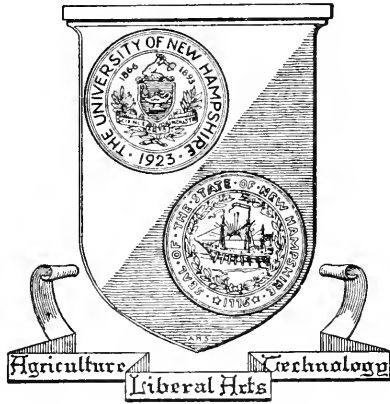


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# LAWS

of the

STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1955

LEGISLATURE CONVENED JANUARY 5, 1955

ADJOURNED AUGUST 6, 1955

and

# LAWS

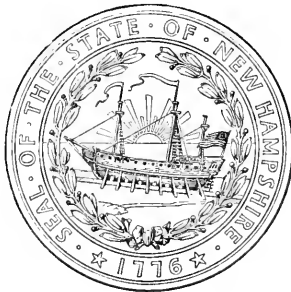
of the

STATE OF NEW HAMPSHIRE

PASSED SPECIAL SESSION, 1954

LEGISLATURE CONVENED APRIL 6, 1954

ADJOURNED APRIL 9, 1954



CONCORD, N. H.

1955

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## STATE OFFICERS

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<i>Governor</i> .....	Lane Dwinell
	{ Parker M. Merrow
	{ Charles T. Durell
<i>Councilors</i> .....	{ Romeo J. Champagne
	{ Frederic H. Fletcher
	{ John P. H. Chandler, Jr.
<i>Adjutant General</i> .....	John Jacobson, Jr.
<i>Aeronautics Commission, N. H.</i>	
<i>Director</i> .....	W. Russell Hilliard
<i>Agriculture, Commissioner of</i> .....	Perley I. Fitts
<i>Attorney-General</i> .....	Louis C. Wyman
<i>Deputy Attorney-General</i> .....	Warren E. Waters
	{ Richard C. Duncan
<i>Assistant Attorneys-General</i> .....	{ George F. Nelson
	{ Arthur E. Bean, Jr.
<i>Charitable Trusts, Director of</i> ....	Ernest R. D'Amours
<i>Bank Commissioner</i> .....	Winfield J. Phillips
<i>Deputy Commissioner</i> .....	Leon O. Gerry
	{ George W. Boynton
	{ Joseph W. Epply
<i>Cancer Commission, State</i> .....	{ Joseph N. Friborg
	{ George C. Wilkins
	{ James W. Jameson
<i>Comptroller</i> .....	Arthur E. Bean
<i>Education, Commissioner of</i> .....	Austin J. McCaffrey
<i>Fire Control, State Board</i> .....	
<i>State Fire Marshal</i> .....	Aubrey G. Robinson
<i>Fish and Game Department, Director</i>	Ralph G. Carpenter, 2d

*Forestry and Recreation Department*

*State Forester* ..... William H. Messeck, Jr.

*Director of Recreation* ..... Russell B. Tobey

*Health Department, State*

*State Health Officer* ..... John S. Wheeler

*Deputy State Health Officer* .... Mary M. Atchison

*Registrar of Vital Statistics* ..... Marian G. Maloon

*Insurance Commissioner* ..... Donald Knowlton

*Deputy Commissioner* ..... Simon M. Sheldon

<i>Judicial Council</i> .....	{	Frank R. Kenison Stephen M. Wheeler Richard E. Shute Robert E. Earley Louis E. Wyman Robert W. Upton Maurice F. Devine H. Thornton Lorimer Edward J. Gallagher
-------------------------------	---	--

*Labor Commissioner* ..... Adelard E. Cote

*Employment Security*

*Division, Director* ..... Charles Griffin

*Employment Service Bureau,*

*Director* ..... Abby L. Wilder

*Unemployment Compensation*

*Bureau, Director* ..... William C. Chamberlin

<i>Library Commission, State</i> .....	{	William L. Dunfey Harry E. Sherwin Charlotte E. Ford Elwin L. Page Addie E. Towne
--	---	---

*State Librarian* ..... Mildred Peterson McKay

*Asst. State Librarian* ..... Catharine Pratt

<i>Liquor Commission, State</i> .....	{	William A. Jackson Ray E. Tarbox William A. Styles
---------------------------------------	---	--

<i>Milk Control Board</i> .....	{ Edward E. Baker Maurice G. Chase Clarence A. Marshall
<i>Motor Vehicle Commissioner</i> .....	Frederick N. Clarke
<i>Deputy Commissioner</i> .....	Kennard E. Goldsmith
<i>Director of Safety</i> .....	Ralph V. Gould
<i>Road Toll Administrator</i> .....	John S. Mara
<i>Personnel Commission, Director</i> ...	Roy Y. Lang
<i>Planning and Development Commission, State</i>	
<i>Publicity Director</i> .....	John Brennan
<i>Executive Director</i> .....	Ernest L. Sherman
<i>Industrial Director</i> .....	Winfred L. Foss
<i>Planning Director</i> .....	Sulo J. Tani
<i>Police, State, Superintendent</i> .....	Ralph W. Caswell
<i>Probation, Board of</i> .....	{ Amos N. Blandin, Jr. Burt R. Cooper Ada C. Taylor
<i>Director</i> .....	Richard T. Smith
<i>Public Utilities Commission</i> .....	{ Harold K. Davison Blaylock Atherton Edward R. Thornton
<i>Public Welfare, Commissioner of</i> ...	James J. Barry
<i>Public Works and Highways, Commissioner of</i> .....	Frank D. Merrill*
<i>Deputy Commissioner</i> .....	John O. Morton
<i>Assistant Commissioner</i> .....	J. Harold Johnson
<i>Purchase and Property, Director</i> ...	Harold Cheney
<i>Racing Commission, State</i> .....	{ Albert W. Hamel Emmet J. Kelley George H. Grinnell
<i>Secretary of State</i>	Enoch D. Fuller
<i>Deputy</i> .....	Harry E. Jackson

\* Died.

*State Buildings and Grounds,**Superintendent* ..... Wayne B. Elwell

<i>Tax Commission, State</i> .....	}	Lawton B. Chandler
		Oliver W. Marvin
		John B. Evans

*Treasurer, State* ..... Alfred S. Cloues*Deputy* ..... Philip D. McInnis*Veterans Council, State**Director* ..... Harold B. Trombley*Water Resources Board,**Chairman* ..... Walter G. White

### SUPREME COURT

<i>Chief Justice</i> .....	Frank R. Kenison
<i>Associate Justices</i> .....	{ Amos N. Blandin, Jr. Laurence I. Duncan John R. Goodnow Edward J. Lampron

### SUPERIOR COURT

<i>Chief Justice</i> .....	Stephen M. Wheeler
<i>Associate Justices</i> .....	{ George R. Grant, Jr. Robert F. Griffith William A. Grimes John H. Leahy Dennis E. Sullivan Harold E. Wescott
<i>State Reporter</i> .....	George O. Shovan

# THE LEGISLATURE OF 1955

## SENATE

*President*—RAYMOND K. PERKINS, Concord  
*Clerk*—BENJAMIN F. GREER, Grasmere  
*Assistant Clerk*—FRANK M. AYER, Alton  
*Sergeant-at-Arms*—NATHAN A. TIRRELL, Goffstown  
*Messenger*—MAURICE YOUNG, Warner  
*Assistant Messenger*—CHARLES E. WOODBURY, Hooksett  
*Doorkeeper*—DANIEL CRONIN, Manchester

## SENATORS

Laurier A. Lamontagne, Berlin	Louis W. Paquette, Nashua
Daniel A. O'Brien, Lancaster	Eralsey C. Ferguson, Pittsfield
Norman A. McMeekin, Haverhill	Raymond K. Perkins, Concord
Fred H. Washburn, Bartlett	Norman A. Packard, Manchester
Archibald H. Matthews, New Hampton	Marye Walsh Caron, Manchester
Otto G. Keller, Laconia	Thomas B. O'Malley, Manchester
James C. Cleveland, New London	Paul H. Daniel, Manchester
J. Laban Ainsworth, Claremont	J. Paul LaRoche, Rochester
John R. Powell, Sutton	Frederick C. Smalley, Dover
Irene Weed Landers, Keene	Benjamin C. Adams, Derry
Robert English, Hancock	Dean B. Merrill, Hampton
J. Wesley Colburn, Nashua	Harry H. Foote, Portsmouth

## HOUSE OF REPRESENTATIVES

*Speaker*—Charles Griffin, Lincoln  
*Clerk*—Robert L. Stark, Goffstown  
*Assistant Clerk*—Francis W. Tolman, Nelson  
*Sergeant-at-Arms*—Lloyd E. Fogg, Milan  
*Chaplain*—Austin H. Reed, Goffstown  
*Custodian of Mail and Supplies*—Fred C. Abbott, Penacook  
*Doorkeeper*—Sherman L. Greer, Manchester  
*Doorkeeper*—Mabel L. Richardson, Randolph  
*Doorkeeper*—Bertha E. Boutwell, Concord  
*Doorkeeper*—Harry J. E. Robinson, Dover



## ROCKINGHAM COUNTY

*Atkinson*, Not entitled  
*Auburn*, Margaret A. Griffin, r  
*Brentwood*, John H. Dudley, r  
*Candia*, Karl J. Persson, r  
*Chester*, Walter P. Tenney, r  
*Danville*, George W. Shattuck, r  
*Deerfield*, Carl M. Fogg, d  
*Derry*, Ernest P. Barka, r  
     Kenneth M. Bisbee, r  
     Harry E. Clarke, r  
     Charles H. Gay, r  
*East Kingston*, Guy E. Nickerson, r  
*Epping*, Edmond G. Blair, d  
*Exeter*, Edwin W. Eastman, r  
     Emory P. Eldredge, r  
     C. H. Sayre Merrill, r  
     James C. Rathbone, r  
*Fremont*, Harold L. Jones, r  
*Greenland*, Thornton N. Weeks, Sr., r  
*Hampstead*, Doris M. Spollett, r  
*Hampton*, Douglass E. Hunter, r  
     Alton P. Tobey, r  
*Hampton Falls*, James H. Thurlow, r  
*Kensington*, Not entitled  
*Kingston*, Nathan T. Battles, r  
*Londonderry*, Draper W. Parmenter, r  
*New Castle*, Thomas F. McCaffrey, r  
*Newfields*, Not entitled  
*Newington*, Not entitled  
*Newmarket*, Arthur A. Labranche, d  
     F. Albert Sewall, d

*Newton*, George L. Cheney, r  
*North Hampton*, George G. Carter, r  
*Northwood*, Ernest L. Pinkham, r  
*Nottingham*, Not entitled  
*Plaistow*, Mildred L. Palmer, r  
*Portsmouth*,  
     *Ward 1*, Andrew J. Barrett, d  
         Mary C. Dondero, d  
         Hilda Hundley, d  
         Lise L. Payette, d  
         Ann Sadler, d  
     *Ward 2*, Henry S. Murch, Jr., r  
         Jeremiah Quirk, r  
         Elizabeth L. Travis, r  
     *Ward 3*, John J. Leary, d  
         James J. Joyce, r  
         William J. Wardwell, r  
     *Ward 4*, Thurston A. Smart,\* r  
         Theodore F. Munz, r  
     *Ward 5*, Edward J. Ingraham, d  
*Raymond*, Frank J. Mafera, r  
*Rye*, Manning H. Philbrick, r  
*Salem*, Walter F. Haigh, r  
     Anna M. Noyes, r  
     Howard S. Willis, r  
*Sandown*, Ernest C. Pillsbury, r  
*Seabrook*, Myron B. Felch, r  
*South Hampton*, Frank A. Robinson, r  
*Stratham*, W. Douglas Scamman, r  
*Windham*, Thomas Waterhouse, Jr., r

\* Died.

## STRAFFORD COUNTY

*Barrington*, Roy V. Swain, r  
*Dover*,  
     *Ward 1*, Raymond H. Chase, r  
         Raymond F. Hennessey, d  
         T. Casey Moher, d  
     *Ward 2*, Paul G. Karkavelas, r  
         L. Hector Desjardins, d  
     *Ward 3*, Levi F. Felker, r  
         Martha G. Webb, r  
     *Ward 4*, William Henry Connell, r  
         Harley A. Crandall, r  
         Frederick C. Pearson, Jr., r

*Ward 5*, Emmet J. Flanagan, d  
*Durham*, Helen C. Funkhouser, r  
     Albert D. Littlehaler, r  
     William M. Stearns, r  
*Farmington*, Edward J. Mros, Sr., r  
     Eugene F. Nute, r  
*Lee*, Aaron W. Chadbourn, Jr., r  
*Madbury*, Dorothy L. Wentworth, r and d  
*Middleton*, Not entitled  
*Milton*, Reuben J. Evans, r  
*New Durham*, Not entitled

Strafford County—*Continued**Rochester,*

- Ward 1,* Ernest L. Rolfe, r  
*Ward 2,* Margaret E. Dustin, d  
 George C. Nadeau, d  
*Ward 3,* Edgar J. Carignan, d  
*Ward 4,* Alphonse Lacasse, d  
 Angeline M. St. Pierre, d  
*Ward 5,* Norma M. Studley, r  
*Ward 6,* Arnold T. Clement, r  
 Philip J. Estes, r

*Rollinsford,* Fred L. Green, r

*Somersworth,*

- Ward 1,* Sarkis N. Maloomian, d  
*Ward 2,* Edward G. Letourneau, d  
*Ward 3,* Clovis Cormier, d  
*Ward 4,* John F. Beamis, d  
*Ward 5,* James F. Malley, d  
*Strafford,* Albert H. Brown, r

## BELKNAP COUNTY

- Alton,* Richmond H. Skinner, r  
*Barnstead,* Arthur H. McAllister, r and d  
*Belmont,* Joseph L. Boutin,\* d  
*Center Harbor,* Not entitled  
*Gilford,* Edith B. Gardner, r and d  
*Gilmanton,* William T. Robertson, r  
*Laconia,*  
*Ward 1,* Myron B. Hart, r  
 James P. Rogers, r  
*Ward 2,* Aime H. Morin, d  
 Alfred W. Simoneau, d  
*Ward 3,* Elmer S. Tilton, r

- Ward 4,* John J. Ballentine, r  
 Peter S. Karagianis, r  
*Ward 5,* Henry I. Burbank, r  
 David O'Shan, r  
*Ward 6,* Jack B. Dana, r  
 George Walter Varrell, r  
*Meredith,* Ruth F. Miner, r  
 Joseph F. Smith, r  
*New Hampton,* H. Thomas Urie, r  
*Sanbornton,* Marion H. Atwood, r and d  
*Tilton,* Warren F. Metcalf, r

\* Died.

## CARROLL COUNTY

- Albany,* Not entitled  
*Bartlett,* Earle W. Chandler, r  
*Brookfield,* Not entitled  
*Chatham,* Not entitled  
*Conway,* Mellen B. Benson, r  
 Elmer H. Downs, r  
 Milburn F. Roberts, r  
*Eaton,* Not entitled  
*Effingham,* Not entitled  
*Freedom,* Edward J. Stokes, d  
*Hart's Location,* Not entitled

- Jackson,* Not entitled  
*Madison,* Guy W. Nickerson, r  
*Moultonborough,* Stewart Lamprey, r  
*Ossipee,* Margretta M. Hayden, r  
*Sandwich,* Reuben N. Hodge, r  
*Tamworth,* Earle H. Remick, r  
*Tuftonboro,* Forrest W. Hodgdon, r  
*Wakefield,* Clarence E. Peaslee, r  
*Wolfesboro,* Joseph P. Ford, r  
 Alonzo Page Weeks, II, r

## MERRIMACK COUNTY

- Allenstown,* Edgar A. Baron, a  
*Andover,* Victor E. Phelps, d  
*Boscawen,* Elmer S. Ellsworth, r  
*Bow,* Wilbur H. Vaughn, r  
*Bradford,* Not entitled  
*Canterbury,* Albert A. Vogel, r

*Chichester,* Clifton W. Stevens, d

*Concord,*

- Ward 1,* Frank J. Dowd, d and r  
 James P. Ferrin, d and r  
*Ward 2,* Alice Davis, r  
*Ward 3,* Arthur F. Henry, r

## Merrimack County--Continued

- Ward 4*, Clayton F. Colbath, r  
 Lee C. Hancock, r  
 Daniel J. Shea, r  
*Ward 5*, Clarence Lessels, r  
 Stewart Nelson, r  
*Ward 6*, George H. Corbett, r  
 Guy Jewett, r  
 Herbert W. Rainie, r  
 Gertrude E. Saltmarsh, r  
*Ward 7*, G. Carroll Cilley, r  
 Paul B. Maxham, r  
 Charles J. McKee, r  
 Shelby O. Walker, r  
*Ward 8*, Victoria E. Mahoney, r and d  
*Ward 9*, Howe Anderson, r  
 Joseph J. Comi, r  
*Danbury*, Not entitled  
*Dunbarton*, Not entitled  
*Epsom*, Eleanor C. Nutter, d and r  
*Franklin*,  
*Ward 1*, Basil Broadhurst, r

- Ward 2*, James M. Burke, d  
 Theodore E. Kenney, d  
*Ward 3*, Peter P. Charland, d  
 John P. Dempsey, d  
*Henniker*, Lewis H. Carpenter, r  
*Hill*, George C. Mason, r and d  
*Hooksett*, Edward M. DuDevoir, d  
 John B. Mulaire, r  
*Hopkinton*, Nathaniel F. Davis, r  
*Loudon*, William H. Brown, r  
*Newbury*, Randolph H. Milligan, r  
*New London*, Paul B. Gay, r  
*Northfield*, Fred G. Wilman, r  
*Pembroke*, Leo G. Payeur, d  
 George D. Thibeault, d  
*Pittsfield*, Mary R. Ayer, r  
 E. Harold Young, r and d  
*Salisbury*, George H. Lovejoy, r  
*Sutton*, Not entitled  
*Warner*, L. Waldo Bigelow, r  
*Webster*, Mary E. Bean, r  
*Wilmot*, Don W. Workman, r

## HILLSBOROUGH COUNTY

- Amherst*, Nelle L. Holmes, r  
*Antrim*, Carl H. Robinson, r and d  
*Bedford*, Ralph M. Wiggin, Sr., r  
*Bennington*, Edward C. Black, r  
*Brookline*, Grover C. Farwell, d and r  
*Deering*, M. Rosamond Herrick, r  
*Francestown*, Clarence C. Jones, r  
*Goffstown*, A. Kenneth Hambleton, r  
 Rufus L. Jennings, r  
 Alfred W. Poore, r  
 Austin H. Reed, r  
*Greenfield*, Not entitled  
*Greenville*, O. John Fortin, d  
*Hancock*, Not entitled  
*Hillsborough*, Samuel P. Hadley, r  
*Hollis*, Ann J. Goodwin, r and d  
*Hudson*, Roland W. Abbott, r  
 Roland Latour, d  
 Ned Spaulding, r and d  
*Litchfield*, Not entitled  
*Lyndeborough*, Not entitled

*Manchester*,

- Ward 1*, Richard L. Burgess, r  
 George A. Lang, r  
 James Pettigrew, r and d  
 Emile J. Soucy, r and d  
*Ward 2*, Harry J. Danforth, r  
 Joseph H. Geisel, r and d  
 James L. Mahony, r  
 John Pillsbury, r  
 Kenneth W. Robb, r  
*Ward 3*, Michael J. Dwyer, d  
 James F. Hayes, d  
 Denis Horan, d  
 Thomas F. Sullivan, d and r  
*Ward 4*, William J. Fitzgerald, d  
 Dominick J. Kean, d  
 Thomas F. Nolan, d  
*Ward 5*, Stanley J. Betley, d  
 Jeremiah E. Healy, d  
 John F. Shea, d  
 George W. Smith, d  
 Edward J. Walsh, d

Hillsborough County—*Continued*

- Ward 6*, John H. Callahan, d  
 Denis F. Casey, d  
 Edward D. Clancy, d  
 Joseph F. Ecker, d  
 Daniel J. Healy, d  
 James E. Slowey, d
- Ward 7*, William Walter Corey, d  
 Charles J. Leclerc, d  
 Adrien A. Paradis, d  
 Alonzo J. Tessier, d
- Ward 8*, William H. Craig, Jr., d  
 Eugene Delisle, Sr., d  
 Raymond J. Langlois, d  
 George L. Lavoie, d  
 George N. Constant, d
- Ward 9*, Beatrice B. Cary, d  
 Edward W. Morris, d
- Ward 10*, George S. Auger, d  
 Alfred A. Bergeron, d  
 John J. Kearns, d  
 Otto Schricker, Sr., d
- Ward 11*, Maurice A. Alexander, d  
 Walter G. Boisvert, d  
 George J. Hurley, d
- Ward 12*, Amelia Lareau, d  
 Edward T. Martel, d  
 Louis J. Soucy, d  
 Leon J. O. Vaillancourt, d
- Ward 13*, Albert N. Dion, d  
 Lorenzo P. Gauthier, d  
 Lucien J. Gelinat, d  
 Paul M. Lafond, d  
 Origene E. Lesmerises, d
- Ward 14*, Michael J. Cannon, d  
 Michael S. Donnelly, d  
 Willibert Gamache, d
- Mason*, Not entitled
- Merrimack*, Bert L. Peaslee, r

- Milford*, David Deans, Jr., r  
 William M. Falconer, r  
 Fred T. Wadleigh, r
- Mont Vernon*, William B. Buckley, r
- Nashua*,
- Ward 1*, Roland L. Cummings, r  
 David E. Peterson, r  
 Alice L. Ramsdell, r  
 William A. Saunders, r
- Ward 2*, George F. Boire, d  
 Wilfrid G. Thibault, r
- Ward 3*, Agenor Belcourt, d  
 Hector J. Trombley, d
- Ward 4*, Winslow P. Ayers, d  
 Cornelius M. Brosnahan, d
- Ward 5*, Albert Maynard, d  
 George S. Pappagianis, d
- Ward 6*, John B. Dionne, d  
 Frank B. Shea, d
- Ward 7*, Arthur J. Chartrain, d  
 Frank E. Ryan, d  
 Dennis F. Sweeney, d
- Ward 8*, Charles A. Dugas, d  
 Alphonse A. Dutilly, d  
 Alfred P. Grandmaison, d  
 Peter Z. Jean, d  
 J. B. Henry Langelier, d
- Ward 9*, Paul E. Bouthillier, d  
 Peter Dumais, d
- New Boston*, Edward F. Locke, r
- New Ipswich*, Matti P. Aho, r
- Pelham*, Andrew L. Mailloux, r
- Peterborough*, Chester F. Dutton, r  
 Benjamin M. Rice, r
- Sharon*, Not entitled
- Temple*, Herbert A. Willard, r
- Weare*, Scott F. Eastman, d and r
- Wilton*, Frank Howard Bardol, r
- Windsor*, Not entitled

## CHESHIRE COUNTY

*Alstead*, Nelson C. Burnham, r  
*Chesterfield*, Walter J. Post, r  
*Dublin*, Charles R. Thomas, r  
*Fitzwilliam*, Lewis R. Pike, r and d  
*Gilsum*, Not entitled  
*Harrisville*, Not entitled  
*Hinsdale*, Orson G. Smith, r  
*Jaffrey*, Lenna W. Perry, r  
 Carl S. Spofford, r  
*Keene*,  
 Ward 1, Charles P. Haley, r  
 Howard W. Kirk, r  
 Edward C. Sweeney, Sr.,\* r  
 Ward 2, James E. McCullough, r  
 Kirke W. Wheeler, r  
 Ward 3, Frank J. Bennett, r  
 Edward E. Brown, r  
 Ward 4, Leroy E. Coddington, r  
 Francis F. Faulkner, r  
 Ward 5, Laurence M. Pickett, d  
 Hugh F. Waling, d

*Marlborough*, Charles E. Carlton, r  
*Marlow*, John F. Brown, r  
*Nelson*, Not entitled  
*Richmond*, Not entitled  
*Rindge*, Harry E. Sherwin, r  
*Roxbury*, Not entitled  
*Stoddard*, Not entitled  
*Sullivan*, Not entitled  
*Surry*, Carl A. Mitchell, † r  
 Roy L. Tirrell, r  
*Swanzy*, Ralph A. Blake,\* r and d  
 Kenneth P. Lane, r  
 John Edward Bouvier, r  
*Troy*, Franklin L. Lang, d  
*Walpole*, Louis S. Ballam, r and d  
 E. Everett Rhodes, r  
*Westmoreland*, Oscar W. Billings, †  
 r and d  
 John H. Ferry, Jr.  
*Winchester*, Frederick H. Ingham, r  
 Alexander P. Thompson, r

\* Died.

† Resigned

## SULLIVAN COUNTY

*Acworth*, Glenn N. Bascom, r  
*Charlestown*, Martha McD. Frizzell, r  
*Claremont*,  
 Ward 1, George W. Angus, r  
 Harry Bloomfield, r  
 Arthur F. Howe, r  
 Ward 2, William F. Bissonette, r  
 Maurice D. Firestone, r  
 Julia A. Millar, r  
 Ward 3, Alfred J. Marcotte,\* d  
 Clifton Simms, d  
 Robert E. Stone, d  
*Cornish*, Fred Davis, r  
*Croydon*, Not entitled

*Goshen*, Walter R. Nelson, d  
*Grantham*, Doris C. Reney, r  
*Langdon*, Not entitled  
*Lempster*, Not entitled  
*Newport*, Elsie C. Bailey, d  
 Gladys D. Roe, r  
 Jesse Richard Rowell, r  
 Joseph D. Vaughan, r  
*Plainfield*, Edward M. Pierce, d  
*Springfield*, Not entitled  
*Sunapee*, Clifford E. Gamsby, r  
*Unity*, Margaret B. DeLude, r and d  
*Washington*, Not entitled

\* Died.

## GRAFTON COUNTY

*Alexandria*, Harry B. Ramsey, r  
*Ashland*, Thomas Pryor, r  
*Bath*, Edwin P. Chamberlin, r and d  
*Benton*, Not entitled  
*Bethlehem*, Malcolm J. Stevenson, r  
*Bridgewater*, Not entitled  
*Bristol*, Bowdoin Plumer, r  
*Campton*, Philip S. Willey, r  
*Canaan*, Frank B. Clarke, r  
*Dorchester*, Not entitled  
*Easton*, Not entitled  
*Ellsworth*, Not entitled  
*Enfield*, Isaac H. Sanborn, r  
*Franconia*, Not entitled  
*Grafton*, Not entitled  
*Groton*, Not entitled  
*Hanover*, Edith P. Atkins,\* r  
     James W. Champion, d  
     David J. Bradley, r  
     Elizabeth W. Hayward, r  
     Charles A. Holden, r  
*Haverhill*, Wilfred J. Larty, r  
     Finlay P. Sleeper, r  
*Hebron*, Not entitled  
*Holderness*, Stanley A. Chamberlain, r  
*Landaff*, George F. Clement, r and d

*Lebanon*, Arthur F. Adams, r  
     Jerold M. Ashley, r and d  
     Forrest B. Cole, r and d  
     Fred A. Jones, r and d  
     Joseph B. Perley, r and d  
     Harry S. Townsend, r  
*Lincoln*, Charles Griffin, r  
*Lisbon*, Rita Collyer, r  
*Littleton*, Van H. Gardner, r  
     Fred Kelley, r  
     Eda C. Martin, r  
*Lyman*, Not entitled  
*Lyme*, Walter H. Horton, r and d  
*Monroe*, George L. Frazer, Sr., r  
*Orange*, Geoffrey W. Talbot, r  
*Orford*, Robert W. Carr, r  
*Piermont*, Not entitled  
*Plymouth*, Kenneth G. Bell, r  
     Elmer E. Huckins, r  
*Rumney*, Jesse A. Barney, r  
*Thornton*, Not entitled  
*Warren*, Not entitled  
*Waterville*, Not entitled  
*Wentworth*, Charles A. Gilbert, d  
*Woodstock*, Thomas F. Sawyer, r and d

\* Died.

## COOS COUNTY

*Berlin*,  
     *Ward 1*, Oliver A. Dussault, d  
         Guy J. Fortier, d  
         Edgar J. Roy, d  
     *Ward 2*, Arthur J. Russell, r  
         Frank H. Sheridan, d and r  
     *Ward 3*, Hilda C. F. Brungot, r and d  
         Marie A. Christiansen, r  
     *Ward 4*, Arthur A. Bouchard, d  
         Jennie Fontaine, d  
         Rebecca A. Gagnon, d  
*Carroll*, Oscar E. Rines, r  
*Clarksville*, Not entitled  
*Colebrook*, Harry S. Alls, r  
*Columbia*, Not entitled  
*Dalton*, Not entitled  
*Dummer*, Not entitled  
*Errol*, Celia G. Hurlbert, d

*Gorham*, Harry A. Bishop, Sr., r and d  
     Phillip K. Ross, Sr., d  
*Jefferson*, Roy A. Ferguson, r  
*Lancaster*, John D. Cornelius, r and d  
     Arthur L. Simonds, r  
*Milan*, R. Wilbur Potter, r  
*Millsfield*, Elmer L. Annis, r  
*Northumberland*, Walter O. Bushey, d  
     Raymond E.  
     Charbonneau, d and r  
*Pittsburg*, Harvey H. Converse, r  
*Randolph*, Not entitled  
*Shelburne*, Not entitled  
*Stark*, Grace M. Phelan, r  
*Stewartstown*, Claude J. Baker, r  
*Stratford*, Bert Stinson, d  
*Wentworth's Location*, Not entitled  
*Whitefield*, Ada C. Taylor, r



# SPECIAL SESSION

APRIL 6 - APRIL 9, 1954

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## CHAPTER 1.

AN ACT RELATIVE TO STATE HIGHWAY LAYOUTS AND AWARD  
OF DAMAGES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Highway Layouts.** Amend part 4, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, by inserting after section 17 the following new sections: **17-a. Appeal by State.** After assessment and before tender of payment said commission shall report all facts relative to its contemplated awards to the governor and council; said governor and council shall make public a complete list of the awards contemplated showing the name of each owner and the amount of the award in each case; and the governor and council shall thereafter make an independent evaluation obtaining the services of competent consultants if in their opinion such are necessary. If the governor and council consider any award to any owner of land or other property to be excessive or not supported by the evidence, the governor and council shall so indicate on the said report. The governor and council may indicate a sum which they feel is supported by the evidence. Thereafter unless the owner accepts within seven days, excluding Saturdays, Sundays and holidays, an award, if any, indicated by the governor and council to be supported by the evidence, the commission instead of tendering directly to the owner shall deposit said sum awarded by the commission with the clerk of the superior court of the county in which the land so affected is situate and the owner shall be served personally by the clerk of the commission with notice of such deposit and, upon petition of the commissioner of public works and highways, the state shall have the same right of appeal and jury determination of award as is herein provided for aggrieved owners. Such deposit of said award and notice to the owner

shall have the same force and effect as a tender of the award. The commission's certificate of tender shall recite the notation of the governor and council and the manner of tender. The clerk of the superior court shall pay over the sum deposited upon demand to the owner and the acceptance of such deposit by the owner shall not in any manner affect or prejudice the right of appeal of the state or the rights of the owner or be admitted in evidence at the trial by jury on the issue of damages. If such sum paid to the owner shall exceed the amount of final judgment, the court shall enter judgment against the owner for the amount paid to him in excess of final judgment. **17-b. Keeping of Records.** In the making of all awards the commission shall keep a complete record of all evidence considered by it in arriving at its awards and shall submit same to the governor and council with its report to them. The expense of such record shall be a charge against the highway fund.

**2. Notices.** Amend section 5, part 4, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, by striking out said section and inserting in place thereof the following: **5. Notice of Hearing.** The governor, with the advice of the council, or the commission appointed by the governor with advice of council, at least fourteen days previous to hearing, shall cause notice in writing of the time and place of hearing appointed by them, together with a description of the proposed location, to be given to each owner of and holder of lien of record upon land or other property over which such highway may pass, and to the clerk of any city or town in which such highway or alteration may be laid out.

**3. Appeals.** Amend section 17, part 4, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, by striking out said section and inserting in place thereof the following: **17. Appeal of Assessment.** Any owner of land or other property who has not accepted payment of the sum tendered and who is aggrieved by the decision of the commission in the assessment of damages may appeal therefrom to the superior court for the county in which such land or other property is situate by petition within sixty days after the certificate of tender has been filed with the secretary of state, and not thereafter, and the court shall assess the damages by jury, or by the court without the jury, and award costs to the prevailing party.

#### 4. Fact Finding Committee on Highway Land Damage.

There is hereby created a committee of seven members to be known as the Fact Finding Committee on Highway Land Damage Awards. The committee shall explore the present procedures for awarding land damages resulting from the laying out or alteration of class I or class II highways or highways within the state included in the national system of interstate highways. The committee shall recommend to the 1955 session of the General Court, not later than March first, 1955, such changes as it may find desirable in making awards for such highway land damage.

The committee shall also review in the light of present procedures all land damage awards in excess of Ten Thousand Dollars which have been made in the six months prior to the passage of this act and shall report their findings at the same time as the recommendations ordered in the preceding paragraph.

The seven members of the committee shall be appointed as follows: by the president of the senate, two members of the senate; by the speaker of the house, two members of the house of representatives; by the president and the speaker, three residents of New Hampshire who are not members of the General Court, divided as follows: one attorney who is experienced in real estate values, one civil engineer skilled in the planning and construction of manufacturing plants; and one member experienced in appraising real estate both urban and rural. The appointments shall be made not later than May 15th, 1954. No more than four of the committee shall be members of the majority party.

The committee shall elect from its membership a chairman and a clerk. It shall keep full records of its studies and make them available to the General Court. The committee shall have authority to hold public hearings, to request information from all governmental departments and agencies, to require the appearances of witnesses, to require the cooperation of the attorney general's office, and in general have the usual powers of a legislative committee. The first meeting of the committee shall be held within two weeks of its appointment and thereafter at the call of the chairman or by a majority of the committee. Members of the committee shall be paid thirty-five dollars each day of meeting and their actual expenses. There is

hereby appropriated out of highway funds as much money as may be necessary to cover the expenses of the committee.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved April 9, 1954.]

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## CHAPTER 2.

AN ACT RELATING TO COMPENSATION AND MILEAGE OF MEMBERS AND ATTACHES OF THE LEGISLATURE IN SPECIAL SESSIONS, RELATIVE TO A CERTAIN CAPITAL IMPROVEMENT AT THE STATE HOSPITAL, THE CONTINUATION OF ALLOTMENTS IN CERTAIN CASES AND TO SO-CALLED DAYLIGHT SAVING TIME.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. The General Court.** Amend chapter 9-A of the Revised Laws, as inserted by chapter 134 of the Laws of 1945, by adding at the end thereof a new section as follows: **7. Compensation and Mileage.** In the event that the general court convenes itself in special session in the manner provided by this chapter, the officers and members shall receive for attendance compensation of three dollars per day for a period not exceeding fifteen days and the usual mileage. The attaches of the general court shall receive for attendance compensation at the rate of the next previous session, and the usual mileage.

**2. State Hospital Capital Improvements.** Amend the item in paragraph IV of section 2 of chapter 264 of the Laws of 1953, relative to the Thayer building at the state hospital by striking out the words and figure “\*Remodel Thayer and for administration, \$268,000” and inserting in place thereof the following: \*Remodel Thayer and for construction of a new wing for said building, \$268,000.

**3. Continuation of Allotments.** Amend section 6 of chapter 254 of the Laws of 1951 by striking out said section and inserting in place thereof the following: **6. Use of Funds.** The sums as appropriated in each project of section 1 shall be used as allotted, provided that in case the amount allotted for a

specific project thereunder shall be more than sufficient to complete said project any balance of said allotment may be transferred to any other project mentioned in said section 1, upon approval of the governor and council. Any funds not used as herein provided shall lapse.

**4. Daylight Saving Time.** Amend section 95 of chapter 51 of the Revised Laws by striking out the word "September" wherever it appears in said section and inserting in place thereof the word, October, so that said section as amended shall read as follows: **95. Standard Time.** The standard time within the state, except as hereinafter provided, shall be based on the mean astronomical time of the seventy-fifth degree of longitude west from Greenwich, known and designated by the federal statute as "United States Standard Eastern Time." At two o'clock ante-meridian of the last Sunday in April of each year, the standard time in this state shall be advanced one hour, at two o'clock ante-meridian of the last Sunday in October of each year, the standard time in this state shall, by the retarding of one hour, be made to coincide with the astronomical time herein before described as United States Standard Eastern Time, so that between the last Sunday in April at two o'clock ante-meridian and the last Sunday in October at two o'clock ante-meridian in each year the standard time in this state shall be one hour in advance of the United States Standard Time. In all laws, statutes, orders, decrees, rules and regulations relating to the time of performance by any officer or department of this state, or of any county, city, town, or district thereof, or relating to the time in which any rights accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of this state, or of any county, city, town, or district thereof, and in all contracts or choses in action made or to be performed in this state, it shall be understood and intended that the time shall be as set forth in this section.

**5. Powers of the Governor and Council Relative to Daylight Saving Time.** If during the period from the date of the passage of this act to the last Sunday of September 1954, the Commonwealth of Massachusetts repeals its statute relative to extending daylight saving time to the last Sunday of October the governor and council shall proclaim that the amendments to section 95 of chapter 51 of the Revised Laws, as provided by

section 4 hereof, are hereby suspended for the year 1954 and in that event the advanced time shall end in this state on the last Sunday of September, 1954, for 1954 only.

6. **Takes Effect.** This act shall take effect as of April 6, 1954.

[Approved April 9, 1954.]

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### CHAPTER 3.

#### JOINT RESOLUTION IN FAVOR OF LLOYD E. FOGG AND OTHERS.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT Lloyd E. Fogg, sergeant-at-arms of the house, be allowed the sum of \$85.50; that John S. Ball, sergeant-at-arms of the senate, be allowed the sum of \$45.00; that Robert L. Stark, clerk of the house, be allowed the sum of \$100.00; that Benjamin F. Greer, clerk of the senate, be allowed the sum of \$95.00; that Francis W. Tolman, assistant clerk of the house, be allowed the sum of \$95.00; that Frank M. Ayer, assistant clerk of the senate, be allowed the sum of \$80.00; that Alice V. Flanders, house legislative service assistant, be allowed the sum of \$91.00; that Esther T. Hurd, senate legislative service assistant, be allowed the sum of \$60.00; that Marion C. Colby, house legislative service assistant, be allowed the sum of \$72.00; that Margaret L. Ford, house legislative service assistant, be allowed the sum of \$45.00; that Helen Y. Andrews, judiciary legislative service assistant, be allowed the sum of \$60.00; that Eleanor C. Brown, appropriations legislative service assistant, be allowed the sum of \$60.00; that Helene H. Wester, speaker's legislative service assistant, be allowed the sum of \$45.00; that Alice P. Boutwell, mileage clerk, be allowed the sum of \$76.00; that Sherman L. Greer, Mabel L. Richardson, Frank B. Clarke and Bertha E. Boutwell, doorkeepers of the house, each be allowed the sum of \$30.00; that Oney Russell, warden of the coat room of the house, be allowed the sum of \$30.00; that John W. Todd, assistant warden of the coat room of the house, be allowed the sum of \$30.00; that Randolph H. Milligan, temporary assistant warden of the coat room of the house, be allowed the sum of \$30.00; that Carl E. Wallace,



library messenger of the house, be allowed the sum of \$30.00; that George F. Martin, assistant messenger of the senate, be allowed the sum of \$30.00; that William J. Clough, speaker's page, be allowed the sum of \$30.00; that James Martin, page, be allowed the sum of \$30.00; that H. Furber Jewett, page, be allowed the sum of \$30.00; that George J. Heon, page, be allowed the sum of \$30.00; that Lucie Weston, page, be allowed the sum of \$30.00; that Joseph W. Means, clerks' messenger, be allowed the sum of \$30.00; that Palmer C. Read, judiciary messenger, be allowed the sum of \$30.00; that Eugene C. Williams, appropriations messenger, be allowed the sum of \$30.00; that the superintendent of state buildings and grounds be allowed the sum of \$107.10 for extra janitor service.

The above mentioned sums shall be a charge upon the legislative appropriation.

[Approved April 9, 1954.]



# LAWS

OF THE  
STATE OF NEW HAMPSHIRE  
JANUARY SESSION OF 1955

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## CHAPTER 1.

AN ACT RELATIVE TO FEES FOR THE RECORDATION OF MERGER AND  
CONSOLIDATION AGREEMENTS BETWEEN BUSINESS  
CORPORATIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Business Corporations.** Amend paragraph IV of section 41 of chapter 274 of the Revised Laws (section 42, chapter 294, RSA) by striking out the word "five" in the fourth line and inserting in place thereof the word, fifteen, so that said paragraph as amended shall read as follows: IV. The fee for recording the merger or consolidation agreement shall be as provided in section 112 of this chapter, except that credit shall be given for all organization fees theretofore paid to the state by the corporations involved in such merger or consolidation and except that a fee of fifteen dollars shall be paid in any case.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 2, 1955.]

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## CHAPTER 2.

AN ACT RELATIVE TO PRINTING SESSION LAWS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Number of Copies.** Amend section 1 of chapter 10 of the Revised Laws (section 1, chapter 20, RSA) by striking out

said section and inserting in place thereof the following: **1. Session Laws.** At the close of a legislative session the secretary of state shall cause such number of copies of the public acts and resolves of such session, as the governor and council shall determine, to be printed in pamphlet form and distributed free to public libraries, judges, attorneys and to citizens requesting the same.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 2, 1955.]

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### CHAPTER 3.

#### AN ACT RELATIVE TO NUMBER OF WRITE-IN VOTES AT PRIMARY ELECTIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Primaries.** Amend section 46-a of chapter 33 of the Revised Laws, as inserted by chapter 79, Laws of 1953, (section 47, chapter 56, RSA) by striking out the words "votes cast at said primary for said office" and inserting in place thereof the words, total votes cast at said primary for the same political party, so that said section as amended shall read as follows:  
**46-a. Write-in Votes.** No person who did not file a declaration of candidacy or primary petition shall be entitled to the nomination for any office unless he received ten write-in votes or ten per cent of the total votes cast at said primary for the same political party, whichever is the smaller. Provided, further, that this section shall not be deemed to apply to cases where nominations were made by party committees as provided in section 27.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 4, 1955.]

**CHAPTER 4.**

AN ACT PROVIDING THAT PERSONS RECEIVING CERTAIN FEDERAL BENEFITS NOT DISQUALIFIED FROM STATE UNEMPLOYMENT BENEFITS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Unemployment Compensation.** Amend subsection G of section 4 of chapter 218 of the Revised Laws, as inserted by section 3, chapter 209 of the Laws of 1953, (paragraph G, section 4, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: G. For any week or part of a week with respect to which he is seeking to receive or has received payments in the form of unemployment compensation, or payments supplementary to New Hampshire unemployment compensation, under any law of the federal government. Provided, however, that there shall be no disqualification for seeking to receive or receiving unemployment compensation, or supplementary payments, under:

- (1) Title XV of the Social Security Act; or
- (2) Any federal law whose purpose is to assist in the readjustment of individuals from military to civilian life; or
- (3) The Veterans' Readjustment Assistance Act of 1952.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 9, 1955.]

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**CHAPTER 5.**

AN ACT PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS FOR CERTAIN STATE DEPARTMENTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Supplemental Appropriations.** The sum of seventy-one thousand seven hundred and fifty dollars (\$71,750) is hereby appropriated for the following purposes for the fiscal year ending June 30, 1955:

For state treasurer, bounties,		\$14,000.
For teachers' retirement system, for normal contributions,		\$17,750.
For employees' retirement system, for normal contributions,		\$40,000.
For board of accountancy,	\$500.	
Less revenue	500.	
Net appropriation		00

The governor is hereby authorized to draw his warrant for the sums hereinbefore appropriated out of any money in the treasury not otherwise appropriated.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 9, 1955.]

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## CHAPTER 6.

### AN ACT RELATING TO THE PAR VALUE OF THE SHARES OF STOCK OF INSURANCE COMPANIES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Insurance Companies, Value of Shares.** Amend section 7 of chapter 322 of the Revised Laws, (section 7, chapter 401, RSA) by striking out the last sentence of said section and inserting in place thereof the following: The par value of the shares of stock of any such company now outstanding or hereafter issued may be such an amount as the commissioner may approve, so that said section as amended shall read as follows:

**7. Amendment.** Any insurance company organized under the laws of this state, whether by special charter or under the general law, shall be entitled to amend its charter or articles of incorporation, so as to acquire the authority to do any or all kinds of insurance business which corporations organized under the provisions of this chapter are authorized to do, and may otherwise amend its charter or articles, in any manner not inconsistent with this chapter, by a majority vote of all its stock, or, if a mutual company, by a majority vote of those

members present and voting, at a meeting called for that purpose. Any such company may, with the approval of the commissioner, increase or reduce its capital stock and, subject to the limitations hereinafter provided, may change the par value of the shares of its capital stock at a meeting called for the purpose, by vote of its stockholders as provided by section 39 of chapter 274. The par value of the shares of stock of any such company now outstanding or hereafter issued may be such an amount as the commissioner may approve.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 17, 1955.]

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## CHAPTER 7.

### AN ACT RELATIVE TO BENEFIT RATES, EARNINGS IN WAITING PERIOD AND MERIT RATES UNDER THE UNEMPLOYMENT COMPENSATION LAW.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Weekly Benefit Rate.** Amend subsection B of section 2 of chapter 218 of the Revised Laws, as amended by section 5, chapter 56 of the Laws of 1943, chapter 78 of the Laws of 1945, section 7, chapter 59 of the Laws of 1947, section 1, chapter 30 of the Laws of 1949, section 2, chapter 34 of the Laws of 1951, and chapter 65 of the Laws of 1953, (subsection B, section 2, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: B. Weekly Benefit Amount for Total Unemployment and Maximum Total Amount of Benefits Payable During Any Benefit Year. (1) Each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is in-

licated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection.

A	B	C
Total Annual Earnings In Base Period	Weekly Benefit Amount	Maximum Benefits
\$400.00 - \$499.99	\$9	\$234
500.00 - 599.99	10	260
600.00 - 699.99	11	286
700.00 - 799.99	12	312
800.00 - 899.99	13	338
900.00 - 999.99	14	364
1000.00 - 1099.99	15	390
1100.00 - 1199.99	16	416
1200.00 - 1299.99	17	442
1300.00 - 1399.99	18	468
1400.00 - 1499.99	19	494
1500.00 - 1599.99	20	520
1600.00 - 1699.99	21	546
1700.00 - 1799.99	22	572
1800.00 - 1899.99	23	598
1900.00 - 1949.99	24	624
1950.00 - 1999.99	25	650
2000.00 - 2099.99	26	676
2100.00 - 2199.99	27	702
2200.00 - 2299.99	28	728
2300.00 - 2399.99	29	754
2400.00 - 2499.99	30	780
2500.00 - 2599.99	31	806
2600.00 - and over	32	832

(2) If at any time the fund shall fail to equal or fail to exceed twelve million dollars and shall be maintained at less than that figure for a period of two consecutive calendar months, each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class.



The schedule delineated in this paragraph shall take effect on the first day of the month immediately following the two-month period in this paragraph above mentioned.

A	B	C
Total Annual Earnings In Base Period	Weekly Benefit Amount	Maximum Benefits
\$500.00 - \$499.99	\$8	\$184
500.00 - 599.99	9	207
600.00 - 699.99	10	230
700.00 - 799.99	11	253
800.00 - 899.99	12	276
900.00 - 999.99	13	299
1000.00 - 1099.99	14	322
1100.00 - 1199.99	15	345
1200.00 - 1299.99	16	368
1300.00 - 1399.99	17	391
1400.00 - 1499.99	18	414
1500.00 - 1599.99	19	437
1600.00 - 1649.99	20	460
1650.00 - 1699.99	21	483
1700.00 - 1799.99	22	506
1800.00 - 1899.99	23	529
1900.00 - 1999.99	24	552
2000.00 - 2099.99	25	575
2100.00 - 2199.99	26	598
2200.00 - 2299.99	27	621
2300.00 - 2399.99	28	644
2400.00 - and over	29	667

(3) It being further provided that in the event the provisions of paragraph (2) of this subsection become effective, the provisions of paragraph (1) of this subsection shall not again become effective for any benefit year thereafter unless the fund shall equal or exceed twelve million dollars during the two consecutive months immediately preceding the beginning of that benefit year.

**2. Benefit Eligibility Conditions.** Amend subsection D of section 3 of said chapter 218, as amended by section 4, chapter 56 of the Laws of 1943, section 8, chapter 138 of the Laws of 1945, section 11, chapter 59 of the Laws of 1947, chapter 267 of the Laws of 1947, section 2, chapter 30 of the Laws of 1949,

section 1, chapter 99 of the Laws of 1949, and section 3, chapter 34 of the Laws of 1951, (subsection D, section 3, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: D. Prior to any week for which he receives benefits he has been totally unemployed (and for the purposes of this subsection an individual shall be deemed totally unemployed in any one week with respect to which he earns no wages in excess of three dollars computed to the nearest dollar) for a waiting period of one week within the same benefit year and fulfilled the other requirements of this section; provided that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment because of a change in the benefit year, even though a change in the weekly benefit amount and maximum benefits is effected. It is further provided that the period not to exceed one week of partial or total unemployment or the period not to exceed two weeks of partial unemployment immediately preceding the benefit year shall be deemed (for the purposes of this subsection) to be within such benefit year as well as within the preceding benefit year. For the purposes of this paragraph, a week or weeks means the period of seven or fourteen calendar days immediately preceding the first day of the benefit year or the calendar week or weeks immediately preceding the benefit year. For the purposes of this subsection, two weeks of partial unemployment shall be deemed equivalent to one week of total unemployment; it being provided, however, that if a week of partial unemployment is immediately followed by a week of total unemployment, then such week of partial unemployment shall be deemed equivalent to one week of total unemployment. For the purposes of this subsection, no week shall be counted as a week of total unemployment for any individual:

- (1) If benefits have been paid with respect thereto;
- (2) Unless he has annual earnings of not less than four hundred dollars within the base period in accordance with subsection P (2) of section 1.

**3. Merit Rates.** Amend subsection D of section 6 of said chapter 218, as amended by section 14, chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 and section 1, chapter 251 of the Laws of 1949,

section 4, chapter 36 and sections 2, 3, 4, 5 and 6, chapter 142 of the Laws of 1951, and section 6, chapter 209 of the Laws of 1953, (subsection D, section 6, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: **D. Merit Rates.** (1) The director shall for each calendar year classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts, with a view to fixing such contribution rates as will reflect such experience; such rate to become effective with the fiscal year beginning July 1, 1951 and on each succeeding fiscal year beginning on July 1 thereafter.

(2) The pay roll factor in such computation will represent the average annual pay roll for the three immediately preceding consecutive calendar years prior to January 1 of the year to which the computation applies. The benefit factor will be represented by all benefits paid and charged against the account of that employer up to and including the preceding December 31.

(3) No employer shall be entitled to a rate of less than 2.7 per centum unless and until as of January 1 of the year wherein the rate becomes applicable there had been three consecutive calendar years wherein the account of the employer was chargeable with benefits.

(4) No employer shall be entitled to a merit rating under this subsection for the first half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of March 31, preceding said first half of said fiscal year, equals or exceeds twelve million dollars, at which time the computations and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said first half of said fiscal year; it being further provided that no employer shall be entitled to a merit rating under this subsection for the second half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of September 30, preceding said second half of said fiscal year, equals or exceeds twelve million dollars, at which time the computations and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said

second half of said fiscal year. It being further provided that if as of March 31 preceding the first half of any fiscal year effective with the fiscal year beginning July 1, 1955, the unemployment compensation fund equals or exceeds twenty million dollars, the computations and rates delineated in Schedule II will become effective and applicable for said first half of said fiscal year. It being further provided that if as of September 30 preceding the second half of any fiscal year effective with the fiscal year beginning July 1, 1955, the unemployment compensation fund equals or exceeds twenty million dollars, the computations and rates delineated in Schedule II will become effective and applicable for said second half of said fiscal year.

(5) It is further provided that the time the operation of a business of an employer was suspended because of the employer's service in the armed forces during World War II, or because of the employer's service in the armed forces of the United States or any of its allies or of the United Nations after July 1, 1950, shall be considered as if the business had been actively and continuously operating during such period.

(6) Should the director determine at any time that the solvency of the fund does not permit the adoption or maintenance of individually reduced contribution rates under this subsection, he shall, for the purposes of this subsection, set a standard rate for all employers of 2.7 per centum per annum. The director may make such change effective with the first day of any calendar quarter.

(7) No employer shall be entitled to a merit rating under this subsection for any fiscal year effective with the fiscal year beginning July 1, 1951 unless, as of the computation date preceding said fiscal year, he has properly and duly submitted reports and contributions required and due under the provisions of this chapter. It is provided, however, that any employer who loses his rate because of the foregoing and reestablishes his rights prior to the beginning of the fiscal year to which a rate might have been applicable, may apply for the reinstatement of the rate to which he would have been entitled, said rate to become effective for the last three quarters of the fiscal year in question.

(8) The computation date will be known as December 31 (to include contributions on that year's and prior years' em-

ployment paid through the succeeding January 31) and the effective date as July 1. If, as of the computation date, the total of all contributions paid on an employer's own behalf and credited to his account for all past years exceeds the total benefits charged against his account for all past years and, subject to the provisions and conditions hereinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding twelve million dollars but not being equal to or exceeding twenty million dollars, his contribution rate effective as hereinabove provided shall be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

#### **Schedule I.**

(a) Two-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;

(b) Four-tenths of one per centum if such excess equals or exceeds nine per centum of his average annual pay roll;

(c) Seven-tenths of one per centum if such excess equals or exceeds ten per centum of his average annual pay roll;

(d) Nine-tenths of one per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;

(e) One and two-tenths per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;

(f) One and one-half per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll;

(g) One and seven-tenths per centum if such excess equals or exceeds fifteen per centum of his average annual pay roll.

(9) It is further provided that, subject to the provisions and conditions hereinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding twenty million dollars, said employer's contribution rate effective as hereinabove provided shall, after computation is made in the manner described in the next preceding para-

graph, be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

**Schedule II.**

- (a) Two-tenths of one per centum if such excess equals or exceeds five per centum of his average annual pay roll;
  - (b) Four-tenths of one per centum if such excess equals or exceeds six per centum of his average annual pay roll;
  - (c) Eight-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;
  - (d) One and one-tenth per centum if such excess equals or exceeds nine per centum of his average annual pay roll;
  - (e) One and five-tenths per centum if such excess equals or exceeds ten per centum of his average annual pay roll;
  - (f) One and eight-tenths per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;
  - (g) Two and one-tenth per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;
  - (h) Two and two-tenths per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll.
- (10) No employer shall be entitled to a contribution rate of less than one-half of one per centum.
- (11) No employer shall be entitled to have more than seven-tenths of one per centum subtracted from the contribution rate established in accordance with this subsection unless the total contributions which became due and were credited to his account in the fund during all past years were at least twice the total benefits paid from the fund and chargeable to his account within the last preceding calendar year.
- (12) As used in this section after December 31, 1940, the term "annual pay roll" means the total amount of wages paid by an employer (regardless of the time of payment) for employment during a calendar year, and the term "average annual

pay roll" means the average of the annual pay rolls of an employer for the last three preceding calendar years.

(13) Reports to an employer of the merit rating of said employer for the applicable rating period shall be furnished in such manner as the director may prescribe, but in any event not less frequently than once every year. Any merit rating assigned to any employer under this section, of which the employer has been notified, shall be considered correct for all purposes unless objections to such merit rating are received within thirty days after notification of said employer's merit rate for the ensuing year has been mailed to the employer's last known address.

(14) Any merit rating which prior to the effective date of this section has been assigned to any employer, of which the employer has been notified, shall be considered correct for all purposes unless objections to such merit rating are received within thirty days after the effective date of this section.

(15) If objections to such merit rating duly and properly made are received, any redetermination of said merit rating, of which the employer has been notified, shall be considered correct for all purposes unless objections to such redetermination are received within thirty days after such notification of said redetermination has been mailed to the employer's last known address.

(16) Except as otherwise provided in this section, whenever through inadvertence, mistake or any other means erroneous charges or credits are found to have been made to an employer's account, the same shall be readjusted as of the date of discovery and such readjustment shall not affect any computation or rate assigned prior to the date of discovery but there shall be an immediate recomputation, in accordance with the applicable provisions of this section, of such employer's account with notice to the employer of the result thereof, and if such recomputation results in a contribution rate either higher or lower than that rate in effect on the date of discovery such new rate shall become effective and applicable to taxable wages as of the first day of the quarter next succeeding the quarter in which the discovery is made.

**4. Takes Effect.** Sections 1 and 2 of this act, relative to weekly benefit rate and benefit eligibility conditions, shall take effect as of April 1, 1955 provided that benefits for all payable

weeks ending after the effective date of said sections shall be paid and treated in all respects in accordance with the provisions of the unemployment compensation law as amended by this act. Section 3 of this act, relative to merit rates, shall take effect as of March 31, 1955.

[Approved February 17, 1955.]

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## CHAPTER 8.

### AN ACT CHANGING THE CLASSIFICATION OF A ROAD IN THE TOWN OF MERRIMACK.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Change in Classification.** The one and one-quarter mile section of road located on the Baboosic Road between the residences of Stanley Little and Harold Buker in the town of Merrimack now classified as class II highway shall hereafter be classified as a class V highway.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 17, 1955.]

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## CHAPTER 9.

### AN ACT INCREASING THE APPROPRIATION FOR DORMITORY AT KEENE TEACHERS COLLEGE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Appropriation for Dormitory.** Amend section 1 of chapter 226 of the Laws of 1953 by inserting after the word "hundred" in the second line the words, and fifty, so that said section as amended shall read as follows: **1. Dormitory at Keene Teachers College.** The sum of three hundred and fifty thousand dollars is hereby appropriated for the purpose of the construction, equipment and furnishing of a dormitory at Keene teachers college, and for the purchase or acquisition of land for a site for said dormitory.



2. **Bonds.** Amend section 4 of chapter 226 of the Laws of 1953 by striking out the words and figure "three hundred thousand dollars (\$300,000)" and inserting in place thereof the words and figure, three hundred and fifty thousand dollars (\$350,000), so that said section as amended shall read as follows:

4. **Borrowing Power.** The state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state a sum not exceeding three hundred and fifty thousand dollars (\$350,000) for the purpose of carrying into effect the provisions of section 1 hereof, and to borrow upon the credit of the state a sum not exceeding five hundred thousand dollars (\$500,000) for the purpose of carrying into effect the provisions of section 2 of this act, and for said purposes may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

3. **Limitations.** Amend section 5 of chapter 226 of the Laws of 1953 by inserting after the word "hundred" in the seventh line the words, and fifty, and by inserting at the end of said section the words, provided further no such notes shall be outstanding after two years from the completion of the project, so that said section as amended shall read as follows:

5. **Short Term Notes.** Prior to the issuance of the bonds hereunder the treasurer, with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short term loans which may be refunded by

the issuance of the bonds hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of eight hundred and fifty thousand dollars, provided further no such notes shall be outstanding after two years from the completion of the project.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved February 17, 1955.]

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## CHAPTER 10.

AN ACT RELATIVE TO RECORDATION OF LIENS ON REAL ESTATE FOR  
PAYMENT OF TAX ON INCOME.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Tax on Income.** Amend chapter 78 of the Revised Laws (chapter 77, RSA) by inserting after section 24 the following new section: **24-a. Lien for Taxes.** No lien upon real estate for taxes imposed by this chapter shall be valid and binding against any other person than the person who is taxable and his heirs, until notice of such lien stating the name and address of the taxpayer and the amount of tax due shall have been filed and recorded in the registry of deeds in the grantor index for the county in which such real estate is located.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 17, 1955.]

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## CHAPTER 11.

AN ACT RELATIVE TO GRANTING SCHOOL DISTRICTS AND CITIES  
TEMPORARY EMERGENCY EXEMPTION FROM THE PROVISIONS  
OF THE MUNICIPAL FINANCE ACT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. School Districts.** Amend chapter 9 of the Laws of 1953 by striking out the same and inserting in place thereof the following:

**1. Authority.** Despite the provisions of section 4 of chapter 72 of the Revised Laws, (the Municipal Finance Act), any school district, and any city which maintains a school department is hereby authorized and empowered to issue its serial bonds or notes for the construction of new school buildings, including the acquisition of land, grading, and the purchase of furniture, furnishings and equipment, or for the alteration, addition and improvement of existing school facilities to an amount not exceeding six per cent of the latest assessed value of the taxable property plus the average assessed valuation of the growing wood and timber of such school district or city for the years 1944 to 1948 inclusive, all as determined by the tax commission under the provisions of section 4 of the Municipal Finance Act. Existing outstanding indebtedness of such district or city incurred for school or educational purposes shall be included in determining the borrowing capacity hereunder provided that in cities the total borrowing capacity for all municipal purposes, including schools, shall not exceed nine per cent of the assessed valuation.

**2. Bonds Issues: Special Cases.** A school district or a city may vote to issue bonds or notes for the purposes set forth in section 1 in an amount in excess of six per cent of the latest assessed valuation plus the five year average value of growing wood and timber of such school district or city, determined as above, but not in excess of eight per cent thereof (in cities not in excess of eleven per cent for all purposes, but in no case more than eight per cent for school purposes), in accordance with the conditions set forth in sections 4, 5, 6 and 7 of this act. A certified copy of the record of the action of the school district, or the city, as the case may be, shall forthwith be presented to the commissioner of education.

**3. Municipal Finance Act.** The issuance of serial notes or bonds by school districts or cities under this act shall be governed by the provisions of the Municipal Finance Act, except for the debt limitations upon school districts and cities imposed by section 4 thereof. The debt of a school district or of a city for school purposes created under the provisions of this act and of a school district created under the provisions of chapter 156 of the Laws of 1947, or of chapter 55 of the Laws of 1949, or of chapter 9 of the Laws of 1953, shall be excluded in computing the debt limit of counties, towns, cities and village districts under the provisions of section 4, thereof.

**4. Board of Investigation Designated.** There shall be a board of investigation composed as follows: A member of the tax commission, to be selected by said commission, who shall serve as chairman of the board; the commissioner of education; one member of the senate, appointed by the president of the senate; and one member of the house of representatives, appointed by the speaker of the house of representatives; and one other person having knowledge of educational and financial matters to be appointed by the governor. In the absence, disability, or refusal of the member appointed by the president of the senate, the member appointed by the speaker of the house of representatives, or the person appointed by the governor, to serve on said board, the president of the senate, or the speaker of the house of representatives, or the governor, as the case may be, shall designate some other member or person to serve as a member of said board. The board shall choose one of their number to serve as clerk. The non-state-salaried members of said board shall receive compensation for their services at the rate of ten dollars per diem and their reasonable expenses, and said compensation, together with the other expenses incurred by the board shall be paid by the school district or city whose proposals are to be examined. Said board shall make a complete stenographic record of its hearings.

**5. Meetings of Board.** Upon receipt of the record provided under section 2, the commissioner of education shall notify the chairman of said board of the receipt thereof and said chairman shall fix a time and place when all interested parties may be heard and cause notice thereof to be given by registered mail to the chairman of the school board and the clerk of the school district, or to the mayor of a city and the chairman of the board of education of a city, presenting the proposal at least fourteen days prior to the date set for the hearing and causing said notice to be published once in a newspaper of general circulation in said school district or city. Said hearing may be adjourned at the discretion of the board.

**6. Findings of Board.** Said board shall consider the educational needs and financial condition of the district or city. If it finds the proposal is in the best interest of and within the financial capacity of said district or city it shall certify its approval to the governor, but if it concludes the proposal is inexpedient it shall submit its disapproval forthwith in writing

to the chairman of the school board and clerk of the district or the mayor of the city and chairman of the board of education of the city and thereupon the action of said school district or said city shall be null and void. The findings of said board shall be by majority vote of all members.

**7. Approval of Governor and Council.** Upon receipt of the approval of the proposal by the board, the governor and council shall examine the same and if they shall approve, the record of such approval shall be certified by the secretary of state to the chairman of the school board and the clerk of the district or the mayor of the city and the chairman of the board of education of the city, whereupon said bond issue shall be regarded as authorized as though said issue does not exceed six per cent of the latest assessed valuation of said district or city, determined as above provided.

**8. Extension of Bond Term.** Under the conditions of application, notice, hearing, approval and certification set forth in sections 2, 4, 5, 6 and 7 of this act, the terms of any bonds issued under the provisions hereof may be extended for a period of not more than thirty years.

**9. Duration of Board.** The authority vested in the board under the provisions of section 4 of this act shall terminate December 31, 1956.

**2. Takes Effect: Expiration.** This act shall take effect upon its passage, provided that any action taken hereunder by any school district or city shall be completed before June 30, 1957, except such action as may be necessary to carry out such approval as may be granted under section 7. The foregoing limitation of this act shall not affect the validity of any bonds or notes issued by authority thereof.

[Approved February 17, 1955.]

**CHAPTER 12.****AN ACT PROVIDING FOR EXEMPTION FROM PAYMENT OF POLL TAXES FOR VETERANS OF THE KOREAN CONFLICT.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Poll Tax.** Amend chapter 73 of the Revised Laws (chapter 72, RSA) by inserting after section 1 the following new section: **1-a. Korean Conflict Veterans.** Every resident of this state who served in the armed forces of the United States at any time during the Korean conflict (except those dishonorably discharged from such service) shall be exempt from the levy of a poll tax. The words "Korean conflict" as used in this section shall mean service between June 25, 1950 and July 27, 1953.

**2. Takes Effect.** This act shall take effect as of April 1, 1955.

[Approved February 24, 1955.]

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**CHAPTER 13.****AN ACT RELATIVE TO CHANGE IN CLASSIFICATION OF HIGHWAY IN ALSTEAD.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Highway Classification.** The class II highway starting from Forest road, so-called, in the town of Alstead at East Alstead Common, thence running southerly east of Lake Warren past the South Woods Road corner and the Big Mine, so-called, to Gilsum town line in the town of Alstead, shall hereafter be classified as a class V highway.

**2. Transfer of Funds.** Such sum as may have been apportioned by the state for the construction of the above named road as a secondary highway shall be transferred to the town road aid account and made available for expenditure in addition to such sums as are allotted for town road aid so-called and expended under the supervision of the commissioner of public works and highways.

**3. Takes Effect.** This bill shall take effect upon its passage.

[Approved February 25, 1955.]

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## CHAPTER 14.

### AN ACT RELATING TO THE ISSUE OF DUPLICATES OF LOST DEPOSIT BOOKS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Savings Banks, Lost Deposit Books.** Amend section 33 of chapter 309 of the Revised Laws (section 32, chapter 386, RSA) by striking out the words "three months" in the second line and inserting in place thereof the words, one month, so that said section as amended shall read as follows: **33. Issue of Duplicate.** If no other person shall make claim to such book or to the deposit thereunder within one month after such publication and notice the bank or association shall issue to the depositor a duplicate of such book which shall contain a complete statement of the depositor's account, and shall state that it is issued in lieu of the one alleged to have been lost or destroyed; and the bank or association shall not be liable thereafter on account of such original book.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 25, 1955.]

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## CHAPTER 15.

### AN ACT RELATIVE TO THE NUMBER OF SMALL CLAIMS WHICH MAY BE FILED IN SMALL CLAIMS COURT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Repeal.** Section 5 of chapter 378 of the Revised Laws (section 5, chapter 503, RSA) relative to the limitation of the

number of small claims that may be filed by one person is hereby repealed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 25, 1955.]

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## CHAPTER 16.

### AN ACT RELATIVE TO EXEMPTION FROM FEES FOR SEEING EYE DOGS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Seeing Eye Dogs.** Amend section 9-a of chapter 180 of the Revised Laws, as inserted by chapter 102, Laws of 1945, (section 8, chapter 466, RSA) by striking out the words "the present war" and inserting in place thereof the words, World War II, and by adding the following sentence at the end thereof: No fee shall be required for the registration and licensing of a Seeing Eye dog which is used as a guide for a blind person, so that said section as amended shall read as follows:  
**9-a. Exemption from Fees.** No fee shall be required for the registration and licensing of a dog which has served with the forces of the United States during World War II and which has received an honorable discharge therefrom. No fee shall be required for the registration and licensing of a Seeing Eye dog which is used as a guide for a blind person.

**2. Takes Effect.** This act shall take effect as of May 1, 1955.

[Approved February 25, 1955.]



## CHAPTER 17.

## AN ACT RELATIVE TO PUBLICLY ELECTED OFFICIALS OF CITIES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **City Officials.** Amend section 3 of chapter 66, Revised Laws, (section 1, chapter 48 RSA) by inserting after the word "employment" in the fifth line the words, by the city; by inserting after the word "employment" in the fifth line the words, by the city; by inserting after the word "court" in the sixth line the words, or call firemen; and by inserting after the word "law" in the twelfth line the words: The provisions of this section shall not affect the rights of cities or towns to make such consolidation of official function as may have been heretofore authorized by statute, so that said section as amended shall read as follows: 3. **Prohibition.** No publicly elected official of a city, except school district officers, who as such official is authorized to appropriate or expend public funds shall be employed during the term for which he is elected by any department, board or commission of the city in any other capacity or in any other position of employment by the city where compensation is allowed, except as justice or clerk of the municipal court, or call firemen; provided that in case any city charter, at the time this section takes effect, provides specifically that certain elected officials may be employed in other specified employments, or positions, contrary to the provisions of this section, the provisions of said charter shall prevail. Upon the acceptance of any such prohibited employment by a publicly elected official, as prohibited herein, the elective office shall forthwith become vacant and shall be filled as provided by law. The provisions of this section shall not affect the rights of cities or towns to make such consolidation of official function as may have been heretofore authorized by statute. This section shall not affect any publicly elected city official in office on June 10, 1941 until the term of office for which such official has been elected expires.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 4, 1955.]

**CHAPTER 18.****AN ACT RELATIVE TO DISCHARGE OR REMOVAL OF EMPLOYEES OF  
PUBLIC LIBRARIES.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Public Libraries.** Amend chapter 15 of the Revised Laws (chapter 202, RSA) by inserting after section 59 the following new section: **59-a. Library Employees; Removal.** No employee of a public library board shall be discharged or removed from office except by the library trustees for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform his duties. Prior to the discharge or removal of any such employee, a statement of the grounds and reasons therefor shall be prepared by the library trustees, and signed by a majority of the board, and notice thereof shall be given to said employee not less than 15 days nor more than 30 days prior to the effective date of such discharge or removal. Upon receipt of said notice and within thirty days thereafter, but not otherwise, the employee may request a public hearing thereon. If such request is made, the library trustees shall hold a public hearing on such discharge or removal. Said hearing shall be held not more than thirty days after receipt of the request for the same, and if the trustees, upon due hearing, shall find good cause for discharge or removal of said employee, they shall order his or her discharge or removal from office. There shall be no change in salary of such employee during the proceedings for discharge or removal nor until the final effective date of the order for discharge or removal. The words "library trustees" as used in this section shall be construed to refer to any board having charge of the public library in a town or city. The provisions of this section shall apply to the employees of any public library board except in a case where said city or town has personnel rules and regulations which apply to said employees and which make provision for a public hearing in the case of such discharge or removal.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 5, 1955.]

## CHAPTER 19.

AN ACT RELATIVE TO THE MORTGAGE OF CORPORATE ASSETS BY  
AUTHORITY OF THE BOARD OF DIRECTORS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Business Corporations.** Amend section 40 of chapter 274 of the Revised Laws (section 41, chapter 294, RSA) by adding at the end thereof the following: A mortgage shall not be construed to be a sale within the meaning of this section and nothing herein shall be construed to limit the authority of the board of directors of a corporation to mortgage the property and assets of the company, so that said section as amended shall read as follows: **40. By Two-Thirds Vote.** Any such corporation, at the meeting duly called for the purpose, may, by vote of the holders of two-thirds of the stock present or represented by proxy and voting at the meeting, or, if two or more kinds or classes of stock have been issued, by vote of the holders of two thirds of each kind or class of stock outstanding and entitled to vote and present or represented by proxy and voting at the meeting, or by a larger vote if the articles of agreement so requires, change its corporate name, the nature and purposes of its business, the classes of its capital stock, the kinds and classes of its capital stock subsequently to be issued and their voting power, or make any other lawful amendment or alteration in its articles of agreement or record of organization, or may sell, lease, or exchange all its property and assets, including its good will and its corporate franchise, upon such terms and conditions as it deems expedient. A mortgage shall not be construed to be a sale within the meaning of this section and nothing herein shall be construed to limit the authority of the board of directors of a corporation to mortgage the property and assets of the company.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 5, 1955.]

## CHAPTER 20.

AN ACT GRANTING DISCRETIONARY AUTHORITY TO PROBATE COURTS  
IN CONNECTION WITH BONDS OF TRUSTEES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Trustees' Bonds.** Amend section 1, of chapter 363, of the Revised Laws, as amended by section 3, chapter 264, Laws of 1947 (section 1, chapter 564, RSA) by inserting after the word "sureties" in the third line thereof the following: or without sureties in estates of five thousand dollars or less where the judge finds it in the interest of the estate, so that said section as amended shall read as follows: **1. Bonds.** Every trustee to whom any estate, real or personal, is devised in trust for any person shall give bond to the judge of probate, with sufficient sureties, or without sureties in estates of five thousand dollars or less where the judge finds it in the interest of the estate, in such sum as the judge may order, except as provided in the following section and in chapter 352, section 15, conditioned:

I. That he will make and file in the probate office a true inventory of the real estate, goods, chattels, rights, and credits so devised, at such time as the judge shall order.

II. That he will annually render an account to the judge of the annual income and profit thereof, unless excused by the judge of probate as provided by law.

III. That at the expiration of the trust he will adjust and settle his account with the judge, and pay and deliver over all balances, money, and property with which he has been intrusted.

IV. That he will faithfully execute the trust according to the true intent of the deviser.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 5, 1955.]

**CHAPTER 21.**

## AN ACT RELATING TO ATTACHMENTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Burden of Proof.** Amend section 52-a of chapter 388 of the Revised Laws as inserted by section 1 of chapter 124 of the Laws of 1953 (section 53, chapter 511, RSA) by inserting after the word "discharged" in the sixth line the following: Upon such application the party making the attachment shall have the burden of proof to show that the attachment is not excessive or unreasonable, so that said section as amended shall read as follows: **52-a. Excessive Attachments.** If an excessive or unreasonable attachment of any kind, by trustee process or otherwise, has been made on mesne process, the defendant may apply to the superior court to have the amount of the attachment reduced or to have it discharged. Upon such application the party making the attachment shall have the burden of proof to show that the attachment is not excessive or unreasonable. If, on hearing, the court shall find that the attachment is excessive or unreasonable under all the circumstances, it shall order the reduction or discharge of the attachment, as justice may require. The findings and order of the court under this section shall be inadmissible in evidence for any purpose at any other stage of the cause.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 5, 1955.]

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**CHAPTER 22.**

## AN ACT RELATIVE TO HUNTING AND FISHING LICENSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. License Required.** Amend section 1 of chapter 247 of the Revised Laws (section 1, chapter 214, RSA) by striking out the words "metal case" in the seventh line, and inserting in place thereof the words, plastic or metal badge, so that said

section as amended shall read as follows: **1. License Required, Etc.** No person, except as hereinafter provided, shall at any time fish, hunt, trap, shoot, pursue, take or kill fresh water fish, salt water smelt, wild birds, or wild animals in this state, without first procuring a license so to do, and then only in accordance with the terms of such license and subject to all the provisions of this title. The licensee shall wear such license, prominently displayed, on the front of the outer garment, in a plastic or metal badge, furnished by the department at the time such license is issued, or a license button as the case may be, and the same shall be subject to inspection on demand by any person.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 5, 1955.]

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## CHAPTER 23.

AN ACT PROVIDING FOR ADVANCE SHEETS OF SESSION LAWS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Session Laws.** Amend chapter 10 of the Revised Laws (chapter 20, RSA) by inserting after section 2 the following new section: **2-a. Advance Sheets, Printing and Distribution.** During each regular legislative session the secretary of state shall provide for the printing and distribution of advance sheets of all public and private acts and resolves, together with an index thereof, of such session. Such advance sheets shall be available for sale to attorneys at law and the public, as the legislation is enacted. The secretary of state shall carry out the provisions of this section under a plan approved by the judicial council, and said plan shall fix the price to be charged by the secretary of state. It is further provided that each justice of the supreme, superior, probate and municipal courts shall be furnished a set of the advance sheets without charge. The senate shall receive two such sets and the house of representatives three such sets. The state library shall also be furnished a set for its own use and upon request sufficient sets to exchange with other states.

**2. Takes Effect.** This act shall take effect as of January 5, 1955.

[Approved March 5, 1955.]

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## CHAPTER 24.

AN ACT PROVIDING FOR THE CLASSIFICATION OF SALMON BROOK  
AND ITS WATERSHED.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of 1950, (chapter 149, RSA) as follows:

I. Salmon brook and all its tributaries and impoundments and all their tributaries, in the city of Nashua, from the New Hampshire-Massachusetts state line to the crest of the Edgeville Pond dam, Class B-1.

II. Salmon brook and all its tributaries, canals and other diversions and impoundments and all their tributaries, in the city of Nashua, from the crest of Edgeville Pond dam to the Merrimack River, Class C.

III. All other surface waters of the Salmon brook watershed hitherto unclassified and which have not been included in paragraphs I and II, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved March 5, 1955.]

**CHAPTER 25.****AN ACT PROVIDING FOR THE CLASSIFICATION OF PENNICHUCK  
BROOK AND ITS WATERSHED.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of 1950, (chapter 149, RSA) as follows:

I. Pennichuck brook and all its tributaries and impoundments and all their tributaries, in the town of Hollis and the city of Nashua, from their sources to the outlet of Pennichuck pond, Class B-1.

II. Pennichuck brook and all its tributaries and impoundments and all their tributaries, in the towns of Hollis, Milford, Amherst, Merrimack, and the city of Nashua, from the outlet of Pennichuck pond to the crest of the Supply Pond dam, Class A.

III. Pennichuck brook and all its tributaries, in the town of Merrimack and the city of Nashua, from the crest of the Supply Pond dam to the Merrimack river, Class C.

IV. All other surface waters of the Pennichuck brook watershed hitherto unclassified and which have not been included in paragraphs I through III, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved March 5, 1955.]

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**CHAPTER 26.****AN ACT CHANGING CLASSIFICATION OF THE SO-CALLED  
KING'S HIGHWAY.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Change in Classification.** The section of highway designated as class II and known as the King's highway in the towns



of Middleton and New Durham from the Wolfeboro-Middleton town line to the junction of the state-aided road connecting route 11 in Farmington with route 16 in Wakefield shall hereafter be classified as a class V highway.

**2. Transfer of Funds.** Such sums as may have been apportioned by the state for the construction of the above named road as a secondary highway shall be transferred to the town road aid account in the towns of New Durham and Middleton and made available for expenditure in addition to such sums as are allotted for town road aid, so-called, in said towns, and expended under the supervision of the commissioner of public works and highways.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 7, 1955.]

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## CHAPTER 27.

### AN ACT RELATIVE TO TRUSTS FOR CARE OF CEMETERY LOTS.

WHEREAS, there have heretofore been established by wills, many small bequests in trust for the care of cemetery lots, in the cities and towns of this state, and

WHEREAS, the present costs of administration of said small trusts under the supervision of the probate courts has destroyed or seriously impaired the carrying out of purposes thereof, and

WHEREAS, there are established in the towns and cities of the state trustees of trust funds who are empowered by law to receive funds in trust for the same uses and purposes, and

WHEREAS, said trustees of trust funds in many of said cities and towns now hold funds for the same or similar purposes, and

WHEREAS, said trustees of trust funds are able to hold and manage funds for the purposes set forth in said trusts together with other funds held by them for the same or similar purposes at no cost to the said trust, and are thus able to better carry out the uses and purposes for which said funds are established, and

WHEREAS, it would be for the best interests of the said cities and towns as well as of said trusts that said trust funds should be managed by said trustees of trust funds where they are willing: Now therefore

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Trustees of Trust Funds.** Amend chapter 363 of the Revised Laws (chapter 564, RSA) by adding after section 10 the following new section: **10-a. Cemetery Trusts.** If a trustee appointed in a will over a trust for the benefit of a cemetery lot or lots, for which trustees of trust funds of a city or town may accept trust funds, shall resign, die, or be removed, the court of probate, on petition by the trustees of trust funds of the town or city where said cemetery lot or lots are located, and after notice to all other persons interested, may appoint said trustees of trust funds as trustees of said fund, the same to be held by said trustees as though they were originally bequeathed to the town or city for the uses and purposes in said will set forth.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 7, 1955.]

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## CHAPTER 28.

AN ACT RELATIVE TO SPECIAL MOTOR VEHICLE NUMBER PLATES  
FOR MEMBERS OF THE GENERAL COURT AND CERTAIN  
LAW ENFORCEMENT OFFICERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicles.** Amend section 7-a of chapter 116 of the Revised Laws, as inserted by chapter 81 of the Laws of 1953 (section 10, chapter 260 RSA) by striking out the same and inserting in place thereof the following: **7-a. Special Number Plates.** Upon payment of motor vehicle registration fee, if any, the motor vehicle commissioner may issue a special plate, to be designated by him, to be affixed to the vehicle of the governor, the members of the governor's council, president of the

senate, members of the senate, speaker of the house of representatives, members of the house of representatives, the attorney general and his deputy, and vehicles of state police and motor vehicle departments. Said special plates shall be issued at no cost to the state other than those plates furnished to the governor, the members of the governor's council, president of the senate, speaker of the house of representatives, state police and motor vehicle departments.

**2. Takes Effect.** This act shall take effect March 1, 1955. [Approved March 10, 1955.]

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## CHAPTER 29.

### AN ACT RELATING TO PRISONERS COMMITTED TO A HOUSE OF CORRECTION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. House of Correction.** Amend chapter 462 of the Revised Laws (chapter 620, RSA) by adding the following new section: **12. Transfer of Prisoners.** The county commissioners of any county may recommend the transfer of any prisoner serving a sentence in a house of correction to any other county institution in the state when in their opinion such a transfer is in the public interest. This proceeding shall be on petition to the superior court with notice to the commissioners of the county to which it is planned to transfer the prisoner. Said court may, after hearing and for good cause shown, order such transfer, under such terms and conditions as appear necessary, for the balance of the term for which the prisoner was sentenced. The expense of transferring and maintaining such prisoner shall be paid by the county petitioning for the transfer.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

## CHAPTER 30.

## AN ACT RELATIVE TO MIGRATORY GAME BIRDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Woodcock.** Amend section 1 of chapter 243 of the Revised Laws (section 1, chapter 209, RSA) as amended by section 1 of chapter 182 of the Laws of 1945, by striking out said section and inserting in place thereof the following: **1. Grouse; Woodcock; Snipe.** Ruffed grouse, commonly called partridge; may be taken and possessed from October first to December first. No person shall take more than four ruffed grouse in one day, nor more than twenty-five in one season. Woodcock and snipe may be taken and possessed during such time and in such manner and numbers as may be prescribed by regulations promulgated under the Federal Migratory Bird Treaty Act, so-called.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

## CHAPTER 31.

AN ACT RELATIVE TO CLASSIFICATION OF A CERTAIN ROAD IN  
THE TOWN OF STRATFORD.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Designation of Highway.** The section of highway in the Stratford Hollow section of the town of Stratford leading from No. 3 highway to Vermont State Line, shall be designated as a Class 1 highway.

2. **Regulation of Travel.** The commissioner of public works and highways is hereby directed to regulate all travel over said highway and bridge in accordance with section 18 of part 10 of the highway law of 1945, as inserted by chapter 188 of the Laws of 1945, and is further directed that when in his opinion the bridge becomes unsafe for public travel no funds shall be

expended by him on the structure but that it shall be closed to public travel.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

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## CHAPTER 32.

### AN ACT RELATIVE TO THE ESTABLISHMENT OF FISHING REGULATIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Hearings; Time of.** Amend section 11 of chapter 240 of the Revised Laws, (section 11, chapter 206, RSA) by striking out the words "in each odd-numbered" in the first line and inserting in place thereof the words, once each and by striking out the word "biennial" in the sixteenth line and inserting in place thereof the word, annual, so that said section as amended shall read as follows: **11. Hearings.** Once each year the director shall hold public hearings for the purpose of hearing interested parties with respect to his duties, as set forth in this title. Such hearings shall be held at the superior court house in Concord commencing at 10 a. m. on the first Monday after the fourth of July, and at the superior court house at Lancaster, commencing at 10 a. m. on the first Friday following the first Monday after the fourth of July. It shall be the duty of the members of the commission to be in attendance at such hearings. In the event of the illness of the director, or a majority of the commission not being present, or other unforeseen contingency, such hearings shall be adjourned or postponed. In the event of such adjournment or postponement notice of the time of subsequent hearing shall be posted at such court house and given such other publicity as the director shall deem proper to give adequate notice thereof to interested parties. The director may in his discretion conduct other public or private hearings throughout the year upon petition of interested parties. At the annual hearings held at Concord and Lancaster and at other public hearings that the director shall hold in accordance with the provisions of this section, any per-

son having any testimony to present which bears upon the power and authority of the director under the provisions of this title, shall be given full opportunity to be heard, and the director shall cause a complete stenographic record to be kept of all testimony taken.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

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## CHAPTER 33.

### AN ACT RELATIVE TO BROOK TROUT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Brook Trout, Sale of.** Amend section 25-a of chapter 246 of the Revised Laws as inserted by chapter 86, Laws of 1953, (section 30, chapter 212 RSA) by striking out said section and inserting in place thereof the following: **25-a. Sale of Brook Trout.** Brook trout raised by any such licensee may be possessed, bought and sold for use as food in hotels and restaurants, provided, however, that there shall be attached to each fish or part thereof so possessed, bought or sold, a special tag provided by the director, which tag shall remain attached to the fish or part thereof until immediately prior to cooking. The director shall make tags required hereunder available to licensees at a nominal charge.

**2. Brook Trout, Raised Outside of State, Sale of.** Amend chapter 246 of the Revised Laws, (chapter 212 RSA) by inserting after section 25-a the following new section: **25-b. Sale of Brook Trout Raised Outside the State.** Brook trout raised outside the state, if frozen, may be possessed, bought and sold for use as food in hotels and restaurants within the state, provided they be tagged by a tag approved by the director, which tag shall remain attached to the fish or part thereof until immediately prior to cooking. Out-of-state, and in-state wholesalers who wish to sell frozen brook trout in this state must first procure a wholesaler's license to do so, the fee for which shall be five dollars, and which shall be renewed at

the beginning of each calendar year. The director is authorized to make tags available to wholesale licensees at a nominal charge.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

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## CHAPTER 34.

AN ACT RELATING TO THE EXECUTION OF BONDS OF THE STATE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Signature of Governor.** Amend chapter 27 of the Revised Laws (chapter 4, RSA) by inserting at the end thereof the following new section: **49. Facsimile Signature.** Whenever any statute, whether heretofore or hereafter enacted, authorizing the issue of obligations of the state, requires that such obligations be signed or countersigned by the governor, the governor may cause his signature or countersignature to be printed upon such obligations in facsimile, and such facsimile signature of the governor shall have the same effect as his genuine signature.

**2. Seal of the State.** Amend chapter 21 of the Revised Laws by inserting after section 3 (section 5, chapter 5, RSA) the following new section: **3-a. Facsimile Seal.** In the execution of bonds of the state, the secretary of state may cause the seal of the state to be printed in facsimile thereon; and such facsimile of the state seal shall have the same legal effect as the impression of the state seal itself.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

**CHAPTER 35.**AN ACT RELATING TO THE COMMISSION ON UNIFORM  
STATE LAWS.

*Be it Enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Commission on Uniform State Laws.** Amend section 4 of chapter 7-A of the Revised Laws as inserted by chapter 100 of the Laws of 1947 and as inserted by section 6 of part 5 of chapter 5 of the Laws of 1950, (section 4, chapter 18 RSA) by striking out the same and inserting in place thereof the following: 4. **Appropriations.** The legislature shall annually appropriate sums sufficient for promoting and continuing the national conferences of commissioners on uniform state laws and for the purpose of paying expenses for attendance at said national conferences.

2. This act shall take effect on July 1, 1955.

[Approved March 12, 1955.]

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**CHAPTER 36.**

## AN ACT RELATIVE TO DONATIONS FOR HIGHWAY PURPOSES.

*Be it Enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Commissioner, Authority to Accept Gifts.** Amend section 15, chapter 90-A of the Revised Laws as inserted by part 9, chapter 5, Laws of 1950 (section 6, chapter 228, RSA) by inserting at the end thereof the following new paragraph: VIII. Accept subject to the approval of the governor and council, donations of money, labor and/or materials to be expended or used upon class I, class II or class III highways at such points or places designated by the donor, provided that in the commissioner's opinion the project is practicable and in the public interest.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]



**CHAPTER 37.**AN ACT RELATING TO OFFICERS OF THE STATE COMMITTEES  
OF POLITICAL PARTIES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Officers as Ex-Officio Members of State Committee.** Amend section 60 of chapter 33 of the Revised Laws as amended by chapter 198, Laws of 1945, (section 63, chapter 56, RSA) by striking out the words "the chairman and other officers of the state committee need not be members of the committee," and by inserting in place thereof the following: A state committee may choose as its officers persons not members of the committee and such officers shall be ex officio members of the committee; so that as amended said section shall read:  
**60. Party Organization.** The party nominees and state delegates of each county shall elect a county committee for their party either in said state convention or in county convention upon call of the chairman of the state committee. The county committee shall consist of such number of persons as the state convention shall by vote apportion to each county. The members of the several committees thus chosen shall constitute the state committee of the party. A state committee may choose as its officers persons not members of the committee and such officers shall be ex officio members of the committee. The party members in each town, ward or city may effect such an organization as they may deem expedient for advancing the purposes of their party.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

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**CHAPTER 38.**AN ACT RELATIVE TO THE CARE AND CUSTODY OF  
FEMALE CONVICTS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Female Convicts.** Amend section 34 of chapter 464 of the Revised Laws (section 33, chapter 622, RSA) by striking

out said section and inserting in place thereof the following new section: **34. Contracts Authorized.** The trustees of the state prison are authorized to contract with the county commissioners of any county having prison facilities in which female convicts are kept separate or apart from male convicts, or with the authorities of other states having penal institutions in which female convicts are kept separate or apart from male convicts, for the care, custody, maintenance and confinement in such county prison facilities or out-of-state penal institutions of females convicted under the laws of this state of offenses punishable by imprisonment in the state prison. Such contracts shall be approved by the governor and council.

