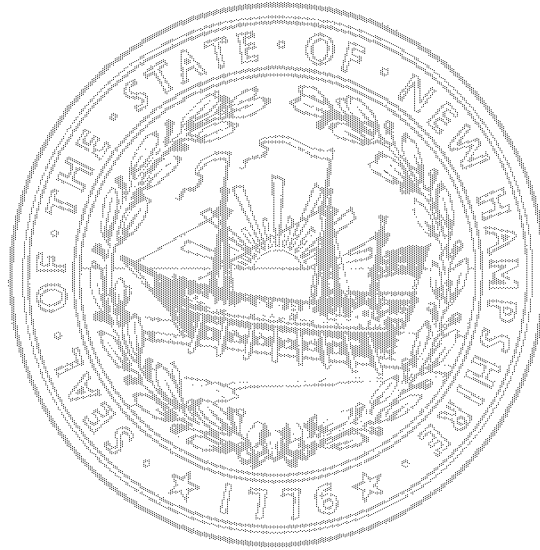


December 27, 2000

No. 62

STATE OF NEW HAMPSHIRE



Legislative

SENATE CALENDAR

MEETINGS & NOTICES

**CONVENING DAY - WEDNESDAY, JANUARY 3, 2001, THE SENATE
WILL MEET IN SESSION AT 1:00 P.M.**

**INAUGURATION DAY - THURSDAY, JANUARY 4, 2001, THE SENATE
WILL MEET IN SESSION AT 11:00 A.M.**

MEETINGS

WEDNESDAY, JANUARY 3, 2001

SENATE RULES COMMITTEE Room 302, SH

3:30 p.m. Regular Meeting

FRIDAY, JANUARY 5, 2001

NUCLEAR DECOMMISSIONING FINANCING (RSA 162-F:15) Room 304, LOB

10:00 a.m. Regular Meeting

MONDAY, JANUARY 8, 2001

BREATH ANALYZER MACHINE ADVISORY COMMITTEE (RSA 106-G:1) Department of
Safety 2nd floor conference room, 10 Hazen Dr. Concord NH

10:00 a.m. - 12:00 p.m. Regular Meeting

CERTIFICATE OF NEED STATUTE TASK FORCE (RSA 151-C:16) Room 205, LOB

10:00 a.m. - 12:00 p.m. Regular Meeting

NH DEPARTMENT OF TRANSPORTATION (Northwood Nottingham 10429E, US 4/NH 152
Intersection) Nottingham Town Hall, Nottingham, NH

6:30 p.m. Nottingham Selectmen's Meeting

WEDNESDAY, JANUARY 10, 2001

FISCAL COMMITTEE OF THE GENERAL COURT Rooms 210-211 LOB

9:00 a.m. Regular Business

9:30 a.m. Audits: State of New Hampshire Comprehensive Annual Financial Report For
the Fiscal Year Ended June 30, 2000

New Hampshire Turnpike System Audited Financial Statements June 30, 2000

New Hampshire Sweepstakes Commission Comprehensive Annual Financial
Report For the Year Ended June 30, 2000

New Hampshire Retirement System Comprehensive Annual Financial Report
For the Fiscal Year Ended June 30, 2000

CURRENT USE BOARD (RSA 79-A:3) Department of Revenue Administration, 45 Chenell Dr.
Concord NH

10:00 a.m. Public Hearing

NH DEPARTMENT OF TRANSPORTATION (Bradford/Henniker/Warner 12892) Bradford
Town Hall, 75 W. Main Street, Bradford, NH
7:00 p.m. Public Officials Meeting

FRIDAY, JANUARY 12, 2001

NH DEPARTMENT OF TRANSPORTATION (Route 2 Corridor Study) Jefferson Town Hall
6:30 p.m. - 9:00 p.m. Jefferson Community Charter

SATURDAY, JANUARY 13, 2001

NH DEPARTMENT OF TRANSPORTATION (Route 2 Corridor Study) Jefferson Town Hall
8:30 a.m. - 4:00 p.m. Jefferson Community Charter

TUESDAY, JANUARY 16, 2001

NH DEPARTMENT OF TRANSPORTATION (Northwood Nottingham 10429E, US 4/NH 152
Intersection) Northwood Town Hall, Northwood, NH
6:30 p.m. Northwood Selectmen's Meeting

