472-FN-LOCAL

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

AN ACT relative to filing security interests under the Uniform Commercial Code.

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

1 New Paragraph; Liability for Loss or Damages. Amend RSA 382-A:9-401 by inserting after paragraph (6) the following new paragraph:

(7) The secretary of state, county recorders, city or town clerks, and their employees and agents shall not be liable for any loss or damages arising from errors in or omissions from information entered into the records maintained under this chapter, nor for any errors or omissions in indexing such information.

2 Place of Filing. Amend RSA 382-A:9-401 to read as follows:

382-A:9-401 Place of Filing; Erroneous Filing; Removal of Collateral.

(1) The proper place to file in order to perfect a security interest is as follows:

(a) ~~when the collateral is equipment used in farming operations, or farm products, or accounts or general intangibles arising from or relating to the sale of farm products by a farmer, or consumer goods, then in the office of the clerk of the town where the debtor resides or if the debtor is not a resident of this state then in the office of the clerk of the town where the goods are kept, and in addition when the collateral is crops growing or to be grown in the office of the clerk of the town where the land is located;~~

~~(b)~~ when the collateral is timber to be cut or is minerals or the like (including oil and gas), accounts subject to subsection (5) of Section 9-103, or manufactured housing as defined in RSA 674:31, or when the financing statement is filed as a fixture filing (Section 9-313) and the collateral is goods which are or are to become fixtures, then in the office where a mortgage on the real estate would be filed or recorded;

~~[(e)]~~ **(b)** in all other cases, in the office of the **clerk of any city or town participating in the centralized filing system administered by** secretary of state ~~[and in addition, if the debtor has a place of business in only one town of this state, also in the office of the clerk of such town, or, if the debtor has no place of business in this state, but resides in the state, also in the office of the clerk of the town in which he resides].~~

(2) A filing which is made in good faith in an improper place ~~[or not in all of the places required by this section]~~ is nevertheless effective with regard to any collateral as to which the filing complied with the requirements of this Article and is also effective with regard to collateral covered by the financing statement against any person who has knowledge of the contents of such financing statement.

(3) A filing which is made in the proper place in this state continues effective even though ~~[the debtor's residence or place of business or]~~ the location of the collateral or its use, whichever controlled the original filing, is thereafter changed.

(4) The rules stated in Section 9-103 determine whether filing is necessary in this state.

(5) Notwithstanding the preceding subsections, and subject to subsection (3) of Section 9-302, the proper place to file in order to perfect a security interest in collateral, including fixtures, of a transmitting utility is the office of the secretary of state. This filing constitutes a fixture filing (Section 9-313) as to the collateral described therein which is or is to become fixtures.

(6) For the purposes of this section, the residence of an organization is its place of business if it has one or its chief executive office if it has more than one place of business.

(7) The secretary of state, county recorders, city or town clerks, and their employees and agents shall not be liable for any loss or damages arising from errors in or omissions from information entered into the records maintained under this chapter, nor for any errors or omissions in indexing such information.

3 Financing Statement Amend RSA 382-A:9-402 to read as follows:

382-A:9-402 Formal Requisites of Financing Statement; Amendments; Mortgage as Financing Statement.

(1) A financing statement is sufficient if it gives the names of the debtor and the secured party, is signed by the debtor, gives an address of the secured party from which information concerning the security interest may be obtained, gives a mailing address of the debtor and contains a statement indicating the types, or describing the items, of collateral. A financing statement may be filed before a security agreement is made or a security interest otherwise attaches. When the financing statement covers crops growing or to be grown, the statement must also contain a description of the real estate concerned. When the financing statement covers timber to be cut or covers minerals or the like (including oil and gas) or accounts

subject to subsection (5) of Section 9-103, or when the financing statement is filed as a fixture filing (Section 9-313) and the collateral is goods which are or are to become fixtures, the statement must also comply with subsection (5). A copy of the security agreement is sufficient as a financing statement if it contains the above information and is signed by the debtor. ~~[A carbon, photographic or other reproduction of a security agreement or a financing statement is sufficient as a financing statement if the security agreement so provides or if the original has been filed in this state.]~~

(2) A financing statement which otherwise complies with subsection (1) is sufficient when it is signed by the secured party instead of the debtor if it is filed to perfect a security interest in

(a) Collateral already subject to a security interest in another jurisdiction when it is brought into this state, or when the debtor's location is changed to this state. Such a financing statement must state that the collateral was brought into this state or that the debtor's location was changed to this state under such circumstances; or

(b) Proceeds under Section 9-306 if the security interest in the original collateral was perfected. Such a financing statement must describe the original collateral; or

(c) Collateral as to which the filing has lapsed; or

(d) collateral acquired after a change of name, identity or corporate structure of the debtor (subsection (7)).

(3) A form substantially as follows is sufficient to comply with subsection (1):

Name of debtor (or assignor) Address Name of secured party (or assignee)..... Address

1. This financing statement covers the following types (or items) of property:

(Describe).....

2. (If collateral is crops) The above described crops are growing or are to be grown on: (Describe Real Estate).....

3. (If applicable) The above goods are to become fixtures on* *Where appropriate substitute "The above minerals or the like (including oil and gas) or accounts will be financed at the wellhead or minehead of well or mine located on (Describe Real Estate) and this financing statement is to be filed for record in the real estate records. (If the debtor does not have an interest of record) The name of a record owner is

4. (If products of collateral are claimed) Products of the collateral are also covered.

Signature of Debtor (or Assignor)

(use whichever is applicable)

.....
Signature of Secured Party (or Assignor)

(4) A financing statement may be amended by filing a writing signed by both the debtor and the secured party. An amendment does not extend the period of effectiveness of a financing statement. If any amendment adds collateral, it is effective as to the added collateral only from the filing date of the amendment. In this Article, unless the context otherwise requires, the term "financing statement" means the original financing statement and any amendments. ***On and after July 1, 2001, any amendment to a financing statement filed in a town under section 401 of this article prior to July 1, 2001 shall only be filed with the clerk of a city or town participating in the centralized filing system administered by the secretary of state.***

(5) A financing statement covering timber to be cut or covering minerals or the like (including oil and gas) or accounts subject to subsection (5) of Section 9-103, or a financing statement filed as a fixture filing (Section 9-313) where the debtor is not a transmitting utility, must show that it covers this type of collateral, must recite that it is to be filed for record in the real estate records, and the financing statement must contain a description of the real estate. If the debtor does not have an interest of record in the real estate, the financing statement must show the name of a record owner.

(6) A mortgage is effective as a financing statement filed as a fixture filing from the date of its recording if

- (a) The goods are described in the mortgage by item or type; and
- (b) The goods are or are to become fixtures related to the real estate described in the mortgage; and
- (c) the mortgage complies with the requirements for a financing statement in this section other than a recital that it is to be filed in the real estate records; and
- (d) The mortgage is duly recorded.

No fee with reference to the financing statement is required other than the regular recording and satisfaction fees with respect to the mortgage.

(7) A financing statement sufficiently shows the name of the debtor if it gives the individual, partnership or corporate name of the debtor, whether or not it adds other trade names or names of partners. Where the debtor so changes his name or in the case of an organization its name, identity or corporate structure that a filed financing statement becomes seriously misleading, the filing is not effective to perfect a security interest in collateral acquired by the debtor more than four months after the change, unless a new appropriate financing statement is filed before the expiration of that time. A filed financing statement remains effective with respect to collateral transferred by the debtor even though the secured party knows of or consents to the transfer.

(8) A financing statement substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading.

4 What Constitutes Filing. Amend RSA 382-A:9-403(3) and (4) to read as follows:

(3) A continuation statement may be filed by the secured party within six months prior to the expiration of the five year period specified in subsection (2). Any such continuation statement must be signed by the secured party, identify the original statement by file number and state that the original statement is still effective. A continuation statement signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with subsection (2) of Section 9-405, including payment of the required fee. Upon timely filing of the continuation statement, the effectiveness of the original statement is continued for five years after the last date to which the filing was effective whereupon it lapses in the same manner as provided in subsection (2) unless another continuation statement is filed prior to such lapse. Succeeding continuation statements may be filed in the same manner to continue the effectiveness of the original statement. Unless a statute on disposition of public records provides otherwise, the filing officer may remove a lapsed statement from the files and destroy it immediately if he has retained a microfilm, **electronic**, or other [photographic] record **conforming to the requirements of section 410 of this article**, or in other cases after one year after the lapse. The filing officer shall so arrange matters by physical annexation of financing statements to continuation statements or other related filings, or by other means, that if he physically destroys **or electronically erases** the financing statements of a period more than five years past, those which have been continued by a continuation statement or which are still effective under subsection (6) shall be retained. **On and after July 1, 2001, any continuation statement to a financing statement filed in a town under section 401 of this article prior to July 1, 2001 shall only be filed with the clerk of a city or town participating in the centralized filing system administered by the secretary of state.**

(4) Except as provided in subsection (7) a filing officer shall mark each [statement] **filing** with a file number and with the date and hour of filing and shall hold the statement or a microfilm or other [photographic copy] **record** thereof **satisfying the requirements of RSA 382-A:9-410** for public inspection. In addition the filing officer shall index the statement according to the name of the debtor and shall note in the index the file number and the address of the debtor given in the statement.

5 New Paragraph; Filing. Amend RSA 382-A:9-404 by inserting after paragraph (3) the following new paragraph:

(4) On and after July 1, 2001, any termination statement relating to a financing statement filed in a town under section 401 of this article prior to July 1, 2001 shall only be filed with the clerk of a city or town participating in the centralized filing system administered by the secretary of state.

6 New Paragraph; Filing. Amend RSA 382-A:9-405 by inserting after paragraph (3) the following new paragraph:

(4) On and after July 1, 2001, any assignment of a secured party's rights under a financing statement filed in a town under section 401 of this article prior to July 1, 2001 shall only be filed with the clerk of a city or town participating in the centralized filing system administered by the secretary of state.

7 Filing. Amend RSA 382-A:9-406 to read as follows:

382-A:9-406 Release of Collateral; Duties of Filing Officer; Fees. A secured party of record may by his signed statement release all or a part of any collateral described in a filed financing

statement. The statement of release is sufficient if it contains a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement. A statement of release signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with subsection (2) of Section 9-405, including payment of the required fee. Upon presentation of such a statement of release to the filing officer he shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of the financing statement. ***On and after July 1, 2001, any release of a financing statement filed in a town under section 401 of this article prior to July 1, 2001 shall only be filed with the clerk of a city or town participating in the centralized filing system administered by the secretary of state.*** The uniform fee for filing and noting such a statement of release shall be in accordance with the fees established pursuant to RSA 478:17-g.

