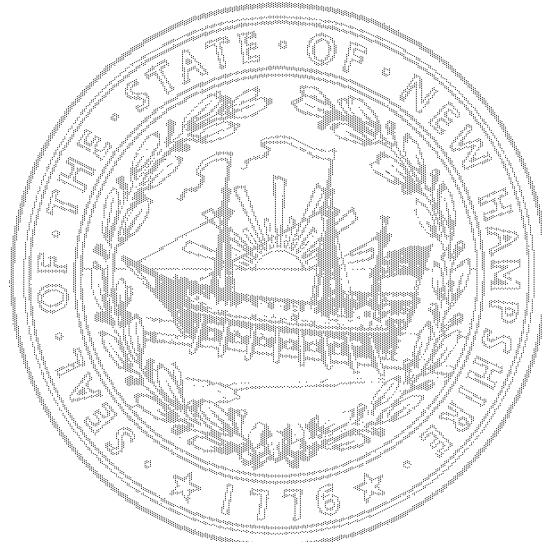


May 23, 2001

No. 26

STATE OF NEW HAMPSHIRE



Legislative

SENATE CALENDAR

REPORTS, HEARINGS, MEETINGS & NOTICES

**THE SENATE WILL MEET IN SESSION ON THURSDAY, MAY 24, 2001
AT 10:15 A.M.**

LAID ON THE TABLE

SB 29, relative to amending warrant articles by political subdivisions that have adopted the official ballot referendum form of meeting.

SB 32, exempting dumbwaiters from the elevator law.

SB 60, relative to the authority of the board of tax and land appeals to assess attorney's fees.

SB 90, relative to misdemeanor jury trials.

SB 96-FN, repealing the requirements for resident and nonresident licenses to carry concealed weapons.

SB 97-FN, requiring the annual registration of manufactured housing parks.

SB 116-FN, relative to motor vehicle offenses which result in the death or serious bodily injury of another.

SB 171-FN, relative to the negotiation of cost items within the public employee collective bargaining process and relative to computation of leave for state police employees injured in the line of duty.

SB 180-FN-A, establishing the Hooksett district court as a full-time court and making an appropriation therefor.

SB 185, relative to push-polling.

CACR 16, relating to procedure for nomination and review of judges. Providing that judges shall be nominated and selected by an independent commission and reviewed every 8 years thereafter.

HB 101, (New Title) requiring registered lobbyists to sign a statement concerning false statements or misrepresentation of material facts.

HB 126-FN, relative to the board of pharmacy and the regulation of pharmacists.

HB 130, relative to the maintenance of boundaries and fences.

HB 141, relative to regulation of junk yards.

HB 196, (New Title) relative to the penalty for failure to license a dog or renew a dog license.

HB 211, establishing a restricted probationary permit to drive and correcting the ignition interlock program laws.

HB 274, banning the residential open burning of trash and relative to a dioxin emissions reduction and control program.

REPORTS

EDUCATION

HB 237, relative to filling a vacancy in an alumni trustee position on the board of trustees of the university system. Vote 4-0

Re-referred, Senator Disnard for the committee.

HB 594, establishing a committee to study the law on justification for the use of physical force and its implications for teachers or other persons entrusted with the care and supervision of minors. Vote 4-0

Ought to Pass, Senator O'Hearn for the committee.

HCR 13, calling on the President and the Congress to fully fund the federal government's share of special education services in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act. Vote 5-0

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

ENVIRONMENT

HB 105-FN-A, establishing an agricultural nutrient management program and making an appropriation therefor. Vote 3-0

Ought to Pass, Senator Prescott for the committee.

HB 610, allowing the sale of raw milk cheese and unpasteurized apple cider in New Hampshire. Vote 3-0

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

HB 676-L-A, establishing a committee to study the creation of a regional program for collection and marketing certain components of the municipal solid waste stream. Vote 3-0

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

HB 769-FN-L, relative to fees paid by municipalities for excavating and dredging permit applications. Vote 3-0

Ought to Pass, Senator Johnson for the committee.

HCR 5, urging the federal government to consider the impacts on New Hampshire and the smaller states of interstate waste legislation. Vote 3-0

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

EXECUTIVE DEPARTMENTS & ADMINISTRATION

HB 129, relative to amending condominium instruments governing assignment of limited common areas. Vote 5-0

Ought to Pass, Senator Larsen for the committee.

HB 164, relative to exceptions to the confidentiality of certain department of employment security records. Vote 5-0

Ought to Pass, Senator Flanders for the committee.

HB 175, (New Title) relative to the amount of the homestead right. Vote 5-0

Ought to Pass, Senator D'Allesandro for the committee.

HB 183-FN, relative to the purchase of certain prior service by county corrections officers in the New Hampshire retirement system. Vote 5-0

Ought to Pass, Senator Prescott for the committee.

HB 245, relative to the duties and staff of the state geologist. Vote 5-0

Ought to Pass, Senator Flanders for the committee.

HB 261-FN, including the judiciary as a public employer under the public employee labor relations act. Vote 3-2

Ought to Pass, Senator Larsen for the committee.

HB 302-FN, relative to an optional retirement allowance for certain spouses upon a retiree's remarriage. Vote 5-0

Ought to Pass, Senator Flanders for the committee.

HB 337-FN, relative to the administration of the public utilities commission and establishing the position of executive director of the public utilities commission. Vote 5-0

Ought to Pass, Senator D'Allesandro for the committee.

HB 347-FN, relative to terminal pay for certain state officials or employees. Vote 5-0

Ought to Pass, Senator D'Allesandro for the committee.

HB 362-FN, (New Title) relative to the practice of veterinary medicine. Vote 3-2

Ought to Pass, Senator Prescott for the committee.