WEDNESDAY, JANUARY 17, 2001

NH STATE PORT AUTHORITY STUDY COMMITTEE (HB 1559, Chapter 153:1, Laws of
2000) Room 201, LOB
10:00 a.m. Regular Meeting

NH DEPARTMENT OF TRANSPORTATION (Skyhaven Airport Master Plan) Skyhaven
Airport, 238 Rochester Hill Road, Rochester, NH
5:30 p.m. Progress Meeting/Advisory

NH DEPARTMENT OF TRANSPORTATION (Haverhill-Bath Reconstruction and Widening
of US 302) Bath Village School, Route 302, Bath, NH
7:00 p.m. Public Information Meeting

FRIDAY, JANUARY 19, 2001

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES Rooms 306-308, LOB
9:00 a.m. Regular Meeting

WORKERS COMPENSATION ADVISORY COUNCIL (RSA 281-A:62) Room 303, LOB
9:00 a.m. - 12:00 p.m. Regular Meeting

NH DEPARTMENT OF TRANSPORTATION (Route 2 Corridor Study) Lancaster Town Hall
6:30 p.m. - 9:00 p.m. Lancaster Community Charter

SATURDAY, JANUARY 20, 2001

NH DEPARTMENT OF TRANSPORTATION (Route 2 Corridor Study) Lancaster Town Hall
8:30 a.m. - 4:00 p.m. Lancaster Community Charter

MONDAY, JANUARY 22, 2001

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

9:00 a.m. Hearing and Regular Meeting

PUBLIC HEALTH AND ENVIRONMENT RELATIONSHIP COMMISSION (HB 1390, Chapter 114, Laws of 2000) Room 205, LOB

10:00 a.m. Regular Meeting

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

1:00 p.m. Complaint Hearings

TUESDAY, JANUARY 23, 2001

NH DEPARTMENT OF TRANSPORTATION (Newington 11238-C, Interim Spaulding Turnpike Improvement to enhance the safety of access to the Spaulding Turnpike at River Road and Nimble Hill Road) Newington Town Hall, 205 Nimble Hill Road, Newington, NH

7:00 p.m. Public Informational Meeting

MONDAY, JANUARY 29, 2001

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

10:00 a.m. Regular Meeting

SEED STERILIZATION STUDY (HB 291, Chapter 282, Laws of 1999) Room 303, LOB

1:00 p.m. Regular Meeting

WEDNESDAY, JANUARY 31, 2001

NH DEPARTMENT OF TRANSPORTATION (Ossipee 10431, NH 16/NH 28 reconstruction and widening) Ossipee Town Hall, 55 Main Street, Ossipee, NH

7:00 p.m. Public Informational Meeting

TUESDAY, FEBRUARY 6, 2001

NH DEPARTMENT OF TRANSPORTATION (Newfields 12466, NH Route 85 bridge over B&M Railroad) Newfields Town Hall, Route 85, Newfields, NH

7:00 p.m. Public Hearing

FRIDAY, FEBRUARY 16, 2001

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES Rooms 306-308, LOB

9:00 a.m. Regular Meeting

NOTICES

Senate and Senate Staff identification badges and Senate license plates will be distributed on January 3, 2001 and on January 4, 2001. Plates will be issued in Room 101 of the Legislative Office Building. Photo Identification badges will be distributed in Room 103. Please contact the Senate President's Office with any inquiries.

Senator Harold Burns, Vice President of Operations

WEDNESDAY, JANUARY 3, 2001

A professional photographer will be available on January 3, 2001 between 8:30 - 10:00 in Room 104 of the Legislative Office Building to take an official color portrait of each Senator. All members of the Senate are encouraged to have a photo taken.

Senator Harold Burns, Vice President of Operations

WEDNESDAY, JANUARY 3, 2001

The Concord Regional Visiting Nurses Association is sponsoring a Flu Vaccine Clinic. On Wednesday, January 3, 2001 from 11:15 a.m. - 1:00 p.m. in room 201, LOB. The cost is \$10 per person, but is covered by Medicare and Cigna companies such as Healthsource (please bring membership cards). Adult family members are welcome. For more information, contact State House Health Services at Ext. 2757

Barbara Leahy, RN

Margaret Lind, RN

THURSDAY, JANUARY 11, 2001

Join attorneys, advocates activist and consumers for an exchange of ideas and an opportunity to meet new friends and clients!

