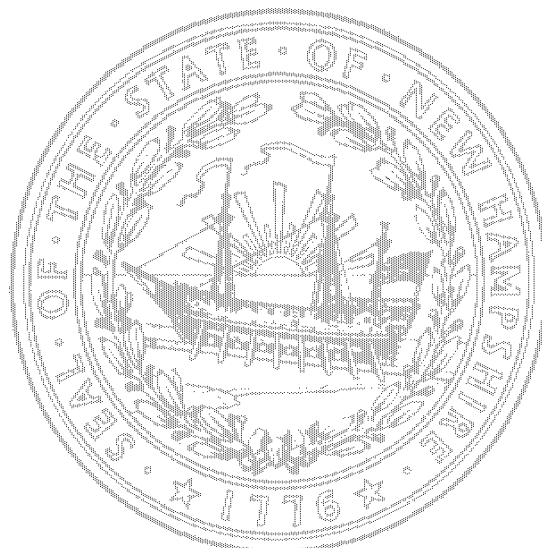


April 9, 2002
No. 24

STATE OF NEW HAMPSHIRE



Legislative

SENATE CALENDAR

**VETO MESSAGES, REPORTS, AMENDMENTS, HEARINGS,
MEETINGS & NOTICES**

**THE SENATE WILL MEET IN SESSION ON WEDNESDAY, APRIL 10,
2002 AT 1:00 P.M.**

**THE SENATE WILL MEET IN SESSION ON THURSDAY, APRIL 11, 2002
AT 10:15 A.M.**

VETO MESSAGE

March 29, 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 1, an act apportioning state senate districts.

Since January, I repeatedly have said I would veto legislation reapportioning state senate districts if the legislation violates the New Hampshire Constitution's requirement that senate districts be "as nearly equal as may be in population;" splits apart strong historic, economic and social communities of interest; and is designed to give one party unfair political advantage over another. I have repeatedly urged the majority party in the senate to work with the members of the minority party to craft bipartisan redistricting legislation.

Unfortunately, the members of the majority party in the senate have chosen to send me legislation containing a redistricting scheme that violates Part II, Article 26 of the New Hampshire Constitution; violates the principle of one person, one vote; splits apart strong communities of interest; and favors one party over another.

S.B. 1 unnecessarily breaks apart strong historic, economic and social communities of interest. The City of Rochester, for example, is torn away from the City of Somersworth, with which it shares a common border and similar social and economic characteristics. The cities of Rochester and Somersworth have been in the same senate district for 210 years. Under S.B. 1 Rochester instead would be thrust into a senate district with the Lakes Region community of Wolfeboro.

S.B. 1 slices Portsmouth away from New Castle and Rye. It splits apart Dover and Durham.

Part II, Article 26 requires that senate districts be "as nearly equal as may be in population, each consisting of contiguous towns, city wards and unincorporated places, without dividing any town, city ward or unincorporated place." There is no question that S.B. 1 demonstrably violates the constitutional requirement that districts be "as nearly equal as may be in population." The record shows that alternative senate redistricting plans more equal in population were presented by the minority party, and rejected by the majority party.

Moreover, S.B. 1 creates at least one senate district that stretches the meaning of the word "contiguous" as used in Part II, Article 26. As created under S.B. 1, senate district 5 is a classic case of partisan gerrymandering at its worst. This district would consist of two

distinct geographical areas, the only physical connection being that the northernmost corner of the Town of Wilmot touches the southernmost corner of the Town of Grafton. There is no legitimate justification for the creation of this figure-eight district.

Crafted behind closed doors by the members of one party, the redistricting scheme contained in S.B. 1 was made public only one hour before it was passed by the senate in a strictly partisan vote.

It is clear from the senate record that that there is a wide gap between what the citizens of this state have said they wanted in senate districts and the redistricting scheme contained in S.B. 1.

For example, the Mayor of Rochester, in a January 17, 2002 letter addressed to the Senate Redistricting Committee, pleaded with the senate to “continue to group Rochester with similar Seacoast cities, like Somersworth or Dover” and not put “Rochester in the same district as Wolfeboro way up in the Lakes Region.”

A letter from the three Rye selectmen to the Senate Internal Affairs Committee implored the senate not to split Rye apart from Portsmouth, pointing out that Rye students attend Portsmouth High School and that “[o]ne has to drive through Portsmouth to get to Rye....We never heard of a district which basically has one community jumping over another almost entirely contiguous community. Yes, we guess you can walk in a small stretch of marshland to get from New Castle to Rye, but that is truly a stretch.” Similar pleas were made in letters submitted by the Mayor of Portsmouth and the chairman of the New Castle selectmen.