HB 371, relative to fiscal impact statements for proposed administrative rules prepared by the legislative budget assistant. Vote 5-0

Ought to Pass, Senator D'Allesandro for the committee.

HB 385, changing the name, membership and duties of the office of volunteerism. Vote 3-2

Ought to Pass, Senator Larsen for the committee.

HB 403, relative to the effective date of special contracts for telephone utilities. Vote 5-0

Ought to Pass, Senator Larsen for the committee.

HB 408-FN, relative to the regulation of nursing by the board of nursing. Vote 4-0

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

HB 416, relative to fire safety inspections for foster family homes. Vote 5-0

Ought to Pass, Senator Flanders for the committee.

HB 448, relative to procedures for crews and provision of counseling services following a railway accident. Vote 4-1

Re-referred, Senator Flanders for the committee.

HB 477, relative to supplemental allowances for certain retired group I members of the New Hampshire retirement system. Vote 4-0

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

HB 606-FN, relative to the Christa McAuliffe planetarium. Vote 5-0

Ought to Pass, Senator Larsen for the committee.

FINANCE

HB 303-FN-A-L, relative to funding of training and certification of fire fighters and emergency medical service providers programs in the department of safety, extending certain motor vehicle license expiration dates, and increasing certain motor vehicle license fees. Vote 7-0

Ought to Pass, Senator Eaton for the committee.

INSURANCE

SB 201-FN, creating a dedicated fund for the job training program for economic growth and making certain changes to the program. Vote 5-0

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

HB 304-FN, relative to insurance coverage for prostate cancer testing. Vote 5-0

Inexpedient to Legislate, Senator Flanders for the committee.

HB 394, relative to short-term health insurance policies for certain persons. Vote 5-0

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

HB 488, (New Title) establishing a task force to study certain issues regarding privacy. Vote 5-0

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

HB 570-FN, relative to the unemployment compensation law. Vote 4-0

Ought to Pass, Senator Wheeler for the committee.

HB 595, relative to single producer licensing. Vote 5-0

Ought to Pass, Senator Wheeler for the committee.

HB 697, extending the reporting date for the healthy kids subcommittee and clarifying the mission statement of the healthy kids corporation. Vote 4-0

Ought to Pass, Senator Wheeler for the committee.

HB 753, relative to exemptions from issuer dealer licenses for the sale of securities. Vote 5-0

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

INTERNAL AFFAIRS

HB 270-FN, increasing the mileage reimbursement rate for members of the legislature. Vote 3-0

Inexpedient to Legislate, Senator Flanders for the committee.

HB 452, establishing a committee to study the reimbursement for expenses of legislators. Vote 3-0

Ought to Pass, Senator Flanders for the committee.

HB 574, establishing a committee to study the recodification of laws relating to the joint committee on legislative facilities and the application of the right-to-know law. Vote 3-0

Ought to Pass, Senator Flanders for the committee.

JUDICIARY

HB 620, relative to arrangements between birth parents and adoptive parents. Vote 4-0

Ought to Pass, Senator Pignatelli for the committee.

HB 680, (New Title) relative to foreign reinsurers. Vote 4-0

Ought to Pass, Senator Fernald for the committee.

PUBLIC AFFAIRS

HB 194, relative to municipal budget hearings, recommendations, and reports. Vote 3-0

Ought to Pass, Senator Roberge for the committee.

HB 224, relative to persons who may sign nomination papers. Vote 3-0

Ought to Pass, Senator O'Neil for the committee.

HB 435, relative to assessment of service charges by municipalities and counties that accept credit cards for payment of local taxes, utility charges, or other fees. Vote 3-0

Ought to Pass, Senator O'Neil for the committee.

HB 614, relative to certain duties, responsibilities, and authority of the fiscal committee. Vote 3-0

Ought to Pass, Senator Roberge for the committee.

HB 639, (New Title) relative to the preparation of town ballots. Vote 3-0

Ought to Pass, Senator Disnard for the committee.

HB 723, relative to vacancies in county offices. Vote 4-0

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

PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES

HB 260, establishing a commission to examine child care resources for parents who work hours other than first shift. Vote 3-0

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

HB 350-FN, relative to persons with disabilities participating in the work incentive program. Vote 4-0

Ought to Pass, Senator O'Hearn for the committee.

HB 501, relative to licensure of foster homes and the duties of the department of health and human services advisory board. Vote 3-0

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

TRANSPORTATION

HB 219, relative to the rules of the road involving school buses. Vote 5-0

Ought to pass with amendment, Senator O'Neil for the committee.

HB 258, establishing a task force to conduct an ongoing study of the feasibility of re-establishing the Lawrence, Massachusetts to Manchester, New Hampshire rail service line and the Concord to Lebanon northern passenger rail service line. Vote 4-0

Ought to Pass, Senator Flanders for the committee.

HB 317-FN, revising the New Hampshire Aeronautics Act. Vote 3-0

Ought to Pass, Senator McCarley for the committee.

HB 615, relative to the duties of motor vehicle inspectors. Vote 4-0

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

HB 663, relative to lights on school buses. Vote 4-0

Ought to Pass, Senator Flanders for the committee.

WILDLIFE & RECREATION

HB 158, relative to the use of an artificial light to locate moose. Vote 3-0

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

HB 370, relative to the regulation of the trapping by the fish and game department. Vote 4-1

Ought to Pass, Senator Gatsas for the committee.

HB 393-FN, relative to plant nurseries and nursery stock. Vote 3-0

Ought to Pass, Senator Eaton for the committee.

HB 471-FN, (New Title) relative to fish and game licenses issued to resident and nonresident minors and relative to complimentary fishing licenses for legally blind persons. Vote 5-0

Ought to Pass, Senator Eaton for the committee.