**2. Length of Sentence.** Amend section 36 of said chapter 464 of the Revised Laws (section 35, chapter 622, RSA) by inserting after the word "such" in the third line the words, county prison facilities or, so that said section as amended shall read as follows: **36. Good Behavior.** The law of this state with respect to diminution of the length of a sentence for good behavior or other cause shall apply to all sentences served in whole or in part in such county prison facilities or out-of-state institutions.

**3. Termination of Contract.** Amend section 37 of chapter 464 of the Revised Laws (section 36, chapter 622, RSA) by striking out said section and inserting in place thereof the following new section: **37. Return or Transfer of Convicts.** Upon the termination of any contract entered into in accordance with the provisions hereof, or when the terms of any such contract shall so provide, convicts confined in such county prison facilities or out-of-state institutions shall be returned by the warden or his assistant to the state prison or shall be delivered to such other county prison facility or out-of-state penal institution as the trustees shall have contracted with under the provisions of this subdivision. The trustees shall provide for the return to this state of all such convicts as shall desire to return upon the expiration of their sentences or other discharge by law.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

## CHAPTER 39.

AN ACT RELATIVE TO THE PAYMENT OF POLL TAXES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Poll Taxes.** Amend section 3 of chapter 116 of the Revised Laws as amended by chapter 105, Laws of 1947, chapter 150, Laws of 1949 and section 1 of chapter 173, Laws of 1953, (section 4, chapter 260, RSA) by inserting after the word "vehicle" in the second line thereof, or obtain a license to operate a motor vehicle, so that said section as amended shall read as follows: 3. **Payment of Poll Tax Required.** No person shall obtain a permit to register a motor vehicle, or register a motor vehicle, or obtain a license to operate a motor vehicle, or procure a license to hunt or fish, or a trapping license, without first executing an affidavit under the pains and penalties of perjury, that he has paid all poll and head taxes for the preceding year for which he is liable or been lawfully relieved from such payment by reason of exemption or abatement; provided, however, that a permit, registration or license, as the case may be, may be issued if the selectmen or assessors shall certify that in their opinion the applicant should be granted such permit, registration or license even though such taxes have not been paid.

2. **Issuing Officials.** Amend section 3-a of chapter 116, Revised Laws, as inserted by section 2 of chapter 173, Laws of 1953, (section 5, chapter 260, RSA) by inserting after the word "vehicle" at the end of the second line thereof, or license to operate a motor vehicle, so that the same as amended shall read: 3-a. **Prohibition.** No official or other person shall issue a permit to register a motor vehicle, or registration for a motor vehicle, or license to operate a motor vehicle, or a license to hunt, fish or trap, without first requiring the applicant to make an affidavit under the pains and penalties of perjury that all poll and head taxes for which he is liable for the preceding year have been paid. Any person who shall violate the provisions of this section shall be fined not more than fifty dollars.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

## CHAPTER 40.

AN ACT RELATING TO NON-MILITARY USE OF STATE ARMORIES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Charitable Purposes.** Amend section 105 of chapter 143 of the Revised Laws (section 102, chapter 110, RSA) by striking out the word "public" in the third line, and the phrase "not sectarian or fraternal" in the fourth line of said section, so that said section, as amended, shall read as follows: **105. Use for Public Meetings, etc.** When such use will not interfere with the use by military and veteran organizations, armories may be used for conventions, meetings, exhibitions, expositions, and charitable purposes, under such regulations as may be promulgated by the adjutant-general with the approval of the governor and council.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

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CHAPTER 41.

AN ACT RELATIVE TO HONORARY HUNTING AND FISHING LICENSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Honorary Licenses.** Amend chapter 247 of the Revised Laws by inserting after section 6-a as inserted by section 1, chapter 60, Laws of 1947, (section 13, chapter 214, RSA) the following new section: **6-b. Nonresident Honorary Licenses.** The director, with the approval of the fish and game commission, may issue honorary hunting or fishing licenses to the President and Vice President of the United States and non-resident governors, fish and game officials, accredited sports writers, and recognized conservationists, without charge. During a calendar year, not more than fifty hunting licenses nor seventy-five fishing licenses shall be made available for this purpose.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

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## CHAPTER 42.

### AN ACT PROVIDING FOR A CONSTITUTIONAL CONVENTION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Delegates; Election.** At the election in the several towns to be holden on the second Tuesday of March, 1956, and at the election in the several cities of delegates to national conventions to be holden on the same day, delegates to a convention to revise the constitution shall be chosen and an article therefor shall be inserted in the warrants calling said meeting; and all the laws relating to the election of representatives to the general court, so far as the same may be applicable, shall apply to the election of delegates except as herein otherwise provided.

**2. Delegates; Eligibility.** Any person shall be eligible to a seat in the convention who by the laws of this state is a qualified voter in the town or ward from which he may be elected.

**3. Delegates; Number.** Delegates shall be proportioned as representatives to the general court are, except that each town shall be entitled to at least one delegate.

**4. Secretary of State; Duties.** The secretary of state shall prepare and furnish to the towns and wards necessary material, including certificates of election, for a record of the choice of all delegates.

**5. Organization.** The delegates chosen shall assemble in convention at the capitol in Concord on the third Tuesday of May, 1956, at noon, and shall proceed to organize by choosing one of their number by ballot to serve as president, and such other officers as they deem necessary; they shall be the judges of election and returns of their own members, and may establish rules of proceedings and proceed to recommend constitutional amendments.

**6. Books and Papers Furnished.** The secretary of state shall furnish to the convention such books, papers, stationery and printing as the convention shall require or order.

**7. Amendments.** Such amendments to the constitution as are agreed to by the convention shall be submitted so that they can be voted on by the people separately or by groups, as the convention may determine; the convention shall prescribe the time and mode of submitting amendments to the people for their approval and provide for ascertaining their decision and publishing the same by executive proclamation, and may do any and all other things necessary to carry out the purposes of the convention.

**8. Compensation.** Each delegate shall receive three dollars a day for his attendance on the convention and the same allowance for mileage as is now provided for members of the general court.

**9. Appropriation.** A sum not exceeding seventy-five thousand dollars is hereby appropriated for paying the expenses of said convention and the governor is authorized to draw his warrant for so much of said sum as may be necessary for its expenses.

**10. Takes Effect.** This act shall take effect upon its passage.

[Approved March 16, 1955.]

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## CHAPTER 43.

### AN ACT RELATIVE TO ELK.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Elk, Number of.** The director of fish and game is hereby directed to reduce the elk herd in the state to a population that will no longer present a potential threat to agriculture interests. The reduction of this herd shall be started at once and carried to completion without unnecessary delay. In determining the number of elk to be killed hereunder the director shall consult with the commissioner of agriculture as to

agricultural interests. The carcasses of such elk as are killed hereunder shall be sold and all sums received from said sale shall be kept in a special account to be expended only by the fish and game director with the advice and consent of the fish and game commission for the purpose of the establishment of an elk herd in the northern counties of the state.

**2. Repeal.** Chapter 259, Laws of 1953, relative to elk in Unity, is hereby repealed.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 16, 1955.]

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#### CHAPTER 44.

AN ACT RELATIVE TO DESTRUCTION OF OLD INSURANCE RECORDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Insurance Commissioner, Records.** Amend section 25 of chapter 321 of the Revised Laws (section 24, chapter 400 RSA) by striking out the word "ten" in the second line and inserting in place thereof the word, six, so that said section as amended shall read as follows: **25. Disposal of Reports and Records.** The commissioner may destroy at the end of six years from the date of filing, reports and records in the insurance department which, in his opinion, are no longer of any value to the state.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 21, 1955.]

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#### CHAPTER 45.

AN ACT TO PROVIDE FOR THE PERAMBULATION OF THE MAINE  
AND NEW HAMPSHIRE BOUNDARY LINE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Perambulation.** The boundary line between the state of New Hampshire and the state of Maine, as established and

marked on land under the provisions of chapter 115 of the Laws of 1947, shall be perambulated and the line marked and bounds renewed whenever necessary, once in seven years forever. The governor, with the advice and consent of the council, shall appoint a surveyer from the public works and highways department who shall, in conjunction with a duly authorized representative of the state of Maine, perambulate the boundary line from Bryant's Rock at East pond to the Canadian line.

**2. Notice.** The governor, with the advice and consent of the council, shall authorize the public works and highways commissioner to notify and make such arrangements with the proper authorities of the state of Maine as may be necessary to carry out the provisions hereof.

**3. Return.** A return of the perambulation shall be made describing the marks and monuments of such line and particularly describing any change of location or resetting of any monument as authorized herein, and such return shall be signed by the duly authorized representative of both states and a copy filed with the secretary of state.

**4. Appropriation.** There is hereby appropriated the sum of five thousand dollars to carry out the provisions of this act. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

**5. Limitation.** This act shall take effect upon its passage provided that no work shall be done or money expended under the provisions hereof until similar legislation has been enacted by the state of Maine.

[Approved March 21, 1955.]

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## CHAPTER 46.

### AN ACT TO AUTHORIZE SUMMARY PROCEDURE FOR JUDGMENT IN ACTIONS OF CONTRACT TO WHICH THERE IS NO DEFENSE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Superior Court.** Amend chapter 370 of the Revised Laws (chapter 491, RSA) by adding after section 22, as in-



serted by chapter 243, Laws of 1951, the following new section:  
**23. Motions for Summary Judgment.** In any action founded on contract, in which the plaintiff seeks to recover a debt or liquidated demand, he may, at any time after the defendant has appeared, move for immediate entry of judgment, setting forth with particulars his cause of action and stating that in his belief there is no defense thereto. This motion shall be accompanied by affidavits based upon personal knowledge of admissible facts as to which it appears affirmatively that the affiants will be competent to testify. The facts stated in the accompanying affidavits shall be taken to be admitted for the purpose of the motion unless within fifteen days contradictory affidavits based on personal knowledge are filed or the opposing party shall file an affidavit showing specifically and clearly reasonable grounds for believing that contradictory evidence can be presented at a trial but cannot be furnished by affidavits. Copies of all motions and affidavits shall upon filing be furnished opposing counsel. If it shall appear upon hearing that no genuine issue of material fact exists, judgment may be entered accordingly.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 21, 1955.]

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## CHAPTER 47.

### AN ACT TO AUTHORIZE ADMINISTRATION OF SMALL ESTATES UPON GIVING BOND WITHOUT SURETIES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Bond of Administrator, Small Estates.** Amend section 13, chapter 352 of the Revised Laws as amended by section 1, chapter 264, Laws of 1947 (section 13, chapter 553, RSA) by adding at the end thereof the following: In the discretion of the judge of probate the requirements for sureties may be waived when the estate has a gross value of less than twenty-five hundred dollars exclusive of property specified in section 5, chapter 353, and for the administration of such estate a bond may be given to the judge without sureties, so that said section

as amended shall read as follows: **13. Conditions.** No person shall intermeddle with the estate of a person deceased, or act as administrator thereof, or be considered as having that trust, except as provided in the two following sections, until he has given bond to the judge, with sufficient sureties, in such reasonable sum as he shall approve, upon condition:

I. To return to the judge a true and perfect inventory of the estate of the deceased, upon oath, within three months from the date of the bond.

II. To administer the estate according to law.

III. To render to the judge an account of administration, upon oath, within one year, and annually thereafter unless excused by the judge of probate as provided by law, until a final account is filed and allowed.

IV. To pay all taxes for which he may be or become liable under chapters 87, 88, and 89.

V. To pay and deliver the rest and residue of the estate which shall be found remaining upon the account of the administrator to such person or persons respectively as the judge, by his decree, according to law, shall limit and appoint.

VI. To deliver the letters of administration into the court of probate, in case a will of the deceased shall thereafter be approved and allowed.

In the discretion of the judge of probate the requirements for sureties may be waived when the estate has a gross value of less than twenty-five hundred dollars exclusive of property specified in section 5, chapter 353, and for the administration of such estate a bond may be given to the judge without sureties.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 21, 1955.]

**CHAPTER 48.****AN ACT RELATIVE TO FORFEITURE OF DEVICES USED FOR  
ILLEGAL NIGHT HUNTING.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Prohibited Devices.** Amend section 9 of chapter 241 of the Revised Laws as amended by chapter 74, Laws of 1945, (section 10, chapter 207, RSA) by adding to the last line after the word "violation" the words: Such articles, upon conviction of a violation of illegal night hunting shall become the property of the fish and game department, and shall be sold at auction by the director within one year of the forfeiture, so that said section as amended shall read as follows: **9. Prohibited Devices.** Tip-ups, set and trap lines, spears, grappling hooks, naked hooks, snatch hooks, eel wires, eel pots and nets, shall not be used in any fresh waters of the state to take fish, unless otherwise specifically permitted. No person shall have in his possession, while hunting or trapping any wild bird, or wild animal, including bear, any snare, jack or artificial light, swivel, pivot or set gun, except as otherwise permitted. Any person convicted of illegal night hunting shall forfeit such firearms, jacks or other equipment used or usable in the illegal night hunting at the time of such violation. Such articles, upon conviction of a violation of illegal night hunting shall become the property of the fish and game department, and shall be sold at auction by the director within one year of the forfeiture.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 21, 1955.]

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**CHAPTER 49.****AN ACT NAMING THE HENRI A. BURQUE DRIVE.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Highway Named.** The spur road to the Central New Hampshire Turnpike running from route 101 A to route 3 shall

hereafter be known as the Henri A. Burque Drive. The commissioner of public works and highways shall mark the above named highway with suitable markers.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 22, 1955.]

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## CHAPTER 50.

AN ACT PROVIDING FOR THE ASSESSMENT AND COLLECTION OF A SPECIAL HEAD TAX FOR STATE PURPOSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Special Head Tax.** There is hereby levied and assessed in 1955 and 1956 for the use of the state a special head tax of five dollars upon each and every resident of the state, as defined herein, over twenty-one and under seventy years of age.

**2. Resident Defined.** The word "resident" as used herein shall mean a person, whether a citizen or an alien, except paupers and insane persons, who has resided in this state for at least six months next preceding the date of each assessment of the head tax hereunder.

**3. Time of Payment.** Said head tax shall be assessed upon April 1, 1955, and April 1, 1956, and payable upon demand on or after each of said dates.

**4. Collection.** The selectmen of towns and assessors of cities shall on or before June 1, 1955 and June 1, 1956, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the same together with a warrant under their hands and seals to the collector of taxes for such town or city directing said collector to collect such head taxes on or before December first next following and keep the same in a special account, and monthly, or oftener, pay the same over to the town or city treasurer as the same are collected. Upon receipt of the original head tax warrant in each year the collector shall forthwith certify to the state treasurer, upon a form prescribed and provided by the state treasurer, the

total amount thereof. Upon application by the assessors the tax commission for good cause may extend the time for such delivery.

**5. Penalty.** There shall be added to any special head tax not paid in full on or before December first following the assessment thereof the sum of fifty cents which shall be collected with the tax as incident thereto.

**6. Remedies for Collection.** Said special head taxes may be collected by all of the means and methods provided in chapter 80 of the Revised Laws and the provisions of sections 3 and 4 of chapter 116 of the Revised Laws as amended shall apply to the special head tax assessed hereunder.

**7. Husband Liable.** A husband shall be liable for the payment of the special head tax assessed against his wife, if, when it was assessed, they were living together.

**8. Liability of Cities and Towns.** Each town and city shall be liable to the state for all special head taxes lawfully assessed in such town or city.

**9. Payment to State.** On or before the fifteenth day of the months of September, December, March and June, each town and city shall cause its tax collector to certify such information as the state treasurer shall require and the treasurer to pay over to the state treasurer all special head taxes and penalties collected during the preceding three months after first deducting ten per cent of the head taxes collected. Such deduction shall be for the use of the town or city to offset all expenses incurred in the assessment and collection of the special head taxes; provided however that in towns where the collector of taxes is paid on a part time or commission basis not less than thirty per cent of the sum so deducted shall be paid to said collector for his services in collecting said head taxes. If any town or city shall fail to make its payment when due the deduction of the ten per cent to be retained by it shall be reduced by one quarter of one per cent for each week or part thereof said payment is overdue.

**10. Final Payment.** Each town and city shall cause its treasurer on the 15th day of June in the year following the assessment to pay to the state treasurer an amount equal to all uncollected head taxes for which the city or town is then

liable less the ten per cent deduction provided that the total deduction retained from all payments to the state treasurer shall not exceed ten per cent of the total amount of the original warrant less the amount of all lawful abatements certified to the state treasurer. If the payment is not made as above provided the state treasurer shall withhold the amount of any head taxes and penalties due to the state for which the town or city may be liable, from any amounts payable by the state to the city or town failing to make the payments of head taxes as aforesaid. The state treasurer shall not pay to any city or town any amounts that may be due to it from the state until all payments of head taxes then due have been paid to him.

**11. Extents.** The state treasurer shall also issue his extent for the amounts of all head taxes and penalties which have been collected and not remitted by any town or city as provided herein.

**12. Abatements.** Selectmen and assessors may abate any special head tax assessed against persons not subject thereto as provided in sections 1 and 2 of this chapter and upon written application may abate such tax when it appears that the payment thereof would impose an undue hardship upon the applicant or after all methods of collection provided by law have proved ineffective. They shall make a written record of all abatements made by them and certify the names, addresses and precise reasons for all abatements made because of undue hardship and inability to collect the same to the tax commission for review. If, upon review, the tax commission decides that the abatement should not have been made it shall disallow the abatement and upon notice thereof the town shall pay to the state the amount of all abatements so disallowed.

**13. Supplementary Bond of Collector.** Whenever the tax commission deems it necessary, a collector of taxes or town manager may be required to furnish a further and additional bond beyond that required by other provisions of law with sufficient sureties, in such form and amount as the commission may approve. The premiums shall be paid by the state.

**14. Supplies, Bills, and Postage.** The tax commission shall provide each city and town, without charge, printed tax bills, envelopes, postage, or postal cards, and other supplies, to be

used in assessing and collecting such special head taxes and in keeping the necessary records relating thereto. It may reimburse any city or town in which it seems more practicable and advisable for it to obtain its own supplies, materials and postage, for the cost thereof provided that the purchase of such supplies, materials and postage by city or town has been previously approved by the tax commission. The expenses incurred or reimbursements authorized by the tax commission hereunder and for supplemental bonds required hereunder shall be a charge against the funds collected by the state under the provisions hereof.

**15. Exemptions.** All persons on active duty in the armed forces of the United States of America on the date of assessment shall be exempt from payment of the special head tax. Veterans permanently and totally disabled from service connection who are drawing federal compensation or pension and whose income, exclusive of said compensation or pension, is less than one thousand dollars a year, upon written request filed on or before April fifteenth, shall be exempt from the special head tax.

**16. Disposition of Taxes.** All funds received by the state treasurer under the provisions hereof, less costs of collection as provided in sections 9 and 14, shall be deposited in the general funds of the state.

**17. Payment of Poll or Head Taxes.** Amend section 3-a of chapter 116 of the Revised Laws, as amended by striking out the same and inserting in place thereof the following: **3-a. Prohibition.** No official or other person shall issue a permit to register a motor vehicle, or a permit to operate a motor vehicle, or a license to hunt, fish or trap, without first requiring the applicant to furnish to such issuing officer a tax collector's receipt for the payment of his poll and/or head tax for the preceding year or to furnish a statement that such taxes have been abated or that he is exempt from such payment. Any person who shall violate the provisions of this section shall be fined not more than fifty dollars.

**18. Takes Effect.** This act shall take effect upon its passage.

[Approved March 23, 1955.]

## CHAPTER 51.

## AN ACT RELATIVE TO BUILDING AND LOAN ASSOCIATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Building and Loan Associations, Approval.** Amend chapter 314 of the Revised Laws (chapter 393, RSA) by inserting after section 1 thereof the following new section: **1-a. Conditions.** The bank commissioner may require as a condition to approval of a corporation to be organized under this chapter that the incorporators shall purchase initially not less than ten thousand dollars fully paid shares of such corporation, that said incorporating shareholders shall expressly waive their withdrawal, retirement and repayment rights under sections 26 through 30 of this chapter and stipulate in the records of such corporation that no withdrawal, retirement, redemption or repayment, other than in liquidation of such corporation, shall be made and no direct payment in division of profits under section 25 hereof shall be made to the holders of such shares so issued to said incorporating stockholders but all divisions of profits allocable to such shares shall be paid into the guaranty fund provided in section 22. Such condition shall appear on the face of the shares so initially issued to said incorporators. At such time that the guaranty fund of such corporation accrues sufficiently so that withdrawal or retirement or repayment of all of such shares with all divisions of profits accrued to the credit thereof will not diminish the said guaranty fund below ten thousand dollars the commissioner may authorize removal of said conditions affecting such shares.

**2. Liquidation.** Amend section 41 of chapter 314 of the Revised Laws (section 45, chapter 393, RSA) by adding at the end thereof the following paragraph: I. Notwithstanding the foregoing provisions of this section, if the commissioner has required shares initially issued to the incorporators to be issued under the conditions set forth in section 1-a of this chapter, such shares issued to such incorporators shall not receive any proportionate distribution in liquidation of the corporation unless and until each holder of shares of the corporation not so restricted shall have received the full amount paid in by him, together with an equitable proportion of the profits pertaining to his shares.



**3. Takes Effect.** This act shall take effect upon its passage.

[Approved March 26, 1955.]

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## CHAPTER 52.

### AN ACT TO REGULATE THE SALE AND DISTRIBUTION OF MIXED FERTILIZERS AND FERTILIZER MATERIAL IN THE STATE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. New Chapter.** Amend chapter 228 of the Revised Laws (chapter 439, RSA) by striking out said chapter and inserting in place thereof the following new chapter:

#### Chapter 228

#### Sale and Distribution of Fertilizers

**1. Title.** This chapter shall be known as the New Hampshire Fertilizer Law of 1955.

**2. Administration.** This chapter shall be administered by the commissioner of agriculture, hereinafter referred to as the commissioner.

**3. Definitions.** When used in this chapter the following words and phrases shall be construed as follows:

(a) The term "fertilizer material" means any substance containing nitrogen, phosphoric acid, potash, or any recognized plant food element or compound, which is used primarily for its plant food content or for compounding mixed fertilizers except unmanipulated animal and vegetable manures.

(b) The term "mixed fertilizer" means any combination or mixture of fertilizer materials designed for use or claimed to have value in promoting plant growth.

(c) The term "commercial fertilizer" includes mixed fertilizer and/or fertilizer materials.

(d) The term "speciality fertilizer" means any fertilizer distributed primarily for use on crops grown for non-commercial purposes such as home gardens and lawns, and may include fertilizers used for research or experimental purposes.

(e) The term "bulk fertilizer" shall mean commercial fertilizer delivered to the purchaser in the solid or liquid state, in a non-packaged form to which a label cannot be attached.

(f) The term "brand" means a term design or trade mark used in connection with one or several grades of fertilizer.

(g) The term "grade" means the minimum percentage of total nitrogen, available phosphoric acid and soluble potash stated in the order given in this definition and, when applied to mixed fertilizers, shall be in whole numbers only. By permission of the commissioner, a fourth plant food element may be expressed in the grade and shall mean magnesium oxide.

(h) The term "official sample" means any sample of commercial fertilizer taken by the commissioner or his agent.

(i) The term "ton" means a net weight of two thousand pounds avoirdupois.

(j) The term "per cent" or "percentage" means the percentage by weight.

(k) The term "person" includes individual, partnership, association, firm and corporation.

(l) The term "distributor" means any person who offers for sale, sells, barter, or otherwise supplies commercial fertilizers.

(m) The term "sell" or "sale" includes exchange.

(n) A "unit" of plant food in fertilizer is twenty pounds (one per cent of a ton).

**4. Registration.** (a) Each brand and grade of commercial fertilizer shall be registered before being offered for sale, sold or distributed in this state. The application for registration shall be submitted to the commissioner on forms furnished by the commissioner, and shall be accompanied by a fee, per brand, as follows: ten dollars for the phosphoric acid, ten dollars for the nitrogen, ten dollars for the potash, and ten dollars for the magnesium oxide, or other plant food elements, compounds or classes of compounds; contained or claimed to be in the said brand of fertilizer; but the fee for any brand shall not exceed twenty-five dollars. All registrations expire on or before January 1, annually. The application shall include the following information in the following order: (1) The name and address of the person guaranteeing the fertilizer. (2) The brand and grade. (3) The guaranteed analysis showing the

minimum percentage of plant food claimed in the following order and form: Total nitrogen . . . . per cent; available phosphoric acid . . . . per cent; soluble potash . . . . per cent. Unacidulated mineral phosphatic materials and basic slag shall be guaranteed as to both total and available phosphoric acid, and the degree of fineness. In the case of bone, tankage, and other natural organic phosphate materials, only the total phosphoric acid, need be guaranteed. Additional plant food elements, determinable by chemical methods, may be guaranteed only by permission of the commissioner by and with the advice of the director of the agriculture experiment station. When any such additional plant foods are claimed, they shall be included in the guarantee, and shall be subject to inspection and analysis in accordance with the methods and regulations that may be prescribed by commissioner.

(b) A distributor shall not be required to register any brand of commercial fertilizer which is already registered hereunder by another person.

(c) The plant food content of each and every brand of commercial fertilizer must remain uniform for the period of registration.

**5. Labeling.** (a) Any commercial fertilizer offered for sale or sold or distributed in this state in bags, barrels, or other containers shall have placed on or affixed to the container in written or printed form the net weight and the information required (1), (2) and (3) of paragraph (a) of section 4 either (1) on tags affixed to the end of the package between the ears and/or on the sewed end or (2) directly on the package. (b) If distributed in bulk, a written or printed statement of the weight and the information required by (1), (2) and (3) of paragraph (a) of section 4, shall accompany delivery and be supplied to the purchaser.

**6. Inspection, Sampling, Analysis.** (a) It shall be the duty of the commissioner, who may act through his authorized agent, to sample, inspect, make analyses of, and test commercial fertilizers distributed within this state at time and place and to such an extent as he may deem necessary to determine whether such commercial fertilizers are in compliance with the provisions hereof. The commissioner, individually or through his agent, is authorized to enter upon any public or

private premises during regular business hours in order to have access to commercial fertilizers subject to the provisions hereof and the rules and regulations pertaining thereto. (b) The methods of analysis and sampling shall be those adopted by the commissioner from sources such as those of the association of official agricultural chemists. (c) The commissioner, in determining for administrative purposes whether any commercial fertilizer is deficient in plant food, shall be guided solely by the official sample obtained and analyzed as provided for in the preceding paragraphs. (d) The results of official analysis of any commercial fertilizer which has been found to be subject to penalty or other legal action shall be forwarded by the commissioner to the registrant at least ten days before the report is submitted to the purchaser. If during that period no adequate evidence to the contrary is made available to the commissioner, the report shall become official. Upon request the commissioner shall furnish to the registrant a portion of any sample found subject to penalty or other legal action.

**7. Plant Food Deficiency.** (a) If the analysis shall show that any commercial fertilizer falls short of the guaranteed analysis in any one ingredient, penalty shall be assessed in accordance with the following provisions: (1) Total Nitrogen: A penalty of three times the value of the deficiency if such deficiency is in excess of 0.20 of one per cent on goods that are guaranteed 2 per cent; 0.25 of one per cent on goods that are guaranteed 3 per cent; 0.35 of one per cent on goods that are guaranteed 4 per cent; 0.40 of one per cent on goods that are guaranteed 5 per cent up to and including 8 per cent; 0.50 of one per cent on goods guaranteed above 8 per cent up to and including 30 per cent; and 0.75 of one per cent on goods guaranteed over 30 per cent. (2) Available Phosphoric Acid: A penalty of three times the value of the deficiency, if such deficiency exceeds 0.40 of one per cent on goods that are guaranteed up to and including 10 per cent; 0.50 of one per cent on goods that are guaranteed above 10 per cent up to and including 25 per cent; and 0.75 of one per cent on goods guaranteed over 25 per cent. (3) Soluble Potash: A penalty of three times the value of the deficiency, if such deficiency is in excess of 0.20 of one per cent on goods that are guaranteed 2 per cent; 0.30 of one per cent on goods that are guaranteed 3 per cent; 0.40 of one per cent on goods guaranteed 4 per cent;

0.50 of one per cent on goods guaranteed above 4 per cent up to and including 8 per cent; 0.60 of one per cent on goods guaranteed above 8 per cent up to and including 20 per cent; and 1.00 per cent on goods guaranteed over 20 per cent. (4) Deficiencies in any other constituent or constituents covered under paragraph (a), section 4, which the registrant is required to or may guarantee shall be evaluated by the commissioner and penalties therefor shall be prescribed by the commissioner. (b) Nothing contained in this section shall prevent any person from appealing to a court of competent jurisdiction praying for judgment as to the justification of such penalties. (c) When a penalty has been evaluated and prescribed by the commissioner as hereinbefore provided he shall give written notification to the manufacturer or registrant of such determination. The manufacturer or registrant shall, within three months from the date of such notification, pay to the commissioner the amount of the penalties described. All sums received by the commissioner hereunder shall be paid by him to the state treasurer and shall be credited to the general funds of the state. (d) Any purchaser of one ton or more of fertilizer which has been sampled and found deficient hereunder shall be reimbursed for such purchase to the extent of the deficiency as determined by commissioner and all payments made to such purchaser shall be a charge on the general funds of the state. (e) After a distributor has been notified by the commissioner or his authorized agent, that certain fertilizer brands and grades have been sampled, and that the fertilizer may analyze deficient, thereafter the dealer, agent or distributor shall keep an accurate account of the name and post office address of each purchaser who purchases one ton or more of the brands or grades that have been sampled. (f) Any purchaser of one ton or more of fertilizer who is entitled to reimbursement as hereinbefore provided but whose name and purchase has not been reported to the commissioner as provided in (e) above may submit to the commissioner a receipt for such purchase, and if the commissioner shall find upon investigation that such purchase was made, reimbursement shall be made.

**8. Seizure of Fertilizers When Assessments Not Paid.** The commissioner may seize any commercial fertilizer belonging to such manufacturer, dealer or agent, if the assessment be not

paid within three months after such notice to such manufacturer, dealer or agent has been given by the commissioner, and the registration for such products may be cancelled.

**9. Commercial Value to be Basis of Assessment.** The above mentioned assessments shall be based on the commercial value of such commercial fertilizer; provided however, that in no case shall the penalty provided for, exceed the commercial value of the goods.

**10. Commercial Value.** For the purpose of determining the commercial values to be applied under the provisions of section 7, the commissioner shall determine and publish annually the values per pound of nitrogen, phosphoric acid, and potash in commercial fertilizers in this state. The values so determined and published shall be used in determining and assessing penalties.

**11. Minimum Plant Food Contract.** No superphosphate containing less than eighteen per cent available phosphoric acid nor any mixed fertilizer in which the sum of the guarantees for the nitrogen, available phosphoric acid, and soluble potash totals less than twenty per cent shall be distributed in this state except for complete fertilizers containing twenty-five per cent or more of their nitrogen in water-insoluble form of plant or animal origin, in which case the total nitrogen, available phosphoric acid, and soluble potash shall not total less than sixteen per cent; provided, however, that the natural animal manures and bird manures shall be excepted from the provisions of this section. The commissioner is authorized to lower the minimum plant food content after a public hearing due to a national emergency and/or unavailability of fertilizer materials.

**12. False or Misleading Statements.** A commercial fertilizer is misbranded if it carries any false or misleading statement upon or attached to the container, or if false or misleading statements concerning its agricultural value are made on the container or in any advertising matter accompanying or associated with the commercial fertilizer. It shall be unlawful to distribute a misbranded commercial fertilizer.

**13. Statements Required.** Each person registering commercial fertilizers hereunder shall furnish the commissioner

with a confidential written statement of the tonnage of each grade of commercial fertilizer sold by him in this state. Said statement shall include all sales for the periods of July first to and including December thirty-first and of January first to and including June thirtieth of each year. The commissioner may, in his discretion, cancel the registration of any person failing to comply with this section if the above statement is not made within thirty days from date of the close of each period. The commissioner, however, in his discretion, may grant a reasonable extension of time. No information furnished under this section shall be disclosed in such a way as to divulge the operation of any person.

**14. Publications.** The commissioner shall publish at least annually, in such forms as he may deem proper, information concerning the sales of commercial fertilizers, together with such data on their production and use as he may consider advisable, and a report of the results of the analysis based on official samples of commercial fertilizers sold within the state as compared with the analyses guaranteed under sections 4 and 5; provided, however, that the information concerning production and use of commercial fertilizers shall be shown separately for the periods July first to December thirty-first and January first to June thirtieth of each year, and that no disclosure shall be made of the operations of any person.

**15. Rules and Regulations.** For the enforcement hereof the commissioner is authorized to prescribe and, after public hearing following due public notice, to enforce such rules and regulations relating to the distribution of commercial fertilizers as he may find necessary to carry into effect the full intent and meaning hereof.

**16. Short Weight.** If any commercial fertilizer in the possession of the consumer is found by the commissioner to be short in weight, the registrant of said commercial fertilizer shall within thirty days after official notice from the commissioner pay to the consumer a penalty equal to four times the value of the actual shortage.

**17. Cancellation of Registrations.** The commissioner is authorized and empowered to cancel the registration of any brand of commercial fertilizer or to refuse to register any brand of commercial fertilizer as herein provided, upon satis-

factory evidence that the registrant has used fraudulent or deceptive practices in the evasions or attempted evasions of the provisions hereof or any rules and regulations promulgated hereunder; provided that no regulation shall be revoked or refused until the registrant shall have been given the opportunity to appear for a hearing by the commissioner.

**18. "Stop Sale" Orders.** The commissioner may issue and enforce a written or printed "stop sale, use, or removal" order to the owner or custodian of any lot of commercial fertilizer and to hold at a designated place when the commissioner finds said commercial fertilizer is being offered or exposed for sale in violation of any of the provisions hereof until the law has been complied with and said commercial fertilizer is released in writing by the commissioner or said violation has been otherwise legally disposed of by written authority. The commissioner shall release the commercial fertilizer so withdrawn when the requirements of the provisions hereof have been complied with and all costs and expenses incurred in connection with the withdrawal have been paid.

**19. Seizure, Condemnation, and Sale.** Any lot of commercial fertilizer not in compliance with the provisions hereof shall be subject to seizure on complaint of the commissioner to a court of competent jurisdiction in the area in which said commercial fertilizer is located. In the event the court finds the said commercial fertilizer to be in violation hereof and orders the condemnation of said commercial fertilizer, it shall be disposed of in any manner consistent with the quality of the commercial fertilizer and the laws of the state; provided, that in no instance shall the disposition of said commercial fertilizer be ordered by the court without first giving the claimant an opportunity to apply to the court for release of said commercial fertilizer or for permission to process or re-label said commercial fertilizer to bring it into compliance herewith.

**20. Violations.** (a) Any person convicted of violating any of the provisions of this chapter or the rules and regulations issued thereunder shall be fined fifty dollars for the first offense and one hundred dollars for each subsequent offense. (b) Nothing herein shall be construed as requiring the commissioner or his representative to report for prosecution or for the institution of seizure proceedings as a result of minor



violations hereof when he believes that the public interests will be best served by a suitable notice of warning in writing. (c) It shall be the duty of each county solicitor to whom any violation is reported to cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay. (d) The commissioner is hereby authorized to apply for and the court to grant a temporary or permanent injunction restraining any person from violating or continuing to violate any of the provisions hereof or any rule or regulation promulgated hereunder notwithstanding the existence of other remedies at law. Said injunction to be issued without bond.

**21. Exchanges Between Manufacturers.** Nothing herein shall be construed to restrict or avoid sales or exchanges of commercial fertilizers to each other by importers, manufacturers, or manipulators who mix fertilizer materials for sale or as preventing the free and unrestricted shipments of commercial fertilizers to manufacturers or manipulators who have registered their brands as required by the provisions hereof.

**2. Takes Effect.** This act shall take effect as of January 1, 1956.

[Approved March 26, 1955.]

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## CHAPTER 53.

### AN ACT RELATIVE TO MANNER OF DRIVING MOTOR VEHICLES, HAND SIGNALS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Motor Vehicles, Signals.** Amend section 18-b of chapter 119 of the Revised Laws as inserted by section 1 of chapter 232, Laws of 1949 (section 35, chapter 263, RSA) by striking out said section and inserting in place thereof the following new section: **18-b. Signals by Hand and Arm or Signal Device.** Any stop or turn signal when required herein shall be given either by means of the hand and arm or by a signal lamp or lamps or mechanical signal device of a type approved by the commissioner, but when a vehicle is so constructed or loaded that it is more than twenty-four inches from the top of

the steering post to the outside limit of the left vehicle body, cab or load then said signals must be given by such a lamp or lamps or signal device.

**2. Takes Effect.** This act shall take effect thirty days after its passage.

[Approved March 26, 1955.]

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## CHAPTER 54.

### AN ACT RELATING TO THE SANDWICH NOTCH AND DALE ROAD IN THE TOWNS OF SANDWICH AND THORNTON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Change in Classification.** The Sandwich Notch and Dale road in the towns of Sandwich and Thornton shall hereafter be classified as a class V highway.

**2. Maintenance.** A sum not exceeding one hundred fifty dollars per mile shall be annually expended by the state for the repair of the Sandwich Notch and Dale road in the towns of Sandwich and Thornton provided that the towns of Sandwich and Thornton shall each expend the sum of one hundred dollars in their own town for each mile the state shall expend the aforesaid one hundred fifty dollars. The sums provided herein shall be expended under the direction of the commissioner of public works and highways and the appropriation hereunder to be expended by the state shall be a charge on the highway funds.

**3. Application of Laws.** The provisions of part 13, chapter 90, as inserted by Laws of 1951, chapter 83, and amended by Laws of 1953, chapter 30, shall not apply to the said Sandwich Notch and Dale road.

**4. Repeal.** Chapter 205 of the Laws of 1925, relative to said road, is hereby repealed.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved March 26, 1955.]

**CHAPTER 55.**AN ACT RELATIVE TO THE MILITARY RANK OF THE  
ADJUTANT-GENERAL.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Adjutant General.** Amend section 21 of chapter 143 of the Revised Laws as amended by section 1, chapter 175, Laws of 1949, and by section 1, chapter 103, Laws of 1951, (section 21, chapter 110, RSA) by striking out the words "five years' " and inserting in place thereof the words, two years', so that said section as amended shall read as follows: **21. Staff.** The staff of the commander-in-chief shall consist of the adjutant-general, with the rank initially of brigadier-general but who after two years' service in that rank may be appointed to the rank of major-general, who shall be chief of staff, and twelve aides-de camp, four of whom shall be detailed from the national guard and four appointed from those who served in the United States air forces, army, navy, or marine corps, in any war. The remaining four may be appointed from officers or ex-officers of the United States air forces, army, navy, or marine corps, or of the national guard, or of the various officers' reserve corps, or from civil life.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 26, 1955.]

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**CHAPTER 56.**AN ACT TO SECURE THE RIGHTS OF MORTGAGEES IN  
HIGHWAY LAND DAMAGE CASES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Definition.** Amend section 3, part 4, chapter 90, Revised Laws as inserted by chapter 188, Laws of 1945 (section 3, chapter 233, RSA) by striking out said section and inserting in place thereof the following: **3. Owners.** Owners shall include tenants for life or years, remaindermen, reversioners, or

holders of undischarged mortgages of record whose mortgages are dated not earlier than twenty years prior to date of filing such petition.

**2. Repeal of 1954 Amendment on Notices.** Amend section 5, part 4, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945 and as amended by section 2, chapter 1, Laws of 1954, (section 5, chapter 233, RSA) by striking out said section and inserting in place thereof the following: **5. Notice of Hearing.** The governor, with the advice of the council, or the commission appointed by the governor with advice of the council, at least fourteen days previous to hearing, shall cause notice in writing of the time and place of hearing appointed by them, together with a description of the proposed location, to be given to each owner of land or other property over which such highway may pass, and to the clerk of any city or town in which such highway or alteration may be laid out.

**3. Further Definition.** Amend section 3, part 5, of said chapter 90, (section 3, chapter 234, RSA) by striking out said section and inserting in place thereof the following: **3. Owners.** Owners shall include tenants for life or years, remaindermen, reversioners, or holders of undischarged mortgages of record whose mortgages are dated not earlier than twenty years prior to date of filing such petition.

**4. Takes Effect.** This act shall take effect upon its passage but shall not apply to petitions for the layout or alteration of highways filed prior to such date of passage.  
[Approved March 26, 1955.]

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## CHAPTER 57.

### AN ACT RELATIVE TO THE FEE FOR SEALING AND STAMPING BEAVER SKINS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Beaver Skins.** Amend section 9, chapter 244, Revised Laws, (section 8, chapter 210, RSA) by striking out said section and inserting in place thereof the following: **9. Stamping; Sale of Skins.** Whenever a person shall lawfully take beaver

during the open season as provided in sections 6 and 8 he shall present the skin of such beaver, within ten days from the closing of said open season, to a conservation officer who shall stamp or seal the same upon receipt of a fee of seventy-five cents. Beaver skins lawfully taken, stamped or sealed may be bought and sold.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 30, 1955.]

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## CHAPTER 58.

### AN ACT RELATIVE TO AIRPORT ZONING.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Airport Zoning.** Amend paragraphs I and II of section 78 of chapter 51 of the Revised Laws (section 1, chapter 424, RSA) by striking out said paragraphs and inserting in place thereof the following:

I. "Airport" means any area of land or water, whether constructed or not, which has been approved by the director as a site for the landing and taking off of aircraft or utilized or to be utilized by the public as a point of arrival or departure by air.

II. "Airport hazard" means any structure, tree, smoke, steam, dust or other substance which obstructs the aerial approaches of a publicly owned airport or impairs the reasonable visibility in the vicinity thereof, electrical impulses and disturbances which interfere with radio aids or communications and lights which might result in glare in the vision of pilots of aircraft or be confused with airport lights.

**2. Regulations.** Amend paragraph I of section 81, chapter 51, Revised Laws (section 5, chapter 424, RSA) by striking out said paragraph and inserting in place thereof the following:

I. Every town having within its territorial limits an airport or an area approved as an airport site by the director, shall adopt, administer and enforce, under the police power and in the manner and upon the conditions hereinafter prescribed,

airport zoning regulations applicable to such area which regulations shall divide the area into zones, and, within such zones, specify the land uses permitted, regulate and restrict the height to which structures or trees may be erected or allowed to grow, and regulate and restrict the creation and discharge of smoke, steam, dust or other obstructions to visibility, electrical impulses and disturbances which interfere with radio aids or communication and regulate and restrict lighting as may be necessary to effectuate the safe approach to the airport.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 1, 1955.]

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## CHAPTER 59.

### AN ACT INCREASING THE FEE FOR REGISTRATION OF TRADE NAMES AND PARTNERSHIPS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Registration of Partnership; Trade Names.** Amend section 5 of chapter 186, Revised Laws, as amended by section 10, chapter 265, Laws of 1949 (section 6, chapter 349, RSA) by striking out the word "two" in the third line and inserting in place thereof the word, ten, so that said section as amended shall read as follows: **5. Record; Fees; Blanks.** The secretary of state shall keep a suitable file or record of such certificates, and the filing fee for each certificate shall be ten dollars. He shall prepare blanks for such certificates, and shall, on request, furnish such blanks to persons, partnerships or associations subject to the provisions of this subdivision.

**2. Secretary of State.** Amend chapter 186 of the Revised Laws (chapter 349, RSA) by inserting after section 5 the following new section: **5-a. Re-registration.** After the expiration of ten years from the registration hereunder the secretary of state shall notify the registrant that in order to maintain the use of the trade name the same must be re-registered. The fee for such re-registration shall be one dollar, each.

**3. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved April 1, 1955.]

**CHAPTER 60.**

AN ACT RELATING TO WRITS AND THEIR ENDORSEMENT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Form.** Amend section 2 of chapter 386 of the Revised Laws (section 2, chapter 509, RSA) by striking out said section and inserting in place thereof the following: **2. Form.** Writs and processes, issuing returnable to any court shall be in the name of the state of New Hampshire, shall be under the seal of the court, shall bear teste of the chief, first, senior or other justice of the court who is not a party, and shall be signed or imprinted by a facsimile of the signature of the clerk; if in the superior court they shall be signed or imprinted by a facsimile of the signature of the clerk thereof for any county, provided however, executions in civil actions, and all criminal processes, shall be signed by the clerk.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 1, 1955.]

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**CHAPTER 61.**

AN ACT RELATIVE TO THE CARE AND CUSTODY OF FEMALES  
TRANSFERRED TO THE CUSTODY OF THE STATE PRISON.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. State Prison.** Amend section 34 of chapter 464 of the Revised Laws, as amended by section 1, chapter 38, Laws of 1955 (section 33, chapter 622, RSA) by striking out said section and inserting in place thereof the following: **34. Contracts Authorized.** The trustees of the state prison are authorized to contract with the county commissioners of any county having prison facilities in which female convicts are kept separate or apart from male convicts, or with the authorities of other states having penal institutions in which female convicts are kept separate or apart from male convicts, for the care, custody, maintenance and confinement in such county prison

facilities or out-of-state penal institutions of females convicted under the laws of this state of offenses punishable by imprisonment in the state prison, or who may have been transferred to the custody of the state prison as otherwise provided by law. Such contracts shall be approved by governor and council.

**2. Females.** Amend section 35 of chapter 464 of the Revised Laws (section 34, chapter 622, RSA) by inserting after the word "prison" in the second line the words, or transferred to the custody thereof, so that said section as amended shall read as follows: **35. Transfer of Prisoners.** After making a contract authorized by the preceding section any female sentenced to imprisonment in the state prison, or transferred to the custody thereof, including those who may at the date of such contract be confined therein may, upon direction of said trustees, be conveyed to the institution named in such contract by the warden of the state prison or his assistant, there to be confined until her sentence shall have expired or she shall have been discharged by law, or until she shall have been returned to the state prison or delivered to some other penal institution under a contract authorized by this subdivision.

**3. Expense.** Further amend said chapter 464 by inserting after section 35 a new section as follows: **35-a. Expenses of Confinement.** The expenses of confinement of any such female transferred to the custody of the state prison shall be paid by the institution making the transfer.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved April 1, 1955.]

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## CHAPTER 62.

### AN ACT RELATIVE TO ILLEGAL NIGHT HUNTING.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Possession of Jacks.** Amend section 6 of chapter 242 of the Revised Laws as amended by chapter 161, Laws of 1947, and by chapter 119, Laws of 1951 (section 8, chapter 208, RSA) by striking out the words "including any vehicle in which the



same is being transported," in the eighth and ninth lines; further amend by striking out the word "sufficient" in the fifteenth line and inserting in place thereof the words, *prima facie*, so that said section as amended shall read as follows: **6. Possession of Jacks, etc.** No person shall have in his possession any jack or artificial light, swivel, pivot, or set gun while hunting wild birds or wild animals, including unprotected birds and wild animals on which a bounty may be paid. Any person convicted of illegal night hunting shall forfeit such firearms, jacks, or any other equipment used or usable in the illegal night hunting at the time of such violation. The deliberate use of an artificial light between one-half hour after sunset and one-half hour before sunrise to illuminate, jack, or to show up wild animals by a person having in his possession a rifle larger than a 22 cal. rimfire or shotgun with shot larger than No. 4, either in the gun, on the person, or in an automobile, boat, airplane or other craft propelled by mechanical power, shall be *prima facie* evidence of illegal night hunting. Nothing herein contained shall be construed to prohibit the use of lights for hunting raccoon as permitted in section 3, chapter 244.

**2. Licenses.** Amend section 11 of chapter 247 of the Revised Laws, as amended by section 3, chapter 171, Laws of 1951, (section 19, chapter 214, RSA) by inserting after the word "thereof" in the eighth line the words, except for a conviction under section 6 of chapter 242, as amended, in which case the revocation may be for a period not to exceed five years, so that said section as amended shall read as follows: **11. Revocation for Conviction.** The director may revoke the license of any person who has been found guilty in any court of a violation of any provision of this title or any rule or regulation of the director, or who has been found guilty in a municipal court of a violation of sections 7, 12 and 14-a of chapter 442 prohibiting trespassing upon improved land or destroying fences. Such revocation shall not continue for more than one year from the date thereof, except for a conviction under section 6 of chapter 242, as amended, in which case the revocation may be for a period not to exceed five years. The director shall revoke the license of any person who has been found guilty in any court a second time within five years of the first finding of guilt, of a violation of any such laws or regulations, for a period of not less than one, nor more than three years from the date of such finding or conviction.

**3. Game Animals, Penalties.** Amend section 19 of chapter 242 of the Revised Laws, as amended by chapter 279 of the Laws of 1949 (section 21, chapter 208, RSA) by striking out said section and inserting in place thereof the following: **19. Penalties.** A person who violates a provision of section 1 or section 5 hereof shall be fined not more than three hundred dollars or imprisoned for not more than thirty days, or both; a person who violates a provision of section 6, hereof, shall be fined not more than five hundred dollars or imprisoned for not more than thirty days, or both; a person who violates the remaining provisions of this chapter shall be fined as follows: for each violation of sections 3, 4, 4-a, 7 to 16-c, inclusive, not more than one hundred dollars, for each violation of sections 17 and 18, not more than ten dollars and not more than five dollars additional for each rabbit, hare, or gray squirrel taken, or possessed, contrary to the provisions thereof.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved April 1, 1955.]

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## CHAPTER 63.

### AN ACT RELATING TO THE RETURN OF WRITS IN THE SUPERIOR COURT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Return of Writ.** Amend section 1 of chapter 387 of the Revised Laws, as amended by section 2 of chapter 121, Laws of 1947, (section 1, chapter 510, RSA) by adding at the end thereof the words, and shall be returnable to the superior court for Rockingham County at Exeter; Strafford County at Dover; Belknap County at Laconia; Carroll County at Ossipee; Merrimack County at Concord; Hillsborough County at Nashua; Cheshire County at Keene; Sullivan County at Newport; Grafton County at Woodsville in the town of Haverhill; and Coos County at Lancaster, so that said section as amended shall read as follows: **1. Time, Where Returnable.** All original writs and writs of mesne process shall be served fourteen days before the return day to which they are returnable, and shall

be returnable to the superior court for Rockingham County at Exeter; Strafford County at Dover; Belknap County at Laconia; Carroll County at Ossipee; Merrimack County at Concord; Hillsborough County at Nashua; Cheshire County at Keene; Sullivan County at Newport; Grafton County at Woodsville in the town of Haverhill; and Coos County at Lancaster.

**2. Attachment Form Changed.** Amend section 15 of chapter 386 of the Revised Laws (section 15, chapter 509, RSA) by striking out the words "to be holden" in the fifth and sixth lines, so that said section as amended shall read as follows:

**15. Attachment.**

THE STATE OF NEW HAMPSHIRE

.....ss. To the sheriff of any county or his deputy:  
 (L.S.) We command you to attach the goods or estate of ....., of ....., in said county of ....., to the value of ..... dollars, and summon him, if to be found in your precinct, to appear at the superior court at ....., in said county, on the ..... Tuesday of ....., to answer to ....., of ....., in said county of ....., in a plea of ....., to the damage of the plaintiff ....., as he say .., the sum of .... dollars, and make return of this writ, with your doings therein.

Witness, ....., Esquire, the .... day of ....., ....  
 .....Clerk.

**3. Capias and Attachment Form Changed.** Amend section 16 of chapter 386 of the Revised Laws (section 16, chapter 509, RSA) by striking out the words "to be holden" in the sixth line, so that said section as amended shall read as follows:

**16. Capias and Attachment.**

THE STATE OF NEW HAMPSHIRE

.....ss. To the sheriff of any county or his deputy:  
 (L.S.) We command you to arrest the body of ....., of ....., in said county of ....., or to attach his goods or estate to the value of ..... dollars, and summon him, if to be found in your precinct, to appear at the superior court at ....., in said county, on the ....., Tuesday of ....., to answer to ....., of ....., in said county of ....., in a plea of ..... to the damage of the plaintiff .., as he say .., the sum of .....

dollars, and make return of this writ, with your doings therein.

Witness, . . . . ., Esquire, the . . . . . day of . . . . ., . . . . .  
. . . . . Clerk.

**4. Summons Form Changed.** Amend section 17 of chapter 386 of the Revised Laws (section 17, chapter 509, RSA) by striking out the words "to be holden" in the fourth and fifth lines, so that said section as amended shall read as follows:

**17. Summons.**

THE STATE OF NEW HAMPSHIRE

. . . . .ss. To the sheriff of any county or his deputy:  
(L.S.) We command you to summon . . . . ., of . . . . ., in said county of . . . . ., if to be found in your precinct, to appear at the superior court at . . . . ., in said county, on the . . . . Tuesday of . . . . ., to answer to . . . . ., of . . . . ., in said county of . . . . ., in a plea of . . . . ., to the damage of the plaintiff . . ., as he say . ., the sum of . . . . . dollars, and make return of this writ, with your doings therein.

Witness . . . . ., Esquire, the . . . . . day of . . . . ., . . . . .  
. . . . . Clerk.

**5. Trustee Process Form Changed.** Amend section 18 of chapter 386 of the Revised Laws (section 18, chapter 509, RSA) by striking out the words "to be holden" in the fifth and sixth lines, so that said section as amended shall read as follows:

**18. Trustee Process.**

THE STATE OF NEW HAMPSHIRE

. . . . .ss. To the sheriff of any county or his deputy:  
(L.S.) We command you to attach the goods or estate of . . . . ., of . . . . ., in said county of . . . . ., to the value of . . . . . dollars, and summon him, if to be found in your precinct, to appear at the superior court at . . . . ., in said county, on the . . . . . Tuesday of . . . . ., to answer to . . . . ., of . . . . ., in said county of . . . . ., in a plea of . . . . ., to the damage of the plaintiff . ., as he say . ., the sum of . . . . . dollars. We also command you to attach the money, goods, chattels, rights and credits of the said . . . . ., in the hands of . . . . ., of . . . . ., in said county of . . . . ., to the value of . . . . . dollars, and summon said . . . . ., if to be found in your precinct, to appear at said court and show cause, if any he has, why execution should not issue against him for the judgment which may be

recovered by said . . . . ., against said . . . . ., and make return of this writ, with your doings therein.

Witness . . . . ., Esquire, the . . . . . day of . . . . ., . . . .  
 . . . . . Clerk.

**6. Replevin Form Changed.** Amend section 19 of chapter 386 of the Revised Laws (section 19, chapter 509, RSA) by striking out the words "to be holden" in the seventh line, so that said section as amended shall read as follows:

#### 10. Replevin.

##### THE STATE OF NEW HAMPSHIRE

. . . . .ss. To the sheriff of any county or his deputy:  
 (L.S.) We command you to replevy . . . . ., belonging to . . . . ., of . . . . ., in said county of . . . . ., wrongfully taken and detained, as it is said, by . . . . ., of . . . . ., in said county of . . . . . and deliver the same to said . . . . ., provided he give bond in the sum of . . . . . dollars, with sufficient sureties, to prosecute his replevin at the superior court at . . . . ., in said county, on the . . . . . Tuesday of . . . . ., and so from court to court until the cause be ended, and to pay such costs and damages as the said . . . . . may recover against him; and we also command you to summon the said . . . . ., if to be found in your precinct, to appear at said court, and answer to said . . . . . in a plea of replevin, etc., . . . . to the damage of the said . . . . ., as he says, the sum of . . . . dollars, and make return of this writ, with your doings therein.

Witness, . . . . ., Esquire, the . . . . . day of . . . . ., . . . .  
 . . . . . Clerk.

**7. Scire Facias Form Changed.** Amend section 20 of chapter 386 of the Revised Laws (section 20, chapter 509, RSA) by striking out the words "to be holden" in the eleventh line, so that said section as amended shall read as follows:

#### 20. Scire Facias.

##### THE STATE OF NEW HAMPSHIRE

. . . . .ss. To the sheriff of any county or his deputy:  
 (L.S.) Whereas, . . . . ., of . . . . ., by the consideration of the justices of the superior court holden at . . . . ., in said county, on the . . . . . Tuesday of . . . . ., . . . . ., recovered judgment against . . . . ., of . . . . ., for . . . . . dollars . . . . . cents, costs of suit on the original writ, in which suit . . . . .,

of . . . . ., was indorser for the said . . . . ., and of which judgment execution remains to be done, although a writ of execution has been issued thereon against said . . . . ., which has been returned unsatisfied, as of record appears. We therefore command you to summon the said . . . . . to appear at the superior court at . . . . ., in said county, on the . . . . . Tuesday of . . . . ., to show cause, if any he has, why the said . . . . . should not have execution against him for the amount of said judgment, and make return of this writ, with your doings therein.

Witness . . . . ., Esquire, the . . . . . day of . . . . ., . . . . .  
 . . . . . Clerk.

**8. Takes Effect.** This act shall take effect on the first Tuesday of August, 1955.

[Approved April 1, 1955.]

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**CHAPTER 64.**

**AN ACT RELATING TO REAL ESTATE MORTGAGES.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Real Estate Mortgages.** Amend section 3-a of chapter 261 of Revised Laws as inserted by chapter 72 of Laws of 1945 (section 4, chapter 479, RSA) by striking out the words "for making repairs, additions or improvements to the mortgaged premises," so that said section 3-a as amended shall read as follows: **3-a. Subsequent Advances.** Any sum or sums which shall be loaned by the mortgagee to the mortgagor at any time after the execution of any mortgage hereafter made shall be equally secured with and have the same priority as the original indebtedness, to the extent that the aggregate amount outstanding at any one time when added to the balance due on the original indebtedness shall not exceed the amount originally secured by the mortgage.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 1, 1955.]

**CHAPTER 65.**

AN ACT RELATIVE TO THE OPEN SEASON FOR TAKING FUR-BEARING ANIMALS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Fur-bearing Animals; Open Season.** Amend section 1 of chapter 244 of the Revised Laws (section 1, chapter 210, RSA) by striking out said section and inserting in place thereof the following: **1. Otter, Mink, etc.** Otter, mink, skunk, or muskrat may be taken and possessed from November first to February first.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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**CHAPTER 66.**

AN ACT RELATIVE TO WOUNDING A HUMAN BEING WHILE HUNTING.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Report to Conservation Officer.** Amend section 35-a of chapter 241 of the Revised Laws as inserted by section 2, chapter 223, Laws of 1949 and as amended by section 2, chapter 101, Laws of 1953 (section 38, chapter 207, RSA) by inserting after the word "nearest" in the fifth line the words, conservation officer and, so that said section as amended shall read as follows: **35-a. Abandoning a Wounded or Killed Human Being.** Any person who shall have negligently or carelessly shot and wounded or killed a human being as set forth in the preceding section shall forthwith render necessary assistance to the injured person and report immediately to the nearest conservation officer and law enforcement officer. Upon conviction of violation of the provisions of this section, the guilty person shall be fined not more than two thousand dollars or imprisoned not more than five years or both, and his license to hunt shall be revoked for life. The penalty for conviction under this

section shall be in addition to any penalty imposed under section 35.

**2. Reporting Hunting Accident.** Amend chapter 241 of the Revised Laws (chapter 207, RSA) by inserting after section 35-a the following new section: **35-b. Reporting Hunting Accidents.** Any person while hunting or in the field who shall cause any injury by shooting another human being shall report immediately to the nearest conservation officer and law enforcement officer. Whoever violates the provisions of this section shall be fined not more than fifty dollars.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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## CHAPTER 67.

### AN ACT RELATIVE TO PERPETUAL INVENTORY RECORDS AND THE TRANSFER OF UNUSED SUPPLIES AND EQUIPMENT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Perpetual Inventory Records and Transfer of Unused Supplies and Equipment.** Amend paragraphs XI and XII of section 17, of chapter 23-A of the Revised Laws as inserted by section 1 of part 6 of chapter 5 of the Laws of 1950 (paragraphs XI, XII, section 19, chapter 8, RSA) by striking out said paragraphs and inserting in place thereof the following: XI. Advise with state agencies in relation to the establishment and maintenance by the agency of a perpetual inventory record system for plant and equipment. Annually each state agency shall report to the director in such form as he may require to maintain a central inventory record of plant and equipment owned by the state: XII. Transfer unused supplies and equipment from one department or agency to another where needed and determine the value thereof; where such unused supplies and equipment cannot be so transferred, provide for disposal to the public by competitive bid whenever the estimated value of any unit or total of units is one hundred



dollars or more, otherwise in such manner as appears to be in the best interest of the state.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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## CHAPTER 68.

### AN ACT RELATIVE TO THE PRACTICE OF DENTISTRY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Dentistry, Dental-Hygienists.** Amend section 18 of chapter 251 of the Revised Laws as amended by section 2, chapter 142 of the Laws of 1949 and section 5, chapter 51 of the Laws of 1951 (section 18, chapter 317, RSA) by striking out the word "fifteen" in the ninth line thereof and inserting in place thereof the words, twenty-five, so that said section as amended shall read as follows: **18. Eligibility; Examination; Registration.** Any person of good moral character and eighteen years of age or over, who is a graduate of a training school for dental-hygienists requiring a course of not less than one academic year and approved by said board, or who is a graduate of a training school for nurses and has received three months' clinical training in dental hygiene in any such training school for dental-hygienists, may, upon the payment of twenty-five dollars, be examined by said board in the subjects considered essential by it for a dental-hygienist, and, if his examination is satisfactory, shall be registered as a dental-hygienist and given a certificate allowing him to clean teeth and apply topically, fluorine, or any of its compounds, and any other chemical compound or combination of, or series of chemical compounds, which may be found to be effective and approved by the New Hampshire state dental board, in preventing caries in human teeth, under the direction of a registered dentist of this state, and in public or private schools, or institutions, upon approval by the local board of health.

2. **Dentists, Reciprocal Licenses.** Amend section 20 of chapter 251 of the Revised Laws (section 20, chapter 317,

RSA) by striking out the words, "or dental hygiene" in the second and fourth lines thereof so that said section as amended shall read as follows: **20. Removal to State.** The dental board may in its discretion issue a license to practice dentistry without examination to a legal practitioner who takes up his residence in this state, provided applicant is legally registered to practice dentistry in the state from which he removes, and has been engaged in actual practice for five years immediately preceding his application and removal, and provided he shall meet the requirements prescribed in section 7, and further provided that the state from which he removes shall in like manner recognize licenses issued by the New Hampshire state dental board to licensees of this state who may wish to remove to such other state.

**3. Dental-Hygienists, Reciprocal Licenses.** Amend chapter 251 of the Revised Laws (chapter 317, RSA) by inserting after section 18 thereof the following new section: **18-a. Removal to State.** The dental board may in its discretion issue a license to practice dental hygiene without examination to a legal practitioner who takes up his residence in this state, provided applicant is legally registered to practice dental hygiene in the state from which he removes, and provided he shall meet the requirements prescribed in section 18 and further provided that the state from which he removes shall in like manner recognize licenses issued by the New Hampshire state dental board to licensees of this state who may wish to remove to such other state.

**4. Certificates.** Amend section 22 of chapter 251 of the Revised Laws as amended by section 6 of chapter 51 of the Laws of 1951 (section 22, chapter 317, RSA) by inserting after the word "dollars" in the second line thereof the words, for issuing a certificate under sections 18 and 18-a twenty-five dollars, so that said section as amended shall read as follows: **22. Fees.** The fee for issuing a license under section 20 shall be fifty dollars, for issuing a certificate under sections 18 and 18-a twenty-five dollars, and for issuing a certificate under section 21, five dollars. In each case the fee shall be paid in advance.

**5. Illegal Practice of Dentistry.** Amend said chapter 251 (chapter 317, RSA) by inserting after section 29 the following

new section: **29-a. Injunction.** The state dental board may petition the superior court for an injunction to restrain the practice of dentistry, as defined in section 17, by any person other than a licensed dentist or such other persons as are specifically excepted from the operation of section 17. In such proceedings the board shall be represented by the attorney general, and such petition may be filed in the superior court for the county in which the defendant named therein resides, or, if such defendant is a nonresident, then in the superior court for any county in which the named defendant does business. The petition for such injunction or the issuance thereof shall be in addition to, and shall not relieve any such person from, criminal prosecution. In connection with any such petition for an injunction, it shall not be necessary to prove that an adequate remedy at law does not exist.

**6. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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## CHAPTER 69.

AN ACT RELATIVE TO PAYMENT OF WAGES OF A DECEASED PERSON.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Payment Upon Affidavit.** Amend chapter 359 of the Revised Laws (chapter 560, RSA) by adding at the end thereof the following new sections: **20. Payment of Wages to Surviving Spouse.** Any wages, salaries or commissions of a deceased person not exceeding five hundred dollars due from any employer shall be paid to the surviving spouse of the deceased employee without the necessity of administration of his estate. Provided, however, that the surviving spouse shall first file with the employer an affidavit stating that the person so affirming is the surviving spouse of the deceased employee. **21. Liability.** An employer making payment in accordance with the preceding section shall not be liable for the sum so paid to the estate of the deceased employee.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

**CHAPTER 70.**

AN ACT RELATIVE TO COURTS-MARTIAL IN THE NATIONAL GUARD.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Special Courts-martial.** Amend section 66 of chapter 143 of the Revised Laws, (section 65, chapter 110, RSA) by inserting after the word "regiment" in the second line of said section, the word, group, so that said section as amended shall read as follows: **66. Special.** The commanding officer of each post, camp or other place, brigade, regiment, group, detached battalion or other detached command may appoint special courts-martial for his command; but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable. Special courts-martial shall have the power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the United States, and such special courts-martial shall have the same powers of punishment as general courts-martial, except that fines imposed by such courts shall not exceed one hundred dollars.

**2. Summary Courts-martial.** Amend section 67 of chapter 143 of the Revised Laws, (section 66, chapter 110, RSA) by inserting after the word "corps" in the second line the word, group, so that said section as amended shall read as follows: **67. Summary.** The commanding officer of each camp or other place, regiment or corps, group, detached battalion, company or other detachment of the national guard may appoint for such place or command a summary court to consist of one officer who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of laws governing such organizations; and said court, when satisfied of the guilt of such soldier, may impose fines not exceeding twenty-five dollars for any single offense; may sentence noncommissioned officers to reduction to the ranks; and may sentence to forfeiture of pay and allowances. The proceedings of such courts shall be informal, and the minutes thereof shall be the same as prescribed for summary courts of the army of the United States.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

**CHAPTER 71.**AN ACT RELATIVE TO SUSPENSION OR REVOCATION OF LICENSES  
OF PERSONS PRACTICING MEDICINE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Licenses for Practice of Medicine.** Amend section 14 of chapter 250 of the Revised Laws, as amended by section 7, chapter 27, Laws of 1951, (section 17, chapter 329, RSA) by striking out the words "the state" in the fifth line and inserting in place thereof the words, any state or federal, and by inserting after the word "habits" in the seventh line the words, or mental or physical condition, so that said section as amended shall read as follows: **14. Suspension and Revocation.** The board may suspend or revoke the license of any licensee who has obtained it by fraudulent means, who is insane, who has been convicted of any crime punishable by imprisonment in any state or federal prison, who is guilty of malpractice or gross misconduct in the practice of his profession as such licensee, or whose moral character or personal habits or mental or physical condition are such as to unfit him for the practice of medicine.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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**CHAPTER 72.**

## AN ACT RELATIVE TO ESTATE TAXES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Estate Tax.** Amend section 1 of chapter 88, Revised Laws, (section 1, chapter 87, RSA) by striking out the whole thereof and inserting in place thereof the following: **1. Tax Imposed.** In addition to the taxes imposed by chapter 87 an estate tax is hereby imposed upon the transfer of all estates which are subject to an estate tax under the provisions of the United States internal revenue code and amendments thereto

where the decedent at the time of his death was domiciled in this state. The amount of said New Hampshire estate tax shall be equal to the extent, if any, of the excess of the credit allowable under said United States internal revenue code over the aggregate amount of all estate, inheritance, transfer, legacy and succession taxes paid to any state or territory or the District of Columbia in respect to any property in the estate of said decedent. Provided that such estate tax hereby imposed shall in no case exceed the extent to which its payment will effect a saving or diminution in the amount of the United States estate tax payable by or out of the estate of the decedent had this chapter not been enacted. The tax hereby imposed shall be for the use of the state. Furthermore an estate tax is hereby imposed upon the transfer of real property and tangible personal property in this state of every person who at the time of his death was a resident of the United States but not domiciled in this state, and upon the transfer of all property, real and personal, within this state of every person who at the time of his death was not a resident of the United States, the amount of which shall be a sum equal to such proportion of the amount by which the credit allowable under the applicable United States revenue act for estate, transfer, legacy, succession and inheritance taxes actually paid to several states exceeds the amount actually paid for such taxes exclusive of estate, transfer, legacy, succession and inheritance taxes, as the value of the property in this state bears to the value of the entire estate, subject to an estate tax under the provisions of the United States internal revenue code.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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## CHAPTER 73.

### AN ACT RELATING TO AERONAUTICAL FUNDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Aeronautical Fund.** Amend section 32 of chapter 306 of the Revised Laws as amended by section 9 of chapter 281

of the Laws of 1947 (section 42, chapter 422, RSA) by adding at the end thereof the following: Monies derived from the airways toll, available for the establishment and maintenance of air navigation facilities, may be paid over directly to a city or town which has established an aeronautical fund in accordance with the provisions of sections 76-a, 76-b and 76-c of chapter 51 of the Revised Laws as inserted by chapter 188 of the Laws of 1951, so that said section as amended shall read as follows: **32. Aeronautical Fund.** There is hereby established in the state treasury a fund to be known as the aeronautical fund. All fees and fines or other income received by the commission under the provisions hereof; all revenue from the airways toll; and monies herein or hereafter appropriated to carry out the provisions hereof shall be kept by the state treasurer in said aeronautical fund to be paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purpose of this chapter subject to the following limitations on the revenue derived from the airways toll; one-half shall be used for the establishment and maintenance of air navigation facilities on the state airways system and one-half shall be used for the repayment of bonds or notes authorized hereunder. Subject to budgetary limitations, the aeronautical fund is annually appropriated for the use of the commission during the fiscal year of its receipt by the state treasurer and the unexpended balance of said fund shall be carried forward and added to the appropriation for the subsequent year. Monies derived from the airways toll, available for the establishment and maintenance of air navigation facilities, may be paid over directly to a city or town which has established an aeronautical fund in accordance with the provisions of sections 76-a, 76-b and 76-c of chapter 51 of the Revised Laws as inserted by chapter 188 of the Laws of 1951.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 12, 1955.]

## CHAPTER 74.

AN ACT RELATIVE TO PARI MUTUEL POOLS AND PAYMENT TO  
TOWNS AND CITIES FOR RACE MEETS THEREIN.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Horse Racing.** Amend section 15 of chapter 171 of the Revised Laws as amended by chapter 83, Laws of 1943, chapter 117, Laws of 1945, chapters 24 and 190, Laws of 1949, and chapter 117, Laws of 1953 (section 22, chapter 284, RSA) by striking out the word "eleven" in the tenth line and inserting in place thereof the word, twelve, and by striking out the word "five" in the seventeenth line and inserting in place thereof the word, six, so that said section as amended shall read as follows: **15. Pari Mutuel Pools.** Within the enclosure of any race track where is held a race or race meet licensed and conducted under this chapter, but not elsewhere, the sale of pari mutuel pools by the licensee under such regulations as may be prescribed by said commission is hereby permitted and authorized during the calendar years of 1941 to 1966, inclusive. Commissions on such pools, excepting at tracks or race meets conducted solely for harness racing by agricultural fairs where such commissions shall be fifteen per cent, shall be uniform throughout the state at the rate of twelve and one-half per cent of each dollar wagered plus the odd cents of all redistribution to be based upon each dollar wagered exceeding a sum equal to the next lowest multiple of ten, known as "breakage," one-half of which breakage shall be retained by the licensee and the balance shall be paid to the state treasurer for the use of the state in accordance with the provisions of section 2. Said maximum shall include the six per cent tax hereinafter prescribed. For the purpose of the exception set forth in this section, an "agricultural fair" shall be deemed to be such an association as does provide for and pay premiums of five thousand dollars, or more, annually as is determined by the commissioner of agriculture in accordance with section 18 of this chapter.

**2. Payment to Towns and Cities.** Amend section 16 of chapter 171 of the Revised Laws as amended by section 2, chapter 117, Laws of 1945 (section 23, chapter 284, RSA) by striking out the word "five" in the third line and inserting in



place thereof the word, six, by striking out the word "four" in the sixth line and inserting in place thereof the word, five, and by striking out the words "two hundred and fifty" in the fifteenth line and inserting in place thereof the words, three hundred, so that said section as amended shall read as follows:

**16. Tax.** Each person, association, or corporation licensed to conduct a race or race meet under this chapter shall pay to the state treasurer a sum equal to six per cent of the total contributions to all pari mutuel pools conducted or made at any race or race meet licensed hereunder. Of the amount so paid to the state treasurer a sum equal to five and three-quarters per cent of said total contributions shall be distributed in accordance with the provisions of section 2, and a sum equal to one quarter of one per cent of said total contributions shall be expended for the promotion of agriculture in the state under the direction of the commissioner of agriculture. Each person, association, or corporation licensed to conduct a race or race meet under this chapter shall also pay to the city or town treasurer in which the racing plant is located the sum of three hundred dollars for each day of racing, provided, said person, association, or corporation has a license to conduct races or race meets for more than eight days during the year for which the license is issued. If said person, association, or corporation has a license to conduct races or race meets for less than said eight days, the said per diem fee shall be determined by the commission.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 12, 1955.]

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## CHAPTER 75.

### AN ACT RELATIVE TO THE DESIGNATION OF BARGAINING AGENCIES FOR EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Labor Controversies.** Amend section 17 of chapter 210 of the Revised Laws (section 17, chapter 273, RSA) by striking out said section and inserting in place thereof the following:

**17. Application by Agent.** When an application is signed by an agent claiming to represent a majority of such employees the commissioner shall, before proceeding further, satisfy himself by secret ballot or otherwise that such agent is duly authorized to represent a majority of such employees. If the commissioner requires such secret ballot all regular employees of the unit may vote thereat. If the commissioner does not require a secret ballot he shall require a statement in writing from a majority of the employees that said agent is duly authorized to represent them. In the latter case the names of the employees giving written authority to such agent shall be kept secret by the commissioner.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 76.

AN ACT RELATING TO MOTOR VEHICLE FINANCIAL RESPONSIBILITY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicles, Financial Responsibility. Motor Vehicle Liability Policy.** Amend paragraph VII of section 1 of chapter 122 of the Revised Laws (section 1, chapter 268, RSA) by striking out the same and inserting in place thereof the following: VII. "Motor Vehicle Liability Policy," a policy of liability insurance which provides: (a) indemnity for or protection to the insured and any person responsible to him for the operation of the insured's motor vehicle, trailer, or semi-trailer who has obtained possession or control thereof with his express or implied consent, against loss by reason of the liability to pay damages to others for damage to property, except property of others in charge of the insured or his employees, or bodily injuries, including death at any time resulting therefrom, accidentally sustained during the term of said policy by any person other than the insured, or employees of the insured actually operating the motor vehicle or of such other person responsible as aforesaid who are entitled to payments or benefits under the provisions of any workmen's compensation act, arising out of

the ownership, operation, maintenance, control, or use within the limits of the United States of America or the Dominion of Canada of such motor vehicle, trailer or semi-trailer, to the amount or limit of at least ten thousand dollars on account of injury to or death of any one person, and subject to such limits as respects injury to or death of one person, of at least twenty thousand dollars on account of any one accident resulting in injury to or death of more than one person, and of at least five thousand dollars for damage to property of others, as herein provided, or a binder pending the issue of such a policy, or an indorsement to an existing policy, as defined in sections 15, 16, and 18, and (b) which further provides indemnity for or protection to the named insured and to the spouse of such named insured as insured if a resident of the same household, or the private chauffeur or domestic servant acting within the scope of the employment of any such insured with respect to the presence of any such insured in any other motor vehicle, from liability as a result of accidents which occur in New Hampshire due to the operation of any motor vehicle, trailer, or semi-trailer not owned in whole or in part by such insured, provided, however, the insurance afforded under this sub-paragraph (b) applies only if no other valid and collectible insurance is available to the insured.

**2. Satisfaction of Judgments.** Amend section 10 of chapter 122 of the Revised Laws (section 10, chapter 268, RSA) by striking out said section and inserting in place thereof the following: **10. Payments Sufficient to Satisfy Requirements.** Every judgment herein referred to shall for the purpose of this chapter be deemed satisfied: I. When ten thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident; or II. When, subject to such limit of ten thousand dollars because of bodily injury to or death of one person, the sum of twenty thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or III. When five thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident. Credit for such

amounts shall be deemed a satisfaction of any such judgment or judgments in excess of said amounts only for the purpose of this chapter. Payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.

**3. Limits.** Amend section 19 of chapter 122 of the Revised Laws (section 19, chapter 268, RSA) by striking out the same and inserting in place thereof the following: **19. Amount of Proof Required.** Proof of financial responsibility shall mean proof of ability to respond in damages for any liability thereafter incurred, as a result of accidents which occur in New Hampshire, arising out of the ownership, maintenance, control, or use of a motor vehicle, trailer, or semi-trailer in the amount of ten thousand dollars because of bodily injury or death to any one person, and subject to said limit respecting one person, in the amount of twenty thousand dollars because of bodily injury to or death to two or more persons in any one accident, and in the amount of five thousand dollars because of injury to and destruction of property in any one accident. Whenever required under this chapter such proof in such amounts shall be furnished for each motor vehicle, trailer, or semi-trailer registered by such person.

**4. Waiving Requirements; Reciprocity.** Amend section 9 of chapter 122 of the Revised Laws as amended by section 2, chapter 85, Laws of 1943, (section 9, chapter 268, RSA) by inserting at the end thereof the following paragraphs: I. The commissioner may waive the requirements of filing proof of financial responsibility and certificates at any time after seven years duration from the date of accident involvement or conviction requiring such proof, provided the commissioner has not received further record of conviction, accident involvement, forfeiture of bail, unsatisfied judgment or other evidence which would require the continuance of such furnishing of proof of financial responsibility and certificates. II. **Reciprocity.** Upon receipt of notice or certification that the operating privilege and/or the privilege to have operated any motor vehicle registered to a resident of this state has been suspended or revoked in any other state, pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident,

or failure to maintain proof of financial responsibility in the future; under circumstances which would allow the commissioner to suspend a non-resident's operating privilege had the accident or conviction occurred in this state, the commissioner may suspend or revoke the license and/or registration of such resident. Such suspension or revocation shall continue until such resident furnishes evidence of compliance with the law of such other state.

**5. Non-residents.** Amend section 14 of chapter 122 of the Revised Laws (section 14, chapter 268, RSA) by adding at the end thereof the following new paragraph: I. When a non-resident's privilege of operating a motor vehicle and/or the privilege to have any vehicle registered to such individual operated in New Hampshire is suspended under the provisions of this chapter, the commissioner shall transmit a copy of the record of such action to the official in charge of the issuance of licenses and registrations in the state in which such non-resident resides, if the law of such state provides for action in relating thereto similar to that provided for in this chapter.

**6. Takes Effect.** This act shall take effect on all new policies written after October 15, 1955.

[Approved April 16, 1955.]

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## CHAPTER 77.

### AN ACT RELATIVE TO COMPENSATION OF APPEAL TRIBUNAL AND ADVISORY COUNCIL MEMBERS UNDER THE UNEMPLOYMENT COMPENSATION LAW.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Unemployment Compensation.** Amend subsection D of section 5 of chapter 218 of the Revised Laws, as amended by section 10, chapter 185 of the Laws of 1949 and section 8, chapter 140 of the Laws of 1951, (subsection D, section 5, chapter 282, RSA) by striking out the word "fifteen" and inserting in place thereof the word, twenty, so that said subsection as amended shall read as follows: **D. Appeal Tribunals.** To hear and decide disputed claims, the director

shall appoint one or more impartial appeal tribunals consisting in each case of either a salaried examiner, or a body consisting of three members, one of whom shall be a salaried examiner, who shall serve as chairman, one of whom shall be a representative of employers and the other of whom shall be a representative of employees; each of the latter two members shall serve at the pleasure of the director and be paid a fee of not more than twenty dollars per day of active service on such tribunal plus necessary expenses. No person shall participate on behalf of the director in any case in which he is an interested party. The director may designate alternates to serve in the absence or disqualification of any member of an appeal tribunal. The chairman shall act alone in the absence or disqualification of any other member and his alternates. In no case shall the hearings proceed unless the chairman of the appeal tribunal is present.

**2. Compensation of Members.** Amend subsection L of section 9 of said chapter 218, as inserted by section 21, chapter 59 of the Laws of 1947, and as amended by section 7, chapter 209 of the Laws of 1953, (subsection R, section 9, chapter 282, RSA) by striking out the word "fifteen" and inserting in place thereof the word, twenty, so that said subsection as amended shall read as follows: **L. Advisory Council.** There is hereby created within the unemployment compensation bureau an advisory council on unemployment compensation, hereinafter called the advisory council. The advisory council shall consist of seven members to be appointed upon recommendations of the director by the governor with the consent and advice of the governor's council. Three of the appointees of this advisory council shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employers; three shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employees; the remaining appointee, who shall be designated as chairman, shall be a person whose training and experience qualify him to deal with the problems of unemployment compensation. Such advisory council shall aid the director in formulating policies and discussing problems related to the administration of this chapter and in assuring impartiality and freedom from political influence in the solution of such problems.

The term of office of each member of the advisory council shall be three years and until his successor is appointed and qualified. Provided that the first appointments hereunder shall be for the following terms: The chairman, one employer representative and one employee representative, for a term of three years; one employer representative and one employee representative, for a term of two years; one employer representative and one employee representative, for a term of one year. As these appointments expire, all appointments shall be for three-year terms. In the event of a vacancy in the membership of said council, the appointment shall be made in the same manner and for the unexpired term.

Each member of the advisory council shall be paid a fee of twenty dollars per day, for each day of actual attendance at called meetings of the advisory council, and shall also be reimbursed for necessary travel and other necessary expenses.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 78.

### AN ACT RELATIVE TO FIELD TRIALS FOR DOGS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Coon Dogs.** Amend section 12 of chapter 241 of the Revised Laws (section 13, chapter 207, RSA) by inserting after the words "ten dollars" in the fifth line the words, except that the fee shall be two dollars for field trials for coon dogs, so that said section as amended shall read as follows: **12. Field Trials.** Field trials for dogs may be held at such times, in such manner, and under such restrictions, as may be prescribed by the director. Any person wishing to hold a field trial shall first obtain a written permit from the person on whose land it is proposed to hold the trial, present the same to the director, and pay a fee of ten dollars, except that the fee shall be two dollars for field trials for coon dogs. The director may thereupon issue a permit for such field trial. The director, or his

duly authorized agent, shall supervise the holding of such field trial and enforce the terms of the permits therefor, and the rules and regulations for the conduct thereof. The director shall adopt such rules and regulations for the conduct of field trials as in his opinion are necessary to safeguard the interests of the wild life of the state.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 79.

AN ACT RELATIVE TO THE DEFINITION OF GROUP LIFE INSURANCE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Group Life Insurance.** Amend section 14-a of chapter 327 of the Revised Laws, as inserted by chapter 175 of the Laws of 1947, (section 15, chapter 408, RSA) by adding at the end thereof the following: (5) A policy issued to any non-profit industrial association (to be deemed the policyholder) in existence for a period of at least ten years and organized for purposes other than obtaining insurance, subject to the following requirements:

(a) If two or more members of the association, or any class or classes of members thereof determined by conditions pertaining to insurance, elect to insure their employees or any class or classes of employees determined by conditions pertaining to employment; and

(b) The total number of insured employees must not be less than six hundred, and

(c) The insurance premiums are paid by such members to the association; each member, in so far as applicable to his own employees, may collect part of the premium from insured employees; and the method of apportionment of the premium payment between himself and his employees may be varied as among individual members; and

(d) Not less than seventy-five per cent of the eligible employees of each participating member may be insured where



the employees pay a part of the premium. The word "employees" as used in this subsection shall also include the individual members and employees of such association, so that said section as amended shall read as follows:

**14-a. Definition.** No policy of group life insurance shall be issued or delivered in this state unless it conforms to one of the following descriptions:

(1) A policy issued to an employer, or to the trustees of a fund established by an employer, which employer or trustees shall be deemed the policyholder, to insure employees of the employer for the benefit of persons other than the employer, subject to the following requirements:

(a) The employees eligible for insurance under the policy shall be all of the employees of the employer, or all of any class or classes thereof determined by conditions pertaining to their employment. The policy may provide that the term "employees" shall include the employees of one or more subsidiary corporations, and the employees, individual proprietors, and partners of one or more affiliated corporations, proprietors or partnerships if the business of the employer and of such affiliated corporations, proprietors or partnerships is under common control through stock ownership, contract, or otherwise. The policy may provide that the term "employees" shall include the individual proprietor or partners if the employer is an individual proprietor or a partnership. The policy may provide that the term "employees" shall include retired employees.

(b) The premium for the policy shall be paid by the policyholder, either wholly from the employer's funds or funds contributed by him, or partly from such funds and partly from funds contributed by the insured employees. No policy may be issued on which the entire premium is to be derived from funds contributed by the insured employees. A policy on which part of the premium is to be derived from funds contributed by the insured employees may be placed in force only if at least seventy-five per cent of the then eligible employees, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, elect to make the required contributions. A policy on which no part of the premium is to be derived from funds contributed by the insured employees, must insure all

eligible employees, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy must cover at least twenty-five employees at date of issue.

(d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the employees or by the employer or trustees. No policy may be issued which provides insurance on any employee which together with any other insurance under any group life insurance policy or policies issued to the employer or to the trustees of a fund established in whole or in part by the employer exceeds twenty thousand dollars.

(2) A policy issued to a creditor, who shall be deemed the policyholder, to insure debtors of the creditor, subject to the following requirements:

(a) The debtors eligible for insurance under the policy shall be all of the debtors of the creditor whose indebtedness is repayable in installments, or all of any class or classes thereof determined by conditions pertaining to the indebtedness or to the purchase giving rise to the indebtedness. The policy may provide that the term "debtors" shall include the debtors of one or more subsidiary corporations, and the debtors of one or more affiliated corporations, proprietors or partnerships if the business of the policyholder and of such affiliated corporations, proprietors or partnerships is under common control through stock ownership, contract, or otherwise.

(b) The premium for the policy shall be paid by the policyholder, either from the creditor's funds, or from charges collected from the insured debtors, or from both. A policy on which part or all of the premium is to be derived from the collection from the insured debtors of identifiable charges not required of uninsured debtors shall not include, in the class or classes of debtors eligible for insurance, debtors under obligations outstanding at its date of issue without evidence of individual insurability unless at least seventy-five per cent of the then eligible debtors elect to pay the required charges. A policy on which no part of the premium is to be derived from the collection of such identifiable charges must insure all eligible debtors, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy may be issued only if the group of eligible debtors is then receiving new entrants at the rate of at least one hundred persons yearly, or may reasonably be expected to receive at least one hundred new entrants during the first policy year, and only if the policy reserves to the insurer the right to require evidence of individual insurability if less than seventy-five per cent of the new entrants become insured.

(d) The amounts of insurance on the life of any debtor shall at no time exceed the amount owed by him which is repayable in installments to the creditor, or ten thousand dollars, whichever is less.

(e) The insurance shall be payable to the policyholder. Such payment shall reduce or extinguish the unpaid indebtedness of the debtor to the extent of such payment.

(3) A policy issued to a labor union, which shall be deemed the policyholder, to insure members of such union for the benefit of persons other than the union or any of its officials, representatives or agents, subject to the following requirements:

(a) The members eligible for insurance under the policy shall be all of the members of the union, or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the union, or both.

(b) The premium for the policy shall be paid by the policyholder, either wholly from the union's funds, or partly from such funds and partly from funds contributed by the insured members specifically for their insurance. No policy may be issued on which the entire premium is to be derived from funds contributed by the insured members specifically for their insurance. A policy on which part of the premium is to be derived from funds contributed by the insured members specifically for their insurance may be placed in force only if at least seventy-five per cent of the then eligible members, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, elect to make the required contributions. A policy on which no part of the premium is to be derived from funds contributed by the insured members specifically for their insurance must insure all eligible members, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy must cover at least twenty-five members at date of issue.

(d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members or by the union. No policy may be issued which provides insurance on any union member which together with any other insurance under any group life insurance policies issued to the union exceeds twenty thousand dollars.

(4) A policy issued to the trustees of a fund established by two or more employers in the same industry or by two or more labor unions, which trustees shall be deemed the policyholder, to insure employees of the employers or members of the unions for the benefit of persons other than the employers or the unions, subject to the following requirements:

(a) The persons eligible for insurance shall be all of the employees of the employers or all of the members of the unions, or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the unions, or to both. The policy may provide that the term "employees" shall include the individual proprietor or partners if an employer is an individual proprietor or a partnership. The policy may provide that the term "employees" shall include the trustees or their employees, or both, if their duties are principally connected with such trusteeship. The policy may provide that the term "employees" shall include retired employees.

(b) The premium for the policy shall be paid by the trustees wholly from funds contributed by the employers of the insured persons. The policy must insure all eligible persons, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy must cover at least one hundred persons at date of issue.

(d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the insured persons or by the policyholder, employers, or unions. No policy may be issued which provides insurance on any person which together with any other insurance under any group life insurance policy or policies issued to the employers or any of them, or to the trustees of a fund established in whole or in part by the employers or any of them, exceeds twenty thousand dollars.

(5) A policy issued to any non-profit industrial association (to be deemed the policyholder) in existence for a period of at least ten years and organized for purposes other than obtaining insurance, subject to the following requirements:

(a) If two or more members of the association, or any class or classes of members thereof determined by conditions pertaining to insurance, elect to insure their employees or any class or classes of employees determined by conditions pertaining to employment; and

(b) The total number of insured employees must not be less than six hundred, and

(c) The insurance premiums are paid by such members to the association; each member, in so far as applicable to his own employees, may collect part of the premium from insured employees; and the method of apportionment of the premium payment between himself and his employees may be varied as among individual members; and

(d) Not less than seventy-five per cent of the eligible employees of each participating member may be insured where the employees pay a part of the premium. The word "employees" as used in this subsection shall also include the individual members and employees of such association.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 80.