A University of New Hampshire history professor and long-time resident of Dover testified about the historical, economic and cultural ties between Dover and Durham at the January 10, 2002 Senate Internal Affairs Committee hearing on redistricting. “If you go back three hundred years, you find that people in Durham and Dover worked with each other and worshipped with each other,” he testified.

Why were these pleas from citizens, including local community leaders, to keep together strong communities of interest ignored by the majority party in the senate? Solely to give their party unfair political advantage over the other. S.B. 1 would make at least 16 out of the 24 state senate districts safely Republican. The majority party has disregarded the State Constitution, 200 years of history and tradition, and the views of citizens to guarantee its control over the senate chamber.

Because S.B. 1 is both unconstitutional and fundamentally unfair, I am compelled to veto this legislation.

I urge the senate to take up my veto quickly and then get down to the business of the people. It is not yet too late for the Senate Republicans to work with the Senate Democrats to craft redistricting legislation that is fair to both parties, minimizes the deviation in the size of districts, and keeps together strong communities of interest.

I know the state senate can do better by the people of this state than it has to date. Now is the time to do so. The June candidate-filing period is fast approaching.

Respectfully submitted,

Jeanne Shaheen
Governor

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

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 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 325, establishing a committee to study the use of state vehicles.

SB 335, relative to prohibited political contributions.

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

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

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

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.

SB 428, changing the name of the joint committee on legislative facilities and codifying the powers and duties of the committee.

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.

HB 1118, relative to participation by certain judges in the state employee group health and dental insurance programs.

HB 1396, authorizing the state veterinarian to provide wildlife disease prevention and treatment.

REPORTS FOR THURSDAY, APRIL 11, 2002 SESSION

REPORTS

ENERGY & ECONOMIC DEVELOPMENT

HB 353-FN-A, (New Title) relative to diversified agricultural development. Vote 5-0
Inexpedient to Legislate, Senator Below for the committee.

HB 718-FN, (New Title) relative to renewable-energy-source electricity generation and transition service. Vote 5-0

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

HB 1320, establishing a committee to study establishing enterprise zones in economically deprived communities. Vote 5-0

Inexpedient to Legislate, Senator Gatsas for the committee.

HB 1349-FN-A, (New Title) establishing a committee to study electric utility restructuring in the territory currently serviced by Connecticut Valley Electric Company. Vote 5-0

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

HB 1447, establishing a committee to study methods of supporting the continued operation of wood-fired electrical generating facilities. Vote 5-0

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

EXECUTIVE DEPARTMENTS & ADMINISTRATION

HB 744-FN-A, (New Title) establishing a committee to study the feasibility of a state pilot program for family and disability leave. Vote 3-1

Inexpedient to Legislate, Senator Flanders for the committee.

HB 1210, (New Title) relative to training to be a licensed esthetician, and relative to experience required for shop licensure of barbers, cosmetologists, or estheticians. Vote 4-0

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

HB 1302-FN, (New Title) relative to the purchase of certain prior service credit by members of the retirement system, relative to legislative review of retirement fund investment practices, and relative to the payment of medical benefits costs for retired state employees. Vote 5-0

Ought to Pass, Senator Francoeur for the committee.

HB 1366-FN, (New Title) establishing a state employee recognition and award program.

Vote 4-1

Ought to Pass, Senator Prescott for the committee.

HB 1372-FN, relative to certain residential care facilities. Vote 5-0

Ought to Pass, Senator Prescott for the committee.

HB 1437-FN-A, (New Title) relative to increasing the staff in the consumer protection and antitrust bureau of the department of justice. Vote 3-2

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

HB 1455-FN-L, (New Title) establishing portability of a person's qualifying retirement funds for the purchase of permissive service credit in the New Hampshire retirement system. Vote 5-0

Ought to Pass, Senator Flanders for the committee.

HB 1461-FN, (New Title) transferring the office of emergency management to the department of safety, division of fire safety and emergency management. Vote 5-0

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

HB 1469-FN, (New Title) establishing a committee to study the eligibility of state employees to receive a retirement system benefit while in service, establishing a moratorium on eligibility for electing such benefit, and prospectively repealing the provision allowing state employees to receive a retirement allowance while in service. Vote 4-0

Ought to Pass, Senator Flanders for the committee.