8 Information From Filing Officer. Amend RSA 382-A:9-407(2) to read as follows:

(2) Upon request of any person, the filing officer shall issue his certificate showing whether there is on file on the date and hour stated therein, any presently effective financing statement naming a particular debtor and any statement of assignment thereof and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. ~~[The uniform fee for such a certificate shall be \$5 if the request for the certificate is in the standard form prescribed by the secretary of state and otherwise shall be \$7. Upon request the filing officer shall furnish a copy of any filed financing statement or statement of assignment for a uniform fee of \$.75 per page.]~~ ***The fee for such a certificate shall be the sum of:***

(a) \$5 if the request for the certificate is in the standard form prescribed by the secretary of state and otherwise \$7, plus

(b) A database search fee determined by the secretary of state pursuant to RSA 382-A:9-411(d) for any search or compilation of data in the centralized files maintained by the secretary of state.

All information requests to the central database conducted for private parties (other than agencies of the state or participating towns and cities) shall be subject to database information fees pursuant to RSA 382-A:9-411(d). On and after July 1, 2001, the clerks of participating cities and towns shall collect such search fees for any searches conducted through their offices, retaining ½ as a fee and transferring the remainder to the state treasurer to be administered in accordance with RSA 293-A:1.37.

9 New Sections; Fraudulent Filing. Amend RSA 382-A:9 by inserting after RSA 382-A:9-408 the following new sections:

382-A:9-409 Fraudulent Filing.

(1) A person may not intentionally or knowingly present for filing or cause to be presented for filing a financing statement if the person knows that the financing statement:

(a) Is forged;

(b) Contains a material false statement (including a false name or identification number); or

(c) Is groundless.

(2) A person who violates subsection (1) is liable to the owner of property covered by the financing statement or the secured party, as the case may be, for:

(a) The greater of \$5,000 or the person's actual damages;

(b) Court costs; and

(c) Reasonable attorney's fees.

(3) An owner of an interest in property covered by a fraudulent financing statement described in subsection (a) may, in addition to any other remedy provided by law, file suit in a court of suitable jurisdiction, requesting specific relief including, but not limited to, release or cancellation of such fraudulent financing statement. A successful plaintiff shall be entitled to reasonable attorney's fees and costs of court to be assessed against the person who filed the fraudulent financing statement. In the event the person who filed the fraudulent financing statement cannot be located or is a fictitious person, then the owner may serve the known or unknown defendant by certified mail to the address indicated on the financing statement.

382-A:9-410 Facsimile and Electronic Signatures; Filing and Recording in Electronic Form.

(1) Any signature on any writing or filing authorized to be filed under this article may be a facsimile, an electronic signature under RSA 294-D:3, or any other symbol made or adopted by a party with present intention to authenticate the writing or filing.

(2) The secretary of state may permit any writing authorized to be filed under this article to be filed by telecopy, telefacsimile, or any form of electronic or other medium which produces an accurate tangible copy or an accurate record which is retrievable in perceivable form.

(3) The secretary of state may maintain any or all filings, records, notations, or indexes under required or authorized under this article in any form of electronic or other medium which produces an accurate tangible copy or an accurate record which is retrievable in perceivable form.

382-A:9-411 Computerized Filing System.

(a) The secretary of state shall plan for and implement a statewide, consolidated, computer filing system and database to accumulate, record, and disseminate information relative to lien statements, financing statements, and other public documents authorized to be filed with the secretary of state or under other provisions of law specifying filing in the records maintained under this article, other than those required to be filed in the office where a mortgage on real estate would be recorded.

(b) The system shall, by July 1, 2001, permit filings to be made in electronic form from the clerk's office of any participating city or town.

(c) In developing the statewide computer filing system and database the secretary of state is authorized to conduct studies and to recommend any legislation necessary or desirable for implementing the system.

(d) The fees for expedited services and any other services supplied by the secretary of state from its central database over the internet shall be determined in the same manner as those provided for in RSA 293-A:1.22(e) and (f), and shall be available to the secretary of state in the same manner as provided in RSA 293-A:1.37(b) and (c).

10 Fees; Register of Deeds. Amend RSA 478:17-g to read as follows:

478:17-g Fees. Unless otherwise specified, the register of deeds **and other filing officers** shall be entitled to the following fees:

I. For recording each deed, mortgage, attachment of real estate, lease, agreement, assignment, release, partial discharge, or any like document, \$10 for the first recorded page, plus \$4 for each additional recorded page, except that assignments of mortgages shall be \$10 for the first assignment per recorded document, plus \$5 for each subsequent mortgage being assigned, plus \$4 for each additional recorded page. The complete discharge of a mortgage, filings pursuant to RSA 382-A, or discharge of a lien shall be \$15. Filing officers shall be entitled to a \$4 charge for each additional page of filing pursuant to RSA 382-A. These charges shall include all charges for information furnished in compliance with RSA 478:14.

II. For recording plans, \$9 for the first 200 square inches or part thereof and \$2.50 for each additional 100 square inches or part thereof.

III. For copying any document or providing any other service, the charge shall be established and posted by the register of deeds.

IV. Commencing July 1, 2001 the secretary of state shall cease to collect fees as a filing officer under RSA 382-A except for filings relating to security interest in collateral of a transmitting utility. Clerks of those cities and towns participating in the centralized filing system administered by the secretary of state under RSA 382-A shall charge a single fee of \$30 for the first page of each filing under RSA 382-A and \$8 for each additional page, one half of which shall be held for the use of the state and transferred in due course to the state treasurer.

11 Administration of Chapters. Amend RSA 293-A:1.37(b) and (c) to read as follows:

(b) The state treasurer shall pay the expenses of administering this chapter, **RSA 382-A:9, and other information technology costs** out of any money in the treasury not otherwise appropriated until the fees collected pursuant to RSA 293-A:1.22(a), **RSA 382-A:9, and other information technology costs** have been received by him. Thereafter he shall pay the expenses of administering this chapter, **RSA 382-A:9, and other information technology costs** out of the fees collected under RSA 293-A:1.22(a) **and RSA 382-A:9-411(d)** and shall reimburse the treasury for previous expenses paid by him. The governor is authorized to draw his warrant for the sums authorized by this section out of any money in the treasury not otherwise appropriated.

(c) Fees collected by the secretary of state pursuant to RSA 293-A:1.22(e) **and RSA 382-A:9-411** shall be deposited in the same manner as fees collected pursuant to RSA 293-A:1.22(a) and shall be available to the secretary of state to administer the provisions of this chapter **and RSA 382-A:9** in the same manner as provided in subsection (b) of this section.

12 Destruction of Certain Records. Amend RSA 361:10-a to read as follows:

361:10-a Destruction of Certain Records Authorized. Any town or city clerk may destroy ~~at the end of 10 years from the date of filing records of conditional sales contracts in his possession]~~ **any financing statement required to be filed in a town under RSA 382-A:9-401(1)(c) as effective until July 1, 2001, and any amendments, continuation statements, termination statements, or other documents and records relating thereto after July 1, 2006. Any town or city clerk may destroy any financing statement required to be filed under RSA 382-A:9-401(1)(a) and any amendments, continuation statements, termination statements, or other documents and records relating thereto 6 years after the filing of the last continuation statement.**

13 Effective Date.

I. Section 2 of this act shall take effect July 1, 2001.

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

1998-1227s

AMENDED ANALYSIS

This bill makes certain changes relative to filing security interests under the Uniform Commercial Code.

Senate Executive Departments and Administration

March 27, 1998

1998-1216s

01/09

Amendment to SB 502-FN

Amend RSA 457:32-a as inserted by section 2 of the bill by replacing it with the following:

457:32-a Judges of the United States. The secretary of state may issue a special license to a judge of the United States residing in this state who is appointed pursuant to Article III of the United States Constitution, or to a United States magistrate judge residing in this state and appointed pursuant to federal law, to marry a couple within the state. There shall be a \$25 fee for each such license and a new license shall be required for each marriage performed. A copy of the marriage license of the couple proposed to be married shall be filed with the secretary of state who shall maintain a permanent record of all such marriage licenses and the name and residence of the judge or magistrate performing the ceremony.

Insurance

March 19, 1998

1998-1128s

01/09

Amendment to SB 354

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

2 New Sections; Coverage for Dental Procedures; Medical or Hospital. Amend RSA 415 by inserting after section 18-f the following new sections:

415:18-g Coverage for Dental Procedures; Medical or Hospital; Group.

I. Each insurer that issues or renews any policy of group or blanket accident or health insurance providing benefits for medical or hospital expenses, shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of New Hampshire, coverage for the medically necessary hospital or surgical day care facility charges and administration of general anesthesia administered by a licensed anesthesiologist or anesthetist for dental procedures performed on a covered person who:

(a) Is a child under the age of 4 who is determined by a licensed dentist in conjunction with a licensed physician to have a dental condition of significant complexity which requires certain dental procedures to be performed in a surgical day care facility or hospital setting; or

(b) Is a person who has exceptional circumstances as determined by a licensed physician which place the person at serious risk.

II. All of the terms and conditions of the covered person's policy shall apply to these services.

415:18-h Coverage for Dental Procedures; Dental Offices.

I. Each dental insurer or other similar entity, including Delta under RSA 420-F, that issues or renews any policy of group insurance providing benefits for oral surgical procedures, shall provide to each certificate holder who is a resident of New Hampshire coverage for the administration of general anesthesia administered by a licensed dentist for dental procedures performed in a dentist's office on a covered person who:

(a) Is a child under the age of 4 who is determined by a licensed dentist in conjunction with a licensed physician to have a dental condition of significant complexity which requires certain dental procedures to be performed in a dentist's office; or

(b) Is a person who has exceptional circumstances as determined by a licensed physician which place the person at serious risk.

II. All of the terms and conditions of the covered person's policy shall apply to these services.

3 New Section; Coverage for Dental Procedures. Amend RSA 420-A by inserting after section 17-a the following new section:

420-A:17-b Coverage for Dental Procedures.

I. Every health service corporation and every similar corporation licensed under the laws of another state that issues or renews any group policy or blanket accident or health insurance providing benefits for medical or hospital expenses, shall provide to each covered individual or certificate holder who is a resident of New Hampshire coverage for the medically necessary hospital or surgical day care facility charges and administration of general anesthesia administered by a licensed anesthesiologist or anesthesiologist for dental procedures performed on a covered person who:

(a) Is a child under the age of 4 who is determined by a licensed dentist in conjunction with a licensed physician to have a dental condition of significant complexity which requires certain dental procedures to be performed in a surgical day care facility or hospital setting; or

(b) Is a person who has exceptional circumstances as determined by a licensed physician which place the person at serious risk.

II. All of the terms and conditions of the covered person's policy shall apply to these services.

4 New Section; Coverage for Dental Procedures. Amend RSA 420-B by inserting after section 8-e the following new section:

420-B:8-ee Coverage for Dental Procedures.

I. Every health maintenance organization and every other similar corporation licensed under the laws of another state that issues or renews any group policy or blanket accident or health insurance providing benefits for medical or hospital expenses, shall provide to each covered individual or certificate holder who is a resident of New Hampshire coverage for the medically necessary hospital or surgical day care facility charges and administration of general anesthesia administered by a licensed anesthesiologist or anesthesiologist for dental procedures performed on a covered person who:

(a) Is a child under the age of 4 who is determined by a licensed dentist in conjunction with a licensed physician to have a dental condition of significant complexity which requires certain dental procedures to be performed in a surgical day care facility or hospital setting; or

(b) Is a person who has exceptional circumstances as determined by a licensed physician which place the person at serious risk.