AMENDMENTS

Senate Education

May 16, 2001

2001-1200s

04/10

Amendment to HCR 13

Amend the resolution by replacing the fourth and fifth paragraphs after the title with the following:

Whereas, when the federal government enacted the Individuals with Disabilities Education Act, it promised to fund up to 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, the federal government currently funds, on average, less than 14 percent of the average per pupil expenditure in public elementary and secondary schools in the United States; and

Amend the resolution by replacing all after the resolving clause with the following:

That the New Hampshire general court urges the President and the Congress, prior to spending any surplus in the federal budget, to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States as promised under the Individuals with Disabilities Education Act to ensure that all children, regardless of disability, receive a quality education and are treated with the dignity and respect they deserve; and

That copies of this resolution be forwarded by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the New Hampshire congressional delegation.

Environment

May 23, 2001

2001-1272s

08/09

Amendment to HB 610

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

1 Sale of Dairy Products; Sale of Raw Milk Cheese Allowed. Amend RSA 184:30-a to read as follows:

184:30-a Pasteurization Required. No milk or milk products as defined in RSA 184:79 shall be sold, offered for sale or served unless pasteurized. This shall not serve to prohibit the direct sale of raw milk or cream from the producer, store or milk pasteurization plant to the final consumer, or milk or cream from a producer to stores, nor the serving of raw milk at bona fide boarding houses where the milk is produced on the premises, provided that in the dining room of such boarding houses a sign is prominently displayed stating that such raw milk is served therein, ***nor the sale, within the state, of cheese made from raw milk when such cheese has been aged a minimum of 60 days at a temperature above 35 degrees fahrenheit, and is clearly labeled as unpasteurized.***

2 New Paragraph; Manufacture and Sale of Unpasteurized Cider. Amend RSA 434:40-b by inserting after paragraph IV the following new paragraph:

V. That unpasteurized cider may be sold within the state if such cider is clearly labeled as unpasteurized.

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

2001-1272s

AMENDED ANALYSIS

This bill allows the sale of cheese made from raw milk if such cheese is aged for 60 days and the sale of unpasteurized apple cider within the state. Such products shall be clearly labeled as unpasteurized.

Environment
May 23, 2001
2001-1271s
08/09

Amendment to HB 676-LOCAL

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the creation of enabling legislation for the formation of regional districts for collection and marketing of certain components in the solid waste stream including, but not limited to, aluminum, steel, various metals, newsprint, plastics, and glass, and the collection of other post-consumer wastes. The purpose of such districts shall be to reduce toxicity in the solid waste stream, reduce the amount of solid waste destined for disposal, and allow increased public sector management of waste materials. A component of proposed legislation may be state reimbursement of costs to municipalities that are members of such regional districts.

Environment
May 23, 2001

2001-1269s
08/01

Amendment to HCR 5

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

Whereas, the state of New Hampshire is both an importer and exporter of municipal solid waste; and

Whereas, New Hampshire has successfully reduced solid waste imports from approximately 740,000 tons in 1998 to approximately 300,000 tons in 2000; and

Whereas, the long-term demand for New Hampshire's solid waste disposal capacity has been approximately in balance with new solid waste capacity being permitted and developed; and

Whereas, actions in other states may directly increase or decrease the burden on New Hampshire to develop new capacity of municipal solid waste disposal; and

Whereas, the legislature, the department of environmental services, the governor's office of recycling, the non-profit Northeast Resource Recovery Association, and municipal governments are increasing diversion of waste from landfills and incinerators through increased reuse and recycling; and

Whereas, New Hampshire seeks to manage its waste disposal in the public interest by assuring adequacy of disposal capacity while protecting the environment and public health; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That New Hampshire's congressional delegation and the federal government are strongly urged to analyze the effectiveness of legislation on smaller states, such as New Hampshire, when dealing with interstate waste legislation; and

That New Hampshire's congressional delegation and the federal government are urged to support the movement of waste in interstate commerce; and

That New Hampshire's congressional delegation and the federal government are strongly urged to support policies which create incentives for each state to plan for the processing and disposal of its municipal solid waste within its own borders; and

That copies of this resolution be forwarded by the house clerk to the New Hampshire congressional delegation.

2001-1269s

AMENDED ANALYSIS

This house concurrent resolution urges the federal government and New Hampshire's congressional delegation to:

- I. Analyze the effectiveness on smaller states when dealing with interstate waste legislation.
- II. Support the movement of waste in interstate commerce.
- III. Support policies which create incentives for each state to plan for processing and disposal of its municipal solid waste within its own borders.

Senate Executive Departments and Administration

May 22, 2001
2001-1254s
08/01

Amendment to HB 408-FN

Amend RSA 326-B:2, VIII-a as inserted by section 5 of the bill by replacing it with the following:

VIII-a. "Delegation" means the authorization for the performance of a selected task from a licensed nurse authorized to perform the task to a licensed or unlicensed individual at the discretion of the licensed nurse.

Amend the bill by replacing section 28 with the following:

28 New Section; Limitations on and Liability for Delegation. Amend RSA 326-B by inserting after section 32 the following new section:

326-B:33 Limitations on and Liability for Delegation.

I. A nurse licensed under this chapter who delegates a specific nursing activity or task in compliance with the rules adopted pursuant to RSA 326-B:4-a, XVII shall not be subject to disciplinary action by the board of nursing for the performance of a person to whom the nursing activity or task is delegated.

II. Caregivers who properly follow delegation orders that are made in compliance with the rules adopted pursuant to RSA 326-B:4-a, XVII shall not be subject to disciplinary action by the board of nursing for the performance of their delegated duties.

III. No person may coerce a licensed nurse into compromising patient safety by requiring the licensed nurse to delegate if the licensed nurse determines that it is inappropriate to do so. Licensed nurses shall not be subject to disciplinary action by the board of nursing for refusing to delegate nursing activities or tasks or refusing to provide the required training for delegation if the nurse determines that delegation may compromise patient safety.

