

June 1, 1998

No. 38

STATE OF NEW HAMPSHIRE

Legislative

SENATE CALENDAR

REPORTS, AMENDMENTS, COMMITTEE OF CONFERNCES,
HEARINGS, MEETINGS, AND NOTICES

THE SENATE WILL MEET IN SESSION ON THURSDAY, JUNE 4, 1998, AT
10:00 A.M.

LAI D ON TABLE

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

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

SB 491, relative to residential care facilities.

SB 508-FN, relative to foundation aid to schools and the Augenblick formula.

HB 1280-L, clarifying the procedures for background criminal checks for school employees and volunteers.

HB 1368, relative to distribution services and metering and billing in electric utility restructuring.

HB 1541, creating a position in the insurance department.

HB 1553, prohibiting the possession or use of rohypnol, ketamine, and GHB.

REPORTS

BANKS

HB 1540-FN, allowing non-banks to establish cash dispensing machines. Vote 6-0

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

CAPITAL BUDGET

HB 1100-FN, relative to the design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the population cap and closing date for the lakes region department of corrections facility, authorizing the department of corrections to establish 2 additional halfway houses and appoint additional probation and parole officers, and making adjustments to the operating budget for fiscal year 1999. Vote 7-1

Ought to pass with amendment, Senator F. King for the committee.

HB 1141-FN-A, relative to a design study for conversion of the Walker building on the New Hampshire hospital grounds and making an appropriation therefor. Vote 7-1

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

ECONOMIC DEVELOPMENT

HB 1397-FN-A-L, reestablishing the investment tax credit against the business profits tax under the community development finance authority. Vote 5-1

Ought to Pass, Senator Johnson for the committee.

HB 1659, prohibiting the use of eminent domain powers by public utilities to take private property for the construction and operation of electric generating plants. Vote 6-0

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 256-FN, establishing uniform adjudicative proceedings for state agencies. Vote 4-3

Inexpedient to legislate, Senator Francoeur for the committee.

HB 587-FN, relative to the system benefits charge. Vote 6-2

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

HB 651-FN-L, relative to electric rate reduction financing. Vote 6-2

Inexpedient to legislate, Senator Rubens for the committee.

HB 721, authorizing municipalities to restrict the advertising of alcohol and tobacco through the exercise of zoning powers. Vote 5-3

Inexpedient to legislate, Senator Patenaude for the committee.

HB 1459, relative to the specificity of administrative rules and the identification of state and federal law in the rulemaking process. Vote 5-0

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

FINANCE

HB 686-FN-A, relative to financing child day care facilities. Vote 7-0

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

HB 730-FN, relative to aggravated felonious sexual assault. Vote 7-0

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

HB 1657, extending the consultant's reporting date for surveying the department of youth development services' facilities. Vote 7-0

Ought to pass with amendment, Senator Fraser for the committee

INTERNAL AFFAIRS

HB 1304-FN, relative to the qualifications and compensation of division directors of the department of environmental services. Vote 5-0

Inexpedient to legislate, Senator Gordon for the committee.

HB 1636-FN, relative to the executive director of fish and game and the fish and game commission. Vote 4-1

Inexpedient to legislate, Senator Russman for the committee.

JUDICIARY

HB 480, revising the law relative to protection of persons from domestic violence.

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

MINORITY REPORT, Interim Study, Senator D. Wheeler for the committee. Vote 2-6

HB 583-FN-L, relative to felonious disarming of a law enforcement officer. Vote 5-2

Ought to Pass, Senator Cohen for the committee.

HB 1191, relative to limiting the liability of governmental units under certain circumstances.

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

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

HB 1600, relative to the multiple DWI offender intervention detention center program. Vote 6-0

Ought to Pass, Senator Podles for the committee.

PUBLIC AFFAIRS

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.

MAJORITY REPORT, Ought to Pass, Senator Rubens for the committee. Vote 5-2

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

PUBLIC INSTITUTIONS, HEALTH AND HUMAN SERVICES

HB 1174, establishing a committee to study the state substance abuse treatment delivery system and relative to certain tests for alcohol concentration. Vote 5-2

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

HB 1283, establishing a 4-year term for the commissioner of the department of corrections. Vote 5-2

Inexpedient to legislate, Senator D. Wheeler for the committee.

TRANSPORTATION

HB 1389-FN-L, relative to agreements for telecommunications-related uses of the state highway system. Vote 5-0

Ought to pass with amendment, Senator Cohen for the committee

HB 1629, relative to walking disability plates and placards. Vote 3-2

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

WILDLIFE & RECREATION

HB 272, relative to boat docking facilities.

MAJORITY REPORT, Inexpedient to legislate, Senator Cohen for the committee. Vote 4-3

MINORITY REPORT, Ought to Pass, Senator Patenaude for the committee. Vote 3-4

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. Vote 6-1

Ought to Pass, Senator Roberge for the committee.

HB 1106-FN, relative to special deer permits. Vote 5-0

Ought to Pass, Senator Danaïs for the committee.

HB 1160, relative to the definitions of the terms "farm," "agriculture," and "farming." Vote 6-0

Interim Study, Senator K. Wheeler for the committee.

HB 1331-FN, relative to granting special hunting and fishing licenses to persons aged 68 or over for trapping. Vote 4-3

Ought to Pass, Senator McCarley for the committee.

HB 1588-FN, relative to causing injury to a police dog or horse. Vote 5-1

Inexpedient to legislate, Senator Roberge for the committee.

AMENDMENTS

Banks

May 12, 1998

1998-1735s

09/01

Amendment to HB 1540-FN

Amend the bill by replacing section 1 with the following:

1 New Chapter; Cash Dispensing Machines Established by Non-Banks. Amend RSA by inserting after chapter 399-E the following new chapter:

CHAPTER 399-F

CASH DISPENSING MACHINES

ESTABLISHED BY NON-BANKS

399-F:1 Definitions. In this chapter:

I. "Bank" means any bank, commercial bank, savings bank, trust company, building and loan association, savings and loan association, savings association, cooperative bank, credit union, or similar banking or credit union organization chartered by this or any other state or by the federal government.

II. "Cash dispensing machine":

(a) Means an electronic device that, operating in conjunction with a processor and network, allows a consumer to debit an account in exchange for dispensing cash.

(b) Does not mean a point-of-sale device as defined by the commissioner pursuant to RSA 384-B:7.

III. "Commissioner" means the New Hampshire bank commissioner appointed under the provisions of RSA 383:1.

IV. "Establish" means to own, lease, or otherwise legally control.

V. "Network" means a person who engages primarily in the establishment and maintenance of a computer-operated system of transmitting items and messages between banks, processors, and cash dispensing machines or similar electronic devices.

VI. "Operator" means the person who owns, leases, or otherwise legally controls a cash dispensing machine.

VII. "Person" means any natural person, partnership, corporation, or other business association recognized under New Hampshire law.

VIII. "Processor" means a person who electronically acquires financial data emanating from a cash dispensing machine and relays such data to a network.

IX. "Servicing agent" means a person who contracts with an operator to place, lease, or sell the cash dispensing machines or brokers a contract with an operator on behalf of another to place, lease, or sell cash dispensing machines, and/or contracts to provide consumer relations, financial recordkeeping, or similar services in regard to a cash dispensing machine.

399-F:2 Cash Dispensing Machines; Administration of Chapter and Licensing. The bank commissioner shall administer the investigation and licensing of each cash dispensing machine located within this state and each person or entity acting as a servicing agency of cash dispensing machines within this state. In administering this chapter, the bank commissioner shall ensure the security of federally insured deposit accounts and the privacy of consumer financial information. The commissioner shall, pursuant to RSA 541-A, adopt such rules as the commissioner deems necessary for the administration and enforcement of this chapter.

399-F:3 Staff. The commissioner shall appoint one full-time classified employee who shall be qualified by training and experience to perform the duties of the position to enforce and implement the purposes and requirements of this chapter. The salary, traveling expenses, and all expenses of administration and enforcement of the provisions of this chapter shall be paid out of fees, fines, and charges received from licenses issued under this chapter.

399-F:4 Establishment of Cash Dispensing Machines.

I. No person shall establish a cash dispensing machine unless it:

- (a) Does not accept deposits, loan payments, or effectuate account transfers;
- (b) Is not operated in such a way as to violate the Electronic Funds Transfer Act, 15 U.S.C. 1693 et seq. or regulations promulgated thereunder; and
- (c) Is in complete and accurate compliance with the provisions of RSA 399-F:3.