### AN ACT RELATING TO REPORTS OF REGISTER OF DEEDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Register of Deeds.** Amend section 12 of chapter 49 of the Revised Laws as amended by chapter 255 of the Laws of 1949 (section 14, chapter 478, RSA) by inserting after the words "the register shall" in the fifth line the words, upon request, so that said section as amended shall read as follows:

**12. List of Conveyances for Tax Purposes.** Every register shall send to the selectmen of each town in his county, between

the first and fifth days of April in each year, a list of all deeds, mortgages, and other conveyances of real estate which have been recorded in the registry during the preceding tax year; and the register shall, upon request, send a similar list of conveyances to the assessors of each city in his county quarterly, each year, between the first and fifth days of January, the first and fifth days of April, the first and fifth days of July and the first and fifth days of October.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 81.

AN ACT RELATING TO THE USE OF FACSIMILE SIGNATURES IN THE DRAWING OF CHECKS BY THE TREASURERS OF PUBLIC BODIES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Negotiable Instruments.** Amend chapter 366 of the Revised Laws (chapter 337, RSA) by inserting after section 18 the following new section: **18-a. Use of Facsimile Signatures.** Any drawee of a check, draft or other order for the payment of money, in addition to any other rights which it may have, may pay and charge to the account upon which it is drawn any such check, draft or other order which (1) bears on the part of the drawer a facsimile signature, as hereinafter defined, of the drawer or a person who has been authorized by the drawer to sign such checks, drafts or other orders, which is substantially similar to a specimen facsimile of the drawer's or such person's signature furnished by the drawer to the drawee, and (2) is invalid solely because such facsimile signature was affixed to such check, draft or other order without the authority of the person whose signature it is. Facsimile signature, as used in this section, shall mean any signature which has been imprinted or stamped by a facsimile signature machine, or any other machine or mechanical device for the reproduction of a signature.

**2. State Treasurer.** Amend chapter 22 of the Revised Laws (chapter 6, RSA) by inserting after section 6 the follow-

ing new section: **6-a. Facsimile Signature.** The state treasurer, whether acting as such or as custodian of or disbursing agent for any other fund, including the unemployment compensation fund and the unemployment compensation and employment service administration fund, without further authority than that contained in this section, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the state or any such other fund.

**3. Director of Employment Security.** Amend chapter 218 of the Revised Laws (chapter 282, RSA) by adding at the end thereof the following new section: **20. Facsimile Signature.** The director of employment security, without further authority than that contained in this section, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the unemployment compensation fund or the unemployment compensation and employment service administration fund.

**4. County Treasurer.** Amend chapter 48 of the Revised Laws (chapter 29, RSA) by inserting after section 2 the following new section: **2-a. Facsimile Signature.** The county treasurer or any other disbursing officer of a county, when authorized to do so by the county commissioners, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the county.

**5. City Treasurer.** Amend chapter 65 of the Revised Laws (chapter 48, RSA) by inserting after section 15 the following new section: **15-a. Facsimile Signature.** The city treasurer or any other disbursing officer of a city, when authorized to do so by the city council or board of aldermen, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the city.

**6. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

**CHAPTER 82.**

AN ACT RELATIVE TO WATER POLLUTION, RECLAMATION PROJECTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Water Pollution, Reclamation Projects.** Amend section 3, chapter 166-A, Revised Laws as inserted by chapter 183, Laws of 1947 (section 3, chapter 149, RSA) by inserting at the end thereof the following new paragraph: VI. Nothing contained herein shall be construed to prohibit, under such terms and conditions as the commission may direct, the use of rotenone or similar compounds by the fish and game department in the conduct of its program to reclaim the public waters of the state for game fishing.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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**CHAPTER 83.**

AN ACT ESTABLISHING PLANT AND SEED CERTIFICATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Plant and Seed Certification.** Amend the Revised Laws by inserting after chapter 223-A, as inserted by chapter 66, Laws of 1949, (chapter 343, RSA) the following new chapter:

**Chapter 223-B****Plant and Seed Certification**

**1. Definition.** The term "certified plants" and the term "certified seeds" used herein shall mean any variety of horticultural plants or seeds that have been inspected by the commissioner of agriculture, or his authorized agent, and found to be reasonably free from disease and true to name as specified in the rules and regulations issued by the commissioner of agriculture under the provisions hereof.

**2. Application for Inspection.** Any grower of plants or seeds approved by the commissioner of agriculture may make



application to the said commissioner for inspection and certification of his plant or seed crop under such rules and regulations as he may issue. The commissioner of agriculture, or his authorized agent, shall issue such certificates of inspection and designate or provide such official tags for marking certified plants or certified seeds and establish such standards of grade and quality as are necessary to safeguard the privileges and services provided for in this chapter.

**3. Acceptance for Certification.** Any variety of plant or seed entered for certification must first be approved by a plant and seed certification board, appointed by the commissioner of agriculture with the approval of the advisory board of the department.

**4. Prohibitions.** No person in connection with the sale of plants or seeds shall use the term "certified" or any similar term which may tend to convey that the same has been certified hereunder, either orally or on tags, containers or labels or in advertising unless said plants or seeds have been inspected and certified hereunder.

**5. Rules and Regulations.** The commissioner of agriculture is hereby authorized to make all necessary rules and regulations and establish such fees as are necessary to carry out the provisions hereof.

**6. Penalties.** Any person, co-partnership, association or corporation, and any officer, agent, servant or employee thereof violating any of the provisions hereof shall be fined not more than two hundred dollars for each offense. If any such person, co-partnership, association or corporation shall be twice convicted of a violation hereof, the commissioner of agriculture may prohibit him from marketing certified plants or seeds for a period of not less than two nor more than four years after such prohibition.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

**CHAPTER 84.****AN ACT RELATING TO THE TITLE TO UNLICENSED DOGS  
BY HUMANE SOCIETIES.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Humane Societies.** Amend chapter 180 of the Revised Laws (chapter 466, RSA) by inserting after section 22 the following new section: **22-a. Title to Unlicensed Dogs by Humane Societies.** Whenever an incorporated society for the prevention of cruelty to animals shall keep and maintain for ten consecutive days an unlicensed dog whose owner is unknown, full title to said unlicensed dog shall pass to said society at the end of said ten-day period, unless the owner of said dog shall, before the expiration of said period, cause said dog to be licensed and shall pay said society the sum of one dollar per day for each day said dog has been kept and maintained by said society.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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**CHAPTER 85.****AN ACT RELATIVE TO THE FEDERAL SOIL CONSERVATION  
AND DOMESTIC ALLOTMENT ACT.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Definitions.** When used in this chapter the following terms shall have the following meaning:

I. "Soil Conservation and Domestic Allotment Act" means Soil Conservation and Domestic Allotment Act enacted by the Congress of the United States, as amended.

II. "Secretary of Agriculture" means the secretary of agriculture of the United States.

III. "Department" means the department of agriculture of the state of New Hampshire.

IV. "Commissioner" means the commissioner of the department of agriculture of the state of New Hampshire.

**2. State Department of Agriculture to Administer.** In order to carry out the purposes of the soil conservation and domestic allotment act enacted by the Congress of the United States, the department of agriculture of the state of New Hampshire is hereby designated as the agency of the state of New Hampshire to administer any state plan authorized under this act which shall be approved by the secretary of agriculture of the United States for the state of New Hampshire pursuant to the provisions of said soil conservation and domestic allotment act.

**3. State Plan.** The department is hereby authorized, empowered and directed to formulate and submit to the secretary of agriculture, in conformity with the provisions of said soil conservation and domestic allotment act, a state plan for each year, beginning with the year 1956. It shall be the purpose of each such plan and each such plan shall be designed to promote such utilization of land and such farming practices as the department finds will tend, in conjunction with the operation of such other plans as may be approved for other states by the secretary of agriculture, to preserve and improve soil fertility; to promote the economic use and conservation of land; to diminish exploitation and wasteful and unscientific use of natural soil resources; to protect rivers and waterways against the results of soil erosion and aid in flood control; and to re-establish and maintain the ratio between the purchasing power of the net income per person on farms and that of the income per person not on farms, as defined in subsection (a) of section 7 of the soil conservation and domestic allotment act. Each such plan shall provide for adjustments and utilization of land, and in farming practices through agreements with producers or through other voluntary methods, and for benefit payments in connection therewith, and for such methods of administration not in conflict with any law of the state, and for such reports as the secretary of agriculture finds necessary for the effective administration of the plan, and for ascertaining whether the plan is being carried out according to its terms.

**4. Grants.** Upon the acceptance of each such plan by the secretary of agriculture and his approval thereof, the depart-

ment is authorized and empowered to accept and receive all grants of money made, pursuant to said soil conservation and domestic allotment act, for the purpose of enabling the state to carry out the provisions of such plan. All such moneys shall be paid into a special fund in the state treasury to be known as the soil conservation fund, which fund is hereby established. The appropriations made from such fund shall be available to the department for expenditures necessary in carrying out the plan, including administrative expenses, expenditures in connection with educational programs and research programs in aid of the plan, and for benefit payments, as provided in said appropriations.

**5. Powers and Duties.** In carrying out the provisions of this act and of each such plan, the department shall have power to designate administrative areas; to provide for the selection or election of local, county, and state committees of persons participating or cooperating in the plan; to employ such agents or agencies and to establish such agencies as it may find to be necessary; to cooperate with local and state agencies and with agencies of other states and of the federal government; to arrange with the University of New Hampshire for the conduct of such research and educational activities in connection with the formulation and operation of such plan as may appear advisable; to enter into agreements with producers and to provide by other voluntary methods for adjustment in the utilization of land and in farming practices, and for payments in connection therewith, in amounts which the department determines to be fair and reasonable. In carrying out each such plan, the department and the commissioner are authorized to delegate any of the powers herein conferred to such agency as may be designated by the commissioner and approved by the secretary of agriculture.

**6. Annual Report.** The department, in its annual report each year, shall cover the administration of such plan and the operations thereunder, including the expenditures of funds.

**7. Limitation.** The department shall have no authority to incur any obligation or liability against the state of New Hampshire under this act for the expenditure of funds other than the expenditure of funds payable from the soil conservation fund, pursuant to the appropriations made therefor.

8. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 86.

### AN ACT LICENSING BULK MILK COLLECTOR TANK DRIVERS AND CONCERNS OPERATING BULK MILK COLLECTION TANK ROUTES IN NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Receiving Stations.** Amend section 54 of chapter 194 of the Revised Laws (section 59, chapter 184, RSA) by inserting after the words "milk depots" in the third line thereof the words, bulk tank collector trucks, so that said section as amended shall read as follows: 54. **Definition.** The term receiving station as used in this subdivision shall include creameries, cheese factories, condensaries, receiving stations, milk depots, bulk tank collector trucks and processing plants for milk and cream.

2. **Milk Collections.** Amend chapter 194 of the Revised Laws (chapter 184, RSA) by adding after section 55 the following new section: 55-a. **Permit Required.** Any person who purchases milk from producers in this state using the bulk tank collector system of collecting milk shall procure from the commissioner a permit to operate each individual route.

3. **Weighers and Samplers' Licenses.** Amend chapter 194 of the Revised Laws (chapter 184, RSA) by adding after section 71 the following new section: 71-a. **Weighing of Milk.** Any person who weighs, measures, or samples a producer's milk for the purpose of determining the amount and quality of milk as a basis for paying for product purchased shall procure from the commissioner a license showing that the holder is competent and qualified to perform such work, the competency and qualifications of such weighers and samplers to be determined by examination by the state supervisor of dairy services or under his supervision.

4. **Fees.** Amend section 72 of chapter 194 of the Revised Laws, as amended by chapter 93 of the Laws of 1947 (section 77, chapter 184, RSA) by striking out said section and inserting in place thereof the following: **72. Rules and Regulations; Fees.** The commissioner may make rules and regulations governing the application for and the granting of such licenses and shall charge a fee of two dollars each for the same. Licenses issued hereunder shall be effective for a period of two years and be renewed biennially during the month of January. Licenses may be revoked by the commissioner if after due notice the licensee fails or has failed to comply with the law, rules and regulations under which the license was granted.

5. **Supervisor of Dairy Services.** Amend section 73 of chapter 194 of the Revised Laws as amended by chapter 93 of the Laws of 1947 (section 78, chapter 184, RSA) by striking out said section and inserting in place thereof the following: **73. Division of Dairy Service.** The commissioner shall, with the approval of the governor, appoint some person who is qualified for the position of supervisor of dairy services. The supervisor shall give full time in the performance of the duties, as deputy for the commissioner, as set forth in this subdivision and in other matters pertaining to promoting the dairy interests of the state.

6. **Present Licenses; Takes Effect.** Section 4 shall be effective as of December 31, 1955 and all licenses issued under the provisions of section 72 of chapter 194, Revised Laws, and outstanding as of the date of the passage of this act shall expire as of December 31, 1955. The remaining sections of this act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 87.

### AN ACT RELATIVE TO SALE OF PHEASANTS AND CHUKAR PARTRIDGE FOR RESALE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Pheasants and Chukar Partridge.** Amend chapter 246 of the Revised Laws (chapter 212, RSA) by inserting after

section 24 the following new section: **24-a. Sale of.** Pheasants and chukar partridge raised by any such license may be possessed, bought and sold for use as food, to hotels, restaurants, and food stores, provided, however, that there shall be attached to each pheasant or chukar partridge or part thereof so possessed, bought or sold a special tag, provided by the director at a nominal fee, which tag shall remain attached to the pheasant or chukar partridge or part thereof until immediately prior to cooking.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 18, 1955.]

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## CHAPTER 88.

### AN ACT TO AMEND THE RELIGIOUS CORPORATIONS LAW IN RELATION TO THE INCORPORATION OF ORTHODOX PARISHES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Voluntary Corporations.** Amend chapter 272 of the Revised Laws (chapter 292, RSA) by adding at the end thereof the following new subdivision:

#### **Orthodox Parishes**

**14. Application of Subdivision.** This subdivision applies to all churches, parishes, committees and other religious organizations governed by jurisdictions, archdioceses of any Orthodox Patriarchate, Synod or national church of the Orthodox Church (the One Holy Catholic and Apostolic Church), recognized by the apostolic historic Orthodox Patriarchates of Constantinople, Antioch, Moscow and Yugoslavia and in general to all churches, congregations, parishes, committees and other religious organizations founded or established with the intent and for the purpose of adhering to and maintaining the apostolic and historic communion, doctrine, discipline, canon law, tradition, worship and unity of the Orthodox Church.

**15. Application for Incorporation.** An unincorporated church, congregation, parish or any other religious organiza-

tion may apply to the appropriate hierarchy, archbishop, bishop or administrator for permission to incorporate under this article. When such permission has been granted in writing, it shall be attached to the certificate of incorporation.

**16. Articles of Agreement.** The articles of agreement shall be in the form provided by law for all religious corporations and must in addition recite therein that the purpose and intent of the corporation is to maintain, propagate, practice and forever perpetuate religious worship, services, sacraments and teachings in full accordance and unity with the doctrine, ritual, canon law, faith, practice, discipline, traditions and usages of the Orthodox Church and for the carrying out of the said purpose and intent to maintain a religious organization which will be adherent and obedient to the Orthodox ecclesiastical jurisdiction and authority and which shall recognize and remain subject to the duly appointed and canonical Orthodox hierarchy, archbishop, bishop or administrator appropriate for the Orthodox communicant members comprising the same.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 21, 1955.]

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## CHAPTER 89.

### AN ACT CONTINUING THE COMMISSION TO STUDY THE USE OF ASSIGNED TELEVISION CHANNELS FOR EDUCATIONAL PURPOSES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Commission Continued.** Amend section 2 of chapter 234 of the Laws of 1953 by striking out the word "two" in the second line and inserting in place thereof the word, four, so that said section as amended shall read as follows: **2. Term of Office.** Members shall be appointed to serve on the commission for four years or until its work is completed or as shall be determined by the governor.

**2. Change of Date.** Amend section 10 of chapter 234 of the Laws of 1953 by striking out said section and inserting in



place thereof the following: **10. Reports.** The commission shall work under the general direction of the governor and shall make periodic reports to the legislative council. The commission shall make a final report to the legislative council on or before October 30, 1956 which shall include recommendations for appropriate legislation for submission to the 1957 session of the general court.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 90.

### AN ACT PROVIDING FOR THE APPLICATION OF MOTOR VEHICLE LAWS ON HIGHWAYS ON LAND OWNED BY THE UNITED STATES OF AMERICA.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Motor Vehicle Laws.** Amend chapter 115 of the Revised Laws (chapter 259, RSA) by adding at the end thereof a new section: **16. Highways on Government Owned Land.** All provisions of law and city or town ordinances relating to motor vehicles shall be in force on any "way" as defined in paragraph XXXIV, section 1 of chapter 115 of the Revised Laws, or any street, road or public passageway for motor vehicles established by the United States of America, located on land in this state owned in the name of the United States of America, or any department or agency thereof, in which the state of New Hampshire, or a political subdivision thereof, has retained its civil and criminal jurisdiction or concurrent civil and criminal jurisdiction on such land.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

**CHAPTER 91.****AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE  
WATERS IN GRAFTON COUNTY.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of 1950 (chapter 149, RSA) as follows:

I. All the surface waters within the watershed tributary to the east bank of the Pemigewasset River, between Horner Brook and Willow Brook, inclusive, in the towns and places of Lincoln, Woodstock, Livermore, Thornton, and Waterville, from their sources to confluence with the Pemigewasset River, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved April 26, 1955.]

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**CHAPTER 92.****AN ACT TO PROVIDE COVERAGE FOR CERTAIN CIVILIAN EMPLOYEES  
OF THE NATIONAL GUARD UNDER THE OLD AGE AND  
SURVIVORS INSURANCE PROVISION OF TITLE II  
OF THE FEDERAL SOCIAL SECURITY ACT,  
AS AMENDED.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Civilian Employees.** Amend paragraph III of section 2 of chapter 234 of the Laws of 1951 (section 2, chapter 101, RSA) by striking out said paragraph and inserting in place thereof the following: III. The term "employee" includes an official or officer of this state or political subdivision thereof; and for the purposes of this chapter, civilian employees of the national guard of this state who are employed pursuant to section 90 of the national defense act of June 3, 1916 (32 U.S.C., sec. 42) and paid from funds allotted to the such units

by the department of defense, shall be deemed to be employees of the state and shall be deemed to be a separate coverage group.

**2. Cost of Administration.** Amend section 7 of chapter 234 of the Laws of 1951 (section 7, chapter 101, RSA) by adding at the end thereof the following sentence: The pro-rata share of the cost of administration attributable to the coverage hereon of the civilian employees of the national guard described in paragraph III of section 2 shall be a charge against the appropriation for the adjutant-general, so that said section as amended shall read:

**7. Administration.** For the purpose of providing funds for the cost of administering the provisions of this act the state agency is hereby authorized to certify to each division of the state or to any political subdivision which has adopted the provisions of this act a pro-rata share of the cost of administration of this act by the state agency based upon the number of members of said state division or political subdivision coming within the provisions of this act. The contributions payable by employers whose employees participate in the system provided for hereunder shall include the pro-rata share of the cost of administration provided for herein and the amounts so certified shall be a charge against said employer. The pro-rata share of the cost of administration attributable to the coverage hereon of the civilian employees of the national guard described in paragraph III of section 2 shall be a charge against the appropriation for the adjutant-general.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 93.

AN ACT RELATING TO SATISFACTION OF JUDGMENTS BY MOTOR  
VEHICLE OWNERS AND OPERATORS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Motor Vehicle Financial Responsibility.** Amend section 5 of chapter 122 of the Revised Laws as amended by section 1,

chapter 85, Laws of 1943 and section 1, chapter 66, Laws of 1951 (section 5, chapter 268, RSA) by adding at the end thereof the following new paragraph: VII. Notwithstanding the provisions of section 7 of this chapter or any determination previously made by the commissioner under this section, the commissioner, upon receipt of satisfactory evidence that there is an unsatisfied judgment against any owner or operator required by section 19 of chapter 118 to report an accident which judgment was rendered in an action for damages to property or for personal injuries arising out of said accident, shall, until said owner or operator or both shall have satisfied said judgment to the extent required by section 10 of this chapter, suspend the license and registration certificate and registration plates, if any, of said operator and owner.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 94.

### AN ACT RELATING TO REPEAL OF MOTOR VEHICLE LIABILITY BOND PROVISIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Motor Vehicles, Financial Responsibility, Motor Vehicle Liability Bond.** Paragraph VIII of section 1 of chapter 122 and section 17 of chapter 122 of the Revised Laws are hereby repealed.

**2. Procedure.** Amend paragraph IV of section 5 of chapter 122 as inserted by chapter 66 of the Laws of 1951 (section 5, chapter 268, RSA) by striking out the words "or bond" in the third, fourth and seventh lines thereof so that said paragraph as amended shall read as follows: IV. Within fifteen days after the receipt of notice of such accident, the insurance carrier or surety company which issued such policy shall notify such commissioner in such manner as he may require in case such policy was not in effect at the time of such accident. If no such notification is received within such fifteen days, such

commissioner may assume that such a policy was in effect at the time of the accident.

**3. Surety.** Amend paragraph VI of section 5 of chapter 122 of the Revised Laws as inserted by section 2 of chapter 66 of the Laws of 1951 (section 5, chapter 268, RSA) by striking out the words "or bond" in the first, sixth, seventh, thirteenth and fourteenth lines thereof so that said paragraph as amended shall read as follows: VI. No such policy shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this state, except that if such motor vehicle was not registered in this state, or was a motor vehicle which was registered elsewhere than in this state at the effective date of the policy or the most recent renewal thereof, such policy may be accepted from an insurance company or surety company not authorized to do business in this state if it shall be approved by the insurance commissioner of this state and shall execute a power of attorney authorizing the commissioner of motor vehicles to accept service on its behalf of notice or process in any action involving such policy arising out of such accident; provided, however, every such policy shall provide the same degree of security as required by this chapter.

**4. Damages.** Amend paragraph V of section 16 of chapter 122 of the Revised Laws (section 16, chapter 268, RSA) by striking out the words "or a motor vehicle liability bond, as defined in section 1" in the third line thereof and by striking out the words "or bond" in the sixth, seventh and ninth lines thereof so that said paragraph as amended shall read as follows: V. Damages shall not be assessed except by special order of the court in an action of tort, payment of the judgment wherein is secured by a motor vehicle liability policy, and wherein the defendant has been defaulted for failure to enter an appearance until the expiration of thirty days after the plaintiff has given notice of such default to the company issuing or executing such policy and has filed an affidavit thereof. Such notice may be given by mailing the same, postage prepaid, to the said company or to its agent who issued or executed such policy. Upon receipt of information and having become satisfied that the insured has failed to comply with the terms of his policy in regard to notice to the company of an accident,

the commissioner shall revoke his license and registration for such period as the commissioner shall determine.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 95.

### AN ACT RELATIVE TO PREREQUISITES FOR BURIAL PERMITS AND PREPARATION OF DEATH CERTIFICATES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Burial Permits.** Amend section 54 of chapter 168 of the Revised Laws (section 8, chapter 290, RSA) by striking out the first sentence and inserting in place thereof the following: No such permit shall be issued until there has been delivered to the board a satisfactory written statement containing the facts required by section 46 hereof, together with the certificate of the attending physician, or the medical referee, so that said section as amended shall read as follows: **54. Prerequisite.** No such permit shall be issued until there has been delivered to the board a satisfactory written statement containing the facts required by section 46 hereof, together with the certificate of the attending physician, or the medical referee. Upon the receipt of such statement and certificate, the board shall forthwith countersign the same and transmit it to the city clerk for registration.

**2. Burials.** Amend section 46 of chapter 168, Revised Laws, as amended by section 4, chapter 98, Laws of 1949 (section 1, chapter 290, RSA) by inserting after the first sentence the following: The cause, or causes of death shall be printed or typed on all certificates required to be furnished under this section, so that said section as amended shall read as follows: **46. Death Certificates.** Whenever a person shall die, or a stillborn child shall be brought forth, the physician attending at the last sickness or bringing forth shall fill out and deliver to the funeral director, or to the town clerk, a certificate, duly signed, setting forth, as far as may be, the

facts required by rules of the state department of health as provided in chapter 337. The cause, or causes of death shall be printed or typed on all certificates required to be furnished under this section.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 96.

### AN ACT RELATIVE TO MEMBERSHIP OF THE WATER POLLUTION COMMISSION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Water Pollution Commission.** Amend paragraph I of section 2, chapter 166-A, Revised Laws, as inserted by chapter 183, Laws of 1947 (paragraph I, section 2, chapter 149, RSA) by striking out the word "executive" in the eighth line and inserting in place thereof the word, planning, so that said paragraph as amended shall read as follows: I. There is hereby created a commission to be known as the New Hampshire Water Pollution Commission which shall consist of one member to be appointed by the governor with the consent of the council for a term of six years, who shall act as chairman of said commission; the state health officer; the director of the fish and game department; the director of the division of recreation of the forestry and recreation department; the planning director of the planning and development commission; one of the commissioners of the public service commission to be named by the governor with the consent of the council; the chairman of water resources board; three members-at-large, two of whom shall represent the industrial interests of the state and the other an employee of any municipal or private water works of the state. The director of the division of sanitary engineering of the state department of health shall act as technical secretary without voting powers or privileges. The members-at-large shall be appointed by the governor with the consent of the council, and each shall hold office for a term of six years and until his successor shall be appointed and qualified; pro-

vided that the original appointments shall be one for a term of two years, one for a term of four years and one for a term of six years. The members-at-large shall receive no compensation for their services but shall receive necessary traveling and other expenses while engaged in actual work of the commission. The other members of the commission shall receive no additional compensation for their services as members of this commission other than their regular salaries or per diem expenses from their respective state departments, but shall receive their necessary traveling and other expenses while engaged in actual work of the commission, which said expenses shall be paid from the appropriations of this commission.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 97.

### AN ACT RELATIVE TO TAKING OTTER DURING SPECIAL OPEN SEASON FOR TAKING BEAVER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Fur-bearing Animals.** Amend section 1 of chapter 244 of the Revised Laws (section 1, chapter 210, RSA) as amended by chapter 65, Laws of 1955, by striking out said section and inserting in place thereof the following: **1. Otter, Mink, etc.** Otter, mink, skunk, or muskrat may be taken and possessed from November first to February first. In addition to the above open season otter may be taken and possessed at any time when and any place where the director has declared an open season as provided in section 6.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]



**CHAPTER 98.**

AN ACT RELATIVE TO WORKMEN'S COMPENSATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Notice of Claim.** Amend section 14, chapter 216 of the Revised Laws as inserted by section 1, chapter 266, Laws of 1947 (section 16, chapter 281, RSA) by striking out the words "six months" in the eighth, tenth and thirteenth lines and inserting in place thereof the words, ninety days, so that said section as amended shall read as follows: **14. Notice of Claim.** No proceedings for compensation, other than medical, hospital services, other remedial care, or property damage as provided in the following sections, shall be maintained unless notice of the accident as hereinafter provided has been given to the employer as soon as practicable after the happening thereof, and before the workman has voluntarily left the employment in which he was injured, and within ninety days from the occurrence of the accident; or in case of the death of the workman, or in the event of his physical or mental incapacity, within ninety days after such death or the removal of such physical or mental incapacity; or, in the event that weekly payments have been made hereunder, within ninety days after such payments have ceased.

**2. Contents.** Amend section 16 of said chapter 216 (section 18, chapter 281, RSA) by inserting after the word "accident" in the first line the words, in writing on blanks to be approved by the commissioner of labor, so that said section as amended shall read as follows: **16. Contents.** Notice of the accident in writing on blanks to be approved by the commissioner of labor shall apprise the employer of the claim for compensation hereunder, and shall state the name and address of the workman injured, and the date and place of the accident.

**3. Compensation for Death.** Amend the first paragraph of section 20 of said chapter 216, as amended by chapter 202, Laws of 1949, chapter 74, Laws of 1951 and chapter 69, Laws of 1953 (section 22, chapter 281, RSA) by striking out said paragraph and inserting in place thereof the following: If death results from the injury, the employer shall pay to, or for the dependent or dependents of the deceased employee, as de-

fined in section 1, for a period not to exceed three hundred and forty-one weeks, a weekly compensation equal to sixty-six and two-thirds per cent of the deceased employee's average weekly wages, but not less than twenty nor more than thirty-three dollars per week unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week, in which case the compensation shall be the full amount of said average weekly wages; provided that the total amount payable on account of a single death shall not exceed the sum of eleven thousand two hundred and fifty dollars. Any weekly payments made under sections 21, 23, or 24 shall be deducted from the total period of three hundred and forty-one weeks and the maximum of eleven thousand two hundred and fifty dollars.

**4. Compensation for Death.** Amend paragraph IV of said section 20 by striking out the word "three" in the second line and inserting in place thereof the word, five, so that said paragraph as amended shall read as follows: IV. If the deceased employee leaves no dependents, the employer shall pay the expenses of burial not exceeding five hundred dollars.

**5. Compensation for Temporary Total Disability.** Amend section 21 of said chapter 216, as amended by section 2, chapter 202, Laws of 1949 and section 2, chapter 69, Laws of 1953 (section 23, chapter 281, RSA) by striking out the word "ten" in the eighth and eleventh lines and inserting in place thereof the word, twelve; further amend by striking out the word "nineteen" in the fourteenth and seventeenth lines and inserting in place thereof the word, forty-one, so that said section as amended shall read as follows: **21. Compensation for Temporary Total Disability.** Where the injury causes total disability for work at any gainful occupation the employer, during such disability, but not including the first seven days thereof, unless such disability continues for seven days or longer, shall pay the injured employee a weekly compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than twelve dollars nor more than thirty-three dollars per week, unless the injured employee's average weekly wages as defined herein are less than twelve dollars per week, in which case the compensation shall be the full amount of said average weekly wages. Payments shall not continue after the disability ends nor longer than three hundred and forty-one weeks, and in case the total disability be-

gins after a period of partial disability, the period of partial disability shall be deducted from such total period of three hundred and forty-one weeks.

**6. Compensation for Permanent Total Disability.** Amend section 22 of said chapter 216, as amended by section 2, chapter 74, Laws of 1951 and section 3, chapter 69, Laws of 1953 (section 24, chapter 281, RSA) by striking out said section and inserting in place thereof the following: **22. Compensation for Permanent Total Disability.** In case of the following injuries, the disability caused thereby shall be deemed total and permanent.

- I. Total and permanent loss of sight in both eyes;
- II. The loss of both feet at or above the ankle;
- III. The loss of both hands at or above the wrist;
- IV. The loss of one hand and one foot;

V. An injury to the spine resulting in permanent and complete paralysis of both legs or both arms, or of one leg and of one arm; and

VI. An injury to the skull resulting in incurable imbecility or insanity.

The above enumeration is not to be taken as exclusive. Compensation for permanent total disabilities shall be computed as provided in section 21, except that the minimum shall be not less than twenty dollars a week, unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week, in which case the compensation shall be the full amount of said average weekly wages. The total amount payable on account of one accident shall not exceed eleven thousand two hundred and fifty dollars.

**7. Compensation for Temporary Partial Disability.** Amend section 23 of said chapter 216, as amended by section 4, chapter 69, Laws of 1953 (section 25, chapter 281, RSA) by striking out the word "nineteen" in the tenth and thirteenth lines and inserting in place thereof the word, forty-one, so that said section as amended shall read as follows: **23. Compensation for Temporary Partial Disability.** Where the disability for work resulting from an injury is partial, the employer during such disability, but not including the first seven days thereof, unless such disability continues for seven days or longer, shall pay to the injured employee a weekly compensation equal to

sixty-six and two-thirds per cent of the difference between his average weekly wage before the injury and the average weekly wage which he is able to earn thereafter. Payments shall not continue after the disability ends, nor longer than three hundred and forty-one weeks, and in case the partial disability begins after a period of total disability, the period of total disability shall be deducted from such total period of three hundred and forty-one weeks.

**8. Compensation.** Amend section 24 of said chapter 216, as amended by section 1, chapter 75, Laws of 1951 and section 5, chapter 69, Laws of 1953 (section 26, chapter 281, RSA) by striking out said section and inserting in place thereof the following: **24. Permanent Partial Disability.** In case of disability partial in character but permanent in quality, compensation computed as provided in section 21, except that the minimum shall be not less than twenty dollars a week unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week, in which case the compensation shall be the full amount of said average weekly wages, shall be paid to the employee as follows:

I. Arm lost, two hundred fourteen weeks' compensation, plus for actual healing period not in excess of thirty-four weeks' compensation;

II. Hand lost, one hundred seventy-five weeks' compensation, plus for actual healing period not in excess of thirty-four weeks' compensation;

III. Thumb lost, fifty weeks' compensation, plus for actual healing period not in excess of twenty-six weeks' compensation;

IV. Index finger lost, thirty-one weeks' compensation, plus for actual healing period not in excess of nineteen weeks' compensation;

V. Middle finger lost, twenty-six weeks' compensation, plus for actual healing period not in excess of thirteen weeks' compensation;

VI. Ring finger lost, nineteen weeks' compensation, plus for actual healing period not in excess of nine weeks' compensation;

VII. Little finger lost, thirteen weeks' compensation, plus for actual healing period not in excess of nine weeks' compensation;

VIII. Leg lost, two hundred fourteen weeks' compensation, plus for actual healing period not in excess of forty-three weeks' compensation;

IX. Foot lost, one hundred fifty-one weeks' compensation, plus for actual healing period not in excess of thirty-four weeks' compensation;

X. Great toe lost, twenty-six weeks' compensation, plus for actual healing period not in excess of thirteen weeks' compensation;

XI. Toe other than great toe lost, ten weeks' compensation, plus for actual healing period not in excess of nine weeks' compensation;

XII. Eye lost, one hundred twenty-six weeks' compensation, plus for actual healing period not in excess of twenty-one weeks' compensation;

XIII. Loss of hearing in one ear, fifty-two weeks' compensation;

XIV. Loss of hearing in both ears, two hundred fourteen weeks' compensation;

XV. Compensation for the loss of more than one phalange of a digit shall be the same as for the loss of an entire digit. Compensation for the loss of the first phalange shall be one-half of the compensation for the loss of the entire digit;

XVI. Compensation for an arm or leg if amputated at or above the elbow or at or above the knee, shall be the same as for the loss of the arm or leg, but if amputated between the elbow and the wrist, or the knee and the ankle shall be the same as for the loss of hand or foot;

XVII. Compensation for loss of eighty per cent or more of the vision of an eye shall be the same as for the loss of an eye;

XVIII. Compensation for loss of two or more digits or one or more phalanges of two or more digits of a hand or foot, may be proportioned to the loss of use of hand or foot occasioned thereby, but shall not exceed the compensation for loss of hand or foot;

XIX. Compensation for permanent total loss of use of a member shall be the same as for the loss of the member; provided however that if amputation or surgery subsequently becomes necessary with respect to such member either because

of the original injury or because of a subsequent accident said employee shall be entitled to an additional healing period not to exceed that provided for loss of said member, provided further that said employee shall not be entitled to additional compensation for loss of said member;

XX. Compensation for permanent partial loss of use of a member shall bear such relation to the amounts stated in the preceding paragraphs as the disabilities bear to those produced by the injuries named in said paragraph; provided however that if amputation or surgery subsequently becomes necessary with respect to such member either because of the original injury or because of a subsequent accident said employee shall be entitled to an additional healing period not to exceed that provided in the case of loss of said member, provided further that said employee shall be entitled to additional compensation in an amount not exceeding the difference between the amount provided for loss of said member and the amount previously awarded under this paragraph;

XXI. Compensation for loss of less than one phalange of a digit shall be not less than one-quarter of the compensation for the entire digit;

XXII. In the event that an employee has been awarded compensation for loss of a member under this section and in the event that amputation or surgery becomes necessary, with respect to another member of which the original member was or is a component part, either because of the original injury or because of a subsequent accident said employee shall be entitled to an additional healing period not to exceed that provided for loss of the member with respect to which surgery or amputation is necessary; provided further that said employee shall be entitled to additional compensation in an amount not exceeding the difference between the amount originally awarded and the amount provided for loss of the member with respect to which amputation or surgery subsequently becomes necessary.

**9. Maximum Benefits, Limitation of.** Amend section 28 of said chapter 216, as amended by section 3, chapter 202, Laws of 1949, section 3, chapter 74, Laws of 1951, and section 6, chapter 69, Laws of 1953 (section 30, chapter 281, RSA) by striking out said section and inserting in place thereof the following: **28. Maximum Benefits.** In no case, except as

provided in sections 20, 22, 24, and 27, shall the weekly compensation payable under this chapter exceed sixty-six and two-thirds per cent of the average weekly wages, or exceed thirty-three dollars per week in amount, nor shall the total compensation exceed the sum of eleven thousand two hundred and fifty dollars, nor shall any payments, including medical, hospital services, and other remedial care under section 19, extend over a period of more than three hundred and forty-one weeks from the date of the injury.

**10. Hearings and Awards.** Amend section 35 of said chapter 216, as amended by section 1, chapter 277, Laws of 1949 (section 37, chapter 281, RSA) by striking out said section and inserting in place thereof the following: **35. Hearings and Awards.** If the compensation is not fixed by agreement, either party may petition for hearing and award in the premises to the commissioner of labor. When the petition for hearing and award in the premises is made by either party, said commissioner shall set a time and place for hearing and give at least fourteen days' notice thereof to the parties by giving notice in hand or by registered mail sent to his last known place of abode. At such hearing full consideration shall be given to all evidence which may be presented and within thirty days thereafter said commissioner shall make his award setting forth his findings of fact and the law applicable thereto, and shall forthwith send to each of the parties a copy of such award. Petition for hearing and award in the premises may be made by either party to the superior court, on appeal from an award made by the commissioner of labor, the venue to be according to civil actions in personam between the same parties, and the court shall set a time and place for hearing and order at least fourteen days' notice thereof to the parties. Such petition shall be filed within sixty days of the date of said commissioner's award. At such hearing a full trial shall be had before a justice of the superior court, without jury, and within thirty days thereafter the court shall make its award setting forth its findings of fact and the law applicable thereto, and the clerk of court shall forthwith send to each of the parties and to the commissioner of labor copies of such award.

**11. Modification of Awards and Agreements; Effect.** Amend section 38, of said chapter 216, as amended by section

4, chapter 277, Laws of 1949 (section 40, chapter 281, RSA) by striking out said section and inserting in place thereof the following: **38. Modification of Awards and Agreements; Effect.** Upon application of any party in interest upon the ground of change in the conditions, mistake as to nature or extent of injury or disability, fraud, undue influence or coercion, the commissioner of labor may, not later than one year after the date of the last payment fixed by the award, review said award, and upon such review, may make an order ending, diminishing or increasing the compensation previously awarded, subject to the maximum or minimum provided in this chapter and shall state his conclusions of fact and rulings of law. Such a review shall not affect such award as regards any money already paid. All procedure on such an application shall be the same as herein provided for original hearings. Appeal from the decision of the commissioner of labor to the superior court may be made in the same manner as provided in section 35.

**12. Takes Effect.** This act shall take effect as of July 1, 1955.

[Approved April 26, 1955.]

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## CHAPTER 99.

### AN ACT RELATIVE TO ANNUAL REPORTS BY SMALL LOAN LICENSEES AND THE ISSUANCE OF LICENSES FOR SMALL LOAN BUSINESS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Small Loans.** Amend section 14-a of chapter 319 of the Revised Laws, as inserted by chapter 217, Laws of 1949 (section 15, chapter 399, RSA) by striking out said section and inserting in place thereof the following: **14-a. Annual Report.** Every licensee shall file annually with the bank commissioner within thirty days after the last business day of June in each year a report under oath setting forth such relevant information as he reasonably may require concerning the condition of the business as of June thirtieth for each licensed place of business conducted by such licensee within the state. Among other



things, such report shall identify the licensee and licensed place of business and set forth a list of all the assets used and useful in conducting the business, both tangible and intangible, the gross income and expenses including all taxes for the year, the earnings of the year and the rate thereof in relation to all assets. The income and expenses may be reconciled to the surplus account. The report shall also set forth the number and dollar size of loans made during the year and outstanding at the beginning and end of the year; loans shall be classified by size and collateral; it shall require a summary of delinquency and seizure of chattels in use by the borrower and court actions shall be given. Such report shall be in the form prescribed by the commissioner who shall make and publish annually an analysis and recapitulation of such reports for the entire state.

**2. Small Loan Licenses.** Amend section 6 of chapter 319 of the Revised Laws (chapter 399, section 6, RSA) by striking out said section and inserting in place thereof the following:

**6. Issue and Denial.** Upon the filing of such application, the approval of said bond and the payment of said fee, the commissioner, if the applicant is safe, reliable and entitled to confidence and if the commissioner finds that allowing the applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted shall issue a license to the applicant to make loans in accordance with the provisions of this chapter. Such license shall not be assigned. If the commissioner shall not so find, he shall enter an order denying such application and forthwith notify the applicant of the denial, returning the license fee. Within ten days after the entry of such an order he shall put in writing his findings and a summary of the evidence supporting them and shall forthwith deliver a copy thereof to the applicant and retain the original thereof on file.

**3. Takes Effect.** This act shall take effect as of April 1, 1955.

[Approved April 26, 1955.]

**CHAPTER 100.**

AN ACT RELATIVE TO SPECIAL FISH AND GAME LICENSES FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Resident Members of the Armed Services.** Amend section 1 of chapter 103 of the Laws of 1953 (section 3, chapter 214, RSA) by striking out said section and inserting in place thereof the following: **1. Fish and Game Licenses.** Any resident of this state who is on regular active duty with any branch of the armed forces of the United States, may make application to the director of fish and game or his agent for a special license to hunt and fish. Such applicant shall submit satisfactory evidence of his membership in such service of the United States, and the director, or his agent, may in his discretion, issue to such applicant a special license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals, fish and salt water smelt, under the restrictions of Title XX of the Revised Laws, except as otherwise provided in this section. Such license shall have marked or stamped thereon the words "resident servicemen's license." There shall be no fee for such a license.

**2. Nonresident Members of the Armed Services.** Amend section 2 of chapter 103 of the Laws of 1953 (section 4, chapter 214, RSA) by striking out said section and inserting in place thereof the following: **2. Nonresidents.** Any nonresident who is on regular active duty with any branch of the armed forces of the United States who is quartered in the state, or who is a guest of a resident, may make application to the director or his agent for a special license to hunt and fish as provided in the preceding section for residents. Such license for a nonresident shall have marked or stamped thereon the words "nonresident servicemen's license" and the fee to be paid to the director or his agent for such license shall be the same as that for a regular resident combination hunting and fishing license.

**3. Takes Effect.** This act shall take effect on January 1, 1956.

[Approved April 26, 1955.]

## CHAPTER 101.

AN ACT RELATIVE TO EXCEPTIONS TO FOREIGN CORPORATIONS  
OPERATING MOTOR VEHICLES IN INTRASTATE COMMERCE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Addition to Exceptions.** Amend section 23 of chapter 289 of the Revised Laws (section 25, chapter 374, RSA) by adding at the end the words, or to any foreign corporation duly authorized by the Interstate Commerce Commission to operate motor vehicles for the carriage of passengers for hire in interstate commerce over the highways of this state which presently conducts or desires to conduct the business of transportation of passengers and/or baggage, mail, newspapers and express in the same vehicles with passengers for hire by motor vehicles in intrastate commerce, so that said section as amended shall read as follows: **23. Exceptions.** The provisions of the preceding section shall not apply to any corporation operating a public utility plant in this state on June 1, 1911, or doing or desiring to do an interstate business, or to any foreign corporation duly authorized by the Interstate Commerce Commission to operate motor vehicles for the carriage of passengers for hire in interstate commerce over the highways of this state which presently conducts or desires to conduct the business of transportation of passengers and/or baggage, mail, newspapers and express in the same vehicles with passengers for hire by motor vehicles in intrastate commerce.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 102.

AN ACT RELATIVE TO THE BAG LIMIT FOR HORNED POUT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Horned Pouts.** No person may take more than forty horned pouts between twelve o'clock noon in one day and

twelve o'clock noon of the following day, during the open season for taking horned pouts.

**2. Application of Statutes.** Except as otherwise provided under the provisions of section 1 hereof all provisions relative to taking horned pout under Title XX or regulations of the director of fish and game shall remain in force.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 103.

AN ACT RELATIVE TO NOMINATIONS FOR INCOMPATIBLE OFFICES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Primary Election.** Amend chapter 33 of the Revised Laws (chapter 56, RSA) by inserting after section 50 the following new section: **50-a. Limitation.** Any person who is nominated by the same political party for incompatible offices shall notify the secretary of state within six days from the publication of notice provided by section 48, which of said nominations he will accept. Thereupon the secretary of state shall declare a vacancy exists in the nomination for office said person has declined, which vacancy shall be filled as provided in section 52.

**2. Nominees.** Amend section 50 of chapter 33, Revised Laws (section 53, chapter 56, RSA) by inserting at the end thereof the words, except as otherwise provided in section 50-a, so that said section as amended shall read as follows: **50. Plurality.** Persons voted for at a primary, who receive a plurality of all the votes cast by a party, shall be candidates of that party for the office designated in the ballot, or the delegates of such party from their respective towns and wards, except as otherwise provided in section 50-a.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 27, 1955.]

## CHAPTER 104.

AN ACT RELATING TO THE RETURN DAY OF EXECUTIONS ISSUED  
BY THE SUPERIOR COURT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Executions, Returnable How.** Amend Revised Laws, chapter 399, section 2 (RSA, chapter 527, section 2) by striking out all after the words "made returnable", and by substituting therefor, at any return day within six months from date of issuance; so that as amended said section shall read:  
**2. When Returnable.** Executions issued by the superior court may be made returnable at any return day within six months from date of issuance.

**2. Subsequent Return Day.** Amend Revised Laws, chapter 399, section 4 (RSA, chapter 527, section 4) by striking out said section and inserting in place thereof the following: **4. Extension of Return Day.** The superior court, on application and notice to the debtor may order the return day of an execution issued by the court to be changed to any subsequent return day as justice may require; which order shall be recorded upon the clerk's record of the judgment and execution.

**3. Repeal, Takes Effect.** Section 3 of Revised Laws, chapter 399 (RSA, chapter 527, section 3) is hereby repealed and this act shall take effect upon its passage.

[Approved April 27, 1955.]

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CHAPTER 105.

AN ACT RELATIVE TO A SMALL GAME LICENSE FOR COOS COUNTY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Hunting Licenses.** Amend section 6 of chapter 247 Revised Laws (chapter 214, RSA) by inserting after paragraph III-a, as inserted by section 3, chapter 163, Laws of 1947, the following new paragraph: III-b. If the applicant is a nonresident and wishes to hunt game other than deer or bear, in Coos county, ten dollars and twenty-five cents, and

said agent shall thereupon issue a nonresident Coos county small game license which shall entitle a licensee to hunt, shoot, or take game, birds, and game animals, with the exception of deer and bear, during the month of October only.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 27, 1955.]

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## CHAPTER 106.

### AN ACT RELATIVE TO TROLLING WITH LARGER SPINNERS IN RECLAIMED TROUT PONDS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Fishing on Reclaimed Trout Ponds.** Amend chapter 245 of the Revised Laws (chapter 211, RSA) by inserting after section 37 the following new section: **37-a. Prohibited Devices.** No person shall use a spinner or spinners, total combined length of all blades not to exceed four inches, when trolling for fish in reclaimed trout ponds except in Back Lake in the town of Pittsburg and Mirror Lake in the town of Whitefield. Whoever violates any of the provisions of this section shall be fined twenty-five dollars and the director shall suspend his fishing license for a period of one year. The provisions of this section shall not be construed as affecting fly fishing in regular ponds.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 27, 1955.]

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## CHAPTER 107.

### AN ACT TO PROVIDE FOR NOTICE WHEN A HIGHWAY RUNNING BETWEEN TWO TOWNS IS DISCONTINUED.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Discontinuance of Highways.** Amend part 9 of chapter 90 of the Revised Laws, as inserted by chapter 188, Laws of

1945 (chapter 238, RSA) by inserting after section 1 the following new section: **1-a. Notice Required.** When any class IV, V or VI highway, which joins a highway in another town, has been discontinued by vote of the town the selectmen of the town wherein the highway has been so discontinued shall notify the selectmen of said adjoining town, by registered mail, of the fact of said discontinuance. Said notification shall be made within fifteen days after the action of discontinuance has been taken.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 27, 1955.]

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## CHAPTER 108.

### AN ACT RELATIVE TO JEOPARDY ASSESSMENT ON PERSONAL PROPERTY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Assessment of Taxes.** Amend chapter 77 of the Revised Laws (chapter 76, RSA) by inserting after section 7 the following new section: **8. Jeopardy Assessment.** Whenever it shall appear to the selectmen or assessors that the owner or the person to whom personal property is assessed may leave town or such taxable property may be removed from town before the regular list of property taxes and warrant is committed to the collector or otherwise not be available at such time, they may, after April first, make a reasonable jeopardy assessment of the taxes against the owner or person to whom such property is assessed and commit a warrant to the collector for the same, and the collector after making written demand for such taxes may immediately use any of the remedies provided by law to collect the taxes committed to him in such warrant. If it later appears that such jeopardy tax payment was in excess of the amount of taxes due the over plus together with six per cent interest from the time of payment to the time of refund shall be refunded to the person from whom the tax was collected. If such tax payment was insufficient to pay the normal tax later found to be due, then a

further assessment may be made and may be collected in the same manner as the original assessment.

**2. Takes Effect.** This act shall take effect as of April 1, 1955.

[Approved April 29, 1955.]

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## CHAPTER 109.

AN ACT RELATIVE TO GROSSLY CARELESS AND GROSSLY NEGLIGENT OPERATION OF MOTOR VEHICLES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Operation of Motor Vehicles.** Amend section 12 of chapter 118, Revised Laws, as amended by section 1, chapter 180, Laws of 1951 (section 15, chapter 262, RSA) by striking out the last sentence thereof, so that said section as amended shall read as follows: **12. Reckless Operating.** Whoever upon any way operates a vehicle recklessly, or so that the lives or safety of the public shall be endangered, or upon a bet, wager or race, or who operates a vehicle for the purpose of making a record, and thereby violates any of the provisions of this title or any special regulations made by the commissioner, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both; and for a second offense he shall be imprisoned not less than one month nor more than one year. If the death of any person results from the reckless operation of a motor vehicle the person convicted of such reckless operation shall, in lieu of any other penalty imposed by this section, be fined not more than one thousand dollars, or imprisoned not more than five years, or both, provided that the provisions of this section shall not be construed to limit or restrict prosecution for manslaughter.

**2. Grossly Careless Operation.** Amend chapter 118 of the Revised Laws by inserting after section 12 the following new section: **12-a. Grossly Careless or Grossly Negligent Operation.** Whoever upon any way operates a motor vehicle in a grossly careless or grossly negligent manner which said operation does not constitute reckless operation of a motor vehicle



and which does not result in the death of any person, shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both. Grossly careless or grossly negligent operation, for the purposes of this section shall be that manner of operation of a motor vehicle which, although short of wilful and intentional wrong, is marked by more want of care than simple inadvertence and is carelessness substantially and appreciably higher in magnitude than ordinary negligence or carelessness, or a high degree of indifference to the operator's duty.

**3. Penalties.** Amend section 13 of chapter 118, Revised Laws, as amended by section 2, chapter 180, Laws of 1951, and section 1, chapter 229, Laws of 1951 (section 16, chapter 262, RSA) by inserting after the figure "12" in the second line the figure, 12-a, and further amend said section by inserting after the word "convicted" in the sixth line the words, or the right of a nonresident so convicted to operate within the state of New Hampshire, so that said section as amended shall read as follows: **13. Revocation of License.** Upon a conviction of a violation of sections 12, 12-a or 16 the court or justice shall report to the commissioner, and may, for a conviction for grossly careless or grossly negligent operation, and shall, for conviction of any other violation under sections 12 or 16, immediately revoke the license of the person so convicted, or the right of a nonresident so convicted to operate within the state of New Hampshire, and said court or justice in the case of holders of New Hampshire licenses shall return such license with his findings marked thereon, together with the court return, to the commissioner; and the commissioner may revoke the license of any person who shall be convicted of a similar offense by a court of any other state.

**4. Return of License in Appealed Cases.** Amend section 14 of chapter 118, Revised Laws, as amended by section 2, chapter 180, Laws of 1951, and by section 2, chapter 229, Laws of 1951 (section 17, chapter 262, RSA) by inserting after the figure "12" in the second line the words and figure, or section 12-a, so that said section as amended shall read as follows: **14. Suspension.** Whenever any person convicted of a violation of section 12, or section 12-a, or section 16 appeals, the municipal court or justice may, in case of conviction for grossly careless or grossly negligent operation, and shall, in case of any other

convictions under said sections, forthwith suspend the license of such person, and in case of holders of New Hampshire licenses shall return such licenses, together with the court return, to the commissioner, who shall not reissue said license until such person is acquitted. If the person so appealing is convicted the period of suspension shall be computed from the date of the initial conviction.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved April 29, 1955.]

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## CHAPTER 110.

AN ACT RELATIVE TO REQUIREMENT FOR USE OF SO-CALLED MUD  
FLAPS ON CERTAIN MOTOR VEHICLES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Required Equipment.** Amend chapter 119 of the Revised Laws (chapter 263, RSA) by inserting after section 11 the following new section: **11-a. Flaps; Guards.** Every motor truck, bus, trailer, semi-trailer, operated in or upon any way, shall be equipped with suitable flaps or guards which will effectively reduce the throw, spray or splash to the rear, of water, dirt or other matter, caused by the rear wheels thereof. Such flaps or guards required shall be of a type and size prescribed and approved by the commissioner of motor vehicles.

**2. Takes Effect.** This act shall take effect ninety days after its passage.

[Approved April 29, 1955.]

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## CHAPTER 111.

AN ACT RELATIVE TO MEMBERS OF THE COUNTY CONVENTION  
WHO ARE NOT MEMBERS OF THE LEGISLATURE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. County Convention.** Amend chapter 44 of the Revised Laws by inserting after section 5-a as inserted by chapter 6

of the Laws of 1949 (chapter 24, RSA) the following new section: **5-b. Tie Votes.** If the candidates for office as a member of the county convention from any town which shall not then have a representative to the general court shall have an equal number of votes the question of the election shall be referred to the respective county convention which said convention shall have authority to determine the dispute.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 29, 1955.]

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## CHAPTER 112.

### AN ACT RELATIVE TO RETIREMENT SYSTEM FOR FIREMEN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Firemen.** Amend section 13 of chapter 220 of the Revised Laws as amended by section 2, chapter 220, Laws of 1949 (section 13, chapter 102, RSA) by striking out the words: "Upon the recommendation of his chief and the recommendation of the association that any permanent fireman, who has accepted this chapter, is capable of further rendering satisfactory service, the retirement board may extend the age of compulsory retirement for such fireman for five years," so that said section as amended shall read as follows: **13. Retirement.** No voluntary retirements hereunder may take place before July 1, 1942. Any permanent fireman who accepts the provisions hereof may retire from active service at the age of sixty provided he has served as a permanent fireman for a period of twenty years. All permanent firemen who accept the provisions hereof and who have served as permanent firemen for twenty years shall retire from active service at the age of seventy. Any permanent fireman accepting the provisions hereof and having served for twenty years, who shall be dismissed from service after having reached the age of sixty, shall be entitled to the benefits of this chapter. Upon retirement a permanent fireman shall no longer be obligated to pay assessments to the retirement fund. Call firemen who become permanent firemen may have one-half of their term of service

as call firemen counted as part of their term of service as permanent firemen, provided that the five years immediately preceding retirement shall have been permanent service. The probationary periods of permanent firemen shall be counted as part of their term of service.

**2. Age Limit.** Amend section 16-a of chapter 220, Revised Laws, as inserted by section 4, chapter 202, Laws of 1945, and as amended by section 5, chapter 54, Laws of 1947, (section 18, chapter 102, RSA) by striking out the word "twenty" in the third line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **16-a. Ordinary Disability; Medical Examination.** Upon the application to the retirement board of a member in active service, any member who has fifteen or more years of creditable service may be retired on an ordinary disability retirement allowance of one-half his average actual salary, based upon the total salary earned over the period of years of service beginning with the date of his application to the benefits hereof to the date of his retirement; provided that, the physician or physicians designated by the board certify that he is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that he should be retired. Once each year during the first years following the retirement of a member on a total and permanent disability, or ordinary disability retirement, and once in every three year period thereafter, the board may require any disability beneficiary, who has not attained age sixty-five, to undergo a medical examination by a physician or physicians designated by the board. If any disability beneficiary, who has not attained age sixty-five, refuses to submit to such medical examination, his retirement may be discontinued by the board, until his withdrawal of such refusal, and if his refusal continues for more than a year, all his rights in and to his pension may be revoked by the board. If the physician or physicians designated by the board report and certify that the disability beneficiary is again able to engage in fire duty, his retirement allowance shall be discontinued. On his reinstatement to active service his rate of assessment shall be the same as assessed against him previous to the date of his disability, and his period of disability shall be considered as part of continuous service. If the retirement board finds that any member re-

tired on an ordinary disability allowance under this section is engaged in a gainful occupation paying more than the difference between his annual retirement allowance and his final annual salary prior to retirement not in excess of twenty-five hundred dollars, then his disability shall be deemed to have diminished and his retirement allowance shall be reduced to an amount which, together with the amount then being earned by him, shall equal his final annual salary at retirement, as stated above. If his earnings from such gainful occupation are later changed, his retirement allowance may be further modified by the retirement board; provided however, that his retirement allowance shall at no time exceed the original grant nor an amount which when added to the amount being earned by him equals his final annual salary at retirement, as stated above.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 5, 1955.]

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## CHAPTER 113.

### AN ACT RELATIVE TO INHERITANCE TAXATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Inheritance Taxes.** Amend section 15-a of chapter 87 of the Revised Laws as inserted by section 3, chapter 144, Laws of 1945 (section 22, chapter 86, RSA) by striking out said section and inserting in place thereof the following: **15-a. Report of Gifts and Transfers.** Every executor and administrator shall within six months from the date of his appointment file with the appropriate register of probate and with the division of inheritance taxes, state tax commission, upon a form prescribed by that division, a report of the following so far as the same shall come to his knowledge:

I. A report of all transfers of real and personal property made by the decedent in contemplation of death or to take effect in possession or enjoyment at or after death.

II. A report of all transfers of real and personal property during the last two years of the decedent's life if the property

has a value of over five hundred dollars, except bona fide sales for a reasonable consideration in money or money's worth.

III. A report of all real and personal property held in joint tenancy by the decedent at the time of his death and the names and addresses of the survivors, if known.

2. **Gifts.** Amend chapter 87, Revised Laws, (chapter 86, RSA) by inserting after section 1 the following new section: **1-a. Rebuttable; Presumption.** Every deed, grant or completed gift, except in case of a bona fide transfer for reasonable consideration in money or money's worth, made within two years prior to the death of the grantor or donor, shall, prima facie, be deemed to have been made in contemplation of the death of the grantor or donor.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 5, 1955, 1:14 P. M. Daylight Saving Time.]

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## CHAPTER 114.

AN ACT RELATIVE TO THE TAXATION OF PERSONAL PROPERTY ON  
LAND OF ANOTHER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Taxation.** Amend chapter 74 of the Revised Laws, (chapter 73, RSA) by inserting after section 16 the following new section: **16-a. Personal Property on Land of Another.** Whenever any person leaves upon the real estate of another person, with such person's consent, any taxable personal property, the tax upon the same may be assessed to the owner of the land provided a selectman or assessor before or at the time of taking the invoice gives notice in writing to such land owner that such personal property is to be taxed to him. An affidavit by the selectman or assessor giving such notice that it was given shall be evidence of the fact. The owner of the land shall have a lien upon such personal property for the payment of the tax.

2. **Takes Effect.** This act shall take effect as of April 1, 1955.

[Approved May 5, 1955.]

## CHAPTER 115.

AN ACT RELATIVE TO COMPENSATION OF THE NEW HAMPSHIRE  
MEMBERS OF THE MAINE-NEW HAMPSHIRE INTERSTATE  
BRIDGE AUTHORITY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Bridge Authority.** Amend section 3 of chapter 86 of the Laws of 1937 by striking out the whole of said section and inserting in place thereof the following: **3. Compensation of Members.** Said members of said Authority for this state, other than the commissioner of public works and highways, shall be paid the sum of twenty dollars for each day in attendance at an official meeting of the authority and be reimbursed for necessary expenses incurred in the performance of his duties. The compensation and expenses provided for herein shall be a charge upon the funds of the Authority.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 5, 1955.]

## CHAPTER 116.

## AN ACT RELATING TO FALSE REPORTS OF CRIME.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. False Reports of Crime.** Amend chapter 442 of the Revised Laws (chapter 572, RSA) by adding after section 39 thereof the following new section: **40. False Reports of Crime.** Whoever, intentionally and without reasonable cause, makes or causes to be made a false alarm or a false report of crime to a police officer or other law enforcement officer shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 5, 1955.]

**CHAPTER 117.**

AN ACT RELATIVE TO ORDERS OF MAYOR AND ALDERMEN OR  
SELECTMEN FOR MUZZLING AND RESTRAINING DOGS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Muzzling and Restraining Dogs.** Amend section 33 of chapter 180, Revised Laws, (section 29, chapter 466, RSA) by inserting before the words, "the mayor" in the first line the words, After a hearing, if any is required by the provisions of section 33-a, so that said section as amended shall read as follows: **33. Order; Warrant.** After a hearing, if any is required by the provisions of section 33-a, the mayor and aldermen of a city or the selectmen of a town may order that any dog or dogs within the limits of such city or town respectively shall be muzzled or restrained from running at large during such time as shall be prescribed by such order. After passing such order and posting a certified copy thereof in two or more public places in such city or town, or, in case a daily newspaper is published in such city or town, publishing such copy once in such newspaper, the mayor and aldermen or selectmen may issue their warrant to one or more of the police officers or constables of such city or town, who shall, after twenty-four hours from the publication of such notice, kill all dogs found unmuzzled or running at large contrary to such order.

**2. Hearing.** Amend chapter 180, Revised Laws, (chapter 466, RSA) by inserting after section 33 the following new section: **33-a. Provisions.** Before any order is promulgated under the provisions of section 33 the mayor and aldermen or selectmen shall hold a hearing on the question of such order. Said hearing shall be held under the provisions of chapter 61 of the Revised Laws. Provided, however, that in the case of a rabies epidemic a hearing shall not be held and provided, further, that in the case of a special notice that a particular dog be muzzled or restrained from running at large as set forth in section 34, no prior hearing need be held.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 5, 1955.]



## CHAPTER 118.

AN ACT RELATIVE TO DISTRIBUTION OF CERTAIN ASSETS OF  
DISSOLVED BUSINESS CORPORATIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Business Corporations.** Amend chapter 274 of the Revised Laws (chapter 294, RSA) by adding at the end thereof the following new subdivision:

**Missing Bondholders and Shareholders.**

**125. Missing Bondholders and Shareholders.** Upon the dissolution of any corporation organized under the laws of this state, if the whereabouts of the holder of record of any bond, certificate of stock or other securities issued by said corporation shall be unknown so that distribution of said holder's share cannot be made to him, the treasurer and president of said corporation shall petition to the probate court of the county in which the principal place of business of said corporation has been situated for authority to pay over the distributive share of said holder of record to the state treasurer and if the court shall be satisfied that due diligence has been used to find the person entitled to such sum, shall decree that the same be paid over to the state treasurer, and such payment shall be a discharge of the liability of such corporation to said holder. The court may in its discretion direct such further search for said holder or his heirs or successors in interest as it shall deem necessary.

**126. Advertising.** Until disposal of said sum as provided in section 127 the state treasurer shall once every two years insert in a newspaper having a general circulation in the state of New Hampshire an advertisement listing the names, last known addresses, name of the corporation from which the sum is derived, the nature of the original security and the sums so held by him and the cost of said advertisement shall be proportionately charged against each sum so held by him.

**127. Distribution of Unclaimed Sums.** Any person entitled to receive said sum may petition the probate court at any time before the final disposition thereof under this chapter and payment to him shall be decreed upon notice and hearing. At the expiration of six years after the payment to the state

treasurer, the probate court, after petition and upon such publication of other notice as the court shall order, shall decree all unclaimed sums to be the property of the state.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 5, 1955.]

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## CHAPTER 119.

### AN ACT RELATIVE TO MINIMUM SPEED REGULATION FOR MOTOR VEHICLES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Enforcement.** Amend section 31 of chapter 119 of the Revised Laws (section 55, chapter 263, RSA) by adding at the end thereof the following, and such operation shall be a misdemeanor, so that said section as amended shall read as follows: **31. Minimum Speed Regulation.** No person shall drive a motor vehicle at such slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law, and such operation shall be a misdemeanor.

**2. Repeal.** Section 32 of chapter 119 of the Revised Laws (section 56, chapter 263, RSA), relative to enforcement of speed regulation, is hereby repealed.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 5, 1955.]

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## CHAPTER 120.

### AN ACT RELATIVE TO THE DISPOSITION OF FINES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Police Employees.** Amend section 10 of chapter 145 of the Revised Laws, as amended by section 2, chapter 94, Laws

of 1949 and by section 12, chapter 163, Laws of 1951, (section 11, chapter 106, RSA) by striking out said section and inserting in place thereof the following new section: **10. Disposition of Fines and Forfeitures.** Any fee for the performance of an act in line of duty or reward for the apprehension or conviction of any person, or for the recovery of any property, received by or payable to an employee, shall be paid by him to the commissioner of motor vehicles who shall immediately forward the same to the state treasurer. All fines and forfeitures assessed against any violator of any law of the state relative to the use and operation of motor vehicles apprehended or prosecuted by a police employee shall be sent, except as hereinafter provided, by the court collecting the same from such law violator to the commissioner of motor vehicles within seven days from their payment, and by him immediately paid into the state treasury. The commissioner of motor vehicles shall forward to the superintendent such information as he may direct relative to said fees and fines. In case of fines collected hereunder by a municipal court which would under the provisions hereof be payable to the commissioner of motor vehicles the municipal court shall, before forwarding, deduct five dollars from each fine and ten per cent of that part of the fine which exceeds five dollars. Said fines shall be disposed of as provided in section 12, chapter 377 of the Revised Laws.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 5, 1955.]

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## CHAPTER 121.

AN ACT RELATING TO AN INTERSTATE COMPACT ON JUVENILES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authorization.** The governor on behalf of this state is hereby authorized to enter into a compact, substantially in the following form, with any other state or states legally joining therein, and the legislature hereby signifies in advance its approval and ratification of such compact so entered into, such

approval and ratification to be effective upon the filing of a copy of such compact in the office of the secretary of state.

## **INTERSTATE COMPACT ON JUVENILES**

The contracting states solemnly agree:

### **Article I**

#### **Findings and Purposes**

That juveniles who are not under proper supervision and control, or who have absconded, escaped or run away, are likely to endanger their own health, morals and welfare, and the health, morals and welfare of others. The cooperation of the states party to this compact is therefore necessary to provide for the welfare and protection of juveniles and of the public with respect to (1) cooperative supervision of delinquent juveniles on probation or parole: (2) the return, from one state to another, of delinquent juveniles who have escaped or absconded; (3) the return, from one state to another, of non-delinquent juveniles who have run away from home; and (4) the facilitation of additional measures for the protection of juveniles and of the public, which any two or more of the party states may find it desirable to undertake cooperatively. In carrying out the provisions of this compact the party states shall be guided by the non-punitive, reformatory and protective policies which guide their laws concerning delinquent, neglected or dependent juveniles generally.

### **Article II**

#### **Definitions**

That, for the purposes of this compact, "delinquent juvenile" means any juvenile who has been adjudged delinquent and who, at the time the provisions of this compact are invoked, is still subject to the jurisdiction of the court that has made such adjudication or to the jurisdiction of an agency or institution pursuant to an order of such court; "probation or parole" means any kind of conditional release for juveniles from custody authorized under the laws of the states party hereto; "state" means any state, territory or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico; and "residence" or any variant thereof means a place at which a home or regular place of abode is maintained.

### Article III

#### Cooperative Supervision of Probationers and Parolees

(a) That the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state") may permit any juvenile adjudged a delinquent within such state and placed on probation or parole to reside in any other state party to this compact (herein called "receiving state") while on probation or parole, if the parent, guardian or person entitled to the legal custody of such delinquent juvenile is residing within the receiving state. Before granting such permission, opportunity shall be given to the receiving state to make such investigations as it deems necessary. The authorities of the sending state shall send to the authorities of the receiving state copies of pertinent court orders, social case studies and all other available information which may be of value to and assist the receiving state in supervising a probationer or parolee under this compact. A receiving state, in its discretion, may agree to accept supervision of a probationer or parolee in cases where the parent, guardian or person entitled to the legal custody of the delinquent juvenile is not a resident of the receiving state.

(b) That each receiving state will assume the duties of visitation and of supervision over any such delinquent juvenile and in the exercise of those duties will be governed by the same standards that prevail for its own delinquent juveniles released on probation or parole.

(c) That, after consultation between the appropriate authorities of the sending state and of the receiving state as to the desirability and necessity of returning such a delinquent juvenile, the duly accredited officers of a sending state may enter a receiving state and there apprehend and retake any such delinquent juvenile on probation or parole. For that purpose, no formalities will be required, other than establishing the authority of the officer and the identity of the delinquent juvenile to be retaken and returned. The decision of the sending state to retake a delinquent juvenile on probation or parole shall be conclusive upon and not reviewable within the receiving state, but if, at the time the sending state seeks to retake a delinquent juvenile on probation or parole, there is pending against him within the receiving state any criminal charge or any proceeding to have him adjudicated a delinquent juvenile

for any act committed in such state, or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of the sending state shall be permitted to transport delinquent juveniles being so returned through any and all states party to this compact, without interference.

(d) That the sending state shall be responsible under this article for paying the costs of transporting any delinquent juvenile to the receiving state or of returning any delinquent juvenile to the sending state.

#### Article IV

##### Return of Escapees and Absconders

(a) That the duly constituted judicial and administrative authorities of a state party to this compact may arrange for the detention and return of any delinquent juvenile found in that state who has either (1) absconded from another state while on probation or parole, or (2) escaped from an institution vested with his legal custody in another state. Any such delinquent juvenile may be returned to any state party to this compact from which he absconded or escaped.

(b) That the appropriate person or authority from whose supervision or custody a delinquent juvenile has absconded or escaped shall present to the executive authority of that state a written application for a requisition for the return of such delinquent juvenile. Such application shall state the name and age of the delinquent juvenile, the particulars of his adjudication as a delinquent juvenile, the circumstances of the breach of the terms of his probation or parole or of his escape from an institution vested with his legal custody, and the location of such delinquent juvenile, if known, at the time the application is made. The application shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the judgment, formal adjudication, or order of commitment which subjects such delinquent juvenile to probation or parole or to the legal custody of the institution concerned. Such further affidavits and other documents as may be deemed proper may be submitted with such application. One copy of the application, with the action of the

executive authority indicated by endorsement thereon, shall be filed in the office of the secretary of state, there to remain on file subject to the provisions of law governing records of the court having jurisdiction over delinquent, neglected or dependent juveniles. The other copy of the application, together with the supporting papers, shall be forwarded with the requisition to the executive authority of the state to which the delinquent juvenile has absconded or escaped or to which he is believed to have absconded or escaped. Upon the receipt of a requisition demanding the return of a delinquent juvenile who has absconded or escaped, the executive authority to whom the requisition is addressed shall sign a warrant of arrest, which shall be sealed with the state seal and which shall be directed to any peace officer or other person whom such executive authority may think fit to entrust with its execution. The warrant must substantially recite the facts necessary to the validity of its issuance hereunder. No delinquent juvenile arrested upon such warrant shall be delivered over to the officer whom the executive authority demanding him shall have appointed to receive him, unless he shall first be taken forthwith before a judge of a court having jurisdiction over delinquent, neglected or dependent juveniles in the state, who shall inform him of the demand made for his return and who shall appoint counsel or guardian ad litem for him. If the judge of such court shall find that the warrant is in order, he shall deliver such delinquent juvenile over to the officer whom the executive authority demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the arrest, if the delinquent juvenile, his counsel or guardian ad litem states that he or they desire to do so.

Upon reasonable information that a person is a delinquent juvenile who has absconded while on probation or parole, or escaped from an institution vested with his legal custody in any state party to this compact, such person may be arrested in any other state party to this compact without a warrant. But when arrested without a warrant, he must be taken with all practicable speed before a judge of the court having jurisdiction over delinquent, neglected or dependent juveniles, who shall appoint counsel or guardian ad litem for such person and shall determine, after a hearing, whether sufficient cause exists to hold the person subject to the order of the court for such a

time, not exceeding ninety days, as will enable his arrest under a warrant issued on a request of the executive authority of a state party to this compact. If, at the time when a state seeks the return of a delinquent juvenile who has either absconded while on probation or parole or escaped from an institution vested with his legal custody, there is pending against him in the state wherein he is arrested any criminal charge or any proceeding to have him adjudicated a delinquent juvenile for an act committed in such state, or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the delinquent juvenile being returned, shall be permitted to transport such delinquent juvenile through any and all states party to this compact, without interference. Upon his return to the state from which he escaped or absconded, the delinquent juvenile shall be taken before the court which made application for his return, for such further proceedings as may be appropriate.

(c) That the costs of returning a delinquent juvenile under this article shall be borne by the state to which he is returned.

### **Article V**

#### **Return of Runaways**

(a) That the duly constituted judicial and administrative authorities of a state party to this compact may arrange for the detention and prompt return of a juvenile who has run away and is found in that state, to any other state party to this compact which is the state of residence of the parent or guardian or person entitled to the legal custody of such juvenile.

(b) That the parent, guardian or person entitled to legal custody of a juvenile who has not been adjudged delinquent but who has run away without the consent of such parent, guardian or other person shall petition the court in the demanding state having jurisdiction over delinquent, neglected or dependent juveniles for the issuance of an application for a requisition for his return. The petition shall state the name and age of the juvenile, the name of the petitioner and the basis



of entitlement to the juvenile's custody, the circumstances of his running away, his location if known at the time application is made, and such other facts as may tend to show that the juvenile who has run away is endangering his own welfare or the welfare of others and is not an emancipated minor. The petition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the document or documents on which the petitioner's entitlement to the juvenile's custody is based, such as birth certificates, letters of guardianship, or custody decrees. Such further affidavits and other documents as may be deemed proper may be submitted with such petition. The judge of the court to which this application is made may hold a hearing thereon to determine whether for the purposes of this compact the petitioner is entitled to the legal custody of the juvenile, whether or not it appears that the juvenile has in fact run away without consent, whether or not he is an emancipated minor, and whether or not it is in the best interest of the juvenile to compel his return to the state. If the judge determines, either with or without a hearing, that the juvenile should be returned, he shall present to the executive authority of the demanding state a written application for a requisition for the return of such juvenile. Such application shall set forth the name and age of the juvenile, the determination of the court that the juvenile has run away without the consent of a parent, guardian or other person entitled to his legal custody, and that it is in the best interest and for the protection of such juvenile that he be returned. In the event that a proceeding for the adjudication of the juvenile as a delinquent, neglected or dependent juvenile is pending in the court at the time when such juvenile runs away, the court may issue an application for a requisition for the return of such juvenile upon its own motion, regardless of the consent of the parent, guardian, or other person entitled to legal custody, reciting therein the nature and circumstances of the pending proceeding. The application shall in every case be executed in duplicate and shall be signed by the judge and sealed with the seal of the court. One copy of the application, with the action of the executive authority indicated by endorsement thereon, shall be filed in the office of the secretary of state, there to remain on file subject to the provisions of law governing records of the court having jurisdiction over delinquent, neglected or dependent juveniles. The other copy

of the application shall be forwarded, together with the requisition addressed to the executive authority of the state to which the juvenile has run away or to which he is believed to have run away. Upon the receipt of a requisition demanding the return of a juvenile who has run away, the executive authority to whom the requisition is addressed shall sign a warrant of arrest which shall be sealed with the state seal and which shall be directed to any peace officer or other person whom such executive authority may think fit to entrust with its execution. The warrant must substantially recite the facts necessary to the validity of its issuance hereunder. No juvenile arrested upon such warrant shall be delivered over to the officer to whom the executive authority demanding him shall have appointed to receive him, unless he shall first be taken forthwith before a judge having jurisdiction over delinquent, neglected or dependent juveniles in the state, who shall inform him of the demand made for his return, and who shall appoint counsel or guardian ad litem for him. If the judge of such court shall find that the warrant is in order, he shall deliver such juvenile over to the officer whom the executive authority demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the arrest, if the juvenile, his counsel or guardian ad litem states that he or they desire to do so.

Upon reasonable information that a person is a juvenile who has run away from another state party to this compact without the consent of a natural parent, guardian or other person entitled to his legal custody, such juvenile may be taken into custody and brought, with all practicable speed, before a judge of the court having jurisdiction over delinquent, neglected, or dependent juveniles, who shall appoint counsel or guardian ad litem for such juvenile and who shall determine after a hearing whether sufficient cause exists to hold the person, subject to the order of the court, for his own protection and welfare, for such a time not exceeding ninety days as will enable his return to another state party to this compact pursuant to a requisition for his return from the executive authority of that state. If, at the time when a state seeks the return of a juvenile who has run away, there is pending against him in the state wherein he is found any criminal charge, or any proceeding to have him adjudicated a de-

linquent juvenile for an act committed in such state, or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport such juvenile through any and all states party to this compact, without interference. Upon his return to the state from which he ran away, the juvenile shall be taken before the court which made application for his return, for such further proceedings as may be appropriate.

(c) That the costs of returning a juvenile under this article shall be borne by the state to which he is returned.

(d) That "juvenile" as used in this article means any person who is a minor under the law of the state from which he ran away.

## Article VI

### Voluntary Return Procedure

Any delinquent juvenile who has absconded while on probation or parole, or escaped from an institution vested with his legal custody in any state party to this compact, and any juvenile who has run away from any state party to this compact, who is arrested without a warrant in another state party to this compact under the provisions of Article (IV)(b) or of Article V(b), may consent to his immediate return to the state from which he absconded, escaped or ran away without the necessity of further formal proceedings. Such consent shall be given by the juvenile or delinquent juvenile and his counsel or guardian ad litem by executing or subscribing a writing in the presence of a judge of the court having jurisdiction over delinquent, neglected or dependent juveniles, which states that the juvenile or delinquent juvenile and his counsel or guardian ad litem consent to his return to the demanding state. Before such consent shall be executed or subscribed, however, the judge, in the presence of counsel or guardian ad litem, shall inform the juvenile or delinquent juvenile of his rights under this compact. When the consent has been duly executed, it shall be forwarded to and filed with the executive authority of

the state in which the court is located and the judge shall direct the officer having the juvenile or delinquent juvenile in custody to deliver him to the duly accredited officer or officers of the state demanding his return, and shall cause to be delivered to such officer or officers a copy of the consent.

### **Article VII**

#### **Detention Procedures**

That, to every extent possible, it shall be the policy of states party to this compact that no juvenile or delinquent juvenile shall be placed or detained in any prison, jail or lockup nor be detained or transported in association with criminal, vicious or dissolute persons.

### **Article VIII**

#### **Supplementary Agreements**

That the duly constituted administrative authorities of a state party to this compact may enter into supplementary agreements with any other state or states party hereto for the cooperative care, treatment and rehabilitation of delinquent juveniles. Such care, treatment and rehabilitation may be provided in an institution located within any state entering into such supplementary agreement. Such supplementary agreements shall (1) provide the rates to be paid for the care, treatment and custody of such delinquent juveniles, taking into consideration the character of facilities, services and subsistence furnished; (2) provide that the delinquent juvenile shall be given a court hearing prior to his being sent to another state for care, treatment and custody; (3) provide that the state receiving such a delinquent juvenile in one of its institutions shall act solely as agent for the state sending such delinquent juvenile; (4) provide that the sending state shall at all times retain jurisdiction over delinquent juveniles sent to an institution in another state; (5) provide for reasonable inspection of such institutions by the sending state; (6) provide that the consent of the parent or guardian or person entitled to the legal custody of said delinquent juvenile shall be secured prior to his being sent to another state; and (7) make provision for such other matters and details as shall be necessary to protect the rights and equities of such delinquent juveniles and of the cooperating states.

## **Article IX**

### **Acceptance of Federal and Other Aid**

That any state party to this compact may accept any and all donations, gifts and grants of money, equipment and services from the federal or any local government, or any agency thereof and from any person, firm or corporation, for any of the purposes and functions of this compact, and may receive and utilize the same subject to the terms, conditions and regulations governing such donations, gifts and grants.

## **Article X**

### **Compact Administrators**

That the governor of each state party to this compact shall designate an officer who, acting jointly with like officers of other party states, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact.

## **Article XI**

### **Execution of Compact**

That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state.

## **Article XII**

### **Renunciation**

That this compact shall continue in force and remain binding upon each executing state until renounced by it. Renunciation of this compact shall be by the same authority which executed it, by sending six months' notice in writing of its intention to withdraw from the compact to the other states party hereto. The duties and obligations of a renouncing state under Article III hereof shall continue as to parolees and probationers residing therein at the time of withdrawal until retaken or finally discharged. Supplementary agreements entered into under Article VIII hereof shall be subject to renunciation as provided in the terms of such supplementary agreements, and shall not be subject to the six months' renunciation notice of the present article.

### Article XIII Severability

That the provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. It is the intent that the provisions of this compact shall be reasonably and liberally construed.

**2. Juvenile Compact Administrator.** Pursuant to said compact, the governor is hereby authorized and empowered to designate an officer who shall be the compact administrator and who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms of the compact. The compact administrator is hereby authorized, empowered and directed to cooperate with all departments, agencies and officers of and in the government of this state and its subdivisions in facilitating the proper administration of the compact or of any supplementary agreement or agreements entered into by this state thereunder.

**3. Supplementary Agreements.** The compact administrator is hereby authorized and empowered to enter into supplementary agreement or agreements with appropriate officials of other states pursuant to the compact. In the event that a supplementary agreement or agreements shall require or contemplate the use of any institution or facility of this state or require or contemplate the provision of any service by this state, the supplementary agreement shall have no force or effect until approved by the head of the department or agency under whose jurisdiction the institution or facility is operated or whose department or agency will be charged with the rendering of such service.

**4. Financial Arrangements.** The compact administrator, subject to the approval of the governor, may make or arrange for any payments necessary to discharge any financial obligations imposed upon this state by the compact or by any supplementary agreement entered into thereunder.

**5. Fees.** Any judge of this state who appoints counsel or guardian ad litem pursuant to the provisions of the compact may, in his discretion, fix a fee to be paid out of funds available for disposition by the court but no such fee shall exceed the sum of one hundred dollars.

**6. Responsibilities of State Departments, Agencies and Officers.** The courts, departments, agencies and officers of this state and its subdivisions shall enforce this compact and shall do all things appropriate to the effectuation of its purposes and intent which may be within their respective jurisdictions.

**7. Juvenile Delinquent.** The term "delinquent juvenile" as used in the interstate compact on juveniles shall include a delinquent child as defined in Revised Laws, chapter 132.

**8. Takes Effect.** This act shall take effect upon its passage.

[Approved May 5, 1955.]

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## CHAPTER 122.

### AN ACT RELATIVE TO SECURING CERTAIN LOADS ON MOTOR TRUCKS AND TRAILERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicles, Loads.** Amend chapter 119 of the Revised Laws, (chapter 263, RSA) by adding after section 39-a the following new sections: **39-b. Binder Chains on Vehicles Carrying Wood Products other than Logs and Sawed Long Lumber.** No motor truck, trailer or semi-trailer while being used to transport pulpwood, boltwood or any wood product, other than long logs or sawed long lumber, shall be operated on the highways of this state unless the last tier and/or row is bound by a chain and binder to adequately secure the load,

chains to be made of not less than three-eighths inch wire. No wood product other than logs and/or sawed long lumber shall be piled higher than the truck stakes unless bound by a chain and binder to adequately secure the load.

**39-c. Binder Ropes on Vehicles Carrying Baled Hay.** I. No motor truck, trailer or semi-trailer while being used to transport baled hay shall be operated on the highways of this state unless the loads of baled hay, baled straw, or other baled products shall be solidly packed while in transit. Loading methods shall result in completely tying the load together by alternating bale lengths and interlocking tiers.

II. Such loads shall be fastened securely to the vehicle by not less than two longitudinal rope binders from front to the back of vehicles; and by not less than four cross binders in addition to the longitudinal binders; binders to be of at least three-fourths inch diameter knot and rot-free manilla rope.

III. The provisions of paragraphs I and II shall not apply to a local farmer transporting his own baled products incidental to his farming operations where such transportation requires the use of the public highways; provided, however, that nothing herein shall relieve such farmer from loading and securing such bales in a safe manner.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 9, 1955.]

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## CHAPTER 123.

AN ACT RELATIVE TO THE FEES OF MEDICAL REFEREES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Fee for a View.** Amend section 27 of chapter 436 of the Revised Laws (section 27, chapter 611, RSA) by striking out the word "five" in the second line thereof, and inserting in place thereof the word, ten, so that said section as amended shall read as follows: **27. Fees.** The fees allowed the referee shall not exceed the following, viz.: For a view and inquiry without an autopsy, ten dollars; for a view and autopsy,



twenty-five dollars; for an inquest, ten dollars a day for the time actually spent in holding such inquest; and for all necessary travel at the rate of ten cents a mile.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 9, 1955.]

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## CHAPTER 124.

### AN ACT TO REGULATE THE PRACTICE OF PROFESSIONAL ENGINEERING.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Professional Engineering; Definitions.** Amend section 1-a of chapter 170 of the Laws of 1945, as amended by section 1 of chapter 123 of the Laws of 1951 (section 2, chapter 319, RSA) by adding at the end thereof the following definitions: V. The term "engineer" shall mean professional engineer as above defined. VI. The term "engineering" shall mean professional engineering as above defined.

**2. Exception.** Amend section 4 of chapter 170 of the Laws of 1945 (section 5, chapter 319, RSA) by adding after the word "compensation" in the second line the words, except as provided in section 8, so that said section as amended shall read as follows: **4. Compensation and Expenses.** Members of the board shall serve without compensation except as provided in section 8, but shall be reimbursed for all actual traveling, incidental, and clerical expenses necessarily incurred in carrying out the provisions of this act.

**3. Certification.** Amend section 24 of chapter 170 of the Laws of 1945 (section 26, chapter 319, RSA) by adding after the word "revoke" in the first and second, and twenty-second lines the words, suspend or annul, so that said section as amended shall read: **24. Revocations.** The board shall have the power to revoke, suspend or annul the certificate of registration of any registrant who is found guilty of: (a) the practice of any fraud or deceit in obtaining a certificate of registration; (b) any gross negligence, incompetency, or mis-

conduct in the practice of professional engineering as a registered professional engineer. Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registrant. Such charges shall be in writing, shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they shall have been preferred. The time and place for said hearing shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of hearing, shall be served personally on or mailed to the last known address of such registrant, at least thirty days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense. If, after such hearing, three or more members of the board vote in favor of finding the accused guilty, the board shall revoke, suspend or annul the certificate of registration of such registered professional engineer.

**4. Additional Provisions for Certification.** Amend section 25 of chapter 170 of the Laws of 1945 (section 27, chapter 319, RSA) by inserting after the word "revoked" in the third line the words, suspended or annulled, so that said section as amended shall read as follows: **25. Reissuance of Certificates.** The board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, suspended or annulled, providing three or more members of the board vote in favor of such reissuance. A new certificate of registration, to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the board, and a charge of three dollars shall be made for such issuance.

**5. Court Appeal.** Amend section 26 of said chapter 170 by striking out the word "or" in the second line and by inserting after the word "revoking" in the second line the words, suspending or annulling, so that said section as amended shall read as follows: **26. Appeal.** Any person who shall feel aggrieved by any action of the board in denying, revoking, suspending or annulling his certificate of registration may

appeal therefrom to the superior court and, after full hearing, said court shall make such decree sustaining or reversing the action of the board as it may deem just and proper.

**6. Wrongful Use of Certificate.** Amend section 27 of chapter 170 of the Laws of 1945 as amended by chapter 123 of the Laws of 1951 (section 29, chapter 319, RSA) by striking out the words "under the title of professional engineer" in the third line thereof so that said section as amended shall read:

**27. Violations and Penalties.** Any person who shall practice or offer to practice professional engineering in this state without being registered in accordance with the provisions of this act, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked certificate of registration, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and shall, upon conviction, be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars.

**7. Takes Effect.** This act shall take effect upon its passage.

[Approved May 9, 1955.]

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## CHAPTER 125.

AN ACT RELATIVE TO THE PAYMENT OF POLL AND HEAD TAXES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Poll and Head Taxes.** Amend section 3-a of chapter 116, Revised Laws, as inserted by section 2 of chapter 173, Laws of 1953, (section 5, chapter 260, RSA) as amended by section 2, chapter 39, Laws of 1955, and by section 17 of an act approved March 23, 1955, relative to assessment of a special head tax, by striking out said section and inserting in place thereof the following: **3-a. Prohibition.** No official or other person shall

issue a permit to register a motor vehicle, or registration for a motor vehicle, or license to operate a motor vehicle, or a license to hunt, fish or trap, without first requiring the applicant to make an affidavit under the pains and penalties of perjury that all poll and head taxes for which he is liable for the preceding year have been paid. Any person who shall violate the provisions of this section shall be fined not more than fifty dollars.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 9, 1955.]

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## CHAPTER 126.

### AN ACT RELATIVE TO THE OBSERVANCE OF THE MEMORY OF GENERAL LAFAYETTE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Lafayette Day.** The governor shall annually issue a proclamation calling for a proper observance of May twentieth, the anniversary of the death of General Marquis de Lafayette, revolutionary war hero, in lasting recognition of his gallant and illustrious service in the war for American independence.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 9, 1955.]