IV. Licensed nursing assistants shall not have authority to delegate tasks.

V. The administration of medications shall only be delegated by persons authorized in rules adopted by the board under RSA 541-A.

Senate Executive Departments and Administration
May 22, 2001
2001-1255s
08/01

Amendment to HB 477-FN

Amend RSA 100-A:41-c, I as inserted by section 1 of the bill by replacing it with the following:

I. An eligible retired group I member of the New Hampshire retirement system whose annual retirement allowance is less than \$8500 shall receive a one-time supplemental allowance sufficient to provide an annual allowance of \$8500. An eligible retired group I member shall be a

member, or beneficiary of such member, who retired prior to July 1, 1991 with at least 20 years of creditable service under RSA 100-A:5, I, or member, or beneficiary of such member, who retired under RSA 100-A:6, I.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Group I Retirement for Teachers and Political Subdivision Employees. Amend RSA 100-A:52-a, VIII to read as follows:

VIII. Any person who is eligible to receive group insurance or other medical benefits under the provisions of this section, but who does not need and who declines such benefits because they would be duplicative of coverage under any employer-sponsored plan, shall nevertheless continue to be eligible and, upon ceasing to be eligible for the other coverage, shall be permitted *to join the plan of the employer from which the member retired and* to receive the benefits allowable under this section without any waiting period.

2001-1255s

AMENDED ANALYSIS

This bill provides for a supplemental allowance for group I retired members who retired prior to July 1, 1991 so that they receive a certain minimum benefit amount.

Insurance
May 23, 2001
2001-1279s
06/09

Amendment to SB 201-FN

Amend the bill by replacing section 2 with the following:

2 New Section; Training Fund Established. Amend RSA 282-A by inserting after section 138 the following new section:

282-A:138-a Training Fund.

I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2002, the moneys in this fund may be used, solely as determined by the commissioner of the department of employment security in accordance with rules and guidelines adopted by the commissioner, for funding training under the job training program for economic growth, established under RSA 188-F:49-56. Rulemaking authority relative to administration of the grant award process shall remain with the commissioner of regional community-technical colleges pursuant to RSA 188-F:52, II(a).

II. The commissioner of employment security shall act as the fiscal agent for moneys deposited in the training fund. All costs incurred by the commissioner acting as fiscal agent of the training fund shall be paid from such fund.

III. Any interest earned on the moneys in this fund shall be deposited in the fund established by RSA 282-A:140 and shall be expended only as provided by that section, and not for any other purpose.

IV. Any moneys paid into the training fund during a calendar year, which are either not obligated by June 30 of the following year or spent by June 30 of the year thereafter, shall lapse

and be deposited into the fund established by RSA 282-A:140 and shall be expended only as provided by that section and not for any other purpose.

Amend the bill by replacing section 8 with the following:

8 New Subparagraph; Training Fund. Amend RSA 6:12, I by inserting after subparagraph (dddd) the following new subparagraph:

(eeee) Moneys collected pursuant to RSA 282-A:87, IV(a)(2), which shall be deposited in the training fund established by RSA 282-A:138-a.

2001-1279s

AMENDED ANALYSIS

This bill repeals the prospective repeal of RSA 282-A:87, IV relative to designating a portion of employer contributions for unemployment compensation to the commissioner's contingent fund. It establishes a new dedicated fund to be used to fund the job training program for economic growth using a portion of the employers' administrative contribution to the unemployment compensation trust fund. Any moneys in the training fund which are not expended within 2 years from the end of the fiscal year in which they accrue will lapse into the contingent fund of the commissioner of employment security.

This bill also changes the membership of the grant review committee of the job training program for economic growth, adds new eligibility requirements for training grants, raises the amount available for administering the program, and changes the grant performance reporting procedure.

Insurance
May 16, 2001
2001-1195s
01/10

Amendment to HB 394

Amend the bill by replacing section 1 with the following:

1 Short-Term Health Policies. Amend RSA 415:5, III to read as follows:

III. Nonrenewable, individual health insurance policies which provide medical, hospital, or major medical expense benefits for a specified term may be delivered or issued for delivery to any person in this state; however, no such policy shall provide coverage for a specified term in excess of 6 months, nor shall any such policy be issued in this state to a person who was previously covered by more than [~~one such policy~~] **2 such policies** within the preceding 12-month period.

Insurance
May 16, 2001
2001-1196s

01/10

Amendment to HB 488

Amend subparagraphs I(a) and (b) as inserted by section 2 of the bill by replacing them with the following:

- (a) Five members of the house of representatives, appointed by the speaker of the house.
- (b) Five members of the senate, appointed by the president of the senate.

Insurance
May 16, 2001
2001-1197s
08/09

Amendment to HB 753

Amend RSA 421-B:6, I-a and I-b as inserted by section 1 of the bill by replacing it with the following:

I-a. In connection with an offering of securities made pursuant to section 18(b)(4)(D) of the Securities Act of 1993 that requires only a notice filing in this state pursuant to RSA 421-B:11, I-a(e), a completed application for licensure as an issuer-dealer, an agent of an issuer-dealer and for an agent of the issuer, or authorization without licensure for an officer or director pursuant to RSA 421-B:2, II(e), shall be filed with the secretary of state no later than 15 days after the first sale of securities in this state, and the license or authorization will become effective without further action or review by the secretary of state. Provided that the application is complete and accompanied by the appropriate fees, the effective date of the license or authorization shall for all purposes be the date of first sale.

