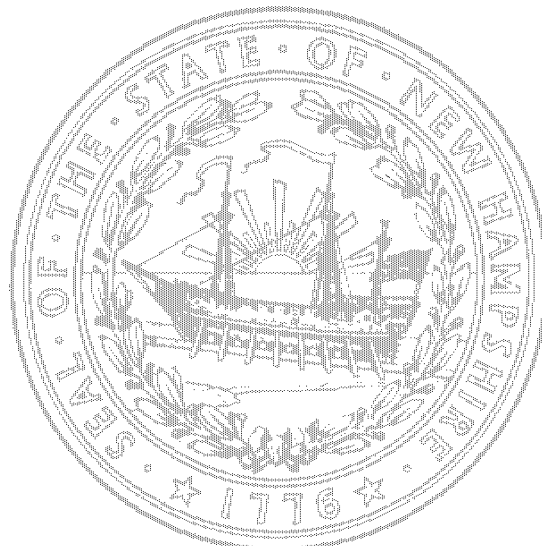


February 12, 2002
No. 11A

STATE OF NEW HAMPSHIRE



Legislative

SENATE CALENDAR ADDENDUM

VETO MESSAGE, REPORTS, AMENDMENTS, HEARINGS,
MEETINGS & NOTICES

**THE SENATE WILL MEET IN SESSION ON THURSDAY, FEBRUARY 14,
2002 AT 10:15 A.M.**

VETO MESSAGE

February 7, 2002

To the Honorable Members of the General Court:

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, I have this day vetoed Senate Bill 141, an Act relative to proof of qualifications for voter registration.

The right to vote is a fundamental right. Restrictions should be placed on that right if, and only if, there is a compelling need. S.B. 141, which is identical to legislation I vetoed last year, does not meet that test.

While the proponents of S.B. 141 say the purpose of this legislation is to protect our elections from fraud, there is no evidence that voter fraud is a problem in New Hampshire. That is, in large part, because our laws already provide protection from voter fraud. Our statutory requirement that the checklists be purged on a regular basis prevents "graveyard" voting. Our laws permit any voter to challenge the identity and eligibility of any other voter, with any so challenged voter required to sign an affidavit under penalty of perjury before being permitted to vote. Moreover, anyone registering to vote on election day is required to sign a form swearing, under penalty of perjury, that he or she is a qualified voter.

In order to be eligible to vote in New Hampshire, one must be a citizen of the United States, be 18 years of age or older, and be domiciled where he or she intends to vote. Under current New Hampshire law, supervisors of the checklist and town or city clerks may ask an applicant to provide proof of citizenship, age and domicile. If Senate Bill 141 became law, voting registration officials would be required to demand this proof.

S.B. 141 would have the effect of discouraging eligible voters from exercising their right to vote. Not all voters carry proof of their age with them, and in our country, few citizens carry proof of their citizenship. No discretion is given to supervisors of the checklist and town and city clerks under S.B. 141. No matter how well the supervisor of the checklist or town or city clerk knows the voter, he or she must still demand proof of age and citizenship. This would potentially cause lengthy delays for all voters.

While New Hampshire's voter turnout percentage compares well with the rest of the country, it is troubling that one-third of our registered voters did not exercise their franchise in the 2000 general election, an election to choose the President of the United States. Rather than erecting new barriers to voting, lawmakers should instead investigate

why so many of our fellow citizens do not vote and develop public policy to encourage every eligible citizen to exercise this precious and fundamental right.

For all of the above reasons, I am today vetoing Senate Bill 141.

Respectfully submitted,

Jeanne Shaheen
Governor

LAI D ON THE TABLE

CACR 5, (New Title) relating to the rulemaking authority of the supreme court. Providing that supreme court may adopt rules that have the force and effect of law, and that the general court may regulate these matters by statute and may accept or reject any rule adopted by the supreme court, and that in the event of a conflict between a statute and a rule, the statute, if otherwise valid, shall supersede the rule.

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

SB 87, relative to permissible campaign contributions by business organizations and labor unions.

SB 105, relative to instream flow plan requirements.

SB 112, relative to voter registration forms.

SB 146, relative to personal watercraft.

SB 173-FN-A, creating a business profits tax credit for certain donations made for science and technology equipment and facilities to the university system of New Hampshire or any of its component institutions.

SB 187-FN, requiring the state to pay for an independent appraiser in eminent domain proceedings.

SB 198-FN-A, expanding the authority of the sweepstakes commission to establish a 2-year pilot program for video lottery games at state liquor stores, and making an appropriation therefor.

SB 335, relative to prohibited political contributions.

SB 336, relative to political contributions.

SB 340, relative to alterations to party registration.

SB 382, relative to display of flags on condominium units.

SB 391-FN, relative to appeals from the compensation appeals board.

HB 157, (New Title) clarifying the immunity from liability of persons providing emergency care.

HB 193, establishing a committee to study state payments for court-ordered placements of special education pupils.

HB 226, relative to instructions to voters for straight-ticket voting.

HB 325-FN, relative to certain acts of sexual assault.

HB 466, relative to the selection of replacement justices for supreme court justices who are disqualified to hear cases.

HB 679, establishing a commission to examine models of out-of-school care for children in kindergarten through grade 12.

HB 748-FN-A-L, (2nd New Title) revising the definition of an adequate education and revising the weighted pupil formula used to calculate the cost of an adequate education.

REPORTS

BANKS

SB 392, establishing a committee to study certification of mortgage loan originators. Vote 4-0
Ought to Pass, Senator Larsen for the committee.

EDUCATION

SB 421-FN-A, authorizing the Berlin campus of the New Hampshire regional community-technical college system to upgrade and modernize its equipment and programs and authorizing manufacturing technology training in the town of Littleton, and making an appropriation therefor. Vote 4-0

Ought to Pass, Senator McCarley for the committee.

SB 427-FN-A, revising the career incentive program within the postsecondary education commission. Vote 4-0

Inexpedient to Legislate, Senator O'Hearn for the committee.

ENERGY & ECONOMIC DEVELOPMENT

SB 394, relative to the duties of the advisory committee on international trade. Vote 5-0

Ought to Pass, Senator Johnson for the committee.

HB 681, (New Title) relative to billing by local exchange carriers, electric distribution companies, and gas distribution companies. Vote 5-0

Ought to Pass, Senator Below for the committee.

ENVIRONMENT

SB 327-FN, relative to a milfoil and other exotic plants prevention and research grant program and fund. Vote 3-0

Inexpedient to Legislate, Senator Johnson for the committee.

SB 351, relative to the zone of influence of the Conway Village Fire District well field. Vote 4-0

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

SB 372, prohibiting the sale of reformulated gasoline in certain counties of the state. Vote 3-2

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

SB 410, relative to large groundwater withdrawals. Vote 5-0

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

SB 419, relative to notification of groundwater contamination. Vote 4-0

Ought to Pass, Senator Prescott for the committee.

EXECUTIVE DEPARTMENTS & ADMINISTRATION

SB 305, establishing a committee to study methods for improving communication tower aesthetics. Vote 3-1

Inexpedient to Legislate, Senator Flanders for the committee.

SB 311-FN, establishing a no telemarketing sales calls statewide registry. Vote 3-0

Inexpedient to Legislate, Senator Francoeur for the committee.

SB 316, establishing a committee to study the fiscal relationship between the Pease development authority and the state and its political subdivisions. Vote 3-1

Inexpedient to Legislate, Senator Prescott for the committee.

SB 320, establishing a study committee to review independent living retirement communities. Vote 4-0

Ought to Pass, Senator Flanders for the committee.

SB 361-FN, relative to computerized telephone emergency warning systems. Vote 3-1

Inexpedient to Legislate, Senator Prescott for the committee.

SB 364, relative to the membership of the board of manufactured housing. Vote 3-2

Inexpedient to Legislate, Senator Francoeur for the committee.

SB 366, relative to biennial reports of the public utilities commission. Vote 4-0

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

SB 371-FN, relative to the regulation of manufactured housing parks. Vote 3-0

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

SB 378-FN, relative to the regulation of landscape architects. Vote 2-1

Inexpedient to Legislate, Senator Prescott for the committee.

SB 390, relative to the licensure of radiologic technologists. Vote 3-1

Inexpedient to Legislate, Senator Flanders for the committee.

SB 396-FN, relative to group II retirement status for criminalists employed by the department of safety. Vote 4-0

Ought to Pass, Senator Flanders for the committee.

SB 399, regulating demand drafts under the New Hampshire Uniform Commercial Code.

Vote 4-0

Ought to Pass, Senator Larsen for the committee.

SB 407-FN, requiring restroom facilities in certain state buildings. Vote 4-0

Inexpedient to Legislate, Senator Francoeur for the committee.