HB 1476, relative to the age of retirement or early retirement in the city of Manchester employees contributory retirement system. Vote 4-0

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

JUDICIARY

HB 660, relative to out-of-home placements in juvenile abuse and neglect cases. Vote 3-0

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

PUBLIC AFFAIRS

HB 1393, (New Title) relative to business replacement costs resulting from government program displacement. Vote 2-0

Ought to Pass, Senator Disnard for the committee.

HB 1440-FN-A-L, (New Title) establishing a New Hampshire local government records management improvement program and fund. Vote 2-0

Ought to Pass, Senator Disnard for the committee.

PUBLIC INSTITUTIONS, HEALTH & HUMAN SERVICES

HB 1159, (New Title) relative to substituting generic drugs for legend and non-legend drugs. Vote 3-0

Ought to Pass, Senator McCarley for the committee.

HB 1365-FN, (New Title) requiring that the county departments of correction be charged 110 percent of the Medicare rate for inmates who need medical services within the community. Vote 4-0

Ought to Pass, Senator Prescott for the committee.

TRANSPORTATION

HB 1460-FN, relative to penalties for alcohol- and drug-related offenses. Vote 2-0

Ought to Pass, Senator Eaton for the committee.

WAYS & MEANS

HB 1167, (New Title) permitting wine manufacturers to sell their products at farmers' markets. Vote 4-0

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

WILDLIFE & RECREATION

HB 1419-FN-A, (2nd New Title) increasing the capital appropriation made to the fish and game department for the Barry conservation camp building replacement. Vote 3-0

Ought to Pass, Senator Disnard for the committee.

AMENDMENTS

Energy and Economic Development

April 9, 2002

2002-3314s

03/04

Amendment to HB 718-FN

Amend the bill by inserting after section 5 the following and renumbering the original sections 6-9 to read as 7-10, respectively:

6 Energy Efficiency Program; Efficient Renewable Energy Programs. Amend 2001, 29:14 to read as follows:

29:14 Energy Efficiency Program; ***Efficient Renewable Energy Programs.***

I. The public utilities commission shall phase-in, as quickly as can be effectively administered by Public Service Company of New Hampshire, an energy efficiency program for Public Service Company of New Hampshire that is funded at a rate of \$0.0018 per kilowatt-hour to be allocated from the system benefits charge. The public utilities commission shall not decrease the amount of the system benefits charge allocated to low-income customers due to passage of this act.

II. ***Any restructured utility under RSA 374-F may, at its discretion, propose an efficient renewable energy programs that would yield results similar to cost-effective energy efficiency measures and promote the benefits recognized in RSA 374-F:3, IX, and the public utilities commission should give due consideration to such programs. Such programs could be funded from a portion of the system benefits charge currently dedicated to energy efficiency programs.***

Energy and Economic Development
April 9, 2002
2002-3317s
03/09

Amendment to HB 1349-FN-A

Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 8:

6 Electric Utility Restructuring; Restructuring Policy Principles; Timetable. Amend RSA 374-F:3, XV to read as follows:

XV. TIMETABLE. The commission should seek to implement full customer choice among electricity suppliers in the most expeditious manner possible, ***but may delay such implementation in the service territory of any electric utility when implementation would be inconsistent with the goal of near-term rate relief, or would otherwise not be in the public interest.*** ~~[The pilot program established in 1995, 272 should be consistent with this pace and not delay implementation of statewide customer choice. The utilities should unbundle rates and services as soon as possible.]~~

7 Electric Utility Restructuring; Implementation; Time. Amend RSA 374-F:4, I to read as follows:

I. The commission is authorized to require the implementation of retail choice of electric suppliers for all customer classes of utilities providing retail electric service under its jurisdiction. The commission shall require such implementation at the earliest date determined to be in the public interest by the commission. However, in no event may the implementation be delayed beyond July 1, 1998 without legislative approval or a finding of public interest by the commission that delay is required due to events beyond the control of the commission ***or that implementation of retail choice within the service territory of any electric utility would be inconsistent with the goal of near-term rate relief or would otherwise not be in the public interest. In the event that implementation of retail choice is delayed in the service territory of an electric utility, the electric utility shall continue to provide reliable retail service at the lowest reasonable cost in accordance with state law.*** In addition, at the earliest practical date, the commission should make effective the unbundling of components of rates into at least distribution, transmission, and generation for each jurisdictional utility.