II. Paragraph I shall not apply to and this chapter shall not govern any cash dispensing machine or similar electronic device established by a bank.

399-F:5 License Required.

I. Prior to the activation of any cash dispensing machine in this state, its operator shall file with the commissioner a written license application under oath in a form prescribed by the commissioner. Prior to placing, selling, leasing, or brokering the placement, sale, or lease of a cash dispensing machine in this state a servicing agent shall file with the commissioner a written license application under oath in a form prescribed by the commissioner. The application shall contain at a minimum:

- (a) The name, address, and telephone number of the operator or services;
- (b) For operators, the cash dispensing machine's proposed location name and address;
- (c) For operators, the proposed activation date of the cash dispensing machine;
- (d) The types of transactions available on the machine or machines;
- (e) The processor's name, address, and telephone number;
- (f) For operators, the servicing agent's name, address, and telephone number;
- (g) The dated signature, name, title, address, and telephone number of the person completing the application; and
- (h) Such other pertinent information as the bank commissioner may require.

II. The license fee for each license year or part thereof shall accompany the application and shall be as follows:

- (a) For an operator, the sum of \$150 for each cash dispensing machine to be established and operated in this state.
- (b) For a servicing agent, the sum of \$350,000.

III. Operator licenses shall be affixed to the specific cash dispensing machine authorized to be operated by the license. Servicing agent licenses shall be displayed at the main office of the licensee, if located in this state. If the licensee does not maintain an office in this state, the licensee shall appoint a New Hampshire agent, and shall display such license at the office of its New Hampshire agent.

IV. Licenses issued under this chapter shall expire on July 1 of each calendar year.

V. Licenses shall not be transferable or assignable. Termination and relocation of machines may be accomplished in accordance with rules adopted by the commissioner pursuant to RSA 541-A. Transfer of licenses to terminals other than those authorized by the license shall be:

- (a) Sufficient cause for license revocation, suspensions or denial; and
- (b) A violation of this chapter.

VI.(a) Upon the filing of an application for an operator license and payment of the required fee, if the commissioner determines that the applicant's experience and record of past or proposed conduct warrant the public's confidence and that the business will be operated lawfully, honestly and fairly within the purposes of this chapter, the commissioner shall approve such application and shall issue a license to the applicant to engage in the business of an operator under and in accordance with the provisions of this chapter. No operator licensee shall transact any business provided for by this chapter at any other location or at any other cash dispensing machine without a separate license for such machine at such location.

(b) Upon the filing of an application for a servicing agent license and payment of the required fee, if the commissioner determines that the applicant's financial resources and responsibility, experience, personnel, and record of past or proposed conduct warrant the public's confidence and that the business will be operated lawfully, honestly, and fairly within the purposes of this chapter, and that the applicant, its managers, officers and directors have not been convicted of any crime involving theft, fraud or similar offense, and that none of such persons has a record of having defaulted in the payment of money, including the discharge of debts through bankruptcy proceedings, then the commissioner shall approve such application and shall issue a license to the applicant to engage in the business of a servicing agent under and in accordance with the provisions of this chapter.

399-F:6 Required Consumer Disclosures.

I. An operator shall clearly and conspicuously disclose on a sign posted on the cash dispensing machine or in clear view of a consumer viewing the cash dispensing machine:

(a) The name of the operator.

(b) A disclaimer indicating that the operator is not a bank nor a credit union;
and

(c) The name, address, and 24-hour toll-free telephone number where a consumer may direct inquiries or complaints.

II. An operator shall not charge a fee for use of a cash dispensing machine unless the amount of the fee is clearly and conspicuously disclosed:

(a) On a sign posted on the cash dispensing machine or in clear view of a consumer viewing the cash dispensing machine; and

(b) Electronically during the course of the transaction in a manner that permits the consumer to cancel the transaction without incurring the fee.

III. Failure to comply in good faith with the provisions of this section shall constitute an unfair or deceptive act or practice under RSA 358-A:2.

399-F:7 Fee Collection.

I. Sums collected under this chapter shall be payable to the state treasurer as restricted revenue and credited to the appropriation for the commissioner.

II. Any fees collected in excess of the cost of administration of this chapter shall lapse to the general fund.

399-F:8 Powers of the Bank Commissioner. The commissioner shall have the power to issue subpoenas to persons or entities, whether claiming exemption from this chapter or not, in association with investigations of violations of this chapter. Such subpoenas may compel the production of files, books, and documents, whether in paper or electronic form, and/or the testimony of any person.

399-F:9 Examinations; Cease and Desist Orders. The commissioner may examine the business affairs of any licensee or any other person, whether licensed or not, as the commissioner deems necessary to determine compliance with this chapter and rules adopted pursuant to it. The cost of any such examination shall be chargeable and paid in accordance with the provisions of RSA 383:11, I. The commissioner may issue cease and desist orders whenever the commissioner has reason to believe that a violation of this chapter is occurring or has occurred. The commissioner make seek enforcement of a cease and desist order issued pursuant to his section in any superior court in the state, and the court may order such relief, including but not limited to the commissioner's costs in bringing any such action, as the court may deem just and proper.

399-F:10 Reporting Requirements.

I. Each operator licensee under this chapter shall file, by June 1 of each year, a complete written schedule of all fees and charges assessed terminal users for transactions originated at the operator's terminal or terminals for the current license year, on a form prescribed by the commissioner. Each servicing agent licensee under this chapter shall file by June 1 of each year, on a form prescribed by the commissioner, a complete written schedule of all terminals which the licensee placed, leased, sold, brokered, or serviced during the current license year. The commissioner shall include a compilation of the information filed pursuant to this section in the commissioner's annual report.

II. Any servicing agent licensee failing to file the report required by this section within the time prescribed shall pay to the commissioner a penalty of \$25 for each calendar day the report is overdue. Operator licensees failing to file the report required by this section shall pay to the commissioner a penalty of \$5 for each calendar day the report is overdue.

399-F:11 Consumer Complaints. A user of a cash dispensing machine having reason to believe that any provision of this chapter or rules adopted hereunder has been violated may file with the commissioner a written complaint setting forth the details of the alleged violation. The commissioner and licensees under this chapter shall comply with the requirements of RSA 361-A:4-a relative to processing and responding to consumer complaints.

399-F:12 Waivers, Prohibited Acts, Penalties.

I. The waiver of any provision of this chapter or rules adopted pursuant to this chapter which provide protections for users or operators shall be unenforceable and void.

II. No licensee under this chapter shall assess a surcharge or other transaction fee that is calculated using a formula based upon the dollar amount of the electronic funds transfer transaction.

III. Any person or entity engaging in the business of an operator or servicing agent without a license as required under this chapter shall be subject to license suspension, revocation, or denial. The commissioner may, as an alternative or in addition to license suspension, revocation, or

denial, assess money penalties in accordance with rules adopted by the commissioner pursuant to RSA 541-A.

Capital Budget

May 28, 1998

1998-1935s

09/01

Amendment to HB 1100-FN

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

AN ACT relative to the design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the closing date for the lakes region department of corrections facility, authorizing the department of corrections to establish 2 additional halfway houses and appoint additional probation and parole officers, making adjustments to the operating budget for fiscal year 1999 and relative to agreements between the state and the city of Laconia regarding the lakes region correctional facility and the transfer of certain property.

Amend the bill by replacing section 5 with the following:

5 Closing Date on Lakes Region Department of Corrections Facility Removed.
Notwithstanding the provisions of 1991, 351:27, the authority to operate the lakes region department of corrections facility shall extend beyond July 1, 1998.