HB 285-FN-L, relative to the adoption of a state building code. Vote 4-0

Ought to Pass, Senator Francoeur for the committee.

FINANCE

SB 140-FN-L, relative to the formula for free and reduced-price lunches. Vote 3-2

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

SB 177-FN-L, relative to computation of tax increments in municipal economic development and revitalization districts. Vote 4-1

Ought to Pass, Senator Larsen for the committee.

SB 331-FN, relative to the purchase of certain prior service credit by members of the retirement system. Vote 5-0

Ought to Pass, Senator Hollingworth for the committee.

SB 398-FN, authorizing an increase in admission fees for the Seacoast Science Center at Odiorne Point state park in Rye, New Hampshire. Vote 3-2

Ought to Pass, Senator Hollingworth for the committee.

SB 425-FN-L, revising the formula used to calculate the cost of an adequate education. Vote 4-2

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

HB 180-FN, relative to criminal neglect of elderly, disabled, or impaired adults. Vote 5-0

Ought to Pass, Senator Larsen for the committee.

HB 295-FN, relative to medicaid recoveries from third party settlements. Vote 5-0

Ought to Pass, Senator Hollingworth for the committee.

HB 463-FN, relative to protective services to adults. Vote 5-0

Ought to Pass, Senator Gatsas for the committee.

INSURANCE

SB 342, relative to ambulatory surgical facilities. Vote 5-0

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

SB 346, establishing a committee to study health insurance for child care workers. Vote 5-0

Inexpedient to Legislate, Senator Francoeur for the committee.

SB 365, relative to the administration of the insurance laws. Vote 5-0

Inexpedient to Legislate, Senator Hollingworth for the committee.

SB 418-FN, relative to unemployment compensation. Vote 5-0

Ought to Pass, Senator Flanders for the committee.

SB 422-FN, relative to the insurance laws. Vote 5-0

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

INTERNAL AFFAIRS

CACR 34, relating to the number of members of the senate and senatorial districts. Providing that the senate shall consist of 2 members elected from each district and that senate districts shall conform to county boundaries and certain town boundaries. Vote 4-0

Inexpedient to Legislate, Senator Boyce for the committee.

SB 324, urging a study of the operating efficiency of state government. Vote 3-1

Ought to Pass, Senator Boyce for the committee.

SB 325, establishing a committee to study the use of state vehicles. Vote 3-1

Inexpedient to Legislate, Senator Flanders for the committee.

SB 380, establishing a committee to study the space needs of the division of safety services within the department of safety. Vote 3-1

Ought to Pass, Senator Boyce for the committee.

SB 411, extending the reporting dates of certain study committees. Vote 3-0
Ought to Pass, Senator Wheeler for the committee.

SB 428, changing the name of the joint committee on legislative facilities and codifying the powers and duties of the committee. Vote 3-0
Ought to Pass, Senator Wheeler for the committee.

HB 1397, relative to the annual salary of police commissioners of the town of Wolfeboro. Vote 2-0
Ought to Pass, Senator Flanders for the committee.

JUDICIARY

SB 313, relative to penalties for misrepresenting age for the purpose of procuring liquor or beverage. Vote 3-0

Ought to Pass, Senator Roberge for the committee.

SB 314-FN, relative to Selective Service Act Compliance through driver's license applications. Vote 3-0

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

SB 343-FN, relative to appeals in actions against tenants. Vote 4-0

Ought to Pass, Senator Fernald for the committee.

SB 360-FN, establishing criminal penalties for the introduction of computer contaminants. Vote 4-0

Interim Study, Senator Pignatelli for the committee.

SB 367, relative to the guardian ad litem board. Vote 5-0

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

SB 368, granting probate courts the power to issue attachments and levies of execution. Vote 3-0

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

SB 369, relative to compensation of guardians and conservators for administrative expenses. Vote 3-0

Ought to Pass, Senator Gordon for the committee.

SB 383, relative to the location of district courts within judicial districts. Vote 3-0

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

PUBLIC AFFAIRS

SB 355-FN, relative to campaign contributions and expenditures. Vote 3-2

Inexpedient to Legislate, Senator Francoeur for the committee.

SB 363, establishing a committee to study economic distortions associated with property taxation. Vote 4-0

Ought to Pass, Senator Roberge for the committee.

SB 374, relative to campaign expenditures. Vote 3-2

Inexpedient to Legislate, Senator Roberge for the committee.

SB 397, prohibiting smoking in restaurants in New Hampshire. Vote 5-0

Inexpedient to Legislate, Senator Barnes for the committee.

PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES

SB 322-FN-A, relative to funding for kidney dialysis patients and making an appropriation therefor. Vote 3-1

Inexpedient to Legislate, Senator Prescott for the committee.

SB 330, relative to the use of epinephrine by emergency medical care providers.

MAJORITY REPORT: Ought to pass with amendment, Senator O'Hearn for the committee. Vote 3-2

MINORITY REPORT: Ought to Pass, Senator Wheeler for the committee. Vote 2-3

SB 373-FN-A, relative to state payments to foster care families and making an appropriation therefor. Vote 5-0

Inexpedient to Legislate, Senator Wheeler for the committee.

SB 379, relative to immune system therapy. Vote 3-0

Inexpedient to Legislate, Senator Boyce for the committee.

SB 386, establishing a committee to study a registry for automatic external defibrillators. Vote 4-0

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

SB 400, establishing a committee to study issues concerning the Poison Information and Control Center. Vote 5-0

Ought to Pass, Senator Wheeler for the committee.

SB 401-FN-A, relative to long-term care funding and making an appropriation therefor. Vote 3-2

Ought to Pass, Senator Boyce for the committee.

SB 402-FN-A, establishing a committee to study long-term care funding and making an appropriation therefor. Vote 3-2

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

SB 413, establishing a committee to study background checks for nursing home employees.

Vote 4-0

Ought to Pass, Senator Wheeler for the committee.

TRANSPORTATION

SB 315-FN, relative to requiring safety and education training for persons registering snow traveling vehicles. Vote 5-0

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

SB 414, relative to the committee allowing the use of business logo signing on the mainline of limited access and divided highways. Vote 4-0

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

SB 420-FN-A, making an appropriation for the purpose of hiring a recreational ride and lift investigator. Vote 4-0

Ought to Pass, Senator Eaton for the committee.

SB 423-FN-A, relative to fees collected by the department of safety and certificates of title. Vote 4-0

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

HB 209-FN, relative to original and youth operators' licenses. Vote 3-0

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

WAYS & MEANS

SB 318, relative to transfers of funds from the sweepstakes fund for sweepstakes purposes.

Vote 4-0

Ought to Pass, Senator Gatsas for the committee.

SB 319, relative to participation in international lotteries. Vote 4-0

Ought to Pass, Senator Barnes for the committee.

SB 329, establishing a committee to study the use of an assigned value land tax to replace the property tax. Vote 3-0

Inexpedient to Legislate, Senator Eaton for the committee.

SB 350-FN-A, creating a business profits tax credit for certain donations made for science and technology equipment and facilities to the department of regional community-technical colleges or any of its component institutions. Vote 4-0

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

SB 353, relative to the definition of "sugar orchard" for purposes of the timber yield tax. Vote 3-0

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

WILDLIFE & RECREATION

HB 1110, relative to the sale of ferrets. Vote 5-0

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

AMENDMENTS

Environment

February 13, 2002

2002-2624s

06/10

Amendment to SB 351

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

AN ACT establishing a commission to study the expansion of projects eligible for financial assistance under RSA 486-A.

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

1 Commission Established. There is established a commission to study the expansion of eligible projects in the aid to public water systems financial assistance program enacted under RSA 486-A.

2 Membership and Compensation.

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

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

(c) A member of the New Hampshire Municipal Association, nominated by the association and appointed by the governor.

(d) A member of the New Hampshire Water Works Association nominated by the association and appointed by the governor.

(e) A representative of the Conway Village Fire District, appointed by the Conway Village Fire District commissioners

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

3 Duties. The commission shall study the regulations and procedures under RSA 486-A to determine the need to expand the financial assistance program to include hydrogeological studies as a project eligible for financial assistance under the statute.

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

5 Report. The commission shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2002.

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

2002-2624s

AMENDED ANALYSIS

This bill establishes a commission to study the expansion of projects eligible for financial assistance under RSA 486-A.

Environment
February 13, 2002
2002-2623s
06/10

Amendment to SB 372

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

AN ACT requiring the department of environmental services to study reformulated gasoline and requiring the department of agriculture to review regulations governing the labeling of motor fuels containing MTBE.