I-b. The issuer-dealer applications referred to in paragraph I-a shall set forth and be limited to the name of the issuer, the state of the issuer's formation, a description of the securities sold, the date of first sale of such securities in this state, the name or names of the representative or representatives of the issuer who are engaged in the sale of the securities, and confirmation that no agent has been convicted of a felony. The applications need only be signed by that person or those persons who are authorized to do so by the issuer's board of directors or other governing body. At the same time, the issuer shall submit a consent to service of process pursuant to RSA 421-B:30, VII, and shall pay the fees required by RSA 421-B:31. Each application shall be on a form prescribed by the secretary of state, consistent with the provisions of this section.

Amend RSA 421-B:17, II(a) as inserted by section 3 of the bill by replacing it with the following:

- (a) Any isolated sales, whether or not effected through a broker-dealer, provided that no person shall make more than 5 sales, in total, of securities of the same issuer, in all

jurisdictions combined, other than those designated in RSA 421-B:17, I(h), II(g), II(l) and II(p)(1), during any period of 12 consecutive months; provided further that in the case of sales by an issuer, except sales of securities registered under the Securities Act of 1933 or exempted by section 3(b) of that act, the seller reasonably believes that all buyers are purchasing for investment. ***The secretary of state, on a case by case basis, may by rule or order increase the number of persons to whom sales may be made under this exemption.***

Public Affairs
May 17, 2001
2001-1208s
03/10

Amendment to HB 723

Amend the bill by replacing section 2 with the following:

2 Vacancies Among County Officers; Election by Members of County Convention. Amend RSA 661:9, I-II to read as follows:

I. If a vacancy occurs in the office of county sheriff, county attorney, register of deeds, or county treasurer, the ~~[superior court]~~ ***members of the county convention*** shall fill the vacancy for the unexpired term ***by majority vote. The person elected to fill the vacancy shall be a member of the same party as the person vacating the office.***

II.(a) If a vacancy occurs in the office of a county commissioner, the ~~[superior court]~~ ***members of the county convention*** shall fill the vacancy ***by majority vote*** until the next biennial election of county officers. ***The person elected by the members to fill the vacancy shall be a member of the same party as the person vacating the office.*** If the term filled is less than the unexpired term, then notwithstanding any provisions of RSA 653:1, VI, the commissioner district filled pursuant to this paragraph shall be added to the next biennial election ballot to be chosen by the inhabitants of the county for a 2-year term.

(b) The provisions of subparagraph (a) shall apply only where the vacancy occurred no later than 30 days preceding the printing of the ballots for the primary election.

(c) The provisions of RSA 655:32 and RSA 655:37 relating to nominations by appropriate party committees for vacancies in an office on a primary or general election ballot, respectively, shall apply to vacancies to be filled under this paragraph.

Public Institutions, Health and Human Services
May 23, 2001
2001-1274s
05/03

Amendment to HB 260

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

AN ACT relative to the examination of child care resources for parents who work hours other than first shift by the advisory council on child care.

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

1 Examination of Child Care Resources for Parents Who Work Hours Other Than First Shift by the Advisory Council on Child Care. The advisory council on child care, established under RSA 126-A:17, shall examine the child care resources for parents who work hours other than first shift.

I. The assessment shall include:

(a) The extent to which the child care needs of parents who work hours other than first shift are being met; and any additional accommodations that could be made for these parents.

(b) The number of licensed child care facilities available to second- and third-shift employees.

(c) The number of New Hampshire businesses that operate on a multi-shift basis.

II. In conducting the study, the council shall solicit information and testimony from at a minimum:

(a) A current provider of child care services.

(b) A representative of an industry operating on a multi-shift basis.

(c) A representative of an industry that has experience with in-house child care services.

(d) At least 2 parents who work hours other than first shift, one from an urban area and one from a rural area.

(e) The department of health and human services and the department of labor.

III. The advisory council shall report its findings and any recommendations to all members of the advisory council on child care, the governor, and the state library by November 1, 2001.

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

2001-1274s

AMENDED ANALYSIS

This bill requires the advisory council on child care to study child care resources for parents who work hours other than first shift.

Public Institutions, Health and Human Services

May 23, 2001

2001-1280s

05/03

Amendment to HB 501

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

4 Delinquent Children; Release Prior to Arraignment; Reference to Specific Licensure Removed. Amend RSA 169-B:11, II to read as follows:

II. If such a person is not available, the court may release the minor under the supervision of a relative or friend; or place the minor in a foster home, as defined in RSA 169-C:3, XIII, ~~[which is specifically licensed to accept delinquent children,]~~ a crisis home, a shelter care facility, a group home with expenses charged according to RSA 169-B:40, or an alcohol crisis center certified to accept juveniles; or

5 Delinquent Children; Release or Detention Pending Adjudicatory Hearing; Reference to Specific Licensure Removed. Amend RSA 169-B:14, I(c) to read as follows:

(c) Released in the supervision and care of a foster home, as defined in RSA 169-C:3, XIII, ~~[which is specifically licensed to accept delinquent children]~~ with expenses charged according to RSA 169-B:40; or

6 Children in Need of Services; Release Prior to Initial Appearance; Reference to Specific Licensure Removed. Amend RSA 169-D:10, II(c) to read as follows:

(c) A foster home, as defined in RSA 169-C:3, XIII, ~~[which is specifically licensed to accept children in need of services]~~ with expenses chargeable as provided in RSA 169-D:29;

7 Children in Need of Services; Release Pending Adjudicatory Hearing; Reference to Specific Licensure Removed. Amend RSA 169-D:13, I(c) to read as follows:

(c) Placed in a foster home, as defined in RSA 169-C:3, XIII, ~~[which is specifically licensed to accept children in need of services]~~ with expenses chargeable as provided in RSA 169-D:29; or

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

Senate Transportation
May 22, 2001
2001-1243s
03/01

Amendment to HB 219

Amend the bill by replacing section 3 with the following:

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

Senate Transportation
May 22, 2001
2001-1245s
03/09

Amendment to HB 615

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

AN ACT relative to the duties of motor vehicle inspectors and fees payable to the department of safety.