Energy and Economic Development
April 9, 2002
2002-3319s
03/01

Amendment to HB 1447

Amend subparagraph I(a) of section 3 of the bill by replacing it with the following:

(a) Five members of the house of representatives, 3 of whom shall be members of the science, technology and energy committee and one of whom shall be a member of the resources, recreation and development committee, appointed by the speaker of the house of representatives.

Senate Executive Departments and Administration
April 1, 2002
2002-3176s
08/09

Amendment to HB 1210

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

AN ACT relative to training to be an esthetician and an advanced esthetician.

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

1 Definition. Amend RSA 313-A:1, I to read as follows:

I. “Advanced clinical esthetician” means, including and in addition to the definition of esthetician under paragraph VII, a person who performs any of the following:

- (a) Giving skin treatments which are done for cosmetic as well as therapeutic reasons and not for the treatment of medical, physical, or mental ailments.**
- (b) Chemical exfoliation.**
- (c) Mechanical exfoliation.**
- (d) Operation of pulsed light hair removal and other various pulsed light treatments.**
- (e) The treatment of distended capillaries by use of an epilator or device specifically designed for this use.**
- (f) Lymphatic massage by manual or other means.**

I-a. “Barber” means any person practicing barbering.

2 Definitions. Amend RSA 313-A:1, VIII to read as follows:

VIII. “Esthetics” means:

- (a) Giving facials, applying makeup, giving therapeutic skin care treatments, removing superfluous hair, or applying eyelashes to any person;**
- (b) Beautifying the face, neck, arms, and shoulders, by use of cosmetic preparations, antiseptics, tonics, lotions, or creams; [or]**
- (c) Massaging, cleansing, or stimulating the face, neck, arms, and shoulders, by means of the hands, devices; or**
- (d) Providing pedicure services, including therapeutic skin and nail care treatments for the foot, beautifying the foot and massaging, cleansing or stimulating the foot by means of the hands, devices, apparatus, or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, trimming or filing the toenails, and polishing the toenail.**

3 Qualifications. Amend RSA 313-A:13 to read as follows:

313-A:13 Qualifications; Estheticians. To be issued an esthetics license by the board, an applicant shall, in addition to satisfying the requirements of RSA 313-A:11, I(a), (b), and (e) have completed a course of at least 600 hours of training in a school approved by the board and have passed an examination conducted by the board. ***An apprenticeship approved by the board may substitute for the required training.*** Estheticians who have practiced professionally in this state for a period of at least 3 years prior to July 1, 1989, and who have satisfied the requirements of RSA 313-A:11, I(a), (b), and (e) and the training requirements of this section shall not be required to take the examination provided for in this section to be eligible for licensure under this chapter. Credit towards hours requirement for esthetician training may be given to a licensed cosmetologist or barber for equivalent training in the cosmetology or barber program in a school approved by the board upon certification of the training by the school. Cosmetologists licensed by the board may obtain the training hours in subjects required by the board in increments at separate schools but must present certifications to the board for all required hours and curriculum subjects.

4 Shop Licensure. Amend RSA 313-A:19, II(a) to read as follows:

(a) Any licensed barber, cosmetologist, manicurist, or esthetician who has completed one year of actual ~~[employment]~~ ***experience*** in a salon or barbershop shall, upon written application accompanied by the required fees, receive a license to operate a salon, barbershop, or mobile barbershop in this state, provided that the salon, barbershop, or mobile barbershop meets all requirements established in the rules of the board.

5 Shop Licensure. Amend RSA 313-A:19, IV to read as follows:

IV. In addition to licenses issued under paragraph II, the board may issue a license to an owner of a salon or barbershop who does not personally engage in cosmetology, barbering, or esthetics, provided the salon or barbershop shall fulfill all requirements set forth in the rules of the board and provided further that the owner has paid the required license fee for such salon or barbershop and employs a licensed cosmetologist, barber, manicurist, or esthetician as manager who has previously completed one year of actual ~~[employment]~~ ***experience*** in a licensed salon or barbershop. However, this section shall not authorize such owner to practice cosmetology, barbering, manicuring, or esthetics unless the owner has a cosmetologist, barber, or esthetician license.

6 New Section; Qualifications; Advanced Esthetician. Amend RSA 313-A by inserting after section 13 the following new section:

313-A:13-a Qualifications; Advanced Esthetician.

I. To be issued an advanced esthetician license by the board, an applicant shall have completed at least 600 hours of training in a school approved by the board and have passed an examination administered by the board, in addition to the requirements of RSA 313-A:13.