Dawn Touzin, Health Law Coordinator, and the staff and board of New Hampshire Citizens Alliance, invites you to join us as we kick off 2001 by exploring legal avenues to improve health policy.

Featured guests include Sheldon Weinhaus and Steve Rosenfeld, pioneers in the field of health law.

Date: Thursday, January 11, 2001

Time: 5:00 - 8:00 p.m.

Place: Common Man, 25 Gas Street (Off Manchester Street or Exit 13 off Route 93)
Concord, NH

Sheldon Weinhaus is an attorney from St. Louis, Missouri who has effectively used litigation as a tool for patient advocacy. He has served on the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry and speaks nationally on discrimination, health and managed care.

Steve Rosenfeld, President of Rosenfeld & Associates in Massachusetts, is a specialist in Health benefits law including ERISA, health care consumer protection, long-term disability law and related areas. He represents individuals who are seeking health care but denied insurance coverage for such care.

Senator Katherine Wheeler

THE SUPREME COURT OF NEW HAMPSHIRE

Request of the Senate

No. 00-179

OPINION OF THE JUSTICES

(REFORMED PUBLIC SCHOOL FINANCING SYSTEM)

December 7, 2000

It was resolved by the Senate:

"That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following important questions of law:

(a) Would the enactment of SB 462-FN-A-LOCAL satisfy the requirements of part II, articles 5, 6, and 83 of the New Hampshire constitution?

(b) Would the enactment of SB 462-FN-A-LOCAL violate any other provisions of the New Hampshire constitution?"

The full text of the senate resolution is reproduced as an appendix to this opinion.

To the Honorable Senate:

The following response is respectfully returned:

The stated purpose of SB 462-FN-A-LOCAL (the bill) is to "establish[] a reformed public school financing system for ensuring educational adequacy for all children, and establish[] a state public education assistance system funded solely with state tax revenues, and mak[e] an appropriation therefor." The bill has four main components. First, it establishes a public school financing system comprised of (1) the existing State aid for educational adequacy (renamed "baseline assistance for educational adequacy"), and (2) State aid/alternative State aid to guarantee educational adequacy, based upon the previous foundation aid and alternative aid formulas for determining State aid to education (called "adequacy guarantee assistance"). Second, the bill modifies the current formula for determining baseline assistance for educational adequacy. Third, it reduces the statewide education property tax rate from \$6.60 to \$6.10 on

each \$1,000 of assessed taxable property. Fourth, the bill makes an appropriation of \$2,000,000 from the education trust fund for the fiscal year ending June 30, 2001, to the department of education for the purpose of funding the adequacy guarantee assistance distributions.

Viewed in its entirety, the bill proposes to raise and distribute approximately \$750,000,000 of State financial aid to school districts to meet the State's obligation under the decision in *Claremont School District v. Governor*, 142 N.H. 462, 703 A.2d 1353 (1997) (*Claremont II*). Of this sum, \$409,000,000 would be raised through a uniform statewide property tax, while \$341,000,000 would be raised through other State taxes and general fund sources. The bill would distribute \$550,000,000 of "baseline assistance for educational adequacy" among school districts on a weighted per pupil basis. The remaining \$200,000,000 would be distributed as "aid to guarantee educational adequacy." This money would be allocated among school districts under a needs-based formula, which would assess the relative financial needs of each community using several factors, including per capita income, local property valuations, and local "tax effort."

We have been requested to give our opinion on two questions. First, whether enactment of the bill would "satisfy the requirements of part II, articles 5, 6, and 83 of the New Hampshire constitution" and, second, whether enactment of the bill would "violate any other provisions of the New Hampshire constitution." We have historically declined to answer general inquiries on constitutional infirmity and, in keeping with that practice, we respectfully decline to answer the second question. See *Opinion of the Justices (Weirs Beach)*, 134 N.H. 711, 717, 598 A.2d 864, 867-68 (1991). We turn, therefore, to the first question, which we answer in the negative.