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

3 New Paragraph; Certificates of Title; Fees; Surviving Spouse. Amend RSA 261:20 by inserting after paragraph III the following new paragraph:

III-a. No fee shall be charged for a first certificate of title to a motor vehicle that has passed to a surviving spouse by rights of survivorship, provided that the application for the first certificate of title is in the surviving spouse's name alone and the application is made within 13 months of the decedent's date of death.

4 Repeal. RSA 263:56-c, II-III, relative to fee for proof of satisfaction of default, is repealed.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect July 1, 2001.

2001-1245s

AMENDED ANALYSIS

This bill expands the enforcement authority of motor vehicle inspectors to include the transport of hazardous materials and waste and other enforcement duties determined by the commissioner of safety. This bill establishes an exemption from the certificate of title fee for a surviving spouse taking title by rights of survivorship. This bill also repeals the fee that must be paid to the department of safety when submitting proof of satisfaction of a default in another jurisdiction.

Wildlife and Recreation

May 22, 2001

2001-1246s

08/01

Amendment to HB 158

Amend the bill by replacing section 2 with the following:

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

HEARINGS

THURSDAY, MAY 24, 2001

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

**EXECUTIVE SESSION ON PENDING LEGISLATION IMMEDIATELY
FOLLOWING SESSION**

TUESDAY, MAY 29, 2001

● **PLEASE NOTE HB 543-FN WAS RECESSED FROM MAY 22ND**

ENERGY & ECONOMIC DEVELOPMENT, Room 102, LOB

1:00 p.m. **HB 543-FN**, establishing the division of ports and harbors within the Pease development authority and transferring all functions, powers, and duties of the New Hampshire state port authority.

EXECUTIVE SESSION TO FOLLOW

PUBLIC AFFAIRS, Room 105-A, SH

1:00 p.m. **HB 201**, (New Title) relative to voters presenting identification to obtain a ballot.
1:30 p.m. **HB 399**, relative to proof of qualifications for voter registration.
2:00 p.m. **HB 520**, relative to clarifying qualifications of candidates.
2:30 p.m. **HB 677**, relative to certification and filing of nomination papers.
3:00 p.m. **HB 579**, relative to nominating a political organization by nomination papers.

● **PLEASE NOTE HB 743 WAS RECESSED FROM MAY 22ND**

PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES, Room 101, LOB

12:30 p.m. **HB 743**, transfers the department of youth development services to the department of health and human services.
1:00 p.m. **HB 591**, relative to certain prescription discount cards.
1:15 p.m. **HB 177**, relative to the purchase of a wheelchair van for the veterans' home in Tilton and making an appropriation therefor.
1:45 p.m. **HB 390**, (New Title) relative to the Live-Birth Infants Protection Act.

EXECUTIVE SESSION ON PENDING LEGISLATION AS TIME PERMITS

TRANSPORTATION, Room 104, LOB

8:30 a.m. **HB 652**, relative to the penalties for reckless or negligent operation of a motor vehicle.
8:45 a.m. **HB 218**, relative to the motor vehicle road toll law and motor vehicle registration fees.
9:00 a.m. **HB 584-FN-A**, relative to the registration and licensure of OHRV dealers and rental agents.
9:15 a.m. **HB 717**, (New Title) establishing a committee to make recommendations on policy concerning state-operated trails for all terrain vehicles and trail bikes and relative to increasing the nonresident OHRV registration fees for snow traveling vehicles.
9:30 a.m. **HB 534**, relative to "salvage" motor vehicles.

WILDLIFE & RECREATION, Room 101, LOB

10:00 a.m. **HB 604-FN**, relative to increasing certain fees and making other changes to fish and game licenses.
10:30 a.m. **HB 760-FN**, (New Title) relative to the use of silencing devices for taking game.
10:45 a.m. **HB 720**, relative to permitting the use of certain firearms for hunting deer.
11:00 a.m. **HB 152-FN**, (New Title) relative to expanding the legal methods of taking deer.

EXECUTIVE SESSION ON PENDING LEGISLATION

WEDNESDAY, MAY 30, 2001

EDUCATION, Room 105-A, SH

- 1:00 p.m. **HB 354-FN-A-L**, extending the kindergarten construction program.
- 1:15 p.m. **HB 679**, establishing a commission to examine models of out-of-school care for children in kindergarten through grade 12.
- 1:30 p.m. **HB 694**, establishing a separate high school civics graduation requirement.

EXECUTIVE DEPARTMENTS & ADMINISTRATION, Room 104, LOB

- 1:10 p.m. **HB 402**, relative to the establishment of a state universal service fund.
- 1:30 p.m. **HB 279-FN-L**, relative to the payment of certain unfunded accrued liability of the retirement system and making an appropriation therefor.
- 1:50 p.m. **HB 493**, (New Title) exempting certain short term condominium unit owners' association rentals from the New Hampshire real estate practice act.
- 2:10 p.m. **HB 511**, relative to continuing medical education requirements for physicians.
- 2:30 p.m. **HB 578**, (New Title) relative to requirements for nonpublic utility providers of telephone services and competitive telecommunications providers, and relative to the information technology management advisory board.
- 2:50 p.m. **HB 684**, relative to the occupational therapy practice act.

INSURANCE, Room 101, LOB

- 8:45 a.m. **HB 603-FN-A**, providing the commissioner of administrative services an option to self-fund the state employee health plan and requiring a reserve fund therefor.

EXECUTIVE SESSION TO FOLLOW ON PENDING LEGISLATION

JUDICIARY, Room 103, LOB

- 10:15 a.m. **HB 616**, clarifying sessions to be held at the satellite district court in Durham.
- 10:30 a.m. **HB 588**, relative to examination of persons called as jurors.
- 10:45 a.m. **HB 463-FN**, relative to protective services to adults.
- 11:00 a.m. **HB 103**, (New Title) relative to the possession of deadly weapons by convicted felons or during the commission or attempted commission of a violent crime.
- 11:15 a.m. **HB 659**, relative to penalties for attempting to purchase firearms illegally.