II. Notwithstanding the provisions of paragraph I, any esthetician licensed prior to January 1, 2003 under RSA 313-A:13, and having practiced services substantially similar to those services provided by advanced clinical estheticians for at least 6 months, shall be deemed to have met the requirements for licensure as an advanced clinical esthetician.

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

2002-3176s

AMENDED ANALYSIS

This amendment creates an advanced esthetician license and prescribes qualifications for licensing, changes the definition of esthetics, and allows an apprenticeship to substitute for training to qualify as an esthetician.

Amendment to HB 1461-FN

Amend RSA 21-P:36 as inserted by section 7 of the bill by replacing it with the following:

21-P:36 Office of Emergency Management; Coordinator of Emergency Management.

I. There is hereby created, within the division of fire safety and emergency management, an office of emergency management under the supervision of the director of the division of fire safety and emergency management. The commissioner shall nominate a coordinator of emergency management, for appointment by the governor, with the consent of the council. The coordinator of emergency management shall be directly responsible to the director and shall carry out such duties as are specifically enumerated in this subdivision and as may be assigned to the coordinator by the director. The coordinator of emergency management shall be academically and technically qualified to hold the position and shall receive the salary specified in RSA 94:1-a for the coordinator of emergency management. Notwithstanding any other provision of law to the contrary, the coordinator of emergency management shall serve at the pleasure of the governor and may be removed, with or without cause, by the governor and council. If any vacancy in the position of coordinator of emergency management exists, and no successor has been nominated by the commissioner within 6 months of the vacancy, the governor may appoint a successor with the consent of the council.

II. With the approval of the director, the coordinator may employ such necessary technical, clerical, stenographic, and other personnel, and may make such necessary expenditures from state or federal funds as are or may be made available for purposes of emergency management. The coordinator and other personnel of the office of emergency management shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing, and funds for traveling and related expenses, in the same manner as provided for personnel of other state agencies. With the approval of the director, the coordinator shall coordinate the activities of all organizations for emergency management within the state, state and local, county, and private, and shall maintain liaison with and cooperate with emergency management agencies and organizations of other states and of the federal government, and shall have such additional authority, duties, and responsibilities authorized by this subdivision as may be prescribed by the commissioner. If, as a result of a disaster declaration, the state of New Hampshire enters into an agreement with the federal government or another entity for assistance, either direct or indirect, financial or otherwise, such agreement shall be transmitted to the president of the senate and to the speaker of the house within 30 days after approval by the governor and council. Any obligation of the general fund of the state of New Hampshire as a result of such an agreement shall be submitted jointly to the general court by the president of the senate and speaker of the house for prompt payment. Administrative costs of the state of New Hampshire incident to such obligation shall be included in the submission to the general court.

Amend RSA 21-P:48, I as inserted by section 7 of the bill by inserting after subparagraph (t) the following new subparagraph:

(u) A representative of the Professional Firefighters of New Hampshire, appointed by the governor.

Amend the bill by replacing all after section 12 with the following:

13 Transition.

I. The transfer of the office of emergency management to the department of safety, division of fire safety and emergency management shall include all of the personnel, books, papers, records, equipment, unexpended appropriations, or other available funds in any account or subdivision of an account of the emergency management agency established under RSA 107-C and authorized for use by the office of emergency management or the emergency management agency.

II. If the coordinator of emergency management has not been nominated by the commissioner within 6 months of the effective date of this act, the governor shall appoint a coordinator with the consent of the council.

14 Salary; Coordinator of Emergency Management. Amend RSA 94:1-a, I by inserting in grade EE the following:

Coordinator of emergency management.

15 Repeal. RSA 107-C, the emergency management act, is repealed.

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

Senate Judiciary
April 5, 2002
2002-3269s
05/01

Amendment to HB 660

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

1 New Paragraph; Child Protection Act; Adjudicatory Hearing; Out-of-Home Placement.
Amend RSA 169-C:18 by inserting after paragraph V the following new paragraph:

V-a. The department's dispositional report shall include:

(a) A description of efforts made by the department to avoid the need for placement and an explanation of why these efforts were unsuccessful.

(b) An explanation why the child cannot be protected from the identified problems in the home even if services are provided to the child and family.

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

2002-3269s

AMENDED ANALYSIS

This bill requires that, in abuse and neglect cases, the department of health and human services provide the court with an explanation of why an out-of-home placement is required and why in-home supports are insufficient to protect the child.

Senate Ways and Means
April 4, 2002
2002-3247s
03/01

Amendment to HB 1167

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

AN ACT permitting wine manufacturers to sell their products at farmers' markets and relative to liquor and wine representative licenses.