Amend the bill by replacing all after section 6 with the following:

7 Supplemental Appropriations. In addition to any other sums for the fiscal year ending June 30, 1999, the following appropriations and changes are hereby authorized for the following departments and agencies. Said appropriations shall be a charge against the funds as specified in the individual appropriation:

01 general government fy 1999

08 state treasury

04 special general fund distrib

strike out

43 debt service (treasury) * f 63,250,194

Insert in place thereof

44 Debt service (treasury) * f 62,557,766

Strike out

Total 136,387,927

Estimated source of funds for

Special general fund distrib

General fund 136,387,927

Total 136,387,927

Insert in place thereof

Total 135,695,499

Estimated source of funds for

special general fund distrib

General fund 135,695,499

Total 135,695,499

02 Admin of justice & public prtn.

16 Department of corrections

01 Office of commissioner

01 Administration

Strike out

90 Correction & supervision svcs * 7,383,848

Insert in place thereof

90 Correction & supervision svcs * 1,000,000

Strike out

Total	11,650,451
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Estimated source of funds for
administration

General fund	11,650,451
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Total	11,650,451
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Insert in place thereof

Total	5,266,603
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Estimated source of funds for
administration

General fund	5,266,603
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Total	5,266,603
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02 Admin of justice & public prtn

16 Department of corrections

04 Division of field services

01 Bureau of district offices

Strike out

10 Personal services - permanent	3,283,420
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Insert in place thereof

10 Personal services - permanent	3,491,451
----------------------------------	-----------

Strike out

20 Current expenses	166,175
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Insert in place thereof

20 Current expenses	176,902
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Insert

30 Equipment new/replacement	143,500
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Strike out

60 Benefits	1,075,973
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Insert in place thereof

60 Benefits	1,140,461
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Strike out

70 In-state travel	73,101
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Insert in place thereof

70 In-state travel	85,801
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Insert

80 Out-of state travel	3,000
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Insert

90 Two halfway houses *	249,982
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* This appropriation may, with the approval of the fiscal committee and governor and council, be expended for the implementation of 2 new halfway houses. Expenditures may include, but are not limited to temporary personnel services.

Strike out

Total	5,079,411
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Estimated source of funds for

bureau of district offices

General fund	5,079,441
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Total	5,079,441
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Insert in place thereof

Total	5,771,869
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Estimated source of funds for

bureau of district offices

General fund	5,771,869
Total	5,771,869

02 Admin of justice & public prtn

16 Department of corrections

07 Lakes region facility

01 Lakes region facility

Insert

10 Personal services - permanent	2,362,553
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Insert

11 Personal services-unclassified	53,774
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Insert

18 Overtime	143,441
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Insert

19 Holiday pay	85,000
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Insert

20 Current expenses	129,396
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Insert

21 Food institutions D	270,000
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Insert

22 Rents & leases other than state	4,538
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Insert

23 Heat, electricity & water	500,236
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Insert

24 Maint. other than build.& grnds	24,781
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Insert

46 Consultants 0

Insert

47 Own forces maint.-build.&grnds g 98,348

Insert

48 Contractual maint.-build&grnds g 72,363

Insert

49 Transfrs to other state agencs d 439,754

Insert

50 Personal service-temp/appointe 27,010

Insert

60 Benefits 821,944

Insert

70 In-state travel 5,000

Insert

91 Winnipесаukее river basin 25,000

Insert

94 Uniforms 30,000

Insert

95 Inmate clothes 45,000

Insert

96 Inmate wages 128,000

Insert

97 Gate money 7,000

Insert

Total	5,273,138
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Estimated source of funds for

lakes region facility

01 Transfers from other agencies I	131,722
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General fund	5,141,416
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Total	5,273,138
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02 Admin of justice & public prtn

16 Department of corrections

07 Lakes region facility

03 Pathways

Insert

59 Part-time - benefited	948,421
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Insert

60 Benefits	294,011
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Insert

Total	1,242,432
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Estimated source of funds for

pathways

General fund	1,242,432
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Total	1,242,432
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05 Health and social services

01 Dept of health and human svcs

05 Division of mental health

03 Bureau developmental services

03 Community residences

Strike out

49 Transfrs to other state agencs

Insert in place thereof

49 Transfrs to other state agencs 68,983

Strike out

90 Building maintenance-Laonia 68,983

05 Health and social services

01 Dept of health and human svcs

05 Division of mental health

07 Bureau of substance abuse svcs

07 Multiple offender program

Strike out

49 Transfrs to other state agencs 6,500

Insert in place thereof

49 Transfrs to other state agencs 69,239

Strike out

90 Building maintenance-Laonia 62,739

06 Education

04 Dept of postsecondary tech edu

04 nhtc - Berlin-Laonia

05 Lakes region facty educ progm

Insert

10 Personal services - permanent 284,619

Insert

18 Overtime 1

Insert

20 Current expenses 11,526

Insert

22 Rents & leases other than state 4,200

Insert

23 Heat, electricity & water d 100

Insert

24 Maint. other than build .& grnds 4,000

Insert

30 Equipment new/replacement 40,000

Insert

47 Own forces maint.-build. & grnds g 100

Insert

48 Contractual maint.-build & grnds g 100

Insert

50 Personal service-temp/appointe 3,600

Insert

59 Part-time - benefited 1

Insert

60 Benefits 88,507

Insert

70 In-state travel 1,000

Insert

80 Out-of state travel 1,000

Insert

94 Staff development 1,000

Insert

Total 439,754

Estimated source of funds for

Lakes region facty educ progm

01 transfers from other agencies i 439,754

total 439,754

8 Adjustment of Amounts, Figures, Estimates and Totals. The commissioner of administrative services shall adjust all amounts, figures, estimates and totals for 1997, 350, the 1998-1999 operating budget, as made necessary by the passage of this act.

9 Agreement Between the State and the City of Laconia. The state of New Hampshire shall covenant and agree:

I. To restrict the number of incarcerated persons at the lakes region correctional facility to 300 residents.

II. That all lakes region correctional facility inmates will reside there for the purpose of receiving educational services or vocational training.

III. That the state will not construct or relocate fences without the express consent of the city of Laconia.

IV. That the state will cooperate with the city of Laconia to construct buffers which may be required to reduce the visual impact of the correctional facility.

V. That the state will not expand the residential facility for incarcerated persons beyond the buildings and area occupied by the inmates of the facility on the effective date of this act.

VI. That these covenants shall be recorded at the Belknap county registry of deeds and shall be strictly enforceable by the city of Laconia.

10 Property Transfer from the State to the City of Laconia.

I. The state shall transfer to the city of Laconia:

(a) A parcel of property located south of Parade Road and west of Old North Main Street.

(b) A parcel of land located north of Eastman Road and west of Meredith Center Road.

II. The parcels transferred under paragraph I shall be transferred subject to a permanent deed restriction that the premises be used exclusively for public recreational purposes. The city shall provide adequate off road parking on each parcel and shall construct no structures on either parcel except for public sanitary facilities.

11 Agreement to Install Sidewalks. The state agrees to install sidewalks along both sides of Route 3, between its intersection with Route 11-B and Tower Street, and both sides of Route 11-B between its intersection with Route 3 to a point ½ mile south of the intersection.

12 Agreement to Transfer Ahern State Park. The state agrees to transfer land currently held by the department of resources and economic development and known as Ahern state park (also known as Governor's state park) to the city of Laconia, subject to the following:

I. The state of New Hampshire shall retain ownership of no less than 10 shorefront acres for the purpose of providing public boat launching facilities. The state shall also retain a right-of-way to access the retained property.

II. Use of the property shall be restricted to recreational purposes and conservation easements shall be reserved to protect the property from future transfer or development.

III. The city of Laconia shall maintain the premises and shall not place residency restrictions on use of the premises.

IV. The city of Laconia shall operate and maintain the recreational facility with the exception of the state-owned boat launch.

V. If the city of Laconia fails to maintain and operate the premises in such a manner as to provide safe, clean, and generally available recreational opportunities for the public, ownership of the property shall revert to the state.

13 Transfer of Property From State to City of Laconia. The state shall transfer to the city of Laconia a certain parcel of land north of Lane Road and east of Meredith Center Road. This parcel shall be transferred without restriction in its use.

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

1998-1935s

AMENDED ANALYSIS

This bill authorizes the division of public works, department of transportation and the department of corrections to develop and issue a request for proposals for design and construction of a 500-bed medium security prison. The bill establishes certain criteria for the bidding process.

The bill makes an appropriation to the department of corrections for the design and construction of the new medium security prison and for furnishings and equipment for inmates of the new prison.

The bill removes the July 1, 1998 closing date for the lakes region department of corrections facility.

The bill authorizes the commissioner of corrections to establish 2 additional halfway houses and appoint 10 additional probation and parole officers, within the limits of funds already appropriated.

The bill also makes adjustment to the operating budget for fiscal year 1999, for the purposes of this bill.

This bill also directs the state to enter into an agreement with the city of Laconia regarding the lakes region correctional facility and certain property transfer.