II. All of the terms and conditions of the covered person's policy shall apply to these services.

5 Report Required. The insurance department shall analyze the effect of the coverage requirements contained in this act on the overall cost of health and dental insurance in the group markets. The insurance department shall submit a report on its analysis to the president of the senate, the speaker of the house, and the governor's office by January 1, 2000.

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

Insurance

March 25, 1998

1998-1192s

08/09

Amendment to SB 378

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

AN ACT relative to small employer health coverage.

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

1 Community Rating; Definition. Amend RSA 420-G:2, I to read as follows:

I. "Community rating" means a rating methodology which produces the same premium for every person covered under the same health coverage ***adjusted for the geographical location of the employer.***

2 Small Employer; Definition. Amend RSA 420-G:2, XVI(a) to read as follows:

XVI.(a) "Small employer" means a business or organization which employed on average, ~~one~~ 2 and up to 100 employees, including owners and self-employed persons, on business days during the previous calendar year. A small employer is subject to this chapter whether or not it becomes part of an association, multi-employer plan, trust or any other entity cited in RSA 420-G:3 provided it meets this definition.

3 Premium Rates; Removing Restriction on Modification for Geographic Location. Amend RSA 420-G:4, I(a)(1) to read as follows:

(1) Community rating shall be set by each health carrier as the single average premium computed for each month or quarter for each membership type (including single, 2 person, and family) with no modification for gender, ~~[geographical location,]~~ occupation, health status, individual and/or group claims experience or duration of health coverage.

4 Guaranteed Issues and Renewability; High Risk Pools. Amend RSA 420-G:6, IV to read as follows:

IV. High risk pools ~~[are not allowed]~~ ***may be established for individual and non-group coverage.***

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

1998-1192s

AMENDED ANALYSIS

This bill modifies the definition of "small employer" for the purposes of the law governing portability, availability, and renewability of health coverage to include business of 2-100 employees.

The bill allows community rating to be modified for the geographic location of the employer and allows the establishment of high risk pools for individual and non-group coverage.

Insurance

March 25, 1998

1998-1193s

01/09

Amendment to SB 500

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

1 Unfair Practices; Automobile; Homeowners Insurance. RSA 417:4, VIII(g) is repealed and reenacted to read as follows:

(g) Using information obtained from a credit rating, a credit history, or a credit scoring model to unfairly discriminate in underwriting and rating personal lines automobile and homeowners insurance applications. Any decision to request a credit rating, credit history, or a

credit report based upon race, color, creed, marital status, sex, or national origin of the applicant shall constitute unfair discrimination. Nothing in this subparagraph shall prohibit an insurer from using credit rating, credit history, or a credit scoring model to underwrite or to classify risks in order to charge the proper premium for each.

2 New Subparagraphs; Credit Information. Amend RSA 417:4, VIII by inserting after subparagraph (g) the following new subparagraphs:

(h) Failing to notify the applicant, in writing or in the same medium as the application, when credit rating, a credit history, or a credit score will be requested in underwriting or rating an insurance application for personal lines automobile and homeowners insurance. Once notice is given to an applicant, it need not be provided again as to subsequent applications or policy renewals by the same applicant or insured.

(i) Failing to advise any applicant affected by an adverse underwriting or rating decision based upon credit rating, a credit history, or a credit scoring model of the means by which the applicant can obtain a copy of any credit rating, a credit history, or a credit score which was requested in underwriting or rating the applicant's insurance application.

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

1998-1193s

AMENDED ANALYSIS

This bill includes in the definition of unfair discrimination, under unfair methods, acts and practices in the business of insurance, the practice of using credit information to discriminate in underwriting and rating personal lines automobile and homeowners applications; provided that such information may be used to set the premiums for such insurance.

The bill also includes in the definition of unfair insurance practices, failure to notify an applicant that credit information is being used to assess the applicant for automobile and homeowners insurance and failure to advise an applicant affected by an adverse decision based upon credit information for any insurance.

Judiciary

March 26, 1998

1998-1207s

09/01

Amendment to SB 387

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

AN ACT expanding the attorney general's authority to record communications in criminal investigations.

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

1 Authority for Interception of Telecommunications or Oral Communications; Criminal Activities Expanded. Amend RSA 570-A:7 to read as follows:

570-A:7 Authorization for Interception of Telecommunications or Oral Communications. The attorney general, deputy attorney general, or a county attorney, upon the written approval of the attorney general or deputy attorney general, may apply to a judge of competent jurisdiction for an order authorizing or approving the interception of telecommunications or oral communications, and such judge may grant, in conformity with RSA 570-A:9, an order authorizing or approving the interception of telecommunications or oral communications by investigative or law enforcement officers having responsibility for the investigation of the offenses as to which the application is made, when such interception may provide, or has provided, evidence of the commission of organized crime, as defined in RSA 570-A:1, XI, or evidence of the commission of the offenses of homicide, **first degree assault as defined in RSA 631:1**, kidnapping, gambling, theft as defined in RSA 637, corrupt practices as defined in RSA 640, criminal conduct in violation of the securities law, as defined in RSA 421-B:3, 421-B:4, 421-B:5, 421-B:19, and 421-B:24, criminal conduct in violation of the security takeover disclosure laws, as defined in RSA 421-A:3, 421-A:7, 421-A:8, 421-A:11, and 421-A:13, robbery as defined in RSA 636:1, arson as defined in RSA 634:1, hindering apprehension or prosecution as defined in RSA 642:3, tampering with witnesses and informants as defined in RSA 641:5, aggravated felonious sexual assault as defined in RSA 632-A:2, felonious sexual assault as defined in RSA 632-A:3, **sexual assault as defined in RSA 632-A:4**, **endangering welfare of child or incompetent as defined in RSA 639:3**, **child pornography as defined in RSA 649-A**, escape, as defined in RSA 642:6, bail jumping as defined in RSA 642:8, dealing in narcotic drugs, marijuana, or other dangerous drugs, hazardous waste violations under RSA 147-A:4, I, or any conspiracy, **attempt, or criminal solicitation** to commit any of the foregoing offenses.

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

1998-1207s

AMENDED ANALYSIS

This bill expands the attorney general's authority to record communications in criminal investigations.

Judiciary

March 26, 1998

1998-1201s

09/01

Amendment to SB 440-FN-LOCAL

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

AN ACT relative to fines payable to the division of motor vehicles; allowing civil bench warrants for defaults on such fines; authorizing bail commissioners to receive certain civil fines and fees, and authorizing the division of motor vehicles to report those in default to a consumer reporting agency.

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

1 Fines Payable to Division of Motor Vehicles. Amend RSA 502-A:19-b, I to read as follows:

I. Such defendant shall receive, in addition to his summons, a uniform fine schedule entitled "Notice of Fine, New Hampshire District and Municipal Courts" which shall contain the usual fines for violations of the provisions of title XXI on vehicles, excluding violations of RSA 265:79, 265:82 or any offense which is a misdemeanor or felony; the usual fines for violations of the provisions of RSA 270, 270-A, and 270-E, excluding any offense which is a misdemeanor or felony; and the usual fines for violations of the provisions of title XVIII on fish and game laws, excluding any offense which is a misdemeanor or felony. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except, if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally must do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the ~~[clerk of the court prior to the arraignment date or appear in court on the date of arraignment]~~ **division of motor vehicles within 30 days of the date of summons**. Defendants in violation of the provisions of title XVIII shall be subject to the provisions of RSA 207:18 and RSA 214:19.

2 Issuance of Civil Bench Warrants. RSA 502-A:19-b, III is repealed and reenacted to read as follows:

III.(a) The commissioner of safety may notify, by electronic means, the administrative judge or the administrative judge's designee of all defendants who have failed to comply under RSA 502-A:19-b, II-a. The commissioner shall certify that the defendants are in default, have been notified, and have failed to respond. The court may, in its discretion, find the defendant administratively guilty. No such finding shall be vacated, except for good cause shown. If the court finds the defendant administratively guilty, the court shall issue an electronic civil bench warrant within 30 days. In addition, the court may issue an electronic warrant for the arrest of any defendant who:

(1) Is defaulted in accordance with the provisions of RSA 502-A:19-b, II.

(2) Fails to pay a fine or other penalty imposed or issues a bad check in payment of a fine or other penalty; or

(3) Fails to comply with a similar order of the director or a court on any matter within the director's or court's jurisdiction.

(b) For purposes of this section, civil bench warrants may be issued by the court in the jurisdiction in which the underlying offense occurred or by the administrative judge or any district court justice designated by the administrative judge, in accordance with procedures set forth by the administrative judge. Bench warrants may be transmitted electronically.

(c) A person arrested pursuant to this section shall be given the option to pay the outstanding fine and fees in full to a bail commissioner. Upon such payment, the matter shall be deemed closed, and the civil bench warrant vacated. All payments received by bail commissioners pursuant to this section shall be transmitted to the court or the division of motor vehicles within 5 days. The bail commissioner shall be entitled to a fee for services as set forth in RSA 597:20.

(d) Any person arrested pursuant to this section who is unable to pay all outstanding fines and fees prior to release shall be released on personal recognizance and ordered to appear before the district court in the jurisdiction where the arrest or the underlying violation occurred at the next scheduled session of that court. Prior to release, the defendant shall provide an accurate residential and mailing address and telephone number to a bail commissioner. The bail commissioner shall be entitled to a fee for services as set forth in RSA 597:20.

(e) At any hearing held pursuant to subparagraph (d), the defendant shall complete under oath an affidavit of financial assets, which shall be reviewed by the court for determination of the defendant's ability to pay the fines and fees imposed. Upon a finding of the defendant's ability to pay, payment shall be ordered to be made no later than 30 days from the court date. The court may accept payment by credit card, cash, or check and may, if it deems necessary, garnish the defendant's wages, bank account, or other source of income. If the court finds the defendant is unable to pay the fine or any portion of it, the court may order community service or other alternative sentence.

(f) Notwithstanding any other provision of law, state and local law enforcement officers shall have the power to arrest pursuant to civil bench warrants issued under this section.

(g) Neither the state, nor any state agency or political subdivision of the state, nor any employee of the state or its political subdivision shall be subject to a claim for monetary damages for the arrest or detention of any person on the basis of information, provided that the officer's action in arresting or detaining the person does not constitute gross negligence or willful misconduct.

3 New Paragraph; Payment by Credit Card Authorized. Amend RSA 502-A:19-b by inserting after paragraph III the following new paragraph:

III-a. Fines and fees owed pursuant to this section may be paid through the bail commissioner or court by credit card in accordance with procedures set forth by the district court administrative judge, or through the division of motor vehicles by credit card in accordance with procedures established by the director of division of motor vehicles.