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## CHAPTER 127.

### AN ACT RELATIVE TO THE PAY OF THE NATIONAL GUARD.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. National Guard.** Amend section 60 of chapter 143 of the Revised Laws, as amended by section 1 of chapter 185 of the Laws of 1947, (section 60, chapter 110, RSA) by striking out said section and inserting in place thereof the following:

**60. Per Diem.** For each day's service in complete uniform,

when ordered out by the governor for duty, except for annual inspection, each commissioned officer, non-commissioned officer, warrant officer and enlisted man of the New Hampshire national guard shall be paid at the same rate of pay as that designated in the pay tables of the United States army for officers, warrant officers, non-commissioned officers and enlisted men of corresponding rank and grade and length of service in the regular army.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 9, 1955.]

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## CHAPTER 128.

### AN ACT RELATING TO EXTENDED COVERAGE IN POLICIES OF LIAABILITY INSURANCE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Accident and Health Insurance.** Amend section 20 of chapter 331 of the Revised Laws, as amended by section 2 of chapter 207 of the Laws of 1951, (section 14, chapter 415, RSA) by striking out the word "expense" in the fifth line thereof so that said section as amended shall read as follows:

**20. Non-Application to Certain Policies.** Except as otherwise specifically provided, nothing in this chapter shall apply to or affect (1) any policy of workmen's compensation insurance or any policy of liability insurance with or without supplementary coverage therein; or (2) any policy or contract of reinsurance; or (3) any blanket or group policy of insurance; or (4) life insurance, endowment or annuity contracts, or contracts supplemental thereto which contain only such provisions relating to accident and sickness insurance as (a) provide additional benefits in case of death or dismemberment or loss of sight by accident, or as (b) operate to safeguard such contracts against lapse, or to give a special surrender value or special benefit or an annuity in the event that the insured or annuitant shall become totally and permanently disabled, as defined by the contract or supplemental contract.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 9, 1955.]

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## CHAPTER 129.

### AN ACT RELATING TO CROPPING DOGS' EARS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Dogs.** Amend sections 17-a and 17-b, chapter 180 of the Revised Laws as inserted by chapter 141 of the Laws of 1943 (sections 40 and 41, chapter 466, RSA) by striking out the same and inserting in place thereof the following: **17-a. Cropping of Dog's Ears.** Any person who shall crop or cut or cause to be cropped or cut off the whole or any part of the ear of a dog, unless such person is a veterinarian duly registered under the provisions of chapter 255 of the Revised Laws, and unless such operation is performed while the dog is under an anaesthetic, shall be fined not more than two hundred and fifty dollars.

**17-b. Possession of Cropped Dog.** The possession of a dog with an ear cropped or cut off and with the wound resulting therefrom unhealed, confined upon the premises of or in charge or custody of any person, shall be prima facie evidence of a violation of the provisions of section 17-a by the person in control of such premises or the person having charge or custody, unless such person shall have in his possession a certificate of cropping signed by a veterinarian duly registered under the provisions of chapter 255 of the Revised Laws certifying that he performed the operation in accordance with the provisions of section 17-a of this chapter, giving the date of the operation, the name of the owner of the dog and a description of the dog.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 9, 1955.]

**CHAPTER 130.**

AN ACT RELATIVE TO THE PRACTICE OF DENTISTRY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Practice of Dentistry.** Amend section 7 of chapter 251, Revised Laws (section 7, chapter 317, RSA) by striking out the word "twenty-five" in the second line and inserting in place thereof the word, fifty, so that said section as amended shall read as follows: **7. Applications.** Applications for license shall be made to said board in writing, and shall be accompanied by a fee of fifty dollars and by satisfactory proof that the applicant is a graduate of a recognized dental school. The applicant shall be a citizen of the United States, of good moral character, and at least twenty-one years of age.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 9, 1955.]

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**CHAPTER 131.**

AN ACT RELATIVE TO REAL ESTATE INVESTMENTS AND LOANS  
OF BUILDING AND LOAN ASSOCIATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Real Estate Investments.** Amend paragraph II, section 20, chapter 314, Revised Laws as amended by section 7, chapter 24, Laws of 1947 (paragraph II, section 24, chapter 393, RSA) by inserting at the end thereof the words: except as it is authorized to do so by the commissioner; so that said paragraph as amended shall read as follows: **II.** In the purchase of improved or unimproved real estate and in the construction or improvement of buildings thereon for the purpose of providing offices for the transaction of an association's business. Such buildings may also include space for rental purposes. The cost to the association of such lands and buildings shall not exceed fifty per cent of the sum of such association's guaranty

fund, surplus, and reserves at the time such investment is made except as it is authorized to do so by the commissioner.

**2. Time Extended.** Amend section 10, chapter 314, Revised Laws, as amended by section 1, chapter 140, Laws of 1945 (section 15, chapter 393, RSA) by striking out the word "twenty" in line seventeen and inserting in place thereof the word, twenty-five, so that said section as amended shall read as follows: **10. Loans.** Any such corporation may loan money so collected, together with interest, premiums, fines and profits arising from the business, to its shareholders and members on first mortgages on real estate, or on buildings in the town of Hampton situated on land not belonging to the owner of the building. The loans shall not exceed the appraisal value of said property. Such corporation may accept other satisfactory collateral as additional security for the loan. A premium may be charged in excess of the established rate of interest. Said loans shall be share sinking fund or direct reduction loans. In share sinking fund loans serial shares of the corporation shall also be pledged sufficient in amount to repay the loan upon maturity. Direct reduction loans shall be repayable in monthly installments sufficient to amortize the same paying off interest or premium and principal in any period of time not exceeding twenty-five years. Any such corporation holding a first mortgage on such property may take a subsequent mortgage or mortgages on the same property provided that there are no intervening liens. Any shareholder may borrow on the shares of such corporation up to the full value thereof at the time of the loan.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 12, 1955.]

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## CHAPTER 132.

### AN ACT RELATIVE TO MILEAGE ALLOWANCE FOR LEGISLATIVE OFFICERS AND EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Change in Computation.** Amend section 17, chapter 9,



Revised Laws, as amended by chapter 214, Laws of 1943, section 3, chapter 117, Laws of 1949, and section 5, chapter 251, Laws of 1951 (section 18, chapter 14, RSA) by striking out said section and inserting in place thereof the following: 17. **Employees.** Officers and employees of the senate and house of representatives shall be allowed mileage at the same rate as other state employees for each day of attendance up to a maximum of fifty miles for one way of travel. Any fractional part of a mile shall be deemed to be one mile for the purposes hereof. The committee on mileage shall be the arbiters of all disputes and claims involving payment of mileage to such officers and employees.

**2. Takes Effect.** This act shall take effect as of January 5, 1955.

[Approved May 12, 1955.]

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## CHAPTER 133.

### AN ACT RELATIVE TO THE SALARY OF THE JUSTICE OF THE MUNICIPAL COURT OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Portsmouth Municipal Court.** Amend paragraph I of section 31 of chapter 377 of the Revised Laws, as amended by chapter 232 of the Laws of 1947, chapters 73, 213, and 251, Laws of 1953 (section 7, chapter 502, RSA) by striking out the words "In Portsmouth, one thousand eight hundred dollars" and inserting in place thereof the words, In Portsmouth, two thousand five hundred dollars, so that said paragraph as amended shall read as follows: I. Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, four thousand six hundred dollars;

In Nashua, three thousand dollars;

In Concord, three thousand five hundred dollars;

In Portsmouth, two thousand five hundred dollars;

In Dover, one thousand eight hundred dollars;

In Laconia, one thousand eight hundred dollars;  
In Keene, one thousand eight hundred dollars;  
In Claremont, one thousand eight hundred dollars;  
In Berlin, twenty-two hundred dollars;  
In Rochester, one thousand two hundred dollars;  
In Lebanon, one thousand five hundred dollars;  
In Newport, nine hundred dollars;  
In Derry, nine hundred dollars;  
In Franklin, one thousand two hundred dollars;  
In Exeter, eight hundred dollars;  
In Somersworth, eight hundred dollars;  
In Littleton, eight hundred dollars;  
In Milford, six hundred dollars;

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 14, 1955.]

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## CHAPTER 134.

AN ACT RELATIVE TO THE TRAPPING OF FUR-BEARING ANIMALS  
IN THE ANDROSCOGGIN VALLEY WATERSHED.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Trapping Prohibited.** Amend chapter 244 of the Revised Laws (chapter 210, RSA) by inserting after section 5 thereof the following new section: **5-a. Trapping Prohibited.** Notwithstanding any other provision of this chapter, it shall be unlawful to trap muskrat north of the Berlin-Milan line in the Androscoggin Valley watershed. Any person found violating the provisions hereof shall be fined the same amount as is prescribed for violations of sections 1 to 5, inclusive; provided, however, that this section shall be in effect for a period of one year only from date of its enactment.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 14, 1955.]

**CHAPTER 135.****AN ACT TO PROMOTE HIGHWAY SAFETY BY REGULATING ACCESS FROM STATE HIGHWAYS TO DRIVE-IN THEATRES AND ROADSIDE ADVERTISING NEAR INTERSECTIONS.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Safety of Highways.** Amend part 19, chapter 90 of the Revised Laws by inserting after section 38, as inserted by chapter 188, Laws of 1945, the following new section:

**39. Drive-In Theatres. I. Prohibition.** It shall be unlawful to construct a drive-in theatre with direct access to or from any class I, II or III highway, without first obtaining a written permit from the commissioner of public works and highways covering access provisions and such additional provisions as may be required to promote safety on the adjoining highways.

**II. Hearing.** Said commissioner is authorized to conduct a public hearing, if deemed that the public good requires, or the individual requesting permit files written demand for same, to be held before the commissioner or the deputy commissioner of public works and highways, and the commissioner of motor vehicles department and the superintendent of state police, or their authorized representatives, acting in an advisory capacity to the commissioner or deputy commissioner of public works and highways. Written notice of such hearing shall be given to the applicant or applicants and the town authorities, and notice to the public posted in a public place in the town where construction is proposed, at least two weeks prior to date of hearing.

**III. Permit.** Said commissioner, with the advice of the commissioner of motor vehicles and superintendent of state police, may issue a permit in each case containing such requirements and provisions as will protect the safety of the travelling public. He may provide that the screen of a drive-in theatre be so placed as will prevent the view of the picture face of same from said highways or provide that suitable screening be placed as will obstruct said view if topography does not allow such placement. He may provide that in any location where the free flow of traffic from the highway to a drive-in theatre is prevented by the operation of ticket sellers,

parking attendants or in any other manner, there shall be provided an adequate storage area for vehicles between the highway pavement and the location of ticket booths, parking area, or other cause of traffic stoppage and delay, to prevent backing up of vehicles on the highway pavement. He may provide that traffic control devices or warning signals be installed, meeting his approval, located within the establishment as well as similar devices controlling the state highway. Application for permit by the owner or owners shall be made at least sixty days before proposed construction. A plot plan of proposed establishment shall be included with the application for said permit.

**IV. Appeal.** Any party aggrieved by the decision of the commissioner may appeal said decision under procedure as provided by chapter 414, Revised Laws.

**V. Roadside Use.** It shall be unlawful to erect any roadside advertising within a distance of 400 feet of any highway intersection of Class I and II highways or railroad grade crossings thereon when said advertising obstructs the view of said intersections and crossings, rendering the approach to same by vehicular traffic hazardous.

**VI. Penalty.** Whoever violates any provision of this section or the requirements or provisions of permits thereunder, shall be fined not more than one hundred dollars and shall cease operation of any offending establishment pending fulfillment of requirements and special provisions.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 14, 1955.]

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## CHAPTER 136.

AN ACT RELATIVE TO BOW AND ARROW LICENSE FOR MINORS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Bow and Arrow.** Amend section 16-a of chapter 242 of the Revised Laws, as inserted by chapter 258, Laws of 1949, and as amended by section 1, chapter 145, Laws of 1951 (sec-

tion 5, chapter 208, RSA) by striking out after the word "license" in the seventh line the words "which shall entitle him to hunt deer with bow and arrow for a period of ten days immediately prior to the open season for taking deer" and inserting in place thereof the following: Said special license shall entitle the holder to hunt deer with bow and arrow for a period of twenty-one days immediately prior to the open season for taking deer in Bear Brook Reservation and for a period of ten days immediately prior to the open season for taking deer elsewhere, provided that if said nonresident not holding a New Hampshire hunting license shall be a person under sixteen years of age he shall not be entitled to hunt under said special license except when accompanied by a properly licensed person who is twenty-one years of age or over. A special license shall not be required for residents less than sixteen years of age, but such person while hunting with bow and arrow must be accompanied by a properly licensed person who is twenty-one years of age or over, and must further comply with all provisions of this chapter, so that said section as amended shall read as follows: **16-a. Bow and Arrow.** Any resident holding a valid New Hampshire hunting license upon the payment of an additional fee of two dollars, or any nonresident holding a valid New Hampshire hunting license upon the payment of an additional fee of three dollars, or a nonresident not holding a New Hampshire hunting license, upon the payment of a fee of ten dollars, shall be issued a special license. Said special license shall entitle the holder to hunt deer with bow and arrow for a period of twenty-one days immediately prior to the open season for taking deer in Bear Brook Reservation and for a period of ten days immediately prior to the open season for taking deer elsewhere, provided that if said nonresident not holding a New Hampshire hunting license shall be a person under sixteen years of age he shall not be entitled to hunt under said special license except when accompanied by a properly licensed person who is twenty-one years of age or over. A special license shall not be required for residents less than sixteen years of age, but such person while hunting with bow and arrow must be accompanied by a properly licensed person who is twenty-one years of age or over, and must further comply with all provisions of this chapter. Any person taking a deer under the provisions of this

section shall notify a conservation officer within twenty-four hours of such taking.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 14, 1955.]

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## CHAPTER 137.

AN ACT RELATING TO THE TAXATION OF HOUSE TRAILERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Taxation.** Amend chapter 73 of the Revised Laws (chapter 298, RSA) by inserting after section 22 the following new section: **22-a. House Trailers.** Any house trailer used as a dwelling by a resident of this state shall be taxed as personal property in the town where it is and so used on April first, or in any town in which it is, or into which it is brought, and so used after April first and before December thirty-first of any year, if it has not been taxed hereunder in such town or elsewhere in the state for that year. Notwithstanding the provisions of section 16 of chapter 73, a municipal permit for registration shall not be required as a condition to the registration of any house trailer which in the current tax year has been taxed under this section and, satisfactory evidence that such tax has been paid is produced; and if a permit fee shall have been paid in such year prior to the assessment of a tax hereunder, an amount equal to such fee shall be allowed as a credit against such tax, regardless of the town in which said fee was paid. For the purposes hereof, a person shall be deemed a resident of this state if he have a home here for a period of ninety days or more during the tax year, or for a lesser time if he has no home elsewhere. A house trailer shall be deemed to be used as a dwelling if it be the sole or principal abode in this state, of a resident. The term tax year shall mean the period April first through March thirty-first, inclusive.

**2. Takes Effect.** This act shall take effect as of June 1, 1955.

[Approved May 14, 1955.]

## CHAPTER 138.

AN ACT NAMING THE GOVERNOR JOHN WENTWORTH HIGHWAY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Governor John Wentworth Highway.** The highway known as route 109 from the junction of said route 109 and route 16 in the town of Wakefield to the junction of said route 109 and route 25 in the town of Moultonborough shall be named and hereafter known as the Governor John Wentworth Highway. The commissioner of public works and highways is directed to mark said highway with appropriate markers designating the name given to said highway.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 14, 1955.]

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CHAPTER 139.

AN ACT RELATIVE TO SHARE OR SHARE ACCOUNT LIMITS OF BUILDING AND LOAN ASSOCIATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Building and Loan Associations.** Amend section 5-b of chapter 314, Revised Laws, as inserted by chapter 43, Laws of 1947, and as amended by section 3, chapter 106, Laws of 1949 and section 1, chapter 166, Laws of 1953 (section 8, chapter 393, RSA) by striking out the words, "No person shall hold such savings shares in any one association with an aggregate participation value exceeding ten thousand dollars, or one-half of one per cent of the total assets of said association whichever is the greater," so that said section as amended shall read as follows: **5-b. Shares.** Such association may issue savings shares in connection with accounts upon which payments may be made at the option of the shareholder.

**2. Repeal.** Sections 6, 8-a and 32 of chapter 314, Revised Laws (sections 9, 13 and 36, chapter 393, RSA) relative to limitations on shares, are hereby repealed.

**3. Limitations Removed.** Amend section 35, chapter 314, Revised Laws, as amended by section 3, chapter 7, Laws of 1943, section 9, chapter 106, Laws of 1949, and section 2, chapter 166, Laws of 1953 (section 39, chapter 393, RSA) by striking out the words, "No person shall hold more than fifteen thousand dollars in these shares, or a combination of paid-up shares and investment shares," so that said section as amended shall read as follows: **35. Investment Shares.** Associations may issue investment shares bearing dividends at a rate not to exceed five per cent per annum payable semi-annually. Investment shares may be withdrawn or retired under the same conditions as provided for paid-up shares by sections 33 and 34.

**4. Single-Payment Shares.** Amend section 36 of chapter 314, Revised Laws, as amended by section 3, chapter 140, Laws of 1945 (section 40, chapter 393, RSA) by striking out the words "No person shall hold more than twenty-five single-payment shares," so that said section as amended shall read as follows: **36. Authority to Issue; Value; Rights.** Such associations may issue single-payment shares of an ultimate value of two hundred dollars each. Such single-payment shares shall be issued for the consideration of the initial payment only and no further payment shall be accepted on account thereof. Profits and dividends accruing thereon shall be added to the initial payment until the value of each share reaches two hundred dollars, when it shall be paid to the shareholder and the share shall be retired or paid-up share issued therefor under section 31. A holder of a single share shall have the right of withdrawal prescribed by sections 26 and 28 subject to the limitations therein set forth but such withdrawal must be exercised as to the whole of the value of the share at the time of withdrawal. Single-payment shares may be paid off at any time at the option of the board of directors provided thirty days' notice of the payment date shall have been given to the holder. The said notice may not be waived.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved May 14, 1955.]



**CHAPTER 140.**

AN ACT RELATIVE TO UNSECURED LOANS OF BUILDING AND  
LOAN ASSOCIATIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Building and Loan Associations.** Amend chapter 314 of the Revised Laws (chapter 393, RSA) by inserting after section 13 the following new section: **13-a. Unsecured Loans.** An association or cooperative bank may loan its funds in loans insured by the Federal Housing Commissioner under Title I of the National Housing Act of 1934 with all subsequent amendments thereto.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 14, 1955.]

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**CHAPTER 141.**

AN ACT RELATIVE TO THE UNEMPLOYMENT COMPENSATION LAW.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Employer.** Amend paragraph (1) of subsection H of section 1 of chapter 218 of the Revised Laws, as amended by section 2, chapter 185 of the Laws of 1949, (paragraph (1) subsection G, section 1, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: (1) Any employing unit which in each of twenty different weeks, whether or not such weeks are or were consecutive, has or had in employment within a calendar year four or more individuals, irrespective of whether the same individuals are or were employed in each such week.

**2. Employment Exemption.** Amend paragraph (4) of subsection I of section 1 of said chapter 218, as amended by chapter 58 of the Laws of 1945, sections 3 and 4, chapter 138 of the Laws of 1945, sections 2 and 3, chapter 59 of the Laws of 1947, and section 1, chapter 209 of the Laws of 1953, (paragraph (4) subsection H, section 1, chapter 282, RSA) by in-

serting after subparagraph (o) the following new subparagraph (p): (p) Service performed on behalf of or for a corporation or association by an officer or director thereof, for which service no wages, as defined in subsection P of this section or under the rules and regulations of the director, are paid or payable to such officer or director or any person, organization or association.

**3. Homeworkers.** Amend subsection I of section 1 of said chapter 218, as amended by chapter 58 of the Laws of 1945, sections 3 and 4, chapter 138 of the Laws of 1945, sections 1, 2 and 3, chapter 59 of the Laws of 1947, section 3, chapter 185 of the Laws of 1949, and section 1, chapter 209 of the Laws of 1953, (subsection I, section 1, chapter 282, RSA) by inserting after paragraph (5) the following new paragraph (6): (6) **Homeworkers.** Service performed wholly or in part at an individual's own home or any other place, whether done for himself or others, for which remuneration or payment is made on the basis of pieces of work done, or quantity or lot of work done, or in proportion to the piece or part thereof completed, or by the hour, shall be employment, and the monies so paid shall be wages within the meaning of this chapter. The employing unit which pays such wages shall be the employing unit of such individual for the purpose of this chapter.

**4. Most Recent Employer.** Amend subsection L of section 1 of said chapter 218, as amended by section 4, chapter 59 of the Laws of 1947, and section 1, chapter 36 of the Laws of 1951, (subsection K, section 1, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: L. "Most Recent Employer" means the last employer with whom an individual's work record exceeded four consecutive weeks of employment.

**5. Wages.** Amend paragraph (3) of subsection N of section 1 of said chapter 218, as amended by section 5, chapter 59 of the Laws of 1947, (paragraph (3) of subsection M, section 1, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: (3) As used in this subsection, the term "wages" shall not include: the first three dollars computed to the nearest dollar earned during any week, or any sum paid pursuant to an arbitration award, or any similar payment under any state or federal statute, or vacation

pay paid subsequent to the vacation period, or any retroactive payment made by reason of the establishment or adjustment of a piece rate.

**6. Dismissal Payments.** Amend paragraph (1) of subsection P of section 1 of said chapter 218, as amended by section 6, chapter 59 of the Laws of 1947, chapter 262 of the Laws of 1949, and section 2, chapter 140 of the Laws of 1951, (paragraph (1) subsection O, section 1, chapter 282, RSA) by striking out the whole of subparagraph (c) thereof, and further amend said paragraph (1) by relettering subparagraphs (d) and (e), so that said paragraph as amended shall read as follows: (1) The term "wages" shall not include:

(a) For the purposes of section 6 of this chapter, that part of remuneration which, after remuneration equal to three thousand dollars has been paid to an individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment occurring during such calendar year and after December 31, 1940 and prior to January 1, 1947; or that part of the remuneration which, after remuneration equal to three thousand dollars with respect to employment has been paid to an individual by an employer during any calendar year after 1946, is paid to such individual by such employer during such calendar year; providing, that if the definition of the term "wages" as contained in the Federal Unemployment Tax Act is amended to include remuneration in excess of three thousand dollars paid to an individual by an employer under the federal act during any calendar year, "wages" for the purposes of section 6 of this chapter shall include remuneration paid in a calendar year to an individual by an employer subject to this chapter or his predecessor with respect to employment during any calendar year up to an amount equal to the dollar limitation specified in the Federal Unemployment Tax Act. For the purposes of this subsection, the term "employment" shall include service constituting employment under any employment security law of another state or of the federal government.

(b) The amount of any payment made to, or on behalf of, an individual in its employ under a plan or system established by an employing unit which makes provisions for individuals in its employ generally or for a class or classes of individuals in its employ (including any amount paid by an employer for in-

surance or annuities, or into a fund, to provide for any such payment), on account of (A) retirement, or (B) sickness or accident disability, or (C) medical and hospitalization expenses in connection with sickness or accident disability, or (D) death, provided the individual in its employ (i) has not the option to receive, instead of provision for such death benefit, any part of such payment or, if such death benefit is insured, any part of the premiums (or contributions to premiums) paid by the employing unit, and (ii) has not the right, under the provisions of the plan or system or policy of insurance providing for such death benefit, to assign such benefit, or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employing unit;

(c) Any amounts paid by an employing unit under the provisions of section fourteen hundred of the Internal Revenue Code without having deducted the same from the remuneration of individuals in its employ;

(d) Any amounts received from the federal government by members of the national guard and organized reserve, as drill pay, including longevity pay and allowances.

**7. Adjustment of Overpaid Benefit Account by Compromise.** Amend section 2 of said chapter 218, as amended by section 5, chapter 56 of the Laws of 1943, section 1, chapter 78 of the Laws of 1945, section 7, chapter 59 of the Laws of 1947, section 1, chapter 30 of the Laws of 1949, section 2, chapter 34 and sections 4, 5 and 6, chapter 140 of the Laws of 1951, and section 2, chapter 65 and section 2, chapter 261 of the Laws of 1953, (new subsection G to section 2, chapter 282, RSA) by inserting at the end thereof the following new subsection G:  
**G. Adjustment of Overpaid Benefit Account by Compromise.** The director may, with the approval of the attorney general, effect by written stipulation such settlement of any overpaid benefit account due under the provisions of this chapter as he may deem to be for the best interests of the state, and the payment of the sum so agreed upon shall be a full satisfaction of such overpaid benefit account.

**8. Availability.** Amend section 3 of said chapter 218, as amended by sections 3 and 4, chapter 56 of the Laws of 1943,

section 8, chapter 138 of the Laws of 1945, sections 10 and 11, chapter 59 and chapter 267 of the Laws of 1947, section 2, chapter 30 and chapter 99 of the Laws of 1949, section 3, chapter 34 and section 7, chapter 140 of the Laws of 1951, (section 3, chapter 282, RSA) and section 2, chapter 7 of the Laws of 1955, by striking out the whole of the same and inserting in place thereof the following: **3. Benefit Eligibility Conditions.** An unemployed individual shall be eligible to receive benefits with respect to any week only if the director finds that:

A. He has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the director may prescribe;

B. He has made a claim for benefits in accordance with the provisions of section 5-A of this chapter;

C. He is able to work, and available for suitable work. He shall be deemed unavailable for suitable work, as it relates to shift employment or hours of work, unless he is available on all the shifts or during all the hours which the industry or occupation for which he is reasonably fitted by training and experience is then working, and on or during which there is a labor market for the services he offers, except (i) that where advised by a legally licensed physician that work on a particular shift or during specific hours will be seriously detrimental to his health and proof thereof satisfactory to the director has been submitted, he shall not be considered unavailable because of such limitation if there is a labor market for his services during the hours he is otherwise available; and (ii) that female claimants shall not be required to be available for work on or during the hours of the third shift, so-called, or from one o'clock in the morning to six o'clock in the morning; provided that if any female claimant elects to be available for work during such third shift or the hours specifically set forth above and is also available for work on or during the hours of one of the other two shifts she shall be considered available for work within the meaning of this provision, if there is a labor market for her services during such hours.

D. Prior to any week for which he receives benefits he has been totally unemployed as defined in section 1-N for a waiting period of one week within the same benefit year and fulfilled the other requirements of this section; provided that

this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment because of a change in the benefit year, even though a change in the weekly benefit amount and maximum benefits is effected. It is further provided that the period not to exceed one week of partial or total unemployment or the period not to exceed two weeks of partial unemployment immediately preceding the benefit year shall be deemed (for the purposes of this subsection) to be within such benefit year as well as within the preceding benefit year. For the purposes of this paragraph, a week or weeks means the period of seven or fourteen calendar days immediately preceding the first day of the benefit year or the calendar week or weeks immediately preceding the benefit year. For the purposes of this subsection, two weeks of partial unemployment shall be deemed equivalent to one week of total unemployment; it being provided, however, that if a week of partial unemployment is immediately followed by a week of total unemployment, then such week of partial unemployment shall be deemed equivalent to one week of total unemployment. For the purposes of this subsection, no week shall be counted as a week of total unemployment for any individual:

(1) If benefits have been paid with respect thereto;

(2) Unless he has annual earnings of not less than four hundred dollars within the base period in accordance with subsection P (2) of section 1.

**9. Disqualifications for Benefits.** Amend section 4 of said chapter 218, as amended by sections 9 and 10, chapter 138 of the Laws of 1945, sections 12 and 13, chapter 59 of the Laws of 1947, sections 5 and 6, chapter 185 of the Laws of 1949, sections 2 and 3, chapter 209 and section 1, chapter 260 and section 3, chapter 261 of the Laws of 1953, (section 4, chapter 282, RSA) and chapter 4 of the Laws of 1955, by striking out the whole of the same and inserting in place thereof the following: **4. Disqualifications for Benefits.** An individual shall be disqualified for benefits and no waiting period may be served except as otherwise provided by subsection K of this section:

A. For the period of unemployment next ensuing after an individual has left his work voluntarily without good cause in accordance with rules and regulations of the director. For the purposes of this section the "period of unemployment" shall

continue until the individual has earned in any one week wages equal to or in excess of three dollars more than his weekly benefit amount. This subsection shall not apply and benefits shall be paid without regard thereto where an unemployed individual, not under a disqualification, accepts employment which would not have been deemed suitable work under subsection E of this section and terminates such employment within a period of not more than four (4) consecutive weeks of employment with or without good cause.

B. For the week in which he has been discharged for misconduct connected with his work, if so found by the director, and for the three weeks which immediately follow such week. Whichever is the lesser of three times the individual's benefit rate or such amount as remains unpaid for the benefit year in which such event occurs shall be deducted from his maximum benefits, but no change shall be made in his weekly benefit amount because of this deduction.

C. It is further provided that an unemployed individual who has been discharged for intoxication of such degree and rate of occurrence as to seriously hamper or interfere with the individual's work, shall be disqualified for benefits and such disqualification shall continue for not less than four weeks nor more than twenty-six weeks from the date of the discharge, as may be determined by the director.

D. It is further provided that an unemployed individual who has been discharged for arson, sabotage, felony, or dishonesty, connected with his work, shall suffer the loss of all wage credits earned prior to the date of such dismissal.

E. If the director finds that he has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the director or to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the director. Such disqualification shall continue for the week in which such failure occurred and for the three weeks which immediately follow such week, in addition to the waiting period.

(1) The director, in determining whether or not any work is suitable for an individual, shall consider the following:

(a) The degree of risk involved to his health, safety and morals; and

- (b) His physical fitness; and
- (c) His prior training; and
- (d) His experience; and
- (e) His prospects for securing, in his labor market area, work in his customary occupation; and
- (f) The distance of the available work from his residence; and
- (g) His prior earnings and length of unemployment, but his prior earnings shall be given more weight than his length of unemployment.

(2) Notwithstanding any other provisions of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

- (a) If the position offered is vacant due directly to a strike, lockout, or other labor dispute;
- (b) If the wages, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;
- (c) If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

F. For any week with respect to which the director finds that his total or partial unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he is or was last employed, provided that this subsection shall not apply if it is shown to the satisfaction of the director that:

Either, (1) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

(2) He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute; provided that if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises each



such department shall, for the purposes of this subsection, be deemed to be a separate factory, establishment, or other premises; or

(3) The stoppage of work was due solely to a lockout or the failure of the employer to live up to the provision of any agreement or contract of employment entered into between the employer and his employees; or

(4) The stoppage of work has continued for a period of two weeks after the termination of the labor dispute.

G. For any week or part of a week with respect to which he is seeking to receive or has received payments in the form of unemployment compensation, or payments supplementary to New Hampshire unemployment compensation, under any law of the federal government. Provided, however, that there shall be no disqualification for seeking to receive or receiving unemployment compensation, or supplementary payments, under:

(1) Title XV of the Social Security Act; or

(2) Any federal law whose purpose is to assist in the readjustment of individuals from military to civilian life; or

(3) The Veterans' Readjustment Assistance Act of 1952.

H. For any week or part of a week with respect to which he is seeking to receive or has received payments in the form of unemployment compensation under an unemployment compensation law of any other state or under a similar law of the federal government. Provided that seeking to receive or receiving payments under any reciprocal arrangement to which New Hampshire is a party under section 15 of this chapter, shall not disqualify the individual for benefits.

I. For any week or weeks during any part of which he is not available for work outside a home, irrespective of his reason for refusing to be available for work outside a home.

J. For the eight weeks immediately preceding the expected date of childbirth as certified by a legally licensed physician, and for the eight weeks immediately following the week in which the childbirth occurs; such latter period shall be sooner terminated if subsequent to said childbirth she earns in any one week wages in employment as defined under section 1-I equal to or in excess of three dollars more than her weekly benefit amount.

K. For any week with respect to which he is receiving or has received remuneration in the form of:

- (1) Wages in lieu of notice; or
- (2) A sickness or separation allowance; or
- (3) Compensation for temporary partial disability under the workmen's compensation law of any state or under a similar law of the United States; or
- (4) Any payments, upon his discharge from military service, from either the state or federal government, or both; Provided that if such remuneration is less than the benefits which would otherwise be due under this chapter, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration, or a waiting period may be served in accordance with the provisions of section 3-D.

**10. Claims Determination Procedure.** Amend subsection B of section 5 of said chapter 218, as amended by section 11, chapter 138 of the Laws of 1945, section 14, chapter 59 of the Laws of 1947, section 8, chapter 185 of the Laws of 1949, and section 2, chapter 36 of the Laws of 1951, (subsection B of section 5, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: B. **Claims Determination Procedure.** (1) Definitions:

(a) **Certifying Officer.** Certifying officer shall mean the director or his representative authorized to make determinations on claims.

(b) **Claim.** A claim shall mean:

(1) **Initial Claim.** The first filing for benefits within a benefit year, or the first claim for benefits immediately following any seven-day period for which the claimant did not file for benefits and such need not be for a seven-consecutive-day period, or with respect to which the claimant did not or will not receive any benefits;

(2) The application for a waiting-period credit under section 3-D of this chapter;

(3) The application for either total or partial unemployment compensation benefits for any seven-consecutive-day period (said period to be determined in accordance with the regulations of the director).

(c) **Interested Party.** Interested party shall be the

claimant, his last employing unit or employer, and any employer whose account may become charged with benefits paid.

(2) Determination. A determination shall be a decision by the certifying officer on a claim and shall be made, except as otherwise specifically provided in this chapter, as follows:

(a) A determination on the first claim in a benefit year and not immediately followed by a claim for waiting-period credit shall include: the annual earnings in the base period with the name of each employer reporting wages paid to the claimant, and the amount thereof, the maximum benefits then available, the maximum weekly benefit amount and the maximum duration thereof, and shall be mailed or delivered to the claimant.

(b) A determination on the first claim in a benefit year which is immediately followed by a claim for waiting-period credit shall be made promptly following the waiting period and shall include: the maximum benefits then available, the maximum weekly benefit amount and maximum duration thereof, whether or not, with the reasons therefor, the claimant will be payable for the week immediately following the waiting period and for consecutive weeks thereafter for which claims are filed (no other facts appearing to the contrary during such period), and identification of the employer whose account will be charged with benefits to be paid by reason of such determination. This determination shall in any case be mailed or delivered to all interested parties.

(c) A determination on an initial claim for total or partial benefits for any week except as in (a) and (b) above shall include: the maximum benefits then available, the maximum weekly benefit amount and maximum duration thereof, whether or not, with the reasons therefor, the claimant is payable for such week and for consecutive weeks thereafter for which claims are filed (no other facts appearing to the contrary during such period), and identification of the employer whose account will be charged with benefits to be paid by reason of such determination. This determination shall in every case be mailed or delivered to all interested parties except the claimant where the determination is that he is payable.

(d) A determination shall be made by a certifying officer on any claim for benefits, though not an initial claim,

where, in his judgment, there appears an issue relative to the entitlement of the claimant to benefits. The determination shall be in the manner provided in (c) immediately above and the interested parties shall be notified in the same manner.

(e) Nothing in this subsection shall be construed to require that a determination be made with respect to a claim for any week where the week follows immediately after a waiting period, or is one of any of the consecutive weeks for which benefits are paid immediately following such waiting period, or is one of any of the consecutive weeks for which benefits are paid immediately following the week with respect to which a determination is made under (2) (c) above except as provided in (2) (d) above.

(3) In finding the facts material to a claim, the certifying officer shall in every case where the reason for an individual's leaving employment may be material, send to the employing unit or employer for whom the claimant last performed services a request for information, such request to be in accordance with the regulations of the director. When the information is not returned by such employing unit or employer as required by the regulations of the director, the certifying officer shall proceed on the facts available to him and any benefits payable pursuant to such determination shall be charged to the account of the chargeable employer if he fails or refuses to return the information and even though the claimant is, by reason of some later appeal, held not to be entitled to such benefits.

(4) A certifying officer may, within six months of any determination, for good cause reconsider his determination or any part thereof, provided there was no appeal taken from the determination. Such redetermination shall be made, and an appeal therefrom may be had, in the same manner as the original determination.

(5) Any claim or question involved therein may be referred by the certifying officer to an appeal tribunal, and such appeal tribunal shall make its decision with respect thereto in accordance with the procedure described in subsection C of this section.

(6) Any interested party may appeal from a certifying officer's determination by filing an appeal to an appeal tribunal within five calendar days after delivery of the de-

termination or within seven calendar days after the determination was mailed to his last known address. Provided, that if the director finds sufficient grounds to justify or excuse a delay in filing an appeal, the time for filing said appeal may be extended by him.

(7) If no appeal from a determination by a certifying officer is taken within the time limits in (6) above such determination shall thereupon become final and benefits shall be paid or denied in accordance therewith, subject to the provision in (6) above relative to good cause for late filing of the appeal.

(8) A last employing unit or any employer whose account may become charged with benefits paid as a result of a determination by a certifying officer may waive, in proper form, in writing, his right to appeal from such determination prior to the making thereof, and in such case the determination shall become final upon the making thereof as to the issues involved, and benefits may be immediately paid pursuant thereto.

(9) Where an appeal has been duly filed the certifying officer's determination shall have no force or effect and benefits shall be paid or denied only in accordance with and subsequent to the decision of the appeal tribunal. Provided, however, that the certifying officer's determination shall continue to have effect as though no appeal had been filed with respect to all weeks of unemployment and any amount not affected by the appeal.

(10) Where an appeal tribunal affirms the determination of a certifying officer allowing benefits, such benefits shall be paid in accordance therewith without regard to any appeal to court under subsection G of this section, or reopening under subsection C of this section, up to the week in which such appeal to court is filed or request for reopening is received or the week in which reopening is directed when reopening is at the initiation of the director, and the claimant shall be entitled to such benefits though the first decision of the appeal tribunal is later reversed, altered or in any way modified, and such benefits so paid shall be charged to the fund.

**11. Appeal to Courts.** Amend subsection G of section 5 of said chapter 218, as amended by section 15, chapter 59 of the Laws of 1947, and section 2, chapter 290 of the Laws of 1949,

(subsection G of section 5, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: **G. Appeal to Courts.** (1) Any interested party aggrieved by any decision of an appeal tribunal in proceedings under this chapter may, within ten days after the date of notification or mailing of such decision, appeal therefrom to the superior court in the manner provided in paragraph (3) of this subsection.

(2) Any interested party aggrieved by any decision of an appeal tribunal in proceedings under this chapter, who within ten days after the date of notification or mailing of such decision requests the director to direct the appeal tribunal to reopen the case and hold a further hearing to reconsider the case on the grounds of fraud, mistake, newly discovered evidence or change in conditions (as required in subsection C of this section), may within ten days after the date of notification or mailing of the decision of the director which finally refuses the request for reopening of the case, appeal therefrom to the superior court in the manner provided in paragraph (3) of this subsection.

(3) Appeal to superior court in (1) and (2) above shall be to the superior court for the county in which is located the employment bureau or branch in which the original claim was filed. The appeal shall be perfected by filing a petition with the clerk of said superior court within the time limits specified in (1) and (2) above, and such petition must set forth specifically the grounds upon which it is claimed that the decision is in error, and no bond shall be required as a condition of entering such appeal. Thereupon the clerk of said superior court shall issue a citation to all interested parties, including in every case the director, returnable at any time within ten days after the date of issue. The director shall file with said clerk before trial a certified copy of the record on the claim which shall, upon being so filed, become part of the record of the case and part of the evidence in the case to be considered by the court. The superior court shall hear the case *de novo*. An appeal may be taken from the decision of the superior court to the supreme court in the same manner as is provided in civil actions. Upon the final determination of such judicial proceeding, the director shall enter an order in accordance with such determination.

(4) Any interested party aggrieved by any decision of an appeal tribunal in proceedings under this chapter, who fails within the ten-day period after the date of notification or mailing of such decision, for whatever reason, either to request the director to direct a reopening for the purpose of re-considering the case on the grounds of fraud, mistake, newly discovered evidence or change in conditions, or to appeal to superior court under paragraph (1) above, but who at some subsequent time within the year allowed in subsection C of this section requests the director to direct such reopening, may, within ten days after the date of notification or mailing of the decision of the director which finally refuses the request for reopening of the case, appeal therefrom to the superior court for the county in which is located the employment bureau or branch in which the original claim was filed. Judicial review by said superior court under this paragraph shall be confined to whether or not the director's decision was the result of arbitrary, unreasonable or capricious action, or contrary to law. The appeal under this paragraph shall be perfected by filing a petition with the clerk of said superior court within the time limit above specified, and the petition must set forth specifically the grounds on which it is alleged that the action of the director was arbitrary, unreasonable or capricious, or contrary to law, and no bond shall be required as a condition of entering such appeal. Thereupon the clerk of said superior court shall issue a citation to all interested parties, returnable at any time within ten days after the date of issue. The director shall file with said clerk before trial or hearing a certified copy of the entire record on the claim which shall, upon being so filed, become the record of the case. An appeal may be taken from the decision of the superior court to the supreme court in the same manner as is provided in civil actions. Upon the final determination of such judicial proceeding, the director shall enter an order in accordance with such determination.

(5) Any interested party aggrieved by any decision in proceedings under section 13-D of this chapter may appeal to superior court in the manner provided in section 5-G(3) of this chapter.

(6) A petition of appeal shall not act as a supersedeas or stay unless the director shall so order.

(7) The director may of his own motion transfer to the supreme court any question of law arising in the administration of this chapter.

**12. Separate Accounts.** Amend subsection C of section 6 of said chapter 218, as amended by chapter 178 of the Laws of 1943, section 13, chapter 138 of the Laws of 1945, section 16, chapter 59 of the Laws of 1947, section 3, chapter 36 of the Laws of 1951, and section 5, chapter 209 of the Laws of 1953, (subsection C, section 6, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: **C. Separate Accounts.** (1) The director shall maintain a separate account for each employer and shall credit his account with all contributions paid by him or on his behalf. But nothing in this chapter shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund, either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged against the account of the claimant's most recent employer.

(2) In assigning the charges for benefits to the account of the most recent employer under this subsection, no benefits will be charged to the account of an individual employer but shall be charged by the director against the fund where:

(a) Benefits are paid to ex-servicemen on the basis of frozen wage credits; or

(b) Benefits are paid and are not chargeable against any employer's account in accordance with the provisions of section 5-B of this chapter; or

(c) Benefits are paid and a chargeable employer under paragraph (4) of this subsection has not been established following a determination of the director that an individual was disqualified for:

(1) voluntary leaving without good cause attributable to the employer, or

(2) discharge for misconduct connected with his work; or

(d) Benefits are paid to a woman subsequent to childbirth and a chargeable employer under paragraph (4) of this subsection has not been established subsequent to such childbirth.



(3) The account of the most recent employer shall be immediately relieved of charges where benefits are determined to be overpayments as a result of the application of any provision of this chapter, and such benefits shall be charged against the fund.

(4) The account of the claimant's most recent employer as defined in section 1-L shall be charged with all benefits paid except as otherwise specifically provided in this chapter.

(5) Each week the director shall notify all employers of benefits charged during the preceding week to their separate accounts, by means of a duplicate or copy of each such claimant's benefit check or in any manner determined by the director.

(6) The director shall, by general rules, prescribe the manner in which benefits shall be charged against the accounts of several employers for whom an individual performed employment at the same time.

**13. Merit Rating.** Amend subsection D of section 6 of said chapter 218, as amended by section 14, chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 and section 1, chapter 251 of the Laws of 1949, section 4, chapter 36 and sections 2, 3, 4, 5 and 6, chapter 142 of the Laws of 1951, and section 6, chapter 209 of the Laws of 1953, (subsection D, section 6, chapter 282, RSA) and section 3, chapter 7 of the Laws of 1955, by striking out the whole of the same and inserting in place thereof the following: **D. Merit Rating.** (1) The director shall for each calendar year classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts, with a view to fixing such contribution rates as will reflect such experience; such rate to become effective with the fiscal year beginning July 1, 1951 and on each succeeding fiscal year beginning on July 1 thereafter

(2) (a) Annual pay roll shall be the total amount of wages paid for employment during a calendar year;

(b) Average annual pay roll shall be the average of the employer's actually existing annual pay rolls for the three immediately preceding consecutive calendar years prior to January 1 of the year in which the computation applies; except

that for an employer eligible for merit rate consideration under (3) (b) below, the average annual pay roll shall be the average of such employer's actually existing annual pay rolls for the calendar years, in which he has been subject to this chapter, immediately preceding January 1 of the year in which the computation applies.

(3) (a) No employer shall be entitled to a rate of less than 2.7 per centum unless and until as of January 1 of the year wherein the rate becomes applicable there had been three consecutive calendar years throughout which the separate account of the employer was chargeable with benefits;

(b) For an employer who as of the computation date has not completed the three-year chargeability requirement in (a) above, such period of time may be reduced to the number of years throughout which such employer's separate account has been chargeable with benefits, but in no case less than one calendar year immediately preceding the computation date and throughout which such separate account was chargeable with benefits;

(c) It is further provided that no rate of less than 2.7 per centum shall be allowed in any case unless such employer had an annual pay roll for the calendar year immediately preceding the computation date.

(4) No employer shall be entitled to a merit rate under this subsection for the first half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of March 31, preceding said first half of said fiscal year, equals or exceeds twelve million dollars, at which time the computations and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said first half of said fiscal year; it being further provided that no employer shall be entitled to a merit rate under this subsection for the second half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of September 30, preceding said second half of said fiscal year, equals or exceeds twelve million dollars, at which time the computations and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said second half of said fiscal year. It being

further provided that if as of March 31 preceding the first half of any fiscal year effective with the fiscal year beginning July 1, 1955, the unemployment compensation fund equals or exceeds twenty million dollars, the computations and rates delineated in Schedule II will become effective and applicable for said first half of said fiscal year. It being further provided that if as of September 30 preceding the second half of any fiscal year effective with the fiscal year beginning July 1, 1955, the unemployment compensation fund equals or exceeds twenty million dollars, the computations and rates delineated in Schedule II will become effective and applicable for said second half of said fiscal year.

(5) It is further provided that the time the operation of a business of an employer was suspended because of the employer's service in the armed forces during World War II, or because of the employer's service in the armed forces of the United States or any of its allies or of the United Nations after July 1, 1950, shall be considered as if the business had been actively and continuously operating during such period.

(6) Should the director determine at any time that the solvency of the fund does not permit the adoption or maintenance of individually reduced contribution rates under this subsection, he shall, for the purposes of this subsection, set a standard rate for all employers of 2.7 per centum per annum. The director may make such change effective with the first day of any calendar quarter.

(7) No employer shall be entitled to a merit rate under this subsection for any fiscal year effective with the fiscal year beginning July 1, 1951 unless, as of the computation date preceding said fiscal year, he has properly and duly submitted reports and contributions required and due under the provisions of this chapter. It is provided, however, that any employer who loses his rate because of the foregoing and re-establishes his rights prior to the beginning of the fiscal year to which a rate might have been applicable, may apply for the reinstatement of the rate to which he would have been entitled, said rate to become effective for the last three quarters of the fiscal year in question.

(8) The computation date will be January 1 (to include contributions on that year's and prior years' employment paid through the succeeding January 31) and the effective date will

be July 1. If, as of the computation date, the total of all contributions paid on an employer's own behalf and credited to his account for all past years exceeds the total benefits charged against his account for all past years and, subject to the provisions and conditions hereinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding twelve million dollars but not being equal to or exceeding twenty million dollars, his contribution rate effective as hereinabove provided shall be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

#### Schedule I.

(a) Two-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;

(b) Four-tenths of one per centum if such excess equals or exceeds nine per centum of his average annual pay roll;

(c) Seven-tenths of one per centum if such excess equals or exceeds ten per centum of his average annual pay roll;

(d) Nine-tenths of one per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;

(e) One and two-tenths per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;

(f) One and one-half per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll;

(g) One and seven-tenths per centum if such excess equals or exceeds fifteen per centum of his average annual pay roll.

(9) It is further provided that, subject to the provisions and conditions hereinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding twenty million dollars, said employer's contribution rate effective as hereinabove provided shall, after computation is made in the manner described in the next preceding para-

graph, be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

**Schedule II.**

(a) Two-tenths of one per centum if such excess equals or exceeds five per centum of his average annual pay roll;

(b) Four-tenths of one per centum if such excess equals or exceeds six per centum of his average annual pay roll;

(c) Eight-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;

(d) One and one-tenth per centum if such excess equals or exceeds ten per centum of his average annual pay roll;

(e) One and five-tenths per centum if such excess equals or exceeds ten per centum of his average annual pay roll;

(f) One and eight-tenths per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;

(g) Two and one-tenth per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;

(h) Two and two-tenths per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll.

(10) No employer shall be entitled to a contribution rate of less than one-half of one per centum.

(11) No employer shall be entitled to have more than seven-tenths of one per centum subtracted from the contribution rate established in accordance with this subsection unless the total contributions which became due and were credited to his account in the fund during all past years were at least twice the total benefits paid from the fund and chargeable to his account within the last preceding calendar year.

(12) Reports to an employer of the merit rate of said employer for the applicable period shall be furnished in such manner as the director may prescribe, but in any event not

less frequently than once every year. Any merit rate assigned to any employer under this section, of which the employer has been notified, shall be considered correct for all purposes unless objections to such merit rate are received within thirty days after notification of said employer's merit rate for the ensuing year has been mailed to the employer's last known address.

(13) If objections to such merit rate duly and properly made are received, any redetermination of said merit rate, of which the employer has been notified, shall be considered correct for all purposes unless objections to such redetermination are received within thirty days after such notification of said redetermination has been mailed to the employer's last known address.

(14) Except as otherwise provided in this section, whenever through inadvertence, mistake or any other means erroneous charges or credits are found to have been made to an employer's account, the same shall be readjusted as of the date of discovery and such readjustment shall not affect any computation or rate assigned prior to the date of discovery but there shall be an immediate recomputation, in accordance with the applicable provisions of this section, of such employer's account with notice to the employer of the result thereof, and if such recomputation results in a contribution rate either higher or lower than that rate in effect on the date of discovery such new rate shall become effective and applicable to taxable wages as of the first day of the quarter next succeeding the quarter in which the discovery is made.

**14. Successorship.** Amend subsection E of section 6 of said chapter 218, as inserted by section 16, chapter 138 of the Laws of 1945, and as amended by section 6, chapter 36 of the Laws of 1951, (subsection E, section 6, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: E. Successorship. (1) For the purposes of subsection D of this section, an employing unit which acquires the organization, trade, or business, or substantially all of the assets thereof, of any employer, excepting, in any such case, any assets retained by such employer incident to the liquidation of his obligations (whether or not such acquiring employing unit was an employing unit within the meaning of section 1-G of this chapter prior to such acquisition), and who

intends to continue such organization, trade or business, immediately shall notify the director thereof, and shall assume, for the purpose of liability, the position of such employer with respect to such employer's separate account, actual contribution and benefit experience and annual pay rolls, as if no change with respect to such separate account, actual experience and pay rolls had occurred and with the same effect for such purpose as if the operations of such employer had at all times been carried on by such employing unit. Such separate account shall be transferred by the director to such employing unit and, as of the date of such acquisition, shall become the separate account or part of the separate account, as the case may be, of such employing unit, and the benefits thereafter chargeable to such employer on account of employment prior to the date of such acquisition shall be charged to the former employer's separate account until the fact of successorship is determined by the director and thereafter shall be charged to the account of the acquiring employing unit.

(2) No rate of less than 2.7 per centum shall be permitted an employing unit succeeding to the experience of another employing unit pursuant to this subsection for any period subsequent to such succession except in accordance with regulations prescribed by the director, which regulations shall be consistent with federal requirements for additional credit allowance in section 1602 of the Internal Revenue Code, and consistent with the provisions of this chapter, except that such regulations may establish a computation date for any such period different from the computation date generally prescribed by this chapter.

(3) Unless hereinafter specifically provided the provisions of this subsection shall apply to acquisition prior, as well as subsequent, to the date this subsection becomes effective, and any employing unit which so acquired the trade, organization or business of any employer, or substantially all the assets thereof, prior to said effective date shall notify the director within sixty days thereafter; provided, however, that in the case of acquisition prior to the date this subsection becomes effective, any new rate or rates obtained or acquired by virtue of this subsection shall be effective and controlling as of said effective date and not before.

**15. Records and Reports.** Amend subsection G of section 9 of said chapter 218, as amended by section 20, chapter 138 of the Laws of 1945, and section 13, chapter 185 of the Laws of 1949, (subsection M of section 9 of chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: G. Records and Reports. (1) Each employing unit shall keep true and accurate work records, for such periods of time and containing such information as the director may, by regulation, prescribe. Such records shall be open to inspection and be subject to being copied by the director or his authorized representatives at any reasonable time and as often as may be necessary. The director may, at his discretion, notify any employer of the prospective benefit rights of any employee.

(2) The director or his authorized representatives and the chairman of any appeal tribunal may require from any employing unit any sworn or unsworn reports or statements, with respect to persons employed by it, which either deems necessary for the effective administration of this chapter. Information thus obtained or obtained from any individual, claimant or employing unit pursuant to the administration of this chapter, shall be held confidential and shall not be published or open to public inspection in any manner revealing the individual's or employing unit's identity except:

(a) That an employing unit may inspect, at the convenience of the director, records and reports which pertain to his separate account, and, records and reports of claimants where the employing unit was the last employing unit or the employer whose separate account may be or has been charged with benefits paid to such claimant;

(b) That a claimant may inspect records and reports of an individual or employing unit which are directly connected with any claim for benefits which he may have made, including any which he has submitted in support of his claim for benefits; but he shall not be entitled to inspect the separate account or records directly connected therewith of any employing unit;

(c) That public employees in the performance of their public duties may inspect records and reports of an individual, an employing unit or a claimant where such information will aid in the performance of their public duties.



(3) The director may cause to be made such summaries, compilations, photographs, duplications, or reproductions of any records, reports, or transcripts thereof, as he may deem advisable for the effective and economical preservation of the information contained therein, and such summaries, compilations, photographs, duplications or reproductions, duly authenticated, shall be admissible in any proceeding under this chapter if the original record or records would have been admissible therein.

(4) The director may by regulation order the destruction, after reasonable periods, of any and all records, reports, transcripts or reproductions thereof, or other papers kept pursuant to the administration of the unemployment compensation law, which are not considered by him as necessary to the administration of this chapter.

(5) Any employee of the division of employment security, member of an appeal tribunal, or any individual, corporation, association, partnership or other type of organization, who lawfully obtains or sees records, reports or information obtained in the administration of this chapter, who violates any provision of this section shall be fined not less than twenty dollars nor more than two hundred dollars, or imprisoned for not more than ninety days, or both.

(6) No action for slander or libel, either criminal or civil, shall be predicated upon information furnished by any employer or any employee to the director in connection with the administration of any of the provisions of this chapter.

**16. Contingent Fund.** Amend subsection C of section 10 of said chapter 218, as inserted by section 15, chapter 185 of the Laws of 1949, (subsection C, section 10, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: C. Contingent Fund. There is hereby created in the state treasury a special fund to be known as the contingent fund. All interest, fines and penalties collected under the provisions of this chapter, after the effective date of this subsection, shall be paid into this fund. The monies in this fund may be used by the director: (1) as a revolving fund to cover expenditures (necessary and proper under the law) for which federal funds have been duly requested but not yet received, subject to the charging of such

expenditures against such funds when received, (2) for an annual audit by a private firm of certified public accountants, such firm to be designated by the state comptroller with approval of the governor and council, of the various funds provided for under this chapter and the employers' separate accounts maintained pursuant thereto, (3) for training and education of employment security personnel in their work, when money for such is not available from the federal government, (4) for rents, fees, salaries and equipment when money for such is not available from the federal government, (5) for any other purpose which is found by the governor and council to be in furtherance of the administration of this chapter. Monies in this fund shall not be expended or available for expenditure in any manner which would permit their substitution for (or a corresponding reduction in) federal funds which would, in the absence of said monies, be available to finance expenditures for the administration of this chapter. This fund shall be used by the director for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants (or other funds) received for or in the unemployment compensation and employment service administration fund on or after the effective date of this subsection. The monies in this fund are hereby specifically made available to replace, within a reasonable time, any monies received by this state pursuant to section 302 of the federal Social Security Act, as amended, which, because of any action or contingency, have been lost or expended for purposes other than, or in amounts in excess of, those necessary for the proper administration of this chapter. The monies in this fund shall be continuously available to the director for expenditure in accordance with the provisions of this subsection and shall not lapse at any time or be transferred to any other fund except as herein provided. Provided, however, that on June 30 of each year all monies in excess of one thousand dollars in this fund shall be transferred to the unemployment compensation fund. In the event that a refund of interest, a fine or a penalty is found necessary, and such interest, fine or penalty has been deposited in the contingent fund, such refund shall be made from the contingent fund. This fund shall be administered and disbursed in the same manner and under the same conditions as other special funds of the state treasury.

**17. Injunction.** Amend section 11 of said chapter 218, as amended by sections 21 and 22, chapter 138 of the Laws of 1945, section 23, chapter 59 of the Laws of 1947, sections 16 and 17, chapter 185 and chapter 201 of the Laws of 1949, section 9, chapter 140 of the Laws of 1951, sections 9, 10, 11 and 12, chapter 209 of the Laws of 1953, (section 12, chapter 282, RSA) by inserting after subsection C thereof the following new subsection C-1: C-1. Injunction. Any employer or employing unit refusing or failing to make and file required reports or to pay any contributions, interest or penalties when due under the provisions of this chapter, after ten days' written notice sent by the director or his authorized representative to the employer's or employing unit's last known address by registered mail, may be enjoined from operating any business in the state while in violation of the provisions of this chapter upon the complaint of the director of the division of employment security in the superior court of the county in which the employer or employing unit has or had a place of business within the state, and any temporary injunction enjoining the continuance of such business may be granted without notice. Such injunction may enjoin any employer or employing unit from operating his or its business until such reports and/or contributions including interest and penalties shall have been made and filed or paid. The provisions of this subsection shall be deemed as cumulative and in addition to any other provisions of this chapter relating to the collection of contributions by the director.

**18. Adjustments and Refunds.** Amend subsection F of section 11 of said chapter 218, as amended by section 22, chapter 138 of the Laws of 1945, chapter 201 of the Laws of 1949, and section 10, chapter 209 of the Laws of 1953, (subsection H of section 11, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: F. Adjustments and Refunds. If not later than four years from the last day of the period with respect to which a payment of any contributions or interest thereon was made, or one year from the date on which such payment was made, whichever shall be the later, an employing unit or employer who has paid such contribution or interest thereon, shall make application for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof because such

adjustment cannot be made, and the director shall determine that such contributions or interest or any portion thereof was erroneously collected, the director shall allow such employing unit or employer to make an adjustment thereof, without interest, in connection with subsequent contribution payments by him, or if such adjustment cannot be made, the director shall refund said amount, without interest, from the fund, unless such payments are to be refunded from the contingent fund as provided in section 10-C. The director, on his own initiative, may, in any case, for like cause and within the same period, allow either adjustment or refund, as he in his discretion may deem to be for the best interests of the state. Nothing in this chapter or in any part thereof, shall be construed to authorize any refund or credit of monies due and payable under the law and regulations in effect at the time such monies were paid.

**19. Jeopardy Assessment.** Amend section 11 of said chapter 218, as amended by sections 21 and 22, chapter 138 of the Laws of 1945, section 23, chapter 59 of the Laws of 1947, sections 16 and 17, chapter 185 and chapter 201 of the Laws of 1949, section 9, chapter 140 of the Laws of 1951, and sections 9, 10, 11 and 12, chapter 209 of the Laws of 1953, (section 11, chapter 282, RSA) by inserting after subsection H thereof the following new subsection H-1: H-1. Jeopardy Assessment. If the director believes that the collection of contributions will be jeopardized by delay, he shall, whether or not the time prescribed by section 6 or section 11 or by the rules and regulations of the director for making return and paying such contributions has expired, immediately assess on the basis of whatever information he may have such contributions together with all interest and penalties. Such contributions, interest and penalties shall thereupon become immediately due and payable, and immediate notice and demand, either in person or in writing, shall be made by the director or his duly authorized representatives for the payment thereof. Upon failure or refusal to pay immediately such contributions, interest and penalties, collection thereof by any means provided in this section shall be lawful without regard to the period prescribed in section 11-G or by the rules and regulations of the director, and proceedings may also be instituted under section 13 for such failure or refusal.

The collection of the whole or any part of the amount of such assessment may be stayed by filing with the director a bond in such amount as is equal to the amount to which the stay is desired and with such sureties as the director deems necessary conditioned on payment of the amount collection of which is stayed, at the time at which, but for this subsection, such amount would be due.

An assessment under this subsection shall not finally fix the amount of such contributions, interest and penalties. Where the amount due is subsequently discovered to be greater than that assessed, the balance shall be collected by any means provided in this section. If the amount due is subsequently discovered to be less than that assessed, it will be adjusted in the manner provided by section 11-F.

**20. Penalties.** Amend section 13 of said chapter 218, as amended by section 23, chapter 138 of the Laws of 1945, section 10, chapter 140 and section 8, chapter 142 of the Laws of 1951, and section 13, chapter 209 of the Laws of 1953, (section 14, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: **13. Penalties.** A. Whoever wilfully makes a false statement or representation or knowingly fails to disclose a material fact to obtain or increase any benefit or other payment under this chapter, either for himself, or for any other person, shall, upon conviction, be fined not less than twenty nor more than two hundred dollars, or imprisoned not more than one year, or both; and each such false statement or representation or failure to disclose a material fact shall constitute a separate and distinct offense.

B. Any individual who wilfully makes a false statement or representation or knowingly fails to disclose a material fact before a representative of the division of employment security of the state of New Hampshire to obtain benefits under the laws of any other state or the federal government shall be subject to the same provisions of this chapter as if he were claiming benefits under this chapter.

C. Any individual who is convicted under subsection A of this section shall be deemed disqualified from receiving benefits for one year from the date of such conviction, and all benefits received for any week or weeks directly affected by such false statement or representation or failure to disclose a

material fact shall be deemed overpaid and restitution shall be ordered by the court in all such cases in an amount equal to such overpayment.

D. Whoever wilfully makes a false statement or representation or knowingly fails to disclose a material fact, whether before a representative of the division of employment security of the state of New Hampshire or in another state before a representative of the unemployment compensation agency of that state which is acting in the capacity of agent for the state of New Hampshire, to obtain or increase any benefit or other payment under this chapter, either for himself, or for any other person, may, in the discretion of the director or his authorized representative, be determined to be disqualified for benefits for each week directly affected by the false statement or representation or failure to disclose a material fact, and all benefits received for each week of such disqualification shall be deemed overpaid and restitution in an amount equal to such overpayment shall be ordered by the director or his authorized representative. In addition to such disqualification he shall be deemed ineligible to receive benefits for not less than four nor more than fifty-two consecutive weeks, beginning with the week in which the decision is made, as determined, by the director or his authorized representative. For each week of determined ineligibility an amount equal to the individual's maximum weekly benefit rate during such week shall be deducted from the maximum benefits available to him during the benefit year in which such week falls, but no change shall be made in his weekly benefit amount because of this deduction. Any proceeding or action taken under this subsection shall be in lieu of and not in addition to any proceeding or action taken under subsection A of this section.

E. Any person who has received any benefits under this chapter while any conditions for the receipt of benefits imposed by this chapter were not fulfilled or while he was disqualified from receiving benefits, shall, unless such benefits were received by him solely through error or inadvertence of the director or his authorized representative as defined by the regulations of the director, be liable to repay to the director such benefits and they shall be considered to be overpayments. No such overpayment shall exist unless a determination has been made by a certifying officer setting forth the facts caus-

ing the creation of the overpayment and notice of such determination has been sent to the claimant who may appeal in the manner set forth in section 5 of this chapter. Such determination shall be made within two years of the weeks affected thereby.

The director shall collect any overpayment created under this chapter by civil action in any manner provided for the collection of contributions in section 11 of this chapter, and shall withhold, in whole or in part as determined by the director, any future benefits payable to the individual, and credit such amount withheld against the overpayment until it is repaid in full.

F. Any employing unit, as enumerated in or within the meaning of section 1-G of this chapter, or any officer or agent of an employing unit, who knowingly makes a false statement or representation or who knowingly fails to disclose a material fact to avoid becoming or remaining subject hereto or to avoid or prevent or reduce any contribution or other payment required of such employing unit under this chapter, or to deny or reduce payments of benefits to any individual, or who knowingly fails or refuses to make any such contribution or other payment or to furnish any reports required hereunder or to testify or to permit inspection of records or produce records as required hereunder, or who makes, permits or requires any deduction from wages to pay all or any portion of the contributions required from employers, or who attempts to induce any individual to waive any right under this chapter, shall, upon conviction, be fined not less than twenty-five nor more than five hundred dollars, or imprisoned not more than one year, or both; and each such violation shall constitute a separate and distinct offense.

G. Any violator of any provision of this chapter, or of any order, rule or regulation thereunder, for which a penalty is neither prescribed above nor provided by any other applicable statute, shall be fined not less than twenty nor more than two hundred dollars, or imprisoned not more than one year, or both; and each such violation shall constitute a separate and distinct offense.

H. Recovery for another State. On request of an agency which administers an employment security law of another state and which has found in accordance with the provisions of

such law that a claimant is liable to repay benefits received under such law by reason of having knowingly made a false statement or representation or knowingly failed to disclose a material fact with respect to a claim taken in this state as an agent for such agency, the director may, if the existence of such false statement or representation or knowing failure to disclose a material fact has been found by a court of competent jurisdiction, collect from such claimant the amount of such benefits to be refunded to such agency, and in any case in which under this subsection a claimant is liable to repay any amount to the agency of another state such amounts may be collected without interest by civil action in the name of the director acting as agent for such agency.

**21. Director, Deputy Director.** Amend section 9 of said chapter 218 (section 9, chapter 282, RSA) by inserting after subsection E thereof the following new subsection: E-1. Incapacity, Absence and Inability. The deputy director of the division of employment security shall act as director whenever the director of the division of employment security is incapacitated, absent or unable to act for any cause. The deputy director shall also act as director of the division of employment security until a new director is duly appointed whenever there is no director. During such period as the deputy director acts as director his status as a classified state employee shall continue and shall in no way be altered, affected or changed.

**22. Takes Effect.** This act shall take effect upon its passage.

[Approved May 14, 1955.]

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## CHAPTER 142.

AN ACT RELATIVE TO SPECIAL SESSIONS OF PROBATE COURTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Judges of Probate.** Amend section 23 of chapter 346, Revised Laws, (section 24, chapter 547, RSA) by striking out said section and inserting in place thereof the following: **23. Special Sessions.** Whenever the judge, at the request of the



parties, shall attend an uncontested hearing on days other than those fixed by the statute as the regular days for the sitting of the probate court, he may be allowed five dollars for his service plus his expenses. In the case of a contested hearing, he shall be allowed additional compensation which shall not exceed an additional ten dollars for a half day or an additional twenty dollars for a whole day plus his expenses. Such compensation and expenses shall be paid out of the estate to which the proceedings relate, unless the judge rules otherwise.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 143.

AN ACT RELATIVE TO PENALTY FOR FAILURE TO SURRENDER MOTOR VEHICLE LICENSE, REGISTRATION OR NUMBER PLATE UPON DEMAND AND RELATIVE TO SPECIAL NUMBER PLATES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicles, Penalties.** Amend section 21 of chapter 118 of the Revised Laws (section 26, chapter 262, RSA) by inserting after the word "justice," in the next to last line of said section the words, or who refuses to surrender to the commissioner or his duly authorized representative any license, registration certificate or number plates upon demand after suspension or revocation of the same, so that said section as amended shall read as follows: **21. Disobeying Officer.** Any person who, while operating or in charge of a motor vehicle, shall refuse when requested by a police officer to give his name and address or the name and address of the owner of such motor vehicle, or who shall give a false name or address, or who shall refuse or neglect to stop when signaled to stop by any police officer who is in uniform or who displays his badge conspicuously on the outside of his outer coat or garment, or who refuses on demand of such officer to produce his license to operate such vehicle or his certificate of registration, or to permit such officer to take the license or certificate in hand for the purpose of examination, or who refuses on demand of

such officer to sign his name in the presence of such officer, or who refuses or neglects to produce his license when requested by a court or justice, or who refuses to surrender to the commissioner or his duly authorized representative any license, registration certificate or number plates upon demand after suspension or revocation of the same, shall be fined not less than twenty-five nor more than one hundred dollars.

**2. Motor Vehicles.** Amend section 7-a of chapter 116 of the Revised Laws, as inserted by chapter 81 of the Laws of 1953, and as amended by chapter 28 of the Laws of 1955 (section 10, chapter 260, RSA) by inserting after the words "members of the senate" the words, or their spouse; by inserting after the words "members of the house of representatives" the words, or their spouse; and by inserting after the words "his deputy" the words, county sheriffs, so that said section as amended shall read as follows: **7-a. Special Number Plates.** Upon payment of motor vehicle registration fee, if any, the motor vehicle commissioner may issue a special plate, to be designated by him, to be affixed to the vehicle of the governor, the members of the governor's council, president of the senate, members of the senate or their spouse, speaker of the house of representatives, members of the house of representatives or their spouse, the attorney general and his deputy, county sheriffs, and vehicles of state police and motor vehicle departments. Said special plates shall be issued at no cost to the state other than those plates furnished to the governor, the members of the governor's council, the president of the senate, speaker of the house of representatives, state police and motor vehicle departments.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 144.

AN ACT RELATIVE TO AGRICULTURAL VEHICLES AND TRUCKS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Agricultural Trucks.** Amend paragraph IV of section 1

of chapter 118 of the Revised Laws as amended by section 1, chapter 48, Laws of 1945, section 2, chapter 273, Laws of 1947, and section 1, chapter 76, Laws of 1953, (paragraph V, section 1, chapter 262, RSA) by striking out the words "each tractor or truck used only on snow and each snowmobile" in the eighth and ninth lines and by striking out the word "five" in the twelfth line and inserting in place thereof the word, ten, so that said paragraph as amended shall read as follows: IV. For each road oiler or bituminous distributor the fee shall be seventy-five dollars. For each tractor used for agricultural purposes only, each vehicle of the tractor type used for agricultural purposes only and used to draw another vehicle in such a way that a part of the load is carried on such towing vehicle, each tractor used for power purposes only that does not haul loads on the public highways except as hereinbefore provided for tractor type vehicles, two dollars. Each commercial vehicle or truck used for agricultural purposes only and used on the public highways within a radius of ten miles from the main entrance of the farm upon which said vehicle is operated, or used to transport animals and agricultural products to agricultural fairs and exhibits for exhibition purposes only, two dollars, provided that such vehicle under such limited registration shall not be used for the purpose of transporting products for sale or for hire. For each farm truck of a total weight, determined as provided in paragraph III of the section, used only for the transportation of agricultural products produced on, and meant to be used in connection with the operation of, a farm or farms owned, operated or occupied by the registrant, the fee shall be twenty-five dollars, for the first sixteen thousand pounds and at the same rates as set forth in paragraph III of this section for any additional weight above sixteen thousand pounds, provided that a farm truck so registered shall not be used for the transportation of wood and lumber for sale other than from such farms on which the production of wood and lumber is incidental to other farm operations, nor shall such trucks be used for the retail delivery of milk. In the event that a farm truck registered under the twenty-five dollar fee as hereinbefore provided is thereafter registered for general use during the same registration year such fee shall be applied toward the fee for such general registration.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 145.

### AN ACT RELATING TO HOLIDAYS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Veterans Day.** Amend section 2, chapter 367 of the Revised Laws as amended by chapter 270 of the Laws of 1949 (section 1, chapter 288, RSA) by striking out the words, Armistice Day, and inserting in place thereof the words, Veterans Day, so that said section as amended shall read as follows: **2. Holidays.** Thanksgiving day whenever appointed, the fourth Monday in April known as Fast Day, the first Monday in September, known as Labor Day, the day on which the biennial election is held, January first, February twenty-second, May thirtieth, July fourth, October twelfth, November eleventh, known as Veterans Day and Christmas day are legal holidays.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 146.

### AN ACT RELATIVE TO FOREST FIRE PROTECTION AND APPOINTMENT OF WARDENS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Fire Wardens; Term of.** Amend section 17 of chapter 233 of the Revised Laws (section 8, chapter 224, RSA) by striking out said section and inserting in place thereof the following: **17. Term.** Upon the appointment of a forest fire warden or deputy forest fire warden in any town, city or place, the term of office of the forest fire warden or deputy

forest fire warden theretofore acting therein shall immediately cease, and the new appointee shall thereafter serve for three years, or until a successor is appointed as herein provided.

**2. Forest Fire Trails.** Amend chapter 233 of the Revised Laws (chapter 224, RSA) by inserting after section 19 thereof the following new section: **19-a. Fire Trails.** Forest fire wardens and deputy wardens or any agent designated by them may, with the approval of the state forester, brush-out and make passable old roads and trails useful for the passage of men and equipment in case of forest fires. Expenditures for this purpose shall be shared by the state and town, place or municipality in the same proportion as other prevention expense except that the state's share under this section shall not exceed twenty-five dollars to any one town, place or municipality in any one year.

**3. Declaring Forests Closed.** Amend section 37-a of chapter 233 of the Revised Laws as inserted by section 1 of chapter 70 of the Laws of 1949 (section 32, chapter 224, RSA) by striking out the words "and council" in the first line and the words "in his opinion" in the second line and by inserting after the word "may" in the fifth line the words, with verbal approval of the council, so that said section as amended shall read as follows: **37-a. Declaring.** The governor upon the recommendation of the state forester, when there is danger of starting fires in the woodlands of the state due to a period of protracted drought or excessive dryness which requires extraordinary precautions, may, with verbal approval of the council, by official proclamation, prohibit smoking in or near woodland and prohibit the kindling of any open fire in or near woodland in any or all parts of the state for such time as they may designate. Whoever is found guilty of violating the provisions of this section shall be fined not more than twenty-five dollars.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

**CHAPTER 147.**

AN ACT PROVIDING FOR A STUDY OF THE MANNER OF APPORTIONING THE COST OF CONSTRUCTION AND MAINTENANCE OF HIGHWAY AND RAILROAD UNDERPASSES AND OVERPASSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Study of Apportionment of Costs.** That the commissioner of public works and highways and the public utilities commission are directed to study the present manner of apportioning the cost of construction and the cost of maintenance of highway and railroad underpasses and overpasses between railroads, operating in this state, and the state, or between such railroads and municipalities as the case may be, and to study the manner in which such apportionment might be made in the future in order to provide an equitable method of apportionment consonant with present day conditions and the relative benefits derived from such structures by the railroads and the state, or between the railroads and municipalities, as the case may be. The commissioner of public works and highways and the public utilities commission are directed to elicit the suggestions and cooperation of the railroads operating in this state in this study to be completed not later than October 1, 1956.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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**CHAPTER 148.**

AN ACT RELATIVE TO A REPORT OF BIRTH.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Vital Statistics.** Amend section 4 of chapter 337 of the Revised Laws as amended by section 2 of chapter 98 of the Laws of 1949 (section 6, chapter 126, RSA) by striking out said section and inserting in place thereof the following: 4.

**Report of Birth.** Any hospital in the state in which a child shall be born alive shall complete the certificate of live birth, obtain the signature of the attending physician or other persons in charge, who shall attend, assist or advise at the birth of any child, and shall report to the clerk of the town in which the hospital is located within six days thereafter. If any child is born alive outside a hospital, each physician who has professional charge of the mother at the birth of any child shall, within six days after such birth, and the father or mother of such child, when no physician is employed or, in case of the inability of the attending physician, by reason of sickness, death or absence, to make out such certificate, shall, within thirty days after such birth, furnish the clerk of the town in which such birth occurred a certificate signed by such physician, father or mother, stating from the best information available facts required by the state department of health. In case the parents of the child reside in some other town than the place of birth, the clerk of the town within which the birth takes place shall thereupon send a copy of the birth record to the clerk of the town within which the parents reside, where the same shall be recorded; but only the clerk of the town of actual birth shall be required to transmit a copy to the state registrar.

**2. Illegitimate Children.** Amend section 4-a of chapter 337 of the Revised Laws as inserted by section 1 of chapter 191 of the Laws of 1949 (section 7, chapter 126, RSA) by striking out said section and inserting in place thereof the following: **4-a. Prohibition.** In the case of an illegitimate child or a child born out of wedlock, no certificate of birth for such child shall contain any specific statement or reference to illegitimacy of the child, or that the child was born in or out of wedlock, or to the marital status of the parents. The name of the putative father of an illegitimate child or of a child born out of wedlock shall not be entered in or upon the birth certificate of such child without the written consent of both the mother and the putative father, or unless the paternity of the child has been adjudicated. The written consent shall be deposited with the clerk of the town in which the birth occurs and shall be filed and cross referenced with the original certificate. When, from information appearing upon a birth certificate, it is discernible that the record is that of an illegitimate child or a child born

out of wedlock, the clerk receiving the original record shall not transmit a copy of such a record to the city or town within which the parents reside nor shall he publish a report of such birth in any town or county report.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 149.

### AN ACT RELATIVE TO THE DISTRIBUTION OF PROPERTY TO LEGATEES, DISTRIBUTEES OR BENEFICIARIES OUTSIDE THE UNITED STATES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Distributees Outside the Territorial Limits of the United States of America.** Amend chapter 360 of the Revised Laws (chapter 561, RSA) by inserting after section 12 the following new section: **12-a. Delivery Deferred.** When it appears that a legatee, distributee, cestui or beneficiary not residing within the territorial limits of the United States of America or any territorial possession thereof would not have the benefit or use or control of property due him and that special circumstances make it desirable that delivery to him be deferred, the probate court may order that such property be converted into available funds and paid to the state treasurer to be invested by him and, together with any proceeds thereof, to be handled subject to such further order as such probate court may enter, provided a reasonable fee, as allowed by the court, of the attorney for any such legatee, distributee, cestui or beneficiary shall be considered a lien on such funds and shall be paid by the fiduciary having such funds in charge to such attorney prior to payment to the state treasurer. A copy of any such further order by the probate court shall be filed with the director, division of inheritance taxes, state tax commission.

**2. Partition of Real Estate, Distribution of Proceeds.** Amend chapter 410 of the Revised Laws (chapter 538, RSA)



by inserting after section 25 the following new section: **25-a. Distribution Deferred.** When it appears that an owner not residing within the territorial limits of the United States of America or any territorial possession thereof would not have the benefit or use or control of such proceeds due him and that special circumstances make it desirable that delivery of such proceeds to him be deferred, the probate court may order that such proceeds be paid to the state treasurer to be invested by him and handled subject to such further order as such probate court may enter, provided a reasonable fee, as allowed by the court, of the attorney for any such owner shall be considered a lien thereon and shall be paid by the fiduciary having such funds in charge to such attorney prior to payment to the state treasurer.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 150.

AN ACT RELATIVE TO THE POWERS OF THE CREDIT COMMITTEE OF,  
AND SALE OF CHECKS BY, CREDIT UNIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Credit Unions.** Amend section 32 of chapter 315, Revised Laws (section 32, chapter 394, RSA) by inserting at the end of said section the words: provided, however, that by majority vote of the board of directors any credit union may make loans to its members without approval of the credit committee provided such loans do not exceed eighty per cent of the value of the borrower's shares and that the borrower does not have any other direct or indirect liability to the said credit union, so that said section as amended shall read as follows: **32. Credit Committee.** The credit committee shall hold meetings, of which due notice shall be given its members, for the purpose of considering applications for loans, and no loan shall be made unless all members of the committee who are present when the application is considered, and at least

two thirds of all the members of the committee, approved the loan and are satisfied that it promises to benefit the borrower, provided, however, that by majority vote of the board of directors any credit union may make loans to its members without approval of the credit committee provided such loans do not exceed eighty per cent of the value of the borrower's shares and that the borrower does not have any other direct or indirect liability to the said credit union.

**2. Authority Granted.** Amend chapter 315 of the Revised Laws (chapter 394, RSA) by inserting after section 50 the following new section: **51. Sale of Checks.** The commissioner upon petition of the board of directors of a credit union may authorize said credit union, under regulations made by him, to sell negotiable checks and drafts issued by it or drawn by or on it payable by or through a trust company or a national banking association.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 151.

AN ACT RELATIVE TO BREAD ENRICHMENT AND OLEOMARGARINE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Flour and Bread Enrichment.** Amend paragraph V of section 12-a of chapter 164 of the Revised Laws as inserted by section 1, chapter 125, Laws of 1945 (paragraph V, section 12, chapter 146, RSA) by striking out said paragraph and inserting in place thereof the following: V. Exception. Provided, however, that this section shall not apply to flour sold to distributors, bakers or other processors where such flour is either (1) resold to a distributor, baker or other processor, or (2) used in the manufacture, mixing or compounding of flour, white bread or rolls enriched to meet the requirements of this section, or (3) used in the manufacture of products other than flour, white bread or rolls. It shall be unlawful for any such purchaser to use or resell the flour so purchased in any manner other than prescribed herein.

**2. Oleomargarine and Margarine.** Amend chapter 194 of the Revised Laws (chapter 184, RSA) by inserting after section 43 the following new section: **43-a. Standard of Identity and Label Statements.** The state board of health shall by regulation adopt a reasonable standard of identity for oleomargarine or margarine and prescribe label statements for ingredients employed therein. No person, by himself or his agents or servants, shall render or manufacture, sell, offer for sale, expose for sale or have in his possession with intent to sell oleomargarine or margarine which fails to meet the standard of identity and labeled in accord with the provisions established by regulation of the state board of health.

**3. Requirements for Serving.** Amend section 47 of chapter 194 of the Revised Laws as amended by section 4, chapter 222, Laws of 1949 (section 52, chapter 184, RSA) by striking out said section and inserting in place thereof the following: **47. Colored Oleomargarine.** No person shall possess in a form ready for serving colored oleomargarine or margarine at a public eating place unless a notice that oleomargarine or margarine is served is displayed prominently and conspicuously in such place and in such manner as to render it likely to be read and understood by the ordinary individual being served in such eating place or is printed or is otherwise set forth on the menu in type or lettering not smaller than that normally used to designate the serving of other food items. No person shall serve colored oleomargarine or colored margarine at a public eating place, whether or not any charge is made therefor, unless (1) each separate serving bears or is accompanied by labeling identifying it as oleomargarine or margarine, or (2) each separate serving thereof is triangular in shape.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

**CHAPTER 152.**

AN ACT RELATING TO REGULAR SESSIONS OF THE HILLSBOROUGH COUNTY PROBATE COURT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Probate Court Sessions.** Amend section 6 of chapter 348 Revised Laws (section 6, chapter 549, RSA) by striking out said section and inserting in place thereof the following: **6. Hillsborough.** For the county of Hillsborough, — at Manchester, on the first and third Tuesdays of every month, except the month of August; at Nashua, on the fourth Tuesday of every month, except the month of August; at Peterborough, on the third Friday of March, June, September and December; at Hillsborough Bridge, on the third Friday of January, April, July and October; at Milford, on the third Friday of February, May and November.

**2. Takes Effect.** This act shall take effect on January 1, 1956.

[Approved May 21, 1955.]

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**CHAPTER 153.**

AN ACT ESTABLISHING CERTAIN POSITIONS AT THE STATE HOSPITAL.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. State Hospital.** Amend chapter 17 of the Revised Laws as amended by section 12, chapter 265 of the Laws of 1953 (chapter 135, RSA) by inserting after section 2-b the following new section: **2-c. Directors.** There are hereby established positions of, director of psychiatric education and research; director of clinical services; director of out-patient services; director of correctional psychiatry. These, together with the assistant superintendent and superintendent, will be responsible for the determination and implementation of all policy matters relating to the medical care of patients at the state hospital and all other persons referred to the state

hospital or its agents for psychiatric assistance, and will perform such other duties as may be assigned by the superintendent. The superintendent, with the approval of the board of trustees, shall appoint qualified medical personnel as the director of clinical services, the director of psychiatric education and research, the director of out-patient services, and the director of correctional psychiatry. These positions shall carry with them an annual salary as set forth in chapter 265, Laws of 1953 as amended.

**2. Salaries.** Amend paragraph II of section 1 of chapter 265, Laws of 1953 (chapter 94, RSA) by adding at the end thereof the following: director of clinical services, minimum \$7062, maximum \$8346; director of psychiatric education and research, minimum \$7062, maximum \$8346; director of out-patient services, minimum \$7062, maximum \$8346; director of correctional psychiatry, minimum \$7062, maximum \$8346.

**3. Maintenance.** Amend section 6 of chapter 265, Laws of 1953 (section 5, chapter 94, RSA) by striking out said section and inserting in place thereof the following: **6. Maintenance.** In addition to the above mentioned salaries, the following positions shall carry with them maintenance: superintendent, assistant superintendent, director of clinical services, director of psychiatric education and research, director of out-patient services and director of correctional psychiatry, state hospital; superintendent and deputy superintendent, industrial school; warden and deputy warden, state prison; presidents teachers colleges and the superintendents of Laconia state school and state sanatorium, and commandant of the New Hampshire soldiers home.

**4. Takes Effect.** This act shall take effect as of July 1, 1955.

[Approved May 21, 1955.]

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## CHAPTER 154.

AN ACT RELATIVE TO BOARD OF VETERINARY EXAMINERS AND  
QUALIFICATIONS FOR VETERINARY LICENSES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Veterinary Medicine.** Amend section 2 of chapter 255,

Revised Laws (section 2, chapter 332, RSA) by inserting after the word "qualified" in the fourth line the words, prior to the appointment of a member of the board of veterinary examiners, the governor and council shall receive and consider the recommendations of the executive board of the New Hampshire Veterinary Medical Association as to such appointments. No member of the board of veterinary examiners can succeed himself on the board, so that said section as amended shall read as follows: **2. Examiners.** There shall be a board of three veterinary examiners, one of whom shall be appointed each year by the governor, with the advice and consent of the council, for a term of three years and until his successor is appointed and qualified. Prior to the appointment of a member of the board of veterinary examiners, the governor and council shall receive and consider the recommendations of the executive board of the New Hampshire Veterinary Medical Association as to such appointments. No member of the board of veterinary examiners can succeed himself on the board. Vacancies shall be filled in like manner for the unexpired term.

**2. Increase in Amount.** Amend section 4, chapter 255, Revised Laws, as amended by section 1, chapter 209, Laws of 1947 (section 5, chapter 332, RSA) by striking out the word "ten" in the first line and inserting in place thereof the word, fifteen, and by striking out the word "fifty" in the third line and inserting in place thereof the word, seventy-five, so that said section as amended shall read as follows: **4. Compensation.** Each member of said board shall receive fifteen dollars a day for services rendered and his actual expenses. The board may employ clerical assistance at a cost not to exceed seventy-five dollars a year. If the amount received by the state treasurer is not sufficient to pay for both services and expenses, the governor and council shall allow the expenses in full and such part of the amount due for services as the balance permits.

**3. Licenses.** Amend section 11 of chapter 255, Revised Laws (section 12, chapter 332, RSA) by striking out the same and inserting in place thereof the following: **11. Temporary Eligibility for Examination and License.** Any person who is a graduate of a veterinary college not on the recognized list, as provided in section 9, which college had or has a course of study of not less than four school years of not less than six months each may be granted a temporary internship license

for a period of five years, provided said person is employed by and practices his profession under the supervision of a duly licensed veterinarian practicing in the state. At the expiration of said five-year period said person holding such temporary license shall be eligible to apply for and to take the examination provided in section 9 provided he has retained his residence in the state for said period and has practiced under said temporary license under the supervision of a duly licensed veterinarian practicing in the state. Upon passing said examination said applicant shall be granted a license as provided in section 10. Any person who is a graduate of a veterinary college recognized as provided for in section 9, may be granted a temporary internship license without examination for a period not to exceed two years, providing said person is employed by and practices his profession under the supervision of a duly licensed veterinarian practicing in the state. Any person who, under the law existing prior to March 7, 1901, was entitled to practice veterinary medicine in the state, shall upon application to the board of veterinary examiners be granted a license without examination and shall be permitted to use the title "Licensed Veterinarian."

**4. Increase in Fees.** Amend section 13 of chapter 255, Revised Laws (section 14, chapter 332, RSA) by striking out the word "ten" in the second line and inserting in place thereof the word, fifteen, and by striking out the word "two" in the fourth line and inserting in place thereof the word, three, so that said section as amended shall read as follows: **13. Fees.** A person applying for an examination shall, at the time of his application, pay to the treasurer of said board fifteen dollars. A person registered under this chapter, whether a graduate or non-graduate, shall annually pay to the treasurer of said board a license fee of three dollars.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

**CHAPTER 155.**

AN ACT REQUIRING CERTIFICATES TO BE FILED BY SELECTMEN  
WITH TAX COMMISSION TO BE USED IN DETERMINING  
AVERAGE RATE OF TAXATION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Selectmen.** Amend section 19 of chapter 59 of the Revised Laws as amended by section 1 of chapter 37 of the Laws of 1951 (section 15, chapter 41, RSA) by striking out the whole thereof and inserting in place thereof the following: **19. Report to Tax Commission.** The selectmen shall, on or before October first in each year, transmit to the tax commission upon blanks furnished by the commission for the purpose, a certificate showing the number of polls and total valuation of each class of property included in the inventory of polls and ratable estates and a certificate of the several appropriations, estimated revenues and the total amount to be raised, the amount of taxes to be levied and the rate per cent of taxation for all purposes that year. Such certificates shall be used by the tax commission to determine the average rate of taxation throughout the state. If such certificates are not received by October first by the tax commission it may use such information as it may be able to obtain in order to determine the average rate of taxation throughout the state for that year.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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**CHAPTER 156.**

AN ACT RELATIVE TO MILEAGE ALLOWANCES FOR MEMBERS OF THE  
GENERAL COURT WHO WORK ON NON-LEGISLATIVE DAYS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Members of the General Court.** Amend chapter 9 of the Revised Laws (chapter 14, RSA) by inserting after section 16 the following new section: **16-a. Special Mileage Allowances.**



Any member of the general court who is on official business of the legislature in Concord on days other than when the legislature is in session, duly authorized by the presiding officer of the branch of which he is a member, shall be allowed the same mileage as he would have been allowed had the legislature been in session on said day.