Capital Budget

May 28, 1998

1998-1928s

10/01

Amendment to HB 1141-FN-A

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

AN ACT relative to authorizing the use of appropriated funds for the design study for conversion of the Walker building on the New Hampshire hospital grounds and for renovation of a certain state office building; relative to extending an appropriation to the University System for construction on the Dimond Library; and relative to capital appropriations for certain department of safety projects.

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

1 Department of Administrative Services; Use of Appropriated Funds for the Walker Building Design Study and for Renovations of a Certain State Office Building. The commissioner of administrative services is authorized to expend the sum of \$150,000, from the funds originally appropriated by 1991, 355:115, for the purpose of funding the design, study, and schematic plan development for conversion of the Walker building on the New Hampshire hospital grounds to an office complex. Such design, study, and schematic plan shall focus on low intensity uses and shall review the issue of adequate parking. The commissioner of administrative services is further authorized to expend any unused balance of funds originally appropriated by 1991, 355:115 to be

used for the study, design, and necessary renovation of the state office building located in Concord at 61 South Spring Street for state office space. Funds shall not be spent, obligated, or encumbered for renovations of the 61 South Spring Street building until the commissioner submits an action plan for approval by the capital budget overview committee.

2 Capital Appropriation to Department of Safety; Projects Sums Combined; Footnote Added. Amend 1997, 349:4, by amending all after paragraph I, to read as follows:

II. Department of safety

A. Dover Point Substation addition, ~~[\$ 195,000]~~

B.] Warehouse/Epping station ~~[\$ 195,000]~~ **\$390,000**

~~[C.]~~ **B.** Microwave system upgrade * \$ 500,000

Total state appropriation paragraph II \$ 890,000

Total state appropriation section 4 \$ 4,790,000

From the funds appropriated in subparagraph II.B. for microwave system upgrade, the commissioner of safety may transfer, if available, the sum of \$70,000 from the available balance to the projects authorized in subparagraph II.A.

* The bonds issued for these projects shall be 5-year bonds.

3 Lapse Date Extended; Dimond Library Construction; University of New Hampshire. The appropriation made to the University System of New Hampshire in 1993, 359:2, F, as extended by 1994, 171:1, for construction on the Dimond Library - UNH, is hereby extended to June 30, 1999.

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

1998-1928s

AMENDED ANALYSIS

This bill:

I. Authorizes the department of administrative services to expend certain appropriated funds for the design study, and plan for conversion of the Walker building, and for the renovation of the state office building in Concord at 61 South State Street.

II. Changes certain capital appropriations to the department of safety for certain projects.

III. Extends an appropriation for construction on the Diamond Library at the University of New Hampshire.

Economic Development

May 29, 1998

1998-1953s

03/08

Amendment to HB 1659

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

AN ACT prohibiting the use of eminent domain powers by public utilities to take private property for the construction and operation of electric generating plants and relative to exemption for electric generation companies from public utility status.

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

4 Public Utilities; Definition of Terms; Utilities Exempted; Electric Generation Companies, When Public Utilities. Amend RSA 362:4-c to read as follows:

362:4-c Electric Generation Companies, When Public Utilities.

I. The term "public utility" shall not include ***any entity determined by the Federal Energy Regulatory Commission to be an exempt wholesale generator, nor shall it include*** any corporation, company, association, limited liability company, joint stock association, partnership or person, their lessees, trustees or receivers appointed by any court, solely by virtue of owning, operating, or managing any plant or equipment or any part of the same which has received a certificate of site and facility as an energy facility or as a bulk power supply facility pursuant to RSA 162-H after July 1, 1998, or are sold after July 1, 1998, for the generation or sale of electricity or for transmission of electricity from such a plant to an interconnection with the transmission grid. General or facility-specific safety and reliability standards established by the commission for electric generation facilities shall also apply to those facilities exempted from public utility regulation under this paragraph.

II. Any entity exempted by this section may seek public utility status from the commission if it so chooses.

5 Contingency. If SB 341 becomes law before the passage of this act, section 4 of this act shall take effect upon its passage. If SB 341 becomes law after the passage of this act, section 4 of this act shall take effect at 12:01 a.m. on the effective date of SB 341. If SB 341 does not become law, section 4 of this act shall not take effect.

6 Effective Date.

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

II. Section 4 of this act shall take effect as provided in section 5.

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

1998-1953s

AMENDED ANALYSIS

This bill prohibits the use of eminent domain powers by public utilities to take private property for the construction and operation of electric generating plants. This bill also exempts certain wholesale generators from regulation as public utilities.

Senate Executive Departments and Administration

June 1, 1998

1998-1954s

03/08

Amendment to HB 587-FN

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

AN ACT relative to the system benefits charge and the composition of the nuclear decommissioning financing committee.

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

2 System Benefits Charge; Limitations. Amend RSA 374-F:4, VIII to read as follows:

VIII.**(a)** The commission is authorized to order such charges and other service provisions and to take such other actions that are necessary to implement restructuring and that are substantially consistent with the principles established in this chapter. The commission is authorized to require that distribution and electricity supply services be provided by separate affiliates.

(b) The system benefits charge referred to in RSA 374-F:3, VI shall be limited as follows:

(1) During the first year after competition is certified to exist pursuant to RSA 38:36, the portion of the system benefits charge due to energy efficiency programs, new renewable programs, and programs for low income customers shall not exceed 1.5 mills per kilowatt hour for any utility whose rates are at or above regional average as determined by the commission.

(2) During the second year after competition is certified to exist pursuant to RSA 38:36, the portion of the system benefits charge due to energy efficiency programs, new renewable programs, and programs for low income customers shall not exceed 1.5 mills per kilowatt hour for any utility whose rates are at or above regional average as determined by the commission.

(c) The portion of the system benefits charge due to programs for low income customers shall not exceed 1.5 mills per kilowatt hour. The authority of the commission to impose such a charge shall terminate on June 30, 2003.

(d) The limitations of the system benefits charge in subparagraph (b) shall not apply to any member controlled electric cooperative.

(e) Targeted conservation and load management programs and incentives that are part of a strategy to minimize distribution costs shall be included in the distribution charge, and not included in a system benefits charge.

(f) Beginning in 1999, the commission shall submit a report to the legislative oversight committee on electric utility restructuring by October 1 of each year. The report shall concern the results and effectiveness of the system benefits charge.

3 Public Safety and Welfare; Decommissioning of Nuclear Electric Generating Facilities; Committee Established; Composition. RSA 162-F:15, II is repealed and reenacted to read as follows:

II. Each committee shall consist of one person who is a resident of the town or city in which the facility is to be located and who shall be appointed by the selectmen of the town or the mayor and council of the city, the chairman of the public utilities commission, one senator who is a member of the executive departments and administration committee, or its successor, to be appointed by the senate president, one house member, who is a member of the science, technology, and energy committee, or its successor, to be appointed by the speaker of the house, the state treasurer or designee, the commissioner of the department of health and human services or designee, the commissioner of the department of safety or designee, and the director of the governor's office of energy and community services or designee.

4 Contingency. If SB 140 of the 1998 regular session becomes law before the passage of this act, section 3 of this act shall take effect upon the passage of this act. If SB 140 of the 1998 regular session becomes law after the passage of this act, section 3 of this act shall take effect at 12:01 a.m. on the effective date of SB 140. If SB 140 of the 1998 regular session does not become law, section 3 of this act shall not take effect.

5 Effective Date.

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

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

1998-1954s

AMENDED ANALYSIS

This bill establishes limits on the amount of system benefits charge that may be assessed during the initial years of retail electric competition and prohibits the use of the charge for programs for low income customers after July 1, 2003. This bill also requires the public utilities commission to submit an annual report on the systems benefit charge and changes the membership of the nuclear decommissioning financing committee.

Senate Executive Departments and Administration

May 29, 1998

1998-1952s

04/08

Amendment to HB 1459

Amend RSA 541-A:3-a as inserted by section 1 of the bill by replacing it with the following:

541-A:3-a Specificity of Rules; Identification of State or Federal Law.

I. If an agency proposes a rule pursuant to RSA 541-A:3 or 541-A:19, the agency shall identify the specific section or sections of state or federal statutes or regulations which the rule is intended to implement in the notice required pursuant to RSA 541-A:6 and 541-A:19, II, and either in the rule, or in a separate cross-reference table pursuant to paragraph II. The notice shall be in such form as the director of legislative services shall prescribe until otherwise provided by the drafting and procedure manual adopted pursuant to RSA 541-A:8. The identification in the rule shall be made in the manner specified in the drafting and procedure manual.