Part II, Article 5 provides that the legislature may "impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within, the said state." Part II, Article 6 provides that "[t]he public charges of government, or any part thereof, may be raised by taxation" Part II, Article 83 provides that

[k]nowledge and learning, generally diffused through a community, being essential to the preservation of a free government; and spreading the opportunities and advantages of education through the various parts of the country, being highly conducive to promote this end; it shall be the duty of the legislators and magistrates, in all future periods of this government, to cherish the interest of literature . . . and all

. . . public schools

In *Claremont School District v. Governor*, 138 N.H. 183, 635 A.2d 1375 (1993) (*Claremont I*), we interpreted Part II, Article 83 to "impose[] a duty on the State to provide a constitutionally

adequate education for every educable child in the public schools in New Hampshire and to guarantee adequate funding." *Id.* at 184, 635 A.2d at 1376.

In *Claremont II*, we concluded that "the property tax levied to fund education is, by virtue of the State's duty to provide a constitutionally adequate public education, a State tax

... ." *Claremont II*, 142 N.H. at 466, 703 A.2d at 1356. We held that to the extent the property tax is used to comply with the mandate of Part II, Article 5, it must be administered in a manner "that is equal in valuation and uniform in rate throughout the State." *Id.* at 471, 703 A.2d at 1357.

The bill contains legislative findings which acknowledge that its proposed funding mechanism would rely, in part, upon local property taxes to pay for some of the cost of an adequate education. These findings directly contradict the mandate of Part II, Article 83, which imposes upon the State the exclusive obligation to fund a constitutionally adequate education. The State may not shift any of this constitutional responsibility to local communities as the proposed bill would do.

According to the bill, the legislative budget and accounting office (LBA) has projected the statewide cost of an adequate education during fiscal year 2001 at \$909,839,861. Under the bill, the State's contribution would be \$748,712,651, comprised of: (1) \$408,630,541 raised by a \$6.10 statewide property tax; (2) \$140,063,402 in "baseline grants"; and (3) \$200,018,608 in "foundation aid." The balance of \$161,127,210 would be funded by local school districts through local property taxes.

The LBA calculations demonstrate that many school districts are left with unfunded gaps between the purported cost of an adequate education and the amount of State aid provided under the bill. These deficiencies would be made up through the imposition of local property taxes. For example, in fiscal year 2001, Franklin would be required to raise \$419,618 locally, while Lisbon would need to raise \$93,500. Each of the nine largest school districts in the State would have to raise additional money to pay for the cost of an adequate education, ranging from \$262,897 in Berlin to \$18,877,009 in Nashua.

In towns where no additional money needs to be raised by local taxes to underwrite the cost of an adequate education, the taxpayers would pay the uniform property tax rate of \$6.10 per \$1,000. In other towns that need to fill the gap, the effective tax rate would be higher. Further, the amounts needed to be raised locally to fund a constitutionally adequate education could increase in any given year as a result of the "adjustment constant" provision in section VII of the bill. This provision allows the legislature to allocate less funding for foundation aid than

currently provided by the bill and would, therefore, increase the tax burden on local communities to fund the State's obligation.

As was the case under the system in place when *Claremont II* was decided, if this bill is enacted, taxpayers across the State will be paying real estate taxes at disproportionate and unequal rates to fulfill the State's constitutional duty.

Because the diffusion of knowledge and learning is regarded by the State Constitution as "essential to the preservation of a free government" . . . it is only just that those who enjoy such government should equally assist in contributing to its preservation. The residents of one municipality should not be compelled to bear greater burdens than are borne by others.

Claremont II, 142 N.H. at 470, 703 A.2d at 1357. "[T]o the extent that a property tax is used to raise revenue to satisfy the State's obligation to provide an adequate education, it must be proportional across the State." Opinion of the Justices (School Financing), 142 N.H. 892, 901, 712 A.2d 1080, 1086 (1998).

Because it may be of some assistance to the legislature, and to the extent there may be any lingering confusion, we take this opportunity to reiterate core holdings from earlier *Claremont* decisions.

First, the New Hampshire Constitution imposes solely upon the State the obligation to provide sufficient funds for each school district to furnish a constitutionally adequate education to every educable child. See *Claremont I*, 138 N.H. at 184, 635 A.2d at 1376; *Claremont II*, 142 N.H. at 473, 703 A.2d at 1356. Beyond constitutional adequacy, yet to be defined, the legislature may authorize "local school districts to dedicate additional resources to their schools or to develop educational programs beyond those required." *Claremont II*, 142 N.H. at 475, 703 A.2d at 1360.