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

1 Study of Reformulated Gasoline.

I. The commissioner of the department of environmental services shall study the amount of reformulated gasoline delivered to areas in the state where reformulated gasoline is not currently required under New Hampshire's state implementation plan by analyzing levels of MTBE in all different grades of gasoline, taken from a representative selection of gasoline distribution facilities located outside Hillsborough, Merrimack, Rockingham, and Strafford counties. In addition to determining MTBE content levels, the sampling and analysis program shall be designed to provide data relative to any seasonal variations in the levels of MTBE.

II. The commissioner shall report findings of the study by October 1, 2003 to the president of the senate, the speaker of the house of representatives, the house science technology and energy committee, the senate environment committee, the governor, and the state library.

2 Review of Motor Fuel Containing MTBE.

I. The commissioner of the department of agriculture shall review all applicable rules and regulations governing the labeling of motor fuels containing MTBE. Such review shall also include an examination of current enforcement practices and their effectiveness. In the event that findings reveal deficiencies in current regulation or in the enforcement of such regulation, the commissioner's review shall include proposed legislative recommendations to insure the appropriate labeling of such motor fuels.

II. The commissioner shall report all findings and recommendations of its review by October 1, 2003 to the president of the senate, the speaker of the house of representatives, the house science, technology and energy committee, the senate environment committee, the governor, and the state library.

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

2002-2623s

AMENDED ANALYSIS

This bill requires the commissioner of the department of environmental services to study reformulated gasoline and issue a report by October 1, 2003. This bill also requires the commissioner of the department of agriculture to review labeling of motor fuels containing MTBE and issue a report by October 1, 2003.

Amendment to SB 410

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

AN ACT establishing a commission to study issues relative to large groundwater withdrawals.

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

1 Commission Established. In recognition that the waters of New Hampshire are a precious, finite, and invaluable resource upon which there is an ever increasing demand for existing, new and competing uses; and in further recognition that an adequate supply of groundwater for domestic, agricultural, industrial, and recreational uses and for fish and wildlife is essential to the health, safety, and welfare of the people of New Hampshire, there is established a commission to study ways to clarify the hierarchy of water uses, to establish procedures to determine the most beneficial uses for a specific water resource, and to establish a process by which new water users would be required to develop the least impacting alternative including consideration of regional water resources and water management issues. in order to best protect and preserve an adequate supply of groundwater for the state.

2 Membership and Compensation.

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

- (a) Three members of the senate, appointed by the president of the senate.
- (b) Three members of the house of representatives, appointed by the speaker of the house.
- (c) An representative of a municipal water department, appointed by the governor.
- (d) The commissioner of the department of environmental services or designee.
- (e) A representative of the International Bottled Water Association, appointed by the governor.
- (f) Two members of the public, appointed by the governor.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

3 Duties. The commission shall study ways to clarify the hierarchy of water uses, to establish procedures to determine the most beneficial use for a specific water resource, and to establish a process by which new water users would be required to develop the least impacting alternative including consideration of regional water resources and water management issues. This study shall include consideration of issues such as potential impacts on New Hampshire's environment, other water users, municipalities, and the state's economy. The commission shall also evaluate whether there is a need for additional regulation to address different uses of water.

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

5 Report. The commission shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2002.

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

2002-2622s

AMENDED ANALYSIS

This bill establishes a study commission to study issues relative to large water withdrawals.

Senate Executive Departments & Administration
February 8, 2002
2002-2516s
03/01

Amendment to SB 366

Amend the bill by replacing section 1 with the following:

1 Reports of Public Utilities Commission; Biennial; Recipients. Amend RSA 363:24 to read as follows:

363:24 Biennial. The commission shall publish and file with the governor and council, ***the president of the senate, and the speaker of the house of representatives*** a report not later than December 1 of each odd numbered year. Such report shall contain such account of its proceedings for the 2 years last preceding, and such suggestions and recommendations as to needed legislation or as to other matters affecting public utilities as the commission may desire to submit.

2002-2516s

AMENDED ANALYSIS

This bill requires that the public utilities commission file its biennial reports with the speaker of the house of representatives and the president of the senate.

Senate Executive Departments and Administration
February 6, 2002
2002-2482s
04/09

Amendment to SB 371-FN

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

1 Regulation of Manufactured Housing Parks; Attorney's Fees and Costs. Amend RSA 205-A:19 to read as follows:

205-A:19 Attorneys' Fees and Costs. If the court finds that a tenant ***or a park owner*** has filed a frivolous petition for the purpose of harassing ~~[the park owner]~~ ***the other party***, it shall assess the court costs and reasonable attorneys' fees against the petitioner.

2 Manufactured Housing Parks; Board of Manufactured Housing Membership. Amend RSA 205-A:25, I to read as follows:

I. There is hereby created a board of manufactured housing consisting of 9 members. The members of the board shall be:

- (a) Two public members, appointed by the governor.
- (b) ~~[One member]~~ **Two members** appointed by the governor, from a list of ~~[2]~~ **3** persons nominated by the New Hampshire Manufactured Housing Association.
- ~~[(c) One member appointed by the governor, from a list of 2 persons nominated by the New England Manufactured Housing Association.]~~
- ~~[(d)]~~ **(c)** One member appointed by the governor, from a list of 2 persons nominated by the Mobile/Manufactured Homeowner and Tenants Association of New Hampshire.
- ~~[(e)]~~ **(d)** One member appointed by the governor who is a resident of a manufactured housing park who is not a member of the Mobile/Manufactured Homeowner and Tenants Association of New Hampshire.
- ~~[(f)]~~ **(e)** One member of the New Hampshire Bar Association, appointed by the president of such association.
- ~~[(g)]~~ **(f)** Two members of the house of representatives, appointed by the speaker of the house.

3 Effective Date. This act shall take effect January 1, 2003.

2002-2482s

AMENDED ANALYSIS

This bill addresses the award of damages and attorneys fees in manufactured housing park disputes. The bill also amends the membership of the board of manufactured housing.

Senate Finance
February 7, 2002
2002-2504s
04/01

Amendment to SB 140-FN-LOCAL

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

2 Applicability. The provisions of this act shall apply to adequate education grant calculations made for the fiscal year beginning July 1, 2003 and every fiscal year thereafter.

Senate Finance
February 13, 2002
2002-2627s
04/09

Amendment to SB 425-FN-LOCAL

Amend the bill by replacing section 3 with the following:

3 School Money; Determination of Per Pupil Adequate Education Grants Amended.
RSA 198:40, I is repealed and reenacted to read as follows:

I. For the biennium beginning July 1, 2003, and every biennium thereafter, the cost per pupil shall be established using the following formula:

(a) The department of education shall calculate the base expenditure per pupil, for each school district that operates an elementary school, by subtracting from the total expenditures at the elementary school level tuition to other school districts or approved educational programs, capital expenses and debt service on such expenses, special education costs, food service costs, transportation costs, adult and continuing education costs, community services costs, and federal revenues not otherwise deducted. For each school district, this amount shall be divided by the average daily membership in attendance at the elementary school level.

(b) The adequate education grant amount shall be calculated as follows:

(1) The department of education shall identify those school districts where for each of the 3 previous years, a minimum of 11 pupils were assessed in each grade 3 and each grade 6 subject area of the statewide assessment program. For each year in each assessment, the department shall determine the percentage of pupils performing at the basic level or above, and then shall determine the average grade 3 percentage and the average grade 6 percentage over the 3 year period. These average percentages shall be combined and averaged to yield the school district percentage. Districts where the 3-year average performance at the basic level or above is between 50 percent and 70 percent shall be selected.

(2) From the school districts selected in subparagraph I(b)(1) of this section, the department of education shall then identify those school districts, including any portion of the average daily membership in attendance of any such school district, that have the lowest base expenditure per pupil as calculated pursuant to subparagraph I(a) and which represent 50 percent of the average daily membership in attendance at the elementary level of the school districts identified in subparagraph I(b)(1) of this section.

(3) The department of education shall calculate the average base cost per pupil of an adequate education at the elementary school level by multiplying the base expenditure per pupil of each school district by the average daily membership in attendance identified in subparagraph I(b)(2) of this section, and add the results. This sum shall be divided by the average daily membership in attendance determined in subparagraph I (b) (2) of this section and the result shall be multiplied by .9025.

(4) The department shall calculate an alternative base cost per pupil by multiplying the base cost per pupil calculated in the immediately preceding biennium by an amount equal to one plus 2 times the average annual rate of inflation taken from the 4 calendar years immediately preceding the calendar year in which the calculation in this subparagraph is made. Inflation shall be measured by the most recent available northeast region consumer price index as published by the Bureau of Labor Statistics, United States Department of Labor.

(5) The base cost per pupil for the biennium shall be the lower of the base costs per pupil calculated in subparagraphs I(b)(3) and I(b)(4).