II. If the specific section or sections of state statute or federal statute or regulation required by paragraph I are not identified in the rule itself, the agency shall file the information in a separate cross-reference table with each filing of the proposed or adopted rule other than an emergency rule. The agency shall make the table available to the public with a proposed or adopted rule whenever the rule is made available to or requested by the public. Unless otherwise specified by the drafting and procedure manual, the table shall be filed as an appendix to the rule and, when the rule is published pursuant to RSA 541-A:15, shall be published as an appendix to the rule chapter containing the rule.

III. General references to the name or title of a state or federal statute or regulation shall not suffice for the purposes of this section. To the extent that specific provisions of the proposed rule are designed to implement different sections or provisions of state or federal statutes or regulations, the agency shall reference the state or federal statute or regulation as provided in paragraph I, with the provision of the proposed rule that is intended to implement that statute or regulation.

1998-1952s

AMENDED ANALYSIS

This bill requires that every administrative rule adopted by all agencies under the Administrative Procedures Act, identify in the rule itself or in a cross-reference table filed with the rule the specific state or federal statute or regulation which the rule is designed to implement.

This bill is a request of the joint legislative committee on administrative rules.

Senate Finance

May 29, 1998

1998-1947s

04/08

Amendment to HB 686-FN-A

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-6 to read as sections 6-9, respectively:

3 New Paragraph; Child Care Provider; Definition. Amend RSA 195-D:3 by inserting after paragraph XVII the following new paragraph:

XVIII. "Child care provider" means a provider of child day care as defined in RSA 170-E:2, III, including a child day care agency as defined in RSA 170-E:2, IV, and any other not-for profit or charitable institution, public or private, which is exempt from federal taxation pursuant to the Internal Revenue Code of 1986 as amended, 26 U.S.C. section 501, et seq. , and which provides or otherwise assists in the provision of facilities, equipment, services, or economic assistance of any type to a child day care agency.

4 Higher Educational Building Corporation; Definition of "Project" Amended. Amend RSA 195-D:3, II (a) to read as follows:

(a) In the case of a participating educational institution, means any structure designed for use as a dormitory or other housing facility, dining facility, student union, academic building, administrative facility, library, classroom building, research facility, faculty office facility, athletic facility, health care facility, laboratory, maintenance, storage or utility facility ***child day care facility***, or other building or structure essential, necessary or useful for instruction in a program of education provided by an institution for secondary or postsecondary education or higher education, ***or in a program provided by a child care provider***, or any multi-purpose structure designed to combine 2 or more of the functions performed by the types of structures enumerated above, and shall include all real and personal property, lands, improvements, driveways, roads, approaches, pedestrian access roads, rights-of-way, utilities, easements, machinery and equipment, and all other appurtenances and facilities either on, above or under the ground which are used or

usable in connection with any of the aforementioned structures, and shall also include landscaping, site preparation, furniture, machinery, equipment and other similar items necessary or convenient for the operation of a particular facility or structure in the manner for which its use is intended, but shall not include such items as books, fuel, supplies, or other items which are customarily considered as a current operating charge and;

5 Higher Educational Building Corporation; Definition of "Participating Educational Institution" Amended. Amend RSA 195-D:3, VI to read as follows:

VI. "Participating educational institution" means an institution for postsecondary education or higher education ~~[or]~~, an institution for secondary education, ***or a child care provider*** which, pursuant to the provisions of this chapter undertakes the financing and construction or acquisition of a project or undertakes the refunding or refinancing of bonds or other obligations or of a mortgage or of advances as provided in and permitted by this chapter.

1998-1947s

AMENDED ANALYSIS

This bill establishes a non-profit child day care loan program through the department of health and human services and includes child care providers and child care agencies among the entities eligible to receive funds from the higher educational building corporation.

Senate Finance

June 1, 1998

1998-1957s

09/01

Amendment to HB 730-FN

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

3 New Paragraphs; Definitions; Lifetime Supervision; Lifetime Supervision Conditions.
Amend RSA 504-A:1 by inserting after paragraph I the following new paragraph:

I-a. "Lifetime supervision" means a sentence under the provisions of RSA 632-A:10-a, V(a).

I-b. "Lifetime supervision conditions" means the restrictions and limitations established by the court or the department of corrections for persons sentenced to lifetime supervision under RSA 632-A:10-a, V(a).

4 Lifetime Supervision Added; Authority of Probation and Parole Officers. Amend RSA 504-A:12, II to read as follows:

II. To take charge of and to provide supervision to persons placed on probation ~~[or]~~, parole, ***or lifetime supervision***, attempting to assist them in establishing law-abiding lives while monitoring their behavior through office, home, work, and other contacts to insure that they comply with their probation ~~[or]~~, parole, ***or lifetime supervision*** conditions.

5 Lifetime Supervision. RSA 632-A:10-a, V(a) is repealed and reenacted to read as follows:

V.(a) When a defendant pleads or is found guilty of aggravated felonious sexual assault under RSA 632-A:2, I(l), the judge may include in sentencing, in addition to any other penalties provided by law, a special sentence of lifetime supervision by the department of corrections. The defendant shall comply with the conditions of lifetime supervision which are imposed by the court or the department of corrections. Violation of any terms of lifetime supervisions shall be deemed contempt of court. The special sentence of lifetime supervision shall begin upon the release of the offender from incarceration, parole or probation.

6 Effective Date.

I. Sections 3-5 of this act shall take effect January 1, 1999 at 12:01 a.m.

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

1998-1957s

AMENDED ANALYSIS

This bill makes it aggravated felonious sexual assault when a defendant uses a position as a provider of therapy or medical treatment to coerce a victim to submit to sexual penetration.

This bill clarifies that an offender who receives a special sentence of lifetime supervision for aggravated sexual assault of a victim less than 13 years of age, pursuant to the provisions of 1998, chapter 7 (HB 517-FN), shall be under the supervision of the department of corrections.

Senate Finance

May 29, 1998

1998-1944s

04/08

Amendment to HB 1657

Amend 1997, 351:67 as inserted by section 1 of the bill to read as follows:

351:67 Appropriation; Department of Administrative Services. The sum of \$50,000 is appropriated to the department of administrative services, bureau of general services, for the fiscal year ending June 30, 1998, for the purpose of contracting with a consultant to perform a site feasibility, architectural, and long-range needs survey of department of youth development services' facilities. The consultant shall be selected by the capital budget overview committee. The consultant shall complete the survey and submit a report on or before [~~January 1, 1998~~] **October 1, 1998**, to the capital budget overview committee for its approval. The consultant shall also submit the report to the chairpersons of the public works and highway committee, and the house and senate finance committees for informational purposes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

1998-1944s

AMENDED ANALYSIS

This bill extends the consultant's reporting date from January 1, 1998 to October 1, 1998 for completion of the long-range needs survey of the department of youth development services' facilities.

Judiciary

May 29, 1998

1998-1948s

04/08

Amendment to HB 480

Amend RSA 173-B:4 as inserted by section 2 of the bill by replacing it with the following:

173-B:4 Temporary Relief.

I. Upon a showing of an immediate and present danger of abuse, the court may enter temporary orders to protect the plaintiff with or without actual notice to defendant. The court may issue such temporary orders by telephone or facsimile. Such telephonically issued orders shall be made by a district or superior court judge to a law enforcement officer, shall be valid in any jurisdiction in the state, and shall be effective until the close of the next regular court business day. Such orders shall be returnable to the district court where the plaintiff resides or has fled to, unless otherwise ordered by the issuing justice. If non-telephonic temporary orders are made ex parte, the party against whom such relief is issued may file a written request with the clerk of the court and request a hearing on such orders. Such hearing shall be held no later than 5 business days after the

request is received by the clerk. Such hearings may constitute the final hearing described in RSA 173-B:3, VII. Temporary relief may include:

(a) Protective orders:

(1) Restraining the defendant from abusing the plaintiff.

(2) Restraining the defendant from entering the premises and curtilage where the plaintiff resides, except when the defendant is accompanied by a peace officer and, upon reasonable notice to the plaintiff, is allowed entry by the plaintiff for the sole purpose of retrieving toiletries, medication, clothing, business equipment, and any other items as determined by the court.

(3) Restraining the defendant from withholding items of the plaintiff's personal property which are specified in the order. A peace officer shall accompany the plaintiff in retrieving such property to protect the plaintiff.