Second, we have never ruled that constitutional adequacy requires a uniform expenditure per pupil throughout the State. In fact, the cost of a constitutionally adequate education may not be the same in each school district. See *id.* at 473-74, 703 A.2d at 1359. The constitution mandates statewide adequacy -- not statewide equality. It is, however, the State's obligation to underwrite the cost of an adequate education for each educable child.

Third, while local school districts may choose to spend money in varying ways to provide an education for their students, all funds they receive from the State for constitutional adequacy must be used for education. See *id.* at 476, 703 A.2d at 1360.

Finally, as articulated in *Claremont I* in 1993, the content of a constitutionally adequate education must be defined, in the first instance, by the legislature. See *Claremont I*, 138 N.H. at 193, 635 A.2d at 1381.

It is not possible to determine the level of funding required to provide the children of this State with a constitutionally adequate education until its essential elements have been identified and defined. The legislature and the Governor have broad latitude to fashion the specifics. Once this critical task has been completed, it is for the legislature to adopt a funding mechanism to ensure that a constitutionally adequate education is provided.

This court has never directed or required the selection of a particular funding mechanism. If the legislature chooses to use a property tax, however, the tax must be equal and proportional across the State. See *Claremont II*, 142 N.H. at 471, 703 A.2d at 1357.

David A. Brock

John T. Broderick, Jr.

Joseph P. Nadeau

Linda S. Dalianis

December 7, 2000

Philip T. McLaughlin, attorney general (Steven M. Houran, deputy attorney general, and Anne M. Edwards, assistant attorney general, on the memorandum), filed a memorandum in support of negative answers to the questions.

Stein, Volinsky and Callaghan, P.A., of Concord (Scott F. Johnson and Andru H. Volinsky on the memorandum), and John E. Tobin, Jr., of Concord, filed a memorandum on behalf of the Claremont petitioners in support of negative answers to the questions.

Rath, Young and Pignatelli, P.A., of Concord (William F.J. Ardinger on the memorandum), filed a memorandum on behalf of Senator Frederick W. King and other members of the New Hampshire Senate in support of affirmative answers to the questions.

Frederic K. Upton, of Concord, filed a memorandum on behalf of three members of the New Hampshire Senate in support of a negative answer to question a.

Senator Carl R. Johnson, of Meredith, filed a memorandum in support of affirmative answers to the questions.

Wayne Semprini, of Portsmouth, filed a memorandum in support of affirmative answers to the questions.

Representative Andrew R. Peterson, of Peterborough, filed a memorandum in support of affirmative answers to the questions.

Representative John R.M. Alger, of Rumney, filed a memorandum in support of affirmative answers to the questions.

Donahue Tucker & Ciandella, of Exeter (Charles F. Tucker on the memorandum), filed a memorandum on behalf of the towns of Bartlett, Hart's Location, and Jackson, in support of affirmative answers to the questions.

Eugene M. Van Loan III, of Manchester, filed a memorandum in support of affirmative answers to the questions.

Business & Industry Association of New Hampshire, of Concord (John D. Crosier on the memorandum), filed a memorandum in support of affirmative answers to the questions.

NEA-New Hampshire, of Concord (James F. Allmendinger on the memorandum), filed a memorandum in support of negative answers to the questions.

The Disabilities Rights Center, Inc., of Concord (Sheila Zakre on the memorandum), filed a memorandum in support of negative answers to the questions.

Gordon J. Humphrey, of Concord, filed a memorandum in support of affirmative answers to the questions.

Flygare, Schwarz & Closson PLLC, of Exeter (Thomas M. Closson on the memorandum), filed a memorandum.

Joseph S. Haas, Jr., of Ashland, filed a memorandum.