4 Report to Consumer Reporting Agency Required for Certain Defaults. Amend RSA 263:56-a, II to read as follows:

II.(a) If such defendant fails to appear, pay ~~his~~ **the** fine or comply with an order within the applicable period, as provided in subparagraph I(c) or (d) of this section, or fails to demonstrate that ~~he~~ **the defendant** is financially unable to pay the fine or to comply with the order within the applicable period, the director shall suspend such defendant's driver's license or resident or nonresident driving privilege effective from the applicable date for an indefinite period and mark ~~his~~ **the defendant's** files accordingly.

(b) The director shall ~~not~~ purge the record of ~~[any suspension under this section during the defendant's lifetime until the defendant's driver's license or driving privilege is reinstated]~~ **violations in default, related suspensions, and all fees and fines assessed against these defaults and suspensions under this section that have been on file for more than 7 years; provided, however, that the director shall not purge such records for a violation of RSA 263:1, RSA 263:64, RSA 265:79, RSA 265:82, RSA 265:82-a, RSA 265:115, RSA 265:117, and any offense which is a misdemeanor or felony during the defendant's lifetime until the defendant's driver's license or driving privilege is reinstated.** All courts shall notify the director of any such failure on a form prescribed by the director.

(c) The director shall report the names of all persons whose driver's licenses and driving privileges are suspended under this section to the National Driver Register administered by the National Highway Traffic Safety Administration.

(d) **The director may report the names of all persons whose driver's licenses and driving privileges are suspended under this section, due to nonpayment, to a consumer reporting agency as defined in RSA 359-B:3.**

5 Bail Commissioners Authorized to Receive Civil Fines and Fees. Amend RSA 597:15-a to read as follows:

597:15-a District Courts. District courts may appoint 3 or more justices of the peace and quorum as commissioners authorized to fix and receive bail **and other fines and fees as authorized by law** in criminal **or civil** cases to be brought before said courts as hereafter provided.

6 Municipal Courts Authorized to Receive Civil Fines and Fees. Amend RSA 597:16 to read as follows:

597:16 Municipal Courts. Municipal courts may appoint 3 or more justices of the peace and quorum as commissioners authorized to fix and receive bail **and other fines and fees as authorized by law** in criminal **or civil** cases to be brought before the said municipal courts as hereafter provided.

7 Contingency. Section 2 of this act shall take effect upon the date when the commissioner of safety certifies to the secretary of state that the implementation of RSA 502-A:19-b, III as inserted by section 2 of the this act is technologically feasible.

8 Effective Date.

I. Section 2 of this act shall take effect as provided in section 7 of this act.

II. The remainder of this act shall take effect January 1, 1999.

AMENDED ANALYSIS

This bill clarifies the procedures for payments of fines by mail to the division of motor vehicles. The bill allows civil bench warrants for defaults on such fines.

The bill authorizes bail commissioners to receive certain civil fines and fees and allows payment by credit card of fines and fees which are payable by mail.

The bill also authorizes the director of the division of motor vehicles to report those in default of an appearance, a fine, or an order issued by the division or a court to a consumer reporting agency.

Public Affairs

March 24, 1998

1998-1160s

10/01

Amendment to SB 317

Amend RSA 676:4, I(c)(1) as inserted by section 1 of the bill by replacing it with the following:

(c)(1) The board shall ~~[begin formal consideration of the application within 30 days after receipt of the completed application by the board or its designee]~~ **determine if a submitted application is complete according to the board's regulations and shall vote upon its acceptance at the next regular meeting, following the delivery of the application, for which notice can be given in accordance with the requirements of subparagraph (b).** Upon determination by the board ~~[or its designee]~~ that a submitted application is incomplete according to the board's regulations, the board ~~[or its designee]~~ shall notify the applicant of the determination in accordance with RSA 676:3, **which shall describe the information, procedure, or other requirement necessary for the application to be complete.** ~~[The board]~~ **Upon determination by the board that a submitted application is complete according to the board's regulations, the board shall begin formal consideration and** shall act to approve, conditionally approve as provided in subparagraph (i), or disapprove within ~~[90]~~ **60** days ~~[after receipt of the completed application by the board or its designee]~~, subject to extension or waiver as provided in subparagraph (f). Upon failure of the board to approve, conditionally approve, or disapprove the application, the selectmen or city council shall, upon request of the applicant, immediately issue an order directing the board to act on the application within 30 days. If the planning board does not act on the application within that 30-day time period, then within 40 days of the issuance of the order, the selectmen or city council shall certify on the applicant's application that the plat is approved pursuant to this paragraph, unless within those 40 days the selectmen or city council has identified in writing some specific subdivision regulation or zoning or other ordinance provision with which the application does not comply. Such a certification, citing this paragraph, shall constitute final

approval for all purposes including filing and recording under RSA 674:37 and 676:18, and court review under RSA 677:15.

Public Affairs

March 31, 1998

1998-1257s

03/09

Amendment to HB 1430

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

1 Nominations by Primary; Primary Petitions; Expenditure Limitations Disclaimer
Modified. Amend RSA 655:20 to read as follows:

655:20 Primary Petitions. Primary petitions shall be filed as follows:

I. Any person otherwise qualified to run for office who is unable to pay the filing fee as prescribed in RSA 655:19 by reason of indigency may have his ***or her*** name printed on the primary ballot of any party by filing with the appropriate official the requisite number of primary petitions made by members of the party, together with one written assent to candidacy.

II. Any person qualified to run for office who does not, pursuant to RSA 664:5-a, voluntarily accept the expenditure limitations set forth in RSA 664:5-b shall, in order to have his ***or her*** name printed on the primary ballot of any party, in addition to the filing fees prescribed in RSA 655:19, file with the appropriate official the requisite number of primary petitions required under RSA 655:22 made by members of the party, together with one written assent to candidacy. If a person is required to file primary petitions under the provisions of this paragraph, the primary petitions which he ***or she*** files shall contain, ***in addition to the language required in RSA 655:21***, the following language in bold print [~~at the top of each petition in addition to the language required in RSA 655:21. This candidate has reserved his or her rights under the federal constitution and New Hampshire laws and may choose not to agree to limit campaign spending according to amounts set by state law and as a result may be required to submit these petitions]~~ ***immediately preceding the oath and clearly set off by horizontal lines from the other text in the petition: "I support this candidate's desire not to abide by the state's campaign spending limits."*** Primary petitions filed under this section shall be filed in addition to the requirement for filing petitions under RSA 655:19-c.

2 Primary Petition Form Modified. Amend RSA 655:21 to read as follows:

655:21 Form. Primary petitions shall be made in the following form:

State of New Hampshire

County of....., ss.

City (Town) of

I do hereby join in a petition for the printing on the primary ballot of the name of whose domicile is in the city (town) of (ward, street and number, if in a city), in the county of, for the office of to be voted for on Tuesday, the day of September, 19....., and certify that I am qualified to vote for a candidate for said office, that I am a registered member of the party, and am not at this time a signer of any other similar petition for any other candidate for the above office; that my domicile is in the city (town) of (ward, street and number, if in a city), in the county of I certify that to my knowledge the above-named candidate is not a candidate for incompatible offices as defined in RSA 655:10, and that he **or she** is not a federal employee which makes him **or her** ineligible to file as a candidate for this office. I further certify that I believe the above-named person is especially qualified to fill said office.

I hereby swear, under penalty of perjury, that the information above is true and correct to the best of my knowledge and belief.

.....

Print Voter's name

.....

Voter's Signature

~~[State of New Hampshire~~

~~County of, ss.~~

~~City (town) of, 19.....~~

~~The above named, ..., personally known to me, appeared and made oath that the above petition, by him subscribed, it true.~~

~~_____ Before me,~~

.....

~~Justice of the Peace or Notary Public]~~

3 New Section; Order of Primary Petitions. Amend RSA 655 by inserting after section 22 the following new section:

655:22-a Order of Petitions. Petitions to be filed shall be ordered alphabetically by municipality in which the voter is domiciled. Petitions shall be further ordered by surname of voter for any municipality represented by more than one petition.

4 Elections; Prohibited Political Contributions; By Any Person; Limitation. Amend RSA 664:4, V to read as follows:

V. By any person (1) if in excess of [~~\$5,000~~] **\$10,000** in value, except for contributions made by a candidate in behalf of his **or her** own candidacy, or if in excess of [~~\$1,000~~] **\$5,000** in value by any person or by any political committee to a candidate or a political committee working on behalf of a candidate who does not voluntarily agree to limit his **or her** campaign expenditures and those expenditures made on his **or her** behalf as provided in RSA 664:5-a, (2) if made anonymously or under a name not that of the donor, (3) if made in the guise of a loan, (4) if in any other manner concealed, (5) if made without the knowledge and written consent of the candidate or [~~his~~] **the candidate's** fiscal agent, a political committee or its treasurer, or not to any one of the same.

5 Political Expenditure Limitation Amounts. Amend RSA 664:5-b to read as follows:

664:5-b Political Expenditure Limitation Amounts. Total expenditures by a candidate who voluntarily agrees to limit campaign expenditures as provided in RSA 664:5-a shall be as follows:

I. For governor:

(a) [~~\$500,000~~] **\$625,000** in a state primary election.

(b) [~~\$500,000~~] **\$625,000** in a state general election.

I-a. For United States senator:

(a) [~~\$500,000~~] **\$625,000** in a state primary election.

(b) [~~\$500,000~~] **\$625,000** in a state general election.

II. For representative to Congress:

(a) [~~\$250,000~~] **\$350,000** in a state primary election.

(b) [~~\$250,000~~] **\$350,000** in a state general election.

III. For executive council:

(a) \$50,000 in a state primary election.

(b) \$50,000 in a state general election.

IV. For state senate:

(a) \$20,000 in a state primary election.

(b) \$20,000 in a state general election.

V. For representative to the general court and all county offices, based upon the latest figures filed with the secretary of state:

(a) \$.50 per registered voter in the district or the county in a state primary election.

(b) \$.50 per registered voter in the district or the county in a state general election.

VI. For the purposes of this section, RSA 664:5-a and the enforcement provisions of this chapter, "total expenditures" shall mean the sum of all expenditures made to influence either a state primary or a state general election made by a candidate and those made on ~~his~~ **the candidate's** behalf by ~~his~~ **the candidate's** committee or committees, ~~his~~ **the candidate's** party, and ~~his~~ **the candidate's** immediate family. **For candidates for governor, United States senator, and representative to Congress, "total expenditures" shall include any such expenditures made after January 1 of the election year, regardless of when the person actually declares his or her candidacy.** Each campaign expenditure limitation amount shall apply solely and independently to either the state primary election or the state general election.

VII.(a) Notwithstanding any other provisions of law to the contrary, a candidate for federal office shall not be subject to the voluntary political expenditure limitations established under this chapter if independent expenditures in excess of \$25,000 are made after the first day of the period for filing for candidacy pursuant to RSA 655:14 for the purposes of influencing the outcome of such candidate's campaign. This paragraph shall separately apply to the primary election and to the general election.