Insurance
February 13, 2002
2002-2617s
09/03

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

AN ACT relative to the purpose of the certificate of need law.

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

1 Purpose of Chapter. Amend RSA 151-C:1, II and III to read as follows::

II. The state has a compelling interest in working with the health care delivery system to set standards relative to the size, type, level, quality, and affordability of health services offered in New Hampshire; [and]

III. The state has an interest in promoting and stimulating collaboration among providers in the health care marketplace as a means of managing the increases in health care costs; **and**

IV. The rational allocation of health care resources should take into account the standards developed under this chapter and the impact of construction or of a new institutional health service on the availability of essential health services in this state, the health needs of the state's medically under-served, and such planning and other data as is deemed reliable and appropriate by the board.

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

2002-2617s

AMENDED ANALYSIS

This bill clarifies the purpose of the chapter governing certificate of need review of proposed new institutional health services.

Insurance
February 13, 2002
2002-2621s
01/09

Amendment to SB 422-FN

Amend the bill by replacing section 27 with the following:

27 Sales of Insurance by Financial Institutions; Separation of Activities. RSA 406-C:7, I is repealed and reenacted to read as follows:

I. A financial institution shall, to the extent practicable, keep the area where the bank conducts transactions involving insurance products or annuities physically segregated from areas where retail deposits are routinely accepted from the general public, identify the areas where insurance product or annuity sales activities occur, and clearly delineate and distinguish those areas from the areas where the bank's retail deposit-taking activities occur.

Amend the bill by replacing all after section 46 with the following:

47 Credentialing Verification Procedures. Amend the introductory paragraph of RSA 420-J:4, III to read as follows:

III. A health carrier shall thereafter obtain, at least every [~~2~~] **3** years, verification of a participating provider's:

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

Senate Judiciary
February 8, 2002
2002-2506s
03/10

Amendment to SB 314-FN

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

1 State College and University System; Selective Service Registration Awareness and Compliance Act; Application; Driver's License Added. Amend RSA 187-A:39 to read as follows:

187-A:39 Application. [~~I~~] No person who is not in compliance with the Military Selective Service Act as provided in 50 U.S.C. *app.* section 451 et seq. shall:

[~~(a)~~] **I.** Be permitted to enroll in a state-supported institution of postsecondary or higher education.

[~~(b)~~] **II.** Be eligible to receive a loan, grant, scholarship, or other financial assistance for postsecondary higher education supported by state revenue, including federal funds, gifts, or grants accepted by the state, or to receive a student loan guaranteed by the state.

[~~(c)~~] **III.** Having attained the age of 18 years, be eligible for employment by or service to the state or any political subdivision of the state, including all state boards, commissions, departments, agencies, and institutions.

2 New Section; Drivers' Licenses; Issuance of Licenses; Compliance With Federal Selective Service Requirements. Amend RSA 263 by inserting after section 5-b the following new section:
263:5-c Compliance With Federal Selective Service Requirements.

I. The application form for a driver's license or a renewal of a driver's license shall contain the following oath or affirmation:

"All men between the ages of 18 and 26 must check one of the following in order to be issued a driver's license in the State of New Hampshire:

___ As required pursuant to 50 U.S.C. app. section 453, I have registered with the Selective Service System.

___ I am not registered with the Selective Service System, but I hereby authorize the New Hampshire department of safety to register me with the Selective Service System.

___ I choose not to register with the Selective Service System.

___ I am not required to register with the Selective Service System pursuant to 50 U.S.C. app. section 453.

Signature of Applicant"

II. The director shall not issue a driver's license to a male applicant between the ages of 18 and 26 unless the applicant has completed the oath or affirmation required by paragraph I.

III. Notwithstanding RSA 260:14, the department shall forward to the Selective Service System in an electronic format the necessary personal information of the applicants who authorize the department to register them.

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

2002-2506s

AMENDED ANALYSIS

This bill provides that men between the ages of 18 and 26 who apply for a driver's license must complete an oath or affirmation which indicates whether they have registered with the Selective Service System and permits them to authorize the department of safety to forward to the Selective Service System the necessary information for such registration.

Senate Judiciary
January 28, 2002
2002-2342s
06/09

Amendment to SB 367

Amend the bill by replacing section 4 with the following:

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

Senate Judiciary
February 7, 2002
2002-2497s
09/01

Amendment to SB 368

Amend the bill by replacing section 2 with the following:

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

Senate Judiciary
February 8, 2002
2002-2522s
09/01

Amendment to SB 383

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

AN ACT relative to the location of district courts within judicial districts and changing the names of certain judicial districts.

Amend the bill by replacing section 1 with the following:

1 District Court Facilities; Location. RSA 502-A:1 is repealed and reenacted to read as follows:

502-A:1 Judicial Districts.

I. A comprehensive system of judicial districts, each with a district court, is hereby organized, constituted and established as follows:

(a) PORTSMOUTH DISTRICT. The Portsmouth district shall consist of the city of Portsmouth and the towns of Newington, Greenland, Rye, and New Castle.

(b) HAMPTON-EXETER DISTRICT. The Hampton-Exeter district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, Seabrook, Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, and Brentwood.

(c) DERRY DISTRICT. The Derry district shall consist of the towns of Derry, Londonderry, Chester, and Sandown.

(d) AUBURN DISTRICT. The Auburn district shall consist of the towns of Auburn, Candia, Deerfield, Nottingham, Raymond, and Northwood.

(e) SALEM DISTRICT. The Salem district shall consist of the towns of Salem and Windham in Rockingham county and the town of Pelham in Hillsborough county.

(f) PLAISTOW DISTRICT. The Plaistow district shall consist of the towns of Plaistow, Hampstead, Kingston, Newton, Atkinson, and Danville.

(g) DOVER-SOMERSWORTH-DURHAM DISTRICT. The Dover-Somersworth-Durham district shall consist of the cities of Dover and Somersworth and the towns of Rollinsford, Durham, Lee, and Madbury.

(h) ROCHESTER DISTRICT. The Rochester district court shall consist of the city of Rochester and the towns of Barrington, Milton, New Durham, Farmington, Strafford, and Middleton.

(i) LACONIA DISTRICT. The Laconia district shall consist of the city of Laconia and the towns of Meredith, New Hampton, Gilford, Belmont, Alton, Gilmanton, Center Harbor, and Barnstead.

(j) DISTRICT COURT FOR NORTHERN CARROLL COUNTY. The district for northern Carroll county shall consist of the towns of Conway, Bartlett, Jackson, Eaton, Chatham, Hart's Location, Albany, Madison and the unincorporated places of Hale's Location, Cutt's Grant, Hadley's Purchase, and those portions of the towns of Waterville and Livermore within the watershed of the Saco River and its tributaries.

(k) DISTRICT COURT FOR SOUTHERN CARROLL COUNTY. The district for southern Carroll county shall consist of the towns of Ossipee, Tamworth, Freedom, Effingham, Wakefield, Wolfeboro, Brookfield, Tuftonboro, Moultonborough, and Sandwich.

(l) CONCORD DISTRICT. The Concord district shall consist of the city of Concord, and the towns of Loudon, Canterbury, Dunbarton, Bow, Hopkinton, Pittsfield, Chichester, and Epsom.

(m) HOOKSETT DISTRICT. The Hooksett district shall consist of the towns of Allenstown, Pembroke, and Hooksett.

(n) FRANKLIN-TILTON DISTRICT. The Franklin district shall consist of the city of Franklin and the towns of Northfield, Danbury, Andover, Boscawen, Salisbury, Hill, and Webster in Merrimack county and the towns of Sanbornton and Tilton in Belknap county.

(o) HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall consist of the towns of Henniker, Warner, and Bradford in Merrimack county and the towns of Hillsborough, Deering, Windsor, Antrim and Bennington in Hillsborough county.

(p) NEW LONDON DISTRICT. The New London district shall consist of the towns of New London, Wilmot, Newbury, and Sutton.

(q) MANCHESTER DISTRICT. The Manchester district shall consist of the city of Manchester.

(r) NASHUA DISTRICT. The Nashua district shall consist of the city of Nashua and the towns of Hudson and Hollis.

(s) MERRIMACK DISTRICT. The Merrimack district shall consist of the towns of Merrimack, Litchfield, and Bedford.

(t) MILFORD DISTRICT. The Milford district shall consist of the towns of Milford, Brookline, Amherst, Mason, Wilton, Lyndeborough, and Mont Vernon.

(u) JAFFREY-PETERBOROUGH DISTRICT. The Jaffrey-Peterborough district shall consist of the towns of Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and Sharon in Hillsborough county and the towns of Jaffrey, Dublin, Fitzwilliam, and Rindge in Cheshire county.