APPENDIX

The following resolution, Senate Resolution No. 13, requesting an opinion of the justices, was adopted by the senate on March 23, 2000, and filed with the supreme court on March 27, 2000:

"Whereas, there is presently pending before the senate SB 462-FN-A-LOCAL, 'An act establishing a reformed public school financing system for ensuring educational adequacy for all children; establishing a state public education assistance system funded solely with state tax revenues, and making an appropriation therefor'; and

"Whereas, SB 462-FN-A-LOCAL would establish a comprehensive system for financing public schools within the state, including state aid through 'baseline adequacy assistance' and through

`adequacy guarantee aid,' along with local resources raised through property taxes administered through local democratic decision-making (hereinafter, the `financing program'); and

"Whereas, SB 462-FN-A-LOCAL would distribute \$750 million of state financial aid to school districts in the first fiscal year ending July 31, 2001, with \$550 million distributed through the `baseline assistance' method on a weighted per pupil basis and \$200 million distributed through the `adequacy guarantee assistance' method based on a foundation aid formula that assesses the relative financial needs of each community using several factors including per capita income, local property valuations, and measures of local tax `effort'; and

"Whereas, SB 462-FN-A-LOCAL's total appropriation of \$750 million of state financial aid would be funded by the following state-imposed taxes and revenues: (i) \$409 million of revenues raised by a state property tax imposed at a uniform rate of \$6.10 per \$1,000 of equalized valuation of non-public utility real property throughout the state, and (ii) \$341 million of revenues raised by other state taxes and general fund sources; and

"Whereas, the balance of the public education costs throughout the state over the state assistance of \$750 million would be funded with revenues raised by local real property taxes that would be established in each community through local democratic processes; and

"Whereas, under this integrated financing program, direct state appropriations would account for approximately half of the total dollars spent on public elementary and secondary education, ranking New Hampshire much higher than the following states (based on U.S. Department of Education data for School Year 1996-1997):

State	Local	State	Federal
Connecticut	59.4%	37.1%	3.5%
Massachusetts	55.3%	39.9%	4.8%
New York	54.8%	39.8%	5.4%
Pennsylvania	55.2%	39.3%	5.5%
Rhode Island	54.0%	40.6%	5.4%

"Whereas, SB 462-FN-A-LOCAL would reflect a legislative determination that the provision of an adequate education is not a static concept, but is best accomplished through the establishment of a process that encourages local communities to evaluate on an annual basis the costs and structure of local public education; and

"Whereas, SB 462-FN-A-LOCAL would further reflect a legislative determination that incorporation of significant local resources in such a manner that vests local parental and

academic resources in the local public school system is the best means of providing an adequate education for all children throughout the state; and

"Whereas, SB 462-FN-A-LOCAL would further reflect a legislative determination that such reliance on local resources, while producing vibrant and excellent education systems in most communities throughout the state, would present the possibility in certain needy communities that local resources could be insufficient to ensure the provision of an adequate public education; and

"Whereas, to address directly this possibility, SB 462-FN-A-LOCAL would implement a state financial assistance program that would substantially increase state aid to public education over the level that was in place prior to 1999; and

"Whereas, SB 462-FN-A-LOCAL would distribute such state aid among communities based on the foundation aid formula in accordance with legislative determinations assessing the relative needs of various recipient communities, based on several factors including per capita income, local property valuations, and measures of local tax 'effort'; and

"Whereas, as a result of these determinations of need, the level of state aid distributed among communities would differ greatly, with no community receiving the same amount of state aid per pupil as any other community; rather such state aid would be distributed in a manner intended to satisfy the state's obligation to guarantee funding to ensure that all children are provided with an adequate education; and

"Whereas, all of such state aid would be funded with state revenues that are administered in a manner that is proportional and reasonable throughout the state; and

"Whereas, a question has been raised whether SB 462-FN-A-LOCAL satisfies the New Hampshire constitution; and

"Whereas, some believe that this court's decision in *Claremont School District v. Governor*, 142 N.H. 462 (1997) ('Claremont II') mandates that the general court must, first establish and define 'adequate education' on a dollar cost basis throughout the state, and, second, pay for all of the resulting adequate education dollar costs using a common formula throughout the state, regardless of the relative needs of various communities; and

"Whereas, such a construction of the court's Claremont II decision has led to the enactment of Chapter 17 and Chapter 65 of 1999 New Hampshire Laws, which distribute state financial assistance among every community throughout the state on a strict weighted per pupil basis, regardless of the quality of the local public school system or the capacity of the local community to provide funds through local resources; and

"Whereas, in contrast, SB 462-FN-A-LOCAL treats 'adequate education' as a quality that is not definable by any common formula applied throughout the state on a dollar cost basis, provides for an adequate education throughout the state through a comprehensive mix of local and state funding similar to that reflected in other New England states, and incorporates within the funding mix a state aid distribution formula that is designed to allocate limited state aid to communities that are most in need in a manner that guarantees funding to ensure that all children receive an adequate education throughout the state; and