Amend the bill by inserting after section 1 the following and renumbering the original sections 2-3 to read as 3-4, respectively:

2 Liquor Licenses and Fees; Licenses Required, Enforceability of Contracts and Agreements; Liquor and Wine Representative License; Sales Person Deleted. Amend RSA 178:1, III to read as follows:

III. Any person applying for a liquor and wine representative license shall have been a New Hampshire resident, or shall have at least one director, officer, *or* partner ~~[or licensed sales person]~~ who has been a New Hampshire resident for at least 3 years immediately preceding the date of application.

2002-3247s

AMENDED ANALYSIS

This bill permits wine manufacturers to sell their products at farmers' markets. This bill also modifies the residency requirement for liquor and wine representative license applicants by deleting the reference to licensed sales person.

HEARINGS

WEDNESDAY, APRIL 10, 2002

● PLEASE NOTE HB 1429 HAS BEEN CANCELLED AND RESCHEDULED FOR APRIL 17TH

EXECUTIVE DEPARTMENTS & ADMINISTRATION, Room 104, LOB

Cancelled HB 1429, relative to the scope of the consumer protection act.

● PLEASE NOTE THE FOLLOWING HEARING HAS A TIME CHANGE

INSURANCE, Room 101, LOB

9:00 a.m. HB 1467-FN, relative to the cost of vaccines.

EXECUTIVE SESSION ON PENDING LEGISLATION TO FOLLOW

WORK SESSION

JUDICIARY, Room 102, LOB

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

WAYS & MEANS, Room 103, SH

9:00 a.m. HB 1268-FN, establishing a net operating loss deduction in computing the business profits tax.

9:30 a.m. **HB 1282**, (New Title) establishing a committee to study gaming options for New Hampshire.

EXECUTIVE SESSION TO FOLLOW ON ALL PENDING LEGISLATION

FRIDAY, APRIL 12, 2002

FINANCE, Room 103, SH

9:00 a.m. **HB 1462-FN-A-L**, eliminating the statewide education property tax as a source of funding adequate education.

TUESDAY, APRIL 16, 2002

● **PLEASE NOTE HB 2000 WAS RECESSED ON APRIL 12TH**

TRANSPORTATION, Room 104, LOB

8:30 a.m. **HB 2000**, (New Title) relative to the state 10-year transportation improvement program, relative to proposed toll booths in the city of Nashua, and relative to the Troy Village bypass.

● **PLEASE NOTE HB 1235, HAS BEEN RESCHEDULED FROM APRIL 9TH**

WILDLIFE & RECREATION, Room 101, LOB

10:15 a.m. **HB 1235**, relative to operation of motorized vessels and safe boater education.

WEDNESDAY, APRIL 17, 2002

CAPITAL BUDGET, Room 103, SH

2:00 p.m. **HB 1370**, relative to establishing a 6-year capital budget.

EDUCATION, Room 105-A, SH

1:00 p.m. **HB 1483**, (New Title) relative to municipal budget committees.

ENVIRONMENT, Room 104, LOB

8:30 a.m. **HB 1449-A**, (New Title) establishing a pilot program to study and establish protected instream flows and water management plans on the Lamprey River and the Souhegan River.

● **PLEASE NOTE HB 1218 WAS RECESSED ON APRIL 9TH**

HB 1208, HB 1318, HAVE BEEN RESCHEDULED FROM APRIL 3RD

HB 1429 HAS BEEN RESCHEDULED FROM APRIL 10TH

EXECUTIVE DEPARTMENTS & ADMINISTRATION, Room 104, LOB

1:00 p.m. **HB 1208**, relative to real estate broker liens.

1:30 p.m. **HB 1218**, relative to the regulation of pharmacists and prescription drug orders.

2:00 p.m. **HB 1318**, (New Title) relative to the regulation of the use of pharmaceutical agents and the treatment of glaucoma by licensed optometrists.

2:15 p.m. **HB 1429**, relative to the scope of the consumer protection act.