(4) Awarding custody of minor children to either party or, upon actual notice, to the department when it is in the best interest of a child.

(5) Denying the defendant visitation, ordering that visitation shall be supervised, or ordering a specific visitation schedule. Visitation shall only be ordered on an ex parte basis where such order can be entered consistent with the following requirements. In determining whether visitation can be safely ordered, the court shall consider the following factors:

(A) The degree to which visitation exposes the plaintiff or the children to physical or psychological harm.

(B) Whether the risk of physical or psychological harm can be removed by ordering supervised visitation.

(C) Whether visitation can be ordered without requiring plaintiff and defendant to have contact regarding the exchange of children.

(6) Restraining the defendant from contacting the plaintiff or entering plaintiff's place of employment, school, or any specified place frequented regularly by the plaintiff or any family or household member.

(7) Restraining the defendant from abusing the plaintiff, plaintiff's relatives regardless of their place of residence, or plaintiff's household members in any way.

(8) Restraining the defendant from taking, converting, or damaging property in which the plaintiff may have a legal or equitable interest.

(9) Directing the defendant to relinquish to the peace officer any and all deadly weapons specified in the protective order that are in the control, ownership, or possession of the defendant, provided that the court finds that possession of such deadly weapons by the defendant presents an immediate and present danger to the physical safety of the plaintiff.

(b) Other relief, including but not limited to:

(1) Granting the exclusive use and possession of an automobile, home and household furniture;

(2) Restraining the defendant from taking any action which would lead to the disconnection of any and all utilities and services to the parties' household, or the discontinuance of existing business or service contracts, including, but not limited to, mortgage or rental agreements.

II. The defendant may be restrained from purchasing, receiving, or possessing any deadly weapons and any and all firearms and ammunition for the duration of the order if the court finds that the possession of such deadly weapons, firearms, and ammunition by the defendant presents a continuing danger to the physical safety of the plaintiff. The basis for any such finding shall be set forth in writing by the court. The court may subsequently issue a search warrant authorizing the peace officer to seize any deadly weapons specified in the protective order and any and all firearms and ammunition, if there is probable cause to believe such firearms and ammunition and specified deadly weapons are kept on the premises or curtilage of the defendant and if the court has sufficient reason to believe that such firearms, ammunition, and deadly weapons have not been voluntarily relinquished by the defendant, after demand by the police officer.

Amend RSA 173-B:5, IX as inserted by section 2 of the bill by replacing it with the following:

IX. Upon expiration of the protective orders, any firearms, ammunition, and specified deadly weapons shall be returned to the defendant by the law enforcement agency. The court shall notify the plaintiff at least 30 days prior to the expiration of the protective order.

Amend RSA 173-B:9, I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Contemporaneously with an arrest, the peace officer shall seize any firearms, ammunition, and deadly weapons in the control, ownership, or possession of the defendant which may have been used, or threatened to be used, during the violation of the protective order. The law enforcement agency shall return the firearms, ammunition, and deadly weapons to the defendant within 7 days unless the court, upon a finding that possession of such firearms, ammunition, and specified deadly weapons presents a danger to the physical safety of the plaintiff, issues an order directing that the firearms, ammunition, and deadly weapons be retained by the law enforcement agency for the remainder of the protective order.

Amend the introductory paragraph of RSA 173-B:11, II as inserted by section 2 of the bill by replacing it with the following:

II. It shall be the responsibility of the office of the clerk of the court to advise victims that they may request that the judge issue an order which shall include:

Judiciary

May 28, 1998

1998-1936s

04/01

Amendment to HB 1191

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

AN ACT relative to limiting the liability of municipalities and school districts for damages caused by winter weather hazards.

Amend RSA 507-B:2-b as inserted by section 1 of the bill by replacing it with the following:

507-B:2-b Snow, Ice, and Other Weather Hazards. Notwithstanding RSA 507-B:2, a municipality ***or school district*** shall not be liable for damage arising from insufficiencies or hazards on any premises owned, occupied, maintained, or operated by it, even if it has actual notice of them, when such hazards are caused solely by snow, ice, or other inclement weather, and the municipality's ***or school district's*** failure or delay in removing or mitigating such hazards is the result of its implementation, absent gross negligence or reckless disregard of the hazard, of a winter or inclement weather maintenance policy or set of priorities with respect to such premises, adopted in good faith by the official responsible for such policy. All municipal ***or school district*** employees, officials, and agents shall be presumed to be acting pursuant to such a policy or set of priorities in the absence of proof to the contrary.

Amend RSA 231:92-a as inserted by section 2 of the bill by replacing it with the following:

231:92-a Snow, Ice and Other Weather Hazards. Notwithstanding RSA 231:90-92, a municipality ***or school district*** shall not be held liable for damages arising from insufficiencies or hazards on public highways, bridges, or sidewalks, even if it has actual notice or knowledge of them, when such hazards are caused solely by snow, ice, or other inclement weather, and the municipality's ***or school district's*** failure or delay in removing or mitigating such hazards is the result of its implementation, absent gross negligence or reckless disregard of the hazard, of a winter or inclement weather maintenance policy or set of priorities adopted in good faith by the officials responsible for such policy; and all municipal ***or school district*** employees and officials shall be presumed to be acting pursuant to such a policy or set of priorities, in the absence of proof to the contrary.

1998-1936s

AMENDED ANALYSIS

This bill limits the liability of municipalities and school districts for damages resulting from snow, ice, or other winter weather hazards.

Public Affairs-Minority

May 27, 1998

1998-1895s

09/01

Amendment to HB 204-FN-LOCAL

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

AN ACT granting responsibility for court security and custody and control of prisoners while in the courthouse to the county sheriff, providing for state reimbursement of the sheriff for the costs of such security services; and establishing a committee on responsibility for court security in the district courts.

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

1 Statement of Intent.

I. It is the intent of the legislature in adopting this act to provide for the protection of staff, members of the public, and officers of the court while conducting their affairs and business in the state's courts.

II. The legislature intends this act to be in accordance with part I, article 37 of the New Hampshire constitution, regarding separation of powers, to keep prisoner custody issues separate from the judicial functions of the court. The legislature intends to remain within its constitutional authority pursuant to part I, article 37 in requiring that the sheriff, through the sheriff or the sheriff's deputies, be responsible for and the custody and control of detained defendants during the time they are within the state's courts.

III. The legislature does not intend the provisions of this act to infringe upon the ability of the judiciary to establish rules governing the administration of all courts in the state, including courtroom security, and the practice and procedure which shall have the force and effect of law pursuant to part II, article 73-a of the New Hampshire constitution. The legislature distinguishes the judiciary's authority over practice and procedure from the legislature's authority to designate the sheriff's duties of custody and control of detained defendants. The legislature believes that prisoner custody issues are an executive branch function and the conduct of trials is clearly the function and responsibility of the judiciary.

IV. The legislature intends that the state will assume the financial responsibilities for custody and control of detained defendants during the time they are within the state's courts.

2 Responsibility for Custody of Detained Defendants. Amend RSA 30-B:4, III to read as follows:

III.(a) The superintendent shall, in person or by agent, receive all persons sent by lawful authority to the county department of corrections and retain them until they are released by process appropriate under law, ***except as provided in subparagraph (b).***

(b) Whenever a person in the custody of the superintendent under subparagraph (a) is transported to a state court, the sheriff or the sheriff's deputies shall be responsible for custody and control of such person during the time period such person is in the courthouse.

3 Duties of Sheriff. RSA 104:5 is repealed and reenacted to read as follows:

104:5 Duties.

I. The sheriff and the sheriff's deputies shall serve and execute all writs and other precepts directed to the sheriff's department and issued from lawful authority.

II. The sheriff and the sheriff's deputies shall perform the duties of crier of the superior court.

III. The sheriff or the sheriff's deputies shall provide custody and control of detained defendants during the time they are within the state's courts.

IV. All deputies and bailiffs providing court security shall comply with such background investigation checks, physical and mental standards, and training appropriate to their duties as the supreme court may require. The supreme court shall have general supervisory and administrative authority over the sheriff's deputies and sheriffs in the performance of their responsibilities under paragraphs II and IV.