(v) HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall consist of the towns of Henniker, Warner, and Bradford in Merrimack county and the towns of Hillsborough, Deering, Windsor, Antrim and Bennington in Hillsborough county.

(w) GOFFSTOWN DISTRICT. The Goffstown district shall consist of the towns of Goffstown, Weare, New Boston, and Francestown.
Cheshire County

(x) KEENE DISTRICT. The Keene district shall consist of the city of Keene and the towns of Stoddard, Westmoreland, Surry, Gilsum, Sullivan, Nelson, Roxbury, Marlow, Swanzey, Marlborough, Winchester, Richmond, Hinsdale, Harrisville, Walpole, Alstead, Troy, and Chesterfield.

(y) JAFFREY-PETERBOROUGH DISTRICT. The Jaffrey-Peterborough district shall consist of the towns of Jaffrey, Dublin, Fitzwilliam, Troy, and Rindge in Cheshire county and the towns of Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and Sharon in Hillsborough county.

(z) CLAREMONT-NEWPORT DISTRICT. The Claremont-Newport district shall consist of the city of Claremont and the towns of Cornish, Unity, Charlestown, Acworth, Langdon, Plainfield, Newport, Grantham, Croydon, Springfield, Sunapee, Goshen, Lempster, and Washington.

Grafton County

(aa) HANOVER-LEBANON DISTRICT. The Hanover-Lebanon district shall consist of the towns of Hanover, Orford, Lyme, Lebanon, Enfield, Canaan, Grafton, and Orange.

(bb) HAVERHILL DISTRICT. The Haverhill district shall consist of the towns of Haverhill, Bath, Landaff, Benton, Piermont, and Warren.

(cc) LITTLETON DISTRICT. The Littleton district shall consist of the towns of Littleton, Monroe, Lyman, Lisbon, Franconia, Bethlehem, Sugar Hill, and Easton.

(dd) PLYMOUTH-BRISTOL-LINCOLN DISTRICT. The Plymouth-Lincoln district shall consist of the towns of Plymouth, Bristol, Dorchester, Groton, Wentworth, Rumney, Ellsworth, Thornton, Campton, Ashland, Hebron, Holderness, Bridgewater, Alexandria, Lincoln, Woodstock and those portions of the towns of Livermore and Waterville not within the watershed of the Saco River and its tributaries.

(ee) BERLIN-GORHAM DISTRICT. The Berlin-Gorham district shall consist of the city of Berlin and the towns of Gorham, Milan, Dummer, Shelburne, and Randolph and the unincorporated places of Cambridge, Success, Bean's Purchase, Martin's Location, Green's Grant, Pinkham's Grant, Sargent's Purchase, Thompson and Meserve's Purchase and Low and Burbank's Grant.

(ff) COLEBROOK DISTRICT. The Colebrook district shall consist of the towns of Colebrook, Pittsburg, Clarksville, Wentworth's Location, Errol, Millsfield, Columbia, Stewartstown, and Stratford and the unincorporated places of Dix's Grant, Atkinson and Gilmanton Academy Grant, Second College Grant, Dixville, Erving's Location, and Odell.

(gg) LANCASTER DISTRICT. The Lancaster district shall consist of the towns of Lancaster, Stark, Northumberland, Carroll, Whitefield, Dalton and Jefferson, and the unincorporated places of Kilkenny, Bean's Grant, Chandler's Purchase, and Crawford's Purchase.

II. In each judicial district, the court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standards prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.

2 Effective Date. This act shall take effect January 1, 2003.

2002-2522s

AMENDED ANALYSIS

This bill provides that suitable district court facilities shall be determined by the department of administrative services, upon recommendation of the supreme court.

The bill also changes the names of certain judicial districts to reflect their current configuration.

Public Institutions, Health and Human Services

February 12, 2002

2002-2588s

08/04

Amendment to SB 330

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

AN ACT relative to the administration of a patient's own prescription by emergency medical care providers.

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

1 New Paragraph; Rulemaking. Amend RSA 153-A:20 by inserting after paragraph II the following new paragraph:

II-a. Training and necessary equipment recommended by the board concerning the administration of a patient's own prescription medication, including but not limited to epinephrine, when that patient is incapacitated.

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

2002-2588s

AMENDED ANALYSIS

This bill requires the commissioner of the department of safety to adopt rules recommended by the emergency medical and trauma services board concerning the administration of a patient's own prescription medication.

Public Institutions, Health and Human Services
February 12, 2002
2002-2589s
08/04

Amendment to SB 386

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

AN ACT relative to automated external defibrillators.

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

1 Statement of Purpose. The use of automated external defibrillators (AEDs) in the state of New Hampshire has had a demonstrably positive impact on saving the lives of New Hampshire citizens in cardiac arrest. It is the intent of the legislature that access to AEDs be made widely available to businesses, schools, fire and police departments, and other public and private organizations throughout the state. The establishment of a statewide registry of AEDs will assist emergency personnel in saving the lives of New Hampshire citizens when responding to emergencies.

2 New Section; Automated External Defibrillators. Amend RSA 153-A by inserting after section 31 the following new sections:

153-A:32 Automated External Defibrillator Registry. There shall be established in the department of safety a registry for all automated external defibrillators in the state. The department is authorized to release information from the registry to first responders in an emergency through the enhanced 911 system. Registration shall include the address and precise location of the automated external defibrillator.

153-A:33 Registration Required.

I. The owner of an automated external defibrillator shall register with the department of safety under RSA 153-A:32 within 30 days of acquisition.

II. Manufacturers or distributors shall provide written notice to purchasers of the requirement to register automated external defibrillators with the department.

3 New Paragraph; Rulemaking. Amend RSA 153-A:20 by inserting after paragraph XXI the following new paragraph:

XXII. Implementation and administration of the automated external defibrillator registry established in RSA 153-A:32.

4 Subdivision Heading Change. Amend the subdivision title preceding RSA 153-A:28 to read as follows:

~~Automatic~~ **Automated** External Defibrillator

5 Change from Automatic to Automated. Amend the following RSA provisions by replacing "automatic" with "automated": RSA 153-A:11, I, 153-A:28, the introductory paragraph of 153-A:29, 153-A:30, 153-A:31.

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

2002-2589s

AMENDED ANALYSIS

This bill establishes an automated external defibrillator registry in the department of safety, and requires owners to register their devices.

Public Institutions, Health and Human Services
February 12, 2002
2002-2592s
01/09

Amendment to SB 402-FN-A

Amend the bill by replacing section 3 with the following:

3 Membership and Compensation.

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

(a) Five members of the senate, one of whom shall be from the long-term rate advisory committee established in RSA 151-E:6-a and one of whom shall be from the long-term care institute established in RSA 126-L, appointed by the president of the senate.

(b) Five members of the house of representatives, one of whom shall be from the long-term rate advisory committee established in RSA 151-E:6-a and one of whom shall be from the long-term care institute established in RSA 126-L, appointed by the speaker of the house.

II. The committee may conduct hearings, retain independent consultants, and solicit testimony from any source the committee deems relevant.

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

Amend the bill by replacing section 7 with the following:

7 Appropriation. The sum of \$75,000 is hereby appropriated to the committee for the biennium ending June 30, 2003, for the purpose of retaining independent consultants. Notwithstanding any other provision of law, these funds shall be from the interest earnings of the health care fund established in RSA 167:70.

Senate Transportation
February 12, 2002
2002-2574s
04/03

Amendment to SB 315-FN

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

AN ACT relative to requiring payment of a club assistance program fee by persons registering snow traveling vehicles who are not members of an organized snowmobile club.

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

1 New Section; OHRVs; Snow Traveling Vehicles; Club Assistance Program Fee Added.
Amend RSA 215-A by inserting after section 23-a the following new section:

215-A:23-b Snow Traveling Vehicles; Club Assistance Program Fee.

I. Any person required to register a snow traveling vehicle under RSA 215-A:23, I, II, or III shall at the time of registration pay a club assistance program fee of \$30, unless exempted under paragraph II. Of the \$30 fee, one dollar shall be retained by the registration agent as an administrative fee.

II. A person registering a snow traveling vehicle under RSA 215-A:23, I, II, or III who provides proof at time of registration that the person is a member of an organized New Hampshire nonprofit snowmobile club and a member of the New Hampshire Snowmobile Association, shall be exempt from the payment of the fee in paragraph I.

III. All moneys collected by the fish and game department from the club assistance program fee under this section shall be appropriated to the department of resources and economic development for the bureau's grant-in-aid program to be used by organized, nonprofit snowmobile clubs for the construction and maintenance of snowmobile trails and facilities as provided in RSA 215-A:23, VI(b).