**2. Takes Effect.** This act shall take effect as of January 5, 1955.

[Approved May 21, 1955.]

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## CHAPTER 157.

AN ACT RELATING TO TAX EXEMPTION FOR INSTITUTIONS,  
SOCIETIES AND CORPORATIONS NOT ORGANIZED, IN-  
CORPORATED, CONDUCTED, OR OPERATED PRINCIPALLY  
FOR THE BENEFIT OF NEW HAMPSHIRE  
RESIDENTS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Institutional Exemptions.** Amend section 24, chapter 73 of the Revised Laws, as amended by chapter 141 of the Laws of 1945 (section 23, chapter 72, RSA) by inserting after the word "purposes," in the fifteenth line the following words, and provided, further, no such institutions, societies, or corporations, other than those devoted to educational or religious purposes and those hereinabove specifically named, shall be entitled to such tax exemption if organized or incorporated for the principal purpose of benefiting persons who are not residents of New Hampshire or if in fact conducted or operated principally for the benefit of persons who are not residents of New Hampshire, so that said section as amended shall read as follows: **24. Institutional Exemptions.** The personal property of institutions devoted to educational purposes, charitable and religious societies, and of temperance societies, incorporated or organized within this state, and the real estate owned and occupied by them, their officers, or their students for the purposes for which they are established, parsonages occupied by pastors of churches, and personal property owned and real

estate owned and occupied by the Grand Army of the Republic, The United Spanish War Veterans, Veterans of Foreign Wars, the American Legion, the Disabled American Veterans, or the American National Red Cross, shall be exempt from taxation, provided none of the income or profits of the business of such corporations or institutions is divided among the stockholders or members, or is used or appropriated for other than educational, charitable or religious purposes, and provided, further, no such institutions, societies, or corporations, other than those devoted to educational or religious purposes and those hereinabove specifically named, shall be entitled to such tax exemption if organized or incorporated for the principal purpose of benefiting persons who are not residents of New Hampshire or if in fact conducted or operated principally for the benefit of persons who are not residents of New Hampshire. No institution shall be deemed an educational institution for the purpose hereof unless it conducts regular courses of instruction, under a curriculum approved by the state board of education, for at least six months of each calendar year; and no institution, except it be a regularly recognized and constituted denomination, sect, or creed, shall be deemed a religious institution for the purpose hereof, unless it conducts religious services in this state for at least six months of each calendar year. This limitation, however, does not apply to property of any institution or organization exempted from taxation by special act of the legislature.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 158.

### AN ACT RELATING TO ABANDONED ICEBOXES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Nuisance.** Amend chapter 165 of the Revised Laws (chapter 147, RSA) by inserting after section 36 as inserted by chapter 297, Laws of 1949, the following new section: 37.

**Negligence.** Any person, having been the owner of a container originally used for refrigeration purposes, who fails to remove the door or lid from said container before discarding it, upon conviction thereof, shall be punished by a fine of not more than fifty dollars, or imprisoned not more than thirty days, or both.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 159.

### AN ACT RELATING TO REGISTRATION OF MOTOR BOATS AND OUTBOARD MOTORS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Motor Boats and Outboard Motors.** Amend section 15 of chapter 181 of the Revised Laws (section 17, chapter 270, RSA) by striking out said section and inserting in place thereof the following: **15. Transfer of Registration.** Upon the transfer of ownership of any boat or outboard motor, its registration shall expire and the person in whose name such boat or outboard motor is registered shall return the certificate of registration forthwith to the commission with a written notice containing the date of such transfer of ownership and the name and address of the new owner, or, in case of loss by theft, accident or fire, a sworn statement setting forth the circumstances attending such loss. A person who so transfers or loses a registered boat or outboard motor, upon filing a new application, may have registered in his name another boat or outboard motor for the remainder of the calendar year. A fee of one dollar shall be paid to the commission for such transfer. The commission, at its discretion, may assign to the boat or outboard motor of any person who surrenders his registration certificate, as herein provided, and who desires to register another boat or outboard motor, the registration number in the surrendered certificate a new number, or the number given in the statement as herein provided for in the case of loss.

**2. Violation of Chapter.** Amend section 16 of chapter 181

of the Revised Laws (section 18, chapter 270, RSA) by inserting after the word "violate" in the second line the words, any provision of this chapter, or, so that said section as amended shall read as follows: **16. Penalty.** If any person shall operate any boat required to be registered hereunder without registration, or shall violate any provision of this chapter, or any rule or regulation prescribed by the commission relating to the equipment or operation of such boats, or shall refuse or fail when requested to exhibit to any duly authorized representative of the commission the certificate of registration of such boat, he, and the owner of said boat if the same is operated with his permission or assent, shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 160.

### AN ACT PROVIDING THAT CHARITABLE CORPORATIONS MAY ESTABLISH COMMON TRUST FUNDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Common Trust Funds.** Amend chapter 272 of the Revised Laws (chapter 292, RSA) by inserting after section 16, as inserted by chapter 88, Laws of 1955, the following new subdivision:

#### Common Trust Funds

**17. Charitable Corporations.** Any charitable corporation organized under an act of the legislature or under general state laws is empowered through its trustees or directors to establish, maintain and operate common trust funds as provided herewith under the appropriate standard of investment applicable to it. **18. Collective Investments.** Said charitable corporation may combine money and property belonging to various trusts in its care for the purpose of facilitating investments, providing diversification and obtaining a reasonable income; provided, however, that the participating contributory

interest of said trusts shall be properly evidenced by appropriate bookkeeping entries showing on an annual basis the capital contribution of and the profit and income allocable to each trust; and provided, further, that not more than ten per cent of the fund shall be invested in the obligations of any one corporation or organization, excepting deposits in savings banks, obligations of the United States and of the state of New Hampshire and its subdivisions; and provided, further, that nothing herein shall be construed to authorize the investment of funds of a trust in any manner not authorized by law. **19.**

**Contributions and Withdrawals.** Contributions to any common trust fund shall be made on the basis of its market value at the time such contribution is recorded in the books of the trustees. The withdrawal of a particular trust fund from any common trust fund shall be made proportionately on the basis of the market value of said common trust fund at the time such withdrawal is recorded in the books of the trustees. **20.**

**Exception.** The provisions of section 18 shall not apply where the instrument creating the particular trust specifically prohibits collective investment or where such an investment shall violate any specific court order made in any particular trust.

**2. Takes Effect.** This act shall take effect as of January 1, 1956.

[Approved May 21, 1955.]

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## CHAPTER 161.

### AN ACT RELATING TO SCHOOL SUPERINTENDENTS IN THE STATE EMPLOYEES RETIREMENT SYSTEM.

WHEREAS prior service credit for teachers retirement was granted to teachers by chapter 126, Laws of 1945, effective as of December 31, 1944; and

WHEREAS teachers of the public schools and approved public academies who were members of the teachers retirement system and transferred to the state service after the passage of chapter 104, Laws of 1947, were permitted thereby to transfer said prior service credit to the state retirement system effective from July 1, 1945; and

WHEREAS a substantial number of teachers with many years of prior service in the public schools and approved public academies transferred to state service by becoming school superintendents prior to December 31, 1944 or July 1, 1945 and were no longer eligible to belong to the teachers retirement system; and

WHEREAS when such school superintendents joined the state employees retirement system upon its establishment by chapter 183, Laws of 1945, they received no prior teaching service credit and thus received unequal treatment as compared with teachers who have been promoted to the position of superintendent since the passage of chapter 126, Laws of 1945 and chapter 104, Laws of 1947; and

WHEREAS it is desired to remove this inequality, now therefore,

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Prior Service Credit.** All school superintendents who were in the state service in such capacity on or before July 1, 1945, and who became and have been continuously members of the state employees retirement system to date but have heretofore been denied prior service credit for prior teaching service in the public schools or approved public academies are hereby granted such prior service credit in the New Hampshire Teachers Retirement System as established by chapter 136-B, Revised Laws. Upon application by each such superintendent, such prior service credit as a teacher shall be computed by the board of trustees of said teachers retirement system as provided in section 4 of said chapter 136-B, and a prior service certificate shall be issued certifying to each such superintendent the length of creditable service rendered by him as a teacher prior to his appointment as a superintendent.

**2. Transfer of Prior Service Credit.** Upon such certification and the filing of such certificate with the board of trustees of the state employees retirement system, the prior teaching service credit of each such superintendent shall thereupon be transferred to his credit in the state employees retirement system in the same manner as provided in sections 3, 4 and 6, chapter 104, Laws of 1947.

**3. Regulations.** The board of trustees of the state employees retirement system may make reasonable rules and regulations to ensure equal treatment of school superintendents hereunder and to carry out the purposes of this act.

**4. Funding of Prior Service Credit.** The additional liability of the state caused by granting such prior service credit shall be wholly funded in the state employees retirement system, over the period of years during which the regular accrued liability contributions for prior service credit of all state employees are payable, by making such adjustment in the annual accrued liability contribution rate as may be actuarially necessary to accomplish this result.

**5. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved May 23, 1955.]

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## CHAPTER 162.

### AN ACT RELATING TO ABATEMENT PROCEDURES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Taxes.** Amend chapter 77 of the Revised Laws (chapter 76, RSA) by inserting after section 13 the following new section: **13-a. By Tax Commission.** If the selectmen neglect or refuse so to abate, any person aggrieved, having complied with the requirements of chapter 75 may, within six months after notice of such tax, and not afterwards, apply in writing to the state tax commission which after due inquiry and investigation shall make such order thereon as justice requires.

**2. Abatement.** Amend section 14 of chapter 77 of the Revised Laws (section 17, chapter 76, RSA) by striking out said section and inserting in place thereof the following: **14. By Court.** If the selectmen neglect or refuse so to abate, any person aggrieved, having complied with the requirements of chapter 75, may, within six months after notice of the tax, or having first applied to the tax commission, within three months after notice in writing of the decision of the tax com-

mission, apply by petition to the superior court in the county, which shall make such order thereon as justice requires.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 26, 1955.]

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## CHAPTER 163.

### AN ACT RELATIVE TO THE CARE AND TREATMENT OF SEXUAL PSYCHOPATHS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Transfer of Custody.** Amend chapter 314 of the Laws of 1949 (chapter 173, RSA) by inserting after section 11 thereof the following new section: **11-a. Transfer of Custody.** Whenever, upon the advice of the superintendent, the commission of mental health determines that a sexual psychopath, who has been committed to them and been detained by them for two years or more, has received the maximum benefit from the psychiatric program, and yet whose condition does not warrant favorable consideration for parole or discharge, and when the commission determines that the facilities at the state hospital are being utilized by thirty or more sexual psychopaths, then the commission shall advise the committing court of these facts, together with a petition that the individual be transferred to the custody of the state prison, there to be confined until further order of the court. Any person so committed shall be segregated from the remaining prison population insofar as is feasible and practical. The commission shall retain responsibility for psychiatric supervision of the sexual psychopath so transferred, and shall provide for such psychiatric examinations as may be indicated, and shall continue to submit an annual report to the court by which he was committed, as provided in Section 7 of this act.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 26, 1955.]



**CHAPTER 164.****AN ACT RELATIVE TO REQUIREMENT OF FINANCIAL RESPONSIBILITY AFTER JUDGMENT OF COURT.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicle, Financial Responsibility.** Amend section 8 of chapter 122 of the Revised Laws (section 8, chapter 268, RSA) by inserting after the word "accident" in the sixth line thereof the following, except that any such determination of satisfaction may be reversed by the commissioner should any court subsequently render judgment based upon said accident against said operator or owner or both, in which event the commissioner may forthwith suspend the license and registration certificate in accordance with the provisions of section 5, so that said section as amended shall read as follows:

**8. Limitations.** The provisions of section 5 shall not apply: (a) to the owner of a motor vehicle, trailer, or semi-trailer operated by one having obtained possession or control thereof without his express or implied consent; (b) to either the owner or operator of a motor vehicle, trailer, or semi-trailer involved in an accident when the commissioner shall be satisfied that neither caused nor contributed to cause the accident, except that any such determination of satisfaction may be reversed by the commissioner should any court subsequently render judgment based upon said accident against said operator or owner or both, in which event the commissioner may forthwith suspend the license and registration certificate in accordance with the provisions of section 5; (c) to either the owner or operator of a motor vehicle, trailer, or semi-trailer involved in an accident that was caused by the criminal act of a third party, for which criminal act such other party has been convicted; (d) to either the owner or operator of a motor vehicle, trailer, or semi-trailer involved in an accident wherein no damage or injury was caused to other than the person or property of such owner or operator.

**2. Motor Vehicle Financial Responsibility.** Amend section 6 of chapter 76 of the Laws of 1955 by striking out said section and inserting in place thereof the following: **6. Takes Effect.** The provisions of sections 1, 2 and 3 of this act shall take effect

as of October 15, 1955. The remaining provisions of this act shall take effect upon its passage.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 26, 1955.]

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## CHAPTER 165.

### AN ACT RELATIVE TO THE POSTING OF LAND.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Trespass.** Amend section 14-d of chapter 442 of the Revised Laws as inserted by section 2 of chapter 171, Laws of 1951 (section 18, chapter 572, RSA) by adding at the end of said section the following; nor shall the provisions of this section apply to any person who posts his land for the protection of his crops only during the closed season for the type of game birds or animals from which he seeks to collect damages, so that said section as amended shall read as follows:  
**14-d. Limitation.** Any person who posts his land in conformity with the provisions of sections 14-a and 14-b shall forfeit his right to collect damages from game or game birds as provided in sections 20 and 21 of chapter 241 of the Revised Laws, as amended, except that this provision shall not apply to any person who posts only his land lying within two hundred yards of his dwelling or other farm or out building contiguous to his dwelling and used regularly by him, his family or tenant; nor shall the provisions of this section apply to any person who posts his land for the protection of his crops only during the closed season for the type of game birds or animals from which he seeks to collect damages.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 26, 1955.]

**CHAPTER 166.****AN ACT RELATIVE TO PAYMENT OF TUITION OF HIGH SCHOOL PUPILS.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. High Schools.** Amend section 26 of chapter 138 of the Revised Laws, as amended by section 2, chapter 139, Laws of 1949 (section 27 of chapter 194, RSA) by striking out said section and inserting in place thereof the following: **26. Tuition.** Any district not maintaining a high school or school of corresponding grade shall pay for the tuition of any pupil who with parents or guardian resides in said district or who, as a resident of said district, after full investigation by the state board of education is determined to be entitled to have his tuition paid by the district where he resides, and who attends an approved public high school or public school of corresponding grade in another district or an approved public academy. Except under contract as provided in section 21, the liability of any school district hereunder for the tuition of any pupil shall be limited to the state average cost per pupil of the current expenses of operation of all public high schools, as estimated by the state board of education for the preceding school year, or the current expenses of operation of the receiving district for its high school, as estimated by the state board of education for the preceding school year, whichever is less. This current expense of operation shall include all costs except capital outlay and debt obligations, provided that to the above may be added a rental charge of two per cent of the capital cost of such secondary school facilities as may be defined by the state board of education.

**2. Takes Effect.** This act shall take effect as of July 1, 1956.

[Approved May 26, 1955.]

**CHAPTER 167.**

AN ACT RELATIVE TO ASSESSMENT OF DAMAGES AND BASIS OF LIABILITY FOR CHANGE OF GRADE IN CONSTRUCTION OR MAINTENANCE OF HIGHWAYS IN TOWNS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Town Highways.** Amend section 22, part 16, chapter 90, Revised Laws as inserted by chapter 188, Laws of 1945 (section 23, chapter 245, RSA) by striking out said section and inserting in place thereof the following: **22. Payment and Basis of Liability Defined.** Damages assessed for change of grade under the provisions of this part shall be paid by the town in which the change of grade is made; provided, however, that no highway shall be deemed to have been repaired by the authority of the town unless the town participated directly in the repair of the said highway other than financially, or unless the town in some manner exercised control over the manner in which the highway construction or maintenance was performed, or unless town employees, as defined in section 2, part 15, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, were employed in the said construction or maintenance work involved in the repair of construction of said highway.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 26, 1955.]

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**CHAPTER 168.**

AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE WATERS IN CHESHIRE COUNTY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of 1950 (chapter 149, RSA) as follows:

I. The unnamed water supply stream for Cheshire county farm and its tributaries, in the town of Westmoreland, from their sources to the reservoir dam outlet, Class A.

II. The unnamed water supply stream for Cheshire county farm and its tributaries, in the town of Westmoreland, from the reservoir dam outlet to the Connecticut River, Class B-1.

III. The unnamed stream and its tributaries which are located between the watershed of the Cheshire county farm water supply stream and the Partridge Brook watershed, in the town of Westmoreland, from their sources to the Connecticut River, Class B-1.

IV. Partridge Brook and all its tributaries, in the towns of Chesterfield and Westmoreland and the city of Keene, from their sources to the upstream side of the South Village Road highway bridge, Class B-1.

V. Partridge Brook and all its tributaries, in the town of Westmoreland, from the upstream side of the South Village Road highway bridge to confluence with the Connecticut River, Class C.

VI. All other surface waters of the Partridge Brook watershed hitherto unclassified and which have not been mentioned in paragraphs I thru V, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1955.

[Approved May 26, 1955.]

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## CHAPTER 169.

### AN ACT RELATIVE TO THE POWERS OF THE BOARD OF MEDICAL EXAMINERS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Hearings.** Amend chapter 250 of the Revised Laws by inserting after section 7-a, as inserted by section 4 of chapter 27 of the Laws of 1951 (section 9, chapter 329, RSA) the following new sections: **7-b. Summons; Oath.** The board shall have the power to subpoena witnesses and administer oaths in any hearing with respect to suspension and revocation

of licenses, and to compel, by subpoena duces tecum, the production of papers and records. **7-c. Witnesses.** Witnesses summoned before the board shall be paid the same fees as witnesses summoned to appear before the superior court, and such summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 26, 1955.]

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## CHAPTER 170.

AN ACT PROVIDING PENALTIES FOR THROWING REFUSE ON PUBLIC WATERS AND LANDS BORDERING THE SAME.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Public Waters.** Amend chapter 247 of the Revised Laws (chapter 214, RSA) by inserting after section 10 the following new section: **10-a. Penalty.** Any person who shall violate any of the provisions of section 22 of chapter 90 of the Revised Laws, relative to the placing or throwing refuse or rubbish into any public waters or the approaches thereto or land bordering the same may in addition to the penalty provided in said section, lose his fishing or hunting license for the current year.

**2. Takes Effect,** This act shall take effect upon its passage.

[Approved June 1, 1955.]

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## CHAPTER 171.

AN ACT RELATIVE TO FEES FOR BUSINESS, VOLUNTARY AND FOREIGN CORPORATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Business Corporations.** Amend section 107 of chapter

274 of the Revised Laws as amended by section 6 of chapter 265 of the Laws of 1949 (section 105, chapter 294, RSA) by striking out the word "ten" in the last line of said section and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **107. Filing Fee.** Every corporation shall pay to the secretary of state, with such annual return, a filing fee of fifteen dollars.

**2. Fees.** Amend section 109, chapter 274, Revised Laws, as amended by section 7, chapter 265, Laws of 1949 (section 110, chapter 294, RSA) by striking out the word "ten" and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **109. Subsequent Returns.** It shall be the duty of the corporation to make or cause to be made its annual return and payment of return fee on or before April first; and, if it fails so to do, it shall be required to pay an additional fee of fifteen dollars, as well as to make the annual return.

**3. Filing.** Amend section 112 of chapter 274 of the Revised Laws, as amended by section 3 of chapter 265 of the Laws of 1949 (section 113, chapter 294, RSA) by striking out said section and inserting in place thereof the following: **112. Record of Organization.** The fee for recording the record of organization required by section 15, including the issuing by the secretary of state of the certificate of incorporation, shall be:

I. When the authorized capital stock does not exceed ten thousand dollars, twenty dollars.

II. When the authorized capital stock exceeds ten thousand dollars but does not exceed twenty thousand dollars, thirty dollars.

III. When the authorized capital stock exceeds twenty thousand dollars but does not exceed thirty thousand dollars, forty dollars.

IV. When the authorized capital stock exceeds thirty thousand dollars but does not exceed fifty thousand dollars, fifty dollars.

V. When the authorized capital stock exceeds fifty thousand dollars but does not exceed one hundred fifty thousand dollars, one hundred fifty dollars.

VI. When the authorized capital stock exceeds one hundred fifty thousand dollars but does not exceed two hundred fifty thousand dollars, two hundred dollars.

VII. When the authorized capital stock exceeds two hundred fifty thousand dollars but does not exceed five hundred thousand dollars, four hundred dollars.

VIII. When the authorized capital stock exceeds five hundred thousand dollars but does not exceed one million dollars, seven hundred fifty dollars.

IX. For each additional one hundred thousand dollars above one million dollars, fifty dollars.

**4. Increase.** Amend section 113 of chapter 274 of the Revised Laws, as amended by section 4, chapter 265, Laws of 1949 and section 5, chapter 143, Laws of 1953 (section 114, chapter 294, RSA) by striking out the word "ten" in the last line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **113. Amendments.** The fee for recording any record of amendment required by section 12 or section 45 which embodies an increase in the authorized capital stock, shall be such sum as, when added to the fees paid at the time of the original authorization and prior increase, if any, will make the total fees accord with the foregoing schedule; provided, however, that the minimum fee shall be fifteen dollars.

**5. Change of Amount.** Amend section 114 of chapter 274 of the Revised Laws, as amended by section 6, chapter 143, Laws of 1953 (section 115, chapter 294, RSA) by striking out the word "ten" and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **114. Certificates.** The fee for recording any certificates required by section 35 or any record of amendment required by section 12 or section 45 which does not embody an increase in the authorized capital stock shall be fifteen dollars.

**6. Franchise Fees.** Amend section 116 of chapter 274 of the Revised Laws as amended by section 5 of chapter 265 of the Laws of 1949 (section 117, chapter 294, RSA) by striking out said section and inserting in place thereof the following: **116. Annual Fee.** For the privilege of continuing its corporate franchise, every such corporation shall pay annually to the secretary of state, at the time of making its annual return,



a fee equal to one fourth the amount paid upon filing its original record of organization plus one fourth of additional payments for increases in its authorized capital stock, if any; in case the authorized capital stock is reduced, the annual return fee shall be one fourth the amount required for the original fee of a corporation capitalized at the amount as reduced. In no case, however, shall such annual fee be more than five hundred dollars or less than fifteen dollars and it shall not be required of any such corporation which on March first of any year shall not have been incorporated more than six months.

**7. Voluntary Corporations.** Amend section 4-a of chapter 272 of the Revised Laws as inserted by section 1, chapter 265, Laws of 1949 (section 5, chapter 292, RSA) by striking out the word "five" in the third and sixth lines of said section and inserting in place thereof the word, ten, so that said section as amended shall read as follows: **4-a. Fees.** The fee for recording the articles of agreement in the office of the secretary of state as required in section 4 shall be ten dollars. The fee for recording any record of amendment in the office of the secretary of state as required in section 6 shall be ten dollars.

**8. Voluntary Corporations.** Amend chapter 272 of the Revised Laws as amended by section 1, chapter 265, Laws of 1949 (chapter 292, RSA) by inserting after section 4-a the following new section. **4-b. Returns, Filing Fee, Penalty.** Every corporation organized under this chapter shall annually, on or before July first, make a return in writing to the secretary of state upon blanks to be furnished by him upon request. The returns shall be signed by and under the oath of the president and secretary or officers corresponding to president and treasurer of said corporations, and shall state its principal address and the names and addresses of all the officers and directors or governing board of the corporation. Every such corporation shall pay to the secretary of state with such annual return a filing fee of five dollars. Any corporation which shall fail to file its annual return on or before July first shall be required to pay an additional fee of five dollars, as well as to make the annual return. Any corporation which shall for two consecutive years neglect or refuse to pay any fee due under the provisions of this chapter shall be liable to be dissolved and its charter repealed by act of the legislature.

**9. Foreign Corporations. Registration.** Amend section 1 of chapter 280 of the Revised Laws as inserted by section 1 of chapter 206 of the Laws of 1949 (section 3, chapter 300, RSA) by striking out the words "twenty-five" in the eighth line of said section and inserting in place thereof the word, fifty, and by striking out the word "twenty-five" in the ninth line and inserting in place thereof the word, thirty-five, so that said section as amended shall read as follows: **1. Fee; Appointment of Agent.** Every foreign corporation (except foreign insurance companies, to whom this chapter shall not apply, and except holders of certificates of approval issued under the provisions of sections 78 and 79 of chapter 170 of Revised Laws and corporations otherwise specifically required to register with and consent to service of process upon a state official) desiring to do business in this state, shall pay a registration fee of fifty dollars and shall pay an annual maintenance fee of thirty-five dollars payable to the secretary of state on the first business day of January following the date of registration and on the first business day of January thereafter, and continuously maintain in this state

(a) a registered office which may or may not be the same as its place of business in this state; and

(b) a registered agent, which agent may be the secretary of state and his successor or successors in office or an individual resident in or a corporation authorized to do business and act as such agent in this state, whose office is identical with such registered office.

(c) The secretary of state shall in December each year, notify all corporations registered hereunder of the fees to become due hereunder on the first business day of the January following; and shall in April notify all corporations who may have failed to pay the fees required hereunder.

**10. Fee for Changing Registration.** Amend paragraph (f) of section 3 of chapter 280 of the Revised Laws, as amended by chapter 206 of the Laws of 1949 (paragraph (f), section 5, chapter 300, RSA) by striking out the word "five" and inserting the word, ten, so that said paragraph as amended shall read as follows: (f) a filing fee of ten dollars.

**11. Fee for Withdrawal from State.** Amend paragraph (f) of section 6 of chapter 280 of the Revised Laws, as amended

by chapter 206 of the Laws of 1949 (paragraph (f), section 10, chapter 300, RSA) by striking out the word "five" and inserting the word, ten, so that said paragraph as amended shall read as follows: (f) a filing fee of ten dollars.

**12. Change in Name.** Amend section 12 of chapter 280 of the Revised Laws, as amended by chapter 206 of the Laws of 1949 (section 9, chapter 300, RSA) by striking out the word "five" in the seventh line and inserting in place thereof the word, ten, so that said section as amended shall read as follows:

**12. Change in Name; Fee.** Any such corporation which has amended its charter by changing the name under which it is registered in this state shall within thirty days file with the secretary of state a certificate of such change, under the seal of the corporation, signed and sworn to by the clerk or secretary or assistant clerk or assistant secretary of the corporation and shall pay a filing fee of ten dollars.

**13. Effective Date.** This act shall take effect upon its passage.

[Approved June 1, 1955, 1:15 o'clock P. M. Daylight Saving Time.]

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## CHAPTER 172.

### AN ACT RELATIVE TO THE SALARIES OF THE SHERIFF AND TREASURER OF COOS COUNTY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Coos County.** Amend section 27, chapter 380, Revised Laws, as amended by chapter 195, Laws of 1943, chapter 189, Laws of 1945, section 2, chapter 2, Laws of 1947, section 3, chapter 202, Laws of 1947, section 1, chapter 256, Laws of 1947, chapter 291, Laws of 1947, and section 3, chapter 235, Laws of 1953 (section 29, chapter 104, RSA) by striking out the words "eighteen hundred" in the thirteenth line and inserting in place thereof the words, two thousand, so that said section as amended shall read as follows: **27. Salaries.** The annual salaries of the sheriffs of the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.  
 In Strafford, one thousand dollars.  
 In Belknap, thirteen hundred dollars.  
 In Carroll, twelve hundred dollars.  
 In Merrimack, two thousand dollars.  
 In Hillsborough, two thousand four hundred dollars.  
 In Cheshire, fifteen hundred dollars.  
 In Sullivan, eight hundred dollars.  
 In Grafton, twelve hundred and fifty dollars.  
 In Coos, two thousand dollars.

**2. Coos County Treasurer.** Amend section 13, chapter 48, Revised Laws, as amended by chapter 66, Laws of 1945, chapter 257, Laws of 1947, chapter 179, Laws of 1953 (section 14, chapter 29, RSA) by striking out the word "four" in the thirteenth line and inserting in place thereof the word, five, so that said section as amended shall read as follows: **13. Salaries.** The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars.  
 In Strafford, four hundred dollars.  
 In Belknap, three hundred dollars.  
 In Carroll, five hundred dollars.  
 In Merrimack, six hundred dollars.  
 In Hillsborough, twelve hundred dollars.  
 In Cheshire, four hundred dollars.  
 In Sullivan, four hundred dollars.  
 In Grafton, five hundred dollars.  
 In Coos, five hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

**3. Takes Effect.** This act shall take effect January 1, 1956. [Approved June 1, 1955.]

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## CHAPTER 173.

AN ACT RELATIVE TO FUNDS FOR DEVELOPMENT OF THE  
 PORT OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in  
 General Court convened:*

**1. Funds Extended.** The appropriation provided for by

section 13-b of chapter 27 of the Revised Laws, as inserted by section 2, chapter 220, Laws of 1953 (section 11, chapter 12, RSA) to be expended under the direction of the planning and development commission shall be a continuing appropriation and shall not lapse.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 1, 1955.]

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## CHAPTER 174.

AN ACT RELATIVE TO THE CONSTRUCTION OF A DORMITORY FOR  
WOMEN AT THE UNIVERSITY OF NEW HAMPSHIRE,  
AND TO BE LIQUIDATED FROM INCOME.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriation.** The sum of three hundred twelve thousand, five hundred dollars is hereby appropriated for the purpose of constructing, furnishing and equipping a dormitory for women at the University of New Hampshire. The appropriation hereby made and the sums made available for this project shall be expended by the trustees of the university under the direction of the governor and council. All contracts for the purchase of equipment and the construction of all or any part of said building shall be let (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the date the bids will be received, and (3) to the lowest responsible bidder.

**2. Borrowing.** In order to provide funds for the appropriation made in section 1 hereof, the trustees of the university are hereby authorized to request the governor and council to borrow upon the credit of the state not exceeding the sum of three hundred twelve thousand, five hundred dollars.

**3. State Bonds or Notes.** The governor, upon receipt of a request from the board of trustees of the university, and by

and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding three hundred twelve thousand, five hundred dollars for the purpose of carrying into effect the provisions of this act, and for said purpose may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

**4. Short Term Notes.** Prior to the issuance of the bonds hereunder, the state treasurer, with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short term loans which may be refunded by the issuance of bonds hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of three hundred twelve thousand, five hundred dollars.

**5. Sale of Bonds or Notes.** All notes or bonds, except short term loans, issued under the provisions of this act shall be sold (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire and in a financial publication of national circulation the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids, and/or negotiate with the highest responsible bidder. The proceeds from the sale of such bonds

shall be held by the state treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor, with the advice and consent of the council, shall draw his warrant for the payment from the funds provided by this act of all sums expended or due for the purposes herein authorized. All interest from such bonds shall be exempt from taxation within the state.

**6. Liquidation.** The trustees of the university are authorized to maintain the dormitory constructed under section 1 of this act, and to collect rents therefrom. The income from such rents shall be kept in a separate fund from which shall be paid the maintenance of said dormitory. The balance of said income, together with income from rents of other dormitories at the university not otherwise obligated, shall be used for the payment of the annual interest on the state borrowing for the purposes of said section 1 and for the payment of installments of principal as the same become due until such time as all obligations incurred under the provisions of section 1 have been met and thereafter said property shall become a part of the university property.

**7. Takes Effect.** This act shall take effect upon its passage.

[Approved June 1, 1955.]

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## CHAPTER 175.

AN ACT RELATIVE TO INCREASING CERTAIN PENALTIES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Pandering and Prostitution.** Amend section 17 of chapter 449 of the Revised Laws (section 17, chapter 579, RSA) by striking out said section and inserting in place thereof the following: **17. Penalty.** Any person guilty in the first degree shall be fined not more than five hundred dollars, or imprisoned not more than three years, or both. Any person guilty in the second degree shall be fined not more than two hundred dollars, or imprisoned not more than one year, or both.

2. **Grand Larceny.** Amend section 3 of chapter 452 of the Revised Laws as amended by section 1 of chapter 140 of the Laws of 1949 (section 3, chapter 582, RSA) by striking out the word "fifty" and inserting in place thereof the words, one hundred, so that said section as amended shall read as follows:

3. **One Hundred Dollars and Over.** If any person shall steal, take, carry away, of the property of another, any money, bank bills, goods or chattels, or any writing containing evidence of an existing debt, contract, liability, promise, or ownership of property, of the value of one hundred dollars, or of the receipt, payment, or discharge of the like amount, or any writings of a like kind, which together shall contain the like evidence, he shall be imprisoned not more than five years.

3. **Petit Larceny.** Amend section 4 of chapter 452 of the Revised Laws as amended by section 2, chapter 140 of the Laws of 1949 (section 4, chapter 582, RSA) by striking out said section and inserting in place thereof the following:

4. **Fifty Dollars and Less Than One Hundred Dollars.** If any person shall steal, take, and carry away any property of another, such as described in the preceding section, of the value or amount of fifty dollars and less than one hundred dollars, he shall be imprisoned not more than one year, or fined not more than five hundred dollars, or both.

4. **Change in Amount.** Amend section 5 of chapter 452 of the Revised Laws, as amended by section 3, chapter 140 Laws of 1949 (section 5, chapter 582, RSA) by striking out said section and inserting in place thereof the following:

5. **Under Fifty Dollars.** If any person shall steal, take, and carry away any property of another, such as is described in section 3, of a less amount or value than fifty dollars, he shall be imprisoned not more than six months, or fined not more than two hundred dollars, or both.

5. **Subordinations.** Amend section 21 of chapter 262 of the Revised Laws (section 23, chapter 260, RSA) by striking out said section and inserting in place thereof the following:

21. **Penalty.** If any mortgagor shall be guilty of an offense against either of the two preceding sections he shall be fined not more than five hundred dollars or imprisoned not more than one year, or both. From said fine, if any, the court may in



its sole discretion allow to the mortgagee a reasonable sum of money for his loss and expenses.

**6. Takes Effect.** This act shall take effect upon its passage.

[Approved June 1, 1955.]

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## CHAPTER 176.

### AN ACT RELATIVE TO THE POSTING OF LAND ADJACENT TO WOODLANDS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Trespass.** Amend section 14-a of chapter 442 of the Revised Laws as inserted by chapter 171 of the Laws of 1951 and as amended by chapter 200, Laws of 1953 (section 15, chapter 572, RSA) by striking out said section and inserting in place thereof the following: **14-a. Penalty.** Whoever without right enters upon the cultivated land of another which has been posted with notices as described in section 14-b, shall be fined not more than fifty dollars, or imprisoned not more than six months, or both. Whoever without right when carrying firearms, enters upon such posted land within two hundred yards of an inhabited dwelling shall be fined not more than fifty dollars.

**2. Isolated Dwellings.** Amend section 14-b of chapter 442 of the Revised Laws as inserted by section 2, chapter 171, Laws of 1951 and as amended by chapter 200 of the Laws of 1953, (section 16, chapter 572, RSA) by striking out said section and inserting in place thereof the following: **14-b. Notices.** The notices referred to in section 14-a shall conform to the following requirements: Posting notices shall be of durable material with the words NO HUNTING or TRESPASSING, printed with block letters not less than two inches in height, and shall contain also the name and address of the owner or lessee of such land. Such signs shall be not more than one hundred yards apart and shall be posted also at the gates, bars and commonly used entrances. Nothing herein contained shall prevent any owner from adding to the language herein required

such additional warning words as "children", "inhabited house nearby", "livestock", etc.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 8, 1955.]

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## CHAPTER 177.

### AN ACT RELATIVE TO INSANE PRISONERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Insane Prisoners.** Amend section 3, chapter 429 of the Revised Laws (section 3, chapter 607, RSA) by striking out the words, "there to remain until he is discharged by due course of law" at the end of said section and inserting in place thereof the following, for life until or unless earlier discharged, released, or transferred by due course of law, so that said section as amended shall read as follows: **3. Committal.** In either of the cases aforesaid the court, if it is of opinion that it will be dangerous that such person should go at large, may commit him to the prison or to the state hospital for life until or unless earlier discharged, released, or transferred by due course of law.

**2. Takes Effect,** This act shall take effect upon its passage.

[Approved June 8, 1955.]

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## CHAPTER 178.

### AN ACT RELATIVE TO OPERATION OF MOTOR VEHICLES AT YIELD RIGHT-OF-WAY SIGNS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Highways.** Amend section 1, part 19, chapter 90, of the Revised Laws, as inserted by chapter 188, Laws of 1945 (sec-

tion 5, chapter 249, RSA) by adding after the words "other towns", the words, or cities, and by adding after the words "stop signs", the words, yield right-of-way signs, so that said section as amended shall read as follows: **1. Regulation.** The commissioner may regulate the use of class I, class II, and class III highways in towns of less than twenty-five hundred population and in other towns or cities outside the compact portion thereof as determined by him. He may establish stop intersections, erect stop signs, yield right-of-way signs, or other traffic devices or signals thereon or upon any highway entering therein.

**2. Operation of Motor Vehicles.** Amend part 19, chapter 90, of the Revised Laws, as inserted by chapter 188, Laws of 1945 (chapter 249, RSA) by adding after section 1 the following new section: **1-a. Yield Right-of-Way Regulation.** I. The yield right-of-way sign shall be an equilateral triangle with one point downward, having a yellow background with black lettering. Its sides shall be a minimum of thirty inches in length. It shall be reflectorized or illuminated. II. When approaching an intersection controlled by a yield right-of-way sign any person operating a motor vehicle shall slow down and enter the intersection with caution but need not come to a full stop except when necessary to avoid interference with other traffic that is given the right-of-way.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 8, 1955.]

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## CHAPTER 179.

### AN ACT RELATIVE TO THE SALE OF CIDER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Cider.** Amend chapter 170 of the Revised Laws (chapter 175, RSA) by inserting after section 30 the following new section: **30-a. Cider, Sale of, to Minors.** Notwithstanding any other provisions of this chapter, it shall be unlawful for any person to sell or cause or permit or procure to be sold to

any minor, cider containing more than one per cent of alcohol by volume at sixty degrees Fahrenheit, provided that the provisions of this section shall not apply to sales of cider made within fifteen days of its manufacture.

**2. Takes Effect,** This act shall take effect upon its passage.

[Approved June 8, 1955.]

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## CHAPTER 180.

### AN ACT RELATIVE TO THE FORMATION OF RAILROAD CORPORATIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Railroad Corporations.** Amend section 2, chapter 274 of the Revised Laws (section 2, chapter 294, RSA) by adding at the end thereof the following words, provided however that if the New Hampshire public utilities commission shall have entered an order finding that it shall be in the public good and subject to such terms and conditions as it may prescribe in the public interest, a corporation may be formed pursuant to the provisions of this chapter to acquire, maintain and operate any existing line of railroad or street railway within this state, so that said section as amended shall read as follows: **2. Incorporators; Purposes.** Except as otherwise provided by law, three or more persons of lawful age may associate together by articles of agreement to form a corporation under the provisions of this chapter, for the purpose of carrying on any lawful business within or outside this state except banking, the construction and maintenance of railroads, the business of making contracts for the payment of money at a fixed date or upon the happening of some contingency, or the business of a trust, surety, indemnity, or safe deposit company, provided however that if the New Hampshire public utilities commission shall have entered an order finding that it shall be in the public good and subject to such terms and conditions as it may prescribe in the public interest, a corporation may be formed pursuant to the provisions of this chapter to acquire, maintain

and operate any existing line of railroad or street railway within this state.

**2. Takes Effect,** This act shall take effect upon its passage.

[Approved June 8, 1955.]

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## CHAPTER 181.

### AN ACT RELATIVE TO EVIDENCE OF MEMBERSHIP OR PARTICIPATION IN SUBVERSIVE ORGANIZATIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

#### **1. Membership or Participation in Subversive Organizations.**

Amend chapter 457-A of the Revised Laws, as inserted by chapter 193, Laws of 1951 (section 3, chapter 588, RSA) by inserting after section 3 the following new sections: 3-a.

**Evidence of Membership or Participation.** In determining membership or participation in a subversive organization or a foreign subversive organization as defined in this chapter, or knowledge of the purpose or objective of such organization, the jury, under instructions from the court, may consider evidence, if presented, as to whether the accused person to his knowledge: (1) has been listed as a member in any book or any of the lists, records, correspondence, or any other document of the organization;

(2) Has made financial contribution to the organization in dues, assessments, loans, or in any other form;

(3) Has made himself subject to the discipline of the organization in any form whatsoever;

(4) Has executed orders, plans, or directives of any kind of the organization;

(5) Has acted as an agent, courier, messenger, correspondent, organizer, or in any other capacity in behalf of the organization;

(6) Has conferred with officers or other members of the organization in behalf of any plan or enterprise of the organization;

(7) Has been accepted as an officer or member of the organization or as one to be called upon for services by other officers or members of the organization;

(8) Has written, spoken or in any other way communicated by signal, semaphore, sign, or in any other form of communication orders, directives, or plan of the organization;

(9) Has prepared documents, pamphlets, leaflets, books, or any other type of publication in behalf of the objectives and purposes of the organization;

(10) Has mailed, shipped, circulated, distributed, delivered, or in any other way sent or delivered to others material or propaganda of any kind in behalf of the organization;

(11) Has advised, counseled or in any other way imparted information, suggestions, recommendations to officers or members of the organization or to anyone else in behalf of the objectives of the organization;

(12) Has indicated by word, action, conduct, writing or in any other way a willingness to carry out in any manner and to any degree the plans, designs, objectives, or purposes of the organization;

(13) Has in any other way participated in the activities, planning, actions, objectives, or purposes of the organization;

(14) The enumeration of the above subjects of evidence on membership or participation in a subversive organization or a foreign subversive organization as above defined, shall not limit the inquiry into and consideration of any other subject of evidence on membership and participation as herein stated.

**3-b. Construction.** Nothing in section 3-a shall be construed to limit the supervisory power of the court over the admission and exclusion of evidence or over the sufficiency of the evidence as a whole.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 8, 1955.]

## CHAPTER 182.

AN ACT RELATIVE TO THE SALARY OF THE JUSTICE OF THE  
KEENE MUNICIPAL COURT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Keene Municipal Court.** Amend paragraph I of section 31 of chapter 377, Revised Laws, as amended by chapter 232, Laws of 1947, chapters 73, 213, 239 and 251, Laws of 1953 (paragraph I, section 7, chapter 502, RSA) and chapter 133 of the Laws of 1955, by striking out the words "In Keene, one thousand eight hundred dollars;" and inserting in place thereof the words, In Keene, two thousand five hundred dollars, so that said paragraph as amended shall read as follows: I. **Salaries of Justices.** Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

- In Manchester, four thousand six hundred dollars;
- In Nashua, three thousand dollars;
- In Concord, three thousand five hundred dollars;
- In Portsmouth, two thousand five hundred dollars;
- In Dover, one thousand eight hundred dollars;
- In Laconia, one thousand eight hundred dollars;
- In Keene, two thousand five hundred dollars;
- In Claremont, one thousand eight hundred dollars;
- In Berlin, twenty-two hundred dollars;
- In Rochester, one thousand two hundred dollars;
- In Lebanon, one thousand five hundred dollars;
- In Newport, nine hundred dollars;
- In Derry, nine hundred dollars;
- In Franklin, one thousand two hundred dollars;
- In Exeter, eight hundred dollars;
- In Somersworth, eight hundred dollars;
- In Littleton, eight hundred dollars;
- In Milford, six hundred dollars.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 8, 1955.]

## CHAPTER 183.

AN ACT AUTHORIZING THE APPOINTMENT OF COUNTY  
PUBLIC TRUSTEES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Public Trustees.** Amend chapter 363 of the Revised Laws (chapter 564, RSA) by inserting after section 2 the following new section: **2-a. Public Trustees.** The judge of probate shall be empowered to appoint a suitable person as public trustee to hold office during the court's pleasure whose duty shall be to administer all such small charitable trusts as the court may assign to him, where it is found that the practical difficulties or the unreasonable expense involved in each trust would tend to defeat its purpose, provided, however, that in each instance the trustee of the fund assigned shall give his consent.

**2. Procedure; Investments.** Amend chapter 363, of the Revised Laws (chapter 564, RSA) by inserting after section 2-a as hereinabove inserted the following new sections: **2-b. Citation.** Upon application the court may, in its discretion waive publication of citations and notices in such trusts where it is found in the interest of the estate. **2-c. Collective Investments.** The public trustee may establish common trust funds, in which may be combined money and property belonging to the various trusts in his care, for the purpose of facilitating investments, providing diversification and obtaining reasonable income; and provided, further, that the participating interests of said trusts are properly evidenced by appropriate book-keeping entries showing on an annual basis the contribution, the profits, the income, the expenses, the fees and withdrawals allocable to each trust.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]



**CHAPTER 184.**

AN ACT RELATIVE TO PUBLICATION OF REPORT OF AUDIT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Municipal Audits.** Amend chapter 82 of the Revised Laws (chapter 71, RSA) by inserting after section 27 the following new section: **27-a. Publication of Report of Audit.** A written or printed report of every completed audit shall be made to the proper local officials including a summary of the findings and recommendations of the auditors and a copy of such summary shall be published in the next annual report following the fiscal year in which the audit was completed. If, in the opinion of the selectmen, school board, county or village district commissioners the whole report of audit should be published the same may be published. If such summary of findings and recommendations is not so published the tax commission, at the expense of the county, city, town or district affected thereby, may cause such summary to be separately published and distributed or published in a newspaper having a general circulation in said county, city, town or district.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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**CHAPTER 185.**

AN ACT RELATING TO HAWKERS AND PEDDLERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Local Licenses of Hawkers and Peddlers.** Amend section 4 of chapter 188 of the Revised Laws (section 4, chapter 320, RSA) by striking out said section and inserting in place thereof the following: **4. Local Licenses.** The clerk of any town or city shall grant a local license to any person who files in his office a certificate stating that to the best of the certifying officer's knowledge and belief the applicant for a license named therein is of good moral character; and is, or has de-

clared his intention to become, a citizen of the United States. In the case of cities such certificate must be signed by the chief of police of the city in which the license is sought. In the case of towns such certificate must be signed by the chief of police, if any, and by a majority of the selectmen of the town in which such license is sought. Such license shall not be granted to any other person.

**2. Local License Fees.** Amend section 7 of said chapter 188 by striking out said section and inserting in place thereof the following: **7. Fees.** Every person licensed under the provisions relative to local licenses shall pay to the clerk of the city or town granting such license the following sums before offering or exposing for sale any goods, wares or merchandise therein: For every town of not more than one thousand inhabitants, according to the census next preceding the date of his license, five dollars; for a town of more than one thousand and less than two thousand inhabitants, eight dollars; for all other cities and towns, ten dollars. The clerk shall certify on the face of such license the sum so paid and shall forward all fees collected hereunder to the treasurer of said city or town which fees shall be for the use of said city or town. The clerk shall within five days notify the secretary of state of the issuance of said license.

**3. State Licenses.** Amend section 8 of said chapter 188 by striking out said section and inserting in place thereof the following: **8. State Licenses.** Upon compliance with the conditions hereinafter set forth, and upon payment of a fee of ten dollars for the use of the state as a state license fee, the secretary of state may grant special state licenses. Applications for such licenses shall be made upon blanks prepared by the secretary of state requiring such information regarding the applicant's character and qualifications as said secretary shall deem pertinent. No such license shall be issued unless the application is accompanied by a certificate signed by the chief of police of some city in this state stating that the applicant for a license is, to the best of his knowledge and belief, a person of good moral character, and is, or has declared his intention to become, a citizen of the United States. Any person so licensed may do business as a hawker or peddler in any city or town in this state, without further payments.

4. **Revocation.** Amend section 14 of said chapter 188 by striking out said section and inserting in place thereof the following: **14. Revocation of Licenses.** Any special state license granted by the secretary of state to a hawker or peddler may be revoked by him after hearing (1) upon conviction of the licensee of any offense which in the judgment of the secretary warrants such revocation or (2) upon the submission to the secretary of evidence satisfactory to him that, during the term of the license, and acting under cover thereof, the licensee has accepted or solicited money, otherwise than through a bona fide sale or barter of goods, wares or merchandise or has in any manner begged or solicited alms from the public, or (3) upon a finding by him that the applicant has wilfully falsified his application for license or (4) upon consideration of evidence that the holder of said license is insane, a sexual psychopath, is or has been guilty of assault upon others or whose conduct has been otherwise disorderly and is of such violent or offensive demeanor that to permit him to retain such license would constitute a threat to the peace or safety of the public or (5) that the holder of said license is at large pending appeal from a conviction for a violation of the law involving extreme moral turpitude. Whenever any person is convicted of a violation of any provision of this chapter relative to hawkers and peddlers, the clerk of the court or the trial justice by whom such person was convicted, shall notify the secretary of state or the clerk of any city or town which has granted a local license hereunder to said person. Any local license granted by the clerk of any city or town shall be revoked by said clerk after hearing for like causes and in case of any revocation of a state license by the secretary of state all local licenses held by said licensees shall be revoked by said clerks. Any person whose license has been revoked under this section shall be ineligible to be licensed as a hawker or peddler in this state for a period of not less than one year or more than five years from the date of said revocation. Any person whose state or local license has been revoked, as a condition precedent to issuance of any new license, shall be required to furnish to the revoking authority satisfactory evidence of renewed reputation and character or mental health in addition to the certificate required to qualify for such license under sections 2 or 3, or both.

5. **Right of Appeal.** Amend said chapter 188 by adding after section 14 the following new section: **14-a. Appeal.** Any person whose license is revoked under this chapter shall have the right of appeal provided by Revised Laws, chapter 414.

6. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 186.

### AN ACT RELATIVE TO HIGHWAY APPROPRIATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Construction, Reconstruction, and Betterment of Highways.** The balance of highway appropriation and bonds therefor, authorized by sections 4 and 5 of chapter 83 of the Laws of 1951, being in the amount of four million dollars, having lapsed under general law, prior to being used as authorized, there is hereby appropriated said sum of four million dollars to be used for the purposes set forth in said chapter 83, Laws of 1951. The appropriation made under this section shall be a continuing appropriation until July 1, 1959, and shall not lapse prior to that date.

2. **Highway Appropriation.** Amend chapter 34 of the Laws of 1953 by inserting after section 1 the following new section: **1-a. Continuing Appropriation.** The appropriation provided for by section 1 shall be a continuing appropriation and shall not lapse.

3. **Use of Funds.** The appropriations provided by section 1 of this act and by chapter 34 of the Laws of 1953, shall not be deemed to be special appropriations or authorized for special purposes but may be used for purposes therein stated and to supplement the regular highway income for all authorized highway expenditures.

4. **Accountability of Funds.** Amend section 19 of chapter 90-A of the Revised Laws as inserted by chapter 5, part 9, Laws

of 1950 (section 9, chapter 228, RSA) by striking out said section and inserting in place thereof the following: **19. Funds.** Nothing herein shall be construed to authorize or permit directly or indirectly the diversion or expenditure of highway funds for any purpose prohibited by constitutional or legislative limitation of the state or of the United States.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 187.

AN ACT RELATIVE TO LIABILITY IN THE OPERATION OF AIRCRAFT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Aeronautics.** Amend chapter 306 of the Revised Laws (chapter 422, RSA) by inserting after section 27 the following new section: **27-a. Liability of Certain Persons Not in Possession of Aircraft.** Notwithstanding the definitions of "operation of aircraft" and "operate aircraft" as set forth herein no person owning a civil aircraft or having a security interest in, or security title to, any civil aircraft under a contract of conditional sale, equipment trust, chattel or corporate mortgage, or other instrument of similar nature and no lessor of any such aircraft under a bona fide lease shall be liable other than by application of the doctrine of respondeat superior merely by reason of such ownership, interest or title, or merely by reason of his interest as lessor or owner of the aircraft so leased, for any injury to or death of persons, or damage to or loss of property in the air or on the surface of the earth (whether on land or water) caused by such aircraft, or by the ascent, descent, or flight of such aircraft or by the dropping or falling of an object therefrom, unless such aircraft is in the actual possession or control of such person at the time of such injury, death, damage or loss. Nothing in this section shall relieve such persons from liability for their own negligent acts or omissions if such acts or omissions cause or contribute to cause such injury, death, damage or loss.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 188.

AN ACT RELATIVE TO THE PAYMENT OF FOREST FIRE EXPENSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Forest Fire Bills.** Amend chapter 233 of the Revised Laws (chapter 224, RSA) by inserting after section 31 the following new sections. **31-a. Payment by the State.** When, in the opinion of the state forester, the expenses of fighting forest and brush fires in towns, and other expenses lawfully incurred by wardens and deputy wardens of said towns in preventing forest fires, shall exceed an amount equal to one-half of one per cent of the latest equalized locally assessed valuation on such municipality, the state may pay such bills in the first instance. **31-b. Bills Submitted.** The town forest fire warden shall submit all bills for payment to the state forester, certifying thereon that the bills were lawfully incurred and a proper charge. **31-c. Approval by State Forester.** Upon receipt by him of said bills, the state forester shall approve said bills and forward them for payment to the state treasurer. The governor shall draw his warrant on the state treasury from money in the treasury not otherwise appropriated for the payment of said bills. **31-d. Recovery by State.** The state forester shall thereafter bill the responsible municipality for its proportionate share of said fire expenses together with any amounts found by the state forester to be in excess of the rates established by the forestry and recreation commission and the state forester as provided in section 24. Upon receipt of the bill the municipality shall forthwith reimburse the state for the amount therein specified.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

**CHAPTER 189.**AN ACT RELATIVE TO REIMBURSEMENT OF MUNICIPALITIES  
FOR FOREST FIRE EXPENSES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Reimbursement of Municipalities.** Amend section 27 of chapter 233 of the Revised Laws (section 19, chapter 224, RSA) by striking out said section and inserting in place thereof the following: **27. State's Portion.** A duplicate bill, showing that the same has been audited and paid by the town, shall be filed by the selectmen or the mayor with the state forester, who, if he finds the same to be reasonable, shall forward it to the state treasurer with his approval, and the governor shall draw his warrant on the state treasury in favor of said town for the portion of said bill for which the state is liable in accordance with the provisions herein, from any money in the treasury not otherwise appropriated; the state, however, shall not reimburse municipalities or unorganized places at a rate in excess of that established from time to time by the commission and the state forester.

**2. Takes Effect.** This act shall take effect as of July 1, 1955.

[Approved June 9, 1955.]

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**CHAPTER 190.**

## AN ACT RELATIVE TO THE STORING OF EXPLOSIVES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Repeal.** Sections, 1, 2, 3, 4, 5, 6, 7, 8, 10, 13 and 14 of chapter 177 of the Revised Laws (sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 13 and 14, chapter 158, RSA) are hereby repealed.

**2. Explosives.** Amend section 9 of chapter 177 of the Revised Laws (section 9, chapter 158, RSA) by striking out said section and inserting in place thereof the following: **9. Possession of Explosives.** No person shall leave, deposit or have in his custody or possession in any building used in whole

or in part as a dwelling house, tenement house, apartment building, office building, shop or store, or in or within five hundred feet of any building used in whole or in part as a school, theater, church, public building or other place of public assembly, any high explosive, such as and including dynamite, any explosive compound of which nitroglycerine forms a part, fulminate in bulk or dry condition, blasting caps, detonating fuses, black powder or other similar explosive, except as may be permitted by regulations issued pursuant to chapter 175-A of the Revised Laws, as inserted by chapter 251, Laws of 1947. Any person violating the provisions of this section shall be fined not more than five hundred dollars.

**3. Transportation.** Amend section 11 of chapter 177 of the Revised Laws (section 11, chapter 158, RSA) by inserting after the words "for hire" in lines 4 and 5 the words, by railroad or on the public waters of the state, so that said section as amended shall read as follows: **11. With Passengers.** It shall be unlawful to transport, carry or convey, from one place to another in this state, any dynamite, gunpowder or other explosive on any vessel or vehicle of any description operated by a common carrier, which vessel or vehicle is carrying passengers for hire by railroad or on the public waters of the state; provided, that it shall be lawful to transport on any such vessel or vehicle small arms ammunition in any quantity, and such fuses, torpedoes, rockets or other signal devices as may be essential to promote safety in operation, and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of one-half pound each, and not exceeding twenty samples at one time in a single vessel or vehicle; but such samples shall not be carried in that part of a vessel or vehicle which is intended for transportation of passengers for hire. Nothing in this section shall prevent the transportation of military or naval forces with their accompanying munitions of war on passenger equipment vessels or vehicles.

**4. Public Utilities Commission.** Amend section 12 of chapter 177 of the Revised Laws, as amended by section 1, chapter 203, Laws of 1951 (section 12, chapter 158, RSA) by inserting after the word "carriers" in line 8 the words, by rail and water, and further amend by striking out the words "by land" in



line 9, so that said section as amended shall read as follows:

**12. Regulations.** The public utilities commission shall formulate regulations for the safe transportation of explosives in accordance with the best known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit and the precautions necessary to determine whether the material when offered is in proper condition to transport. Such regulations, and all changes or modifications thereof, shall take effect ninety days after their publication by said commission, and shall then be binding upon all common carriers by rail and water engaged in intrastate commerce.

**5. Exceptions.** Amend paragraph II of section 47 of chapter 119 of the Revised Laws (section 76, chapter 263, RSA) by striking out the same and inserting in place thereof the following: **II. Blasting Caps.** Detonators, blasting caps or other dangerous devices used to set off dynamite and other explosives shall not be carried in the same vehicle with said explosives except as follows: Blasting caps and electric blasting caps may be transported in the same motor vehicle with dynamite when the net weight of the dynamite does not exceed five thousand pounds, provided that such blasting caps are packed in an outside box made of one inch lumber lined with suitable padding material not less than one-half inch thick or in an outside box made of not less than twelve gauge sheet metal lined with plywood or other suitable material not less than three-eighths inches thick, so that no metal is exposed. Such boxes shall have hinged covers and fastening devices.

**6. Definition.** Amend section 1 of chapter 175-A of the Revised Laws, as inserted by chapter 251 of the Laws of 1947 (section 1, chapter 153, RSA) by adding at the end thereof the following new paragraph: **VII.** The word "explosives" shall mean any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion, i.e., with substantially instantaneous release of gas or heat.

**7. Board of Fire Control.** Amend section 4 of chapter 175-A of the Revised Laws, as inserted by chapter 251 of the Laws of 1947 (section 4, chapter 153, RSA) by inserting after the word "matters" in line 6 the words, for supervising and

enforcing all laws of the state relative to the storage, handling and transportation of explosives, so that said section as amended shall read as follows: **4. Powers.** The board shall have vested therein the management, supervision and direction of the duties and responsibilities as provided herein, except as limited by existing law or laws. It shall be responsible for supervising and enforcing all laws of the state relative to the protection of life and property from fire, fire hazards and related matters, for supervising and enforcing all laws of the state relative to the storage, handling and transportation of explosives, and shall assist the several counties, cities, towns, village districts and precincts in supervising and enforcing local laws, by-laws and ordinances where existent, relative to (a) the prevention of fires; (b) the storage, sale and use of combustibles and explosives; (c) the installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment; (d) the construction, maintenance and regulation of fire escapes; (e) the means and adequacy of exit, in case of fire, from factories, asylums, hotels, hospitals, churches, schools, halls, theatres, amphitheatres, and all other places in which numbers of persons work, live or congregate from time to time for any purpose; and (f) the investigation of the cause, origin and circumstances of fires, and (g) the transportation, storage and physical handling of flammable liquids which such board believes dangerous to the lives or safety of the citizens of the state. It shall be the duty and responsibility of the board to coordinate the activities of its office with duly authorized city, town, and village district, fire and building department officials and other state and local agencies required and authorized by state statutes or local ordinances to develop or enforce fire safety regulations. It shall further be the duty and responsibility of the board to assist, cooperate with, advise and counsel the associate advisors in the organization and efficient operation of fire departments and other fire protection organizations.

**8. Requirement.** Amend section 5 of chapter 175-A of the Revised Laws, as inserted by chapter 251 of the Laws of 1947 and as amended by chapter 141 of the Laws of 1949 (section 5, chapter 153, RSA) by inserting in line 14 after the word "hazards" the words, and for the storage, handling and transportation of explosives, and further amend said section by add-

ing at the end of said section the following: Such rules and regulations shall not apply to the storage, handling and transportation of explosives which conform to the laws of the United States or to regulations issued by any agency or administrative board of the United States. The application of such rules and regulations to installations, plants or equipment shall be limited to subsequent construction, remodeling or replacement of installation, plants and equipment and shall not apply to existing installations, plants or equipment otherwise covered thereby unless the board of fire control shall find that the continuation thereof is inimical to the public welfare and safety and requires immediate correction, so that said section as amended shall read as follows: **5. Rules and Regulations.** The board is also empowered to adopt and promulgate reasonable standard rules and regulations for the effective administration of the board, and to adopt and promulgate such reasonable standard rules and regulations to accomplish the intent and purposes of this chapter as it shall deem necessary, not inconsistent with the provisions hereof or any law of this state. Such rules and regulations shall be adopted only after public hearing, notice of which shall be published in a paper of general circulation in the state at least fifteen days before holding such hearing. The rules authorized hereunder shall be in accordance with established practicable means for securing safety to persons and property from fire or fire hazards, and for the storage, handling and transportation of explosives, and shall not be discriminatory in respect to persons engaged in like or similar businesses or industries. Notice containing a general statement of the contents of such rules and regulations adopted by the board shall be published at least twice in some newspaper of general circulation in the state, if their application is general, or in some newspaper of local circulation, if their application is local, as provided in section 12, together with information as to where the full text of such rules and regulations may be obtained by any person, and the board shall also give notice thereof by registered mail to each person interested therein who shall have registered with the board his name and address with a request to be so notified, and such rules and regulations shall become effective upon such date subsequent to the published notice, and notice to interested persons, required hereunder as may be specified by the board therein. Such rules and regulations shall not apply to the storage, handling and trans-

portation of explosives which conform to the laws of the United States or to regulations issued by any agency or administrative board of the United States. The application of such rules and regulations to installations, plants or equipment shall be limited to subsequent construction, remodeling or replacement of installations, plants and equipment and shall not apply to existing installations, plants or equipment otherwise covered thereby unless the board of fire control shall find that the continuation thereof is inimical to the public welfare and safety and requires immediate correction.

**9. Buildings and Premises.** Amend paragraph I of section 12 of chapter 175-A of the Revised Laws, as inserted by chapter 251 of the Laws of 1947 (section 14, chapter 153, RSA) by inserting in line 6 after the word "promulgate" the words, in addition to the rules and regulations which it shall adopt pursuant to section 5 of this chapter; further amend said paragraph by striking out the words "gun powder, dynamite" in line 9, and by striking out the words "torpedoes or any explosives of a like nature, or any other explosives, including fireworks and firecrackers" in lines 10, 11 and 12, so that said paragraph as amended shall read as follows: I. For cities, towns, village districts and precincts not having local laws and ordinances, and those cities, towns, village districts and precincts whose existent laws and ordinances do not afford the necessary fire safety measures, the board shall make and promulgate, in addition to the rules and regulations which it shall adopt pursuant to section 5 of this chapter, reasonable rules and regulations for the keeping, storage, use, manufacture, sale, handling, transportation or other disposition of highly flammable materials and rubbish, explosive or flammable fluids or compounds, tablets, and may prescribe the materials and construction of receptacles and buildings to be used for any of the said purposes. These rules shall apply to the construction or remodeling of buildings and plants for flammable liquids and shall apply to new installation of and replacement of equipment for flammable liquids. These rules shall also apply to existing buildings, plants or equipment, which were not previously but are hereafter used for flammable liquids, but shall not apply to existing buildings, plants, structures or equipment now used for flammable liquids unless the state board shall determine the conditions constitute

a fire hazard. These rules shall be adopted in conformity with the procedure set forth in section 5 and shall be subject to judicial review as provided in section 6. Any city, town, village district and precinct may adopt the rules and regulations of the board, by reference thereto, as a part of its local laws and ordinances.

**10. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 191.

### AN ACT RELATIVE TO THE CONSTRUCTION AND INSPECTION OF PUBLIC BUILDINGS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Construction Standards.** All new construction of schools, halls, theatres or other public buildings in which more than one hundred people can be assembled shall conform to the National Building Code as recommended by the National Board of Fire Underwriters and described as, "an ordinance providing for fire limits and regulations governing the construction, alteration, equipment or removal of buildings or structures."

**2. Permit Required.** Prior to starting new construction of schools, halls, theatres or other public buildings in which more than one hundred people can be assembled the person or persons responsible for such construction shall obtain a permit signed by the fire chief or, in towns having no fire chief, by the board of selectmen.

**3. Exceptions.** The provisions of this act shall not apply within cities or towns maintaining their own building inspection service and having a building code which is not less comprehensive than the National Building Code with respect to provisions for the public safety.

**4. Inspection of State Buildings.** The state fire marshal and the commissioner of public works and highways shall pro-

vide for safety inspection of all public buildings owned by the state.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 192.

AN ACT RELATING TO THE PRESERVATION OF PRIVATE BUSINESS RECORDS AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. New Chapter.** Amend the Revised Laws by inserting after chapter 255 (chapter 332, RSA) the following new chapter:

### Chapter 255-A Uniform Preservation of Private Business Records Act.

**1. Definitions.** As used in this chapter "business" includes every kind of private business, profession, occupation, calling or operation of private institutions, whether carried on for profit or not.

"Person" means an individual, partnership, corporation, or any other association.

"Records" or "business records" include books of account, vouchers, documents, cancelled checks, payrolls, correspondence, records of sales, personnel, equipment and production, reports relating to any or all such records, and other business papers.

"Reproduction" means a reproduction or durable medium for making a reproduction obtained by any photographic, photostatic, microfilm, microcard, miniature photographic or other process which accurately reproduces or forms a durable medium for so reproducing the original.

**2. Destruction of Records.** Unless a specific period is designated by law for their preservation, business records

which persons by the laws of this state are required to keep or preserve may be destroyed after the expiration of three years from the making of such records without constituting an offense under such laws. This section does not apply to minute books of corporations nor to records of sales or other transactions involving weapons, poisons or other dangerous articles or substances capable of use in the commission of crimes.

**3. Reproductions.** If in the regular course of business a person makes reproductions of original business records, the preservation of such reproductions constitutes compliance with any laws of this state requiring that business records be kept or preserved.

**4. Application.** Nothing in this chapter shall be construed to diminish the authority of an officer of this state under existing law to permit the destruction of business records.

**5. Construction.** This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it; but it shall not be interpreted and construed as requiring the preservation of business records for any longer period than they are now required by law to be preserved.

**6. Title.** This chapter may be cited as the Uniform Preservation of Private Business Records Act.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 193.

AN ACT RELATIVE TO THE PAYMENT OF MOTOR ROAD TOLLS  
BY COUNTIES, AND REPORTS TO THE MOTOR VEHICLE  
COMMISSIONER ON SALE OF MOTOR FUEL  
FOR BOATS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Road Toll.** Amend paragraph I of section 16 of chapter

120 of the Revised Laws, as amended by chapter 65 of the Laws of 1943 and chapter 277, Laws of 1947 (paragraph I, section 19, chapter 265, RSA) by inserting after the word "town" in the fifth line the words, county farm, so that said paragraph as amended shall read as follows: I. Any person who shall use any motor fuel, with respect to which the road toll herein imposed has been paid, in any way other than in motor vehicles for the purpose of generating power for the propulsion thereof upon the public highways, or any city, town, county farm, school district or village district which shall use any motor fuel in its own vehicles, or any dealer who shall make sales specified in paragraphs(a), (b) and (c) of section 3 of this chapter, shall be entitled to a refund to the extent of the amount of said tolls so paid, with respect to such motor fuel. The right to receive any refund under the provisions of this section shall not be assignable and any assignment thereof shall be void. Nor shall any payment thereof be made to any person other than the original person entitled thereto using or selling motor fuel as hereinabove in this section set forth.

2. **Boats.** Amend chapter 22 of the Revised Laws by inserting after section 41 as inserted by section 4 of chapter 65 of the Laws of 1943 and as amended by section 1 of chapter 292 of the Laws of 1947 (chapter 265, RSA) the following new section: **42. Reports.** Persons selling and delivering motor fuel into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors shall make such reports with respect to such sales to the motor vehicle commissioner as the commissioner shall deem necessary for the administration of section 41 and shall by regulation prescribe. Any such person who shall fail to make a report so required shall be fined not more than one hundred dollars.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]



**CHAPTER 194.**

AN ACT RELATIVE TO CHANGE OF CLASSIFICATION OF ROAD  
IN THE TOWN OF GILMANTON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Change in Classification.** The class II road being a part of route 129 from route 107 at Kelly's Corner to the village of Gilmanton Iron Works shall hereafter be classified as a class V. highway.

**2. Transfer of Funds.** The sum that has been apportioned by the state for the construction of the above named road as a secondary highway together with the amount contributed by the town shall be transferred to the town road aid account for the town of Gilmanton and made available for expenditure on this highway and expended under the supervision of the commissioner of public works and highways.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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**CHAPTER 195.**

AN ACT RELATING TO GROUP LIFE INSURANCE FOR SHARE  
HOLDERS IN CREDIT UNIONS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Group Life Insurance.** Amend section 14-a of chapter 327 of the Revised Laws, as inserted by chapter 175, Laws of 1947 (section 15, chapter 408, RSA) as amended by section 1, chapter 79, Laws of 1955, by inserting at the end thereof, the following: (6) A policy issued to a credit union, which shall be deemed the policyholder, to insure members of such credit union for the benefit of persons other than the credit union or any of its officials subject to the following requirements: (a) The members eligible for insurance shall be all of the members of the credit union, or all of any class or classes thereof de-

terminated by conditions pertaining to membership in the credit union. (b) The premium for the policy shall be paid by the policyholder, either wholly from the credit union funds, or partly from such funds and partly from funds contributed by the insured members specifically for their insurance, or wholly from funds contributed by the insured members specifically for their insurance. A policy on which all or a part of the premium is to be derived from funds contributed by the insured members specifically for their insurance may be placed in force only if at least seventy-five per cent of the then eligible members, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, elect to make the required contributions. A policy on which no part of the premium is to be derived from funds contributed by the insured members specifically for their insurance must insure all eligible members, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer. (c) The policy must cover at least twenty-five members at date of issue. (d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members or by the credit union.

**2. Credit Unions.** Amend subparagraph (a) of the first paragraph of section 14-b of chapter 327 of the Revised Laws, as inserted by chapter 175, Laws of 1947 (subparagraph (a) of the first paragraph of section 16, chapter 408, RSA) by inserting after the words "such creditor" the words, or policies issued to a credit union to insure members of such credit union, so that said subparagraph as amended shall read as follows: (a) that provisions (6) to (10) inclusive shall not apply to policies issued to a creditor to insure debtors of such creditor, or policies issued to a credit union to insure members of such credit union.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

**CHAPTER 196.****AN ACT RELATIVE TO TAX EXEMPTION FOR CERTAIN INSTALLATIONS FOR WATER OR AIR CONTROL FACILITIES.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Water or Air Pollution Control Facilities.** Amend chapter 166-A of the Revised Laws, as inserted by chapter 183 of the Laws of 1947, by inserting after section 4-a, as inserted by section 2, chapter 247, Laws of 1949 (section 5, chapter 149, RSA) the following new sections: **4-b. Tax Exemption.** In view of the general public benefits resulting from the control of pollution in the surface waters or air of the state and to further promote the purposes and objectives of this chapter, any treatment facility, device, appliance or installation (whether consisting of real or personal property or a combination of both) built, constructed or placed in operation by any person, firm or corporation in this state wholly or partly for the purpose of reducing, controlling or eliminating any source of pollution shall be exempt from taxes levied under chapter 73 of the Revised Laws for a period of twenty-five years for that percentage of the valuation effective in the control of water or air pollution as the commission shall determine. Upon such determination the commission shall notify the municipality of the percentage determined by it to be subject to exemption from taxes, and the taxing officials shall thereafter reduce the assessment by a like amount. **4-c. Review.** The commission may annually conduct a hearing to determine the percentage of such facilities which is effective in controlling pollution, and either the municipality or the owner of the control facility may request a rehearing or appeal from such determination in accordance with the provisions of chapter 414 of the Revised Laws.

**2. Takes Effect.** This act shall take effect as of April 1, 1955.

[Approved June 9, 1955.]

**CHAPTER 197.**

AN ACT RELATIVE TO INVESTIGATION OF SUBVERSIVE ACTIVITIES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Subversive Investigation.** The investigation of subversive activities by the attorney general provided for by chapter 307 of the Laws of 1953, as continued by a resolution approved January 13, 1955, is hereby continued in full force and effect, in form, manner and authority as therein provided for the further period until June 30, 1957. The attorney general shall report to the general court of 1957 the results of this further investigation together with his recommendations, if any, for necessary legislation. He may at any time during said period temporarily or permanently conclude his investigation hereunder if, in his opinion, no useful public purpose would be served by continuation of the investigation. There is hereby appropriated for the expenses of this continued investigation a sum not to exceed forty-two thousand five hundred dollars, which shall include the cost of printing such report as is provided for hereby, but nothing herein contained shall limit the power of the attorney general to act in cases of reasonable necessity under the provisions of section 11 of chapter 24 of the Revised Laws (section 12, chapter 7, RSA). The governor is hereby authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 14, 1955.]

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**CHAPTER 198.**

AN ACT RELATIVE TO INSERTION OF NAMES OF CERTAIN VETERANS AND CERTAIN SERVICEMEN ON THE CHECK-LISTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Check-lists.** Amend section 16 of chapter 32 of the Re-

vised Laws, as amended by section 5, chapter 81, Laws of 1943 (section 18, chapter 55, RSA) by striking out said section and inserting in place thereof the following: **16. Conclusiveness of List.** All persons whose names are entered upon the check-list as thus corrected shall be deemed to be legal voters in the town; and no person whose name is not upon the list shall be allowed to vote, unless it clearly appears that the name of said person has been omitted from said list by clerical error or mistake, or where the person is a veteran or a serviceman on leave who by reason of such service was not in the town or city of his legal residence at the time of the last session of the supervisors, and then only by vote of the majority of the board.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 14, 1955.]

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## CHAPTER 199.

### AN ACT RELATIVE TO ERECTION OF SO-CALLED HISTORICAL SIGNS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. State Highways.** Amend part 19, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945 (chapter 249, RSA) and as amended by chapter 135, Laws of 1955, by inserting at the end thereof the following new subdivision:

#### **Marking the Location of Historic Incidents on State Highways**

**40. Authority for Erection.** The commissioner of public works and highways may on his own motion or shall, upon petition of twenty or more citizens of the state, erect, within the right-of-way of any class I, II or III highway, signs for the purpose of indicating the occurrence of historic events. at an expense not to exceed five hundred dollars per year. Prior to the erection of any such signs the commissioner shall consult and secure the approval of the board established by section 41, as hereinafter provided. Nothing herein shall be construed to

permit the erection of signs which will interfere with the reasonable use of said highways.

**41. Board Established.** There shall be a board of five members consisting of the state librarian, one member of the planning and development commission designated by the commission, the director of the recreation division of the forestry and recreation commission, one member from the New Hampshire Historical Society designated by the society, and the secretary of state whose duty it shall be to consult with the commissioner of public works and highways and to approve the wording on, and the location of, signs commemorating historic events. Said board shall make such investigation as may be necessary to ascertain the facts relative to said events and the correctness of the location where the signs are to be erected. Said board shall serve without compensation or reimbursement for services.

**42. Expenditures.** The expense of the erection of signs as provided in this subdivision shall be a charge upon the highway funds. Provided that nothing herein shall be construed to prohibit the commissioner from accepting grants from interested persons which grants shall be applied to the expense of said signs.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 14, 1955.]

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## CHAPTER 200.

### AN ACT RELATIVE TO PURCHASES BY THE DIRECTOR OF PURCHASE AND PROPERTY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Director of Purchase and Property.** Amend section 6 of chapter 14-A of the Revised Laws, as inserted by chapter 227, Laws of 1949, (section 24, chapter 8, RSA) by striking out said section and inserting in place thereof the following: **6. Non-Competitive Purchases.** Except where competitive bid-

ding has been employed, no purchase involving an expenditure of three hundred dollars or more shall be made by the director of purchase and property without the written approval of the comptroller. In requesting such approval the director of purchase and property shall first state in writing his reasons for not employing competitive bidding. If the comptroller refuses to approve any such non-competitive purchase, the director of purchase and property may appeal to the governor for such approval and the governor shall approve or disapprove such purchase in writing.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 20, 1955.]

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## CHAPTER 201.

### AN ACT RELATIVE TO EMERGENCY PURCHASES BY THE DIVISION OF PURCHASE AND PROPERTY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Purchases.** Amend paragraph (e) of section 5 of chapter 14-A of the Revised Laws as inserted by chapter 21, Laws of 1943, and as amended by section 1, chapter 227, Laws of 1949 and chapter 53, Laws of 1951 (paragraph XV of section 19, chapter 8, RSA) by striking out said paragraph and inserting in place thereof the following: (e) require competitive bidding before making any purchase for the state pursuant to the provisions of this chapter, except (1) when the purchase involves a total expenditure of less than three hundred dollars, and when the best interests of the state would be served thereby, (2) when, after reasonable investigation by the director of purchase and property, it appears that any required unit or item of supply, or brand of such unit or item, is procurable by the state from only one source, (3) when, after reasonable investigation by the director of purchase and property, it appears that any required service, unit or item of supply, or brand of such unit or item, has a fixed market price at all sources available to the state, (4) when, in the opinion of

the governor, an emergency exists of a nature which requires the immediate procurement of supplies, he may authorize the director of purchase and property to make a purchase without competitive bidding; and provided further, that where the rates filed with and approved by the insurance commissioner are uniform, the purchase of state insurance and public state official and employee bonds are specifically excluded from competitive bidding as to price. Provided, however, that nothing herein contained shall preclude the director of purchase and property from inviting plans of insurance coverage from any resident licensed insurance agent.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 20, 1955.]

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## CHAPTER 202.

### AN ACT RELATIVE TO PRIOR SERVICE CREDITS FOR STATE OFFICIALS AND EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Officials and Employees.** Amend chapter 243 of the Laws of 1947 (chapter 99, RSA) by inserting after section 5 thereof the following new section: **5-a. Limited Prior Service.** Any person who has been or is caused to leave state service involuntarily by reason of reduction in force and who returned or shall return to state service may for purposes of future compensation only, count the time of said prior state service as continuous with his present service without inclusion of the intervening period of non-state employment, to obtain benefits provided under sections 3 and 4. This section shall not authorize retroactive payment to persons now or hereafter in state service affected hereby but shall provide credit of such past service for compensation subsequent to the effective date of this act. This section shall not apply to persons who shall have separated or separate from state service under other circumstances.

**2. Takes Effect.** This act shall take effect July 1, 1955.

[Approved June 20, 1955.]



**CHAPTER 203.****AN ACT RELATING TO THE ASSESSMENT OF THE EXPENSES OF THE  
PUBLIC UTILITIES COMMISSION AGAINST CERTAIN  
PUBLIC UTILITIES.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Public Utilities Commission.** Amend the Revised Laws by inserting after chapter 286 (chapter 363, RSA) the following new chapter:

**Chapter 286-A  
Assessment of Expenses of Commission  
Against Certain Public Utilities**

**1. Ascertainment of Expenses.** The public utilities commission shall annually, after the close of the fiscal year, ascertain the total of its expenses during such year incurred in the performance of its duties relating to public utilities as defined in section 2 of chapter 285 of the Revised Laws as inserted by section 9 of chapter 203 of the Laws of 1951. In the determination of such expenses, there shall be excluded expenses which have been or may be charged and recovered under the provisions of section 37 of chapter 287 of the Revised Laws as amended by section 11 of chapter 203 of the Laws of 1951.

**2. Assessment.** The expenses thus ascertained in an amount not exceeding seventy-five thousand dollars, shall be assessed against the public utilities described in the foregoing section in the manner herein provided. The public utilities commission shall establish reasonable classifications of public utilities, and shall determine the share of its expenses attributable to each such class. Each such share shall be assessed against the several public utilities comprising the class in such proportion as the public utilities commission shall determine to be fair and equitable.

**3. Certification of Assessment.** It shall be the duty of the public utilities commission to calculate the amount to be assessed against each such public utility in accordance with the foregoing provisions. Not later than ninety days after the close of the fiscal year, the public utilities commission shall make a list showing the amount due from each of the several

public utilities assessed under the provisions hereof, and, together with a statement of the full name and mailing address of each such public utility, shall certify the same to the state treasurer.

**4. Collection.** Forthwith upon the receipt of such list, the state treasurer shall bill each public utility for the amount assessed against it. Such bill shall be sent registered mail, and shall constitute notice of assessment and demand for payment. Payment shall be made to the state treasurer within thirty days after the receipt of the bill, unless the public utility shall within that time file with the commission its objection in writing, setting out in detail the grounds upon which it is claimed that said assessment is excessive, erroneous, unlawful or invalid. If such objections be filed the commission, after reasonable notice to the objecting public utility, shall hold a hearing on such objections; and if the commission find that said assessment or any part thereof is excessive, erroneous, unlawful or invalid, the commission shall reassess the amount to be paid by such public utility, and shall order that an amended bill be sent to such public utility in accordance with such reassessment. After the expiration of thirty days from receipt of an original bill, or of an amended bill if the public utility shall have filed objections, the state treasurer may commence an action at law for the recovery of the assessment.

**2. Takes Effect.** This act shall take effect upon its passage; and its provisions shall apply to the expenses of the commission for the fiscal year ending June 30, 1955.

[Approved June 20, 1955.]

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## CHAPTER 204.

### AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN AND OPERATORS OF SCHOOL BUSES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Commission of Motor Vehicles.** Amend section 14-a of chapter 119 of the Revised Laws, as inserted by chapter 90 of the Laws of 1945, and as amended by section 4, chapter 114,

Laws of 1949 (section 28, chapter 263, RSA) by striking out said section and inserting in place thereof the following: **14-a. Operator of School Bus.** The owner of any motor vehicle transporting ten or more school children to and from any public school or private educational institution shall submit to the authorities in the town or city which pays for said transportation a list of the names of the persons who are to operate the busses to be used in such transportation. Such authority shall make an investigation as to the motor vehicle operator's record, character and responsibility of each such person and if it finds him qualified to bear the responsibility of the transportation of such children shall so certify, and shall notify the motor vehicle commissioner of said certification. Upon receipt of such certification the motor vehicle commissioner shall cause said operator to be examined as to his qualifications as an operator of school busses and said commission may make special rules and regulations for such examination. No person shall operate a motor vehicle transporting ten or more school children to or from any such school unless he has satisfactorily passed a special examination for said operation and received from the commissioner a special certificate therefor. The commissioner may revoke such special certificate for good cause shown.

**2. Takes Effect.** This act shall take effect as of September 1, 1955.

[Approved June 20, 1955.]

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## CHAPTER 205.

### AN ACT RELATIVE TO REGULATIONS AS TO BOATING ON CERTAIN PONDS IN PILLSBURY STATE PARK AND BEAR BROOK STATE PARK.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Ponds in Certain State Parks.** Amend chapter 234 of the Revised Laws (chapter 219, RSA) by inserting after section 8 thereof the following new section: **8-a. Regulation of Motors.** The forestry and recreation commission may pre-

scribe such reasonable rules and regulations as to the use of boats propelled by any mechanical means on the following bodies of water: Mill Pond and North Pond in Pillsbury state park and Spruce Pond and Bear Hill Pond in Bear Brook state park. Such regulations shall be posted at places reasonably designed to acquaint the public contemplating using such ponds for boating purposes with the prescribed regulations.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 20, 1955.]

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## CHAPTER 206.

AN ACT RELATING TO DUTIES OF SUPPORT AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Uniform Duties of Support.** Amend the Revised Laws by inserting after chapter 420-A, as inserted by chapter 191, Laws of 1953 (chapter 546, RSA) the following new chapter:

### Chapter 420-B Uniform Civil Liability of Support

**1. Definitions.** As used in this chapter:

I. "State" includes any state, territory or possession of the United States, the District of Columbia and the Commonwealth of Puerto Rico.

II. "Obligor" means any person owing a duty of support.

III. "Obligee" means any person to whom a duty of support is owed.

IV. "Child" means either a natural or adopted child or a stepchild.

V. "Father" or "mother" means either a natural or adopted father or mother or a stepfather or stepmother who has assumed the relation of a parent to his or her stepchild.

**2. Liability.** Every person whose income or other re-

sources are more than sufficient to provide for his or her reasonable subsistence compatible with decency or health owes a duty to support or contribute to the support of his or her wife, husband, child, father or mother when in need.

**3. Duties of Support.** An obligor present or resident in this state has the duty of support as defined in this chapter regardless of the presence or residence of the obligee.

**4. Jurisdiction.** The superior court shall have jurisdiction of all proceedings brought under this chapter.

**5. Amount of Support.** When determining the amount due for support the court shall consider all relevant factors including but not limited to: (a) the standard of living and situation of the parties; (b) the relative wealth and income of the parties; (c) the ability of the obligor to earn; (d) the ability of the obligee to earn; (e) the need of the obligee; (f) the age of the parties; (g) the responsibility of the obligor for the support of others.

**6. Modification of Order.** The court shall retain jurisdiction to modify or vacate the order of support where justice requires.

**7. Enforcement of Rights.** The obligee may enforce his right of support against the obligor and the state or any political subdivision thereof may proceed on behalf of the obligee to enforce his right of support against the obligor. Whenever the state or a political subdivision thereof furnishes support to an obligee, it has the same right as the obligee to whom the support was furnished, for the purpose of securing reimbursement and of obtaining continuing support.

**8. Appeals.** Appeals may be taken from orders under this chapter as in other civil actions.

**9. Evidence of Husband and Wife.** Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable under this chapter.

**10. Rights Additional to Those Now Existing.** The rights herein created are in addition to and not in substitution for any other rights.

**11. Uniformity of Interpretation.** This chapter shall be

so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**12. Title.** This chapter may be cited as the Uniform Civil Liability of Support Act.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 20, 1955.]

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## CHAPTER 207.

### AN ACT TO CHANGE THE FEES FOR THE LICENSES AND PERMITS OF PRACTICAL NURSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Changes in Fees.** Amend sections 7, 9, 10 and 11 of chapter 257-A, Revised Laws, as inserted by chapter 26, Laws of 1951 (sections 21, 26, 27 and 28, chapter 326, RSA) by striking out all of said sections and inserting in place thereof the following:

**7. Fees.** Each person applying for a license to practice as a licensed practical nurse, or for examination and such license shall pay to the commissioner of education a fee of fifteen dollars. The commissioner shall pay all fees so received and all fees from biennial permits to the state treasurer who shall keep the same in a separate fund to be used only for the purpose of the board of nursing education and nurse registration hereunder.

**9. Biennial Permit to Practice.** Any licensed practical nurse who intends to engage in such practice in this state shall biennially before January first, beginning January 1, 1956, file his name and address with the commissioner of education and pay to the commissioner a fee of three dollars whereupon, if he has complied with the requirements of this chapter and the rules and regulations of the board, he shall be granted a permit which shall entitle him to engage in such practice for the period ending December thirty-first two years hence.

**10. Prohibition.** No person shall claim to be a licensed practical nurse in this state unless he has a valid license and biennial permit to so practice. Provided, however, that nothing in this act shall be construed to prohibit any person from engaging in practice as a practical nurse without such license and permit so long as he does not claim or represent himself to be a Licensed Practical Nurse nor use the title Licensed Practical Nurse or its abbreviation, L. P. N.

**11. False Representation.** Any person who shall willfully make any false representation in applying for a license or biennial permit hereunder shall be fined not less than one hundred nor more than five hundred dollars.

**2. Takes Effect.** Section 7 as amended shall take effect upon the passage of this act and sections 9, 10 and 11 as amended shall take effect January 1, 1956.

[Approved June 20, 1955.]

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## CHAPTER 208.

### AN ACT TO PROVIDE FOR THE REGULATION OF THE BUSINESS OF DRIVERS' SCHOOLS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicle Drivers' School.** Amend the Revised Laws by inserting after chapter 119 (chapter 263, RSA) the following new chapter:

#### Chapter 119-A Motor Vehicle Drivers' School

**1. Terms Defined.** As used in this chapter the following words and terms shall have the following meanings:

I. "Drivers' school" means the business of giving instruction, for compensation, in the driving of motor vehicles and motorcycles;

II. "Person" includes an individual, corporation, and partnership;

III. "Place of business" means a designated location at which the business of a drivers' school is conducted; and

IV. "Fraudulent practices" shall include, but shall not be limited to (a) any conduct or representation tending to give the impression that a license to operate a motor vehicle or motorcycle or any other license, registration or service granted by the motor vehicle department may be obtained by any means other than the means prescribed by law or by furnishing or obtaining the same by illegal or by improper means, or (b) the requesting, accepting, exacting or collecting of money for such purpose.

**2. License Required; Fee, Term, Renewal.** No person shall engage in the business of conducting a drivers' school without being licensed therefor by the commissioner of motor vehicles. Application therefor shall be in writing and contain such information therein as he shall require. If the application is approved, the applicant shall be granted a license upon the payment of a fee of fifty dollars; provided, however, that no license fee shall be charged for the issuance of a license to any board of education, school board, public, private or parochial school, which conducts a course in driver education, approved by the state department of education. A license so issued shall be valid during the calendar year. The annual fee for renewal shall be twenty-five dollars. The commissioner shall issue a license certificate or license certificates to each licensee, one of which shall be displayed in each place of business of the licensee. In the case of loss, mutilation or destruction of a certificate, the commissioner shall issue a duplicate upon proof of the facts and the payment of a fee of one dollar.

**3. Grounds for Denial of License for Drivers' School.** The commissioner may deny the application of any person for a license if, in his discretion, he determines that:

I. Such applicant has made a material false statement or concealed a material fact in connection with his application;

II. Such applicant, any officer, director, stockholder or partner, or any other person directly or indirectly interested in the business, was the former holder of a license hereunder, or was an officer, director, stockholder or partner, in a corporation or partnership which held a license under this chapter and which license was revoked or suspended by the director;

III. Such applicant or any officer, director, stockholder, partner, employee, or any other person directly or in-



directly interested in the business, has been convicted of a crime;

IV. Such applicant has failed to furnish satisfactory evidence of good character, reputation and fitness;

V. Such applicant does not have a place of business as required by this chapter;

VI. Such applicant is not the true owner of the drivers' school; or

VII. The application is not accompanied by a copy of a standard liability insurance policy in the amount of ten thousand dollars for personal injury to, or death of, any one person and subject to said amount for one person twenty thousand dollars for personal injury to, or death of, more than one person involved in any one accident, and five thousand dollars for property damage in any one accident, suffered, or caused by reason of negligence of the applicant or any agent or employee of the applicant, approved as to form and coverage by the commissioner, and issued by a company duly licensed to transact business in this state under the insurance laws of this state.