(b) Upon the request of any candidate, the secretary of state shall determine within 48 hours whether the requirements of subparagraph (a) have been satisfied. If the secretary of state does not act within 48 hours, the candidate shall be automatically exempt from the voluntary political expenditure limitations.

6 Campaign Disclosure Information; 1998 Election Cycle. For the 1998 election cycle, each candidate or candidate's committee for governor shall file the reports required by RSA 664:7 on a computer disk, in addition to a paper copy. All other state candidates or state candidates' committees may file their reports, as required by RSA 664:7, on a computer disk, in addition to a paper copy. Campaign finance filings for United States Senate and representatives to Congress shall be available through a link from the secretary of state's website to the Federal Election Commission.

7 Waiver of Filing Fees and Petitions for State Candidates. The provisions of RSA 655:19, relative to filing fees and RSA 655:20, relative to primary petitions, are hereby waived for candidates for the following offices: governor, executive councilor, county officer, state senator, and state representative.

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

1998-1257s

AMENDED ANALYSIS

This bill:

I. Modifies the language required on primary petitions for candidates that do not voluntarily accept expenditure limitations.

II. Replaces the notarization with an oath on primary petitions.

III. Requires primary petitions to be filed alphabetically.

IV. Increases the limitation from \$5,000 to \$10,000 on contributions by persons to candidates and to committees working on behalf of candidates who voluntarily agree to limit campaign expenditures.

V. Increases the limitation from \$1,000 to \$5,000 on contributions by persons or political committees to candidates and to committees working on behalf of candidates who do not voluntarily agree to limit campaign expenditures.

VI. Increases total expenditure limitations for candidates for governor, United States senator, and representative to Congress who voluntarily agree to limit campaign expenditures.

VII. Specifies that any expenditures made after January 1 of the election year shall be counted towards expenditure limitations for governor, United States senator, and representative to Congress, regardless of when the person actually declares his or her candidacy.

VIII. Provides that a candidate for federal office shall not be subject to the voluntary political expenditure limitations if independent expenditures in excess of \$25,000 are made after the first day of the period for filing for candidacy for the purposes of influencing the outcome of such candidate's campaign.

IX. Requires candidates for governor to file campaign disclosure reports on a computer disk for the 1998 election cycle.

X. Waives filing fees and petition requirements for candidates for the offices of governor, executive councilor, county officer, state senator, and state representative.

Public Institutions, Health and Human Services

March 27, 1998

1998-1224s

01/09

Amendment to SB 312

Amend RSA 167:74, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Notwithstanding any law to the contrary and beginning with the fiscal biennium ending June 30, 2001, the amount of principal in the fund shall remain at least the same at the end of each biennium as it was at the beginning of the biennium, unless specifically authorized by both houses of the general court in separate legislation.

1998-1224s

AMENDED ANALYSIS

This bill requires any transfer of funds from the health care transition fund which is not for the purposes stated for such fund to be introduced in separate legislation requiring 2/3 approval of both houses of the general court. The bill also requires the principal in the fund to remain at least the same amount at the end of each biennium as at the beginning of such biennium, unless specifically authorized by the general court.

Public Institutions, Health and Human Services

March 27, 1998

1998-1221s

04/08

Amendment to SB 346

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

AN ACT establishing a task force to study the foster care system and relative to additional grounds for termination of the parent-child relationship.

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

1 Task Force Established; Membership.

I. There is established the task force on foster care. The task force shall be composed of the following members:

- (a) Two members of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house.
- (c) A representative of the New Hampshire Foster and Adoptive Parents Association, appointed by such association.
- (d) A representative of the division of children, youth, and families, appointed by the commissioner.
- (e) A representative of Casey Family Services, appointed by such organization.
- (f) A representative of North American Family Institute, northeastern branch, appointed by such organization.
- (g) A representative of Families Assisting Families, appointed by such organization.
- (h) A representative of the County Human Services Administrators Association, appointed by such association.
- (i) A representative of the New Hampshire Pediatrics Society, appointed by such society.
- (j) A representative of the New Hampshire district courts, appointed by the chief administrative judge of the district courts.
- (k) A representative who is a court appointed special advocate.
- (l) A representative of the New Hampshire Police Chiefs Association, appointed by such association.
- (m) A representative of Lutheran Social Services, appointed by such organization.

II. The term of office for task force members shall be coterminous with the member's term of office in their respective agency or organization. Vacancies in task force membership shall be filled as soon as practicable by the respective agency or organization creating the vacancy.

III. The task force members listed in I (c)-(m) may employ the assistance of additional members of their respective agency or organization as necessary to assist with a task or project undertaken by the task force.

IV. The task force members may elicit input or recommendations from other groups or organizations as necessary.

2 Duties of Task Force.

I. The task force shall investigate issues relating to the overall efficiency of the foster care system, including but not limited to: monetary reimbursement concerns, retention concerns within the system, foster parent training, and other related issues as the task force deems appropriate.

II. The task force shall cooperate and collaborate with other state or private agencies as may be necessary to address this problem, and shall consider input and recommendations from such state or private agencies on an ongoing basis.

III. The task force shall conduct public hearings as may be necessary on matters pertaining to the foster care system. Such hearings may be conducted in any part of the state as circumstances require.

3 Compensation. Members of the task force shall serve without compensation, except that the legislative members of the task force shall receive mileage at the legislative rate when attending to the duties of the task force.

4 Report. The task force shall submit a detailed report of its findings, actions taken, and recommendations to the president of the senate, the speaker of the house, and the governor on or before November 1, 2000.

5 New Paragraph; Additional Grounds for Termination of Parent-Child Relationship. Amend RSA 170-C:5 by inserting after paragraph VI the following new paragraph:

VII. For 15 out of the most recent 22 months the child has resided in foster care or other out-of-home placement pursuant to a court order under RSA 169-C or RSA 463 awarding protective supervision, legal custody, or guardianship to the department of health and human services.

6 Repeal. Sections 1-4 of this act, relative to the task force on foster care, is repealed.

7 Effective Date.

I. Sections 1-4 of this act shall take effect 60 days after its passage.

II. Section 5 of this act shall take effect upon its passage.

III. Section 6 of this act shall take effect November 1, 2000.

1998-1221s

AMENDED ANALYSIS

This bill establishes a task force to study the foster care system, including the issues of overall efficiency, retention, foster parent training, and monetary reimbursement within the system. The bill also permits termination of the parent-child relationship where a child has resided in foster care or other out-of-home placement for 15 of the most recent 22 months pursuant to a court order.

Public Institutions, Health and Human Services

March 24, 1998

1998-1173s

04/01

Amendment to SB 360

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

AN ACT establishing a child and family resource group to study and make recommendations concerning the development and coordination of wellness and primary prevention programs.

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

1 Purpose. The general court recognizes that children are the future of New Hampshire. The general court also recognizes the importance and value of wellness and primary prevention programs in strengthening the well-being of children and their families. The general court recognizes that wellness and primary prevention services are most effectively provided at the community level. The intent of this act is to encourage, facilitate, and promote the wellness and primary prevention efforts of the state and local communities.

2 Child and Family Resource Group Established. There is hereby established a child and family resource group. The group shall be comprised of the following members:

- I. Two members of the senate appointed by the president of the senate.
- II. Two members of the house of representatives appointed by the speaker of the house.
- III. The commissioner of the department of health and human services or designee.
- IV. The commissioner of the department of education or designee.
- V. The administrative justice of the district court or designee.
- VI. One representative from each of the following entities or organizations with experience in the development and delivery of wellness and primary prevention services, appointed by the governor:

- (a) County government.
- (b) Local school districts.
- (c) Child day care associations.

- (d) Local law enforcement.
- (e) Diversion network.
- (f) Local public or community health programs.
- (g) Local recreation programs.
- (h) Child advocacy organizations.
- (i) Family resource groups.

3 Child and Family Resource Group Duties and Responsibilities. The child and family resource group shall:

I. Conduct at least 3 public hearings in different geographic regions of the state to receive public comment about the need for effectiveness and development of wellness and primary prevention programs.

II. Interview providers and consumers of existing wellness and primary prevention programs within the state.

III. Identify effective wellness and primary prevention initiatives currently in existence in the state, taking note of those programs that could be replicated in other communities or expanded on a statewide basis.

IV. Identify successful initiatives establishing statewide prevention strategies in other states.

V. Seek input from state agencies involved in the provision of wellness and primary prevention services.

VI. Identify funding sources for wellness and primary prevention programs.

VII. Identify barriers to the expansion or coordination of existing wellness and primary prevention programs and the development of new programs.

VIII. Develop recommendations for steps to be taken to remove the barriers identified in paragraph VII.

IX. Identify legislation needed to implement the recommendations made pursuant to paragraph VIII.

X. Provide a written plan and proposed legislation on or before November 1, 1998 to the speaker of the house, the senate president, and the governor for consideration in the 1999 legislative session.

4 Child and Family Resource Group Meetings.

I. The first-named senate member shall call the first meeting, at which time the group shall elect a chairperson.

II. The group shall meet at least monthly.

III. Legislative members of the group shall receive mileage at the legislative rate while attending to group business.

5 Assistance from the Department of Health and Human Services and the Department of Education.

I. At the first meeting of the group, the department of health and human services, the department of education, and the administrative justice of the district court or designee shall each make a presentation concerning existing services and prevention programs.

II. The department of health and human services, the department of education, and the administrative office of the courts shall promptly provide the relevant information and data in their possession requested by the group.

III. The department of health and human services shall provide administrative support to the group.

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

Public Institutions, Health and Human Services

March 27, 1998

1998-1222s

01/08

Amendment to SB 470-FN

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

AN ACT establishing a "parents as scholars" program.

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

1 Training Programs and Postsecondary Educational Activities; Reference Added. Amend RSA 167:85, I (g) to read as follows:

(g) Training programs and postsecondary educational activities, ***including self-initiated education pursuant to RSA 167:91, IX(c) and the "parents as scholars" program pursuant to RSA 167:91, VIII.***

2 Secondary Services; Parents as Scholars Program References Added. RSA 167:91, VIII is repealed and reenacted to read as follows:

VIII. The commissioner may refer a participant to postsecondary education if it appears that postsecondary education is required for the household to achieve long-term economic independence. All postsecondary education shall emphasize vocational skills training for participants in a specific occupational area. Participants approved for postsecondary education shall be enrolled in the "parents as scholars" program which shall be limited to 500 participants. Participants who wish to pursue postsecondary education shall be subject to the following eligibility criteria and program requirements:

(a) The participant does not possess the necessary skills to obtain employment that would enable such a participant to support a family at 185 percent of the current federal poverty level, as adjusted annually.

(b) That, considering potential employment opportunities and local labor market conditions, the postsecondary education sought by the participant will significantly improve the ability of the family to be self-supporting.

(c) The participant has the aptitude and ability to complete the proposed postsecondary education program.