4 Sheriff as Bailiff; District Courts. RSA 104:31, XII is repealed and reenacted to read as follows:

XII. The state shall reimburse the sheriff's office, within available funds appropriated by the legislature, \$65 for each full day and \$35 for each half day, plus traveling expenses to attend any official business, for any deputy sheriff or bailiff who provides courthouse security in the superior court or who provides custody and control of detained defendants during the time they are within the state's courts. For the purpose of this paragraph, a half day shall be defined as a day in which a sheriff, deputy sheriff, or bailiff works 4 hours or less. The state shall reimburse the counties, within available funds appropriated by the legislature, for all costs associated with employing deputy sheriffs or bailiffs to provide security in the superior court or to provide custody and control of detained defendants during the time they are within the state's courts, if those costs are the result of job requirements imposed by federal and state governments.

5 Bailiffs. Amend RSA 594:1-a to read as follows:

594:1-a Bailiffs and Court ***Security*** Officers.

I. Bailiffs and ***supreme*** court ***security*** officers responsible for court security shall have the powers of arrest provided in this chapter when performing their duties relating to court security.

II. The sheriff, the sheriff's deputies, or bailiffs, shall be responsible for the conduct and control of detained defendants and prisoners during the time that such defendants and prisoners are in all state courts.

6 Detention of Person Arrested. Amend RSA 594:19-a to read as follows:

594:19-a Detention of Person Arrested; ***With Warrant; Without Warrant.***

I. ~~[ON WARRANT.]~~ Every officer making an arrest or holding a person in custody under a warrant shall take the accused ~~[before]~~ ***to*** the court as directed ~~[therein]~~ ***in the warrant*** without unreasonable delay ~~[and shall there detain him for trial or examination until relieved by the court].~~

II. ~~[WITHOUT WARRANT.]~~ An officer arresting a person without a warrant shall without unreasonable delay take ~~[him before]~~ ***such person to*** the court to answer a complaint for the offense.

7 Court Appearances. Amend RSA 623:1-a to read as follows:

623:1-a Court Appearances. Any person confined in a county department of corrections facility, state prison, or other place of detention may, under necessary precautions and upon approval of the administrator of the institution in which said person is confined, be taken by some regular or specially authorized officer from such place of detention to a state or federal court within the state of New Hampshire to appear in a proceeding before that court, provided that the absence of the inmate from the place of detention shall not exceed 12 hours without approval of a justice of the superior court. ***During the time period such person is in a state courthouse, the sheriff, or the sheriff through the sheriff's deputies and bailiffs, shall be responsible for such person's custody and control.***

8 Committee Established.

I. There is established a committee to study whether the judicial branch should continue to be responsible for court security in the district courts or whether the responsibility should be transferred to the 10 county sheriffs.

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

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

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

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

IV. The committee shall study whether the judicial branch should continue to be responsible for court security in the district courts or whether the responsibility should be transferred to the 10 county sheriffs.

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

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

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

1998-1895s

AMENDED ANALYSIS

This bill makes the county sheriffs, through their deputies and bailiffs, responsible for providing adequate security in all state courts. The bill increases, as of July 1, 1999, the rate of state reimbursement, within available funds appropriated by the legislature, to sheriffs and counties for providing such security services. The bill establishes a study committee on responsibility for court security in the district courts.

Public Institutions, Health and Human Services

June 1, 1998

1998-1956s

01/09

Amendment to HB 1174

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

AN ACT establishing a committee to study the state substance abuse treatment delivery system.

Amend the bill by deleting sections 6 and 7 and renumbering the original section 8 to read as 6.

1998-1956s

AMENDED ANALYSIS

This bill establishes a committee to study the services provided by the department of health and human services under the state substance abuse treatment delivery system.

Senate Transportation

May 27, 1998

1998-1918s

01/08

Amendment to HB 1389-FN-LOCAL

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

1 Statement of Intent. The general court recognizes that there is a need to balance the interests of state and local planning, to preserve the scenic and historical character of New Hampshire, and to streamline the processing of visually acceptable commercial mobile radio service device lease sites on state rights-of-way generating revenue to the state.

2 New Section; Agreements for Telecommunications-Related Uses of the State Highway System. Amend RSA 228 by inserting after section 31 the following new section:

228:31-a Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. The commissioner may, with the approval of the governor and council, execute contracts, leases, licenses, and other agreements relating to the use or occupation of state-owned rights-of-way, whether easement or fee-owned, for purposes of allowing the installation and maintenance of commercial mobile radio service devices. Such agreements, which shall be for commercially reasonable value, shall not extend for a period of more than 10 years. Any leases executed pursuant to this section shall be subject to the requirements of RSA 72:23 with regard to properly assessed real estate taxes, subject to local zoning and planning requirements. Said devices shall take into consideration the scenic beauty of the landscape. There shall be no advertising signs on these devices. The provisions of RSA 4:40 shall not apply to this section.

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

Senate Transportation

May 27, 1998

1998-1915s

04/01

Amendment to HB 1629

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to read as sections 4-5, respectively:

3 Walking Disability Plates and Placards; Reference Added. Amend RSA 261:88, I (c) (6) to read as follows:

(6) Is severely limited in the ability to walk due to an arthritic, neurological [~~or~~], orthopedic, ***or other medically debilitating*** condition.

COMMITTEES OF CONFERENCE

SB 66, allowing a state resident to obtain a license for a pistol or revolver for life.

Senate Conferees: Senators Francoeur, D. Wheeler, Whipple.

SB 102-FN, relative to the possession of certain weapons in the commission of a violent crime.

MEETING: Wednesday, June 3, 1998, 2:30 p.m., Room 103, LOB

Senate Conferees: Senators Gordon, D. Wheeler, Hollingworth.

House Conferees: Representatives R. Lyman, A. Christie, W. Mikowski, W. Knowles.

SB 197-FN, relative to final dispositional orders in child protection cases.

Senate Conferees: Senators Gordon, Squires, Pignatelli.

SB 333, allowing any registered voter who is unable to vote in person, by reason of extended work hours, lack of transportation, or illness in the family, to vote by absentee ballot.

Senate Conferees: Senators Roberge, Whipple, K. Wheeler.

House Conferees: Representatives A. Torr, N. Flanagan, J. Langley, R. Buckley.

SB 397, relative of the composition of the pharmacy board.

Senate Conferees: Senators Danaïs, J. King, Francoeur.

HB 170-L, exempting temporary, demountable, plastic-covered greenhouses from property taxation.

**MEETING: Wednesday, June 3, 1998, 2:00 p.m.,
Room 206, LOB**

Senate Conferees: Senators F. King, Johnson, Blaisdell.

House Conferees: Representatives D. Hess, D. Teschner, R. Noyes, B. Coes.

HB 529, relative to excluding from the definition of subdivision the placement and maintenance of wireless communication facilities.

Senate Conferees: Senators Rubens, Whipple, Barnes.

House Conferees: Representatives: C. Dokmo, J. Stone, R. Brundige, M Fraser.

HB 1118, relative to the expiration of contact lens prescriptions and relative to continuing education for ophthalmic dispensers.

Senate Conferees: Senators D. Wheeler, McCarley, Squires.

House Conferees: Representatives L. Emerton, M. Morello, B. French, E. Dawe.

HB 1291-FN, relative to management of the state ski areas at Mount Sunapee and Cannon Mountain.

**MEETING: Tuesday, June 2, 1998, 10:00 a.m.,
Room 305, LOB**

Senate Conferees: Senators F. King, Johnson, Hollingworth.

House Conferees: Representatives C. Royce, M. Whalley, P. Bradley, F. Torr.

HB 1448, relative to confidential communication between victims and counselors.

Senate Conferees: Senators Gordon, Pignatelli, D. Wheeler.

House Conferees: Representatives R. Lyman, M. Sargent, C. Wiggins, W. Knowles.

HEARINGS

TUESDAY, JUNE 2, 1998

TRANSPORTATION, Room 101, LOB

1:00 p.m. **EXECUTIVE SESSION ON ALL PENDING
LEGISLATION.**

WEDNESDAY, JUNE 3, 1998

FINANCE, Room 103, SH

10:00 a.m. **HB 1217**, relative to balancing the operating budget.
To hear proposed amendment (1920s) titled, an act relative to
balancing the operator budget; relative to the city of Manchester's
bonding authority for the airport projects; reducing the projected
revenues from the Anderson Consulting Revenue Recoupment Effort;
and making an appropriation to the town of Columbia.