**4. Rules.** The commissioner may make such rules as he deems reasonable for the conduct of drivers' schools.

**5. Grounds for Revoking or Suspending School License.** The commissioner, or any employee of the motor vehicle department deputized by him, may suspend or revoke any school license issued under the provisions of this chapter or refuse to issue a renewal thereof if:

I. The licensee has made a material false statement or concealed a material fact in connection with the application for a license or the renewal thereof;

II. The licensee or any partner or officer of the licensee has been convicted of a crime;

III. The licensee has failed to comply with any of the provisions of this chapter or any of the rules and regulations of the commissioner establishing instructional standards and procedures;

IV. The licensee or any partner or officer of such licensee has been guilty of fraud or fraudulent practices in relation to the business conducted under the license, or guilty of inducing another person to resort to fraud or fraudulent

practices in relation to securing for himself or another the license to drive a motor vehicle or motorcycle;

V. The licensee has knowingly employed, as an instructor, a person who has been convicted of a crime or has retained such a person in such employ after knowledge of his conviction; or

VI. The licensee has failed to maintain satisfactory insurance to meet damage claims required by section 3 of this chapter.

**6. Renewal No Bar to Revoking License.** Notwithstanding the renewal of a license, the commissioner may revoke or suspend such license for causes and violations, as prescribed herein, occurring during any prior license period.

**7. Hearings.** Every applicant or licensee shall be entitled to a hearing, before his application for a license or a renewal thereof is refused or his license is revoked, and shall be given due notice thereof. The sending of a notice of a hearing by registered mail to the last known address of a licensee or applicant ten days prior to the date of the hearing shall be deemed due notice. The commissioner, or the person deputized by him to conduct a hearing, shall have power to subpoena witnesses, administer oaths to witnesses and take testimony of any person or cause his deposition to be taken. A subpoena issued under the authority of this section shall be served in the same manner as a subpoena issued out of the superior court. Witnesses subpoenaed hereunder shall be entitled to the same fees and mileage as are allowed in civil actions in courts of record.

**8. Records Kept by Licensee.** Every licensee shall keep such records as the commissioner may by regulation require. The records of the licensee shall be open to the inspection of the commissioner or his representatives at all times during reasonable business hours.

**9. Penalties.** A person who violates any of the provisions of this chapter shall be subject, for a first offense, to a fine of not less than one hundred dollars nor more than two hundred fifty dollars or imprisonment for a term of not less than ten days or more than thirty days, or both, in the discretion of the court. For a subsequent violation, he shall be

subject to a fine of not less than two hundred fifty dollars nor more than five hundred dollars or imprisonment for a period of not less than thirty days or more than three months, or both, in the discretion of the court.

2. **Takes Effect.** This act shall take effect on July 1, 1955. [Approved June 21, 1955.]

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## CHAPTER 209.

### AN ACT PROVIDING FOR LIENS ON HOUSE TRAILERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Liens on House Trailers.** Amend section 38, chapter 264 of the Revised Laws, as amended by section 1, chapter 58, Laws of 1949 (section 1, chapter 450, RSA) by inserting after the words "or hangar" in the second line the words, or trailer court; further amend by inserting after the words "or aircraft" in the third line the words, or house trailers, and by inserting after the words "or aircraft" in the fifth line the words, or house trailer, so that said section as amended shall read as follows: 38. **For Storage.** Any person who maintains a public garage or hangar or trailer cort for the storage and care of motor vehicles or aircraft or house trailers brought to his premises or placed in his care by or with the consent of the legal or equitable owner, shall have a lien upon said motor vehicle or aircraft or house trailer so long as the same shall remain in his possession, for proper charges due him for the storage and care of the same.

2. **Charges.** Amend section 40, chapter 264 of the Revised Laws, as amended by section 2, chapter 58, Laws of 1949 (section 3, chapter 450, RSA) by inserting after the words "or aircraft" in the third line the words, or house trailer, so that said section as amended shall read as follows: 40. **Notice and Sale.** If any of the charges referred to in this subdivision shall remain unpaid for sixty days, the lien holder may sell such motor vehicle or aircraft or house trailer at public sale, and the proceeds, after first paying the expense of sale, shall be applied in payment of the charges, the balance, if any,

to be paid to the debtor. Notice of such sale shall be given and record made as provided in sections 7, 8 and 10.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

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## CHAPTER 210.

### AN ACT RELATIVE TO TEMPORARY USE OF SPECIAL MILITARY REGISTRATIONS AND PLATES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicles: Registration.** Amend chapter 116 of the Revised Laws (chapter 260, RSA) by inserting after section 9 thereof the following new section: **9-a. Exemption of Motor Vehicles Owned by Military Personnel.** The provisions of this chapter relative to the registration of motor vehicles and motor cycles and the display of number plates shall not apply to motor vehicles or motor cycles having registrations and displaying plates issued by the armed forces of the United States for vehicles owned by military personnel, but such exemption shall be valid only for a period of seven days after the owner thereof has entered this state for the purpose of traveling to either his place of residence or a point of military duty.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

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## CHAPTER 211.

### AN ACT TO PROVIDE FOR THE GIVING OF SECURITY BY OWNERS AND OPERATORS OF AIRCRAFT INVOLVED IN ACCIDENTS AND TO PROVIDE FOR ADMINISTRATION THEREOF.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Aircraft.** Amend the Revised Laws by inserting after chapter 306 (chapter 422, RSA) the following new chapter:

**Chapter 306-A****Aircraft Financial Responsibility**

**1. Definitions.** As used in this act, unless the context requires otherwise:

(a) "Agency" means the New Hampshire aeronautics commission of this state.

(b) "Aircraft" means any contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air.

(c) "Judgment" means any judgment which has become final, rendered by a court of competent jurisdiction of any state or of the United States, upon a claim for damages suffered by a claimant arising out of the ownership, operation, maintenance or use of any aircraft, including damages for care and loss of services, because of bodily injury to or death of any person or injury to or destruction of property, including the loss of use thereof, or upon an agreement of settlement for such damages.

(d) "Non-resident's operating privilege" means the privilege conferred upon a non-resident by the law of this state pertaining to the operation by him of an aircraft or the use of an aircraft owned by him, in this state.

(e) "Operator" means any person who is exercising actual physical control of an aircraft.

(f) "Owner" means any of the following persons who may be legally responsible for the operation of an aircraft:

(1) A person who holds the legal title to an aircraft;

(2) A lessee of an aircraft;

(3) A conditional vendee, a trustee under a trust receipt and a mortgagor or other person holding an aircraft subject to a security interest.

(g) "Passenger" means any person in, on or boarding an aircraft for the purpose of riding therein, or alighting therefrom following a flight or attempted flight therein.

(h) "Person" means any individual, firm, co-partnership, association, or corporation, public or private, including his or its successors, assignees, or legal representatives.

(i) "Registration" means a certificate of registration of aircraft engaged in air navigation in this state, or of operators

thereof, issued by the agency pursuant to the laws of this state.

(j) "Notification" means notice in writing served upon a person by either:

(1) Actual delivery or offer of delivery to such person by any adult individual whose rights are not affected by the proceeding involved; or

(2) Registered mail addressed to the person at the last address known to the agency.

(k) "State" means any state, the District of Columbia, any territory or possession of the United States and the Commonwealth of Puerto Rico.

(l) "Claimant" means any person having a claim for damages as the result of an accident within this state involving an aircraft.

## **2. Agency to Administer Act; Petition for Review.**

(a) The agency shall administer and enforce the provisions of this act and may make rules and regulations necessary for its administration which shall become effective ten days after the filing thereof with the secretary of state.

(b) The agency shall provide for hearings upon request of any person who may be affected by its orders or acts under the provisions of this act and may provide for a stay thereof until a hearing may be had.

(c) Any person aggrieved by any order or act of the agency hereunder, may have judicial review thereof, by filing a petition for a review in the superior court of the county in which one of the parties resides, and if both plaintiff and defendant are non-residents, then in the county where the accident occurred, within thirty days after the order or act becomes final. The agency shall transmit to the court the original or a certified copy of the entire proceedings under review, including a transcript of any oral testimony taken at the hearing, at the cost of the appellant. By order of court or by stipulation of all parties to this petition, the record may be shortened by the elimination of any portion thereof. The filing of the petition shall not suspend the order or act unless a stay thereof shall be allowed by the court pending final determination of the review. The court may, in disposing of the issues before it, affirm, modify or reverse the order or act of the

agency in whole or in part and may enter its own order or may reverse and remand the cause for further proceedings by the agency. The court shall summarily hear the petition.

### **3. Report Required Following Accident.**

(a) The operator of any aircraft involved in an accident within this state in which any person is killed or injured or damage in excess of one hundred dollars is sustained to the property of any person, other than property owned by the owner or operator or in his care, custody or control or carried in or on the aircraft, shall immediately but not later than forty-eight hours after the accident report the matter in writing to the agency. If the operator is physically incapable of making the report, the owner of the aircraft involved in the accident shall immediately but not later than forty-eight hours after learning of the accident, make the report. If neither the operator nor the owner is physically capable of making the report, then each passenger shall, within ten days after learning of the incapacity of the operator or owner, make the report. If the owner or operator dies as a result of the accident, the legal representative of the operator or owner shall make the report within ten days after his qualification. The sheriff of the county in which the accident occurred shall notify the agency thereof in writing immediately but not later than forty-eight hours after learning of the accident.

(b) The report, the form of which shall be prescribed by the agency, shall include information to enable the agency to determine whether the requirements for the deposit of security under section 4 are inapplicable by reason of existence of insurance or other exceptions specified in this act. The agency may rely upon the accuracy of the information until it has reason to believe that the information is erroneous.

(c) The operator and the owner shall furnish such additional information as the agency may require.

### **4. Security Required; Suspension; Exceptions.**

(a) As promptly as practicable but not later than thirty days after receipt of an accident report as required in section 3, the agency shall determine by an order entered of record (1) the amount of security within the limits specified in section 5, which it deems sufficient to satisfy any judgment for damages resulting from the accident which may be recovered against

each owner or operator, and (2) the name and address of each claimant.

(b) As promptly as practicable but not later than thirty days after the entry of the order required by subsection (a) of this section the agency, unless there is deposited for the benefit of the owner or operator or both, as the case may be, security in the sum so determined by the agency, upon ten days notification shall suspend:

(1) If the owner is a resident, the registration of the owner and the registration of all aircraft owned by him;

(2) If the owner is a non-resident, the non-resident's operating privilege of the owner and of all aircraft owned by him;

(3) The registration or non-resident's operating privilege of the operator.

(c) The requirements as to security and suspension do not apply:

(1) To the operator or the owner of the aircraft if the agency determines upon satisfactory evidence that he is not charged with responsibility for the accident by the claimants, or to the operator of an aircraft involved in an accident in which no injury was caused to the person of any one other than the operator, and no damage in excess of one hundred dollars was caused to property not owned, rented, occupied or used by such operator nor in his care, custody or control nor carried in or on the aircraft;

(2) To the operator or owner of an aircraft if at the time of the accident the aircraft was stationary, without passengers thereon or boarding the aircraft or alighting therefrom and the aircraft was parked in an area legally used for aircraft parking with no engine running nor in the process of being started;

(3) To the owner of an aircraft if at the time of the accident the aircraft was being operated, or was parked, without his permission, expressed or implied;

(4) To the owner if there is in effect at the time of the accident an aircraft liability policy with respect to the aircraft involved in the accident;

(5) To the operator, if not the owner of the aircraft, if there is in effect at the time of the accident an air-



craft liability policy with respect to his operation of the aircraft involved in the accident;

(6) To the operator or owner if his liability for damages resulting from such accident is covered by any other form of liability insurance policy in effect at the time of the accident;

(7) To any person qualifying as a self-insurer under section 7, or to any person operating an aircraft for the self-insurer for whose acts the self-insurer is legally responsible; nor

(8) After there is filed with the agency satisfactory evidence that the person otherwise required to deposit security has (i) been released from liability, or (ii) been adjudicated not to be liable by judgment, or (iii) executed a written agreement with all claimants providing for payment of an agreed amount with respect to all claims for injuries or damages resulting from the accident.

(d) The requirements as to suspension may be waived by the agency, in its discretion, if there is filed with the agency by all claimants consent in writing that the person hereunder chargeable be allowed continuing operating privilege. If such waiver is granted by the agency, it shall continue for six months from the date of the consent and thereafter unless the consent is revoked in writing.

(e) The agency may take the actions authorized hereby or may modify or rescind the same at any time necessary to carry out the provisions of this act upon ten days' notification of the persons affected thereby.

### 5. Requisites of Policy.

(a) A policy is not effective under section 4 unless:

(1) Issued by an insurer or surety company authorized to do business in this state; or

(2) Issued by an insurer or surety company not authorized to do business in this state found by the agency to afford adequate protection and which has filed or shall file with the agency a power of attorney authorizing the agency to accept service on its behalf of notice or process in any action upon the policy arising out of such accident.

(3) If the accident results in bodily injury to or death of a person not a passenger, the policy provides coverage

of not less than ten thousand dollars because of bodily injury to or death of one person in any accident and twenty thousand dollars because of bodily injury to or death of two or more persons in any one accident.

(4) If the accident involves an aircraft being operated for hire and the accident results in bodily injury to or death of a passenger, the policy provides coverage of not less than ten thousand dollars because of bodily injury to or death of one person in any one accident and not less than ten thousand dollars multiplied by the number of passenger-seats in the aircraft because of bodily injury to or death of two or more persons in any one accident.

(5) If the accident involves an aircraft not being operated for hire and the accident results in bodily injury to or death of a passenger, the policy provides coverage of not less than ten thousand dollars because of bodily injury to or death of one person in any one accident and not less than ten thousand dollars multiplied by the number of passenger-seats in the aircraft because of bodily injury to or death of two or more persons in any one accident.

(6) If the accident results in damage to or destruction of property, the policy provides coverage of not less than five thousand dollars because of damage to or destruction of property in any one accident with the exception of the following property which is exempted from the security required under this act: property owned, rented, occupied or used by, or in the care, custody or control of the owner or operator or carried in or on the aircraft.

(b) The policy need not cover:

(1) Any liability on account of bodily injury to or death of any employee of the owner or operator while the employee is engaged in the duties of his employment; or

(2) Any obligation for which the owner or operator or his insurer may be held liable under any workmen's compensation law.

**6. Duration of Suspension.** Registrations or non-resident's operating privilege suspended as provided in section 4 shall not be restored or renewed with respect to the aircraft involved in or the owner or operator liable for the accident until:

(a) Security is deposited as required under section 4; or

(b) One year shall have elapsed following the date of such suspension and satisfactory evidence is filed with the agency that during such period no action for damages arising out of the accident has been instituted; or

(c) Satisfactory evidence is filed with the agency of a release from liability, or a judgment of non-liability as to all persons damaged or injured in the accident, or a written agreement, in accordance with (8) of subsection (c) of section 4. If there is a default in payment under such written agreement, then upon ten days' notification of the owner or operator, the agency shall suspend the registration or non-resident's operating privilege of such person defaulting and the same shall not be restored unless and until (1) such person deposits and thereafter maintains security as required under section 4 in such amount as the agency may then determine, within the limits herein provided, or (2) one year has elapsed following the time when such security was required and during such period no action upon the agreement has been instituted in a court of this state; or

(d) Satisfactory evidence is filed with the agency that any judgment against such person for damages resulting from the accident has been satisfied in full or that there has been paid thereon an amount equal to the applicable limits set forth in section 5; or

(e) Written consent thereto has been filed with the agency by all claimants and the same is approved by the agency in its discretion.

**7. Self-Insurer.** (a) Any person may at any time apply to the agency for a certificate of self-insurance, whether or not there has occurred an accident as a result of which he might be affected by some other provision of this act.

(b) The agency may in its discretion issue a certificate of self-insurance when satisfied that the applicant is possessed and will continue to be possessed of ability to pay judgments against him within the limits provided in this act.

(c) Upon not less than ten days' notification of a self-insurer the agency may for reasonable cause cancel a certificate of self-insurance and shall cancel such certificate upon failure to pay any judgment within thirty days.

**8. Application to Non-residents, Unregistered Aircraft and Accidents in Other States.** (a) In case the operator or owner of an aircraft involved in an accident within this state has no certificate of registration, or is a non-resident, he shall not be allowed a certificate of registration or a non-resident's operating privilege, as the case may be, until he has complied with the requirements of this act.

(b) When a non-resident's operating privilege is suspended pursuant to section 4 or section 6, the agency shall transmit a certified copy of the record of such action to the official or department regulating the operation of aircraft in the state in which the non-resident resides, if the law of the other state provides for action in relation thereto, similar to that provided for in subsection (c) of this section.

(c) Upon receipt of a certification that the operating privilege of a resident of this state has been suspended or revoked in any other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of an aircraft accident, under circumstances which would require the agency to suspend a non-resident's operating privilege had the accident occurred in this state, the agency upon ten days' notification shall suspend his registration if he was the operator of an aircraft involved in the accident, or if he was the owner of an aircraft involved in the accident and was legally responsible for its operation. The suspension shall continue until the resident furnishes evidence of his compliance with the security requirements of the law of the other state.

**9. Form and Amount of Security.** (a) The security required under this act shall be in such form and in such amount as the agency may require but in no case in excess of the limits specified in section 5 with reference to the limits of a policy. If at the time of the accident there is in effect a liability policy meeting the requisites of this act other than amount of coverage set forth in section 5, the agency may consider such policy in fixing the amount of security. The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and, at any time while such deposit is in the custody of the agency or the state treasurer the person depositing it may, upon approval of the agency, amend in writing the specification of the person or persons on

whose behalf the deposit is made to include an additional person or persons; provided, however, that a single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident. Interest and other income upon securities deposited as herein provided shall be paid or inure to the benefit of the person making the deposit.

(b) Upon ten days' notification of the parties concerned, the agency may reduce, or, within the limits specified in section 5, increase the amount of security ordered in any case if in its discretion the amount ordered is excessive or insufficient. In case the security originally ordered has been deposited, the excess shall be returned to the depositor notwithstanding the provisions of section 10. Substitution of security shall be permitted.

#### **10. Custody, Disposition and Return of Security.**

Security deposited in compliance with the requirements of this act shall be delivered to the agency and shall be placed by the agency in the custody of the state treasurer and shall be released only:

(a) Upon certificate of the agency in the payment of a judgment rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in a civil action, begun not later than one year after the date of the accident or within one year after the date of deposit of any security under subsection (c) of section 6 or in the payment of a settlement, agreed to by the depositor and all the claimants, of a claim or claims arising out of the accident.

(b) Upon certificate of the agency issued after ten days' notification of all claimants upon evidence satisfactory to the agency that all claims arising from such accident have been satisfied by either (1) a release from liability, or (2) a judgment of non-liability, or (3) a written agreement in accordance with (8) of subsection (c) of section 4, or whenever, after the expiration of one year from the time of the accident or from the date of deposit of any security under subsection (c) of section 6, the agency is given satisfactory evidence that there is no such action pending and that no judgment rendered in any such action is unpaid.

(c) Upon the certificate of the agency that other security complying with subsection (a) of section 9 and satisfactory in form, character and amount, has been deposited with it in lieu of the original security deposited hereunder.

**11. Matters not to be Evidence in Civil Suits or Criminal Proceedings.** The records of and proceedings before the agency and the state treasurer shall be inadmissible in evidence and shall not be referred to at the trial of any civil action or criminal proceeding. Subject to the foregoing provisions, the agency shall, upon written request, make available to persons whose legal rights may be affected thereby, information and material developed in the course of its administration of this act.

**12. Transfer of Registration to Defeat purpose of Act Prohibited.** No transfer of registration of aircraft of which the owner's registration has been suspended hereunder, shall be deemed valid or accepted by the agency, unless the transferor or transferee demonstrates to the satisfaction of the agency that the transfer of registration is the result of a bona fide transaction of purchase and sale, and not for the purpose, or with the effect, of defeating the purposes of this act. Nothing in this section shall affect the rights of any lessor or conditional vendor, chattel mortgagee, or other person holding a security interest in any aircraft registered in the name of another as owner who becomes subject to the provisions of this act.

**13. Surrender of Registration.** Any person whose registrations are suspended as herein provided shall immediately surrender or return his registration certificates to the agency, until such time as the registrations are restored by the agency. If such person fails or refuses to surrender or return the registration certificates to the agency, the agency shall forthwith issue an order directing any police officer or law enforcement officer of the state to secure possession thereof and deliver the same to the agency.

**14. Other Violations; Penalties.** (a) Any owner or operator who knowingly refuses or fails to make any report of an accident as required in section 3 shall be guilty of a misdemeanor and upon conviction shall be fined not more than one

hundred dollars; and if any person is killed or injured in such accident, the agency shall in addition suspend the registration or non-resident's operating privilege of the person failing to make such report, until such report is filed and for such further period not to exceed thirty days as the agency may fix.

(b) Any owner or operator who knowingly makes a false statement or representation of a material fact in a report to or written instrument filed with the agency shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars, or imprisoned for not more than ninety days, or both.

(c) Any owner or operator whose registration or non-resident's operating privilege has been suspended or revoked under this act and who, during such suspension or revocation, operates any aircraft in this state, or knowingly permits any aircraft owned by such person to be operated by another in this state, except as permitted under this act, shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

(d) Any owner or operator willfully failing to return his registrations as required in section 13 shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars, or imprisoned not to exceed thirty days, or both.

**15. Non-Applicability.** This act shall not apply to:

(a) Any aircraft owned or operated by or leased to and subject to the sole control of the United States or any civil or military agency of the United States or of the District of Columbia, the Commonwealth of Puerto Rico or any territory or possession of the United States;

(b) Any aircraft owned and operated by or leased to and subject to the sole control of this or any other state or agency thereof or any political subdivision or municipality of this or any other state;

(c) Any aircraft owned and operated by or leased to and subject to the sole control of any foreign country or any civil or military agency thereof or any political subdivision or municipality thereof;

(d) Any aircraft owned or being operated by a public air carrier engaged principally in regularly scheduled interstate or foreign air transportation for hire under either a federal certificate of public convenience and necessity or under a letter of registration or exemption order issued by the Civil Aeronautics Board or its successor.

**16. Act Not Retroactive.** This act shall not apply with respect to any accident occurring prior to the effective date of this act.

**17. Act Not to Prevent Other Process.** Nothing in this act shall be construed as precluding any party in any action or proceeding from employing other processes provided by law. Nothing in this act shall be construed as precluding the utilization by the agency of the injunctive or other process of the courts in aid of the enforcement of this act.

**18. Service of Process.** (a) The operation of an aircraft on the land or waters of or in the air over this state shall be deemed an appointment by the owner or operator of the director of aeronautics, or his successor in office to be his true and lawful attorney upon whom may be served all legal process in any action or proceeding against him, arising from the ownership, maintenance, use or operation of such aircraft and resulting in damage or loss to person or property, and said use or operation shall be signification of their agreement that any such process against him which is so served, shall be of the same legal force and validity as though served upon him personally, provided such person is a non-resident of this state or at the time a cause of action arises is a resident of this state but subsequently becomes a non-resident of this state.

(b) Service of such process shall be made by leaving a copy thereof with a fee of two dollars in the hands of the director or in his office, and such service shall be sufficient, provided that notice thereof and a copy of this process are forthwith sent by registered mail by the plaintiff or his attorney to the defendant, and the defendant's return receipt and the affidavit of the plaintiff or his attorney of compliance therewith are appended to the writ and entered therewith. In the event that the notice and copy of the process are not de-



livered to the defendant the superior court may order such additional notice, if any, as justice may require.

(c) **Record of Processes.** The director shall keep a record of all such processes, which shall show the day and hour of service.

(d) **Continuance of Action; Costs.** The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. The fee of two dollars paid to the director by the plaintiff at the time of the service shall be taxed in his costs if he prevails in his suit.

**19. Discharge in Bankruptcy.** A discharge in bankruptcy shall not relieve any person from the requirements of this act.

**20. Use of Singular or Plural.** The singular includes the plural and the plural includes the singular; the masculine includes the feminine and neuter, as requisite.

**21. Uniformity of Interpretation.** This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it.

**22. Saving Clause.** If any part or parts of this act shall be held to be invalid, such invalidity shall not affect the validity of the remaining parts of this act. The legislature hereby declares that it would have passed the remaining parts of this act if it had known that such part or parts thereof would be declared invalid.

**23. Title of Act.** This act may be cited as the Uniform Aircraft Financial Responsibility Act.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

## CHAPTER 212.

AN ACT RELATIVE TO THE CONSTRUCTION OF A NEW LIBRARY  
BUILDING AND THE REMODELLING OF THE PRESENT LIBRARY  
BUILDING FOR INSTRUCTIONAL PURPOSES AT THE  
UNIVERSITY OF NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriation.** The sum of one million five hundred thousand dollars is hereby appropriated for the purpose of constructing, furnishing, and equipping a new library building and remodelling the present library building for instructional purposes at the University of New Hampshire. The appropriation hereby made and the sums made available for this project shall be expended by the trustees of the university under the direction of the governor and council. All contracts for the purchase of equipment and the construction of all or any part of the new building and the remodelling of the present building shall be let (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the date the bids will be received, and (3) to the lowest responsible bidder.

**2. Borrowing.** In order to provide funds for the appropriation made in section 1 hereof, the trustees of the university are hereby authorized to request the governor and council to borrow upon the credit of the state not exceeding the sum of one million five hundred thousand dollars.

**3. State Bonds or Notes.** The governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding one million five hundred thousand dollars for the purpose of carrying into effect the provisions of this act, and for said purpose may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue. The bonds shall be in such form and denomination as the governor and council shall determine,

may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

**4. Short Term Notes.** Prior to the issuance of the bonds hereunder, the state treasurer, with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short term loans which may be refunded by the issuance of bonds hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of one million five hundred thousand dollars.

**5. Sale of Bonds or Notes.** All notes or bonds, except short term loans, issued under the provisions of this act shall be sold (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire and in a financial publication of national circulation, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids, and/or negotiate with the highest responsible bidder. The proceeds from the sale of such bonds shall be held by the state treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor, with the advice and consent of the council, shall draw his warrant for the payment from the funds provided by this act of all sums expended or due for the purposes herein authorized. All interest from such bonds shall be exempt from taxation within the state.

**6. Liquidation.** The state treasurer is authorized to deduct from the fund accruing to the university under section 18, chapter 222 of the Revised Laws, as amended, for each fiscal year such sum or sums as may be necessary to meet interest

and principal payments in accordance with the terms and conditions of the bonds or notes issued under the authority of this act for the purposes herein stated.

**7. Takes Effect.** This act shall take effect on April 1, 1956. [Approved June 21, 1955.]

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## CHAPTER 213.

### AN ACT RELATIVE TO LOANS OF CREDIT UNIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Credit Unions.** Amend section 17 of chapter 315, Revised Laws, as amended by section 1, chapter 26, Laws of 1949 and section 1, chapter 145, Laws of 1953 (section 17, chapter 394, RSA) by striking out said section and inserting in place thereof the following: **17. Use of Funds.** While awaiting calls of its members for loans, it may deposit its money in any savings banks, trust company, federal savings and loan association, or national bank in this state, or, by majority vote of the board of directors and with the approval of the commissioner, in any savings bank, trust company, federal savings and loan association, or national bank in New England or, with like vote and approval, may make loans to other credit unions chartered under the laws of this state provided that the lending credit union has assets of one hundred thousand dollars or more. It may invest any surplus funds in obligations of the United States government or of the government of Canada and its provinces.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

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## CHAPTER 214.

### AN ACT RELATING TO INVESTMENTS OF SAVINGS BANKS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Definition of Terms.** I. Amend paragraph XIV of sec-

tion 1 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph XIV of section 1, chapter 387, RSA) by inserting after the words "section 4" where they appear therein the words, and in section 5, so that said paragraph XIV as amended shall read as follows: XIV. Participating Lender: Any bank, banking and trust company, national bank or insurance company or fraternal benefit society participating in or holding a part interest in a legal investment as defined in paragraphs I, I-A, I-B, II and IV of section 4 and in section 5 of this chapter.

II. Further amend said section 1 by inserting after the words "section 4" where they appear in paragraph XV thereof the words, and in section 5, so that said paragraph XV as amended shall read as follows: XV. Participating Loan: Any loan made by each of several savings banks, banking and trust companies, national banks or insurance companies or fraternal benefit societies participating severally with an originating lender in, and having a part interest in, a legal investment as described in paragraphs I, I-A, I-B, II and IV, section 4 and in section 5 of this chapter.

III. Further amend said section 1 by inserting immediately after paragraph XVIII thereof the following new paragraphs: XVIII (a). Total Capital: The sum of (1) the aggregate principal amount of the outstanding funded debt, (2) the aggregate amount of par or stated capital represented by all outstanding preferred and common stock including premiums, if any, on such preferred and common stock and (3) surplus accounts. XVIII (b). Funded Debt: All interest bearing obligations having a maturity of more than one year from their dates of issue.

**2. Legal Investments; Public Obligations, other Municipalities of the United States or Canada.** Amend paragraph IV of section 6, chapter 310 of the Revised Laws (paragraph IV of section 6, chapter 387, RSA) by striking out said paragraph IV and inserting in place thereof the following: IV. Other Municipalities of the United States or Canada. The authorized bonds and notes of any municipality with a population of fifty thousand inhabitants of any other states or territories of the United States, other than those specified in paragraph III, or of the Dominion of Canada, the net indebtedness of which

municipality does not exceed seven per cent of its assessed valuation.

**3. Legal Investments; Railroads, Bonds and Notes.** Amend paragraph I of section 7 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 7, chapter 387, RSA) by striking out subparagraph (c) (1) thereof and inserting in place thereof the following: (1) Fixed charges coverage, as hereinafter defined, shall be at least equal to one and one quarter and at least equal the average of all Class I railroads combined, exclusive of switching and terminal companies; and

**4. Legal Investments; Utility Companies, Funded Debt Obligations.** Amend paragraph I of section 8, chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 8, chapter 387, RSA) by striking out subparagraph (c) thereof and inserting in place thereof the following new subparagraph (c): (c) In at least three of the four years next preceding such investment the net income available for interest shall be at least two times all interest paid during such years; and

Further amend said paragraph I by striking out the last two sentences of subparagraph (d) thereof so that said subparagraph (d) as amended shall read as follows: (d) The obligation of the company to pay interest on the funded debt obligation is fixed and absolute subject only to laws of general application affecting the rights and remedies of mortgagees and creditors.

**5. Legal Investments; Utility Companies, Common Stock.** Amend paragraph III of section 8 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph III, section 8, chapter 387, RSA) by striking out subparagraph (a) thereof and inserting in place thereof the following: (a) All funded debt obligations, if any, and all preferred stock, if any, senior to such stock are legal investments hereunder; and

**6. Legal Investments; Water Companies, Bonds.** Amend paragraph I of section 9, chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 9, chapter 387, RSA) by striking out the words "available for

interest, after all taxes," where they appear in subparagraph (c) thereof so that said subparagraph (c) as amended shall read as follows: (c) In at least three of the four years next preceding such investment the net income shall be at least two times interest obligations; and

**7. Legal Investments; Telephone and Telegraph Companies. Preferred Stock.** Amend paragraph 11 of section 10 of chapter 310 of the Revised Laws, as inserted by chapter 195, Laws of 1953 (paragraph II, section 10, chapter 387, RSA) by striking out the words "after all taxes," from subparagraph (b) so that said subparagraph (b) as amended shall read as follows: (b) The net income available for interest and dividends on such stock shall be at least two times interest obligations and dividend requirements on such preferred stock; and

**8. Legal Investments; New Hampshire Companies, Bonds and Notes.** Amend paragraph I of section II of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 11, chapter 387, RSA) by striking out subparagraph (b) and inserting in place thereof the following: (b) In at least four of the five years next preceding the date of investment, the net income of such company shall have been not less than twice interest obligations.

**9. Legal Investments; Industrial Securities; Bonds and Notes.** Amend paragraph I of section 15 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I, section 15, chapter 387, RSA) by striking out that portion of said paragraph I that precedes the colon and inserting in place thereof the following: I. Bonds and Notes. All obligations issued, assumed or guaranteed by industrial companies having a date of maturity not more than thirty years from the date of investment, provided:

Further amend said paragraph I by striking out the word "corporation" wherever it appears therein and inserting in place thereof the word "company," so that said paragraph I as amended shall read as follows:

I. Bonds and Notes. All obligations issued, assumed or guaranteed by industrial companies having a date of maturity not more than thirty years from the date of investment, provided:

(a) Such company shall have had in the five years next

preceding investment an average gross income of at least ten million dollars and average net income available for dividends of at least one million dollars; and

(b) The debt of such company, including current liabilities at the end of the year next preceding such investment, shall not exceed fifty per cent of the gross assets less all reserves; and

(c) The net working capital of such company shall be at least two times the total bonds and/or debentures at the end of the year next preceding investment; and

(d) Such company shall, in the five years next preceding investment (1) have earned the interest charges on its entire debt an average of at least four times, and (2) in no more than two of these five years have earned such interest charges only two times, and (3) in the year next preceding investment have earned such interest charges at least three times.

**10. Other Legal Investments.** Amend section 16 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (section 16, chapter 387, RSA) by adding after paragraph IV thereof the following new subparagraph V: V. Securities of the Federal National Mortgage Association. Capital stock or obligations issued by the Federal National Mortgage Association.

**11. Participating Loans.** Amend section 17 of chapter 310 of the Revised Laws, as inserted by chapter 195, Laws of 1953 (section 17, chapter 387, RSA) by striking out said section and inserting in place thereof the following:

**17. Participating Loans.** Participating loans as defined in section 1, paragraph XV of this chapter, shall be legal investments subject to the provisions of this section.

I. Mortgage Loans. Wherever the loan constitutes an interest in a legal investment as described in paragraphs I, I-A, I-B, II and IV of section 4 of this chapter, the following requirements shall be complied with:

(a) Application and Appraisal. The participating lender shall obtain and retain a written loan application by the borrower or a copy or summary of borrower's written application to the originating lender, which application or copy or summary thereof shall bear the certification of two members



of the board of trustees or board of directors of the participating lender of the value of the premises to be mortgaged according to their best judgment, on the basis of an appraisal made by one of their members, or by some officer of the bank or some appraiser employed by the bank for the purpose of appraising.

(b) Participation Agreement. The originating lender and all participating lenders shall execute a participation agreement which shall incorporate: the extent of participation by the originating and participating lenders: provision that if legal right therefor exists, foreclosure proceedings shall be instituted by the originating lender upon written request by participating lenders representing a majority of the amount of the total outstanding loan; provision that if legal right to foreclose exists the originating lender, within sixty days of written notice of desire to withdraw by any participating lender shall institute foreclosure proceedings or pay to such participating lender the amount then currently due such lender. In case of any change in the names of or the extent of the participation of participating lenders, the participation agreement shall be amended accordingly. Each participating lender shall obtain and retain an executed original or a certified or photostatic copy of the participation agreement and any amendment thereof.

(c) Participation Certificates. Each participating lender shall obtain and retain a participation certificate from the originating lender. Such participation certificate shall set forth the full amount of the loan, the name and extent of participation of each participating lender, the date and terms of amortization of the loan, and that the originating lender holds a note and mortgage duly executed by the borrower for the full amount of the loan. In case of any change in the names or of the extent of the participation of participating lenders, a new and substituted participation certificate shall be issued to each participating lender.

(d) Insurance Statement. The originating lender shall submit to and each participating lender shall retain a certified statement signed by one of the officers of the originating lender showing the amount and type of insurance on the mortgaged premises.

II. Collateral and Unsecured Loans. Wherever the

loan constitutes an interest in a legal investment as described in section 5 of this chapter, the following requirements shall be complied with:

(a) Participation Agreement. The originating lender and all participating lenders shall execute a participation agreement which shall incorporate: the extent of participation by the originating and participating lenders; and provision that, if the loan shall be in default as to principal or interest, the originating lender, upon receipt of written notice of desire to withdraw by any participating lender, shall forthwith exercise all rights available to realize on any collateral held as security for the loan and to collect the loan from the borrower or borrowers or pay to such participating lender the amount then currently due such lender.

(b) Participation Certificate. Each participating lender shall obtain and retain a participation certificate from the originating lender setting forth the full amount of the loan, the name and extent of participation of each participating lender, the date and terms of amortization of the loan and that the originating lender holds a note duly executed by the borrower for the full amount of the loan. In case of any change in the names of or the extent of the participation of participating lenders, a new and substituted participation certificate shall be issued to each participating lender.

(c) Statement of Collateral. The originating lender shall submit to and each participating lender shall retain a certified statement signed by one of the officers of the originating lender showing the amount and nature of any collateral held by the originating lender as security for the loan. In case of any change in the amount or nature of the collateral, an amended statement shall be submitted by the originating lender and retained by the participating lenders.

**12. Prudent Investments.** Amend section 18 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (section 18, chapter 387, RSA) by striking out said section and inserting in place thereof the following: **18. Prudent Investments.** Not exceeding five per cent of the deposits of a savings bank or the savings department of a banking and trust company may be invested, subject to the limitations expressed in section 3 of this chapter, in securities which

are not authorized investments under sections of this chapter numbered 6 to 16 inclusive, but which are prudent investments for such a bank to make, provided: (a) The bank making such investment shall have capital funds equal to at least ten per cent of its deposits; and (b) The securities being purchased under the authorization of this section do not, when added to all other securities then owned by the bank, the purchase of which would not then be authorized by the other sections of this chapter, exceed five per cent of its deposits.

**13. New Hampshire Real Estate.** Amend paragraph I of section 4 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 4, chapter 387, RSA) by inserting after the word "title" in the forty-first line the following: or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, so that said paragraph as amended shall read as follows: I. New Hampshire Real Estate. Those directly secured by first mortgage on real estate situated within this state or within any state contiguous to this state; but no such investment shall be in a loan that exceeds seventy per cent of the value of the real estate by which it is secured; except that investment may be in a loan which exceeds seventy per cent but not eighty per cent of the value of the real estate by which it is secured, provided that it be secured by a first mortgage on real estate in this state containing a dwelling unit for not more than four families, and which mortgage shall provide for payment of the note within a period of twenty years from the date when the first monthly payment shall become due, and the first monthly payment shall become due nine months from the date of the note or one month from the final disbursement of funds, whichever shall first occur, and which payments shall include a proportionate share of the amount necessary to pay the real estate and other taxes upon such property. No loan on mortgage shall be made except upon written application showing the date, name of applicant, amount asked for and security offered, and except upon report of not less than two members of the board of trustees or board of directors, who shall certify on said application, according to their best judgment, on the basis of an appraisal made by one of their members, or by some officer of the bank, or some appraiser employed by the bank for the

purpose of appraisal, the value of the premises to be mortgaged; and such application shall be filed and preserved with the records of the corporation. The premises so mortgaged shall be revalued in the same manner at intervals of not more than five years so long as they are mortgaged to the corporation. If at the time of such revaluation the amount of the loan is in excess of the percentage of the value of the premises mortgaged as allowed above, a sufficient reduction in the amount of the loan shall be required, as promptly as may be practical, to bring the loan to within the authorized percentage. In determining whether any loan exceeds the authorized percentage of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or (2) an obligation wholly guaranteed under such title or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, nor shall any bank be restricted to the above authorized percentages on a loan secured by property which the borrower is purchasing from the bank.

**14. Other Real Estate.** Amend paragraph IV of section 4 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 4, chapter 387, RSA) by inserting after the word "title" in the sixteenth line the following: or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, so that said paragraph as amended shall read as follows: IV. Other Real Estate. Those directly secured by first mortgage on real estate situated without this state, but entirely within the United States, except as provided in paragraph I, which at the time of such investment is improved, occupied and productive; and no such investment shall be in a loan that exceeds fifty per cent of the value of the real estate by which it is secured, unless the loan is further secured by a guaranty satisfactory to the commissioner, in which case it shall not exceed sixty per cent of the value of the real estate by which it is secured. In determining whether any loan exceeds the above specified percentages of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of

Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944 as amended from time to time or (2) an obligation wholly guaranteed under such title or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, nor shall any bank be restricted to the above authorized percentages on a loan secured by property which the borrower is purchasing from the bank. The provisions of this paragraph shall not apply to bonds of railroads, utilities, water companies or telephone and telegraph companies. No loan or investment shall be made under this paragraph upon real estate situated outside of New England except through or from an individual, partnership, association or corporation duly registered as a dealer in securities in this state, nor except upon written application showing the date, name of applicant, amount asked for and security offered.

**15. Purchase, Sale and Servicing of Loans.** Amend chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (chapter 387, RSA) by inserting after section 21 the following new section: **21-a. Purchase, Sale and Servicing of Loans.** Any savings bank may sell, transfer, assign, purchase and repurchase loans authorized by this chapter and may act as servicing agent for the collection and application of payments due on account of loans owned by others and may employ others to act as servicing agents for the collection and application of payments due on account of loans owned by it.

**16. Collateral Loans.** Amend section 5 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (section 5, chapter 387, RSA) by inserting after paragraph III the following new paragraph: **III-a.** Notes eligible for insurance by the Federal Housing Commissioner, provided a contract of insurance exists between the holder and the Federal Housing Commissioner as provided in Title I of the National Housing Act.

**17. Unsecured Loans.** Amend paragraph IV of said section 5 by striking out all after the word "note" in the twelfth line so that said paragraph as amended shall read as follows: **IV. Unsecured.** Notes with two or more signers, or one or more endorsers, or notes of noncorporate makers whose net worth is not less than two hundred and fifty thousand dollars.

No savings bank shall invest under this paragraph, except in notes with two or more signers, or one or more endorsers, unless its guaranty fund is full and unimpaired and the total value of its assets as determined by the commissioner exceeds the amount of its deposits by at least ten per cent. A bank which takes under this paragraph a note payable on demand shall demand payment of said note not later than one year from the date thereof, but may accept a new note in payment of such demand note.

**18. Investments of Savings Banks. Limitations.** Amend paragraph I of section 3 of chapter 310 of the Revised Laws as inserted by chapter 195 of the Laws of 1953 (section 3, chapter 387, RSA) by striking out said paragraph and inserting in place thereof the following: I. Not exceeding fifteen per cent of the capital funds shall be invested in the obligations or stock of any individual, partnership or corporation except public obligations and loans authorized by paragraphs II and III of section 4 of this chapter. Notwithstanding the foregoing a bank having deposits of one million five hundred thousand dollars or less may invest an amount not exceeding two and one-half per cent of said deposits or fifteen per cent of capital funds, whichever is greater, in loans authorized by paragraph I of section 4 of this chapter.

**19. Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

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## CHAPTER 215.

AN ACT RELATIVE TO FEES FOR COUNSEL ASSIGNED BY COURT  
IN CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Assignment of Counsel.** Amend section 3 of chapter 428 of the Revised Laws (section 3, chapter 604, RSA) by striking out the words "not exceeding one hundred and fifty dollars in all at any one trial" and inserting in place thereof the words, not to exceed five hundred dollars and reasonable expenses, so that said section as amended shall read as follows:

3. **Counsel Fees.** Counsel so assigned by the court shall receive reasonable compensation for their services not to exceed five hundred dollars and reasonable expenses which shall be allowed by the court and paid by the county.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

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## CHAPTER 216.

AN ACT RELATIVE TO THE DEFINITIONS OF THE WORD BEVERAGE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Definitions.** Amend paragraph II of section 1 of chapter 170 of the Revised Laws (paragraph II, section 1, chapter 175, RSA) by striking out said paragraph and inserting in place thereof the following: II. "Beverage," any beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquors and fruit juices and any other liquid intended for human consumption as a beverage containing one per cent or more of alcohol by volume and not more than six per cent of alcohol by volume at sixty degrees Fahrenheit.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

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## CHAPTER 217.

AN ACT RELATIVE TO THE USE OF FLASHING RED LIGHTS OR RED BEACONS ON MOTOR VEHICLES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Emergency Motor Vehicles.** Amend section 20 of chapter 119 of the Revised Laws (section 40, chapter 263, RSA) by inserting after the word "siren" in the second and sixth lines

the words, or flashing red light, so that said section as amended shall read as follows: **20. Emergency Vehicles.** A person operating an emergency vehicle, as defined in section 6, shall not use the siren or flashing red light except when such vehicle is being operated in response to an emergency call, or in immediate pursuit of an actual or suspected violator of the law. An operator of a motor vehicle being operated on the ways of this state upon the approach of an emergency motor vehicle with its siren or flashing red light in operation shall turn immediately as far as possible toward the right-hand side of the way and shall bring his vehicle to a standstill until such emergency vehicle has passed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 22, 1955.]

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## CHAPTER 218.

### AN ACT RELATIVE TO CIVIL DEFENSE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Civil Defense Act.** Amend section 5 of chapter 304 of the Laws of 1949, as amended by chapter 204, Laws of 1951, and chapter 224, Laws of 1953 (chapter 107, RSA) by adding at the end thereof the following new paragraph: IX. To direct and control pedestrian and vehicular traffic, transportation and communication facilities, public utilities and the movement and conduct of all persons within the state, during practice blackouts, drills, and tests and immediately prior and subsequent thereto, provided, however, that, nothing in this chapter to the contrary notwithstanding, the power to direct and control transportation and communications facilities and public utilities during practice blackouts, drills and tests, and immediately prior and subsequent thereto, shall not be delegable except to such responsible officers or agents of the public utilities and transportation or communications systems affected as may be designated by the respective presidents or vice-presidents thereof.



**2. Local Organization.** Amend section 9 of chapter 304 of the Laws of 1949, as amended by chapter 204, Laws of 1951, and chapter 224, Laws of 1953 (section 10, chapter 107, RSA) by striking out the same and inserting in place thereof the following so that said section as amended shall read as follows:

**9. Local Organization for Civil Defense.** (a) Each political subdivision of the state is authorized to and shall establish a local organization for civil defense in accordance with the state civil defense plan and program. Each local organization for civil defense shall have a local director who shall be appointed and removed with or without cause by the city council of a city or board of selectmen of a town, and who shall have direct responsibility for the organization, administration and operation of such local organization for civil defense, subject to the direction and control of such city council or selectmen. The city council of a city or board of selectmen of a town may appoint one of their own members or any other citizen or official to act as director. If a local director is removed by a city council of a city or board of selectmen of a town, the state director shall be notified immediately. Each local organization for civil defense shall perform civil defense functions within the territorial limits of a political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of section 8 of this chapter. (b) Until a local director has been appointed, the mayor of such city or chairman of the board of selectmen of such town shall be directly responsible for the organization, administration and operation of such local organization for civil defense, and the governor and council by formal action shall notify said mayor or chairman accordingly. (c) In carrying out the provisions hereof each political subdivision, in which any disaster is described in section 2 hereof occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of the extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements) pertaining to the per-

formance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the appropriation and expenditure of public funds.

**3. Administration of Loyalty Oath.** Amend section 16 of chapter 304 of the Laws of 1949, as inserted by chapter 224, Laws of 1953 (section 17, chapter 107, RSA) by adding at the end thereof the following: For the purposes of administering the foregoing loyalty oath, the state director of civil defense and such local and state civil defense officials as may be designated by him in writing are authorized to administer said oath in this state to persons appointed to serve in any organization for civil defense; so that said section as amended shall read as follows: **16. Civil Defense Personnel.** No person shall be employed or associated in any capacity in any civil defense organization established hereunder who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or in this state or the overthrow of any government in the United States by force and violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for civil defense shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this state, which oath shall be as follows: "I . . . do solemnly swear (or affirm) that I will support and defend the constitution of the United States, and the constitution of the state of New Hampshire, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this oath freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of the state of New Hampshire by force or violence; and that during such time as I am a member of the State Civil Defense Agency, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of the state of New Hampshire by force or violence." For the purposes of adminis-

tering the foregoing loyalty oath, the state director of civil defense and such local and state civil defense officials as may be designated by him in writing are authorized to administer said oath in this state to persons appointed to serve in any organization for civil defense.

**4. Auxiliary Police, Powers of Arrest.** Amend section 19 of chapter 304, of the Laws of 1949, as inserted by chapter 224, Laws of 1953 (section 19, chapter 107, RSA) by adding at the end thereof the words: For purposes of this act civil defense auxiliary police, state and local, during emergencies and during drills and tests and when wearing or exhibiting their uniform, badge or other insignia of authority, shall have the same authority to make arrests as provided herein for peace officers, so that said section as amended shall read as follows:

**19. Arrest Without Warrant.** A peace officer, when in full and distinctive uniform or displaying a badge or other insignia of authority, may arrest without a warrant any person violating or attempting to violate in such officer's presence any order, rule, or regulation made pursuant to this chapter. This authority shall be limited to those rules and regulations which affect the public generally. For purposes of this act civil defense auxiliary police, state and local, during emergencies and during drills and tests and when wearing or exhibiting their uniform, badge or other insignia of authority, shall have the same authority to make arrests as provided herein for peace officers.

**5. Penalty.** Amend chapter 304 of the Laws of 1949 as inserted by chapter 224, Laws of 1953 by adding the following new section: **23. Penalty.** If any person shall violate or attempt to violate any order, rule or regulation made pursuant to this chapter he shall be imprisoned not more than six months, or fined not more than one hundred dollars.

**6. Takes Effect.** This act shall take effect upon its passage.

[Approved June 22, 1955.]

**CHAPTER 219.**

AN ACT RELATIVE TO VOTING BY ARMED SERVICES ABSENTEES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Absentee Voting.** Amend section 1 of chapter 100 of the Laws of 1951 (section 16, chapter 60, RSA) by striking out said section and inserting in place thereof the following: **1. Members of the Armed Forces and Civilians Serving Therewith.** Any armed services absentee as hereinafter defined voting as herein permitted may substitute for the jurat required by chapter 34 of the Revised Laws and transmit with the sealed ballot a written statement in such form as the secretary of state shall prescribe, setting forth the facts required, made before any commissioned officer, non-commissioned officer, or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the secretary of commerce, or any civilian official empowered by state or federal law to administer oaths.

**2. Terms Defined.** Amend section 2, chapter 100, Laws of 1951 (section 17, chapter 60, RSA) by striking out said section and inserting in place thereof the following: **2. Definition of Armed Services Absentee.** The term "armed services absentee" as used herein shall be construed to mean: **I. Members of the armed forces while in the active service at any time; and their spouses and dependents when absent from city, town or place in which qualified to vote on the day of the biennial election.** The term "armed forces" shall be interpreted to mean and include the Army of the United States, Navy, Air Force of the United States, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, and all Regular and Reserve components thereof.

**II. Members of the merchants marine of the United States at any time; and their spouses and dependents when absent from city, town or place in which qualified to vote on the day of the biennial election.** The term "members of the merchant marine of the United States" means persons (other than members of the armed forces) employed as officers or members of crews of vessels documented under the laws of the

United States, or of vessels owned by the United States, or of vessels of foreign-flag registry under charter to or control of the United States, and persons (other than members of the armed forces) enrolled with the United States for employment, or for training for employment, or maintained by the United States for emergency relief service, as officers or members of crews of any such vessels; but does not include persons so employed or enrolled for such employment or for training for such employment, or maintained for such emergency relief service, on the Great Lakes or the inland waterways.

III. Civilian employees of the United States in all categories serving outside the territorial limits of the several states of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress.

IV. Members of religious groups or welfare agencies assisting members of the armed forces, who are officially attached to and serving with the armed forces, and their spouses and dependents when residing with or accompanying them.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 22, 1955.]

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## CHAPTER 220.

### AN ACT PROVIDING FOR GIVING NOTICE OF CLAIMS FOR DAMAGES FOR SKIING INJURIES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Limitation of Actions.** Amend chapter 385 of the Revised Laws (chapter 508, RSA) by inserting after section 3 the following new section: **3-a. Skiing Injuries.** Notwithstanding the provisions of section 3 of this chapter, actions to recover damages for personal injuries sustained while actually

engaged in skiing may be brought within one year after the cause of action accrued, and not afterward. This section shall not apply to any such action which shall have accrued prior to July 1, 1955.

**2. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved June 23, 1955.]

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## CHAPTER 221.

### AN ACT RELATIVE TO STATE OWNED PARKING AREAS AT HAMPTON BEACH.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Hampton Beach Parking Areas.** Amend chapter 218 of the Laws of 1953 (chapter 216, RSA) by inserting after section 5 thereof the following new section: **5-a. Regulation of Parking Areas.** The forestry and recreation commission may provide reasonable rules and regulations governing the parking areas and establishing the fees to be charged. Any person violating any of said rules or regulations shall be subject to a fine of five dollars; provided, however, that if said violation consists of failure to pay the fee required by meters or otherwise, and the violator reports to the Hampton police station within twenty-four hours of said violation and executes a power of attorney over to the attendant at said station, he may pay the sum of one dollar for each violation. Ten per cent of the said one dollar fines shall be retained by the Hampton police department, and the remainder paid over the recreation division monthly, to be used as provided in section 10 hereof.

**2. Takes Effect.** This act shall take effect upon its passage.  
[Approved June 23, 1955.]

**CHAPTER 222.**

AN ACT TO CHANGE THE METHOD OF APPOINTMENT OF MEMBERS  
OF THE NEW HAMPSHIRE COMMISSIONERS OF THE  
NORTHEASTERN FOREST FIRE PROTECTION  
COMMISSION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appointment.** Amend section 3 of chapter 302 of the Laws of 1949 (section 4, chapter 226, RSA) by striking out the words "with the advice and consent of the council" in the third line so that said section shall read as follows: **3. Commission.** After the aforesaid compact shall become operative and effective as provided for in section 2, the governor shall appoint three members hereinafter called commissioners of the Northeastern Forest Fire Protection Commission. One of such commissioners shall always be the state forester, the second shall be a member of the legislature and the third shall be a citizen of the state designated by the governor as his responsible representative to serve at the pleasure of the governor.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 23, 1955.]

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**CHAPTER 223.**

AN ACT RELATIVE TO JURISDICTION OF THE UNITED STATES OVER  
LAND WITHIN NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Jurisdiction of the United States.** Amend Revised Laws, chapter 1, section 1 (section 1, chapter 123, RSA) by inserting after the word "custom-houses" in the third line of said section, the words, military air bases, military installations, so that said section as amended shall read as follows: **1. Ceded to United States.** Jurisdiction is ceded to the United States of America over all lands within this state now or hereafter ex-

clusively owned by the United States, and used as sites for post offices, custom-houses, military air bases, military installations or other public buildings: provided, that an accurate description and plan of the lands so owned and occupied, verified by the oath of some officer of the United States having knowledge of the facts, shall be filed with the secretary of this state; and, provided, further, that this cession is upon the express condition that the state of New Hampshire shall retain concurrent jurisdiction with the United States in and over all such lands, so far that all civil and criminal process issuing under the authority of this state may be executed on the said lands and in any building now or hereafter erected thereon, in the same way and with the same effect as if this statute had not been enacted; and that exclusive jurisdiction shall revert to and revest in this state whenever the lands shall cease to be the property of the United States.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 23, 1955.]

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## CHAPTER 224.

AN ACT RELATIVE TO TAXES IN UNINCORPORATED PLACES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. New Chapter.** Amend chapter 81 of the Revised Laws (chapter 81, RSA) by striking out the same and inserting in place thereof the following:

### Chapter 81

#### Taxes in Unincorporated Places

**1. Appraisal.** The tax commission shall biennially appraise all real estate in each unincorporated or unorganized place. It shall on or before January first of each biennium certify such appraisals to the county treasurer of the county where such real estate is situated.

**2. Annual Assessment.** The tax commission shall annually assess the real estate in each unincorporated or un-



organized place to the owner or claimant thereof for the taxes apportioned to such place for the time being, and shall certify the same to the director of interest and dividends of the tax commission on or before January first of each year.

**3. Collection.** The director of interest and dividends shall proceed to collect the taxes as certified to him and shall have full power and authority to use any of the powers and remedies available to collectors of taxes under the provisions of chapter 80 of the Revised Laws.

**4. Sale of Real Estate.** Whenever real estate is sold to collect taxes as provided in chapter 80 advertisements thereof shall be posted in the nearest town in the same county in which the superior court is holden and be published once a week for two successive weeks in a newspaper having a general circulation in the county where the real estate is situate, the last publication to be at least seven days before the date of said sale. Said sale shall be held at the office of the director of interest and dividends of the tax commission at Concord and the provisions of chapter 80 relative to advertising, conducting and reporting tax sales shall apply except as modified herein.

**5. Abatement of Taxes.** The tax commission, for good cause shown, may abate any tax assessed by them or by their predecessors. All applications for abatement shall be in writing. If they neglect or refuse so to abate, any person aggrieved, having complied with the requirements of chapter 75, may, within six months after notice of such tax, and not afterwards, apply by petition to the superior court in the county, which shall make such order thereon as justice requires.

**2. School Money.** Amend section 15 of chapter 140 of the Revised Laws (section 16, chapter 198, RSA) by striking out the same and inserting in place thereof the following: **15. Unorganized Places.** The tax commission shall annually assess a tax of five dollars on each thousand dollars of the value of the ratable estates as last determined by said commission for the purpose of making the last apportionment of public taxes taxable in the unincorporated or unorganized places in the state and in the towns where by act of the legislature the school districts have been abolished and the education of the children made the responsibility of the state to be used for the education of such children. The unexpended proceeds of this tax shall

not lapse or be used for any purpose other than as set forth above, but shall constitute a continuing fund available for said education of such children from year to year.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 23, 1955.]

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## CHAPTER 225.

AN ACT RELATIVE TO EVIDENCE OF VALUE FOR DETERMINATION  
OF TAXATION OF RAILROADS AND PUBLIC UTILITIES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Railroad Taxation.** Amend section 6 of chapter 83 of the Revised Laws (section 7, chapter 82, RSA) by striking out the same and inserting in place thereof the following: **6. Evidence of Value.** In addition to such other evidence as it may deem material and relevant in determining the value of any such corporation or company, the tax commission shall consider the value of the physical property, real and personal, in this state, of such company or corporation as well as the fair average market value of the stocks and bonds for one year prior to April first preceding the assessment and the fair market value of any other funded or floating debt of such corporation or company representing permanent improvements or extensions. When the market value of the stocks and bonds of any such corporation or company cannot be ascertained for want of actual sales, or for any other reason, the net receipts of any such corporation or company, which shall be the difference between the gross earnings, whether by lease or by operation, and the operating expenses and taxes of the preceding year, capitalized at such per cent as appears to be equitable under the circumstances, shall be considered as evidence of the value of the property and estate of such corporation or company.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 23, 1955.]

## CHAPTER 226.

AN ACT RELATIVE TO REVENUE OF THE DEPARTMENT OF HEALTH;  
 PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR CERTAIN  
 DEPARTMENTS FOR THE FISCAL YEAR ENDING  
 JUNE 30, 1955.

*Be it enacted by the Senate and House of Representatives in  
 General Court convened:*

**1. Division on Alcoholism.** Notwithstanding any provisions to the contrary, two thousand three hundred dollars of the revenue received by the division on alcoholism of the department of health during the fiscal year ending June 30, 1955, in excess of four thousand five hundred dollars may be used by said division pursuant to subsection 3, section 13, chapter 254, Laws of 1947, as amended by section 10, part 19, chapter 5 of the Laws of 1950.

**2. Supplemental Appropriations.** The sum of twenty-six thousand three hundred nineteen dollars and fifty-eight cents is hereby appropriated to supplement the appropriations made by chapter 249 of the Laws of 1953, as follows:

For administration and control	
Division of buildings and grounds	\$4,319.58
For board of registration in	
medicine	\$500.00
Less revenue and balances	500.00
	<hr/>
Net appropriations	0.00
For state treasury	12,000.00
Legislature	10,000.00
	<hr/>
	\$26,319.58

The appropriation for the state treasury shall be for the reimbursement of bounties for porcupine paid by selectmen or city clerks for animals killed prior to July 15, 1955, provided that no reimbursement shall be made hereunder unless the accounts from said selectmen or city clerks shall be submitted to the state treasurer prior to November 1, 1955.

The sums appropriated for board of registration in medicine shall be a charge against revenue for the board, and the balance

of the sums hereinbefore appropriated shall be a charge upon the general funds of the state.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 29, 1955.]

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## CHAPTER 227.

### AN ACT RELATIVE TO EDUCATION OF CHILDREN PLACED IN HOMES FOR CHILDREN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. School Districts.** Amend chapter 137 of the Revised Laws by inserting after section 17 (section 18, chapter 193, RSA) the following new subdivision:

#### **Education of Children Placed in Homes for Children**

**17-a. Definition.** The term "home for children" as used in this subdivision shall mean any orphanage, institution for the care, treatment or custody of children, or child-caring agency as defined by section 2 of chapter 130 of the Revised Laws, as amended by section 6 of chapter 261 of the Laws of 1953.

**17-b. Right of Attendance; Tuition.** Whenever any child is placed and cared for in any home for children, such child, if of school age, shall be entitled to attend the public schools in the school district in which said home is located, unless such placement was solely for the purpose of enabling a child residing outside said district to attend the schools thereof. If any such child was domiciled in another school district of this state at the time of its placement in any home for children, the school district in which said child then had its domicile shall be liable for the tuition of said child, in the same manner and amount as specified in Revised Laws, chapter 137, section 3-a, and chapter 138, section 26. In case such placement in any home for children results from a transfer or successive transfers of any child from one or more other homes for children, the district in which said child had its domicile at the time

when it was placed in the first of said other homes for children shall be liable for said tuition. If such child was not domiciled in this state when so placed, the home for children, together with the parents or the guardian of such child, shall be jointly and severally liable for said tuition, to be recovered in an action of case, provided, however, that if the placement in a home for children of a child not then domiciled in this state was made by any state, county or town officials of New Hampshire charged with public welfare functions or by any child-placing agency licensed in this state, then the parents or guardian of such child shall be solely liable for said tuition. The commissioner of public welfare and the New Hampshire Children's Aid Society shall be exempt from the liability imposed upon guardians hereunder.

**17-c. Procedure.** Upon the enrollment of any such child in the public schools of any district, the trustees, officers or proprietors of the home for children in which said child has been placed, or their authorized agents, shall submit to said district a sworn statement setting forth the facts relative to the domicile of the child when placed in said home, or if the child has been transferred or successively transferred from one or more other homes for children, the facts relative to the domicile of the child when placed in the first of said other homes for children. Within sixty days after receipt of such statement, said district shall give written notice to any district of the state considered chargeable with the tuition of said child, setting forth the name, age and date of enrollment of said child, the name and location of the home in which the child has been placed and the date of placement, the name and location of the home or homes for children from which the child has been transferred, and the date of placement in each of said homes, and charging liability for the tuition of said child. More than one district may be so notified, if there is reasonable doubt as to which district said child was domiciled in when so placed in such home, but in such case said notice to each district shall set forth the names of the other districts sought to be charged. A copy of each notice shall be given to the commissioner of education in like manner. Any district so notified may, within thirty days thereafter, disclaim liability for said tuition by giving written notice of such disclaimer to the charging district and by giving a copy thereof to the com-

missioner of education in the same manner herein provided in the case of notices of liability. Failure to give notice of disclaimer within the period allowed shall fix the liability of the district charged with said tuition, except in cases where more than one district has been so charged. Whenever any district has given notice of disclaimer in the manner hereinbefore provided, or more than one district has been charged with liability for the tuition of any such child, the commissioner of education shall promptly hear the parties and his decision with respect to liability for said tuition shall be final and binding on the districts affected. If the commissioner of education finds that the domicile of any such child when so placed in such home for children was in this state, but he cannot determine where, the cost of educating such child shall be assumed by the district in which such home is located.

**2. Amendment.** Amend section 11 of chapter 137 of the Revised Laws (section 12, chapter 193, RSA) by striking out the last sentence thereof, so that said section as amended shall read as follows: **11. Nonresidents.** No person shall attend school, or send a pupil to the school, in any district of which he is not an inhabitant, without the consent of the district or of the school board except as herein otherwise provided.

**3. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved June 30, 1955.]

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## CHAPTER 228.

AN ACT RELATIVE TO MILEAGE FOR MEMBERS OF THE LEGISLATURE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. General Court.** Amend section 15 of chapter 9, Revised Laws, as amended by chapter 14, Laws of 1943 and section 1, chapter 117, Laws of 1949 and by section 3, chapter 251, Laws of 1951 (section 15, chapter 14, RSA) by striking out the word "ten" in the fourth line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **15. Travel.** A member of the general court shall be allowed for mileage per mile of the round trip to and from his town

or city ward each day of attendance at the following rates, for the first forty-five miles thereof fifteen cents per mile, for the next twenty-five miles eight cents per mile, for the next twenty-five miles six cents per mile, and for all miles in excess of ninety-five miles five cents per mile. In case said round trip is less than one mile, the mileage allowance shall be computed on the basis of one mile. Each member of the house of representatives shall present evidence of his attendance by signing in person the roll provided for that purpose and by complying with such other regulations with respect thereto as the house may from time to time adopt. Any member of the general court absent for any cause from such attendance shall not be allowed mileage for the day he is so absent.

**2. Committee on Mileage.** Amend section 16, chapter 9, Revised Laws, as amended by chapter 14, Laws of 1943, section 2, chapter 117, Laws of 1949, and section 4, chapter 251, Laws of 1951 (section 16, chapter 14, RSA) by striking out said section and inserting in place thereof the following: **16. Computation of Distance.** The distance traveled shall be computed by the nearest improved highway as set forth in the so-called standard mileage table and amendments thereto. The committee on mileage shall be arbiters to all disputes and claims involving payment of mileage to members. In January of each biennial session of the legislature the mileage committee shall consult with the department of public works and highways relative to distances as set forth in said table between Concord and the various towns and wards of the state. After a study of the table has been made said committee shall recommend to the legislature any changes which may be necessary therein in order that said table shall correctly set forth the distances by the nearest improved highways.

**3. Takes Effect.** This act shall take effect as of January 5, 1955.

[Approved June 30, 1955.]

## CHAPTER 229.

AN ACT MAKING TEMPORARY APPROPRIATIONS FOR THE EXPENSES  
OF THE STATE OF NEW HAMPSHIRE FOR THE MONTH OF  
JULY, 1955.

WHEREAS, the legislature has not yet adopted a budget for the coming biennium; and

WHEREAS, action at this time is necessary to carry on the functions of the state government after the close of the fiscal year 1955, and prior to the passage of the said budget acts, now therefore

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Appropriation.** There is hereby appropriated for the general expenses of the state government during the month of July, 1955 the sum of four million five hundred fifteen thousand dollars, or so much thereof as may be necessary, to be expended in the manner hereinafter provided, that is to say one million seven hundred fifty thousand dollars from general funds; four hundred thousand dollars from special funds; ninety thousand dollars from fish and game funds and two million two hundred seventy-five thousand dollars from highway funds. The governor is authorized by and with the advice and consent of the council to draw his warrants for the sums necessary for said temporary appropriations out of any money in the treasury not otherwise appropriated or, in the case of special funds, out of any such special funds. Such expenditures shall be a charge upon the respective appropriations to be made subsequently by the legislature for the fiscal year ending June 30, 1956.

**2. Provisions of Law.** The provisions of chapter 22 of the Revised Laws and the provisions of any other statute inconsistent herewith are hereby suspended to the extent of such inconsistencies during the time this act is in effect.

**3. Takes Effect.** This act shall take effect as of July 1, 1955, and shall continue in effect until August 1, 1955 unless the appropriation acts for the ensuing biennium are sooner enacted in which event the appropriations herein provided shall thereupon lapse.

[Approved June 30, 1955.]



## CHAPTER 230.

## AN ACT RELATIVE TO MOTOR VEHICLE WEIGHTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Motor Vehicles.** Amend section 37, chapter 119 of the Revised Laws as amended by section 1, chapter 11, Laws of 1947, section 1, chapter 104, Laws of 1949, sections 1 and 2, chapter 11, Laws of 1950 and section 11, chapter 20, Laws of 1951 (section 61, chapter 263, RSA) by striking out said section and inserting in place thereof the following: **37. Weight.** The operation on highways of this state of any vehicle or combination of vehicles equipped with pneumatic tires, exceeding the limitations, of this section is hereby prohibited.

I. Vehicles having gross axle weight of more than 18,000 pounds per axle on axles less than 10 feet apart, except 3 axle vehicles exclusive of semi-trailers.

II. Vehicles having gross axle weight of more than 22,400 pounds per axle on axles 10 feet or more apart.

III. Vehicles having a gross weight of more than 600 pounds per inch on width of tire.

IV. Two axle vehicles having a gross weight of more than 33,400 pounds.

V. Three axle vehicles with drive on one rear axle and having a gross weight of more than 40,000 pounds.

VI. Three axle vehicles with drive on two rear axles and having a gross weight of more than 47,500 pounds.

VII. A combination of vehicle and semi-trailer equipped with three axles and having gross weight more than those set forth in the following table:

Distance between extreme axles in feet	Maximum gross weight in pounds
25	47,400
26	48,300
27	49,300
28	50,400
29	51,500
30 to 39 inclusive	52,800

VIII. A combination of vehicle and semi-trailer equipped

with four axles and having gross weight more than those set forth in the following table:

Distance between extreme axles in feet	Maximum gross weight in pounds
28	48,300
29	49,300
30	50,400
31	51,500
32	52,800
33	54,300
34	56,000
35	58,000
36	60,000
37	62,000
38	64,400
39	66,400

IX. A vehicle or combination of vehicles equipped with any solid rubber tires shall not have weights more than eighty per cent of those permitted in this section for pneumatic tires; provided, no vehicle equipped with solid rubber tires shall be operated upon a public highway, which has at any point less than one inch of rubber above the top or beyond the flange or rim.

The provisions of this act shall not apply to vehicles used exclusively in the surfacing of highways of the State of New Hampshire, or subdivisions thereof: Provided that the commodities of tar, asphalt, or the combination thereof shall not exceed 2,000 gallons on any two-axle vehicle, or 4,000 gallons on any three-axle vehicle.

X. Motor vehicles or vehicles drawn by motor vehicles when equipped with metal or other hard tires shall not have weights more than forty per cent of those permitted in this section for pneumatic tires.

XI. A vehicle or combination of vehicles shall not be operated or moved over any bridge or other structure on any highway if the weight of such vehicle, or combination of vehicles and load, is greater than the capacity of the structure as shown by a sign on the right side of or overhead on the structure.

XII. It shall be the duty of the commissioner of public works and highways to cause signs to be erected at both ends

on the right side of or overhead on all bridges or other structures under his jurisdiction stating the capacity in tons of two thousand pounds which the bridge or other structure will safely carry. For all other bridges or other structures it shall be the duty of the authority having jurisdiction to place similar signs. Upon bridges or other structures of sufficient strength to carry safely the legal loads permissible by this section, no such signs shall be required.

**XIII. Limitation.** The commissioner of public works and highways is hereby empowered to modify the motor vehicle weight limits hereinbefore provided in so far as may be necessary to provide that the state shall receive maximum federal highway aid.

passage.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

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## CHAPTER 231.

### AN ACT TO PROVIDE FOR THE PUBLICATION AND DISTRIBUTION OF THE REVISED STATUTES ANNOTATED OF THE STATE OF NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Preparation for Publication.** The commission appointed under the provisions of chapter 221, Laws of 1953, to revise, codify, and amend the Revised Laws of the state of New Hampshire, is authorized and directed to prepare for publication and to publish the act passed at this session entitled, House Bill No. 75, "An Act to revise and codify, the Revised Laws of the state of New Hampshire." The commission is authorized to make corrections in the numbering and the subtitles of sections and in the references to sections; to correct errors in typography, spelling, and punctuation; to correct errors in citations to sources; and to add such preface, annotations, cross references, and notes as it shall judge suitable. The commission shall file with the secretary of state, to be

deposited with the engrossed bill, a report listing all corrections to H. B. 75 hereby authorized. The constitution and the amendments thereto, shall be inserted in the publication. The commission shall cause to be prepared by such means as it shall judge suitable, and to be inserted in the publication, a complete index of subjects embraced therein.

**2. Publication.** The whole act with the changes, additions and corrections authorized by section 1 shall be published in one or more volumes as the commission shall determine. The volume shall be bound in a manner suitable for the insertion of cumulative pocket parts to contain subsequent session laws and annotations. The complete publication shall be entitled and cited as "Revised Statutes Annotated," or "RSA", and citation to a chapter and section shall be in the following form, e.g. RSA 1:1.

**3. Distribution of Revised Statutes Annotated.** The secretary of state is hereby authorized to distribute official bound copies of the Revised Statutes Annotated free of charge in the following manner: One copy to each of the following officers and bodies: The governor, the president of the senate, the speaker of the house, the members of the New Hampshire Revision Commission, each justice and clerk of the supreme and superior courts, each court of probate, the clerk of the supreme court of the United States, each judge of the circuit court of the United States for this district, the district court of the United States for this district, the United States department of justice, the Library of Congress, the New Hampshire Historical Society, the state reporter, a sufficient number of copies to the state library for its use and for distribution to each state or territorial library of the United States on an exchange basis, any state or territory making a charge to this state for copies of its laws shall in a like manner be required to pay to the secretary of state the regular price for copies of the Revised Statutes Annotated, the secretary of state, the state treasurer, the comptroller and seven copies to the office of the attorney general.

**4. Distribution of Remaining Volumes.** Remaining copies of the Revised Statutes Annotated, furnished to the secretary of state by the publisher, may be sold by the secretary of

state at such price or prices as the governor and council may determine.

**5. Laws of 1955.** The separate volume of the session laws for the 1955 session published pursuant to RSA 20:2 shall not include H. B. 75 "An Act to revise and codify, the Revised Laws of the State of New Hampshire," the publication of which is herein authorized to be published as the Revised Statutes Annotated.

**6. Takes Effect.** This act shall take effect upon its approval.

[Approved June 30, 1955.]

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## CHAPTER 232.

### AN ACT TO RATIFY THE NEW ENGLAND HIGHER EDUCATION COMPACT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. New England Higher Education Compact.** The governor on behalf of the State of New Hampshire is hereby authorized to execute a compact, in substantially the following form, with any one or more of the states of Connecticut, Maine, Massachusetts, Rhode Island and Providence Plantations and Vermont, and the legislature hereby signifies in advance its approval and ratification of such compact:

#### **New England Higher Education Compact**

##### **Article I.**

The purpose of the New England higher education compact shall be to provide greater educational opportunities and services through the establishment and maintenance of a coordinated educational program for the persons residing in the several states of New England parties to this compact with the aim of furthering higher education in the fields of medicine, dentistry, veterinary medicine, public health and in professional technical, scientific, literary and other fields.

##### **Article II.**

There is hereby created and established a New England

Board of Higher Education hereinafter known as the board which shall be an agency of each state party to the compact. The board shall be a body corporate and politic, having the powers, duties and jurisdiction herein enumerated and such other and additional powers as shall be conferred upon it by the concurrent act or acts of the compacting states. The board shall consist of three resident members from each compacting state, chosen in the manner and for the terms provided by law of the several states parties to this compact.

### Article III.

This compact shall become operative immediately as to those states executing it whenever any two or more of the states of Maine, Vermont, New Hampshire, Massachusetts, Rhode Island and Connecticut have executed it in the form which is in accordance with the laws of the respective compacting states.

### Article IV.

The board shall annually elect from its members a chairman and vice-chairman and shall appoint and at its pleasure remove or discharge said officers. It may appoint and employ an executive secretary and may employ such stenographic, clerical, technical or legal personnel as shall be necessary, and at its pleasure remove or discharge such personnel. It shall adopt a seal and suitable by-laws and shall promulgate any and all rules and regulations which may be necessary for the conduct of its business. It may maintain an office or offices within the territory of the compacting states and may meet at any time or place. Meetings shall be held at least twice each year. A majority of the members shall constitute a quorum for the transaction of business, but no action of the board imposing any obligation on any compacting state shall be binding unless a majority of the members from such compacting state shall have voted in favor thereof. Where meetings are planned to discuss matters relevant to problems of education affecting only certain of the compacting states, the board may vote to authorize special meetings of the board members of such states. The board shall keep accurate accounts of all receipts and disbursements and shall make an annual report to the governor and the legislature of each compacting state setting forth in detail the operations and transactions conducted by it pursuant to this compact, and shall make recommendations

for any legislative action deemed by it advisable, including amendments to the statutes of the compacting states which may be necessary to carry out the intent and purpose of this compact. The board shall not pledge the credit of any compacting state without the consent of the legislature thereof given pursuant to the constitutional processes of said state. The board may meet any of its obligations in whole or in part with funds available to it under article VII of this compact, provided that the board takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the board makes use of funds available to it under article VII hereof, the board shall not incur any obligations for salaries, office, administrative, traveling or other expenses prior to the allotment of funds by the compacting states adequate to meet the same. Each compacting state reserves the right to provide hereafter by law for the examination and audit of the accounts of the board. The board shall appoint a treasurer who may be a member of the board, and disbursements by the board shall be valid only when authorized by the board and when vouchers therefor have been signed by the executive secretary and countersigned by the treasurer. The executive secretary shall be custodian of the records of the board with authority to attest to and certify such records or copies thereof.

#### Article V.

The board shall have the power to: (1) Collect, correlate, and evaluate data in the fields of its interest under this compact; to publish reports, bulletins, and other documents making available the results of its research; and, in its discretion to charge fees for said reports, bulletins, and documents; (2) Enter into such contractual agreements or arrangements with any of the compacting states or agencies thereof and with educational institutions and agencies as may be required in the judgment of the board to provide adequate services and facilities in educational fields covered by this compact; provided that it shall be the policy of the board in negotiation of its agreements to serve increased numbers of students from the compacting states through arrangements with then existing institutions, whenever in the judgment of the board adequate service can be so secured in the New England region. Each of the compacting states shall contribute funds to carry

out the contracts of the board on the basis of the number of students from such state for whom the board may contract. Contributions shall be at the rate determined by the board in each educational field. Except in those instances where the board by specific action allocates funds available to it under article VII hereof, it shall be the policy of the board to enter into such contracts only upon appropriation of funds by the compacting states. Any contract entered into shall be in accordance with rules and regulations promulgated by the board and in accordance with the laws of the compacting states.

#### **Article VI.**

Each state agrees that, when authorized by the legislature pursuant to its constitutional processes, it will from time to time make available to the board such funds as may be required for the expenses of the board as authorized under the terms of this compact. The contribution of each state for this purpose shall be in the proportion that its population bears to the total combined population of the states who are parties hereto as shown from time to time by the most recent official published report of the bureau of the census of the United States of America; unless the board shall adopt another basis in making its recommendation for appropriation to the compacting states.

#### **Article VII.**

The board for the purposes of this compact is hereby empowered to receive grants, devises, gifts and bequests which the board may agree to accept and administer. The board shall administer property held in accordance with special trusts, grants and bequests and shall also administer grants and devises of land and gifts or bequests of personal property made to the board for special uses and shall execute said trusts, investing the proceeds thereof in notes or bonds secured by sufficient mortgages or other securities.

#### **Article VIII.**

The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any compacting state or of the United States the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby;



provided, that if this compact is held to be contrary to the constitution of any compacting state the compact shall remain in full force and effect as to all other compacting states.

#### Article IX.

This compact shall continue in force and remain binding upon a compacting state until the legislature or the governor of such state, as the laws of such state shall provide, takes action to withdraw therefrom. Such action shall not be effective until two years after notice thereof has been sent by the governor of the state desiring to withdraw to the governors of all other states then parties to the compact. Such withdrawal shall not relieve the withdrawing state from its obligations accruing hereunder prior to the effective date of withdrawal. Any state so withdrawing, unless reinstated, shall cease to have any claim to or ownership of any of the property held by or vested in the board or to any of the funds of the board held under the terms of the compact. Thereafter, the withdrawing state may be reinstated by application after appropriate legislation is enacted by such state, upon approval by a majority vote of the board.

#### Article X.

If any compacting state shall at any time default in the performance of any of its obligations assumed or imposed in accordance with the provisions of this compact, all rights and privileges and benefits conferred by this compact or agreements hereunder shall be suspended from the effective date of such default as fixed by the board. Unless such default shall be remedied within a period of two years following the effective date of such default, this compact may be terminated with respect to such defaulting state by affirmative vote of three-fourths of the other member states. Any such defaulting state may be reinstated by: (a) performing all acts and obligations upon which it has heretofore defaulted, and (b) application to and approval by a majority vote of the board.

**2. Effective Date.** When the governor shall have executed said compact on behalf of this state and shall have caused a verified copy to be filed with the secretary of state, and when said compact shall have been ratified by one or more of the states named in section 1 of this act, then said compact shall become operative and effective as between this state and such

other state or states. The governor is hereby authorized and directed to take such action as may be necessary to complete the exchange of official documents as between this state and any other state ratifying said compact, and to take such steps as may be necessary to secure the consent of the congress of the United States to said compact.

**3. Membership of Board.** Immediately upon the passage of this act the governor shall appoint the three resident members from New Hampshire who shall be members of the New England Board of Higher Education as provided in article II of the compact. One of such resident members shall always be the president of the University of New Hampshire, the second shall be a member of the legislature of New Hampshire, and the third shall be a citizen of the state designated by the governor as his responsible representative. The first appointment of the member who is a state legislator shall be for a term of two years, thereafter his term shall be for four years, provided that if during said term said member shall cease to be a member of the legislature his term as a member of the New England Board of Higher Education shall terminate and the governor shall fill said vacancy in the same manner as above provided for appointment of the legislator member. The term of office of the third New Hampshire member of the board shall be for four years and until his successor is appointed and qualified. Each member of the board shall receive his expenses actually and necessarily incurred by him in the performance of his duties hereunder. In addition thereto each member, except the president of the University of New Hampshire, shall receive fifteen dollars per day compensation for time actually spent in the work as such member, provided that the total for expenses and per diem compensation for each member shall not exceed the sum of five hundred dollars during any one fiscal year. All expenses and per diem compensation shall be audited by the comptroller as expenses of other employees are audited, and shall be a charge against the special appropriation provided by this act.

**4. Appropriation.** The sum of seven thousand dollars is hereby appropriated and made available for expenditure for the purposes of this act, provided that said funds hereby appropriated shall not lapse until June 30, 1957. The sum

hereby made available for the purposes of this act shall be a charge against the general funds of the state and the governor is authorized to draw his warrant for said sum, or so much thereof as may be required for the purposes hereof, out of any money in the treasury not otherwise appropriated.

**5. Repeal.** Amend section 3 of chapter 197 of the Laws of 1953 by striking out said section and inserting in place thereof the following: **3. Limitation.** No individual shall be eligible to receive the benefits provided for by this act for a period of more than four years.

**6. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

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## CHAPTER 233.

### AN ACT PROVIDING FOR THE CLASSIFICATION OF BAKER RIVER AND ITS WATERSHED.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with the provisions of chapter 166-A of the Revised Laws as inserted by chapter 183, Laws of 1947 and amended by chapter 1, Laws of 1950 (chapter 149, RSA) as follows:

I. Baker River and all its tributaries, in the towns of Rumney, Groton, Campton and Plymouth, from the point of confluence of the main stream with Stinson Brook down to a point on the main stream 300 feet upstream from the bridge abutment of the Plymouth to Woodsville branch of the Boston and Maine railroad, Class B-1.

II. All other surface waters of the Baker River watershed hitherto unclassified and which have not been included in paragraph I, except that portion of the main stream from a point 300 feet upstream from the bridge abutment of the Plymouth to Woodsville branch of the Boston and Maine railroad to confluence with the Pemigewasset River, Class B-1.

**2. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved June 30, 1955.]

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## CHAPTER 234.

AN ACT RELATIVE TO THE TAKING OF WILD BEAR.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Report of Bear Killed.** Amend chapter 180 of the Revised Laws (chapter 470, RSA) by inserting after section 1 thereof the following new section: **1-a. Report Necessary.** Within forty-eight hours after any person has killed a wild bear in this state, he shall make a report to the director of the fish and game department, or to a conservation officer, of this state, indicating the town in which the bear was taken, the weight, sex, and length of the hind foot. Any person who fails to make the report required by this section shall be fined ten dollars.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

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## CHAPTER 235.

AN ACT RELATIVE TO USE OF TELEPHONE PARTY LINES FOR  
FIRE ALARMS OR OTHER EMERGENCY CALLS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Telephone Lines.** Amend chapter 442 of the Revised Laws by inserting after section 29 (section 38, chapter 572, RSA) the following new section: **29-a. Emergency Use of Party Line.** Whoever shall wilfully refuse to yield the use of a telephone party line for giving of a fire alarm or emergency call for police, medical aid or ambulance service, or shall wilfully represent falsely that the use of a telephone party line

is needed to give a fire alarm or emergency call shall be fined not more than fifty dollars.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

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## CHAPTER 236.

AN ACT EXTENDING CERTAIN AERONAUTICAL APPROPRIATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Aeronautical Appropriations.** Notwithstanding other provision of law the unexpended balance of the amount appropriated by section 33 of chapter 306 of the Revised Laws, as inserted by section 10, chapter 281, Laws of 1947 and chapter 19, Laws of 1953, shall be deemed to be appropriated for the purposes specified in said section and be available for such expenditures until June 30, 1957.

**2. Change in Amount.** Amend section 33 of chapter 306 of the Revised Laws as inserted by section 10 of chapter 281 of the Laws of 1947 and section 2 of chapter 162 of the Laws of 1951 by striking out said section and inserting in place thereof the following: **33. Bonds or Notes Authorized.** The sum of two hundred thousand dollars is hereby appropriated to be used as needed for the purpose of equal matching of town funds for the construction of airports, excluding the cost of land and buildings, under the Federal Aid Airport Program or for equal matching of town funds for the construction of airports, excluding the cost of land and buildings, by state contributions not in excess of five thousand dollars. Ten thousand dollars of said sum may be used as needed for the purchase and installation of air navigation aids without being required to be matched by town or federal funds. To provide funds for said appropriation the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding two hundred thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire.

The treasurer shall recommend for the approval of the governor and council the form of such bonds, their rate of interest, the dates of maturity, the places where interest and principal shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of faith and credit of the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act only, and the governor, with the advice and consent of the council shall draw warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized. Such bonds shall be negotiated by the treasurer by direction of the governor and council as they deem to be most advantageous to this state.

**3. Accounts.** The provisions of section 33-a of chapter 306 of the Revised Laws, as inserted by Laws of 1947, chapter 281, section 10, shall apply to all bonds or notes authorized under this act.

**4. Short-Term Notes.** The provisions of section 33-b of chapter 306 of the Revised Laws, as inserted by Laws of 1947, chapter 281, section 10, shall apply to this act.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

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## CHAPTER 237.

### AN ACT EMPOWERING THE PUBLIC UTILITIES COMMISSION TO BARGAIN WITH THE NEW YORK POWER AUTHORITY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Public Utilities Commission.** The public utilities commission is hereby designated as the agency of the state to bargain with the Power Authority of the State of New York for the procurement of power capacity and power output from said power authority, with the right to contract for the

purchase of such power, and resale of such power on a non-profit basis to the electric distribution companies, cooperative, municipal and privately-owned without preference or discrimination for distribution within the state. The public utilities commission with the consent of the governor and council is authorized and empowered to enter into contracts for the transmission of such power from the place of purchase to a point, or points, within the state of New Hampshire.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

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## CHAPTER 238.

### AN ACT RELATIVE TO PORCUPINES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Damage to Crops by Porcupines.** Amend section 2, chapter 180 of the Revised Laws as inserted by chapter 203 of the Laws of 1945 and as amended by section 1, chapter 283, Laws of 1949 and chapter 149, Laws of 1953 (section 2, chapter 470, RSA) by striking out said section and inserting in place thereof the following: **2. Porcupines.** If a person suffers substantial damage to annual crops, fruit trees, or farm lands by porcupines, and will notify the director of fish and game in writing, the director or his agent after investigating said damage shall take the necessary steps to eliminate or control such porcupines.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

**CHAPTER 239.****AN ACT RELATIVE TO THE ESTABLISHMENT OF SOIL  
CONSERVATION DISTRICTS.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Soil Conservation Districts.** Amend chapter 151 of the Laws of 1945 as amended by chapter 62 of the Laws of 1949 (chapter 430, RSA) by striking out said chapter and inserting in place thereof the following:

**Chapter 151****Soil Conservation Districts****1. Declaration of Policy; Definitions.**

I. It is hereby declared to be the policy of the state to provide for the establishment of soil conservation districts under the supervision of a state soil conservation committee, said districts to be composed of landowners and land occupiers within the districts, who may join together in the interest of conserving the soil and soil resources and preventing soil erosion, floodwater and sediment damages. It is the intent of this chapter to facilitate the joint effort of landowners and land occupiers in carrying out corrective conservation practices on their lands, voluntarily and with such assistance as may be available for this purpose from local, state or federal governmental agencies.

II. As used in this chapter the following words shall have the following meanings:

a. "District" or "soil conservation district" means the territory included within the boundaries of a county, organized in accordance with the provisions of this chapter.

b. "Land occupier or occupier of land" includes any person who shall hold title to, or shall be in lawful possession of, three or more acres of land lying within a district organized under the provisions of this chapter.

c. "District supervisor" or "supervisor" shall mean a member of the governing body of a district appointed in accordance with the provisions of this chapter.

**2. State Soil Conservation Committee.** There is hereby established, to serve as an agency of the state, the state soil



conservation committee, which shall consist of the following five members: the director of the state agricultural extension service, the director of the state agricultural experiment station, the state agricultural commissioner and two farmers who shall be appointed by the governor with the advice and consent of the council to serve one and two years respectively and until their successors are appointed. The members of said committee shall serve without compensation, but the farmer members of said committee shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties. It may adopt rules and regulations necessary for the execution of its functions hereunder and shall keep a record of its official actions. It may employ such employees as it requires and fix their compensation subject to the rules and regulations of the division of personnel.

**3. Duties.** The state soil conservation committee shall:

I. Offer assistance to the supervisors of districts in formulating and carrying out any of their programs.

II. Keep the supervisors of each district informed of the activities of all other districts, and to facilitate an interchange of advice, experience and cooperation between such districts.