"Whereas, the approach in SB 462-FN-A-LOCAL appears consistent with the ultimate constitutional requirement that it is 'the State's duty to provide a constitutionally adequate education and to guarantee adequate funding' (emphasis added) [sic]; and

"Whereas, the senate respectfully requests expeditious review of this resolution by the court because SB 462-FN-A-LOCAL is intended to become effective on July 1, 2000, and because enactment of public school financing legislation that fails to satisfy the constitutional requirements of the Claremont II decision could present risk that local and state governments might be required to refund substantial amounts of local property tax revenues; now therefore be it

"Resolved by the Senate:

"That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following important questions of law:

(a) Would the enactment of SB 462-FN-A-LOCAL satisfy the requirements of part II, articles 5, 6, and 83 of the New Hampshire constitution?

(b) Would the enactment of SB 462-FN-A-LOCAL violate any other provisions of the New Hampshire constitution?"

VISITORS' CENTER SCHEDULE - JANUARY

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in January 2001. 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. Our schedule is tightly booked for the remainder of the school year. Please contact the Visitors' Center concerning school tour booking information. I would like to take the opportunity to introduce you to the new Visitors' Center Assistant Mrs. Virginia Drew, please drop by and welcome here on board. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

DATE	TIME	GROUP	CLASS/Size
Jan 4	9:30 & 11:00	Riddle Brook Elem School-Bedford	4/50
Jan 5	9:30 & 11:00	Riddle Brook Elem School-Bedford	4/75
Jan 8	9:30 & 11:00	South Meadow Elem School-Peterborough	6/55

Jan 9	10:00 & 11:15	Pollard Elem School-Plaistow	4/50
Jan 10	10:30	Wells Memorial School- Harrisville	4/40
Jan 11	9:30 & 11:00	Newmarket Elem.School	4/92
Jan 12	1:00	Centerwoods Elem.School-Weare	4/50
Jan 16	9:30 & 11:00	South Meadow School-Peterborough	6/55
Jan 17	9:30 & 11:00	Peter WoodburyElem School-Bedford	4/40
Jan 18	9:30 & 11:00	Peter Woodbury Elem School-Bedford	4/40
Jan 19	9:30 & 11:00	Peter WoodburyElem School-Bedford	4/40
Jan 19	1:00	Centerwoods Elem.School-Weare	4/50
Jan 22	9:30 & 11:00	Broad St.Elem School- Nashua	4/65
Jan 23	9:30 & 11:00	Pittsfield Elem.School	4/60
Jan 24	9:00 & 10:15	Pembroke Hill School	4/45
Jan 25	9:30 & 11:00	Woodland Heights Elem.School – Laconia	5/80
Jan 25	4:00	Boy Scout Troop #86 -Penacook	12
Jan 26	9:30 & 11:00	Woodland Heights Elem.School – Laconia	4/80
Jan 29	9:00 & 10:15	Pembroke Hill School	4/45
Jan 30	9:30 & 11:00	Moore School-Candia	4/60
Jan 30	1:15	Derry Head Start	Pre/20
Jan 31	10:30	Charlestown Middle School	6,7,8/12

December 27, 2000 State of New Hampshire LTSR140

The members listed below have bills ready for signature
in Legislative Services.

Carol J. Holahan, Director

SPONSOR	DISTRICT	LSR NUMBER
Barnes, John	17	2001-S-0381-R
Below, Clifton	05	2001-S-0381-R
Below, Clifton	05	2001-S-0652-R
Boyce, Robert	04	2001-H-0021-R
Boyce, Robert	04	2001-H-0122-R
Boyce, Robert	04	2001-H-0171-R
Boyce, Robert	04	2001-S-0381-R
Burns, Harold	01	2001-H-0317-R
Burns, Harold	01	2001-H-0465-R
Cohen, Burton	24	2001-S-0381-R
Cohen, Burton	24	2001-H-0458-R
Cohen, Burton	24	2001-H-0459-R