2 Effective Date. This act shall take effect July 1, 2002.

2002-2574s

AMENDED ANALYSIS

This bill requires a person registering a snow traveling vehicle to pay a club assistance program fee unless the person is a member of an organized nonprofit New Hampshire snowmobile club and the New Hampshire Snowmobile Association.

Senate Transportation
February 12, 2002
2002-2572s
03/04

Amendment to SB 423-FN-A

Amend the bill by replacing section 3 with the following:

3 Certificates of Title and Registration of Vehicles; Mailing of Certificate. Amend RSA 261:9 to read as follows:

261:9 Mailing of Certificate. The certificate of title shall be mailed to the first lienholder named in it or, if none, to the owner. ***In the event the lien has been satisfied by a dealer, the dealer becomes the owner and the state is authorized to mail the title to the dealer.***

Amend the bill by replacing section 6 with the following:

6 Certificates of Title and Registration of Vehicles; Fees; Distribution of Revenue. Amend RSA 261:20, IV to read as follows:

IV. Notwithstanding any other provision of law, ***3/5 of the fees collected under RSA 261:20, I(a)-(c) shall be deposited in the highway fund and 2/5 of the fees collected under RSA 261:20, I(a)-(c) shall be deposited as unrestricted revenue in the general fund, and*** 50 percent of the fees collected under ~~[this section]~~ ***RSA 261:20, I(d)-(i) shall be deposited as unrestricted revenue in the general fund and 50 percent*** ***of the fees collected under RSA 261:20, I(d)-(i) shall be deposited in the highway fund.***

2002-2572s

AMENDED ANALYSIS

This bill:

- I. Increases the fee for number plates from \$2.50 to \$4.00.
- II. Establishes a fee for salvage vehicle decals.
- III. Increases certain fees for certificates of title.
- IV. Makes an appropriation to pay for the hiring of motor vehicle inspectors.
- V. Increases the additional funding required for the DMV testing building which may be charged to the inventory fund established by RSA 228:25.
- VI. Permits any dealer to become the owner of a vehicle by satisfying the first lien named in the certificate of title.

This bill was requested by the department of safety.

Senate Transportation
February 12, 2002
2002-2573s
03/04

Amendment to HB 209-FN

Amend the bill by replacing all after section 5 with the following:

6 Administration of Motor Vehicle Laws; Identification Cards; Age Changed. Amend RSA 260:21, I(a) to read as follows:

- (a) Is ~~[16]~~ **12** years of age or older and does not possess a driver's license,
- 7 Effective Date.
- I. Section 6 of this act shall take effect upon its passage.
 - II. The remainder of this act shall take effect January 1, 2003.

2002-2573s

AMENDED ANALYSIS

This bill provides for the expiration of youth operators' licenses, modifies the restrictions on motor vehicle operation by youth operators, and changes the fee for such licenses. This bill also changes the age at which a person may obtain a nondriver's identification card from 16 years of age to 12 years of age.

Senate Ways and Means
February 13, 2002
2002-2616s
09/04

Amendment to SB 350-FN-A

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

AN ACT creating a business profits tax credit for certain donations made for science and technology equipment and facilities to the department of regional community-technical colleges or the university system of New Hampshire or any component institutions.

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

1 New Paragraph; Business Profits Tax Credits. Amend RSA 77-A:5 by inserting after paragraph XI the following new paragraph:

XII. The postsecondary science and technology investment tax credits as computed in RSA 187-A:25-b and RSA 188-F:14-d.

2 New Subdivision; University System of New Hampshire; Postsecondary Science and Technology Investment Tax Credit. Amend RSA 187-A by inserting after section 25-a the following new subdivision:

Postsecondary Science and Technology Investment Tax Credit

187-A:25-b Postsecondary Science and Technology Investment Tax Credit.

I. In this section, "contribution" or "contributions" mean cash donations made to the university system of New Hampshire or any of its component institutions or foundations for the purpose of acquiring equipment or constructing, renovating, repairing, or maintaining any facility used for science and technology educational purposes.

II. A investment tax credit equal to 75 percent of the contribution made during the contributor's tax year shall be allowed against any of the following individually or in combination:

(a) Taxes imposed by RSA 77-A.

(b) Taxes imposed by RSA 77-E.

III. Credits provided by this section applied against the liabilities imposed by RSA 77-E shall be deemed to be taxes paid for the purpose of RSA 77-A:5, X.

IV. The credit or any unused portion thereof may be carried forward for no more than 5 succeeding years, but shall not exceed \$1,000,000 in any given tax year.

V.(a) The credit provided by this section shall be available to contributors on or after contributions for which credit is to be taken are actually received.

(b) Contributions received for which credit is to be taken shall not exceed \$5,000,000 in any state fiscal year. Contributions received in excess of \$5,000,000 in any state fiscal year

shall not be eligible for credit in such fiscal year but may be carried forward to the next succeeding fiscal year or years and shall be given priority in determining the total contributions eligible for credit in such fiscal year.

3 New Subdivision; Department of Regional Community-Technical Colleges; Postsecondary Science and Technology Investment Tax Credit. Amend RSA 188-F by inserting after section 14-c the following new subdivision:

Postsecondary Science and Technology Investment Tax Credit

188-F:14-d Postsecondary Science and Technology Investment Tax Credit.

I. In this section, "contribution" or "contributions" mean cash donations made to the department of regional community-technical colleges or any of its component institutions or foundations for the purpose of acquiring equipment or constructing, renovating, repairing, or maintaining any facility used for science and technology educational purposes.

II. A investment tax credit equal to 75 percent of the contribution made during the contributor's tax year shall be allowed against any of the following individually or in combination:

(a) Taxes imposed by RSA 77-A.

(b) Taxes imposed by RSA 77-E.

III. Credits provided by this section applied against the liabilities imposed by RSA 77-E shall be deemed to be taxes paid for the purpose of RSA 77-A:5, X.

IV. The credit or any unused portion thereof may be carried forward for no more than 5 succeeding years, but shall not exceed \$1,000,000 in any given tax year.

V.(a) The credit provided by this section shall be available to contributors on or after the date contributions for which credit is to be taken are actually received.

(b) Contributions received for which credit is to be taken shall not exceed \$5,000,000 in any state fiscal year. Contributions received in excess of \$5,000,000 in any state fiscal year shall not be eligible for credit in such fiscal year but may be carried forward to the next succeeding fiscal year or years and shall be given priority in determining the total contributions eligible for credit in such fiscal year.

4 Effective Date. This act shall take effect July 1, 2002.

2002-2616s

AMENDED ANALYSIS

This bill creates a business profits tax credit for certain donations made for science and technology equipment and facilities to the department of regional community-technical colleges or any of its component institutions and the university system of New Hampshire or any of its component institutions.

Senate Ways and Means

February 13, 2002

2002-2629s

10/03

Amendment to SB 353

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

2 New Paragraph; Definition; Sugar Orchard. Amend RSA 79:1 by inserting after paragraph VII the following new paragraph:

VIII. "Sugar orchard" means a stand of Sugar Maple (*Acer saccharum*) and/or Red Maple (*Acer rubrum*) used actively and primarily as a source of sap for the production of maple syrup or related maple products. Active use shall mean that a substantial portion of the maple trees appropriate for tapping of sap are being tapped at least once every 3 years. Such stands shall have clearly established boundaries, and a defined area. In the stand, 50 percent or more of the average basal area of all live trees 2 inches or greater diameter at breast height (dbh) shall be composed of Sugar Maples and/or Red Maples. The area and boundaries of a sugar orchard shall be certified by a licensed forester. Individual Sugar Maple or Red Maple trees that are outside of the boundaries of such a certified sugar orchard and that have been tapped for sap at least once within the 3 years immediately prior to the filing of a notice of intent to cut them shall also be considered to be sugar orchard trees.

3 Release From Taxes Clarified. Amend RSA 79:2 to read as follows:

79:2 Release From Taxes. All growing wood and timber [~~except fruit trees, sugar orchards, nursery stock, Christmas trees, and trees maintained only for shade or ornamental purposes or for genetically engineered short rotation tree fiber, which shall not be subject to the yield tax,~~] shall be released from the general property tax and the school tax in unincorporated places provided for in RSA 198:16, but the land on which such growing wood and timber stands shall be assessed. ***Timber harvested from sugar orchards for the purpose of enhancing maple sap production, fruit trees, nursery stock, Christmas trees, and trees maintained only for shade or ornamental purposes or for genetically-engineered short rotation tree fiber, shall not be subject to the yield tax.***

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

HEARINGS

WEDNESDAY, FEBRUARY 13, 2002

● PLEASE NOTE THE FOLLOWING HEARINGS HAVE A TIME CHANGE

EDUCATION, Room 105-A, SH

- 1:00 p.m. **SB 421-FN-A**, authorizing the Berlin campus of the New Hampshire regional community-technical college system to upgrade and modernize its equipment and programs and authorizing manufacturing technology training in the town of Littleton, and making an appropriation therefor.
- 1:30 p.m. **SB 429**, relative to the community technical college system.
- 1:45 p.m. **SB 427-FN-A**, revising the career incentive program within the postsecondary education commission.
- 2:00 p.m. **SB 426**, relative to the use of force by persons entrusted with the care of minors in child care settings.
- 2:15 p.m. **SB 424-FN-A**, relative to instructional and operational costs of providing an adequate education.