(d) The program participant shall be available for education, training, or study in accordance with applicable federal work activity and participation requirements for the first 24 months of participation in postsecondary education. Thereafter, participation may continue only if the participant agrees to perform additional hours of employment, job search, or other work related activity in addition to time spent in education, training, or study.

(e) The participant shall make satisfactory academic progress toward completion of the relevant educational program in order to remain in the "parents as scholars" program.

(f) Any initial postsecondary educational plans shall emphasize vocational skills training in a specific occupational area and shall not be approved beyond the associates degree level.

(g) The department shall not reimburse for tuition, books, supplies, or school fees.

(h) The commissioner of health and human services shall adopt rules, pursuant to RSA 541-A, as necessary to implement the "parents as scholars" program consistent with the provisions of this paragraph.

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

AMENDED ANALYSIS

This bill establishes the "parents as scholars" program within the department of health and human services to provide financial aid and living assistance to eligible pupils who have dependent children and who are matriculating in a 2-year postsecondary undergraduate program.

Public Institutions, Health and Human Services

March 27, 1998

1998-1223s

08/09

Amendment to SB 473-FN

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

1 New Sections; Registration of Certain Day Care Providers; Insurance Disclosures. Amend RSA 170-E by inserting after section 6 the following new sections:

170-E:6-a Registration of Day Care Providers Receiving State Funds.

I. Any person who provides child day care services and receives state funds for such services, but is not required to be licensed under RSA 170-E:4 as a child day care agency, shall register with the department of health and human services.

II. The department of health and human services shall maintain a registry of all providers of child day care services who are not required to be licensed under RSA 170-E:4, but who receive state funds for their services.

170-E:6-b Insurance Disclosures. Every licensed child day care agency and every child day care provider required to be registered under RSA 170-E:6-a shall either maintain liability insurance or provide a disclosure to parents that the facility is uninsured.

2 State Registry and Criminal Records Check. Amend RSA 170-E:7 to read as follows:

170-E:7 State Registry and Criminal Records Check.

I. Licensed child day care agencies ***and registered providers*** shall, within 30 days of adding new staff members responsible for care of or in regular contact with children, ***and within 30 days of adding new household members or other individuals who will have regular contact with children***, submit ***to the department***, the names, birth names, birth dates, and

addresses of such staff members ~~[to]~~ **and other information required by the department as prescribed by rules adopted by the commissioner under RSA 541-A.**

II. The department shall, for every name submitted on the application, **in the registration process**, and for each new staff member, or at each renewal, review the names, birth names, birth dates, and current and previous addresses of such persons against the state registry of founded abuse and neglect reports. The department shall submit the names, birth names, birth dates, and addresses to the state police files to obtain information about criminal convictions.

III. If any individual whose name has been submitted for a check under this section has been convicted of a violent or sexually-related crime against a child, or of a crime which shows that the person might be reasonably expected to pose a threat to a child, such as a violent crime or a sexually-related crime against an adult, the department shall deny, **revoke, or suspend** the license, **permit or registration** pending the development and implementation of a corrective action plan approved by the department.

IV. If any individual whose name has been submitted for this check has been convicted of crimes against minors or adults, except crimes as provided in paragraph III, or is the subject of a founded complaint of child abuse or neglect, the department may deny ~~[the license or permit]~~, revoke ~~[a license]~~, or suspend a license, **permit, or registration** pending the development and implementation of a corrective action plan approved by the department. The department shall conduct an investigation in accordance with rules adopted under this subdivision to determine whether the individual poses a present threat to the safety of children. The investigation shall include an opportunity for the individual to present evidence on his behalf to show that ~~[he]~~ **the individual** does not pose a threat to the safety of children.

V. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the confidentiality of information collected under this section and to the release, if any, of such information.

3 Minimum Health and Safety Requirements. Amend RSA 170-E:11, I(d) to read as follows:

(d) The appropriateness, safety, environmental health and general adequacy of the premises, including maintenance of adequate fire prevention and health standards conforming to state laws and municipal codes, to provide for the physical comfort, health and care of children received; **provided that, health and safety requirements with regard to school-age children shall be no more stringent than those required for the public schools.**

4 New Paragraphs; Enhanced Services; Registration Process. Amend RSA 170-E:11 by inserting after paragraph VII the following new paragraphs:

VIII. Development of a system of certification for licensed child day care agencies that provide enhanced services, including but not limited to programs for preschool education and kindergarten.

IX. Administration and enforcement of the registration process and maintenance of the registry established under RSA 170-E:6-a.

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

Senate Transportation

March 25, 1998

1998-1190s

08/01

Amendment to SB 306-LOCAL

Amend RSA 47:17, VIII(a) as inserted by section 2 of the bill by replacing it with the following:

(a) To make special regulations as to the use of vehicles upon particular highways, except as to speed, and to exclude such vehicles altogether from certain ways; to regulate the use of class IV highways within the compact limits and class V highways by establishing stop intersections, by erecting stop signs, yield right of way signs, traffic signals and all other traffic control devices on those highways over which the city council has jurisdiction. The erection, removal and maintenance of all such devices shall conform to applicable state statutes and the latest edition of the Manual on Uniform Traffic Control Devices; ***provided, however, that decisions concerning the design and placement of such devices shall continue to be deemed a discretionary policy function for which the municipality shall not be held liable in the absence of malice, bad faith, or gross negligence.***

Senate Transportation

March 31, 1998

1998-1264s

01/09

Amendment to SB 429-FN

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

1 Motor Vehicle Records; Availability. Amend RSA 260:14, III to read as follows:

III. Motor vehicle records shall be made available in response to a request ~~[from a state, a political subdivision of a state, pursuant to a court order, the federal government, or a law enforcement agency for use in official business]~~ **by any governmental agency, including any court or law enforcement agency, in carrying out its functions, private person or entity acting on behalf of a federal, state, political subdivision of the state, or local agency in carrying out its function.**

2 Motor Vehicle Records; Availability. Amend RSA 260:14, IV(b) to read as follows:

(b) ~~Any Insurance [companies authorized to write automobile insurance policies in this state,]~~ **company or insurer, or insurance support organization** or by self-insured entities, or their authorized agents, **employees or contractors** for use in connection with claims investigation activities, anti-fraud activities, rating or underwriting.

3 Motor Vehicle Records; Availability. Amend RSA 260:14, V to read as follows:

V.(a) Except for a person's photograph, computerized image and social security number, motor vehicle records may be made available upon proof of the identity of the person requesting the records and representation by such person on a form satisfactory to the department that the use of the records will be strictly limited to one or more of the following described uses, each such use to be separately described:

(1) For use by a legitimate business in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers.

(2) For use with respect to a request for ~~[a named person's]~~ motor vehicle records in connection with any **actual or prospective** civil, criminal, administrative or arbitral proceeding in any court or government agency **or before any self regulatory body**, including the service of process, **investigation in anticipation of litigation**, and the execution or enforcement of judgments and orders, **or** pursuant to an order of the court or agency.

(3) For use with respect to a request for ~~[a named person's]~~ motor vehicle records by a banking or similar institution for appropriate banking purposes.

(4) For use by a legitimate business in research activities, and for use by a legitimate business in statistical reports, so long as any personal information is not published, redisclosed, or used to contact individuals.

(5) For use with respect to a request for ~~[a named person's]~~ motor vehicle records in providing notice to the owners of towed or impounded vehicles.

(6) For use with respect to a request for ~~[a named person's]~~ motor vehicle records by any private investigative agency or security service licensed by this state for any purpose permitted under ~~[subparagraph]~~ **subparagraphs IV(b) and V(a)** ~~[other than subparagraph V(a)(8)].~~

(7) For use with respect to a request for ~~[a named person's]~~ motor vehicle records by an employer or its agent or insurer to obtain or verify information relating to a

holder of a commercial driver's license that is required under the Commercial Motor Vehicle Safety Act of 1986.

(8) For bulk distribution for surveys, marketing or solicitations if the department has implemented methods and procedures to ensure that:

(i) Persons are provided an opportunity, in a clear, simple and conspicuous manner, to prohibit such uses by means of an option to opt out.

(ii) The information will be used, rented, or sold solely for bulk distribution for surveys, marketing, and solicitations, and that surveys, marketing, and solicitations will not be directed at those persons who have requested in a timely fashion that they not be directed at them. Such opportunity shall be provided at any time on request. In addition, the department shall provide posted conspicuous notices of the opportunities to make the selection at each of its offices at which it requests personal information. The department shall also request that the same be done by municipal agents of the department appointed pursuant to RSA 261:74-a.

(9) For use with respect to a request for ~~[a named person's]~~ motor vehicle records by a public utility, as defined in RSA 362:2 and over which the public utilities commission exercised jurisdiction on July 1, 1996, to perform its public service obligations.

(10) For use with respect to a request for motor vehicle records by a corporate entity engaged in any sensitive manufacture or distribution of products or materials, to include, but not limited to, defense contractors, explosive/chemical manufacturers or transporters, armored car services, and other high security industries.

(11) For use with respect to a request for motor vehicle records by the security division of a bank, defense contractor, college, university, hospital or other institutions requiring protection of their personnel and facilities.

(12) For the use in the normal course of business by a legitimate business or its agents, employees, or contractors:

(A) To verify the accuracy of the personal information submitted by the individual to the business or its agents, employees, or contractors; and

(B) If such information is not correct, is no longer correct, or is unavailable, to obtain the current information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against the individual.

(13) Except for a person's photograph, computerized image and social security number, motor vehicle records on microfiche, CD ROM, or other electronic medium may be made available upon proof of the identity of the persons or businesses requesting the records, for the purposes described in paragraphs IV(b) and V(a) as long as representation is made by such persons on a form satisfactory to the department.

(14) For any use other than those described in subparagraphs V(a)(1)-(13) in response to requests for individual motor vehicle records, if the motor vehicle department has provided in a clear, simple and conspicuous manner, at each of its offices, notice that personal information collected by the department may be disclosed to

any other business or person and has provided in a clear and conspicuous manner an opportunity to prohibit such disclosures by requesting a waiver in writing.

(b)(1) A person who does not wish to have any personal information pertaining to such person made available as provided in ~~[subparagraphs V(a)(1)-(9)]~~ ***subparagraph V(a)(14)*** shall inform the department in writing; and ***except for individuals licensed pursuant to RSA 263:86***, request or have already requested a waiver, pursuant to RSA 263:40-a, I or II.

(2) Upon receipt of such request, the department shall not make the personal information available, nor shall the department make available a list of the persons who have made an election under subparagraph V(b). The department shall provide an opportunity, in a clear, simple and conspicuous manner, for a person to make the election permitted by subparagraph V(b) at any time on request. In addition, the division shall provide posted notice and the opportunity to make the selection at each of its offices at which it requests personal information.

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

Senate Transportation

March 31, 1998

1998-1265s

01/09

Amendment to SB 445

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

1998-1265s

AMENDED ANALYSIS

This bill makes certain improper uses of walking disabled motor vehicle plates or placards a violation.