INSURANCE, Room 101, LOB

8:30 a.m. **EXECUTIVE SESSION ON ALL PENDING
LEGISLATION, HB 490, HB 1281, HB 1336.**

PUBLIC AFFAIRS, Room 104, LOB

10:30 a.m. **EXECUTIVE SESSION ON ALL PENDING
LEGISLATION.**

WILDLIFE AND RECREATION, Room 102, LOB

2:00 p.m. **EXECUTIVE SESSION.**

THURSDAY, JUNE 4, 1998

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 104, LOB

EXECUTIVE SESSION TWENTY MINUTES FOLLOWING SESSION (HB 535, 1337, 1655).

FINANCE, Room 103, SH

2:00 p.m. **EXECUTIVE SESSION ON ALL PENDING
LEGISLATION.**

INTERNAL AFFAIRS, Room 103, LOB

3:00 p.m. **EXECUTIVE SESSION ON ALL PENDING
LEGISLATION.**

MEETINGS

TUESDAY, JUNE 2, 1998

**THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Keene Recreation Center, 312
Washington Street, Keene**

10:00 a.m. Cheshire County, 1998 Regional Safety Conference
(concerning speed limits, highway markings, traffic lights, highway

signs, intersections, and other safety concerns relative to the state highway system)

THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Sugar river Savings Bank community Room, 10 North Main Street, Newport

2:00 p.m. Sullivan County, 1998 Regional Safety Conference (concerning speed limits, highway markings, traffic lights, highway signs, intersections, and other safety concerns relative to the state highway system)

THE NEW Hampshire COMMISSION ON THE SMITHSONIAN FESTIVAL OF AMERICAN FOLKLIFE (SJR 20, chapter 204, laws of 1996), Room 307, LOB

3:00 p.m. Commission Meeting

WEDNESDAY, JUNE 3, 1998

THE DEPARTMENT OF TRANSPORTATION, Lin-Wood Public School, Multi Purpose Room, Main Street, Lincoln

7:00 p.m. Combined Public Officials/Public Informational Meeting, sidewalk/bicycle pedestrian path, NH Route 112

THURSDAY, JUNE 4, 1998

RULES COMMITTEE MEETING, Office of Senate President, SH

8:30 a.m. Meeting

THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Berlin City Hall, 168 Main Street, Berlin

10:00 a.m. Coos County #1, 1998 Regional Safety Conference (concerning speed limits, highway markings, traffic lights, highway signs, intersections, and other safety concerns relative to the state highway system)

THE DEPARTMENT OF TRANSPORTATION, (RSA 228:93), Ossipee Town Hall, 55 Main Street, Ossipee

2:00 p.m. Carroll County, 1998 Regional Safety Conference (concerning speed limits, highway markings, traffic lights, highway signs, intersections, and other safety concerns relative to the state highway system)

THE DEPARTMENT OF TRANSPORTATION, Troy Elementary School Gymnasium, 44 School St., Troy

7:00 p.m. Public Hearing (Special Committee), NH Route 12

FRIDAY, JUNE 5, 1998

● **PLEASE NOTE THE TIME CHANGE FOR THE FOLLOWING MEETING:**

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

9:00 a.m. Regular Meeting

MONDAY, JUNE 8, 1998

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1), NH Hospital Acute Psych Services Building, Conference Room.

9:00 a.m. Subcommittee Meeting

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

ST HERITAGE COLLECTIONS COMMITTEE (RSA 227-C:18), Division of Historic Resources

2:30 p.m. Regular Meeting

● **PLEASE NOTE THE PUBLIC WATER ACCESS ADVISORY BOARD HAVE CANCELLED THE FOLLWING MEETINGS UNTIL FURTHER NOTICE:**

JULY 13, AUGUST 10, SEPTEMBER 14, OCTOBER 13, NOVEMBER 9, AND DECEMBER 14.

WEDNESDAY, JUNE 10, 1998

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE, Room 201, LOB

9:00 a.m. Meeting

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

9:00 a.m. Regular Business

9:30 a.m. Audits: State of New Hampshire Fish and Game
Department Audit Report for the Fiscal Year Ended June 30, 1997.

THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Lancaster Town Hall, 25 Main
Street, Lancaster

10:00 a.m. Coos County #2, 1998 Regional Safety Conference
(concerning speed limits, highway markings, traffic lights, highway
signs, intersections, and other safety concerns relative to the state
highway system)

THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Haverhill Town Hall, Main Street,
Haverhill

2:00 p.m. Grafton County, 1998 Regional Safety Conference
(concerning speed limits, highway markings, traffic lights, highway
signs, intersections, and other safety concerns relative to the state
highway system)

THURSDAY, JUNE 11, 1998

THE DEPARTMENT OF TRANSPORTATION, Grafton Fire/Ambulance Station, Library Road,
Grafton

7:00 p.m. Combined Public Officials/Public Informational
Meeting, Removal of Railroad Bridge over Route 4.

FRIDAY, JUNE 12, 1998

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

9:00 a.m. Quarterly Meeting

MONDAY, JUNE 15, 1998

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25) Room 201, LOB

10:00-1:00 Complaint Hearing

● **PLEASE NOTE THE LEGISLATIVE PERFORMANCE AUDIT AND
OVERSIGHT COMMITTEE MEETING HAS BEEN CANCELLED AND BE
RESCHEDULED AT A LATER DATE.**

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

3:00 p.m. Regular Meeting

TUESDAY, JUNE 16, 1998

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

9:00 a.m. Regular Meeting

THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Nashua Public Library, 2 Court Street, Nashua

10:00 a.m. Hillsboro county #2, 1998 Regional Safety Conference (concerning speed limits, highway markings, traffic lights, highway signs, intersections, and other safety concerns relative to the state highway system)

THE DEPARTMENT OF TRANSPORTATION, Anchor Darling Building (Formerly Scott & Williams) 32 Moulton Street, Laconia

7:00 p.m. Public Hearing

WEDNESDAY, JUNE 18, 1998

THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Exeter Town Hall, 10 Front Street, Exeter

10:00 a.m. Rockingham County, 1998 Regional Safety Conference (concerning speed limits, highway markings, traffic lights, highway signs, intersections, and other safety concerns relative to the state highway system)

FRIDAY, JUNE 19, 1998

- **PLEASE NOTE THE JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES HAS BEEN RESCHEDULED TO JUNE 22.**

WORKER'S COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 307, LOB

9:00 a.m. Regular Meeting

MONDAY, JUNE 22, 1998

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

9:00 a.m. Regular Meeting

TUESDAY, JUNE 23, 1998

THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Laconia City Hall, 45 Beacon Street East, Laconia

10:00 a.m. Belknap County, 1998 Regional Safety Conference
(concerning speed limits, highway markings, traffic lights, highway
signs, intersections, and other safety concerns relative to the state
highway system)

THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Concord City Council, 35 Green
Street, Concord

2:00 p.m. Merrimack County, 1998 Regional Safety Conference
(concerning speed limits, highway markings, traffic lights, highway
signs, intersections, and other safety concerns relative to the state
highway system)

THE DEPARTMENT OF TRANSPORTATION, Holderness Town
Hall, Route 3, Holderness

7:00 p.m. Public Hearing

THURSDAY, JUNE 25, 1998

THE DEPARTMENT OF TRANSPORTATION (RSA 228:93), Dover City Hall, 288 Central
Avenue, Dover

10:00 a.m. Strafford County, 1998 Regional Safety Conference
(concerning speed limits, highway markings, traffic lights, highway
signs, intersections, and other safety concerns relative to the state
highway system)

FRIDAY, JUNE 26, 1998

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

1:30 p.m. Meeting

MONDAY, JUNE 29, 1998

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

9:30 a.m. Regular Meeting

MONDAY, JULY 13, 1998

NH BRAIN & SPINAL CORD INJURY ADVISORY COUNCIL
(RSA 137-K:2), Room 205, LOB

2:00-5:00 Public Hearing

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

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

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

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

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

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

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

THURSDAY, JUNE 4, 1998

Senators and Senate Staff are cordially invited to a Legislative Lunch hosted by the Home Care Association of NH, the NH Hospital Association and the NH Medical Society on Thursday, June 4, 1998, from 12:00 noon to 1:30 p.m. at the NH Historical Society (next to the LOB).

Senator Jack Barnes

Senator John King

MONDAY, JUNE 8, 1998

The Executive Council will hold a public hearing regarding the privatizing/leasing of the Mt. Sunapee Ski Area on Monday, June 8th, in Representative Hall at 4:00 p.m.

Senator John King

Senator Jack Barnes