ENVIRONMENT, Room 104, LOB

- 8:30 a.m. **SB 410**, relative to large groundwater withdrawals.
- 9:00 a.m. **SB 419**, relative to notification of groundwater contamination.

EXECUTIVE SESSION ON PENDING LEGISLATION TO FOLLOW

EXECUTIVE DEPARTMENTS & ADMINISTRATION, Room 104, LOB

- 1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**
SB 396-FN, relative to group II retirement status for criminalists employed by the department of safety.
SB 378-FN, relative to the regulation of landscape architects.
SB 334, relative to grounds for refusal or denial of hotel accommodations.
SB 345, making the misrepresentation of the geographic location of a business a violation of the consumer protection act.
SB 389, establishing levels of licensure of alcohol and drug counselors.
SB 381, relative to the employee benefits of employees of the Pease Development authority.
SB 384, establishing a worker adjustment and retraining notification requirement.
SB 407-FN, requiring restroom facilities in certain state buildings.
SB 412, relative to the licensure of dietitians.
HB 523, (New Title) relative to filing fees and legislative approval of certain settlements by the attorney generals.
- 2:00 p.m. **HB 462-FN**, requiring state regulatory boards, commissions, advisory boards, advisory committees, and authorities to develop an orientation manual for new members.
- 2:15 p.m. **HB 560-FN-A**, establishing a contributory judicial retirement plan.
- 2:30 p.m. **HB 404**, (New Title) relative to rulemaking by the board of licensing for alcohol and other drug abuse professionals.

EXECUTIVE SESSION TO FOLLOW HEARING IF TIME PERMITTING

FINANCE, Room 103, SH

- 1:00 p.m. **SB 425-FN-L**, revising the formula used to calculate the cost of an adequate education.

● **PLEASE NOTE SB 342, WAS RECESSED ON FEBRUARY 6TH**

INSURANCE, Room 101, LOB

- 9:00 a.m. **SB 342**, relative to ambulatory surgical facilities.
9:15 a.m. **SB 418-FN**, relative to unemployment compensation.
9:30 a.m. **SB 422-FN**, relative to the insurance laws.

JUDICIARY, Room 102, LOB

- 10:15 a.m. **SB 415**, relative to the severing of joint tenancies in property by divorce.

EXECUTIVE SESSION ON ALL PENDING LEGISLATION

WAYS & MEANS, Room 103, SH

- 10:15 a.m. **SB 377-FN-A-L**, repealing the education property tax.
10:45 a.m. **SB 417**, establishing a commission to analyze the New Hampshire tax structure.

EXECUTIVE SESSION ON ALL PENDING LEGISLATION IF TIME PERMITTING

TUESDAY, FEBRUARY 19, 2002

BANKS, Room 103, LOB

- 9:00 a.m. **EXECUTIVE SESSION ON ALL PENDING LEGISLATION**

FINANCE, Room 103, SH

- 10:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

● **PLEASE NOTE THE FOLLOWING HEARINGS HAVE A TIME CHANGE**

PUBLIC AFFAIRS, Room 105-A, SH

- 1:00 p.m. **SB 431**, relative to political expenditure limitations.
1:30 p.m. **HB 137**, establishing a committee to study the definition of domicile for voting purposes.
2:00 p.m. **HB 266**, establishing a committee to study recodification of the election laws.
2:30 p.m. **HB 424**, establishing a committee to study the exemption from property taxes for not-for-profit hospitals.

● **PLEASE NOTE HB 658-FN-A, HAS BEEN RESCHEDULED FROM FEBRUARY 12TH**

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

- 1:00 p.m. **HB 658-FN-A**, (New Title) relative to the homeless prevention fund.
1:20 p.m. **HB 1131**, establishing a committee to study increasing the number of physicians who are New Hampshire residents.
1:40 p.m. **HB 1136**, proclaiming February 14 as Congenital Heart Defect Awareness Day.

WAYS & MEANS, Room 103, SH

- 9:00 a.m. **SB 344-FN-L**, relative to thoroughbred horse racing.
9:30 a.m. **SB 430**, allowing towns or cities to increase the property tax credit for service-connected total disability.

TUESDAY, MARCH 12, 2002

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

- 1:00 p.m. **HB 555-FN-L**, (New Title) relative to the billing of counties for certain expenses by the department of health and human services and relative to costs of certain juvenile placements.

TUESDAY, MARCH 19, 2002

PUBLIC AFFAIRS, Room 105-A, SH

- 1:00 p.m. **HB 650-FN**, relative to master plans.

TUESDAY, MARCH 26, 2002

PUBLIC AFFAIRS, Room 105-A, SH

- 1:00 p.m. **HB 617**, (New Title) relative to additional exceptions to junk yard regulation.
1:30 p.m. **HB 392**, (New Title) relative to a property tax exemption for property of agricultural fairs.
2:00 p.m. **HB 701**, (New Title) relative to municipal limitation of renewable energy systems.

TUESDAY, APRIL 2, 2002

PUBLIC AFFAIRS, Room 105-A, SH

- 1:00 p.m. **HB 517-L**, relative to supply of water by village districts.
1:30 p.m. **HB 522-L**, establishing discretionary preservation easements for preserving historic agricultural structures.

2:00 p.m. **HB 673**, (New Title) relative to a net asset qualification for the elderly property tax exemption for married persons.

2:30 p.m. **HB 722**, (New Title) relative to town, village district, and school district elections.

MEETINGS

WEDNESDAY, FEBRUARY 13, 2002

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

9:00 a.m. Regular Business

● **PLEASE NOTE THE FOLLOWING MEETING HAS BEEN CANCELLED AND RESCHEDULED FOR FEBRUARY 19TH**

FISCAL COMMITTEE OF THE GENERAL COURT SUBCOMMITTEE ON THE PUBLIC UTILITIES COMMISSION LOW INCOME ENERGY ASSISTANCE PROGRAMS Room 102, LOB

Cancelled Subcommittee Meeting

NH DEPARTMENT OF TRANSPORTATION (Berlin 12958-A, Replacement of the St. Lawrence and Atlantic Railroad Bridge over Green St. (NH 110). Rehab of Green Street from Pleasant Street intersection to the First Avenue Intersection) Berlin City Hall Auditorium, 168 Main Street Berlin, NH

7:00 p.m. Public Informational Meeting

THURSDAY, FEBRUARY 14, 2002

NH DEPARTMENT OF TRANSPORTATION (Plaistow-Kingston 10044-B Transportation improvements for the NH Route 125 Corridor in Plaistow and Kingston) Plaistow Town Hall, 145 Main Street, Plaistow, NH

6:30 p.m. Advisory Task Force Meeting

FRIDAY, FEBRUARY 15, 2002

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

9:00 a.m. Regular Meeting

TUESDAY, FEBRUARY 19, 2002

● **PLEASE NOTE THE FOLLOWING MEETING HAS BEEN RESCHEDULED FROM FEBRUARY 13TH**

FISCAL COMMITTEE OF THE GENERAL COURT SUBCOMMITTEE ON THE PUBLIC UTILITIES COMMISSION LOW INCOME ENERGY ASSISTANCE PROGRAMS Room 102, LOB

12:30 p.m. Subcommittee Meeting

FRIDAY, FEBRUARY 22, 2002

ASSESSING STANDARDS BOARD (SB 193, Chapter 297:2, Laws of 2001) Room 301, LOB

9:00 a.m. Regular Meeting
EQUALIZATION STANDARDS BOARD (RSA 21-J:14-c) Room 301, LOB
1:30 p.m. Regular Meeting

MONDAY, MARCH 4, 2002

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

8:30 a.m. Regular Meeting
OIL FUND DISBURSEMENT (RSA 146-D:4) Room 305, LOB

9:00 a.m. Regular Meeting
PUBLIC HEALTH AND ENVIRONMENT RELATIONSHIP COMMISSION (HB 1390, Chapter 114:2, Laws of 2000) Room 205, LOB

10:00 a.m. Regular Meeting
DEVELOPMENTAL DISABILITY WAITLIST FUND ALLOCATION OVERSIGHT COMMITTEE (HB 1182, Chapter 171-A:1-b) Room 205, LOB