MEETINGS

WEDNESDAY, APRIL 10, 2002

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

9:00 a.m. Regular Business

9:30 a.m. Audit:

State of New Hampshire

Department of Resources and Economic Development

Division of Parks and Recreation

Cannon Mountain

Financial and Compliance Audit

Report for the Ten Months Ended April 30, 2001

SENATE INSURANCE COMMITTEE (HB 1194, relative to medical records.) Room 101, LOB

9:30 a.m. Work Session (Proposed Amendment)

THURSDAY, APRIL 11, 2002

NH DEPARTMENT OF TRANSPORTATION (Newbury-Bradford 12893, Proposed improvements on NH 103 beginning in Newbury near Colburn Farm Road proceeding south approximately 6.5 miles to the Bradford/Warner Town line) Bradford Town Hall, 75 West Main Street, Bradford, NH

7:00 p.m. Combined Public Officials Informational Meeting

FRIDAY, APRIL 12, 2002

PRIVACY TASK FORCE (HB 702, Chapter 256:7, Laws of 2001) Room 210-211, LOB

9:00 a.m. Regular Meeting

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION (RSA 12-J:1) Room 201-203, LOB

9:30 a.m. Regular Meeting

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

9:30 a.m. Subcommittee Meeting

TELECOMMUNICATION OVERSIGHT COMMITTEE (RSA 374:22-h) Room 304, LOB

10:00 a.m. Special Meeting

MONDAY, APRIL 15, 2002

SUBCOMMITTEE OF THE FISCAL COMMITTEE OF THE GENERAL COURT ON TAX SIMULATION & FORECASTING MODELS (Charles River Associates (CRA) Update) Room 212, LOB

1:00 p.m. Regular Meeting

NH DEPARTMENT OF TRANSPORTATION (Transportation Enhancement (TE) Advisory Committee Meeting) Rooms 112-113, JOM Building NHDOT, Concord, NH

3:00 p.m. Advisory Committee Meeting

TUESDAY, APRIL 16, 2002

ASSESSING STANDARDS BOARD (RSA 21-J:14-a) Room 301, LOB

2:00 p.m. Regular Meeting

WEDNESDAY, APRIL 17, 2002

NH DEPARTMENT OF TRANSPORTATION (Bedford-Manchester-Londonderry-Litchfield-Merrimack 11512, Manchester Airport Access Road) Highlander Inn Ballroom, 2 Highlander Way, Manchester, NH

2:00 p.m. - 5:00 p.m. Public Informational/Screening Session

NH DEPARTMENT OF TRANSPORTATION (Bedford-Manchester-Londonderry-Litchfield-Merrimack 11512, Manchester Airport Access Road) Highlander Inn Ballroom, 2 Highlander Way, Manchester, NH

6:00 p.m. NHDES & ACOE Public Hearing (Wetland Permit)

NH DEPARTMENT OF TRANSPORTATION (Haverhill-Bath 10436, Reconstruct US 302, from NH 10 northerly approximately 1.8 miles) Woodsville Elementary, 206 Central Street, Woodsville, NH

7:00 p.m. Public Informational/Special Committee

THURSDAY, APRIL 18, 2002

NH DEPARTMENT OF TRANSPORTATION (Goshen 13477, Bridge Rehabilitation) Goshen Town Hall, Rt. 10 Goshen, NH

7:00 p.m. Public Informational/Officials Meeting

FRIDAY, APRIL 19, 2002

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

9:00 a.m. Regular Meeting

LONG TERM RATE CARE ADVISORY COMMITTEE (RSA 151-E:6-a) Room 103, SH

1:00 p.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

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

1:00 p.m. Complaint Hearings

NH CANADIAN TRADE COUNCIL (RSA 12-A:2-g) Room 306, LOB

2:00 p.m. Regular Meeting

TUESDAY, APRIL 23, 2002

CAPITAL BUDGET OVERVIEW COMMITTEE Room 201, LOB

10:00 a.m. Update on Department of Safety Construction Projects

11:00 a.m. Update on University System of New Hampshire Construction Projects

ASSESSING STANDARDS BOARD (RSA 21-J:14-a) Room 301, LOB

2:00 p.m. Regular Meeting

WINNIPESAUKEE RIVER WATERSHED ADVISORY COMMITTEE (RSA 483-D:2)

Department of Environmental Services, 6 Hazen Drive, Room 312, Concord, NH

2:00 p.m. Regular Meeting

WEDNESDAY, APRIL 24, 2002

211 COMMISSION (HB 707, Chapter 258:1, Laws of 2001) Room 304, LOB

2:00 p.m. Regular Meeting

**TOBACCO USE ADVISORY COMMITTEE (RSA 126-K:19) Landergan Hall, Room 12,
Department of Education, 101 Pleasant St. Concord, NH**

2:30 p.m. - 4:30 p.m. Regular Meeting

FRIDAY, APRIL 26, 2002

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62) Room 306, 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