THURSDAY, MAY 31, 2001

FINANCE, Room 103, SH

- 2:00 p.m. **HB 193**, establishing a committee to study state payments for court-ordered placements of special education pupils.
- 2:30 p.m. **HB 351-FN-A-L**, requiring the state to fully fund school building aid payments for fiscal year 2001 and making an appropriation therefor.

EXECUTIVE SESSION TO FOLLOW ON PENDING LEGISLATION

TUESDAY, JUNE 5, 2001

PUBLIC AFFAIRS, Room 105-A, SH

- 1:00 p.m. **HB 512**, relative to off-site improvements imposed on applicants to a planning board.
- 1:30 p.m. **HB 596**, relative to the acquisition of land by a town.
- 2:00 p.m. **HB 698**, relative to verification of checklists.
- 2:30 p.m. **HB 259**, relative to holding sessions for correction of checklists.
- 3:00 p.m. **HB 503**, relative to incompatible offices.

TRANSPORTATION, Room 104, LOB

- 8:30 a.m. **HB 320-FN**, (New Title) relative to leasing certain portions of railroad properties and relative to the definition and taxation of amusement railroads.
- 8:45 a.m. **HB 669**, requiring certain safety devices on freight locomotives.
- 9:00 a.m. **HB 547-FN**, authorizing participation in a regional electronic toll collection system.
- 9:15 a.m. **HB 653-FN**, relative to certain signs within highway rights-of-way.

WEDNESDAY, JUNE 6, 2001

CAPITAL BUDGET, Room 103, SH

- 1:00 p.m. **HB 25-FN-A**, making appropriations for capital improvements.

EXECUTIVE SESSION

EXECUTIVE DEPARTMENTS & ADMINISTRATION, Room 104, LOB

- 1:10 p.m. **HB 702**, (New Title) relative to the duties of the committee to study the consumer protection effort in New Hampshire.
- 1:30 p.m. **HB 719**, relative to the removal of public officials for cause.
- 1:50 p.m. **HB 731-FN**, relative to securities laws.
- 2:10 p.m. **HB 745**, revising Article 9 of the Uniform Commercial Code and related statutes.

EXECUTIVE SESSION TO FOLLOW

JUDICIARY, Room 103, LOB

- 10:15 a.m. **EXECUTIVE SESSION ON ALL PENDING LEGISLATION**

MEETINGS

THURSDAY, MAY 24, 2001

- **PLEASE NOTE THE SENATE FINANCE WORK SESSION FOR MAY 24 HAVE BEEN CANCELLED.**

NH DEPARTMENT OF TRANSPORTATION (Bike/Ped Conference) Wayfarer Inn, Bedford, NH

8:00 a.m. - 4:00 p.m. 3rd Annual Conference

NH DEPARTMENT OF TRANSPORTATION (Salem-Manchester 10418-C I-93 widening) Londonderry High School Cafeteria, 295 Mammoth Road, Londonderry, NH

6:00 p.m. Advisory Task Force Meeting

FRIDAY, MAY 25, 2001

- **PLEASE NOTE THE SENATE FINANCE WORK SESSION FOR MAY 25 HAVE BEEN CANCELLED.**

TUESDAY, MAY 29, 2001

SENATE FINANCE COMMITTEE WORK SESSION ON HB 1 AND HB 2 Room 103, SH

9:00 a.m. Work Session

FRIDAY, JUNE 1, 2001

NH LAND & COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4) Community Development Finance Authority, 14 Dixon Ave, Concord, NH

9:00 a.m. - 4:00 p.m. Regular Meeting

MONDAY, JUNE 4, 2001

NH COUNCIL ON APPLIED TECHNOLOGY & INNOVATION (RSA 12-H:1) Room 207, LOB

9:00 a.m. Regular Meeting

CERTIFICATE OF NEED (RSA 151-C:16) ROOMS 306-308, LOB

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

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

2:00 p.m. - 4:00 p.m. Regular Meeting

JOINT HEALTH COUNCIL (RSA 326-B:10-b) NH Board of Nursing Room 17, 78 Regional Drive, Building 2, Concord, NH

5:30 p.m. Public Meeting

FRIDAY, JUNE 8, 2001

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3) Room 102, LOB

9:00 a.m. Work Session

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

9:00 a.m. Regular Meeting

WELLNESS & PRIMARY PREVENTION COUNCIL (RSA 126-M:3) Room 207, LOB

10:00 a.m. Regular Meeting

MONDAY, JUNE 11, 2001

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

9:30 a.m. Regular Meeting

PUBLIC HEALTH & ENVIRONMENT RELATION SHIP COMMISSION (HB 1390, Chapter 114, Laws of 2000) Room 205, LOB

10:00 a.m. Regular Meeting

FRIDAY, JUNE 15, 2001

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3) Room 207, LOB

9:00 a.m. Regular Meeting

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

9:00 a.m. Regular Meeting

KIDS CABINET MEETING Governor and Council Chambers

2:00 p.m. Regular Meeting

WEDNESDAY, JUNE 20, 2001

NH DEPARTMENT OF TRANSPORTATION (Salem-Manchester 10418-C, I-93 widening)
West Running Brook School, 1 West Running Brook Lane, Derry, NH

4:00 p.m. Resource Agency Meeting

FRIDAY, JUNE 22, 2001

PET OVERPOPULATION COMMITTEE (RSA 437-A:7) Room 102, LOB

10:00 a.m. Regular Meeting

MONDAY, JUNE 25, 2001

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

9:00 a.m. Regular Meeting

THURSDAY, JUNE 28, 2001

NH DEPARTMENT OF TRANSPORTATION (Salem-Manchester 10418-C, I-93-widening)
Londonderry High School Cafeteria, 295 Mammoth Road, Londonderry, NH