1:00 p.m. Regular Meeting
JOINT HEALTH COUNCIL (RSA 326-B:12) NH Board of Nursing, Room 17, 78 Regional Dr., Bldg. 2, Concord, NH

6:00 p.m. Regular Meeting

WEDNESDAY, MARCH 6, 2002

ADEQUATE EDUCATION AND EDUCATION FINANCING COMMISSION INVITES ALL HOUSE AND SENATE EDUCATION MEMBERS TO AN INFORMATIONAL MEETING ON (Federal Bill HR 1, no child shall be left behind.) Room 105-A, SH

2:30 p.m. Informational Meeting Presented by Commissioner Nicholas Donohue

FRIDAY, MARCH 8, 2002

PRIVACY TASK FORCE (HB 702, Chapter 256:8, Laws of 2001) Rooms 210-211, LOB

9:00 a.m. Regular Meeting
WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62) Room 306, LOB

9:00 a.m. Regular Meeting
COMMISSION ON THE STATUS OF COMMUNITY-TECHNICAL EDUCATION (SB 503, Chapter 272:35, Laws of 1998) NH Technical Institute, Student Senate Room, 2nd Floor, Concord, NH

10:00 a.m. Regular Meeting
BOARD OF MANUFACTURED HOUSING (HB 639, Chapter 368:1, Laws of 1994) Room 201, LOB

1:00 p.m. Complaint Hearings

MONDAY, MARCH 11, 2002

CERTIFICATE OF NEED STATUTE TASK FORCE (RSA 151-C:16) Room 203, LOB

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

FRIDAY, MARCH 15, 2002

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

9:00 a.m. Regular Meeting

FRIDAY, MARCH 22, 2002

LONG TERM CARE RATE ADVISORY COMMITTEE (RSA 151-E:6-a) Room 100, SH
1:00 p.m. Regular Meeting

MONDAY, APRIL 8, 2002

CERTIFICATE OF NEED STATUTE TASK FORCE (RSA 151-C:16) Room 203, LOB
10:00 a.m. - 12:00 p.m. Regular Meeting

FRIDAY, APRIL 19, 2002

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

MONDAY, APRIL 22, 2002

**SOURCES THAT BURN VIRGIN PETROLEUM OR COAL TO COMPLY WITH AIR
TOXIC CONTROL ACT (RSA 125-I), STUDY OF PUBLIC HEALTH AND
ENVIRONMENTAL BENEFITS** (SB 93, Chapter 88:1, Laws of 2001) Room 101, LOB
9:00 a.m. Regular Meeting

MONDAY, APRIL 29, 2002

NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2) Room
103, SH
9:00 a.m. Investment Committee
10:00 a.m. Regular Meeting

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

NOTICES

WEDNESDAY, FEBRUARY, 13, 2002

Won't you please join us in bidding farewell to Gloria Randlett-Bressette, our Clerk of the New Hampshire Senate. Gloria has served the legislature for 24 years and has served as the "Clerk of the Senate" since 1989. Gloria retired on February 1, 2002. We will be having a get together on Wednesday, February 13, 2002 at the Capital Grille Restaurant on Main Street, Concord, NH. The time frame is 4:30 - 6:30 p.m. Hope to see you there!

Senator Arthur P. Klemm Jr.
Senator Katherine Wheeler

**WEDNESDAY, FEBRUARY, 13, 2002
NH CTSO DAY**

"Preparing Today's Students for Tomorrow's Careers"

The state officers of the seven Career and Technical Student Organizations cordially invites members and staff of the New Hampshire Legislature to a continental breakfast in the State House Cafeteria on Wednesday, February 13, 2002 from 8:00 AM to 11:00 AM. Please join New Hampshire's CTSO state officers to discuss leadership in Career and Technical Education and share information about programs around the state. You may also wish to visit the exhibit tables in the Lower Lobby of the Legislative Office Building.

Senator Beverly A. Hollingworth
Senator Jane E. O'Hearn

THURSDAY, FEBRUARY 14, 2002

Northeast Delta Dental cordially invites all members of the New Hampshire Legislature to a reception at their corporate offices at One Delta Drive in Concord on Thursday, February 14th, from 4:00 p.m. to 6:30 p.m. in recognition of Children's Dental Health Month.

Senator Sylvia B. Larsen
Senator Harold W. Burns

THURSDAY, FEBRUARY 21, 2002

The University of New Hampshire Alumni and Parents Association invites members of the General Court to the annual UNH Legislative Breakfast to be held Thursday, February 21, 2002, from 7:30 a.m. – 9:00 a.m. at the New Hampshire Historical Society.

Senator Lou D'Allesandro
Senator Katherine Wells Wheeler

MONDAY, MARCH 4, 2002

Legislators and staff are invited to attend a presentation entitled "Personal Privacy in Cyberspace" on Monday, March 4th, 2002 at 6:30 p.m. in the New Hampshire Technical Institute Library in Concord. The presentation will feature Herman J. Tavani, Chair of the Philosophy Department at Rivier College, and will explore the ethical and policy dilemmas arising from the increasing use of information technology in American life. Efforts to address this issue through legislation will be explored, as well as the conflict between the desire for efficiency and the need for privacy. For information call the NHTI Public Information Office at 271-7735.

Senator Carl Johnson

MONDAY, MARCH 4, 2002

Informational Meeting on TANF and Reauthorization and Postsecondary Education, at 3:00 p.m. Room 206, LOB.

Senator Katherine Wheeler

WEDNESDAY, MARCH 6, 2002

The Senate and Senate staff are cordially invited to attend the New Hampshire Auto Dealers Association "Crossover Reception" immediately following the House Session on March 6th at the New Hampshire Auto Dealers Association's headquarters at 507 South Street, in Bow.

Senator Sylvia B. Larsen
Senator Harold W. Burns

SENATE DEADLINES 2002 SESSION

JANUARY 2, 2002	CONVENING DAY INTRODUCTION OF SENATE BILLS (Calendar with all hearing published)
FEBRUARY 21, 2002	LAST DAY TO ACT ON SENATE BILLS
FEBRUARY 24, 2002 - MARCH 5, 2002	VACATION WEEK
APRIL 18, 2002	LAST DAY TO ACT ON ALL BILLS FROM OTHER BODY
APRIL 25, 2002	LAST DAY TO FORM COMMITTEE OF CONFERENCES
MAY 2, 2002	LAST DAY TO ACT ON COMMITTEE OF CONFERENCE REPORTS

VISITORS CENTER SCHEDULE - FEBRUARY

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 February 2002. 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. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

DATE	TIME	GROUP	Grade/Size
Feb. 13	10:00 & 11:30	Garrison School – Dover	4/60
Feb. 14	9:00	Pembroke Hill School	4/25
Feb. 14	10:00 & 11:30	Garrison School – Dover	4/60
Feb. 15	9:30 & 11:00	Interlakes Elementary – Meredith	4/80
Feb. 18	9:45 & 11:15	Merrimack Valley High School – Penacook	HS/50
Feb. 19	9:30 & 11:00	Parker Varney Elementary – Manchester	4/50
Feb. 20	9:30 & 11:00	Parker Varney Elementary – Manchester	4/50
Feb. 21	9:30 & 11:00	Crescent Lake School – Wolfeboro	4/55
Feb. 21	9:30 & 11:00	Crescent Lake School – Wolfeboro	4/55
Feb. 26	9:30 & 11:00	Paul School – Sanbornville	4/65
Feb. 26	1:00	Calvary Bible Church Girl's Awana – Derry	3-6/30
Feb. 27	11:00 & 12:30	K.A. Brett School – Tamworth	3 & 4/60
Feb. 28	10:00	NHEOA – Youth Leadership	50
Feb. 28	12:30	Haverhill Cooperative Middle School	4/50

February 12, 2002

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
Below, Clifton	05	2002-S-3182-R
D'Allesandro, Lou	20	2002-S-3126-L
Disnard, George	08	2002-S-3182-R
Eaton, Thomas	10	2002-H-2461-R
Eaton, Thomas	10	2002-S-3151-R
Eaton, Thomas	10	2002-S-3182-R
Flanders, Robert	07	2002-H-2461-R
Francoeur, Gary	14	2002-S-3140-R
Francoeur, Gary	14	2002-S-3157-R
Gordon, Edward (Ned)	02	2002-S-3182-R
Hollingworth, Beverly	23	2002-S-3126-L
Johnson, Carl	03	2002-S-3184-R
Klemm, Arthur	22	2002-S-3186-R
Larsen, Sylvia	15	2002-H-2451-R
Larsen, Sylvia	15	2002-S-3179-R
McCarley, Caroline	06	2002-S-3195-R