Cohen, Burton	24	2001-S-0521-R
Cohen, Burton	24	2001-S-0652-R
D'Allesandro, Lou	20	2001-H-0031-R
D'Allesandro, Lou	20	2001-S-0160-R
D'Allesandro, Lou	20	2001-S-0320-L
D'Allesandro, Lou	20	2001-S-0381-R
D'Allesandro, Lou	20	2001-H-0465-R
D'Allesandro, Lou	20	2001-S-0603-R
D'Allesandro, Lou	20	2001-S-0652-R
Disnard, George	08	2001-S-0381-R
Disnard, George	08	2001-S-0603-R
Disnard, George	08	2001-S-0652-R
Eaton, Thomas	10	2001-H-0458-R
Eaton, Thomas	10	2001-S-0603-R
Fernald, Mark	11	2001-S-0381-R
Fernald, Mark	11	2001-S-0652-R
Flanders, Robert	07	2001-S-0381-R
Francoeur, Gary	14	2001-H-0021-R
Francoeur, Gary	14	2001-H-0022-R
Francoeur, Gary	14	2001-H-0023-R
Francoeur, Gary	14	2001-H-0175-L
Francoeur, Gary	14	2001-H-0242-R
Francoeur, Gary	14	2001-H-0247-R
Francoeur, Gary	14	2001-S-0381-R
Francoeur, Gary	14	2001-H-0465-R
Gatsas, Theodore	16	2001-H-0031-R
Gatsas, Theodore	16	2001-S-0320-L
Gatsas, Theodore	16	2001-S-0381-R
Gordon, Edward (Ned)	02	2001-H-0242-R
Gordon, Edward (Ned)	02	2001-S-0381-R
Gordon, Edward (Ned)	02	2001-H-0458-R
Gordon, Edward (Ned)	02	2001-H-0459-R
Gordon, Edward (Ned)	02	2001-H-0465-R
Gordon, Edward (Ned)	02	2001-H-0475-R
Gordon, Edward (Ned)	02	2001-S-0686-R
Gordon, Edward (Ned)	02	2001-S-0689-R

Hollingworth, Beverly	23	2001-H-0235-L
Hollingworth, Beverly	23	2001-H-0459-R
Hollingworth, Beverly	23	2001-H-0465-R
Johnson, Carl	03	2001-H-0247-R
Johnson, Carl	03	2001-S-0381-R
Johnson, Carl	03	2001-S-0429-R
Johnson, Carl	03	2001-H-0491-L
Johnson, Carl	03	2001-S-0633-R
Klemm, Arthur	22	2001-S-0194-R
Klemm, Arthur	22	2001-S-0195-R
Klemm, Arthur	22	2001-S-0197-R
Klemm, Arthur	22	2001-H-0252-R
Klemm, Arthur	22	2001-S-0381-R
Larsen, Sylvia	15	2001-H-0238-R
Larsen, Sylvia	15	2001-S-0652-R
Larsen, Sylvia	15	2001-S-0677-R
McCarley, Caroline	06	2001-S-0381-R
McCarley, Caroline	06	2001-S-0652-R
O'Hearn, Jane	12	2001-S-0381-R
O'Hearn, Jane	12	2001-H-0500-R
O'Neil, Daniel	18	2001-S-0320-L
O'Neil, Daniel	18	2001-S-0381-R
O'Neil, Daniel	18	2001-S-0542-R
O'Neil, Daniel	18	2001-S-0652-R
Pignatelli, Debora	13	2001-H-0163-R
Pignatelli, Debora	13	2001-H-0238-R
Pignatelli, Debora	13	2001-H-0242-R
Pignatelli, Debora	13	2001-H-0475-R
Pignatelli, Debora	13	2001-S-0652-R
Prescott, Russell	19	2001-H-0122-R
Prescott, Russell	19	2001-H-0235-L
Prescott, Russell	19	2001-S-0381-R
Roberge, Sheila	09	2001-H-0027-R
Roberge, Sheila	09	2001-H-0156-R
Roberge, Sheila	09	2001-H-0238-R
Roberge, Sheila	09	2001-H-0475-R

Roberge, Sheila	09	2001-S-0516-R
Wheeler, Katherine	21	2001-S-0194-R
Wheeler, Katherine	21	2001-S-0197-R
Wheeler, Katherine	21	2001-H-0204-R
Wheeler, Katherine	21	2001-H-0233-R
Wheeler, Katherine	21	2001-S-0381-R
Wheeler, Katherine	21	2001-S-0652-R