6:00 p.m. Advisory Task Force Meeting

MONDAY, JULY 9, 2001

CERTIFICATE OF NEED (RSA 151-C:16) ROOMS 306-308, LOB

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

FRIDAY, JULY 20, 2001

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

9:00 a.m. Regular Meeting

MONDAY, JULY 23, 2001

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

10:00 a.m. Regular Meeting

MONDAY, JULY 30, 2001

PUBLIC HEALTH & ENVIRONMENT RELATION SHIP COMMISSION (HB 1390,
Chapter 114, Laws of 2000) Room 205, LOB

10:00 a.m. Regular Meeting

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

**SB 36, SB 51, SB 69, SB 72, SB 73, SB 76, SB 81, SB 90, SB 101, SB 105, SB 114, SB 115,
SB 117, SB 134, SB 140, SB 142, SB 143, SB 151, SB 160, SB 164, SB 167, SB 168, SB 169,
SB 170, SB 171, SB 172, SB 173, SB 174, SB 176, SB 177, SB 178, SB 183, SB 188, SB 189,
SB 191**

NOTICES

THURSDAY, MAY 31, 2001

The Osteoporosis Prevention and Education Council invites you to our annual Legislative Awareness Day. There will be exhibits, educational material and of course great luncheon treats. Thursday, May 31, 2001 at 11:00 a.m. in SH 105-A.

Senator Katherine Wells Wheeler

TUESDAY, JUNE 5, 2001

The Clesson "Junie" Blaisdell Portrait Committee cordially invites all who knew Junie to attend the unveiling of his portrait on Tuesday, June 5, 2001 at 12:00 noon outside of the Senate Chamber on the second floor of the State House.

The Clesson "Junie" Blaisdell Portrait Committee

Senator John S. Barnes, Jr.

Senator Lou D'Allesandro

Senator Beverly A. Hollingworth

Senator Thomas R. Eaton

Senator George F. Disnard

TUESDAY, JUNE 5, 2001

The New Hampshire Good Roads Association, in cooperation with the New Hampshire Department of Transportation is hosting a Legislative Bus Tour to various highway and bridge construction projects in the southern part of the state, including a tour of an asphalt plant on Tuesday, June 5, 2001. Transportation and a luncheon will be provided. Reservations are needed by May 29, 2001. Please contact Brenda Clemons at the New Hampshire Good Roads office at (603) 224-1823 or (800) 552-7904.

Senator Thomas R. Eaton

MONDAY, JUNE 11, 2001

The **28th Annual Bill White Memorial Legislative Golf Tournament** is scheduled for Monday, June 11, 2001 at Androscoggin Valley Country Club in Gorham, New Hampshire. The entry fees for this annual tourney is \$60.00 per person and includes greens fee, cart, barbecue and prizes. A shotgun start is scheduled for 9:00 a.m. The format is "Captain and Crew." Sign-up as a foursome or sign-up by yourself and be placed in a foursome. A maximum of 120 players will be allowed. Please return your entry and payment not later than May 29th to Sandy Wheeler at the LOB Lobby Desk. Please Make Checks payable to Legislative Golf Tournament c/o David Saltmarsh.

For your convenience, arrangements have been made with the Town & Country Motor Inn (located directly across the street from the golf course) for special lodging rates of \$44.00 plus tax per person, per night for those of you who may choose to come up early or stay late. If you choose to stay over you must book your room in advance by calling the Inn at 1-800-325-4386. Currently, we are planning other events for Sunday and Monday, details to follow.

Senator Arthur P. Klemm Jr.

Senator Robert K. Boyce

**28th ANNUAL BILL WHITE MEMORIAL
LEGISLATIVE GOLF TOURNAMENT**

NAME: (1)

(2)

(3)

(4)

TELEPHONE NO:

AMOUNT ENCLOSED:

THURSDAY, JUNE 21, 2001

GOVERNOR'S ANNUAL BARBECUE

Please save the date! Governor Shaheen's annual barbecue for legislators and staff will be Thursday, June 21st, from 4-8 p.m. at Bridges House.

Food, fun and frosty drinks!

Senator Beverly A. Hollingworth

MONDAY, JUNE 25, 2001

The International Trade Resource Center located at the Pease International Tradeport, Portsmouth, is hosting a **Legislative Awareness Day** on Monday, June 25, 2001.

Exports play a significant role in the state's economy and your awareness of this resource will serve you well with businesses in your district.

Details of the days activities will be available in the near future.

Set the date on your calendar, you will not be disappointed.

Senator Carl R. Johnson

VISITORS' CENTER SCHEDULE - MAY

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 **May 2001**.

Please contact the Visitors' Center concerning additional information. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

DATE	TIME	GROUP	CLASS/Size
May 24	9:30	Salem Christian School	4/25
May 24	11:00	Campton Elem School	4/45
May 24	1:00	St. Mary's - Claremont	4 & 6-8/35
May 25	9:30 & 11:00	Hanover St. School - Lebanon	4/85
May 25	12:30	Ed Fenn School - Gorham	4/50
May 29	9:30 & 11:00	Green Acres School - Manchester	4/75
May 30	9:30 & 11:00	Green Acres School - Manchester	4/50
May 30	1:00	Berlin Jr High	8/35
May 31	9:30 & 11:00	Hillsboro Deering Elem School	4/60
May 31	11:00	Mt. Shadow School - Dublin	6/12
May 31	1:00	Bartlett School - Berlin	3/50
June 1	9:30 & 11:00	Hillsboro Deering Elem School	4/75