III. Coordinate the programs of the several districts so far as this may be done by advice and consultation.

IV. Seek the cooperation and assistance of the United States, of this state and of town and county governments, in the work of such districts.

V. Keep the public informed throughout the state, concerning the activities and programs of the soil conservation districts.

VI. It shall be the duty and responsibility of the state committee to establish satisfactory cooperative arrangements and to avoid duplication between the districts and other federal, state or county agencies which have similar responsibilities.

**4. Creation of Soil Conservation Districts.** There are hereby established, as governmental subdivisions of this state and public bodies corporate and politic, ten soil conservation districts as follows: (1) each of the ten counties within the state is hereby incorporated into a soil conservation district; (2)

each of the ten districts shall be known by the name of the county to which its boundaries conform. Immediately upon the passage of this chapter the ten soil conservation districts shall become duly established districts. Upon the appointment of the district supervisors as hereinafter provided the districts shall become duly organized and thereafter the districts and the supervisors thereof shall have all the powers and duties conferred upon them by this chapter, provided, however, that no such district shall exercise any of the powers conferred on districts or the supervisors thereof under this chapter until after the state soil conservation committee shall adopt a resolution determining that there is need, in the interest of public health, safety and welfare, for such district to function and that a substantial proportion of the land occupiers of such districts are in favor of its operation. In making such determinations the committee may accept petitions and conduct such public meetings and referenda as they deem necessary, and shall give due consideration to the distribution and intensity of erosion, floodwaters and sediment damages and need for land drainage on lands within the said district, and to other relevant factors. From and after the date of adoption by the committee of a resolution in favor of the operation of a particular district, such district shall be deemed to be duly organized, and the supervisors of such district shall thereupon be entitled to exercise the powers conferred on them by this act. A certified copy of such resolution shall be evidence of the due organization of such districts.

**5. Appointment of District Supervisors.** The governing body of the district shall consist of five supervisors appointed by the state soil conservation committee, who shall be land occupiers in the district.

**6. Organization; Term of Office.** The supervisors of each district shall designate a chairman and may from time to time change their chairman. The term of office of each supervisor shall be three years, excepting that for those first appointed there shall be one for one year, two for two years, and two for three years. A supervisor may succeed himself in office and he shall hold office until his successor has been appointed and has qualified. Vacancies shall be filled for an unexpired term and removal from the district shall constitute a vacancy. Succes-

sors to fill an unexpired term, or a full term, shall be appointed by the state soil conservation committee. A majority of the supervisors shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination. A supervisor shall receive no compensation for his services, but he shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of his duties.

**7. Employees; Duties.** The supervisors may employ such employees as they may require and shall determine their qualifications, duties, and compensation. The supervisors may delegate to their chairman, to one or more supervisors, or to one or more agents or employees, such powers and duties as they may deem proper. The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings; and shall provide for an annual audit of the accounts of receipts and disbursements. The supervisors shall furnish to the state soil conservation committee, upon request, copies of their proceedings and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this chapter.

**8. Powers of Districts and Supervisors.** A soil conservation district organized under the provisions of this chapter, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this chapter:

I. To conduct surveys, investigations, and research relating to the character of soil erosion and floodwater and sediment damages and land drainage and the preventive and control measures needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures; provided, however, that in order to avoid duplication of research activities, no district shall initiate any research program except in cooperation with the government of this state or any of its agencies, or with the United States or any of its agencies;

II. To conduct demonstrational projects within the district on lands owned or controlled by this state or any of its agencies, with the cooperation and consent of the agency

administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands, in order to demonstrate by example the means, methods, and measures by which soil and soil resources may be conserved, and soil erosion in the form of soil blowing and soil washing may be prevented and controlled, and land may be drained and floodwater and sediment damages may be prevented;

III. To carry out preventive and control measures within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, the drainage of land and changes in use of land, and measures for the prevention of floodwater and sediment damages, on lands owned or controlled by this state or any of its agencies, with the cooperation and consent of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands;

IV. To cooperate, or enter into agreements with and to furnish financial or other aid to, any agency, governmental or otherwise, or any occupier of lands within the district, in the carrying on of erosion-control and flood-prevention and drainage operations within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this chapter;

V. To obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, any property, real or personal, or rights or interests therein; to maintain, administer, and improve any properties acquired, to receive income from such properties and to expend such income in carrying out the purposes and provisions of this chapter; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this chapter;

VI. To make available, on such terms as it shall prescribe, to land occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds, and seedlings, and such other material or equipment, as will assist such land occupiers to carry on operations upon their lands

for the conservation of soil resources and the drainage of land and for the prevention and control of soil erosion and for the prevention of floodwater and sediment damages;

VII. To construct, improve, operate and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this chapter;

VIII. To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion and for land drainage and for the prevention of floodwater and sediment damages within the district, which plans shall specify in such detail as may be possible, the acts, procedures, performances, and avoidances which are necessary or desirable for the effectuation of such plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in use of lands; and to publish such plans and information and bring them to the attention of occupiers of lands within the district;

IX. To take over, by purchase, lease, or otherwise, and to administer, any soil-conservation, drainage, flood-prevention, erosion-control, or erosion-prevention project, or combinations thereof, located within its boundaries undertaken by the United States or any of its agencies, or by this state or any of its agencies; to manage, as agent of the United States or any of its agencies, or of this state or any of its agencies, any soil-conservation, drainage, flood-prevention, erosion-control, or erosion-prevention project, or combinations thereof, within its boundaries; to act as agent for the United States, or any of its agencies, or for this state or any of its agencies, in connection with the acquisition, construction, operation, or administration of any soil-conservation, drainage, flood-prevention, erosion-control, or erosion-prevention project, or combinations thereof, within its boundaries; to accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this state or any of its agencies, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations;

X. As a condition to the extending of any benefits under this chapter to, or the performance of work upon, any lands not owned or controlled by this state or any of its agencies,

the supervisors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require land occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to provide drainage, prevent or control erosion and prevent floodwater and sediment damages thereon.

**2. Inconsistency with Other Acts.** Insofar as any of the provisions of this act are inconsistent with the provisions of any other law, the provisions of this act shall be controlling.

**3. Takes Effect.** This act shall take effect as of August 1, 1955.

[Approved June 30, 1955.]

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## CHAPTER 240.

### AN ACT RELATIVE TO FEES FOR INSPECTIONS AND SEALING OF WEIGHING AND MEASURING DEVICES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Inspections of Weighing and Measuring Devices.** Amend section 22-a of chapter 192, Revised Laws, as inserted by section 5, chapter 199, Laws of 1951 (section 20, chapter 359, RSA) by striking out said section and inserting in place thereof the following: **22-a. Fees.** Except as hereinafter provided there shall be collected for inspections and sealing of weighing and measuring devices by the state inspectors or city sealers the following fees, to be paid by the state institutions, municipal subdivisions, person or persons for whom the services are rendered:

I. Each scale with a weighing capacity of more than ten thousand pounds, with four sections, ten dollars; with one or two sections, five dollars.

II. Each scale with a weighing capacity of more than one thousand and not more than ten thousand pounds, with one section, three dollars.

III. Each scale with a weighing capacity of more than

one hundred and not more than one thousand pounds, one dollar.

IV. Each counter-platform scale of not more than one hundred pounds, seventy-five cents.

V. Each suspension scale as follows: over one hundred pounds, one dollar; one hundred pounds or less, fifty cents; overhead track, two dollars.

VI. Each counter balance, fifty cents.

VII. Each computing scale, fifty cents.

VIII. Each personal scale, slot, one dollar.

IX. All extra weights and other measures, ten cents each.

X. Each mechanical capacity device as follows: gasoline pump, one dollar and twenty-five cents; vehicle meter, three dollars; bulk storage meter, five dollars; kerosene pump, fifty cents; grease pump, fifty cents; liquid measure, ten cents; dry measure, ten cents.

XI. Each machine or other mechanical device used for determining linear or area measurement as follows: yard stick, ten cents; cloth and leather measure, fifty cents; caliper or board rule, one dollar.

XII. Each taximeter or measuring device used upon vehicles to determine the cost of transportation, fifty cents.

XIII. Each measurement of a vehicle used in transporting fuel wood, one dollar.

XIV. Calibrating for capacity vehicle tank used in the sale of commodities by liquid measure and having a capacity of one hundred gallons or less, except bulk milk tanks, three dollars; for each additional one hundred gallons or fraction thereof an additional twenty-five cents. Where a vehicle tank is subdivided into two or more compartments, each compartment shall, for the purposes hereof, be considered a separate tank.

XV. Calibrating for capacity bulk milk tank having a capacity of two hundred gallons or less, six dollars; for each additional one hundred gallons or fraction thereof an additional one dollar.

XVI. For all other weighing or measuring devices not

included in this section such reasonable fees as the commissioner of agriculture shall determine.

**2. Takes Effect.** This act shall take effect August 1, 1955.  
[Approved June 30, 1955.]

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## CHAPTER 241.

AN ACT TO CHANGE THE ALLOCATION OF FUNDS FROM INSPECTIONS  
IN THE DEPARTMENT OF AGRICULTURE; RELATIVE TO LICENSE  
FEES FOR MILK DISTRIBUTORS; RELATIVE TO FEES FOR  
LICENSES FOR PHARMACIES AND PHARMA-  
CISTS, AND RELATIVE TO TRANSFER OF  
CERTAIN FUNDS COLLECTED UNDER  
THE ECONOMICS POISON LAW.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Official Grades for Farm Products.** Amend section 33 of chapter 223 of the Revised Laws (section 6, chapter 428, RSA) by striking out the words "Such fees shall be applied to the expenses incurred by reason hereof" and inserting in place thereof the words: Such fees shall be credited to the general funds of the state, so that said section as amended shall read as follows: **3. Rules and Regulations; Fees.** The commissioner may prescribe rules and regulations for carrying out the provisions of this subdivision including the fixing of fees for inspections authorized by section 32. Such fees shall be credited to the general funds of the state.

**2. Milk Control.** Amend section 8 of chapter 196 of the Revised Laws (section 9, chapter 183, RSA) by striking out said section and inserting in place thereof the following: **8. Licenses; Fees.** All distributors in any market designated by said board shall be licensed by said board. The annual fee for such license shall be two dollars for distributors selling more than two quarts and not more than twenty quarts daily average, four dollars for distributors selling more than twenty quarts and not more than fifty quarts, daily, seven dollars and fifty cents for distributors selling more than fifty quarts and not more than one hundred quarts daily, eleven dollars



for distributors selling more than one hundred quarts and not more than two hundred quarts daily, and for each additional one hundred quarts or fraction thereof daily sold by a distributor there shall be an additional license fee of five dollars and fifty cents. In determining the foregoing fees sales made by a distributor to the public over the counter, not for consumption on the premises, shall not be included in determining the number of quarts sold daily. Such over-the-counter distributor shall pay an annual fee for such license of two dollars. The board may, upon proper evidence, decline to grant and may, after due notice and public hearing, suspend or revoke a license. Violation by a distributor of the provisions hereof or any rule or regulation made hereunder, or conviction of violating the health laws or regulations of the state board of health, shall be sufficient cause to suspend, revoke or withhold such distributor's license. Any distributor who fails to take out a license hereunder shall be subject to the penalties provided for in section 14 hereof.

**3. Increase in Fees.** Amend section 26 of chapter 256 of the Revised Laws, as amended by section 2, chapter 280, Laws of 1949 and section 1, chapter 155, Laws of 1953 (section 25, chapter 318, RSA) by striking out said section and inserting in place thereof the following: **26. Re-registration.** Every registered pharmacist and holder of reciprocity certificate who desires to continue the business of apothecary and druggist shall re-register, annually as of January first and shall pay a fee of four dollars. When making application for such re-registration the applicant shall give his place of residence and employment, whether as proprietor or employee, and any change of location or employment shall be reported to the secretary of the board within fifteen days.

**4. Pharmacies.** Amend section 39 of chapter 256 of the Revised Laws (section 38, chapter 318, RSA) by striking out the word "five" and inserting in place thereof the word, seven, so that said section as amended shall read as follows: **39. Permit; Fee.** The board shall upon application issue a permit to maintain a store for the sale at retail of drugs and medicines to such persons, firms, or corporations as they may deem to be qualified to conduct such a store, such permit to be known as a retail drug store permit, for the compounding of medicines

upon physicians' prescriptions and for the manufacture, sale, and distribution of drugs, medicines, and poisons, such place of business to be under the direct supervision of a registered pharmacist. The fee for such permit shall be seven dollars. The holder of a retail drug store permit may keep his store open at all hours for the sale of drugs and medicines. The permit shall expire on January first following the date of issue.

**5. Economics Poisons Law.** Notwithstanding the provisions of section 5, chapter 227, Revised Laws (section 6, chapter 438, RSA) relative to disposition of fees for administration of said chapter, the sum of six thousand dollars now in the special fund provided for by said section shall be transferred to the general funds.

**6. Takes Effect.** The provisions of sections 3 and 4 of this act shall take effect as of January 1, 1956. The remaining sections of this act shall take effect upon its passage.

[Approved June 30, 1955.]

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## CHAPTER 242.

### AN ACT RELATIVE TO THE USE OF REGISTERED AND CERTIFIED MAIL.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Construction of Statutes.** Amend chapter 7 of the Revised Laws (chapter 21, RSA) by inserting after section 32 the following new section: **32-a. Registered Mail.** The words "registered mail" when used in connection with the requirement for notice by mail shall mean either registered mail or certified mail.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

**CHAPTER 243.**

AN ACT RELATIVE TO THE SALE OF NARCOTICS TO MINORS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Narcotics.** Amend chapter 256 of the Revised Laws (chapter 318, RSA) by inserting after section 50 as amended by section 4, chapter 258, Laws of 1947, and section 7, chapter 224, Laws of 1951, the following new section: **50-a. Penalty, Sale to Minors.** Any person who shall violate the provisions of section 50 of this chapter by selling, exchanging, delivering, exposing for sale, giving away, or having in his possession or custody with intent to sell, exchange, deliver or give away any narcotic drug to a minor shall be imprisoned for not less than three years nor more than ten years for a first conviction; for not less than five years nor more than fifteen years for a second conviction; and not less than fifteen years nor more than thirty years for a third conviction.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 5, 1955.]

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**CHAPTER 244.**

AN ACT RELATING TO THE PLACING OF FILL IN GREAT PONDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Public Waters.** Amend chapter 266 of the Revised Laws (chapter 482, RSA) by inserting after section 28, as inserted by chapter 235, Laws of 1951, the following new subdivision:

**Placing Fill in Great Ponds**

**29. Artificial Fill.** No person, firm or corporation shall place or cause to be placed any fill below the mean high water level of any public waters in this state with the intent or with the effect of creating or forming filled land thereby, except as provided in this subdivision. The prohibition hereof shall not apply to the state, the federal government, or to municipal

corporations, or to their agents acting within the scope of their official duties; nor to the construction of piers, wharves or piers designated or intended for the mooring of water craft or air craft. For the purposes hereof, great ponds are defined to be all public ponds of more than ten acres.

**30. Grant of Right.** The governor and council, upon petition and upon the recommendation of the water resources board, may, for such consideration as they deem just, grant to an owner of shore line of a great pond the right to place fill in the bed of such pond before his shore line. Every petition to place fill in a bed of a great pond shall be referred to the water resources board, and said board, after due notice to abutters and others as deemed necessary, and upon such investigation as shall be considered appropriate, shall make its recommendations to the governor and council with regard to such petition. If the board shall recommend that the petition be granted, in whole or in part, such recommendation shall include appropriate specifications and conditions necessary to the protection of public rights, and to the protection of the rights and privileges of persons owning land in the vicinity of the area to be filled by the petitioner. The grant of the governor and council shall be evidenced by an instrument in writing, executed by the governor and council and attested by the secretary of state and recorded in the county where the right is to be exercised. Land created by fill in accordance with the grant of the governor and council shall belong to the owner of the natural shore line as if it were formed by natural accretion.

**31. Procedure for Removal of Fill.** If any person shall place fill in the bed of a great pond except as provided in this subdivision, he may be compelled to remove the same by the superior court upon a petition brought by the attorney general at the request of the water resources board.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 5, 1955.]

**CHAPTER 245.**

AN ACT RELATIVE TO PROTECTION OF PUBLIC WATER SUPPLY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Protection from Highways.** Amend chapter 166 of the Revised Laws (chapter 148, RSA) by adding at the end thereof the following new section: **36. Highway Construction.** No public highway, access roads, or private ways of any sort, shall be constructed so as to transverse any watershed tributary to a lake, pond or reservoir used for the storage of public drinking water without first obtaining the approval of the state board of health.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 5, 1955.]

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**CHAPTER 246.**

AN ACT RELATING TO ASSISTANCE TO MUNICIPALITIES BY TAX COMMISSION IN APPRAISING TAXABLE PROPERTY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. State Tax Commission.** Amend chapter 82 of the Revised Laws (chapter 71, RSA) by adding after section 28 thereof the following new section: **29. Assistance to Municipalities.** The commission may assist any municipality in the appraisal and valuation of the taxable property therein upon written request by the proper municipal officers or when the municipality shall so vote, and the reasonable expense of commission employees not to exceed the actual cost thereof shall be paid to the commission by such municipality. Said reimbursements shall be credited to the appropriation for the commission.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 5, 1955.]

## CHAPTER 247.

AN ACT RELATIVE TO SALARIES OF VARIOUS COUNTY OFFICIALS OF  
BELKNAP, CHESHIRE, COOS, GRAFTON, MERRIMACK  
AND STRAFFORD COUNTIES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. County Sheriffs.** Amend section 27, chapter 380 of the Revised Laws, as amended by chapter 195, Laws of 1943, chapter 189, Laws of 1945, section 2, chapter 2, Laws of 1947, section 3, chapter 202, Laws of 1947, section 1, chapter 256, Laws of 1947, chapter 291, Laws of 1947, chapter 235, Laws of 1953 (section 29, chapter 104, RSA) and as amended by section 1, chapter 172, Laws of 1955, by striking out said section and inserting in place thereof the following: **27. Salaries.** The annual salaries of the sheriffs of the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, one thousand dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, two thousand four hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, eight hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, two thousand dollars.

The salary of the sheriff of Grafton county shall be paid monthly.

**2. County Solicitors.** Amend section 20 of chapter 24 of the Revised Laws, as amended by chapters 40 and 136, Laws of 1943, chapters 2, 27, 202, 213, 242, 263, 268 and 270 of the Laws of 1947, chapter 183, Laws of 1949 and chapters 108, 122 and 179 of the Laws of 1953 (section 35, chapter 7, RSA) by striking out said section and inserting in place thereof the following: **20. Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.

In Strafford, two thousand dollars.

In Belknap, eighteen hundred dollars.

- In Carroll, twelve hundred dollars.
- In Merrimack, twenty-five hundred dollars.
- In Hillsborough, thirty-three hundred dollars.
- In Cheshire, two thousand dollars.
- In Sullivan, fifteen hundred dollars.
- In Grafton, twenty-four hundred dollars.
- In Coos, twenty-four hundred dollars.

3. **County Treasurers.** Amend section 13, chapter 48 of the Revised Laws, as amended by chapter 66, Laws of 1945, chapter 257, Laws of 1947, chapter 179, Laws of 1953 (section 14, chapter 29, RSA) and as amended by section 2, chapter 172, Laws of 1955, by striking out said section and inserting in place thereof the following: **13. Salaries.** The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

- In Rockingham, eight hundred dollars.
- In Strafford, five hundred dollars.
- In Belknap, five hundred dollars.
- In Carroll, five hundred dollars.
- In Merrimack, six hundred dollars.
- In Hillsborough, twelve hundred dollars.
- In Cheshire, four hundred dollars.
- In Sullivan, four hundred dollars.
- In Grafton, five hundred dollars.
- In Coos, five hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

4. **County Commissioners.** Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, chapters 66 and 163 of the Laws of 1945, chapters 202 and 284 of the Laws of 1947, chapters 73 and 162 of the Laws of 1949, chapters 149 and 233 of the Laws of 1951 and chapters 90 and 123, Laws of 1953 (section 28, chapter 28, RSA) by striking out said section and inserting in place thereof the following: **27. Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, thirty-five hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in business of the county, shall receive ten dollars a day, payable as hereinbefore provided.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

**5. Takes Effect.** The foregoing provisions of sections 1 and 3 which provide for an increase in the salaries of the sheriff and treasurer of the county of Coos shall take effect as of January 1, 1956. The remaining provisions of this act shall take effect as of January 1, 1955.

[Approved July 5, 1955.]

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## CHAPTER 248.

### AN ACT RELATING TO DEPOSITS BY THE STATE TREASURER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. State Treasurer.** Amend section 6 of chapter 22 of the Revised Laws (section 7, chapter 6, RSA) by striking out said section and inserting in place thereof the following: **6. Deposits.** The treasurer may deposit any portion of public monies, in his possession, in such national banks within the state or the state of Massachusetts or any such trust company incorporated under the laws of or doing business within the state or the state of Massachusetts as shall be approved at least once in six months by the governor and council, but the amount of collected funds on deposit in any one bank or trust company shall not at any time exceed the sum of its paid-up



capital and surplus. Other conditions being equal, those banks or trust companies shall receive preference which allow interest on balances. As used in this section the term "public monies" shall include the general funds of the state and any funds of which the state treasurer acts as custodian or agent.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 5, 1955.]

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## CHAPTER 249.

### AN ACT RELATIVE TO TRANSFER OF LIQUOR LICENSES AND BEVERAGE PERMITS TO CLUBS IN CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Liquor Commission.** Amend chapter 170 of the Revised Laws (chapter 178, RSA) by inserting after section 24 the following new section: **24-a. Transfer of Location.** Any club holding a license hereunder or an on-sale permit may petition the commission for permission to operate under said license or permit at a location owned or controlled by the licensee other than that designated in such license or permit. The commission may grant such permission upon the following conditions: I. Notice of the number of days during which the new premises are to be used shall not exceed three days at any one time, nor more than twice in any one year, nor more than six single days, to any organization. II. The petition has attached thereto written statements from the officials of the town where new premises located as follows: approval of chief of fire department as to safety of said premises, approval by health department as to sanitary accommodations and approval by chief of police department as to accessibility of said premises. III. During the time said additional premises are in use the premises at the original location shall be closed. IV. No games of chance of any sort shall be allowed at the additional premises which are so used under permission from the commission.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved July 5, 1955.]

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## CHAPTER 250.

AN ACT RELATIVE TO THE NEW HAMPSHIRE SHORE AND BEACH  
PRESERVATION AND KINGSTON STATE PARK.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Transfer.** All of the functions, powers, duties, records, property and personnel of the New Hampshire shore and beach preservation and development commission, provided by chapter 5 of the Revised Laws, as amended by section 11 of chapter 182 of the Revised Laws and chapter 5, part 12, section 9 of the Laws of 1950, and as otherwise provided by law, are hereby transferred to the public works and highway department. •

2. **Kingston State Park.** The recreation division of the forestry and recreation department is hereby directed to continue to permit residents of the town of Kingston and their families, upon proper identification, to use the facilities of Kingston State Park on days other than Sundays and holidays without payment of any fees.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved July 6, 1955.]

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## CHAPTER 251.

AN ACT INCREASING THE MEMBERSHIP OF THE FISH AND GAME  
COMMISSION, AND RELATING TO THE TERM OF THE FISH  
AND GAME DIRECTOR.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Fish and Game Commission.** Amend section 2 of chap-

ter 240 of the Revised Laws (section 2, chapter 206, RSA) by striking out said section and inserting in place thereof the following: **2. Appointment.** The commission shall consist of ten members, each well informed on the subject of wild life conservation and restoration, appointed by the governor with the advice of the council. Each member of the commission shall be a resident of a different county in the state and not more than six commissioners shall be of the same party. If a vacancy shall occur in said commission, it shall be filled in the same manner for the unexpired term.

**2. New Members.** Amend section 3 of chapter 240 of the Revised Laws (section 3, chapter 206, RSA) by striking out the word "one" in the third line and inserting in place thereof the word, two, so that said section as amended shall read as follows: **3. Terms.** The members shall hold office for a term of five years, and each shall continue in office until his successor is appointed and qualified. Two members shall be appointed every year.

**3. Present Incumbents.** Nothing herein shall affect the terms of office of the fish and game commissioners in office at the time this act shall take effect.

**4. New Appointments.** As of June 29, 1955, the governor with the advice of the council shall appoint five new fish and game commissioners, in addition to the successor to the commissioner whose term expires as of June 28, 1955. The terms of office of the five new appointees shall be one for the term of five years, one for a term of four years, one for a term of three years, one for a term of two years and one for a term of one year.

**5. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved July 13, 1955.]

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## CHAPTER 252.

### AN ACT RELATIVE TO SALES OF ARMORIES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Sale of Armory.** Amend chapter 245 of the Laws of

1947 by inserting after section 6 (section 98, chapter 110, RSA) the following new section: **6-a. Proceeds of Sale.** Whenever the governor and council, acting under the authority of section 34 of chapter 27 of the Revised Laws shall sell, convey or transfer a now existing state armory, the proceeds of such sale, conveyance or transfer shall be deposited to the credit of the appropriation provided in section 1. Said proceeds are hereby appropriated for the purposes specified in said section 1, and shall be in addition to the appropriation therein made, to be expended in the manner prescribed in this chapter.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 13, 1955.]

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## CHAPTER 253.

### AN ACT RELATIVE TO THE SALARY OF THE ASSOCIATE JUSTICE OF THE SOMERSWORTH MUNICIPAL COURT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Somersworth Municipal Court.** Amend section 4 of chapter 377 of the Revised Laws as amended by chapters 179 and 260 of the Laws of 1947, chapters 26, 105, 213 and 239 of the Laws of 1953 (section 8, chapter 502, RSA) by inserting after the words "of Laconia two hundred dollars" the words, of Somersworth two hundred dollars, so that said section as amended shall read as follows: **4. Compensation of Special Justices.** The special justice and justice of the peace requested to sit owing to the disqualifications of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall serve in said capacity, provided that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester two thousand dollars, of Nashua seventeen hundred dollars, of Dover two hundred dollars, of Concord one thousand dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, of Somersworth two hundred dollars and of

Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices; provided, further, that the special justice of the municipal court of Berlin shall be paid from the treasury of the city six hundred dollars per annum.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 13, 1955.]

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## CHAPTER 254.

AN ACT CREATING AN INDUSTRIAL DEVELOPMENT AUTHORITY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Declaration of Need and Purpose.** It is declared that there is a state-wide need for the development of additional industry and areas suitable for such development for the preservation and betterment of the economy of the state and its inhabitants. It is the purpose of this act to provide for the establishment of such areas together with adequate transportation, water, sewage and other necessary facilities so as to provide and encourage orderly industrial development in the best interests of the state. It is further declared that the purposes of this act are public and that the industrial park authority, created hereunder, shall be regarded as performing a governmental function in the carrying out of the provisions of this act.

**2. Definitions.** As used in this act the following words and terms shall have the following meanings:

(1) The word "authority" shall mean The Industrial Park Authority.

(2) The word "board" shall mean the board of directors of said authority.

(3) The word "project" shall be deemed to include all property, rights, easements and franchises relating thereto and deemed necessary or convenient for its operation, and shall em-

brace all means of accomplishing the purposes set forth in section 1.

(4) The words "cost of project" shall embrace the cost of construction, the cost of all lands, property, rights, easements, and franchises acquired, which are deemed necessary for such construction, the cost of all machinery and equipment, financing charges, interest prior to and during construction, cost of engineering and legal expense, plans, specifications, surveys, estimates of costs, and other expenses necessary or incident to determining the feasibility or practicability of any project together with such other expenses as may be necessary or incident to the financing herein authorized and the construction of the project and the placing of the same in operation.

**3. Authority Created.** There is hereby created The Industrial Park Authority which shall be a body corporate and politic as an agency of the state having the powers and jurisdiction hereinafter enumerated and such other and additional powers as shall be conferred upon it by the legislature.

**4. Management.** The management of said corporation shall be vested in a board of nine directors, who shall serve without compensation, one of whom shall be the chairman of the planning and development commission, ex officio. The governor, with the advice and consent of the council, shall appoint the other eight members, one of whom shall be designated as chairman. Each appointed member shall hold office for three years, and until his successor shall have been appointed. Of the members first appointed, two shall be appointed for a term of one year, three for a term of two years, and three for a term of three years.

**5. Vacancy, Removal or Suspension.** If a vacancy shall occur by death, resignation or otherwise of those appointed as directors of the authority, the governor, with the advice and consent of the council, shall fill the same for the unexpired term. The governor and council may at any time remove a director for inefficiency, neglect of duty, or malfeasance in office; but no director shall be removed without a hearing, after notice in writing of the charges against him.

**6. Incorporation; Powers.** The industrial park authority

shall be a corporation in the state of New Hampshire and shall have powers to

- (1) sue and be sued;
- (2) to have a seal and alter the same at pleasure;
- (3) to adopt from time to time and amend by-laws covering its procedure, rules and regulations governing use of the industrial park or parks and any other services made available in connection with said park or parks, to publish the same, if such publication is necessary or advisable and to cause records of its proceedings to be kept;
- (4) to develop, construct facilities, maintain and operate an industrial park or parks;
- (5) to acquire, hold and dispose of personal property for its purposes;
- (6) to acquire in the name of the authority by gift, purchase, lease or otherwise, real property and rights or easements therein, deemed by it necessary or desirable for its purposes;
- (7) to acquire in the name of the authority security by way of mortgage deed or otherwise any property title to which may be in any corporation or body other than the authority and upon which facilities may be developed or constructed as provided herein;
- (8) to sell or lease plots of land and to charge and collect fees for services made available within the industrial park or parks, subject to and in accordance with such agreement with bondholders as may be made as hereinafter provided;
- (9) to make contracts with the state of New Hampshire or any agency thereof, towns or cities, public corporations or bodies, private corporations or individuals;
- (10) to accept grants and the cooperation of the United States or any agency thereof in the development, maintenance, operation and financing of industrial park or parks and to do any and all things necessary in order to avail itself of such aid and cooperation;
- (11) to employ such assistants, agents and consultants as it shall deem necessary or desirable for its purposes;
- (12) to borrow money, make and issue negotiable notes, bonds and other evidences of indebtedness or obligations of the authority and to secure the payment of such obligations

or any part thereof by pledge or any part of the revenue of the industrial park or parks;

(13) to develop as an industrial park real property owned by any local development corporation or foundation which has as its primary purpose the encouragement and development of industry;

(14) to do all other lawful things necessary and incidental to the foregoing powers.

All property of the authority shall be exempt from levy and sale by virtue of any execution and no execution or other judicial process shall be a lien upon its property held pursuant to the provisions hereof.

**7. Aid to Local Development Corporation.** The authority may expend money upon such terms and conditions as prescribed by the authority to develop as an industrial park or area real property owned by any local development corporation, association or foundation, regardless of the particular name or manner of organization, provided it shall have as its primary function the promotion, encouragement and development of industrial growth. There is included in the authority granted by this section the right to construct upon such property a suitable industrial building as determined by the authority; provided, however, that it shall not construct on any property the legal title to which is not held by the authority more than one building or structure. Prior to the expenditure of any moneys for the development of such property or the construction of any building the authority shall receive from the local organization security for the repayment of such moneys as may be expended. The security shall be in such form and amount as determined by the authority and shall include in each instance the property upon which such development will be made.

**8. Project Reports; Hearing and Order.** Said industrial park authority before commencing any project, shall submit to the governor and council a report, including a detailed description and plan of the project, and a detailed estimate of the total cost thereof. The governor and council, upon receiving such report, shall determine whether the proposed project will be of public use and benefit and within the authority conferred upon said corporation. They shall cause a



hearing to be held thereon and, if it shall appear that the project would be of public use and benefit and within the powers conferred upon said authority, they may, by written order, direct said authority to proceed with such project. The governor and council shall order notice of the hearing upon any such report to be given in such manner as they shall deem fit.

**9. Bonds Authorized.** The authority is hereby authorized to provide by resolution from time to time for the issuance of bonds for the purpose of paying the costs of developing an industrial park or parks and its facilities. The bonds of the authority shall not be a debt of the state or of any agency or political subdivision thereof, except as provided in section 14, but shall be payable solely from the revenue of the industrial park or parks. Any provision of any law to the contrary notwithstanding any bonds issued pursuant to this act shall be fully negotiable. In case any of the members of the authority whose signatures appear on the bonds or coupons shall cease to be such members before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes the same as if such members had remained in office until such delivery. The authority may in the resolution authorizing prospective issues provide as to such bonds:

- (1) the manner of executing the bonds and coupons;
- (2) the form and denomination thereof;
- (3) maturity dates thereof;
- (4) the interest rates thereon;
- (5) for redemption prior to maturity and the premium payable therefor;
- (6) the place or places for the payment of interest and principal;
- (7) for registration if the authority deems such to be desirable;
- (8) for the pledge of all or any of the revenue for securing payment;
- (9) for the replacement of lost, destroyed or mutilated bonds;
- (10) the setting aside of reserve and sinking funds and the regulation and disposition thereof;

(11) for limitation on the issuance of additional bonds;  
(12) for the procedure, if any, by which the contract with the bondholder may be abrogated or amended;

(13) for the manner of sale and purchase thereof;

(14) for covenants against pledging of any of the revenue of the project;

(15) for covenants fixing and establishing such prices, rates and charges for the use of the industrial park or parks and services made available therewith, so as to provide, at all times, funds which will be sufficient, (a) to pay all costs of operation and maintenance of such industrial park or parks and its facilities together with the necessary repairs thereto; (b) to meet and pay the principal and interest of all such bonds as they severally become due and payable and (c) for the creating of such revenues for the principal and interest of all such bonds and for the meeting of contingencies and the operation and maintenance of such industrial park or parks and its facilities as the authority shall determine;

(16) for such other covenants as to such prices, rates and charges as the authority shall determine;

(17) for covenants as to the rights, liabilities, powers and duties arising upon the breach by the authority of any covenant, condition or obligation;

(18) for covenants as to the bonds to be issued and as to the issuance of said bonds in escrow and otherwise and as to the use and disposition of the proceeds thereof;

(19) for covenants as to the use of its property and the maintenance and replacement thereof and the insurance to be carried thereon and the use and disposition of the insurance money;

(20) for limitations upon the exercise of the powers conveyed upon the authority by this act;

(21) for the issuance of such bonds in series thereof, and

(22) the performance by the authority of any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds or in the absolute discretion of the authority as will tend to make the bonds more marketable, notwithstanding that such acts or things may not be enumerated therein.

**10. Interim Certificates.** Prior to the issuance of the bonds hereunder the authority may issue interim certificates in such manner and with such conditions as the authority may determine to be exchanged for such bonds when issued.

**11. Issuance of Notes and Purchase by the State Treasurer.** The authority may issue to the state treasurer its notes, subject to the limitation as provided in this act, in an amount outstanding at any one time sufficient to enable the authority to carry out its functions under this act or any other provision of law, such notes to mature not more than three years from their respective dates of issue, to be redeemable at option of the authority before maturity in such manner as may be stipulated in such obligation. Each such obligation shall bear interest at a rate determined by the state treasurer, taking into consideration the current average rate on outstanding marketable obligations of the state as of the last day of the month preceding the issuance of the obligation of the authority. Notwithstanding the provisions of any other law, the state treasurer is authorized to purchase the notes of the authority to be issued hereunder and any funds over which the state has exclusive control may be used for this purpose.

**12. Debt Limitation.** The authority shall not issue its notes or bonds as provided by this act at any one time in an amount exceeding one million dollars.

**13. Tax Exemption and Payment for Services in Lieu of Taxes.** The property of the authority is declared to be public property and shall be exempt from all taxes and special assessments of the state or any political subdivision thereof; provided that in lieu of such taxes the authority may agree to make payments to the municipality in which an industrial park is located for highway maintenance, fire protection or other services.

**14. Bonds Guaranteed.** The governor with the advice and consent of the council is hereby authorized in the name of the state to guarantee, in such manner as may be determined, the payment of the whole or any part of the principal and interest of any bonds to be issued by the authority. The full faith and credit of the state shall be pledged to the performance of such guarantee of the state. In the event that the authority shall

default in payment of interest or principal upon any of the bonds so guaranteed by the state, the governor with the advice and consent of the council may draw his warrant upon the treasury out of any money not otherwise appropriated for the payment of such interest or principal to the extent of such guarantee, and the sums so paid shall be recoverable from the authority.

**15. Biennial Report.** The authority shall make a biennial report to the legislature setting forth in detail the operations and transactions conducted by it pursuant to this act.

**16. Separability Clause.** If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

**17. Takes Effect.** This act shall take effect upon its passage.

[Approved July 14, 1955.]

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## CHAPTER 255.

### AN ACT RELATIVE TO AUTHORITY OF TOWNS TO ENTER INTO COLLECTIVE BARGAINING CONTRACTS WITH LABOR UNIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Labor Union Contracts; Towns.** Amend section 3 of chapter 51 of the Revised Laws (section 3, chapter 31, RSA) by inserting after the word "same" in the second line the words, may recognize unions of employees and make and enter into collective bargaining contracts with such unions; so that said section as amended shall read as follows: **3. In General.** Towns may purchase and hold real and personal estate for the public uses of the inhabitants, and may sell and convey the same; may recognize unions of employees and make and enter into collective bargaining contracts with such unions; and may make any contracts which may be necessary and convenient for the transaction of the public business of the town.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved July 14, 1955.]

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## CHAPTER 256.

AN ACT RELATIVE TO NATURE OF THE TAX ON TOBACCO PRODUCTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Tobacco Products.** Amend section 5 of chapter 79 of the Revised Laws as amended by section 4 of chapter 238 of the Laws of 1947 (section 7, chapter 78, RSA) by adding after the word "tax" in the first line the words, upon the retail consumer, so that said section as amended shall read as follows: 5. **Tax Imposed.** A tax upon the retail consumer, is hereby imposed at the rate of fifteen per cent upon the value of all tobacco products sold at retail in this state measured by the usual selling price. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the tobacco products in which such products usually are sold at retail, but the word "package" as used herein shall not include individual cigars, cigarettes, or plugs or hanks of chewing tobacco, and such stamps shall be affixed in denominations of not less than one-half cent to an aggregate value nearest the tax hereby imposed. No tax is imposed on any transactions the taxation of which by this state is prohibited by the constitution of the United States. Each unclassified importer shall within twenty-four hours after receipt of any unstamped tobacco products in this state notify the tax commission of the amount and brands of tobacco products received and the name and address of the consignor. The tax commission, thereupon, shall notify the unclassified importer of the amount of the tax due thereon, at the rate of fifteen percent of the value thereof. Payment of the amount due the state shall be made within ten days from the mailing date of notice thereof. Any unclassified importer refusing to pay the tax on tobacco products imported by him within ten days after being notified of the amount of said tax by the tax commission, shall be subject to a fine of not less than twenty-five dollars or more than one hundred dollars.

**2. Presumption.** Further amend chapter 79 of the Revised Laws (chapter 78, RSA) by inserting after section 5 thereof the following new section: **5-a. Nature of Tax.** All taxes upon tobacco products under this chapter are declared to be a direct tax upon the consumer at retail and shall conclusively be presumed to be pre-collected for the purpose of convenience and facility only.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved July 14, 1955.]

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## CHAPTER 257.

AN ACT RELATIVE TO MILEAGE RATE FOR STATE EMPLOYEES USING PRIVATE CARS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. State Officials and Employees.** State officials and employees using private cars in the conduct of official state business shall be reimbursed for mileage at the following rates, based on the number of miles travelled in any one fiscal year: For the first 12,000 miles seven cents per mile, for the next 6,000 miles six cents per mile, and for all miles in excess of 18,000 miles five cents per mile.

**2. Appropriation.** The sum of fifty-nine thousand, five dollars, and twenty-one cents, or so much as may be necessary, is hereby appropriated for the various departments of the state for the additional mileage allowances provided herein, for the fiscal year ending June 30, 1956, and the sum of fifty-seven thousand six hundred and fifty dollars and ninety-eight cents, or so much as may be necessary for said purposes, is hereby appropriated for the fiscal year ending June 30, 1957. Of the above sum for the fiscal year ending June 30, 1956 the sum of twenty-six thousand eight hundred and ninety-six dollars and ninety-eight cents shall be a charge on the general funds and of said sum the sum of five thousand one hundred and seventy-four dollars and twenty-six cents shall be transferred to the special fund for the department of public welfare; the balance

of said appropriation for said fiscal year shall be a charge upon the so-called self-sustaining funds and/or federal funds. Of the above sum for the fiscal year ending June 30, 1957, the sum of twenty-seven thousand, one hundred and forty-two dollars and eighteen cents shall be a charge on the general funds and of said sum the sum of five thousand one hundred and seventy-four dollars and twenty-six cents shall be transferred to the special fund for the department of public welfare; the balance of said appropriation for said fiscal year shall be a charge upon the so-called self-sustaining funds and/or federal funds. The governor is hereby authorized to draw his warrants for the sums hereby appropriated.

**3. Takes Effect.** This act shall take effect as of July 1, 1955.

[Approved July 14, 1955.]

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## CHAPTER 258.

### AN ACT RELATIVE TO THE ESTABLISHMENT OF A CENTRALIZED BUREAU FOR THE REPRODUCTION OF STATE DOCUMENTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authority Granted.** The governor, whenever he finds that it would be in the best interests of the state to do so, may establish within any department of the state a bureau for the mimeographing, photostating, multilithing, microfilming, or reproducing by any other similar methods, of forms, letters, papers, reports and the like for the various state departments and agencies.

**2. Rules and Regulations.** If such a bureau is established the governor may make rules and regulations relative to the reproduction of forms, letters, papers, reports and the like by said bureau.

**3. Personnel Transferred.** The governor is hereby authorized to transfer to the bureau of mimeographing any employee of any state department or agency, except as hereinafter provided, authorized to do work on mimeographing, photostating

or multilithing or other such machines and all unexpended appropriations and funds allocated for the payment of such employee's salary shall be transferred to the bureau so established. Any such employee so transferred or employed by the expenditure of such funds and appropriations shall be directly responsible to the head of the department wherein said bureau is established.

**4. Limitations.** Provided however that no employee and funds shall be transferred under the authority of the preceding section where such transfer would affect the receipt of federal assistance in any way and provided further that no employee so transferred shall receive less compensation than he was receiving from the department from which transferred.

**5. Equipment and Funds Transferred.** The governor is authorized to transfer to the bureau so established any equipment belonging to any department or agency used in the mimeographing, photostating, multilithing, microfilming or by any other method of reproducing forms, letters, papers, reports and the like, except in cases where such transfer would affect the receipt of federal aid to such department or agency. The governor is also authorized to transfer any materials used in connection with such reproducing machines and funds which may have been appropriated for the upkeep of such machines.

**6. Takes Effect.** This act shall take effect as of July 1, 1955.

[Approved July 14, 1955.]

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## CHAPTER 259.

### AN ACT RELATIVE TO INTEREST REFUNDS TO MEMBERS OF CREDIT UNIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Credit Unions.** Amend chapter 315, Revised Laws, (chapter 394, RSA) by inserting after section 7 the following new section: **7-a. Interest Refund.** After an amendment to the by-laws by the credit union members and subject to the



approval of the bank commissioner, a credit union may authorize an interest refund to members of record at the close of business on June 30 in proportion to the interest paid by them during the year.

**2. Takes Effect.** This act shall take effect as of June 30, 1955.

[Approved July 14, 1955.]

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## CHAPTER 260.

AN ACT RELATIVE TO PRACTICE OF MEDICINE AND SUSPENSION OF LICENSES IN CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Practice of Medicine.** Amend chapter 250 of the Revised Laws (chapter 329, RSA) by inserting after section 14 the following new section: **14-a. Involuntary Commitment to the State Hospital.** Whenever it is responsibly reported to the board that any licensee has been committed to the state hospital by involuntary proceedings for the purpose of examination to determine his sanity, the board shall suspend his license to practice forthwith and such suspension shall continue until (1) the board is in receipt of a duly authenticated report of discharge from the state hospital; or (2) said licensee is able to demonstrate at a hearing before the board that he is physically and mentally capable of practicing medicine without endangering the public. For the purpose of the foregoing the board will consider a certified copy of commitment papers to constitute adequate responsible information of said commitment. Applications to the board for a hearing for the purpose of determining physical and mental competence to practice medicine without endangering the public will not be entertained from any licensee while he is committed to and an inmate of the state hospital for the purpose of examination to determine his sanity when his commitment thereto was involuntary.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 14, 1955.]

**CHAPTER 261.****AN ACT DIVIDING GRAFTON COUNTY INTO COMMISSIONER DISTRICTS.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Grafton County.** Amend section 1 of chapter 45 of the Revised Laws (section 1, chapter 64, RSA) by striking out said section and inserting in place thereof the following: **1. Election: Term.** There shall be chosen at each biennial election, by ballot, by the inhabitants of the several towns in each county qualified to vote for state senators, a sheriff, a county solicitor, a county treasurer, a register of deeds, a register of probate and three county commissioners, each of whom shall take office on January first next succeeding his election, and shall hold the same for two years and until his successor is chosen and qualified, provided, however, that in the county of Grafton the inhabitants of the several towns in each of the commissioner districts, so qualified, shall choose at said election one commissioner for the district.

**2. Commissioner Districts.** Amend chapter 45 of the Revised Laws (chapter 64, RSA) by inserting after section 1 the following new section: **1-a. Election.** The county of Grafton is divided into three districts for the purpose of choosing county commissioners and each district is entitled to elect one commissioner. The districts for said county shall be formed and limited in manner following: District 1: Canaan, Dorchester, Enfield, Grafton, Hanover, Lebanon, Livermore, Lyme, Orford, Orange and Piermont; District 2: Bath, Benton, Bethlehem, Easton, Franconia, Haverhill, Landaff, Lisbon, Littleton, Lyman and Monroe; District 3: Alexandria, Ashland, Bridgewater, Bristol, Campton, Ellsworth, Groton, Hebron, Holderness, Lincoln, Plymouth, Rumney, Thornton, Warren, Waterville, Wentworth and Woodstock.

**3. Qualifications.** Amend section 2 of chapter 45 of the Revised Laws (section 2, chapter 64, RSA) by striking out said section and inserting in place thereof the following: **2. Eligibility.** No person is eligible to the office of sheriff, county solicitor, county treasurer, register of deeds, register of probate, or county commissioner unless he is a resident of the

county for which he is chosen, and, in the case of the county commissioners of the county of Grafton unless he is a resident of the district for which he is chosen. No person shall hold two of said offices at the same time, and the acceptance of one of them shall be a resignation of the others.

**4. Takes Effect.** This act shall take effect for the nomination and election of Grafton county commissioners at the biennial election in 1956, but nothing herein shall be construed as affecting the term of office or the qualifications of county commissioners in office at the time the act takes effect.

[Approved July 20, 1955.]

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## CHAPTER 262.

AN ACT RELATIVE TO NEGLECT OF HUSBAND OR FATHER TO  
SUPPORT WIFE AND CHILDREN AND NEGLECT OF MOTHER,  
AND RELATIVE TO TEMPORARY COURT ORDERS IN  
ANNULMENT PROCEEDINGS AND DIVORCES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Penalty Increased.** Amend section 15 of chapter 340 of the Revised Laws as amended by chapter 178, Laws of 1949 (section 23, chapter 460, RSA) by striking out the words "six months" in the sixth line and inserting in place thereof the words, one year, so that said section as amended shall read as follows: **15. Neglect by Husband or Father.** If any husband or father shall neglect to maintain his wife or children when such wife or children are dependent upon his earnings for support, or neglects his employment or misspends his earnings so as not to provide for the support of his wife or children, he shall be imprisoned not more than one year, and fined not more than one hundred dollars, or both; such fine, if any, to be paid or applied in whole or in part to the support of the wife or children as the court may direct.

**2. Care of Children.** Amend section 15-a of chapter 340 of the Revised Laws, as inserted by section 2, chapter 178, Laws of 1949 (section 24, chapter 460, RSA) by striking out the

words, "six months" in the third line and inserting in place thereof the words, one year, so that said section as amended shall read as follows: **15-a. Neglect by Mother.** If any mother shall neglect to provide for her legitimate or illegitimate children she shall be imprisoned not more than one year, and fined not more than one hundred dollars, or both; such fine, if any, to be paid or applied in whole or in part to the support of such children as the court may direct.

**3. Separate Maintenance.** Amend section 14, chapter 339 of the Revised Laws as amended by chapter 240, Laws of 1949 (section 16, chapter 458, RSA) by inserting after the word "divorce" in the first line the words, annulment or a decree of nullity, so that said section as amended shall read as follows:

**14. Temporary Orders.** After the filing of a libel for divorce, annulment or a decree of nullity, the superior court, or any justice thereof, may restrain either party from imposing any restraint upon the person or liberty of the other, or from entering the tenement wherein the other resides during the pendency of the libel and, during such pendency, may order a temporary allowance to be paid for the support of the other, and may make such orders respecting the custody and maintenance of the minor children of the parties as shall be deemed expedient and for the benefit of the children.

**4. Orders in Cases of Out of State Divorces.** Amend chapter 339 of the Revised Laws by inserting after section 16 (section 19, chapter 458, RSA) the following new section:

**16-a. Alimony and Support.** The superior court shall have jurisdiction to make such orders or temporary orders of alimony to a divorced wife or of support to the children of divorced parents as justice shall require in cases where the decree of divorce was not granted in this jurisdiction, even though said divorce decree makes provision for alimony and support, provided the wife and the children are domiciled in this jurisdiction and the husband is served with process in this jurisdiction.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved July 20, 1955.]

**CHAPTER 263.**

AN ACT RELATIVE TO THE EFFECTIVE DATE OF AN ACT RELATIVE TO SCHOOL TUITION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Change in Effective Date.** Amend section 3 of chapter 227 of the Laws of 1955 by striking out the figure "1955" and inserting in place thereof the figure, 1956, so that said section as amended shall read as follows: **3. Takes Effect.** This act shall take effect as of July 1, 1956.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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**CHAPTER 264.**

AN ACT RELATIVE TO SEASON FOR TAKING WILD DEER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Wild Deer.** Amend section 3 of chapter 242 of the Revised Laws, as amended by chapter 191, Laws of 1943, chapter 168, Laws of 1945, chapter 268, Laws of 1949 and section 1, chapter 245, Laws of 1953 (section 2, chapter 208, RSA) by striking out said section and inserting in place thereof the following: **3. Taking, Time.** Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset, in the counties of Grafton, Coos and Carroll from November first to November thirtieth, and in all other counties in the state from December first to December twenty-first, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

## CHAPTER 265.

## AN ACT RELATIVE TO DREDGING HAMPTON HARBOR, PROTECTION OF SHORE AT BOARS HEAD IN THE TOWN OF HAMPTON AND A STUDY OF SEACOAST EROSION PROBLEMS, AND THE OLD HOMESTEAD HIGHWAY IN CHESHIRE COUNTY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Hampton Harbor; Boars Head.** Amend chapter 218 of the Laws of 1953 by inserting after section 1 the following new sections: **1-a. Dredging.** The governor with the advice of the council is further authorized and empowered to dredge channels into and within Hampton harbor provided such dredging can be accomplished within the funds made available under this act. Such dredging operations shall be under the direction and supervision of the commissioner of public works and highways.

**1-b. Shore Protection, Boars Head.** The governor with the advice of the council is further authorized and empowered to construct such structures at Boars Head in the town of Hampton as may be necessary for shore protection at said location, provided such structures can be constructed within the funds made available under this act. Any construction hereunder shall be under the direction and supervision of the commissioner of public works and highways.

**2. Limitations.** Amend section 11 of chapter 218 of the Laws of 1953 by striking out the words "and parking facilities" in the second and third lines and inserting in place thereof the words, or parking facilities, or dredging operations, or shore protection, so that said section as amended shall read as follows: **11. Contracts for Construction.** All contracts for the construction of the said sea wall or walls or other structures, or parking facilities, or dredging operations, or shore protection, hereunder shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in each of two successive weeks in a newspaper in general circulation in New Hampshire. The first publication of such advertisement shall be not less than fourteen days prior to the date upon which

bids are received. Contracts shall be awarded in accordance with section 13, chapter 90-A, Revised Laws, as inserted by part 9, chapter 5, Laws of 1950.

**3. Study Authorized.** The commissioner of public works and highways is hereby directed to cause a detailed study to be made of the entire seacoast of the state and of erosion problems relative thereto and to prepare a plan and estimates for such work as may seem to be necessary for the protection of the seacoast. Said commissioner shall file a report of the study hereunder with the secretary of state prior to December 31, 1956 for the use of the 1957 session of the legislature.

**4. Old Homestead Highway.** The highway running from the boundary line of the state with the commonwealth of Massachusetts in the town of Richmond, thence running through the town of Swanzy to the city of Keene, now known as Route 32, shall be named and hereafter called the Old Homestead Highway. The commissioner of public works and highways shall cause suitable markers to be erected on said highway showing the name thereof.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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## CHAPTER 266.

AN ACT TO ESTABLISH A COMFORT STATION AT NORTH BEACH IN HAMPTON.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Comfort Station at Hampton Beach.** A sum not to exceed thirty thousand dollars is hereby appropriated for the purpose of the construction and equipment of a comfort station to be located in the vicinity of North Beach in the town of Hampton. The sums made available hereunder shall be expended by the recreation division of the forestry and recreation department provided that all plans for projects hereunder shall be submitted to the governor and council and approved by them prior to the awarding of the contracts.

2. **Recreational Fund.** The appropriation provided by section 1 shall be a charge upon the state recreational fund established by section 19-a of chapter 234, Revised Laws, as inserted by section 8, chapter 240, Laws of 1951, as amended by section 8, chapter 254, Laws of 1953 (section 20, chapter 219, RSA). The sale of merchandise by the department of forestry and recreation in the facility provided by section 1 shall be limited to sale by vending machines of cigarettes and beverages.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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## CHAPTER 267.

AN ACT PROVIDING FOR FIXING A DATE FOR THE DETERMINATION OF STOCKHOLDERS OF RECORD OR THE CLOSING OF STOCK TRANSFER BOOKS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Business Corporations.** Amend chapter 274 of the Revised Laws (chapter 294, RSA) by inserting after section 84 the following new section: 84-a. **Fixing a Record Date or Closing Books.** By-laws of a corporation heretofore or hereafter incorporated under the laws of the state may provide or be amended to provide that the board of directors may have authority:

1. To fix in advance a date not exceeding sixty days prior to the date of (1) any meeting of stockholders (2) the payment of any dividend (3) the making of any distribution to stockholders (4) the last day upon which the consent or dissent of stockholders may be effectively expressed for any purpose or (5) delivery of evidences of rights or interests arising out of any issue, change, conversion or exchange or capital stock, as a record date for the determination of the stockholders entitled (a) to notice of and to vote at any meeting and any adjournment thereof (b) to receive any dividend (c) to receive any distribution to stockholders (d) to consent



or dissent for any purpose or (e) to receive delivery of evidences of rights or interests arising out of any issue, change, conversion or exchange of capital stock, and in such case only stockholders of record on such record date shall have such rights notwithstanding any transfer of stock upon the books of the corporation after the record date; or

II. Without fixing such record date and for any of such purposes to close the stock transfer books of the corporation for all or any part of such period.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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## CHAPTER 268.

AN ACT RELATIVE TO THE MARKING OF THE LINE DIVIDING THE STATE FOR THE PURPOSE OF THE TAKING OF DEER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Division of State for Taking Deer.** The fish and game department is directed to erect, at every intersection of a public way and the line which divides the state for the purpose of open season for taking wild deer, a suitable marker which will show the location of said line.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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## CHAPTER 269.

AN ACT TO INCREASE THE SALARIES OF THE COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. County Commissioners.** Amend section 27 of chapter 47

of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, chapters 66 and 163 of the Laws of 1945, chapters 202 and 284 of the Laws of 1947, chapters 73 and 162 of the Laws of 1949, chapters 149 and 233 of the Laws of 1951, chapters 90 and 123, Laws of 1953 (section 28, chapter 28, RSA) and by section 4, chapter 247, Laws of 1955, by striking out the words "In Hillsborough, thirty-five hundred" and inserting in place thereof the words, In Hillsborough, three thousand seven hundred and fifty, so that said section as amended shall read as follows: **27. Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, three thousand seven hundred and fifty dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in business of the county, shall receive ten dollars a day, payable as hereinbefore provided.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

**2. Takes Effect.** The foregoing provisions of section 1 which provide for an increase in the salaries of the commissioners of the county of Hillsborough shall take effect upon the passage of this act. The remaining provisions hereof shall take effect as of January 1, 1955.

[Approved July 22, 1955.]

**CHAPTER 270.**

AN ACT RELATING TO SOLICITATION OF FUNDS FOR CHARITABLE PURPOSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Charitable Purposes.** Amend section 89 of chapter 51 of the Revised Laws (RSA 31:91) by striking out said section and inserting in place thereof the following: **89. Soliciting Funds.** The right to grant permits for soliciting funds for charitable purposes and for the sale of tags, flowers or other objects for charitable purposes shall be vested in the mayor and aldermen of a city or the selectmen of towns.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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**CHAPTER 271.**

AN ACT RELATIVE TO SALARIES OF COURT STENOGRAPHERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Court Stenographers.** Amend section 26 of chapter 395 of the Revised Laws as amended by section 1, chapter 176, Laws of 1947, section 1, chapter 95, Laws of 1949, section 12, chapter 221, Laws of 1951, and section 1, chapter 257, Laws of 1953 (section 26, chapter 519, RSA) by striking out the words "three thousand eight" in the seventh line and inserting in place thereof the words, four thousand five, so that said section as amended shall read as follows: **26. Appointment.** The superior court, acting as a body, may appoint not more than seven official state court stenographers who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court. Each court stenographer shall be sworn to the faithful discharge of his duties and shall receive from the state an annual salary of four thousand five hundred dollars. He shall take full notes of all oral testimony and other proceedings in the trial of

causes either at law or in equity including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel addressed to the court, and during the trial shall furnish for the use of the court or either of the parties a transcript of so much of his notes as the presiding justice may direct. He shall also furnish a transcript of so much of the evidence and other proceedings taken by him as either party to the trial may require, on payment therefor by such party at the rate fixed by the court as provided in section 29.

**2. Additional.** Amend section 30 of chapter 395 of the Revised Laws as amended by section 4, chapter 176, Laws of 1947 (section 31, chapter 519, RSA) by striking out the words "twelve dollars and fifty cents" in the third and fourth lines and inserting in place thereof the words, fifteen dollars, so that said section as amended shall read as follows: **30. Stenographic Hire.** The superior court may employ such additional stenographic assistance as it may require and stenographers so employed shall be allowed fifteen dollars per day and shall be reimbursed for their actual expenses when away from home.

**3. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved July 22, 1955.]

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## CHAPTER 272.

### AN ACT AUTHORIZING THE CREATION OF REGIONAL PLANNING COMMISSIONS.

WHEREAS under the provisions of the Federal Housing Act of 1954 grants in aid are available for regional and municipal planning, and

WHEREAS existing New Hampshire regional planning enabling legislation is limited in its authority to permit acceptance of grants, and

WHEREAS by broadening the authority in the regional planning enabling statute groups of communities may make

application for grants in aid under the Federal Housing Act of 1954, and

WHEREAS amendment of section 37, chapter 53, Revised Laws, is desirable,

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Regional Planning Permitted.** Amend chapter 53 of the Revised Laws by striking out sections 37 and 38 (section 37, chapter 36, RSA) and inserting in place thereof the following new subdivision:

### **Regional Planning Commissions**

**37. Purposes.** The purpose of this subdivision shall be to enable municipalities and counties to join in the formation of regional planning commissions whose duty it shall be to prepare a coordinated plan for the development of a region, taking into account present and future needs, with a view toward encouraging the most appropriate use of land, such as for agriculture, forestry, industry, commerce, and housing; the facilitation of transportation and communications; to proper and economic location of public utilities and services; the development of adequate recreational areas; the promotion of good civic design; and the wise and efficient expenditure of public funds. The aforesaid plan shall be made in order to promote the health, safety, morals, and general welfare of the region and its inhabitants.

**38. Formation of Regional Planning Commissions.** Two or more municipalities having planning boards may, by ordinance or resolution adopted by the respective legislative bodies of said municipalities, become members of a regional planning commission. Each municipality which shall become a member of a regional planning commission shall be entitled to two representatives on said commission. A municipality with a population of over 10,000 but less than 25,000 shall be entitled to have three representatives on said commission, and a municipality with a population of over 25,000 shall be entitled to have four representatives on said commission. Population as set forth in this section shall be deemed to be determined by the last federal census. Representatives to a regional planning commission shall be nominated by the planning board of each

municipality from the residents thereof and shall be appointed by the municipal officers of each municipality. In any county or counties in which a regional planning commission has been formed, the county may, by resolution of its county commissioners, become a member of said regional planning commission and shall be entitled to appoint two representatives on said commission. The terms of office of members of a regional planning commission shall be for four years, but initial appointments shall be for two and four years. In municipalities entitled to three or more representatives, initial appointments shall be for two, three, and four years. Vacancies shall be filled for the remainder of the unexpired term in the same manner as original appointments.

**39. General Powers and Duties.** A regional planning commission's powers shall be advisory, and shall generally pertain to the development of the region within its jurisdiction as a whole, or to problems which involve a combination of four or more municipalities or counties. Nothing in this subdivision shall be deemed to reduce or limit any of the powers, duties, or obligations of planning boards in individual municipalities. The area of jurisdiction of a regional planning commission shall include the areas of the respective municipalities forming such commission and may include all or part of any county or counties which is a member of said regional planning commission. It shall be the duty of a regional planning commission to prepare a comprehensive master plan for the development of the region within its jurisdiction, including the commission's recommendations, among other things, for the use of land within the region; for the general location, extent, type of use, and character of highways, major streets, intersections, parking lots, railroads, aircraft landing areas, waterways and bridges, and other means of transportation, communication, and other purposes; for the development, extent, and general location of parks, playgrounds, shore front developments, parkways, and other public reservations and recreation areas; for the location, type, and character of public buildings, schools, community centers, and other public property; and for the improvement, redevelopment, rehabilitation, or conservation of residential, business, industrial and other areas; including the development of programs for the modernization and coordination of building, housing, zoning and subdivision regu-

lations of municipalities and their enforcement on a coordinated and unified basis. A regional planning commission may authorize its employees or consultants to render assistance on local planning problems to any municipality or county which is not a member of said regional planning commission. The cost of such assistance shall be paid entirely by the municipality or county to which the service is rendered or partly by said municipality or county and partly by any gift, grant, or contribution which may be available for such work or by combination thereof. Said commission shall keep a strict account of the cost of such assistance and shall provide such municipality or county with an itemized statement.

**40. Organization, Officers, and By-Laws.** A regional planning commission shall elect annually from among its members a chairman, vice-chairman, and such other officers as it deems necessary. Meetings shall be held at the call of the chairman and at such other time as the commission may determine. A commission shall keep minutes of its proceedings and such minutes shall be filed in the office of the commission and shall be a public record. A commission may adopt such by-laws as it deems necessary to the conduct of its business.

**41. Finances.** A regional planning commission shall determine on a reasonable and equitable basis the proportion of its costs to be borne respectively by each municipality or county which is a member of said commission. A commission may accept and receive, in furtherance of its functions, funds, grants and services from the federal government or its agencies, from departments, agencies and instrumentalities of state, municipal or local government, or from private and civic sources. Such funds may be used in conjunction with other funds from federal or state governments or from gifts, grants, or contributions available for such work. Municipalities or counties are hereby authorized to appropriate funds to the use of a regional planning commission and to furnish a regional planning commission legal or other services which it may deem reasonable. Failure upon the part of any municipality or county to pay its proportionate share of the cost as determined by a regional planning commission shall constitute a termination of such municipality's or county's membership on said commission. Municipalities or counties are hereby authorized

to enter into contracts with a regional planning commission for the furnishing of funds or services in connection with the preparation of a comprehensive regional master plan and any special planning work to be done by a regional planning commission for any member municipality or county. Within the amounts appropriated to it or placed at its disposal by gift, grant, or contribution, a regional planning commission may engage employees, contract with professional consultants, rent offices, and obtain such other goods or services as are necessary to it in the carrying out of its proper functions.

**42. Relationship to Local Planning Boards.** A regional planning commission may assist the planning board of any municipality which is a member of said commission to carry out any regional plan or plans developed by said commission. A regional planning commission may render assistance on local planning problems to any municipality or county which is a member of said regional planning commission. The amount of such planning assistance shall be apportioned among the member municipalities on the basis of the municipalities' contribution to the regional planning commission, together with grants or gifts which are received in behalf of the municipality by the regional planning commission. A regional planning commission may make recommendations on the basis of its plans and studies to any planning board, to the legislative body of any city and to the selectmen of any town within its region, to the county commissioners of the county or counties in which said region is located, and to any state or federal authorities. Upon completion of a comprehensive master plan for the region or any portion of said comprehensive master plan, a regional planning commission may file certified copies of said comprehensive master plan or portion thereof with the planning board of any member municipality. Such planning boards may adopt all or any part of such comprehensive master plan which pertains to the area within its jurisdiction as its own master plan, subject to the requirements of sections 10, 11 and 12, chapter 53 of the Revised Laws of New Hampshire 1942.

**43. Assistance to Urban Renewal by Municipalities and Other Public Bodies.** In cooperation with the member municipalities or their planning boards and/or housing authorities and with the federal and state governments, a regional plan-



ning commission is hereby authorized to do any and all things necessary to aid and cooperate in the planning and undertaking of urban renewal projects.

**44. Workable Program.** The regional planning commission in cooperation with the member municipalities or their planning boards and/or housing authorities is hereby authorized to prepare a workable program, which may include an official plan of action, as it exists from time to time for effectively dealing with the problem of urban slums and blighted, deteriorated, or deteriorating areas within the community and for the establishment and preservation of a well planned community with well organized residential neighborhoods of decent homes and suitable living environment for adequate family life; for utilizing appropriate private and public resources to eliminate, and prevent the development or spread of, slums and urban blight and deterioration, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, deteriorated, or slum areas, or to undertake such of the aforesaid activities or other feasible activities as may be suitably employed to achieve the objectives of such a program.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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## CHAPTER 273.

### AN ACT RELATIVE TO ELECTION CAMPAIGN RECEIPTS AND EXPENDITURES AND THEIR PUBLICATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Elections.** Amend chapter 42 of the Revised Laws, as amended by chapter 185, Laws of 1945, chapter 205, Laws of 1947, section 2, chapter 230, Laws of 1951 and sections 6 to 10 inclusive, chapter 190, Laws of 1953 (chapter 70, RSA) by striking out said chapter and inserting in place thereof the following:

## Chapter 42

### Campaign Receipts and Expenditures and their Publication Definitions

#### 1. Terms Defined.

I. The word "election" shall mean any general biennial or special election, political party primary, and presidential preference and delegate primary.

II. The word "candidate" shall mean any person for whom votes are sought in an election.

III. The phrase "political committee" shall mean any organization of two or more persons to influence elections or measures, including the political committee of a party as hereinafter defined.

IV. The phrase "political party" or the word "party" shall mean any political organization or number of persons which can nominate candidates in any manner prescribed by law and has done so for the current election. The definition of the word "party" contained in section 1, chapter 33, Revised Laws, shall not apply to this chapter.

V. The phrase "thing of value" shall not include services of volunteers who receive no pay therefor.

#### Prohibited Political Contributions

2. **Limitations.** No gift, payment or contribution of money or thing of value, whether tangible or intangible, shall be made to a candidate, a political committee, or political party or in behalf of a candidate, political party, or measure, directly or indirectly, for the purpose of promoting the success or defeat of any candidate, political party or measure:

I. By any corporation, or by any officer, director, executive, agent or employee acting in behalf of such corporation, or by any organization representing or affiliated with one or more corporations or by any officer, director, executive, agent or employee acting in behalf of such organization.

II. By any partnership as such or by any partner acting in behalf of such partnership.

III. By any labor union or group of labor unions, or by any officer, director, executive, agent or employee acting in behalf of such union or group of unions; or by any organization representing or affiliated with any such union or group

of unions, or by any officer, director, executive, agent or employee acting in behalf of such organization.

IV. By any person employed in the classified service of the state, or by the spouse or minor child of such person.

V. By any person (1) if in excess of \$5,000 in value, except for contributions made by a candidate on behalf of his own candidacy, (2) if made anonymously or under a name not that of donor, (3) if made in the guise of a loan, (4) if in any other manner concealed, (5) if made without the knowledge and written consent of the candidate or his fiscal agent, a political committee or its treasurer, or not to any one of the same.

**3. Prohibited Contributions.** No candidate or fiscal agent, political committee or treasurer thereof nor any other person shall solicit or accept any contribution prohibited by section 2.

### **Prohibited Political Expenditures**

**4. Amounts Established.** No expenditure, contract therefor, or use of a contribution of money or thing of value, tangible or intangible, shall be made for the purpose of promoting the success or defeat of any party, measure or person

I. By a candidate or in his behalf in a primary, a sum in excess of the following amounts:

(1) Governor, or presidential preference primary candidate, twenty-five thousand dollars.

(2) United States senator, twenty-five thousand dollars.

(3) Representative in congress, twelve thousand five hundred dollars.

(4) Delegate-at-large to party convention, five thousand dollars.

(5) District delegate to party convention, twenty-five hundred dollars.

(6) Alternate delegate-at-large to party convention, twelve hundred fifty dollars.

(7) Alternate district delegate to party convention, six hundred twenty-five dollars.

(8) Councilor, two thousand dollars.

(9) County officer or state senator, one thousand dollars.

(10) Representative to the general court, two hundred fifty dollars.

In determining whether a candidate has exceeded the sum fixed in this paragraph, no account shall be taken of the following items: The candidate's contribution to the state committee, his filing fee, or his expenditures for personal travel and subsistence expenses. The sums fixed in this paragraph shall include all expenditures, contracts therefor, and use of contributions of money or things of value, tangible or intangible, by a candidate or by others, including political committees, in his behalf and with his knowledge during the period of time he or others in his behalf and with his knowledge seeks votes for him to and including the date of the primary.

II. By or on behalf of a candidate other than in a primary, a sum in excess of the following amounts:

(1) Presidential elector, governor or United States senator, twenty thousand dollars.

(2) Representative in congress, ten thousand dollars.

(3) Councilor, two thousand dollars.

(4) County officer or state senator, one thousand dollars.

(5) Representative to the general court, two hundred fifty dollars.

In determining whether a candidate has exceeded the sum fixed in this paragraph, no account shall be taken of the items excluded in such determination in paragraph I. The sums fixed in this paragraph shall include all expenditures, contracts therefor, and use of contributions of money or things of value, tangible or intangible, by a candidate or by others, including political committees, in his behalf and with his knowledge during the time between the date of his nomination to and including the date of election, except by the political committees of the political party to which he belongs.

III. By a political committee without the knowledge and written consent of the candidate supported or his fiscal agent, or to such candidate or his fiscal agent. This paragraph

shall not apply to political committees of the party to which the candidate belongs in elections other than primaries.

IV. By a political committee organized in favor or against a statewide referendum on any question, including a proposed constitutional amendment, or any measure proposed for a local referendum on a statewide basis, a sum in excess of ten thousand dollars.

V. By the state committee of any political party, a sum in excess of one hundred thousand dollars from the day following each biennial election to the day of the ensuing biennial election. By the congressional district committee of any political party for the same period, a sum in excess of ten cents per vote multiplied by the total number of votes cast in said district in the last preceding presidential election, or if such party had no candidate in such election, a sum in excess of ten thousand dollars. By the county committee of any political party for the same period, a sum in excess of ten cents per vote multiplied by the total number of votes cast in said county in the last preceding presidential election, or if such party had no candidate in such election, a sum in excess of one thousand dollars. By the city, town or other electoral district political committee of any political party in the same period, a sum in excess of fifteen cents per vote multiplied by the total number of votes cast in said city, town or other electoral district in the last preceding presidential election, or if such party had no candidate in such election, a sum in excess of five hundred dollars in a city or other political subdivision and two hundred fifty dollars in a town. Sums transmitted to the national committee of any political party or any of its divisions shall not be deemed an expenditure for the purposes of this subsection. The collection of money by a finance committee of a political party, which merely collects and allocates the same to the various political committees of such party, without itself making any expenditures to influence an election, shall not be subject to separate limit or reportable separately under this chapter; but the political committee or committees to which such contributions are allocated shall report such contributions by name and address of each contributor in making their individual reports as herein elsewhere provided, and the sums allocated to and accepted by each shall be counted toward its legal limit hereunder.

VI. By any person, candidate or political committee, for political advertising in a newspaper, periodical, or on a radio or television broadcast, or on a billboard, if at a rate more or less than the applicable rates required to be filed with the secretary of state.

VII. By or on behalf of any candidate, political committee or party for advertising space in the printed programs for meetings or conventions of business organizations, labor organizations, agricultural organizations, veteran organizations, religious organizations, fraternal organizations, lodges, secret societies, clubs, schools, fairs, or similar groups.

### **Publication of Political Contributions and Expenditures**

**5. State Committees.** The state committee of a political party shall, not later than the Wednesday preceding a biennial or special election before the close of the business day, file with the secretary of state, an itemized statement, signed and sworn to by its chairman and treasurer, showing each of its receipts with the full name and post-office address of the contributor and the amount of the contribution, and each of its expenditures or contracts calling for expenditures, with the full name and address of persons, corporations, committees, or to whom-ever paid or to be paid, with the specific nature and amount of each expenditure, since the date of the last election; except, if contributions through a local party committee or disbursements to a local party committee do not exceed three hundred dollars per committee, no detailed accounting of the further source or recipients of such amounts need be made. Not later than the second Friday after said election before the close of the business day another itemized statement, signed and sworn to by the same officers, shall be likewise filed. Enough additional copies of the statement shall be filed to provide a copy for the state committee of each party on the ballot, which they may obtain by application to the secretary of state.

**6. Major Candidates.** Each candidate at the primary or election for governor, presidential elector, United States senator, representative in congress, delegate-at-large or district delegate to a national party convention, and the fiscal agent designated by the nominators of any candidacy in the presidential preference primary, shall file statements before and after an election in like manner and detail of each receipt and

expenditure covering the period of his candidacy or election campaign, including expenditures, contracts therefor and used contributions made by others on his behalf and with his written consent or that of his fiscal agent; excepting, however, the expenditures of political committees of the party to which the candidate belongs in elections other than primaries.

**7. Other Candidates.** Each candidate at the primary or election for councilor, state senator, county officer, or representative to the general court, and candidates for alternate delegate-at-large and alternate district delegate to a national party convention, who has expended a sum in excess of two hundred dollars, shall, not later than the second Friday after said primary or election before the close of the business day, file with the secretary of state, and with the town or city clerk for the town or city in which he resides, a statement in like manner and detail of each receipt and expenditure, covering the period of the candidacy or election; excepting, however, the expenditures of political committees of the party to which the candidate belongs in elections other than primaries.

**8. Political Committees.** Each other political committee at the primary or election, which has expended a sum in excess of two hundred dollars, shall, not later than the Wednesday preceding an election before the close of the business day, file with the secretary of state, a statement in like manner and detail of each receipt and expenditure, and, not later than the second Friday after an election before the close of the business day, another statement in like manner and detail of each receipt and expenditure. If the political committee is organized to support a candidate in any election, it shall first secure the written consent of the candidate or his fiscal agent, before it receives or spends any money or thing of value, and its officers shall file such written consent with the secretary of state immediately; but this limitation shall not apply to the political committee of the party to which the candidate belongs in elections other than primaries.

**9. Expenditures Under Two Hundred Dollars.** Each candidate or political committee which does not spend in excess of two hundred dollars at a primary or election shall, not later than the second Friday after the primary or election before the close of the business day, file with the secretary of state,

and with the town or city clerk for the town or city in which the candidate resides, a sworn statement that receipts and expenditures have not exceeded two hundred dollars.

**10. Social Activities.** Outings, dinners and social affairs conducted by political committees, clubs and others at which each person attending pays a sum approximating closely the cost of his own food, sustenance or entertainment shall not, as to such payments and disbursements therefrom, be deemed reportable or limited receipts or expenditures under this chapter.

**11. Public Inspection.** All statements, assents and registrations filed by state committees, candidates, and political committees shall be open to public inspection.

#### **Duties, Advertising, and Complaints**

**12. Fiscal Agent.** As a part of the declaration of candidacies filed by candidates for governor, United States senator, representative in congress, councilor, state senator and county officer and other primary candidacies, every such candidate shall designate some person, who may be the candidate himself, as his financial agent for the purpose of the primary campaign, or if his candidacy for such office is established by a primary petition, there shall be annexed to the petition the name of the fiscal agent for such candidate. The nominating petitions of presidential preference primary candidates for president and vice president shall likewise designate thereon the name of the fiscal agent of such candidate. All sums expended or contracted for payment in the primary campaign in behalf of such candidate shall be reported by the candidate and/or his political committee to his fiscal agent, and the candidate or his fiscal agent shall make or approve all disbursements in behalf of his candidate subsequent to his designation as fiscal agent and join with the candidate in making and filing the statements required by this act.

**13. Committee Treasurer.** Each political committee shall have a treasurer, who shall be a citizen of this state, and shall receive and pay out all money handled by the committee. If there be no treasurer, or if he fails to make a report, it shall be the duty of each member of said committee who receives or pays out any money in behalf of said committee to make



such a report or to cause the same to be made. No member of such committee shall make or permit any unlawful expenditure or act by said committee, in whole or in part, or consent thereto, or aid, abet or conspire to make or permit the same.

**14. Political Advertising.** All political advertising or literature, in newspapers or other periodicals, on radio or television, on billboards, window cards, circulars, pamphlets, or of whatever nature, shall be signed at the end with the names and addresses of the candidate, his fiscal agent, or the name and address of the chairman or the secretary of a political committee, or the name and address of a voter, according to whether a candidate, political committee, or voter is responsible for it. Said signature thereto shall clearly designate the name of the candidate, party or political committee by or on whose behalf the same is published or broadcast. In the case of printed or written matter, the said signature and address of signer shall be printed or written in a size of type or lettering large enough to be clearly legible.

I. Political advertising printed in newspapers, periodicals or billboards shall be marked at the beginning thereof "Political advertising." Persons or corporations operating a radio or television station shall broadcast political advertising only after announcing it as such.

II. Rates for advertising shall be filed with the secretary of state by each person or corporation publishing a newspaper or periodical, operating a radio or television station, or selling billboard space. Such schedule shall be open to public inspection. Such schedules may be amended from time to time but at no time shall exceed the rate or rates regularly charged by such person or corporation for commercial advertising or for similar commercial broadcasts or telecasts.

III. A person or corporation publishing a newspaper or periodical or selling billboard space or operating a radio or television station shall not publish, print or broadcast any political advertising by or on behalf of a candidate in a political party primary unless the same shall be signed by or authorized in writing by the candidate or his fiscal agent.

**15. Notice to Candidates.** The secretary of state shall give or send by mail a copy of this chapter to each person who shall file a declaration of candidacy before any primary, or in

behalf of whom primary petitions or a primary certificate shall be filed.

**16. Complaints.** Any person voted for at an election for any office, or any voter, may make complaint in writing to the attorney general of any violation of any of the provisions of this chapter.

I. Upon receipt of such complaint it shall be the duty of the attorney general, or through his assistants or county solicitors or some other representative, to investigate the complaint, and, if sufficient cause for a prosecution is found, to prosecute to final judgment.

II. If, in the opinion of any person making complaint, the family, business or political connection of the county solicitor of the county in which the offense complained of was committed is such as to make it unlikely that he will act diligently and earnestly in any prosecution therefor, the person complaining may state such facts to the attorney general.

III. If the attorney general believes that the county solicitor will be hampered by any existing facts or circumstances, and in any wise prevented from vigorously prosecuting any respondent complained against for such violation, or that the service of more than one attorney in any prosecution would be in the interest of the state, he shall have authority to employ and assign, to conduct or assist in conducting such prosecution, a county solicitor from some other county, or to employ and assign some attorney not a county solicitor. Such county solicitor or other attorney shall be allowed reasonable compensation, to be approved by the governor and council and paid by the state out of funds not otherwise appropriated.

IV. It shall be the duty of the attorney general to examine the returns of election receipts and expenditures which are made to the secretary of state and to compel such returns be made to comply with the law. In the exercise of his powers and duties under this chapter, the attorney general is authorized to require the appearance of individuals and to secure testimony and evidence by use of a subpoena duces tecum.

### Penalties

**17. Proceedings in Supreme Court.** Any person who alleges that any of the provisions of this chapter relating to

the primary has been violated by or in behalf of a candidate with his knowledge and consent, may, not later than the second Tuesday following said primary, bring a proceeding in equity in the supreme court against the candidate alleged to have violated said provisions in such manner. To this proceeding the secretary of state shall be made a party defendant. The supreme court shall forthwith hear such proceeding and make final decision thereof, and if the court shall find that the defendant has thus violated any of such provisions, a decree shall be entered disqualifying the defendant from becoming a candidate at the ensuing election, and the vacancy thereby created shall be filled as provided by law.

**18. Prohibition.** No candidate shall be entitled to the nomination or election until the sworn itemized statements required to be filed by him or in his behalf have been filed as hereinbefore required.

**19. Penalty.** Any person who violates any provision of this chapter shall be fined not more than one thousand dollars nor less than one hundred dollars, or imprisoned not less than thirty days nor more than six months, or both.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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## CHAPTER 274.

AN ACT MAKING TEMPORARY APPROPRIATIONS FOR THE EXPENSES  
OF THE STATE OF NEW HAMPSHIRE FOR THE MONTH  
OF AUGUST, 1955.

WHEREAS, the legislature has not yet adopted a budget for the coming biennium; and

WHEREAS, action as this time is necessary to carry on the functions of the state government after the close of the fiscal year 1955, and prior to the passage of the said budget acts, now therefore

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Appropriation.** There is hereby appropriated for the

general expenses of the state government during the month of August, 1955 the sum of four million five hundred fifteen thousand dollars, or so much thereof as may be necessary, to be expended in the manner hereinafter provided, that is to say one million seven hundred fifty thousand dollars from general funds; four hundred thousand dollars from special funds; ninety thousand dollars from fish and game funds and two million two hundred seventy-five thousand dollars from highway funds. The governor is authorized by and with the advice and consent of the council to draw his warrants for the sums necessary for said temporary appropriations out of any money in the treasury not otherwise appropriated or, in the case of special funds, out of any such special funds. Such expenditures shall be a charge upon the respective appropriations to be made subsequently by the legislature for the fiscal year ending June 30, 1956.

**2. Provisions of Law.** The provisions of chapter 22 of the Revised Laws and the provisions of any other statute inconsistent herewith are hereby suspended to the extent of such inconsistencies during the time this act is in effect.

**3. Takes Effect.** This act shall take effect as of August 1, 1955, and shall continue in effect until September 1, 1955 unless the appropriation acts for the ensuing biennium are sooner enacted in which event the appropriations herein provided shall thereupon lapse.

[Approved July 28, 1955.]

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## CHAPTER 275.

AN ACT TO CONTROL MOTOR VEHICLE AND MACHINERY JUNK  
YARDS AND PUBLIC DUMPS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Junk Yards; Dumps.** Amend sections 22, 23 and 24 of chapter 165 of the Revised Laws (sections 1, 2 and 3, chapter 267, RSA) by striking out said sections and inserting in place thereof the following: **22. Definitions.** (a) The term "motor-vehicle junk yard" as used herein shall include any

business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered motor vehicles which are no longer intended or in condition for legal use on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage, or other waste or discarded or second-hand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles. Motor-vehicle junk yard shall also include any place of business or storage or deposit of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to burn material which are parts of a motor vehicle or cut up the parts thereof. (b) The term "machinery junk yard" as used herein shall mean any yard or field used as a place of storage in which there is displayed to the public view, junk machinery or scrap metal that occupies an area of five hundred square feet. **23. Prohibition.** No person shall locate or maintain a motor-vehicle junk yard or machinery junk yard within a distance of one hundred fifty feet from the surface of any public highway unless the yard is fenced or screened so as to be completely hidden from view from the highway. **24. Nuisance.** Any motor-vehicle junk yard or machinery junk yard located or maintained in violation of the provisions of this subdivision is hereby declared a nuisance, and the same may be abated on complaint of any prosecuting officer.

**2. Required Facilities.** Amend section 26 of chapter 165 of the Revised Laws as inserted by section 1, chapter 133 of the Laws of 1949 (section 23, chapter 147, RSA) by striking out said section and inserting in place thereof the following:

**26. Public Dumping Facilities Required.** Each town or city shall provide and maintain public dumping facilities for the depositing of garbage and refuse, except as exempt under section 26-a. Any such facilities shall be accessible to the public at least one day each week and on such days and at such hours as the selectmen, board of health or corresponding public officer may determine.

**3. Exemptions.** Amend chapter 165 of the Revised Laws as inserted by chapter 133, Laws of 1949 (chapter 147, RSA)

by inserting after section 26 the following new section: **26-a. Towns Exempt.** Upon written request from the selectmen or corresponding public officer, the state board of health may exempt a town from the requirements of the previous section. When considering the request for such an exemption the board shall consider the need of such facilities in light of the town's density of population and whether or not the town has arranged to share public dumping facilities with a neighboring town.

**4. State Board of Health.** Amend section 28 of chapter 165 of the Revised Laws as inserted by chapter 133 of the Laws of 1949 (section 25, chapter 147, RSA) by striking out said section and inserting in place thereof the following new section: **28. Approval Required.** Before any public or private premises within the limits of a town shall be utilized for public dumping, the selectmen, board of health or corresponding public officer, shall have received written approval from the state board of health. Such approval shall not be required in those instances where only non-combustible refuse is employed to fill or grade land. No person shall poison a public dump for the purpose of rodent eradication unless granted permission by the selectmen, board of public health or corresponding public officer.

**5. Regulations.** Amend section 31 of chapter 165 of the Revised Laws as inserted by chapter 133 of the Laws of 1949 (section 28, chapter 147, RSA) by striking out the same and inserting in place thereof the following: **31. Control Measures.** The state board of health shall be empowered to adopt control measures in the form of regulations relating to public dumping facilities. Such regulations may include matters pertaining to fire hazards, pollution of streams and bodies of water, nearness to primary or secondary state highways and health. A reasonable period of time shall be allowed towns for compliance.

**6. Covering or Incineration.** Amend section 29 of chapter 165 of the Revised Laws as inserted by chapter 133 of the Laws of 1949 (section 26, chapter 147, RSA) by striking out said section and inserting in place thereof the following new section: **29. Maintenance.** A town which maintains or any person who permits the use of any land for public dumping shall provide for the proper covering or incineration of all

animal and vegetable matter deposited thereon, and the deposition of other waste materials and rubbish in such a manner as not to create a nuisance. Incineration of such waste shall be carried out in accordance with existing forest fire laws.

**7. Authority Granted.** Amend section 30 of chapter 165 of the Revised Laws as inserted by chapter 133 of the Laws of 1949 (section 27, chapter 147, RSA) by striking out the same and inserting in place thereof the following new section:

**30. Closure.** Upon complaint, or on its own motion, the state board of health may close any public dumping area after duly notifying the selectmen or board of health as to its reason. The state forester upon advice of the town forest fire warden that a high hazard exists may order the dumping area closed until the hazard is remedied.

**8. Emergency Health or Fire Hazard.** Amend chapter 165 of the Revised Laws (chapter 147, RSA) by inserting after section 30 the following new section: **30-a. Obligation of Towns.** When in the opinion of the state board of health or the state forester an emergency exists requiring remedial measures to eliminate a serious health or fire hazard the governor and council may order such town to carry out under the direction of the state board of health or state forester the control measures so specified. If such order is not complied with within the time limit, the state board of health, the state forester or their authorized agents may take necessary measures to remove or eliminate the hazard within a town and charge the expenses to the town.

**9. Takes Effect.** This act shall take effect November first, 1955.

[Approved August 1, 1955.]

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## CHAPTER 276.

AN ACT PROVIDING FOR LIENS IN FAVOR OF HOSPITALS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Entitled to Lien.** Every individual, partnership, firm, association, corporation, institution or any governmental unit

or combination or parts thereof maintaining and operating a hospital licensed in the state of New Hampshire, which shall furnish medical or other service to any patient injured by reason of an accident not covered by the workmen's compensation act, shall, if such injured patient shall assert or maintain a claim against another for damages on account of such injuries, have a lien upon that part going or belonging to such patient, or to the person responsible for the payment of such patient's bills, of any recovery or sum had or collected or to be collected by such patient or by the person responsible for the payment of such patient's bills, or by his heirs or personal representatives in the case of his death, whether by judgment or by settlement or compromise to the amount of the reasonable and necessary charges of such hospital for the treatment, care and maintenance of such patient in such hospital up to the date of payment of such damages. The provisions of this act shall not be applicable to accidents and injuries within the purview of the workmen's compensation law.

**2. Notice of Lien.** No such lien shall be effective unless a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital, and the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries received, shall be filed with the clerk of the town or city in which such hospital is located not later than ten days after the patient has been discharged from the hospital and prior to the payment of any moneys to such injured person, his attorneys or legal representatives as compensation for such injuries; nor unless the hospital shall mail, registered mail, return receipt requested, a copy of such notice with a statement of the date of filing thereof to (1) the person or persons, firm or firms, corporation or corporations, alleged to be liable to the injured patient for the injuries sustained prior to the payment of any moneys to such injured person, his attorneys or legal representatives, as compensation for such injuries and (2) to any insurance carrier which has insured such person, firm or corporation against such liability. The person or persons, firm or firms, corporation or corporations alleged to be liable to the injured patient shall upon request of the hospital disclose the name of his or its insurance



carrier which has insured such person, firm or corporation against such liability.

**3. Duration of Lien.** Any person or persons, firm or firms, corporation or corporations, including an insurance carrier, making any payment to such patient or to his attorneys or heirs or legal representatives, or to any other person as compensation for the injury sustained, after the filing and receipt of such notice without paying to such hospital the amount of its lien or so much thereof as can be satisfied out of the moneys due under any final judgment or compromise or settlement agreement after paying the amount of any prior liens, shall for a period of one year from the date of payment to such patient or his heirs, attorneys or legal representatives, or other person, as aforesaid, be and remain liable to such hospital for the amount which such hospital was entitled to receive as aforesaid; and any such association, corporation or other institution maintaining such hospital may, within such period, enforce its lien by a suit at law against such person or persons, firm or firms, corporation or corporations making any such payment.