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

9:00 a.m. Regular Meeting

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

10:00 a.m. Regular Meeting

**HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13) Room 205,
LOB**

1:00 p.m. Regular Meeting

TUESDAY, APRIL 30, 2002

ASSESSING STANDARDS BOARD (RSA 21-J:14-a) Room 301, LOB

2:00 p.m. Regular Meeting

MONDAY, MAY 6, 2002

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

9:30 a.m. Subcommittee Meeting

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

2:00 p.m. Regular Meeting

WEDNESDAY, MAY 8, 2002

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE Room 201, LOB

9:30 a.m. Regular Meeting

Skyhaven Airport Discussion with Skyhaven Airport Operations Committee and
City of Rochester Officials

MONDAY, MAY 13, 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, MAY 17, 2002

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

WEDNESDAY, MAY 22, 2002

TOBACCO USE ADVISORY COMMITTEE (RSA 126-K:19) Landergan Hall, Room 12,
Department of Education, 101 Pleasant St. Concord, NH
2:30 p.m. - 4:30 p.m. Regular Meeting

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

NOTICES

FRIDAY, APRIL 12, 2002

All members of the General Court and the public are invited to the meeting of the Governor's Commission on Alcohol and Drug Abuse Prevention, Intervention and Treatment on Friday, April 12, 2002 in LOB Room 201-203 at 9:30 AM. There is a special briefing and program at each meeting that is interesting and helpful to those concerned with the problems of substance abuse. Get involved.

Senator Ned Gordon

MONDAY, APRIL 15, 2002

Informational Meeting on TANF and Reauthorization and Postsecondary Education, at 10:00 a.m. - 12:00 p.m. Room 206, LOB

Senator Katherine Wheeler

WEDNESDAY, APRIL 17, 2002

The New Hampshire Women's Lobby is pleased and honored to announce that Rep. Terie Norelli and Rep. Cynthia Dokmo will receive Meritorious Service Awards, Juliana Eades will receive the Citizen Award and Arnie Arnesen will receive the Media Award at our annual "Spring Celebs" event on Wednesday, April 17th from 4:30 to 6:30 p.m. at the Holiday Inn in Concord. All are invited to join us in honoring these outstanding New Hampshire citizens. Tickets are \$10 for members and \$15 for nonmembers and are available from members or from the NH Women's Lobby Office at 224-9105.

Senator Debora B. Pignatelli

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 - APRIL

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 **April 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	CLASS/Size
April 10	8:30	Conant Elementary - Concord	4/25
April 10	9:30 & 11:00	Marston Elementary - Hampton	4/75
April 10	12:30 & 1:30	Centerwoods Elementary - Weare	4/50
April 10	2:30	Leadership Concord	30
April 11	9:30 & 11:00	Symonds School - Keene	4/50
April 12	8:30	Conant Elementary - Concord	4/25
April 12	9:30 & 11:00	Marston Elementary - Hampton	4/100
April 15	9:00	Henniker Elementary	4/25
April 15	11:00 & 12:30	Antrim Elementary	4/44
April 15	2:00	Teen Pact - Rhode Island	Teens/45
April 16	9:30	Newfields Elementary	5/35
April 16	10:00 & 12:00	Lincoln-Akerman Elementary - Hampton Falls	3 & 4/75
April 17	9:30 & 11:00	East Rochester Elementary	4/60
April 17	1:00 & 2:00	Hinsdale Elementary	4/75
April 18	9:30 & 11:00	Pleasant St. Elementary - Laconia	4/60
April 19	9:30 & 10:45	Henry Moore School - Candia	4/60
April 19	12:00 & 1:00	Maple St. School - Contoocook	4/88
April 22	10:00 & 11:15	Canaan Elementary	4/60

April 23	9:30 & 11:00	John Fueller School – North Conway	4/50
April 24	9:30 & 11:00	Hanover St. School - Lebanon	4/80
April 24	1:00	Trinity Christian School - Concord	5 & 6/34
April 25	9:30 & 11:00	Ray School – Hanover	3/104
April 26	10:00	Cornish Elementary	4/12
April 26	10:00	Freedom Elementary	4/13
April 26	11:30	Madison Elementary	4/28
April 26	2:00	CHOSNH-Christian Home School - Hollis	30
April 29	9:30 & 11:00	Epsom Central School	4/60
April 29	10:00	Seminary Hill Elementary – West Lebanon	4/40
April 30	10:00 & 11:30	Thornton Ferry -Merrimack	4/50
April 30	11:00	Danbury Elementary	3 & 4/26