Senate Transportation

March 31, 1998

1998-1249s

09/01

Amendment to SB 464-FN

Amend the bill by replacing section 1 with the following:

1 Volunteers; Nonprofit Organizations; Liability Limited. Amend RSA 508:17 to read as follows:

508:17 Volunteers; Nonprofit Organizations; Liability Limited.

I. Any volunteer of a nonprofit organization or government entity shall be immune from civil liability in any action brought on the basis of any act or omission resulting in damage or injury to any person if:

(a) ~~[The volunteer had prior written approval from the organization to act on behalf of the organization; and~~

~~(b)]~~ The volunteer was acting in good faith and within the scope of his official functions and duties with the organization; and

~~(c)]~~ **(b)** The damage or injury was not caused by willful, wanton, or grossly negligent misconduct by the volunteer.

~~[I a. The following form shall be sufficient as a writing required under this section and shall serve as prima facie evidence of the approval required under paragraph I:~~

Dear

~~———— You are hereby recognized as a volunteer of the (name of organization) which exists for the following purposes (list purposes). Your tenure as a volunteer will continue until your resignation or until your termination by the organization. The purpose of this letter is to comply with the provisions of RSA 508:17, the volunteer immunity law, as that law may be amended from time to time.~~

~~———— Thank you for your service.~~

.....

Authorized Officer _____ Officer]

II. Liability of a nonprofit organization for damage or injury sustained by any one person in actions brought against the organization alleging negligence on the part of an organization volunteer is limited to \$250,000. Such limit applies in the aggregate to any and all actions to recover for damage or injury sustained by one person in a single incident or occurrence. Liability of a nonprofit organization for damage or injury sustained by any number of persons in a single incident or occurrence involving negligence on the part of an organization volunteer is limited to \$1,000,000.

III. Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization against any volunteer of such organization.

IV. Volunteer activity related to transportation or to care of the organization's premises shall be excepted from the provisions of paragraph I of this section.

V. In this section:

(a) "Damage or injury" includes physical, nonphysical, economic and noneconomic damage and property damage.

(b) "Government entity" means any branch, department, commission, bureau, agency, or agent of the government of this state or a political subdivision of this state.

~~[(b)]~~ (c) "Nonprofit organization" shall include, but not be limited to, a not for profit organization, corporation, community chest, fund or foundation organized and operated exclusively for religious, cultural, charitable, scientific, recreational, literary, agricultural, or educational purposes, or to foster amateur competition in a sport formally recognized by the National Collegiate Athletic Association, and an organization exempt from taxation under section 501(c) of the Internal Revenue Code of 1986 organized or incorporated in this state or having a principal place of business in this state.

~~[(c)]~~ (d) "Volunteer" means an individual performing services for a nonprofit organization or government entity who does not receive compensation, other than reimbursement for expenses actually incurred for such services. In the case of volunteer athletic coaches or sports officials, such volunteers shall possess proper certification or validation of competence in the rules, procedures, practices, and programs of the athletic activity.

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

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

1998-1249s

AMENDED ANALYSIS

This bill removes a requirement that a volunteer have written approval to act on behalf of an organization from RSA 508:17, which limits liability for volunteers of nonprofit organizations. The bill also adds a definition of "government entity" in RSA 508:17 and extends the provisions of the section to cover architects, engineers, surveyors, on their agents or employees who act as volunteer emergency management workers.

HEARINGS

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.

- **HB 204, HAS BEEN RESCHEDULED TO APRIL 22, 1998.**

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.

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.

fRIDAY, APRIL 3, 1998

JUDICIARY, Room 210-211, LOB

**HOUSE FINANCE COMMITTEE & SENATE JUDICIARY COMMITTEE A JOINT
CONTINUED PUBLIC HEARING WILL BE HELD AT:**

10:00 a.m. **CACR 45**, relating to the right of every educable child in the public schools to an adequate education, and the proportionality and reasonableness of local taxes for education. Providing that the right of every educable child in the public schools to an adequate education shall be enforced by appropriate legislation, that the legislature may delegate to the state's political subdivisions the duty to provide an adequate education, and that a tax imposed to implement such a delegate duty shall be proportional and reasonable.

CACR 46, relating to the right of each educable child to an adequate education, and the proportionality and reasonableness of local taxes for education. Providing that the right of every child to an adequate education shall be enforced by appropriate legislation, that the state may delegate to it's political subdivisions the duty to provide an adequate education, and that a tax imposed to implement such a delegated duty shall be proportional and reasonable.

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.

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

1:30 p.m. **HB 1167-L**, relative to a reapproval process for community mental health programs and area agencies.

1:45 p.m. **HB 1166**, relative to the oversight committee on health and human services.

2:15 p.m. **HB 1174**, establishing a committee to study the state substance abuse treatment delivery systems and relative to certain tests for alcohol concentration.

2:45 p.m. **HB 1562**, excepting cannabis-type drugs from forfeited drugs which may be delivered to the department of health and human services for medical use.

3:15 p.m. **HB 1563**, relative to the professional use of cannabis - type drugs.

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

EDUCATION, Room 105-A, SH

1:00 p.m. **HB 1175-L**, relative to authorizing the state board of education to adopt rules on teacher education programs, teacher certification fees, and recertification standards.

2:00 p.m. **HB 1634**, relative to amending the definition of "educational institution" under the New Hampshire municipal bond bank educational institutions bond financing act.

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.

INSURANCE, Room 101, LOB

8:30 a.m. **HB 1551**, adding dental insurance to the continuing insurance coverage for certain employees.

9:00 a.m. **HB 1402**, allowing members of the general court dental insurance and relative to excess appropriations for the state employee health insurance benefits for fiscal year 1998.

9:30 a.m. **HB 1650**, relative to benefits under the unemployment compensation laws.

10:00 a.m. **HB 1422**, changing unemployment compensation benefits.

JUDICIARY, Room 103, SH

10:15 a.m. **HB 1553-FN**, prohibiting the possession or use of rohypnol, ketamine, and GHB.

11:00 a.m. **HB 583-FN-L**, relative to felonious disarming of a law enforcement officer.

11:30 a.m. **HB 1408**, requiring a criminal background investigation for certain child care agencies.

12:00 p.m. **HB 1516**, requiring a criminal background investigation for certain department of health and human services personnel who come into direct contact with children.

12:30 p.m. **HB 1561-FN**, preventing computer pornography and child exploitation and increasing penalties for possession under the child pornography laws.

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**, 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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

1:30 p.m. **HB 1653**, relative to the composition of the board of barbering, cosmetology, and esthetics.

2:00 p.m. **HB 1334**, establishing the position of deputy adjutant general.

2:30 p.m. **HB 1361**, relative to rulemaking authority, subpoena powers, and establishment of civil penalties by the board of professional engineers.

● **THE FOLLOWING HEARINGS HAVE BEEN RESCHEDULED FROM APRIL 2, 1998**

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

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.

TUESDAY, APRIL 14, 1998

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

1:30 p.m. **HB 1182**, establishing an oversight committee to review the allocation of funds dispersed for the developmental disabilities waitlist.

2:00 p.m. **HB 1421**, relative to review the drugs by the board of nursing and the joint health council.

2:20 p.m. **HB 1498**, authorizing emergency medical care providers to inform patients of transport options.

2:45 p.m. **HB 1631-FN**, extending the moratorium on new nursing home beds.

3:00 p.m. **HB 1658-FN**, relative to prohibiting the cloning of Human Beings in New Hampshire.

TRANSPORTATION, Room 101, LOB

1:00 p.m. **HB 1275-FN**, relative to training for marine patrol officers.

1:15 p.m. **HB 1605**, establishing a study committee on marine patrol services.

1:30 p.m. **HB 1345**, requiring drivers of motor vehicles to obey school crossing guards.

1:45 p.m. **HB 1303-FN-L A**, continually appropriating boating fees and other revenues to the division of safety services .

EXECUTIVE SESSION TO FOLLOW HEARINGS .

WAYS AND MEANS, Room 103, SH

2:45 p.m. **HB 1469-L**, establishing a committee to examine the valuation of public utility property.

3:15 p.m. **HB 1496**, relative to energy facility evaluation.

3:45 p.m. **HB 1189-FN**, increasing the limits of direct off premises sales from breweries and Brew Pubs.

WEDNESDAY, APRIL 15, 1998

EDUCATION, Room 105-A, SH

1:00 p.m. **HB 1414**, relative to review of non-renewal of teachers contracts.

2:00 p.m. **HB 1280-L**, clarifying the procedures for background criminal checks for school employees and volunteers.

2:30 p.m. **HB 1369**, revising the student membership of the university system of New Hampshire board of trustees.

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.

INSURANCE, Room 101, LOB

8:30 a.m. **HB 1423-FN**, modifying the definition of employment under the unemployment compensation statute and assignment of unemployment compensation payments for a claimant's child support obligations.

9:00 a.m. **HB 1148**, relative to review of eligibility for a workers' compensation award where compensation was by lump sum agreement.

9:30 a.m. **HB 1281**, requiring managed care plans to permit a woman to select an obstetrician-gynecologist as a primary care physician or to obtain access for certain obstetrical or gynecological services.

10:00 a.m. **HB 1536**, establishing a committee to study women's health care.

JUDICIARY, Room 103, SH

10:15 a.m. **HB 1500**, relative to powers of appointment.

10:40 a.m. **HB 774**, relative to child support, custodial rights, and visitation.

11:00 a.m. **HB 1347**, preserving relationships between siblings who are separated as a result of court ordered out-of-home placements.

11:20 a.m. **HB 1371** requiring the collection of certain data on children and parents in the state case registry for use in child support enforcement.

11:45 p.m. **HB 1190**, encouraging alternative dispute resolution as an alternative to litigation in domestic relations cases.

12:15 p.m. **HB 480**, revising the law relative to protection of persons from domestic violence.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

1:30 p.m. **HB 1459**, relative to the specificity of administrative rules and the identification of state and federal law in the rulemaking process.

2:00 p.m. **HB 1455**, relative to the publication of administrative rules.

2:30 p.m. **HB 1233**, relative to administrative attachment of regulatory boards and commissions.

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.

3:30 p.m. **HB 1300**, relative to the revenue stabilization reserve account and the health care transition fund.

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".

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TUESDAY, APRIL 21, 1998

TRANSPORTATION, Room 101, LOB

1:00 p.m. **HJR 24-FN**, supporting the initiative to re-elm U.S. Route 1 and urging the Department of Transportation, the office of State Planning, and affected local communities, businesses, residents, and conservation groups to join in and cooperate with voluntary efforts to once again line Route 1 with elm trees.

1:15 p.m. **HB 1114**, relative to registration procedures for the use of antiques plates.

1:30 p.m. **HB 1138-FN-L**, relative to New Hampshire Route 111.

1:45 p.m. **HB 1392**, relative to student drivers.

EXECUTIVE SESSION TO FOLLOW HEARINGS.

WAYS AND MEANS, Room 103, SH

2:45 p.m. **HB 1291-FN**, relative to management of the state ski areas at Mount Sunapee and Cannon Mountain.

3:15 p.m. **HB 1339-FN**, regulating the sale by mail of liquor, wine, and beer.

3:30 p.m. **HB 1210-FN**, relative to the licensing rate for beverage manufacturers.

WEDNESDAY, APRIL 22, 1998

EDUCATION, Room 105-A, SH

1:00 p.m. **HB 1501**, relative to amending certain provisions of the charter school law.

2:00 p.m. **HB 1608**, providing that the membership on any charter commission established in a multi-town school district shall reflect each town's proportionate membership of the district's school board.

2:15 p.m. **HB 1428**, establishing requirements for teachers and teacher preparation programs to ensure that teachers are prepared to teach a broad range of students including exceptional learners.

2:45 p.m. **HB 1429**, amending state board of education rulemaking authority relative to certain educational personnel.

3:15 p.m. **HB 1438**, establishing a committee to study the regulation of personnel employed in early care and education including, but not limited to, center and family-based child care and preschools.

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.

JUDICIARY, Room 103, SH

10:15 a.m. **HB 1191**, relative to limiting the liability of governmental units under certain circumstances.

10:30 a.m. **HB 1622-FN**, relative to remedies and appeals under the whistleblowers' protection act.

11:00 a.m. **HB 1493-FN-L**, relative to clarifying school district liability for certain placements of children pursuant to juvenile proceedings.

11:30 a.m. **HB 1307**, relative to penalties for habitual offenders.

12:00 p.m. **HB 1129**, relative to the penalty and substance abuse treatment for multiple DWI offenders who have previously successfully completed a multiple DWI offender intervention detention center program.

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.

● **THE FOLLOWING BILL HAS BEEN RESCHEDULED FROM APRIL 29, 1998.**

11:15 a.m. **HB 1172**, relative to the number of members on a municipal budget committee.

● **THE FOLLOWING BILL HAS BEEN RESCHEDULED FROM APRIL 1, 1998.**

11:30 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 23, 1998

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

1:30 p.m. **HB 1259**, relative to salary differentials for certain employees of the New Hampshire Hospital.

2:00 p.m. **HB 1234**, establishing an office of volunteerism.

TUESDAY, APRIL 28, 1998

TRANSPORTATION, Room 101, LOB

1:00 p.m. **HB 1198**, relative to the registration of vehicles owned by trusts.

1:15 p.m. **HB 1201-FN**, relative to the use of motor vehicle repair plates.

1:30 p.m. **HB 1223-FN**, repealing the alternative fuel motor vehicle law.

1:45 p.m. **HB 1314**, relative to the enforceable provisions in retail installment contracts for motor vehicles.

EXECUTIVE SESSION TO FOLLOW HEARINGS.

WEDNESDAY, APRIL 29, 1998

JUDICIARY, Room 103, SH

10:15 a.m. **HB 1290-FN**, relative to the authority of the state fire marshal.

10:30 a.m. **HB 1543-FN-L**, relative to disbursement of income of persons held or imprisoned in a county department of corrections facility.

11:00 a.m. **HB 1471**, allowing loss of familial relationship damages in wrongful death actions.

11:30 a.m. **HB 1448**, relative to confidential communication between victims and counselors.

12:00 p.m. **HB 1149**, relative to the power to detain an accused person without a warrant for breach of conditions of release on bail.

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.

● **HB 1279 WAS RECESSED ON MARCH 25, 1998, AND RESCHEDULED TO THIS DATE**

10:45 a.m. **HB 1279 FN-L**, relative to the procedures for vacating uninhabitable or unsafe buildings.

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

12:00 p.m. **HB 1529**, reinstating the corporate charters of Hampstead Garage, Inc., Shannon Ridge Development, Inc., and Raycor Corporation and establishing a committee to study the process for reinstating a corporate charter.

- **HB 1172 HAS BEEN RESCHEDULED TO APRIL 22, 1998**

THURSDAY, APRIL 30, 1998

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

1:30 p.m. **HB 1304-FN**, relative to the qualifications and compensation of division directors of the department of environmental services.

2:00 p.m. **HB 1396**, relative to licensure and training programs for emergency medical services instructor/coordinators.

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.

11:15 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

WEDNESDAY, APRIL 1, 1998

CAPITAL BUDGET OVERVIEW COMMITTEE, Room 201, LOB

9:00 a.m. Meeting

NEW HAMPSHIRE/CANADIAN TRADE COUNCIL MEETING,
Room 120, SH

10:00 a.m. Reports from Executive Committee Meeting,
Complaints on Customs, Old Business, Other

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 to discuss legislative proposals requested by
two Senators and other business.

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

THE DEPARTMENT OF TRANSPORTATION, Rye Town Hall, 10 Central Road in Rye

7:00 p.m. Public Officials Meeting, Reconstruction of Foyes Corner Intersection.

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.

JOINT LEGISLATIVE FACILITIES COMMITTEE, Room 203, LOB

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

NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN COMMISSION, Room 103, SH

9:00-12:00 Meeting

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

JUDICIAL COUNCIL (RSA 494:1), Room 208, LOB

3:00-5:00 Regular 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

DEPARTMENT OF TRANSPORTATION, Town Office, Selectman's Chambers, 50 Nashua Road, Londonderry.

7:30 p.m. Public Officials Meeting, Construction to extend Liberty Drive.

FRIDAY, APRIL 24, 1998

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

9:00 a.m. Regular 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 4, 1998

JOINT HEALTH COUNCIL (RSA 326-B:12), NH Board of Nursing, Room 14, 78 Regional Drive, Building 2, Concord, NH.

6:30 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 457, 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 1336, HB 1337, HB 1338, HB 1350, HB 1354, HB 1456, HB 1473, HB 1490, HB 1526, HB 1541, HB 1545, HB 1573, 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, 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

MONDAY, APRIL 6, 1998

Ninth Annual Legislators Day, Monday, April 6, 1998, at the University of New Hampshire at Durham.

Senator Katherine Wheeler

WEDNESDAY, APRIL 8, 1998

The New Hampshire Public Health Association annual meeting will be held Wednesday, April 8, 1998, from 4-7:30 p.m. at the Carriage House at the Kimball Jenkins Estate, Concord. The topic is "The Tobacco Industry and Public Health: Going Up In Smoke, A National Perspective." Featured Speakers: Micheal Ericksen of the CDC, US Public Health Services and Philip McLaughlin, NH Attorney General.

Senator Katherine Wheeler

THURSDAY, APRIL 16, 1998

The New Hampshire/Vermont direct Marketing Association cordially invites all Legislators and staff to its 3rd Annual Legislative Reception on Thursday, April 16th from 3:30 p.m. to 7:00 p.m., or immediately following the House session at the Holiday Inn, 172 North Main Street, in Concord. Refreshments and hors d'oeuvres will be served.

Senator Jack Barnes

Senator John King

VISITORS' CENTER SCHEDULE – APRIL

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 April, 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>	
4/1			9:15 & 10:45	Bristol Elementary 4 / 60
4/1			1:15	Concord Christian School 9 / 31
4/2			10:00	Newfields Elementary 4 / 24
4/2			12:00	Holderness Central 4 / 24
4/3			9:00	Broken Ground - Concord 4 / 48
4/3			10:30 & 11:45	Maple Avenue - Claremont 4 / 60
4/3			1:00 & 2:15	Lincoln- Akerman - Hampton Falls 3&4/60
4/6			9:00	Broken Ground - Concord 4 / 24
4/6			10:00; 11:00 & 12:00	Hampstead Central
	4 / 60			
4/6			1:30	Library Street - Hudson 4 / 54
4/7			9:00	Broken Ground - Concord 4 / 48
4/7			10:00 & 11:30	Hampstead Central 4 / 60
4/7			1:30	Crossroad Academy/Lyme 5 / 14
4/8			10:00 & 11:15	Rindge Memorial 4 / 50
4/8			1:00	Henniker Elementary 4 / 20
4/8			3:15	Leadership Concord Adults
4/9			8:15	Jennie D. Blake School - Hill 4&5/21
4/9			9:30;10:30; 11:30; 12:30	McClelland School - Rochester
	4 / 100			
4/10			10:00 & 11:15	Bethlehem Elementary 4 / 38
4/10			1:00	Henniker Elementary 4 / 18
4/13			10:00	East Kingston Elementary 4 / 25
4/13			11:00 & 12:15	Linwood Elementary - Lincoln 4 / 36

4/14	10:00 & 11:15	Reeds Ferry - Merrimack	4 / 50
4/14	12:30	Warren Elementary	6 / 14
4/15	10:00 & 11:15	Reeds Ferry - Merrimack	4 / 50
4/15	12:30	Chester Elementary	4 / 50
4/16	10:00 & 11:15	Reeds Ferry - Merrimack	4 / 50
4/16	12:30	Lafayette Regional - Franconia	4 / 22
4/17	9:30 & 11:00	Jaffrey Grade School	4 / 75
4/17	10:30	Surry School	1 to 6 / 52
4/20	9:00 & 10:00	Barnstead Elementary	4 / 60
4/20	11:00 & 1:00	Bedford Memorial School	4 / 80
4/21	10:30 & 11:30	Danville Elementary	4 / 60
4/21	12:30	MT Vernon Village School	4 / 43
4/22	10:00 & 11:00	East Rochester School	4 / 60
4/22	2:00	Laconia Senior Center	18 adults
4/23	9:30;10:30 & 11:30	Interlakes Elementary - Meredith	4 / 75
4/24	10:00 & 11:30	New Searles Elementary - Nashua	4 / 75
4/27	10:00	Dondero Elementary - Portsmouth	4 / 43
4/27	11:00 & 12:00	Little Harbor School - Portsmouth	4 / 80
4/28	10:00 & 11:15	Symonds School - Keene	4 / 60
4/28	12:30	Trinity Homeshool - Bow	3-6 / 20
4/29	10:00	Salisbury Elementary	4 / 12
4/29	12:30	Bluff Elementary - Claremont	4 / 45
4/30	9:30	Seminary Hill - West Lebanon	4 / 40
4/30	11:00	Cornish Elementary	4 / 15
4/30	11:00	Den 1 Pack 610 - Pelham	4 / 5

NOTICE

LEGISLATIVE ETHICS COMMITTEE

AVAILABILITY OF NEW FINANCIAL DISCLOSURE FORM

Copies of the revised "Financial Disclosure Form" are available in the Senate Clerk's Office. For the 1998 session, members may use the form as an addendum to the disclosure form already filed. The new form is also printed below.

Senator Richard L. Russman, Vice-Chairman

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

(over)

- a. health care
- b. insurance
- c. real estate, including brokers, agents, developers, and landlords
- d. banking or financial services
- e. State of New Hampshire, county or municipal employment
- f. the New Hampshire Retirement System
- g. the current use land assessment program
- h. restaurants and lodging
- i. the sale and distribution of alcoholic beverages
- j. the practice of law

- k. any business regulated by the Public Utilities Commission
- l. horse or dog racing, or other legal forms of gambling
- m. education

n. water resources

o. agriculture

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

q. 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, 1999