**4. Index of Liens.** Every town or city clerk shall, at the expense of the town or city, provide a book or card filing system to be called the hospital lien docket in which, upon the filing of any lien claim under the provisions of this act, he shall enter the name of the injured person, the name of the person, firm or corporation alleged to be liable for the injuries, the date of the accident and the name of the hospital or other institution making the claim. Said clerk shall make a proper index of the same in the name of the injured person and such clerk shall be entitled to be paid a fee of fifty cents by the lien claimant for such filing.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1955.]

## CHAPTER 277.

## AN ACT RELATIVE TO THE SALE OF HORNED POUT FOR RESALE, TO FISH AND GAME LICENSES AND TO FISHING IN UPPER CONNECTICUT RIVER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Horned Pout.** Amend chapter 246 of the Revised Laws (chapter 212, RSA) by inserting after section 25-b, as inserted by section 2, chapter 33, Laws of 1955, the following new section: **25-c. Sale of.** Horned pout raised by any such licensee may be possessed, bought and sold for use as food, provided, however, that there shall be attached to each horned pout so possessed, bought or sold a special tag provided by the director which tag shall remain attached to the horned pout until immediately prior to cooking.

**2. Licenses.** Amend section 5 of chapter 247 of the Revised Laws (section 8, chapter 214, RSA) by striking out in the first line the words, "The state treasurer shall supply the director with" and inserting in place thereof the words, The director shall prepare, so that said section as amended shall read as follows: **5. Form.** The director shall prepare books containing consecutively numbered licenses in triplicate. Such license, when issued to the licensee, shall bear the date of issuance, and shall contain the name, age, color of hair and eyes and residence of the licensee and such other information as may be requested by the director. Such license, to be valid, must be countersigned by the licensee.

**3. Accountability.** Amend section 8 of chapter 247 of the Revised Laws (section 16, chapter 214, RSA) by striking out said section and inserting in place thereof the following: **8. Unused Blanks.** Agents shall return to the director, within ten days after the close of the current year, all unused license blanks. The director and agents shall be held responsible to the state for the full face value of all license blanks for which they are chargeable until settlement has been made as above provided. Accounts of the director and agents shall be post audited annually as provided in section 12-a of chapter 23A of the Revised Laws as amended by chapter 121, Laws of 1953.

**4. Upper Connecticut River.** Amend section 1 of chapter 177 of the Laws of 1953 (section 3, chapter 211, RSA) by striking out the words "the use of spinning rods and reels are hereby prohibited" so that said section as amended shall read as follows: **1. Upper Connecticut River.** Notwithstanding regulations made by the director of fish and game, upper Connecticut river between Murphy dam and the highway bridge between Stratford and Maidstone shall be closed to all fishing except bait and fly fishing.

**5. Waters open to Fly Fishing Only.** Amend section 1 of chapter 241 of the Revised Laws, as amended by chapter 9, Laws of 1949 (section 1, chapter 207, RSA) by striking out the definition of Fly and inserting in place thereof the following: Fly: A hook dressed with feathers, hair, thread, tinsel or any similar material to which no spinner, spoon or similar device is added. In waters open to fly fishing only the use of a weight of any kind on the line in addition to the dressing on the hook is prohibited.

**6. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1955.]

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## CHAPTER 278.

AN ACT TO PROVIDE FOR CUMULATIVE POCKET SUPPLEMENTS TO  
REVISED STATUTES ANNOTATED.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Cumulative Pocket Supplements.** The secretary of state, with the approval of the attorney general, is authorized and directed to contract in the name of the state of New Hampshire for the preparation, publication and distribution of cumulative pocket supplements to the Revised Statutes Annotated. Such supplements shall be arranged according to the general scheme and plan of the Revised Statutes Annotated, shall be annotated and may contain such indexes, cross references, annotation references, notes, disposal tables, and other research aids as the secretary of state, with the approval of the attorney

general, deems practicable. Such supplements shall contain the statutes of a public and general nature passed at the 1955 session of the general court, excluding house bill 75, and the contract may provide for subsequent cumulative pocket supplements for the next two regular sessions of the general court and any special sessions thereof prior thereto.

**2. Appropriation.** The sum of nine thousand dollars is hereby appropriated for the purposes of this act. To the extent it may be necessary the balance of the appropriation, if any, authorized by chapter 221 of the Laws of 1953 also may be used for the purposes of this act, which said appropriation shall not lapse.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1955.]

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## CHAPTER 279.

### AN ACT RELATIVE TO THE SALARY OF THE JUSTICE OF THE CLAREMONT MUNICIPAL COURT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Claremont Municipal Court.** Amend paragraph I of section 31 of chapter 377, Revised Laws, as amended by chapter 232, Laws of 1947, chapters 73, 213, 239 and 251, Laws of 1953 (paragraph I, section 7, chapter 502, RSA) and as amended by chapters 133 and 182, Laws of 1955, by striking out the words "In Claremont, one thousand eight hundred dollars" and inserting in place thereof the words, In Claremont, two thousand three hundred dollars, so that said paragraph as amended shall read as follows: **I. Salaries of Justices.** Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, four thousand six hundred dollars;

In Nashua, three thousand dollars;

In Concord, three thousand five hundred dollars;

In Portsmouth, two thousand five hundred dollars;  
In Dover, one thousand eight hundred dollars;  
In Laconia, one thousand eight hundred dollars;  
In Keene, two thousand five hundred dollars;  
In Claremont, two thousand three hundred dollars;  
In Berlin, twenty-two hundred dollars;  
In Rochester, one thousand two hundred dollars;  
In Lebanon, one thousand five hundred dollars;  
In Newport, nine hundred dollars;  
In Derry, nine hundred dollars;  
In Franklin, one thousand two hundred dollars;  
In Exeter, eight hundred dollars;  
In Somersworth, eight hundred dollars;  
In Littleton, eight hundred dollars;  
In Milford, six hundred dollars.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1955.]

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## CHAPTER 280.

### AN ACT PROVIDING FUNDS FOR HIGHWAY IMPROVEMENT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Appropriation.** The sum of two million five hundred thousand dollars is hereby appropriated for the construction, reconstruction and betterment of class I, class II, class IV and class V highways and also to supplement the regular highway income for all authorized highway expenditures. The sum so appropriated shall be expended under the direction of the commissioner of public works and highways. Said appropriation shall be a continuing appropriation until July 1, 1959, and shall not lapse prior to that date.

**2. Bond Issue Authorized.** In order to obtain funds for the payment of the appropriation authorized by section 1, hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding two million five hundred

thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds shall be deemed a pledge of the faith and credit of the state.

**3. Forms; Proceeds of Sale; Accounts; Short Term Notes.** The form of such bonds or notes, their rate of interest, the method of issuance shall be in accordance with sections 6, 7, 8 of chapter 83, Laws of 1951, which sections are made applicable to the bond issue provided for herein.

**4. Road Toll.** The road tolls as specified by section 9, chapter 83, Laws of 1951, shall be used initially to pay the interest and principal due on any bonds and notes issued under the provisions of said chapter 83, or under any previous acts pertaining to highway construction, and in addition thereto shall be used to pay the interest and principal on any bonds and notes issued under the authority of section 2 of this act. Any remainder of said road tolls after meeting said charges shall be paid into the highway fund. Nothing herein shall be construed as affecting or changing the termination of the supplemental road toll of one cent per gallon as provided by section 10 of said chapter 83.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1955.]

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## CHAPTER 281.

### AN ACT TO COORDINATE DEVELOPMENT AND REGULATORY ACTIVITIES RELATING TO THE PEACEFUL USES OF ATOMIC ENERGY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Declaration of Policy.** I. The state of New Hampshire endorses the action of the Congress of the United States in enacting the Atomic Energy Act of 1954 to institute a program to encourage the widespread participation in the development and utilization of atomic energy for peaceful purposes to the maximum extent consistent with the common defense and

security and with the health and safety of the public; and therefore declares the policy of the state to be, (1) To cooperate actively in the program thus instituted; and (2) To the extent that the regulation of special nuclear materials and by-product materials, of production facilities and utilization facilities, and of persons operating such facilities may be within the jurisdiction of the state, to provide for the exercise of the state's regulatory authority so as to conform, as nearly as may be, to the Atomic Energy Act of 1954 and regulations issued thereunder, to the end that there may, in effect, be a single harmonious system of regulation within the state.

II. The state of New Hampshire recognizes that the development of industries producing or utilizing atomic energy may result in new conditions calling for changes in the laws of the state and in regulations issued thereunder with respect to health and safety, working conditions, workmen's compensation, transportation, public utilities, life, health, accident, fire, and casualty insurance, the conservation of natural resources, including wildlife, and the protection of streams, rivers and airspace from pollution, and therefore declares the policy of the state to be, (1) To adapt its laws and regulations to meet the new conditions in ways that will encourage the healthy development of industries producing or utilizing atomic energy while at the same time protecting the public interest; and (2) To initiate continuing studies of the need for changes in the relevant laws and regulations of the state by the respective departments and agencies of state government responsible for their administration; and (3) To assure the coordination of the studies thus undertaken, particularly with other atomic industrial development activities of the state and with the development and regulatory activities of other states and of the government of the United States.

**2. United States Licenses or Permits Required.** No person shall manufacture, construct, produce, transfer, acquire or possess any special nuclear material, by-product material, production facility, or utilization facility or act as an operator of a production or utilization facility wholly within this state unless he shall have first obtained a license or permit for the activity in which he proposes to engage from the United States Atomic Energy Commission if, pursuant to the Atomic Energy Act of 1954, the commission requires a license or permit to

be obtained by persons proposing to engage in activities of the same type over which it has jurisdiction.

**3. Conduct of Studies Concerning Changes in Laws and Regulations with a View to Atomic Industrial Development.**

Each of the following departments and agencies of the state government is directed to initiate and to pursue continuing studies as to the need, if any, for changes in the laws and regulations administered by it that would arise from the presence within the state of special nuclear materials and by-product materials and from the operation herein of production or utilization facilities, and, on the basis of such studies, to make such recommendations for the enactment of laws or amendments to laws administered by it, and such proposals for amendments to the regulations issued by it, as may appear necessary and appropriate.

I. The department of health, particularly as to hazards, if any, to the public health and safety.

II. The department of labor, particularly as to hazardous working conditions, if any, the time and character of proof of claims of injuries and the extent of the compensation allowable therefor.

III. The department of public works and highways, particularly as to the transportation of special nuclear materials and by-product materials on highways of the state.

IV. The public utilities commission, particularly as to the transportation of special nuclear materials and by-product materials by common carriers or public or private air carriers not in interstate commerce and as to the participation by public utilities subject to its jurisdiction in projects looking to the development of production or utilization facilities for industrial or commercial use.

V. The department of insurance, particularly as to the insurance of persons and property from hazards to life and property resulting from atomic development.

VI. The council on resources and development, particularly as to the hazards, if any, to the natural resources of the state, including wildlife, and as to the protection, if necessary, of rivers, streams, and airspace from pollution.

VII. Such other departments and agencies including departments and agencies of political subdivisions of the state



as the governor may direct and for the purposes specified by him.

**4. Coordination of Studies and Development Activities.** I. The governor and council shall appoint the head of one of the state departments concerned as adviser to the governor with respect to atomic industrial development within the state; as coordinator of the development and regulatory activities of the state government relating to the industrial and commercial uses of atomic energy; and as deputy of the governor in matters relating to atomic energy, including participation in the activities of any committee formed by the New England states to represent their interest in such matters and also cooperation with other states and with the government of the United States. The department head so appointed shall have the additional title of Coordinator of Atomic Development Activities.

II. The coordinator of atomic development activities shall have the duty of coordinating the studies, recommendations, and proposals of the several departments and agencies of the state government required by section 3 hereof with each other and also with the programs and activities of the department of planning and development of the state. So far as may be practicable, he shall coordinate the studies conducted, and the recommendations and proposals made, in this state with like activities in the New England and other states and with the policies and regulations of the United States Atomic Energy Commission. In carrying out his duties, he shall proceed in close cooperation with the department of planning and development.

III. The several departments and agencies of the state government which are directed by section 3 hereof to initiate and pursue continuing studies are further directed to keep the coordinator of atomic development activities fully and currently informed as to their activities relating to atomic energy. No regulation or amendment to a regulation applying specifically to an atomic energy matter shall become effective until thirty days after it has been submitted to the coordinator, unless, upon a finding of emergency need, the governor by order waives all or any part of this thirty day period.

IV. The coordinator of atomic development activities

shall keep the governor and council and the several interested departments and agencies informed as to private and public activities affecting atomic industrial development and shall enlist their cooperation in taking action to further such development as is consistent with the health, safety and general welfare of this state.

**5. Injunction Proceedings.** Whenever, in the opinion of the attorney general, any person is violating or is about to violate section 2 of this act, the attorney general may apply to the appropriate court for an order enjoining the person from engaging or continuing to engage in the activity violative of this act and upon a showing that such person has engaged, or is about to engage in any such activity, a permanent or temporary injunction, restraining order, or other order may be granted.

**6. Funds Provided.** There is hereby appropriated the sum of one thousand dollars to be expended under the direction of the coordinator for secretarial, travel, printing and other necessary expenses incurred by him in the performance of his duties hereunder. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

**7. Definitions.** As used in this act,

I. The term "atomic energy" means all forms of energy released in the course of nuclear fission or nuclear transformation.

II. The term "by-product material" means any radioactive materials (except special nuclear materials) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear materials.

III. The term "production facility" means (1) any equipment or device capable of the production of special nuclear material in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public; or (2) any important component part especially designed for such equipment or device.

IV. The term "special nuclear material" means (1) plutonium and uranium enriched in the isotope 233 or in the isotope 235, and any other material which the governor de-

clares by order to be special nuclear material after the United States Atomic Energy Commission has determined the material to be such; or (2) any material artificially enriched by any of the foregoing.

V. The term "utilization facility" means (1) any equipment or device, except an atomic weapon, capable of making use of special nuclear materials in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public, or peculiarly adapted for making use of atomic energy in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public; or (2) any important component part especially designed for such equipment or device.

**8. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1955.]

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## CHAPTER 282.

### AN ACT RELATIVE TO PENALTIES FOR CERTAIN MOTOR VEHICLE VIOLATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Revocation of Licenses.** Amend section 16 of chapter 118 of the Revised Laws (section 19, chapter 262, RSA) by striking out the same and inserting in place thereof the following: **16. Intoxication.** Any person who shall be convicted of operating, or attempting to operate, a motor vehicle upon any way while under the influence of intoxicating liquor, or any narcotic or habit-producing drug, shall be imprisoned for not more than six months or shall be fined not more than five hundred dollars, or both; his license shall be revoked for a period of sixty days and at the discretion of the court for a period not to exceed two years. Upon a second conviction he may be imprisoned for not less than one month nor more than six months, and fined not less than one hundred dollars nor more than five hundred dollars; his license shall be revoked and

he shall be ineligible for a license for the next three calendar years.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1955.]

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## CHAPTER 283.

### AN ACT RELATIVE TO DISABLED VETERANS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Increase in Exemption.** Amend section 29-f of chapter 73 of the Revised Laws as inserted by chapter 240, Laws of 1947 (section 35, chapter 72, RSA) by striking out said section and inserting in place thereof the following: **29-f. Total Disability.** If any person, qualified as defined in section 29 of this chapter, shall be totally and permanently disabled from service connection and satisfactory proof of such service connection is furnished to the assessors, or if such person be a double amputee or paraplegic as a result of service connection, he or his wife or widow shall be exempt from taxation on real or personal property to the value of five thousand dollars under the conditions set forth in sections 29, 29-a, 29-b, and 29-c of this chapter in so far as the same are applicable except that the limitations of ownership of taxable property in this state shall not apply to persons eligible under this section; and provided further that, in the case of undivided ownership, the limit of exemption shall be five thousand dollars as regards the interest of such entitled persons therein; and provided further that if a person, qualified as defined in section 29 of this chapter who is a double amputee or paraplegic as the result of service connection and owns a specially adapted homestead which has been acquired with the assistance of veterans administration he shall be exempt from all taxation on said homestead.

**2. Takes Effect.** This act shall take effect April 1, 1956.  
[Approved August 1, 1955.]

**CHAPTER 284.****AN ACT RELATIVE TO REGISTRATION AND REREGISTRATION OF PARTNERSHIPS.**

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Partnerships.** Amend sections 1 to 10 of chapter 186 of the Revised Laws, as amended by chapter 119, Laws of 1949, section 10, chapter 265, Laws of 1949 and chapter 59, Laws of 1955 (sections 1 to 11, inclusive, chapter 349, RSA) by striking out said sections and inserting in place thereof the following:

**Registration**

**1. Registration.** Every sole proprietor doing business in this state under any other name than his own, and every partnership, corporation, or association doing business in this state shall register the trade name of such business in the manner provided in sections 5 and 6. The provisions of this subdivision shall not apply to corporations organized under chapters 272, 273, and 274 of the Revised Laws, except as such corporations may be doing business under trade names other than the name of the corporation; and the provisions hereof shall not apply to rating organizations, advisory organizations, or any group, association or other organization or insurers which engage in joint underwriting or joint reinsurance which are referred to in, and subject to the provisions of, chapter 329-A of the Revised Laws as inserted by chapter 235 of the Laws of 1947. The secretary of state shall decline to register any trade name similar or likely to be confused with or mistaken for any trade name title or identification of any existing validly registered person, proprietorship, firm, partnership, corporation or association unless such existing person, proprietorship, firm, partnership, corporation or association assents in writing to the adoption of such similar name.

**2. Withdrawal of Partner; Discontinuance of Business.** Whenever any member of such partnership or association withdraws therefrom the remaining members of such partnership or association shall, and the withdrawing member may, within ten days thereof file in the office of the secretary of state a

certificate signed and sworn to by the remaining members, setting forth the fact of such withdrawal, together with the date thereof. If any person, partnership or association to whom the provisions of this subdivision apply shall cease to do business a certificate setting forth such fact and the date of such discontinuance shall be filed with the said secretary within thirty days subsequent thereto. Such certificate shall be signed and sworn to by the members of such partnership or association, or by any sole proprietor, or by his or their executors or administrators.

**3. Evidence.** Until the certificate of the person withdrawing, or that of the remaining members of the partnership or association, is filed, such failure to file shall be *prima facie* evidence of a continuation of said partnership or association.

**4. Nonjoinder as Defendant.** No action commenced against any such person, partnership or association or any member thereof, upon any cause of action growing out of their affairs, transactions or business, shall be abated, nor shall any attachment made upon the writ in such action be affected, by reason of the nonjoinder of any member of such partnership or association or individual, who has not been included in such certificates.

**5. Registration.** Every person, proprietorship, partnership or association as defined in section 1, engaged in the conduct of any business, enterprise, venture or activity within the state of New Hampshire under a trade name, firm or style shall, subject to the limitations hereinafter set forth, file in the office of the secretary of state a certificate signed and sworn to by such person, proprietorship or by the members of such partnership or association stating the name under which the business is to be conducted, the principal place of said business, and a brief description of the kind of business to be carried on with the names and addresses of the principal parties engaged therein. Said registration shall further state the date of organization of said business and any limitation of time after which said business shall be no longer conducted.

**6. Effect of Registration.** Registration in accordance with the requirements of the preceding section and the reservation of the name, firm or style thereby accomplished shall be

effective upon filing and continue in force and effect upon payment of the requisite fees as provided in section 7 for a period of ten years after said date of filing in the absence of earlier withdrawal or discontinuance, notice of which shall be given in accordance with the provisions of section 2.

**7. Record; Fees.** There shall be paid to the secretary of state for filing of registration and issuance of certificate of registration a fee of ten dollars. Upon payment of said fee the secretary of state shall deliver to the person filing and registering such trade name a certificate of registration under his signature and state seal showing the name and address of the person or persons claiming ownership of the trade name, the nature of the business thereby reserved and described and a receipt for the payment of said fee. The fee for renewal of any registration shall be ten dollars. The fee for notice of discontinuance or withdrawal shall be two dollars. The secretary shall keep a suitable file or record of all such certificates. He shall prepare blanks for such certificates, and shall, upon request, furnish such blanks to persons, partnerships, or associations.

**8. Reregistration.** Every person, proprietorship, partnership or association registered in accordance with the requirements of this subdivision shall be required to reregister at the time of the expiration of the ten-year period set forth in section 6. The secretary of state shall, at least six months prior to the expiration of the term of registration, forward notice of the requirement of renewal together with a proper form for such renewal. In the event the renewal is not filed within the requisite time a notice of default shall be mailed by the secretary of state and unless within thirty days thereafter said registration is renewed the same shall be discontinued and the name thereby abandoned and free. The secretary of state shall cancel from his register all registrations more than ten years old and not renewed in accordance with the provisions of this section. Upon the passage of this act the secretary of state shall notify all businesses registered under trade names of the provisions hereof. All registrations more than ten years old on the date of the passage of this act may be renewed within a period of one year after the passage of this act otherwise the same shall be discontinued and the name abandoned and free. All other registrations shall be subject to the thirty

day renewal provisions hereinbefore set forth at the expiration of ten years from the original registration.

**9. Penalty.** Whoever fails to comply with the provisions of the preceding sections of this subdivision shall be fined not more than one hundred dollars.

**10. Fraudulent Registration; Civil Rights.** Any person who shall for himself, or on behalf of any other person, procure the filing and registration of any trade name in the office of the secretary of state, under the provisions hereof, by making any false or fraudulent representations or declarations, verbally, or in writing, or by any fraudulent means, shall be liable to pay all damages sustained in consequence of any such filing, to be recovered by or on behalf of the party injured thereby, in any court having jurisdiction, and shall be fined not exceeding five hundred dollars or imprisoned not exceeding one year or both. Any person, proprietorship, partnership or association who has adopted and registered a trade name as aforesaid may proceed by suit to enjoin the use, display, or interference of any other firm, person, proprietorship or association making use thereof, and all courts of competent jurisdiction may grant injunctions to restrain such interference, use, display, or activity, as may be by the said court deemed just and reasonable, and may require the defendants to pay to such person all profits derived from such wrongful interference, use, display or activity; and such court may also order that any such counterfeits or imitations in the possession or under the control of any defendant in such case, be delivered to an officer of the court, or to the complainant, to be destroyed.

**10-a. Prior Rights.** Nothing herein shall adversely affect the rights or the enforcement of rights in trade names acquired in good faith at any time at common law.

**2. Appropriation.** The sum of three thousand five hundred dollars for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, are hereby appropriated for the office of the secretary of state to be expended for additional personal services and current expenses necessitated because of amendments to corporation law and registration of partnerships. The sums hereby appropriated shall be a charge upon the general funds.

**3. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved August 1, 1955.]



## CHAPTER 285

AN ACT RELATIVE TO THE DISTRIBUTION OF COPIES OF THE REVISED  
STATUTES ANNOTATED TO MEMBERS OF THE  
GENERAL COURT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Revised Statutes Annotated; Special Edition.** The secretary of state is hereby directed to obtain from the printers one thousand and fifty copies of the Revised Statutes Annotated and to have the same bound with material less expensive than the binding of the so-called official bound copies provided for by chapter 231, Laws of 1955. The secretary of state shall make the following distribution of the special edition of RSA free of charge except as hereinafter provided: I. One copy of said special edition to each member of the general court who shall make application in writing, accompanied by a fee of five dollars, to the secretary of state therefor on or before September 1, 1955, provided that if said member shall desire the official bound copy he may have the same instead of the special edition upon payment of the difference in cost between the two editions. II. One copy of said special edition to any department of the state, except the secretary of state, the state treasurer, the comptroller and the attorney general, who may request the same. III. A sufficient number of copies to the state library for distribution to public libraries meeting the requirements established by the state library commission. IV. One copy to each duly constituted municipal court. V. One copy to each town clerk for the use of the town. VI. Any copies of the special edition which remain after the distribution hereby authorized shall remain in the hands of the secretary of state to be distributed upon payment of such price as shall be determined by the governor and council.

**2. Appropriation.** There is hereby appropriated the sum of eighteen thousand dollars or so much of said sum as may be necessary, to be expended by the secretary of state for the purchase and binding of the special edition of Revised Statutes Annotated as provided in section 1. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved August 1, 1955.]

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## CHAPTER 286.

### AN ACT TO PROVIDE RECOGNITION OF THE WAR SERVICE OF RESIDENTS OF THIS STATE WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES DURING THE KOREAN CONFLICT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Qualification for Bonus.** Each person, man or woman, who actively served for a total period of ninety days or more in any capacity as a member of the armed forces of the United States from June 25, 1950, to July 27, 1953, who is discharged, released or has a certificate of service therefrom under conditions other than dishonorable and who at the time he entered such active military service was a bona fide resident of this state, shall be entitled to the benefits provided hereunder.

2. **Definition.** The term "armed forces of the United States" as used herein shall mean the army, navy, air force, marine corps, coast guard, and any woman's auxiliary services to such forces, the members of which are subject to and under military law.

3. **Roster.** The adjutant general shall, from time to time, prepare a roster of the names of residents of the state who have qualified for benefits hereunder and shall certify the same to the state treasurer.

4. **Bonus Payment.** In recognition of the services performed by the persons designated as eligible under section 1 of this act, hereinafter referred to as the resident or residents, the state treasurer when such names are certified to him as provided in the preceding section, and when application is made therefor, shall pay to each such qualified resident or, if such resident dies before payment has been made to him, to such resident's surviving spouse or if none, to his child or children

in equal shares; and if he has no surviving spouse or children, then in equal shares to his surviving parents; a sum equal to ten dollars per month for each month of such active military service, pro-rated for fractions of a month according to the number of days involved in the particular month, but not exceeding in any event the sum of one hundred dollars; and said treasurer shall take such formal receipt as he shall prescribe. If such resident is legally incompetent, payment may be made to his legally appointed representative only. If such resident dies while in active service, or dies subsequent to his discharge therefrom as a result of disability received while in service, or is disabled and medically discharged, or hospitalized with ultimate medical discharge as a result of service connected disability, the sum of one hundred dollars shall be paid without regard to the length of time such resident was in service. No application shall be certified for payment unless written evidence is presented indicating that any person or persons herein described as having a prior right to benefits shall have deceased; and provided further that if, prior to the date upon which this act takes effect, benefits under the provisions of this chapter have been paid to the father or mother of a resident, who at the time had a child or children, the rights to benefits shall not in addition accrue to said child or children as a result of the provisions of this act. The term spouse means a lawful wife or husband. The term child includes a legitimate child, a child legally adopted, and a stepchild. The term parent includes a father and mother, step-father and step-mother, father and mother through adoption, and those who stood in *loco parentis*. Payment shall not be made to more than two parents. Preference will be given to the parent or parents who actually exercised parental control at the time of or most nearly prior to date of resident's entry into service. Proof of the relationship in *loco parentis* shall be established by sworn statement of the applicant, together with supporting affidavits of two disinterested persons.

**5. Bond Issue Authorized.** In order to provide the funds for the payment of the bonds authorized hereunder, together with the administrative costs thereof, the sum of one million dollars or so much thereof as may be necessary, is hereby appropriated and the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon

the credit of the state a sum not exceeding one million dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds or notes shall be deemed a pledge of the faith and credit of the state.

**6. Form; Proceeds of Sale.** The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor. The governor may authorize his countersignature on said bonds to be by facsimile signature. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrants for the sum hereinbefore appropriated, for the purposes of this act only. The secretary of state and the state treasurer shall keep accounts of all such bonds or notes as they are required to keep for other state bonds or notes.

**7. Short-Term Notes.** Prior to the issuance of the bonds hereunder the state treasurer, with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short term notes which may be refunded by the issuance of the bonds hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term notes exceed the sum of one million dollars.

**8. Sale of Bonds or Notes.** All bonds or notes (except short-term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire and in a financial publication of national circulation, the first publication being not less than fifteen days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids, and/or negotiate with the highest responsible bidder.

**9. Discount on Sales of Liquor to Hotels and Clubs.** Amend

chapter 170 of the Revised Laws (chapter 176, RSA) by inserting after section 14 the following new section: **14-a. Prohibition.** When fixing the price for sale of liquor to hotels and clubs the commission shall not allow any discount of more than five per cent from the retail sale price.

**10. Takes Effect.** This act shall take effect upon its passage.

[Approved August 2, 1955.]

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## CHAPTER 287.

AN ACT RELATIVE TO FOREST CONSERVATION AND TAXATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. New Chapter.** Amend chapter 79-A of the Revised Laws, as inserted by chapter 295, Laws of 1949, and as amended by chapter 12, Laws of 1951 and chapter 256, Laws of 1953 (chapter 79, RSA) by striking out said chapter and inserting in place thereof the following:

### Chapter 79-A

#### Forest Conservation and Taxation

**1. Definitions.** The following words and phrases as used in this chapter shall have the meanings indicated, unless a contrary meaning shall appear in the context:

I. "Assessing officials", means those charged by law with the duty of assessing taxes in the city, town or unincorporated place.

II. "Owner", means any person including the state, a county, a town or any other political subdivision and a purchaser of public forest timber, having title to lands or standing trees or possession with authority to cut and remove logs or wood from lands or standing trees from which any logs or wood are taken during the tax year. The word "owner" shall not be construed to include (a) a person who cuts or causes to be cut logs or wood from his own land for consumption in the construction, reconstruction, or alteration of his own buildings, structures or fences, situated in the state of New Hamp-

shire; (b) a person who cuts or causes to be cut fuel wood for his own consumption in the state of New Hampshire for domestic fuel purposes or for the manufacture of maple sugar or syrup; (c) cities, towns, school districts or village districts cutting logs or wood within their boundaries; (d) persons engaged in clearing or maintaining rights-of-ways or water storage reservoir areas incidental to furnishing utility services or transportation to the public, provided, however, that when stumpage is sold by the person who is causing the right-of-way or water storage reservoir areas to be cleared to another person the purchaser thereof shall be construed to be an owner as defined above.

III. "Stumpage value", means the amount determined by the assessing officials in the same manner as other property values for the purposes of taxation. When open competitive bids have been the basis for sales on a per cord or per thousand basis, the price so paid shall be considered for assessment purposes. When open competitive bidding is not the basis for sales the assessing officials shall give consideration to the amounts received in competitive bidding on a per cord or per thousand basis on stumpage sales in the vicinity but may also consider prices offered for stumpage, logs, pulpwood, fuelwood, or other forest products, current operating costs including a reasonable margin for profit and risk and similar data, taking into consideration the relative difficulties of logging in each individual case. Stumpage value of all forest products except those customarily measured by ricked cord scale or by the piece shall be determined on the basis of log scale. If any other measure is used the assessing officials shall determine the proper log scale by use of a conversion ratio to be furnished by the state forester.

IV. "Tax year", as used in this chapter means from October 1st to September 30, of the next calendar year, inclusive.

V. "Heavily timbered towns". A heavily timbered town is defined to be a town in which the average assessed valuation of growing wood and timber for the years 1944-1948 inclusive is equal to or greater than ten per cent of the following net figure: the locally assessed valuation of such town as of April 1, 1952 as equalized by the tax commission for the

purpose of assessing county taxes, less the total veterans' tax exemption on property in said town for the tax year 1952.

**2. Release from Taxes.** All growing wood and timber except fruit trees, sugar orchards, nursery stock, and trees maintained only for shade or ornamental purposes, which shall not be subject to the yield tax hereinafter provided, shall be released from the general property tax and the school tax in unincorporated places provided for in section 15 of chapter 140 of the Revised Laws, but the land on which such growing wood and timber stands shall be assessed.

**3. Normal Yield Tax.** A normal yield tax on the stumpage value at the time of cutting shall be assessed by the assessing officials, as of October first of each year, against each owner of growing wood and timber which has been cut during the previous tax year, at the rate of ten per cent, provided, however, that whenever the assessing officials deem it necessary to insure the payment of the tax, demand for such payment may be made when the cutting of a lot has been completed, in which case payment of the tax shall be due at the time of notice thereof. Whenever the assessing officials, or the state tax commission, deem it necessary to insure the payment of the yield tax, they, or either of them, may require a bond or other security to be given by an owner, as defined herein, before or during the cutting period, in such amount and conditioned upon such terms as they may determine. An owner failing or neglecting to provide such bond or security within seven days after request therefor may be enjoined from further cutting by the superior court which shall make such order as justice shall require. They may enter upon and inspect any timber lot, and require the owner to produce for inspection any books, records and papers as may be relevant and of assistance to them in the assessment of the yield tax.

**4. Bond and Debt Retirement Tax.** In addition to the normal yield tax provided in section 3 above, beginning October 1, 1955, an additional tax of two per cent on the stumpage value shall be assessed and collected in the same manner, as provided in sections 3 and 14, to be paid into the state treasury as provided in section 15 to cover the interest, retirement of bonds or other indebtedness incurred by the state under this chapter. This bond and debt retirement tax shall expire on

September 30th, following the time when sufficient funds have been accumulated to cover all indebtedness incurred by the state under this chapter.

**5. General Tax: Credits in Certain Cases.** Whenever it shall appear to the assessing officials that a town or city is unreasonably deprived of revenue because of the failure of an owner to cut standing wood or timber when it shall have arrived at the degree of maturity most suitable for its use, such standing wood or timber shall be taxed in the same manner as general property and be subject to the same rights of appeal, the intent being to prevent the holding of standing wood or timber indefinitely without the payment of any taxes. If such standing wood or timber is taxed under the provision of this section, such taxes shall be a credit against any yield tax later imposed, and shall be taken into consideration in determining eligibility for forest conservation aid as provided in section 21.

**6. Collection.** The normal yield tax and bond and debt retirement tax shall constitute a lien upon all real estate of the owner owned on the date of assessment and may be enforced and collected by any appropriate means provided for the collection of taxes in chapter 80, Revised Laws and amendments thereto, except that right of distraint and lien provided by sections 6 and 17 thereof shall expire eighteen months from the date the yield tax is assessed. They shall be subject to the same interest as general property taxes.

**7. Appeal Board.** There shall be an appeal board consisting of three members, one of whom shall be selected by the aggrieved owner, one of whom shall be the state forester or a member of his staff, and one of whom shall be a member of the tax commission or its staff. The appeal board shall designate one of its members as chairman. Whenever the original assessment has been made by the tax commission it shall select a person having knowledge of timber appraisal who shall serve as a member of the appeal board in place of a member of the tax commission or its staff. Such person when serving as a member of the appeal board shall be paid the sum of fifteen dollars for each day devoted to his duties on such board and shall be reimbursed for his reasonable expenses while so serving. All expenses and per diem compensation for such member shall be a charge against the tax commission appropriation.



**8. Appeal and Abatement.** An owner may, within ninety days of notice of the tax, appeal to the assessing officials for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of sections 10 and 11. If the assessing officials neglect or refuse so to abate an owner may, at his election within six months of notice of such tax and not afterwards, petition the superior court of the county where the operation took place or the appeal board as provided for in section 7. The petition to the appeal board shall be filed with the tax commission and shall include the name and address of the appeal board member selected by the aggrieved owner.

**9. Appeal Board Procedure.** The tax commission shall notify the members of the appeal board of such appeal. It shall designate a time and place for hearing and with the board's approval make such arrangements for such hearing as may be necessary. The board may summons witnesses, administer oaths, order the production of books, records, papers, instruments and direct the production of any evidence it deems necessary in order to make a decision. The technical rules of evidence shall not apply at such hearings. The decision of the appeal board shall be filed with the tax commission who shall notify the proper assessing officials. The assessing officials, upon receipt of such decision, shall record the same and issue whatever order is required.

**10. Notice of Cutting.** The state, a county, a municipality, or public agency, or any owner who intends to cut growing wood or timber shall file a notice of intent to cut, in duplicate, prior to such cutting with the state tax commission upon a form prescribed and provided by said commission, setting forth his name, residence, an estimate of the amount and species of wood to be cut, and such other information as may be required. He may at his option furnish the stumpage price paid. A supplemental notice of intent to cut, in duplicate, shall be filed on or before October first for all operations not completed or terminated and which will continue after September 30 in any year. A copy of each notice shall be forwarded by the tax commission to the proper assessing officials. The tax commission shall assign a number to each operation for which it receives a notice of intent to cut and shall notify the owner and the assessing officials thereof. It shall furnish without cost

to the owner a certificate showing that the notice of intent to cut has been filed. Failure to file a notice of intent to cut shall constitute a misdemeanor punishable by a fine not exceeding fifty dollars.

**11. Report.** The state, a county, a municipality, public agency or any person shall make under the penalties of perjury and file in duplicate a report of the wood or timber severed with the state tax commission on or before October 15 covering all wood or timber severed up to October first next preceding. If deemed necessary by the assessing officials a report shall be filed immediately upon the completion or termination of the cutting referred to in the notice of intent to cut. Such reports shall be made on a form prescribed and provided by said commission which shall contain the name and residence of the person making the report, and volume of wood and timber cut by species or species groups and such other information as the tax commission may deem necessary to enable the assessing officials to locate, identify, verify and determine the full amount and true stumpage value of all wood and timber cut. A report of wood and timber severed covering operations still in progress through September 30 shall be filed not later than October 15 for all wood and timber cut up to October 1 next preceding. Upon receipt of a report of cut the tax commission shall forward a copy to the proper assessing officials, who shall assess a tax in accordance with the provisions of this chapter. Whoever shall fail to file a report of cut, as provided in this section shall be guilty of a misdemeanor punishable by a fine not exceeding one hundred dollars.

**12. Doomage.** If any owner shall wilfully make any false statement in the notices and reports required in this chapter, or if the owner wilfully makes a report of cut as provided in section 11 which does not contain a full or correct statement of the wood and timber with respect to which the owner is taxable; or if the owner in making the same has wilfully omitted to give required information, or has made false statements or answers therein, the assessing officials shall ascertain, in such way as they may be able, and as nearly as practicable, the amount and stumpage value of wood and timber for which the owner is taxable, and shall assess to such owner, by way of doomage, four times as much as such standing wood and

timber would be taxed if truly returned and reported. Such doomage shall be collected by the tax collector in the usual manner and paid over to the town treasurer for use of the town.

**13. Disposition of the Normal Yield Tax.** Except as provided in section 22, the normal yield tax collected under section 3 of this chapter shall be paid by the tax collectors of cities and towns into their respective treasuries for the general use of the city or town.

**14. Collection and Distribution of Normal Yield Taxes and Bond and Debt Retirement Taxes in Unorganized Towns and Unincorporated Places.** The taxes assessed under sections 3 and 4 of this chapter in any unorganized town or unincorporated place shall be collected by the director of the division of interest and dividends of the state tax commission and paid by him to the state treasurer. The director of the division of interest and dividends shall have the same powers in collecting the tax as are provided tax collectors under chapter 80 of the Revised Laws. The state treasurer shall distribute the normal yield taxes in the unorganized towns and unincorporated places as follows: (a) to the state tax commission the cost of assessment, collection and any appeal in the unorganized towns and unincorporated places; (b) to the treasurer of the county in which such town or place is situated, to be credited against its share of the county tax, if any, for the ensuing year. Any normal yield tax revenues remaining in the state treasury after the above distributions have been made together with any balance shall be for use by the state forester in the place from which the tax was collected. The funds shall be used for forest conservation purposes including the construction and maintenance of forest fire roads and trails and forest diseases and insect control. The director of the division of interest and dividends shall also collect any unpaid taxes assessed under chapter 79-A in unincorporated places and unorganized towns under the statute prior to the enactment of this act.

**15. Disposition of Bond and Debt Retirement Tax.** The bond and debt retirement taxes collected under section 4 of this chapter shall be paid by the collectors of taxes of cities and towns into their respective treasuries. Each town or city shall pay over to the state treasurer in the month of January

all such taxes collected during the preceding year, less any abatements granted. If payment is not made in the month of January as provided, the state treasurer shall withhold the amount of any bond and debt retirement taxes due to the state for which the town or city may be liable, from any amounts payable by the state to the city or town failing to make the payment for bond and debt retirement taxes as aforesaid. The state treasurer shall not pay to any city or town any amounts which may be due to it from the state until the payment of bond and debt retirement taxes then due from such city or town have been paid to him.

**16. Forest Conservation Aid Fund Created.** There is hereby appropriated the sum of seventy-five thousand dollars for the fiscal year ending June 30, 1957, which fund will constitute the forest conservation aid fund for aiding certain cities and towns which qualify for such aid as provided in section 22 and the sum of twenty-five thousand dollars which shall be used to aid certain cities and towns which qualify for such aid as provided in section 23 of this chapter. The governor is hereby authorized to draw his warrant for the purposes of this chapter, out of any money in the treasury not otherwise appropriated. In the event that claims presented by qualifying towns under section 22 exceed seventy-five thousand dollars, the state treasurer shall pay to each town so qualifying, the same proportionate part that the summation of the towns' claims bears to seventy-five thousand dollars.

**17. Interchangeability of Funds.** The two funds appropriated in the preceding section shall be interchangeable, in that any excess in either fund not needed for the purposes thereof may be used to supplement the other fund in case it is needed therefor.

**18. Payment of Forest Conservation Aid.** In the case that the tax commission determines that any town is entitled to forest conservation aid, such aid shall be based only on the normal yield tax assessments as determined by the assessing officials and finally approved by the state tax commission.

**19. Certification of Yield Taxes Assessed.** Every town shall certify on or before December 1, in each year to the state tax commission, the amount of yield taxes assessed for the

preceding tax year. Any town desiring to be aided may at the same time make application therefor. Such aid shall be determined by said commission and certified to the state treasurer for payment in the manner provided in sections 20, 21, 22, and 23.

**20. Forest Conservation Aid Base.** The forest conservation aid base shall be the amount of revenue which each town would have received from a tax levied at its 1955 average tax rate or the annual local average rate of taxation, whichever is the lesser, on the average assessed valuation of growing wood and timber for the years 1944-48 inclusive after deducting from said valuation one-fifth of the cumulative value of the wood and timber severed in each city or town as determined for yield tax purposes from April 1, 1950 to September 30, 1954, inclusive.

**21. Adjusted Forest Conservation Aid Base.** Beginning October 1, 1955, the adjusted forest conservation aid base for each town shall for the ensuing tax year be the forest conservation aid base for such town less five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, less the total veterans' tax exemption on property in said town for the current year. Annually thereafter the adjusted forest conservation aid base for the preceding year shall be reduced by five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, less the total veterans' tax exemption on property in said town for the current year, until the adjusted forest conservation aid base is eliminated. After four successive reductions have been made under this section, further reductions in the aid base hereunder shall be suspended in those towns still entitled to such aid, in order that the situation in such towns may then be re-examined by the general court, and further reductions in such towns under this section or under section 23 shall not be resumed until so ordered by the general court.

**22. Computation of Forest Conservation Aid.** In computing such aid said commission shall determine the adjusted forest conservation aid base for the current year and deduct therefrom the amount of any property tax assessed under the

provisions of section 5 of this chapter and the amount of the normal yield taxes assessed under the provisions of section 3 of this chapter for the year in which aid is requested. In order that there may be an equitable distribution of funds paid by the state for aid to schools, or for highway maintenance and construction, and to provide for an equitable proportion of the county taxes or any application of any statute based wholly or in part on equalized valuation, the tax commission shall not include the five-year average assessment of growing wood and timber in each city or town in the equalized valuation of each city and town in accordance with paragraph V, section 11, chapter 82, Revised Laws. Said commission shall take into consideration any decrease in the amount of forest conservation aid which any town may receive because of the taking of forest land by the state or federal government for state or national forests and by any other unusual or abnormal conditions, including extraordinary obligations of a city or town incurred prior to July 26, 1949, which would affect an equitable distribution, the intent being to make up to the several cities and towns any loss in tax revenue or loss in forest conservation aid granted in lieu of tax revenue on state and national forest, or increase in county or state taxes resulting from such exemption in as equitable a manner as possible.

**23. Special Aid for Heavily Timbered Towns.** In addition to the forest conservation aid to which a heavily timbered town would be entitled under the provisions of section 21 of this chapter it shall, beginning with October 1, 1955 also receive special aid in full as computed hereafter. For the tax year beginning October 1, 1955 such special aid shall be an amount equal to the difference between, (1) the amount of revenue the town would have received from a tax levied on the average assessed value of growing wood and timber therein for the years 1944-1948 inclusive reckoned at its 1955 average tax rate deducting therefrom (a) an amount equal to five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, less the total veterans' tax exemption on property in said town for the current year, and (b) any property tax assessed under section 5 of this chapter, and (c) the amount of the normal yield taxes assessed under section 3 of this chapter for the year for which such special aid is requested,

and (2) the forest conservation aid for such town as computed under section 22 hereof. The amount of the special aid to which a heavily timbered town may be entitled by this section for any year following the tax year beginning October 1, 1955 shall be the difference between, (1) the amount of revenue the town would have received from a tax levied on the average assessed value of growing wood and timber therein for the years 1944-48 inclusive reckoned at its 1955 average tax rate or the current local rate of taxation, whichever is lesser, deducting therefrom (a) an amount equal to five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, less the total veterans' tax exemption on property in said town for the current year, and (b) any property tax assessed under section 5 of this chapter, and (c) the amount of the normal yield taxes assessed under section 3 of this chapter for the year for which aid is requested, and (d) the accumulated amount as computed for each preceding year of five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, and (2) the forest conservation aid for such town as computed under section 22 hereof.

**24. Payment of Forest Conservation Aid on Account of Unorganized Towns and Unincorporated Places.** The amount of forest conservation aid to which each unorganized town and unincorporated place may be entitled shall be determined and certified by the tax commission in a manner as nearly similar to that prescribed herein for cities and towns by section 22 hereof, and said commission shall make such adjustments as may be necessary to insure equality of treatment under this chapter, so far as possible, as between unorganized towns and unincorporated places and cities and towns. Payment of such forest conservation aid shall be made to the county treasurer with respect to county taxes. Reimbursement shall not be made on December thirty-first but shall be made as soon as the amount of taxes due for the ensuing year shall have been determined, and no forest conservation aid payment shall be made in any year if and to the extent that funds derived from the yield tax remain in the hands of the state treasurer for disbursement as provided by section 14 (b) hereof.

**25. Excess of Yield Tax over Forest Conservation Aid.** If in any tax year the amount of normal yield tax shall exceed the adjusted forest conservation aid as computed under the provisions of sections 20, 21, and 22 hereof, said excess shall be used as deductions in computing subsequent forest conservation aid. In cases where towns have accumulated excesses of yield tax over tax loss prior to October 1, 1955, these excesses shall also be used as deductions in computing any forest conservation aid as provided by section 22.

**26. Distribution.** The state treasurer shall annually make distribution to the towns and cities from the funds provided for herein in accordance with the certification from the state tax commission of the amounts due hereunder.

**27. Interpretation.** Nothing herein contained shall be construed as repealing or affecting in any way the authority for the issuance of bonds under sections 13, 14, 15 and 16 of chapter 295, Laws of 1949, chapter 4, Laws of 1951, chapter 216, Laws of 1951, and chapter 170, Laws of 1953, nor shall it affect bonds heretofore or hereafter issued in accordance with said statutes.

**2. State Tax Commission.** One of the positions of timber tax appraiser in the office of the state tax commission is hereby abolished.

**3. Goshen-Lempster Cooperative School District.** In so far as the borrowing by the Goshen-Lempster cooperative school district is concerned which has been authorized under the provisions of chapter 11 of the Laws of 1955 the debt limit thereof shall be computed on the last assessed valuation plus the five-year average assessment of growing wood and timber therein.

**4. Takes Effect.** The provisions of section 3 shall take effect upon the passage of this act. The remaining provisions of this act shall take effect October 1, 1955, provided, however, that reimbursement shall be made for losses of tax revenue sustained in the year 1955 to those places so entitled in accordance with section 3, chapter 242 of the Laws of 1953. Section 10 of chapter 256 of the Laws of 1953 is hereby repealed as of October 1, 1955.

[Approved August 5, 1955.]



## CHAPTER 288.

AN ACT RELATIVE TO HOURLY WAGE FOR EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Minimum Wages.** Amend sections 25 and 26 of chapter 213 Revised Laws as inserted by chapter 310, Laws of 1949 and as amended by section 1, chapter 232, Laws of 1953 (sections 21 and 22, chapter 279, RSA) by striking out said sections and inserting in place thereof the following: **25. Limitations.** No person, firm or corporation shall employ any employee at a rate of less than seventy-five cents per hour, provided that this limitation shall not apply to employees engaged in household labor, domestic labor, farm labor, outside salesmen, summer camps for minors, restaurants, hotels, inns and cabins; and provided this limitation shall not apply to employees engaged as newsboys or golf caddies, and this limitation shall not apply to employees of hospitals organized as non-profit corporations except as hereinafter provided. Further provided that no non-profit hospital corporation shall employ a laundry employee or nurse aide or practical nurse at a rate of less than seventy cents per hour, and no person, firm or corporation shall employ any employee as usher at a theatre or pin boy at a bowling alley, at a rate of less than sixty-five cents per hour.

**26. Special Authorization in Certain Cases.** A person with less than six months' experience in an occupation, or a person whose earning capacity is impaired by age, or physical or mental deficiency, may be paid not less than sixty-five cents per hour upon application to and authorization from the commissioner of labor.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

## CHAPTER 289.

AN ACT RELATIVE TO SERVICE EXEMPTION FOR VETERANS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Veterans Taxation.** Amend section 29 of chapter 73 of the Revised Laws as amended by chapter 174, Laws of 1943, chapter 4, Laws of 1944, chapter 240, Laws of 1947, section 1, chapter 167, Laws of 1949 and by section 1, chapter 132, Laws of 1951 (chapter 72, RSA) by striking out said section and inserting in place thereof the following: **29. Service Exemption.** Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, or Korean Conflict, as hereinafter defined who have been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her residential real estate, to the value of one thousand dollars, provided the value of such residential real estate in this state as assessed by the selectmen does not exclusive of bona fide encumbrances of record thereon, exceed five thousand dollars, and provided further that the resident qualified for exemption, excepting those with a service-connected disability, shall not be delinquent in the payment of any taxes due the state of New Hampshire or any political subdivision thereof. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902 extended to July 15, 1903 for service in the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 12, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that reenlistment in military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and July 27, 1953.

**2. Fractional Interest.** Amend section 29-a of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out the words "taxable property" in the second line thereof and inserting in place thereof the words, residential real estate, so that said section as amended shall read as follows: **29-a. Proration of Exemption.** If any entitled person or persons shall own a fractional interest in residential real estate each such entitled person shall be granted exemption in proportion to his interest therein with other persons so entitled, but in no case shall the total exemption exceed one thousand dollars except as provided in section 29-b.

**3. Limitations.** Amend section 29-b of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out the words "taxable property" in the third line and in the fourth line and inserting in place thereof the words, residential real estate, so that said section as amended shall read as follows: **29-b. Husband and Wife.** A husband and wife, each qualified for exemption, shall be entitled to an exemption of two thousand dollars on their residential real estate provided they do not together own residential real estate in this state exclusive of bona fide encumbrances of record thereon to the value of more than five thousand dollars.

**4. Residence.** Amend section 29-g of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out said section and inserting in place thereof the following: **29-g. Definitions.** I. The word "resident" as used in section 29 shall mean a person who

has resided in this state for at least six months preceding April 1, in the year in which exemption is claimed. II. The term "residential real estate" for the purposes of sections 29 to 29-h, inclusive shall mean the real estate which the person qualified for an exemption thereunder occupies as his principal place of abode together with any land or buildings appurtenant thereto and shall include a house trailer if used for said purpose.

**5. Takes Effect.** This act shall take effect April 1, 1956. [Approved August 5, 1955.]

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## CHAPTER 290.

AN ACT RELATIVE TO COMPENSATION OF LEGISLATIVE EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Legislative Employees.** Amend section 23 of chapter 9 of the Revised Laws, as amended by section 1, chapter 89, Laws of 1945, section 1, chapter 271, Laws of 1947, section 1, chapter 2 and section 1 of chapter 266, Laws of 1953 (section 24, chapter 14, RSA) by striking out said section and inserting in place thereof the following: **23. Attaches.** The compensation of the following attaches of the senate and house of representatives shall be sergeant-at-arms, \$9 a day; custodian of mails and supplies, \$7.50 a day; the senate messenger who acts as custodian of mails and supplies, \$7.50 a day; messengers, assistant messengers, telephone messengers, library messengers, doorkeepers, wardens and assistant wardens, pages and chaplain, \$6 a day; each for six days a week.

**2. Takes Effect.** This act shall take effect as of January 5, 1955 except that part which applies to the custodian of mails of the house of representatives which shall take effect as of January 2, 1957.

[Approved August 5, 1955.]

## CHAPTER 291.

AN ACT RELATIVE TO SAFETY REGULATIONS FOR COMMERCIAL  
ESTABLISHMENTS AND TO WORKMEN'S COMPENSATION  
AGREEMENTS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Commercial.** Amend section 1 of chapter 215 of the Revised Laws (section 1, chapter 277, RSA) by adding after the word "manufacturing" in the second and fifth lines, the word, commercial, so that said section as amended shall read as follows: **1. Application; Definitions.** This chapter shall apply only to factories, mills, workshops or other manufacturing, commercial or mercantile establishments in which three or more persons are regularly employed. The term employer as used herein shall include every person, firm, corporation or association operating in this state any such manufacturing, commercial or mercantile establishment. The term place of employment shall include such places and all buildings, sheds, structures or other places used in connection therewith. The term employee shall include every person employed to work in any such place of employment.

**2. Agreements.** Amend section 34 of chapter 216 of the Revised Laws as inserted by section 1, chapter 266, Laws of 1947 (section 36, chapter 281, RSA) by striking out said section and inserting in place thereof the following: **34. Agreements as to Compensation.** If an employer or his insurer and an injured employee enter into an agreement in regard to compensation payable under the provisions of this chapter, a memorandum thereof shall be filed with said commissioner of labor and if approved by him or by someone designated by him, such agreement, subject to modification as provided in section 38 shall be enforceable as provided in section 40. Such an agreement shall be approved only when the terms thereof conform to the provisions of this chapter.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

## CHAPTER 292.

AN ACT RELATIVE TO THE LAYOUT OF LIMITED ACCESS HIGHWAYS,  
AND TO THE RYE WATER DISTRICT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Limited Access Highways.** Amend section 2 of part 7 of chapter 90 of the Revised Laws as inserted by chapter 188, Laws of 1945 (section 2, chapter 236, RSA) by striking out said section and inserting in place thereof the following: **2. Occasion for Lay Out; Lay Out.** The governor, with the advice of the council, on his own motion or a special committee of three persons appointed by the governor and council for the purpose, may determine, upon hearing, whether there is occasion for the laying out or alteration of a limited access facility including service roads in a location proposed by the commissioner of public works and highways, and, if so, the governor, with the advice of the council, shall appoint a commission of three persons who may purchase land or other property in the proposed location and who shall lay out the remainder of such facility, service roads, or alteration thereof, assess the damages sustained by each owner of land or property taken, and tender payment of the sums awarded. The commission appointed by the governor and council to lay out any limited access facility may acquire private or public property and property rights for such facility and service roads, including rights of access, air, view, and light, by gift, devise, purchase or condemnation in the same manner as provided for acquiring property for class I highways except that all property rights acquired under the provisions of this part shall be in fee simple including property acquired by condemnation proceedings. The commission, in its discretion, may acquire an entire lot, block, or tract of land, if by so doing the interests of the public will be best served even though said entire lot, block, or tract is not immediately needed for the right of way proper, and the commissioner of public works and highways, with the approval of the governor and council, may sell, convey, transfer or lease any surplus property, real or personal, at public or private sale.

**2. Rye Water District.** Amend sections 1 and 2 of chap-

ter 394 of the Laws of 1947, as amended by section 2, chapter 364 of the Laws of 1949, section 4 of chapter 334, of the Laws of 1951 and section 11, chapter 351 of the Laws of 1953 by striking out said sections and inserting in place thereof the following: **1. Authorization.** Rye Water District in the town of Rye is hereby authorized to incur indebtedness in an amount not exceeding four hundred seventy thousand dollars (\$470,000.00), including the amount authorized by chapter 72 of the Revised Laws, for the purpose of purchasing or constructing, or both, and maintaining, extending and operating such water works system as it may deem necessary for municipal use and for the use of its inhabitants and others. **2. Issuance of Bonds or Notes.** For the purpose and to the extent set forth in section 1 of this act, Rye Water District in the town of Rye is hereby authorized and empowered to issue serial notes or bonds in accordance with the remaining provisions of chapter 72 of the Revised Laws, as amended, except as hereinafter provided.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 293.

AN ACT RELATIVE TO TRANSFER OF DIAGNOSTIC LABORATORIES TO  
THE STATE HOSPITAL.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Transfer of Diagnostic Laboratories.** On and after August 1, 1955, the division of diagnostic laboratories shall be transferred from the department of health to the state hospital and shall be under the administration of the superintendent of the state hospital. All powers and duties, records and property of said division are hereby transferred to the state hospital. All personnel of said division are hereby transferred to the state hospital provided that no employee of the division shall receive less compensation than he was receiving prior to said transfer. All unexpended appropriations from

state funds provided for the diagnostic laboratories are hereby transferred to the state hospital to be used only for the purposes for which they could have been legally used heretofore. Nothing herein contained shall be construed as affecting the power of the department of health to receive and expend federal funds for diagnostic purposes nor shall this section be construed as authorizing any transfer of federally received funds to the state hospital.

**2. Takes Effect.** This act shall take effect as of August 1, 1955.

[Approved August 5, 1955.]

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## CHAPTER 294.

### AN ACT RELATIVE TO RE-EXAMINATION OF HOLDERS OF LICENSES TO OPERATE MOTOR VEHICLES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Motor Vehicles, Licenses.** Amend chapter 117 of the Revised Laws (chapter 261, RSA) by inserting after section 2-a a new section as follows: **2-b. Re-examination.** Whenever information is presented to the commissioner which leads him to believe that reasonable doubt exists as to the qualifications of any licensee to operate a motor vehicle, the commissioner may order such licensee to obtain a written statement from a physician as to the fitness of said licensee to operate a motor vehicle. No license shall be issued or continued to any person who fails to present to the commissioner the written statement provided above or who, in said written statement, fails to satisfy the commissioner that he is fit to operate a motor vehicle.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]



**CHAPTER 295.****AN ACT RELATIVE TO PEDESTRIANS AND TO DIMMING LIGHTS ON  
MOTOR VEHICLES AND TRAILER BREAK-AWAY SAFETY  
CHAINS ON TRAILERS.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Use of Highways.** Amend chapter 119 of the Revised Laws (chapter 263, RSA) by inserting after section 22-a, as inserted by chapter 212, Laws of 1949, the following new section: **22-b. Pedestrians.** Where sidewalks are not provided any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

**2. Motor Vehicle Headlights.** Further amend said chapter 119 by inserting after section 28 the following new section: **28-a. Dimming Lights.** The operator of any motor vehicle upon approaching, overtaking or while following within a distance of approximately one hundred and fifty feet of another motor vehicle on the public highway during the period from one-half hour after sunset to one-half hour before sunrise shall dim his headlights.

**3. Safety Device.** Amend said chapter 119 by inserting after section 5 the following new section: **5-a. Trailer Break-away Safety Chains.** Every trailer or semi-trailer shall in addition to the tow-bar or coupling device have a safety chain or cable to prevent break-away from the towing vehicle. Each chain or cable shall have an ultimate strength at least equal to the gross weight of the trailer and load being towed. Chains or cables shall be connected to the towed and towing vehicle to prevent the tow-bar dropping to the ground in event the tow-bar fails. This provision shall not apply to truck-tractor and semi-trailer units equipped with fifth wheel mechanism.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

**CHAPTER 296.****AN ACT RELATIVE TO THE SALARY OF THE JUSTICE OF THE  
NEWPORT MUNICIPAL COURT.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Newport Municipal Court.** Amend paragraph I of section 31 of chapter 377, Revised Laws, as amended by chapter 232, Laws of 1947, chapters 73, 213, 239 and 251, Laws of 1953 (paragraph I, section 7, chapter 502, RSA) and as amended by chapters 133 and 182, Laws of 1955, and by chapter 279, Laws of 1955, by striking out the words "In Newport, nine hundred dollars" and inserting in place thereof the words, In Newport, one thousand one hundred and fifty dollars, so that said paragraph as amended shall read as follows: **I. Salaries of Justices.** Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

- In Manchester, four thousand six hundred dollars;
- In Nashua, three thousand dollars;
- In Concord, three thousand five hundred dollars;
- In Portsmouth, two thousand five hundred dollars;
- In Dover, one thousand eight hundred dollars;
- In Laconia, one thousand eight hundred dollars;
- In Keene, two thousand five hundred dollars;
- In Claremont, two thousand three hundred dollars;
- In Berlin, twenty-two hundred dollars;
- In Rochester, one thousand two hundred dollars;
- In Lebanon, one thousand five hundred dollars;
- In Newport, one thousand one hundred and fifty dollars;
- In Derry, nine hundred dollars;
- In Franklin, one thousand two hundred dollars;
- In Exeter, eight hundred dollars;
- In Somersworth, eight hundred dollars;
- In Littleton, eight hundred dollars;
- In Milford, six hundred dollars.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

**CHAPTER 297.**

AN ACT RELATING TO RE-ASSESSMENT PROCEDURES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Local Officials.** Amend section 13, chapter 82, Revised Laws (section 13, chapter 71, RSA) by inserting at the end thereof the words, In making such re-assessment the commission may determine whether the values determined shall be used for the assessment of taxes for the year in which the re-assessment is made or for the assessment to be made in the succeeding year, so that said section as amended shall read as follows: **13. Procedure for Re-assessment.** Such re-assessment shall be made in the first instance by the selectmen or assessors of such district, and, if such re-assessment is not made within thirty days of the order or is not satisfactory to the tax commission, then the commission may make such re-assessment or cause it to be made. In making such re-assessment the commission may determine whether the values determined shall be used for the assessment of taxes for the year in which the re-assessment is made or for the assessment to be made in the succeeding year.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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**CHAPTER 298.**

AN ACT RELATIVE TO CARRYING WEAPONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Carrying Weapons.** Amend section 27 of chapter 455 of the Revised Laws (section 27, chapter 585, RSA) by inserting after the word "stiletto" in the second line the words, switch knife, sword cane, pistol cane, black jack, so that said section as amended shall read as follows: **27. Carrying Weapons.** Whoever, except as provided by the laws of this state, carries on his person any stiletto, switch knife, sword cane, pistol

cane, black jack, dagger, dirk-knife, slung shot or metallic knuckles, shall be fined not more than one hundred dollars, or be imprisoned not more than one year, or both; and such weapon or article so carried by him shall be confiscated to the use of the state.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 299.

AN ACT RELATIVE TO EXPENSES OF MEMBERS OF COMMISSION ON INTERSTATE COOPERATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Compensation.** Amend section 4 of chapter 145, Laws of 1935 (section 4, chapter 19, RSA) by striking out said section and inserting in place thereof the following: **4. Compensation.** The members of said commission on interstate cooperation shall serve without compensation. The members of said commission from the general court shall be entitled to reimbursement for their reasonable expenses when on official duties as such members, provided however said reimbursement expenses are approved by the speaker of the house of representatives for not more than three members on the commission from the house and by the president of the senate for not more than three members on the commission from the senate. Said reimbursement shall be a charge upon the legislative funds.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 300.

AN ACT RELATING TO THE NUMBER OF LIVES COVERED BY GROUP LIFE INSURANCE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Group Life Insurance.** Amend subparagraph (c) of

paragraph (1) of section 14-a of chapter 327 of the Revised Laws, as inserted by chapter 175 of the Laws of 1947 (section 15, chapter 408, RSA) as amended by section 1, chapter 79, Laws of 1955, by striking out the word "twenty-five" and inserting in place thereof the word, ten, so that said subparagraph as amended shall read as follows: (c) The policy must cover at least ten employees at date of issue.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 301.

### AN ACT MODIFYING THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF NEW HAMPSHIRE AND CORRELATING ITS BENEFITS WITH FEDERAL OLD-AGE AND SURVIVORS INSURANCE BENEFITS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

#### PART I.

##### Declaration of Policy

**1. Declaration of Policy.** It is the purpose of the legislature in the enactment hereof to provide a means whereby the employees and officials of the state and of its political subdivisions who are now members or eligible to be members of the state employees' retirement system may acquire the benefits available through the old-age and survivors provisions of title II of the federal Social Security Act while at the same time retaining certain advantages of their present retirement plan. It is a further purpose of the legislature in the enactment hereof to secure to the state such financial benefits as may accrue to it through the adoption of a retirement plan for its employees and officials of which old-age and survivors insurance is a part.

#### PART II.

##### Statute Amended; Referenda

**1. No Impairment of Benefits.** Amend section 1 of chap-

ter 234 of the Laws of 1951 (section 1, chapter 101, RSA) by adding at the end thereof, the words: It is also the policy of the legislature that the protection afforded employees in positions covered by a retirement system on the date an agreement under this act is made applicable to service performed in such positions, or receiving periodic benefits under such retirement system at such time, will not be impaired as a result of making the agreement so applicable or as a result of legislative enactment in anticipation thereof, so that said section as amended shall read as follows: **1. Declaration of Policy.** In order to extend to employees of the state and its political subdivisions and to the dependents and survivors of such employees, the basic protection accorded to others by the old-age and survivors insurance system embodied in the Social Security Act, it is hereby declared to be the policy of the general court, subject to the limitations of this act, that such steps be taken as to provide such protection to employees and officials of the state and its political subdivisions on as broad a basis as is permitted under the Social Security Act, except as may be otherwise specifically limited herein. It is also the policy of the legislature that the protection afforded employees in positions covered by a retirement system on the date an agreement under this act is made applicable to service performed in such positions, or receiving periodic benefits under such retirement system at such time, will not be impaired as a result of making the agreement so applicable or as a result of legislative enactment in anticipation thereof.

**2. Employment Defined.** Amend paragraph II of section 2 of chapter 234 of the Laws of 1951 (paragraph II, section 2, chapter 101, RSA) by striking out said paragraph and inserting in place thereof the following: II. The term "employment" means any service performed by an employee or official in the employ of the state, or any political subdivision thereof, for such employer, except (1) service which in the absence of an agreement entered into under this act would constitute "employment" as defined in the Social Security Act; or (2) service which under the Social Security Act may not be included in an agreement between the state and the Secretary of Health, Education and Welfare entered into under this act, or (3) service performed by members and those eligible to be members of the teachers' retirement system, policemen's re-

tirement system and firemen's retirement system; or (4) service of an emergency nature; or (5) service performed by a student as provided in section 218 (c) (5) of the Social Security Act; or (6) service in any class or classes of positions filled by popular election and any class or classes of positions the compensation for which is on a fee basis, performed (A) by an employee of the state, or (B) as so provided in the plans submitted under section 5, by a political subdivision of the state, by an employee of such subdivision. Service which under the Social Security Act may be included in an agreement only upon certification by the governor in accordance with section 218 (d) (3) of that act shall be included in the term "employment" if and when the governor issues, with respect to such service, a certificate to the Secretary of Health, Education and Welfare pursuant to paragraph II of section 13 hereof as hereinafter inserted.

**3. Political Subdivisions.** Amend paragraph VI of section 2 of chapter 234 of the Laws of 1951 (paragraph VI, section 2, chapter 101, RSA) by adding at the end thereof the following words, said term also includes a supervisory union; so that said paragraph as amended shall read as follows: VI. The term "political subdivision" includes an instrumentality of a state, of one or more of its political subdivisions, or of a state and one or more of its political subdivisions, but only if such instrumentality is a juristic entity which is legally separate and distinct from the state or subdivision and only if its employees are not by virtue of their relation to such juristic entity employees of the state or subdivision. Said term also includes a supervisory union.

**4. Retroactive Coverage.** Amend subparagraph (3) of paragraph I of section 3 of chapter 234 of the Laws of 1951 as amended by chapter 89, Laws of 1953, (subparagraph (3), paragraph I, section 3, chapter 101, RSA) by adding at the end thereof the words, except that a modification entered into after December 31, 1954, and prior to January 1, 1958, may be effective with respect to services performed after December 31, 1954, or after a later date specified in such modification, so that said subparagraph as amended, shall read as follows: (3) Such agreement or modification of the agreement shall be effective with respect to services performed after an effec-

tive date specified in such agreement or modification, but in no case prior to January 1, 1951, and in no case (other than in the case of an agreement or modification agreed to prior to January 1, 1954) prior to the first day of the calendar year in which such agreement or modification, as the case may be, is agreed to by the Secretary of Health, Education and Welfare and the state except that a modification entered into after December 31, 1954, and prior to January 1, 1958, may be effective with respect to services performed after December 31, 1954, or after a later date specified in such modification.

**5. Retirement System as Separate Systems.** Amend section 3 of chapter 234 of the Laws of 1951 (section 3, chapter 101, RSA) by inserting at the end thereof the following new paragraph: **III. Employees' Retirement System.** Pursuant to section 218 (d) (6) of the Social Security Act, the employees' retirement system of the state of New Hampshire shall, for the purposes of this act, be deemed to constitute a separate retirement system with respect to the state and a separate retirement system with respect to each political subdivision which has, or on September 1, 1954, had positions covered thereby, provided however, that in the case of any such political subdivision which has no employees eligible to vote in a referendum, as eligibility is defined in section 218 (d) (3) of the Social Security Act, such political subdivision shall be deemed a part of another political subdivision having positions covered by said employees' retirement system as the governor may designate, and the employees' retirement system of the state of New Hampshire, with respect to any combination of political subdivisions so formed, shall likewise be deemed a separate retirement system.

**6. Referenda and Certification.** Amend chapter 234 of the Laws of 1951 (chapter 101, RSA) by inserting at the end thereof the following new section: **13. Procedure. I. Referendum.** With respect to employees of the state the governor is empowered to authorize a referendum, and with respect to the employees of any political subdivision he shall authorize a referendum upon request of the governing body of such subdivision except as otherwise provided herein; and in either case the referendum shall be conducted, and the governor shall designate an agency or individual to supervise its conduct, in accordance with the requirements of section 218 (d) (3) of



the Social Security Act, on the question of whether service in positions covered by a retirement system established by the state or by a political subdivision thereof should be excluded from or included under an agreement under this act. In the case of the referendum with respect to the employees of the state, the conduct thereof shall be governed by such rules as the governor, after consultation with the representatives of employee organizations, shall approve. The notice of referendum required by section 218 (d) (3) (C) of the Social Security Act to be given to employees shall contain or shall be accompanied by a statement, in such form and such detail as the governor shall deem necessary and sufficient, to inform the employees of the rights which will accrue to them and their dependents and survivors, and the liabilities to which they will be subject, if their services are included under an agreement under this act.

**II. Certification.** Upon receiving evidence satisfactory to him that with respect to any such referendum the conditions specified in section 218 (d) (3) of the Social Security Act have been met, the governor shall so certify to the Secretary of Health, Education and Welfare.

**III. Order of Referenda.** No referendum shall be held hereunder with respect to the employees of any political subdivision until the referendum authorized herein with respect to the employees of the state shall have been conducted and the result thereof determined. In the event that the employees of the state in said referendum shall vote in favor of including service in positions covered by the employees' retirement system of the state of New Hampshire with respect to the state under an agreement under this act, the governor, upon the determination of such vote and without further directive or request, shall forthwith authorize a referendum with respect to each of the political subdivisions having positions covered by said employees' retirement system.

### **PART III.**

#### **Old-Age and Survivors Insurance**

**1. Definitions:** I. As used in this part, the following words and phrases shall be construed as indicated below, unless the context plainly requires otherwise.

“Chapter 234” shall mean and refer to chapter 234 of the Laws of 1951, as amended.

“Chapter 27-A” shall mean and refer to chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945, as amended.

“Contribution fund” shall mean and refer to the contribution fund established by section 6 of chapter 234.

“Employees’ retirement system” shall mean and refer to the employees’ retirement system of the state of New Hampshire as established by chapter 27-A.

“Trustees” shall mean and refer to the trustees of the employees’ retirement system.

II. The provisions of section 2 of chapter 234 shall apply to this part; and the several words and phrases defined in said section when used herein shall have the meaning specified in said section, unless the context plainly requires otherwise.

**2. Modification Authorized.** Whenever following the referendum with respect to the employees of the state authorized in paragraph I of section 13 of chapter 234 as inserted hereinbefore, it shall appear that said employees have voted in favor of including service in positions covered by the employees’ retirement system under an agreement under said chapter 234, and it shall further appear that the governor has filed with the Secretary of Health, Education and Welfare with respect to said referendum the certificate required by paragraph II of said section 13, the state agency shall forthwith request the Secretary of Health, Education and Welfare to effect a modification of the agreement between the state and the Secretary of Health, Education and Welfare made under the provisions of said chapter so as to include under said agreement service which under said chapter constitutes employment performed in the employ of the state. Such modification shall be entered into as of June 30, 1956, and shall be effective with respect to service performed after December 31, 1954.

**3. Financing Retroactive Coverage.** I. The amounts payable by the state into the contribution fund with respect to services performed in the employ of the state after December 31, 1954, and prior to July 1, 1956, are hereby made a charge upon the state annuity accumulation fund as established by

paragraph III of section 13 of chapter 27-A. As soon as such amounts shall be ascertained, the state agency shall certify such amount to the trustees and the trustees shall forthwith cause said amount to be paid into the contribution fund.

II. If following the referendum with respect to the employees of the state authorized in paragraph I of section 13 of chapter 234 as inserted hereinbefore, it shall appear that said employees have voted in favor of including service in positions covered by the employees' retirement system under an agreement under said chapter 234, the governor is hereby authorized to issue an executive order directing that there shall be made a special deduction from the compensation of each employee, in consideration of his retention in or entry upon employment after the issuance of such order, in an amount which shall equal to the tax which would be imposed by section 3101 of the Federal Insurance Contributions Act with respect to services performed by him in the employ of the state after December 31, 1954 and prior to July 1, 1956, if such services of such employee with respect to such period constituted employment within the meaning of said act. Such special deductions shall be made in installments with respect to the several payrolls between the date of said executive order and July 1, 1956, and the amount deducted shall be held to the credit of each employee. Any such employee who shall leave the employ of the state prior to June 30, 1956, shall have returned to him the entire amount of such special deduction, without interest. The amount thus deducted with respect to employees who shall be in the service of the state on June 30, 1956, shall be paid into the contribution fund, and shall thereafter be paid out by the state agency in accordance with said chapter 234 with respect to service performed by each such employee after December 31, 1954, and prior to July 1, 1956.

**4. Biennial Appropriations.** On or before the first day of October next preceding each regular session of the legislature, the state agency shall certify to the comptroller the amounts which will become due and payable by the state into the contribution fund during the biennium next following on account of the modification of agreement authorized in this part, and it shall be the duty of the comptroller in preparing the executive budget for the ensuing biennium to include in the budget

the amounts so certified, which amounts shall be appropriated by the legislature. The state agency shall from time to time certify to the comptroller the amount of such appropriation for such year which is at that time required to be paid into the contribution fund. The governor and council shall seasonably thereafter draw a warrant or warrants for the amounts so certified; and the treasurer upon the receipt of such warrant shall forthwith transfer the amounts specified therein to the contribution fund. The provisions of this section shall not apply with respect to the fiscal year beginning July 1, 1956, and ending June 30, 1957.

**5. Initial Financing.** The amounts which the state shall be required to pay into the contribution fund pursuant to the modification of agreement herein authorized with respect to service performed in the employ of the state for the fiscal year beginning on July 1, 1956, and ending on June 30, 1957, shall be provided in the manner following. The trustees as soon as practicable, but not later than July 31, 1956, shall estimate the amount by which the sums appropriated by the legislature, including those to be paid both from general funds and from special funds, for the purposes of the employees' retirement system of the state of New Hampshire during said fiscal year, shall reasonably be expected to exceed the sum which shall be required for such purposes as a result of the amendments of chapter 27-A made by this act; and they shall notify the state agency of such amount. The state agency shall thereafter, from time to time request the trustees to transfer from said excess into the contribution fund the amount which the state shall at that time be required to pay into said contribution fund; and upon such request it shall be the duty of the trustees to certify said amount to the governor and council, conformably as nearly as may be to the provisions of paragraph V of section 13 of chapter 27-A, and the governor and council shall forthwith draw a warrant or warrants for the amount so certified, requiring the treasurer to transfer said amount, in the aggregate up to, but not exceeding, the amount of such excess to the contribution fund. In order to provide such further sums as the state may be required to pay into the contribution fund during said fiscal year, the trustees are authorized and directed, upon the certification of the state agency, to transfer the

amount of such further sums from the state annuity accumulation fund hereinbefore referred to.

**6. Coverage in Political Subdivisions.** Whenever following a referendum with respect to the employees of a political subdivision authorized by the governor under the provisions of paragraph III of section 13 of chapter 234 as hereinbefore inserted, it shall appear that said employees have voted in favor of including service in positions covered by the employees' retirement system with respect to said political subdivision under an agreement under said chapter 234, and it shall further appear that the governor has filed with the Secretary of Health, Education and Welfare with respect to said referendum the certificate required by paragraph II of said section 13, it shall be deemed that said political subdivision has submitted for approval by the state agency a plan for extending the benefits of title II of the Social Security Act in conformity with applicable provisions of such act to the employees of such political subdivision, and has otherwise adopted the provisions of chapter 234 for the purposes of section 7 of said chapter. Notwithstanding any other provisions of this act, such plan shall be in the form of the plans now in effect with respect to the several political subdivisions which have elected to extend such benefits to their employees, and shall contain like provisions, except that service of an emergency nature and service performed by a student as provided in section 218 (c) (5) of the Social Security Act shall not be covered by the plan; and the state agency shall forthwith request the Secretary of Health, Education and Welfare to effect a modification of the agreement between the state and the Secretary of Health, Education and Welfare made under the provisions of said chapter so as to include under said agreement service which under said chapter constitutes employment performed in the employ of said political subdivision. Such modification shall be entered into as of June 30, 1956, and shall be effective with respect to service performed after December 31, 1954.

**7. Obligations of Subdivisions.** I. Whenever pursuant to the foregoing section the state agency shall request a modification of the agreement between the state and the Secretary of Health, Education and Welfare with respect to the employees of a political subdivision, said agency shall thereupon ascertain

the amounts payable into the contribution fund by said subdivision with respect to service performed after December 31, 1954, and prior to July 1, 1956, and shall certify said amounts to the clerk of such political subdivision. The amounts so certified shall be deemed to be a judgment against the political subdivision and shall, without vote of the political subdivision or its governing body, be paid by the officers thereof authorized to make payment in the case of a levy of execution against said political subdivision.

II. Any such political subdivision is authorized to collect, whether by payroll deduction or otherwise, from each employee with respect to whose service a contribution has been made or may reasonably be expected to be made as required in paragraph I hereof an amount equal to the tax which would be imposed by section 3101 of Federal Insurance Contributions Act with respect to service performed by him after December 31, 1954, and prior to July 1, 1956, if such service of such employee with respect to such period constituted employment within the meaning of said act. Provided, however, that such sum may be collected only if the employee is in the employ of the political subdivision on June 30, 1956, and provided further that if said sum or any part thereof shall be collected prior to July 1, 1956, the sum so collected shall be returned to the employee, without interest, if the employee shall leave the employ of the political subdivision prior to June 30, 1956. The failure of the political subdivision to collect such sum with respect to each employee in its employ on June 30, 1956, shall not relieve said subdivision of its obligation to pay into the contribution fund the entire amount certified under paragraph I hereof.

**8. Appropriation for Administrative Costs.** The sum of three thousand dollars, or so much thereof as may be required, is hereby appropriated for the purpose of meeting the state's pro rata share of administrative costs, with respect to its own employees, required by section 7 of chapter 234, and the governor is authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

**PART IV.****Modification of the Employees' Retirement System  
of the State of New Hampshire**

**1. Definitions.** Amend section 1 of chapter 27-A of the Revised Laws, as inserted by chapter 183 of the Laws of 1945 (section 1, chapter 100, RSA) by inserting after paragraph XXI thereof the following new paragraph: XXII. "Primary insurance amount" shall mean the amount which a retired member may be entitled to receive as a primary insurance amount under title II of the Social Security Act, as now in effect or as hereafter amended, even though such amount or any part thereof is not actually received by such retired member because of his failure to make application therefor, or because of his having rendered service during the period for which such benefit would otherwise be payable, or for any other reason. XXIII. "Survivor's insurance benefit" shall mean the amount payable under title II of the Social Security Act as now in effect or hereafter amended, to any person or persons on account of the death of the member, even though such amount or any part thereof is not actually received by such person because of his failure to make application therefor, or because of his having rendered service during the period for which such benefit would otherwise be payable, or for any other reason. XXIV. "Date of modification" shall mean and refer to July 1, 1956.

**2. Present Employees of the State.** Amend section 3 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 (chapter 100, RSA) by inserting after paragraph VI thereof the following new paragraph: VII. Each employee of the state who is a member of the system on the date of modification and who became a member of the system after the date of establishment shall be and be deemed to be a member of the system as of the date of modification; and each employee of the state who is a member of the system on the date of modification and who became a member as of the date of establishment shall be and be deemed to be a member of the system as of the date of modification unless within thirty days after the date of modification he files notice with the board of trustees waiving all present and prospective benefits under the system, in which case his accumulated contribu-

tions made prior to the date of modification shall be returned to him. Any such employee who so elects not to be a member as of the date of modification may thereafter apply for and be admitted to membership but without credit for service rendered prior to the time he is admitted to membership.

**3. Service Retirement Benefits.** Amend subparagraphs (b) and (c) of paragraph II of section 5 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945, (subparagraphs (b) and (c), paragraph II, section 6, chapter 100, RSA) by striking out said subparagraphs and inserting in place thereof the following: (b) A state annuity which together with his employee annuity shall be equal to the sum of the following: (1) thirty per cent of his average final compensation in excess of one thousand two hundred dollars but not in excess of four thousand two hundred dollars, plus (2) fifty per cent of the portion of his average final compensation in excess of four thousand two hundred dollars; except that if he has less than thirty-five years of creditable service, his state annuity, together with his employee annuity, shall be such proportion of said sum as the number of his years of creditable service bears to thirty-five. Provided, however, that in the case of a member with thirty-five or more years of creditable service the state annuity shall be in such amount as, together with his employee annuity and his primary insurance amount shall be at least equal to fifty per cent of his average final compensation, and in the case of a member with less than thirty-five years of creditable service the state annuity shall be in such amount as, together with his employee annuity and his primary insurance amount, shall be at least equal to the proportion of fifty per cent of his average final compensation which his period of creditable service bears to thirty-five. (c) If the member has less than thirty-five years of creditable service and is retired on or after the attainment of age seventy, an additional state annuity in an amount, to be set by the governor and council, not in excess of the retirement allowance provided in subparagraphs (a) and (b) hereof, nor in excess of an amount which when added to the retirement allowance provided under said subparagraphs shall equal the retirement allowance that would have been provided under said subparagraphs if the member had had thirty-five years of creditable service.



**4. Disability Retirement Benefits.** Amend paragraph II of section 6 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945, (paragraph II, section 7, chapter 100, RSA) by striking out said paragraph and inserting in place thereof the following: II. Upon ordinary disability retirement the member shall receive a service retirement allowance if he has attained age sixty-five; otherwise he shall receive an ordinary disability retirement allowance which shall consist of:

(a) An employee annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

(b) A state annuity payable prior to age sixty-five which, together with his employee annuity, shall be equal to forty-five per cent of his average final compensation, except that if he has less than thirty-five years of creditable service, such state annuity, together with his employee annuity, shall be equal to such proportion of forty-five per cent of his average final compensation as the number of his years of creditable service bears to thirty-five, if such retirement allowance exceeds twenty-five per cent of his average final compensation; otherwise a state annuity which, together with his employee annuity, shall be equal to twenty-five per cent of his average final compensation, provided, however, that such allowance shall not exceed forty-five per cent of his average final compensation, except that if he would have less than thirty-five years of creditable service if he continued in service to age sixty-five, such allowance shall not exceed such proportion of forty-five per cent of his average final compensation as the number of years of creditable service he would have if he continued in service to age sixty-five bears to thirty-five; and

(c) A state annuity payable after age sixty-five which, together with his employee annuity, shall be equal to ninety per cent of the service retirement allowance that would be payable to him on the basis of his average final compensation and creditable service at the time of his ordinary disability retirement, if such retirement allowance exceeds an amount which, together with his primary insurance amount, shall be equal to the ordinary disability retirement allowance payable prior to age sixty-five; otherwise, a state annuity which, together with his employee annuity and his primary insurance amount, shall

be equal to the ordinary disability allowance payable prior to age sixty-five.

**5. Accidental Disability.** Amend paragraph IV of section 6 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945, as amended by section 1, chapter 131, Laws of 1947 (paragraph IV, section 7, chapter 100, RSA) by striking out said paragraph and inserting in place thereof the following new paragraph: IV. Upon accidental disability retirement the member shall receive a service retirement allowance if he has attained age sixty-five; otherwise he shall receive an accidental disability retirement allowance which shall consist of:

(a) An employee annuity which shall be of the actuarial equivalent of his accumulated contributions at the time of retirement; and

(b) A state annuity payable prior to age sixty-five which, together with his employee annuity, shall be equal to fifty per cent of his average final compensation; and

(c) A state annuity payable after age sixty-five which, together with his employee annuity, shall be equal to the service retirement allowance that would be payable to him if he continued in service to age sixty-five without change in his average final compensation and had thirty-five or more years of creditable service.

**6. Death Resulting from Accident.** Amend section 8 of chapter 27-A of the Revised Laws, as inserted by chapter 183 of the Laws of 1945 (section 9, chapter 100, RSA) by striking out said section and inserting in place thereof the following new section: **8. Accidental Death Benefits.** I. If, upon the receipt by the board of trustees of proper proofs of the death of a member in service indicating that such death was the natural and proximate result of an accident occurring while in the performance of duty at some definite time and place, and the board decides that death was the result of an accident in the performance of duty and not caused by wilful negligence on the part of the member, a state annuity shall be paid to his widow, to continue during her widowhood; or if there is no widow, or if the widow dies or remarries before the youngest child of the deceased member has attained age eighteen, then to his child or children under said age, divided in such manner

as the board in its discretion shall determine, to continue as a joint and survivorship state annuity for the benefit of such child or children under said age until every child dies or attains said age; or if there is no widow nor child under age eighteen living at the death of the member, then to his dependent father or dependent mother as the board shall determine, to continue for life; or if the deceased member is a female, the foregoing benefits shall be payable to her children or dependent parents only in like manner and amount; and provided further that if none of the aforementioned beneficiaries is living at the death of the member no benefit shall be payable under the provisions of this section.

II. Upon the accidental death of a member the amount of the state annuity payable shall be equal to the sum of

(a) thirty per cent of the portion of his average final compensation in excess of one thousand two hundred dollars but not in excess of four thousand two hundred dollars, and

(b) fifty per cent of the portion of his average final compensation in excess of four thousand two hundred dollars, if such state annuity, together with any survivors insurance benefits payable on account of the member's death, shall exceed fifty per cent of his average final compensation; otherwise the amount of the state annuity payable shall be such amount as together with any survivors insurance benefits payable on account of the member's death, shall be equal to fifty per cent of his average final compensation.

III. Any amounts which may be paid or payable under the provisions of any workmen's compensation or similar law or plan on account of the death of any member shall, in such manner as the board of trustees shall determine, be offset against and payable in lieu of any state annuity payable under the provisions hereof on account of the same death.

**7. Contributions by Employees.** Amend subparagraph (a) of paragraph I of section 13 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 (subparagraph (a) of paragraph I of section 14, chapter 100, RSA) by striking out said subparagraph and inserting in place thereof the following: (a) The employee annuity savings fund shall be a fund in which shall be accumulated contributions deducted from the compensation of members to provide for

their employee annuities. Such contributions shall be, for each member, at the rate determined in accordance with the following table:

Age When Contributions Begin	Percentage of Earnable	
	Compensation in Excess of \$1,200 but not in Excess of \$4,200	Percentage of Earn- able Compensation in Excess of \$4,200
17	2.59	4.32
18	2.66	4.43
19	2.72	4.53
20	2.78	4.63
21	2.84	4.74
22	2.91	4.85
23	2.98	4.97
24	3.07	5.11
25	3.14	5.24
26	3.23	5.38
27	3.33	5.55
28	3.44	5.73
29	3.55	5.91
30	3.67	6.12
31	3.71	6.18
32	3.74	6.24
33	3.78	6.30
34	3.82	6.36
35	3.86	6.44
36	3.91	6.51
37	3.95	6.59
38	4.00	6.66
39	4.05	6.75
40	4.10	6.84
41	4.16	6.93
42	4.21	7.02
43	4.27	7.11
44	4.32	7.20
45	4.38	7.30
46	4.44	7.40
47	4.51	7.51
48	4.57	7.61
49	4.63	7.72

50	4.69	7.82
51	4.76	7.93
52	4.82	8.04
53	4.89	8.15
54	4.96	8.27
55	5.03	8.39
56	5.11	8.51
57	5.18	8.64
58	5.26	8.76
59	5.33	8.88
60	5.41	9.01
61	5.46	9.10
62	5.52	9.20
63	5.59	9.31
64 and Over	5.65	9.41

As used in the foregoing table, the words "age when contributions begin" shall mean the age of the member when he last became a member of the system.

The board of trustees shall certify to each employer, and each employer shall cause to be deducted from the compensation of each member, on each and every payroll of such employer and every payroll period, the percentage of earnable income applicable to such member. Each employer shall certify to the board on each and every payroll, or in such other manner as the board may prescribe, the amounts deducted. Each of such amounts when deducted shall be paid to the retirement system and credited to the individual account, in the employee annuity savings fund, of the member from whose compensation the deduction was made.

**8. Additional Allowance.** Amend subparagraph (c) of paragraph I of section 13 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945, (subparagraph (c) of paragraph I of section 14, chapter 100, RSA) by striking out said subparagraph and inserting in place thereof the following: (c) In addition to the contributions deducted from the compensation of members as hereinbefore provided, and subject to the approval of the board of trustees and to such rules and regulations as the board may make with respect to the crediting of interest thereon, any member may provide an additional retirement allowance by making contributions at

an additional rate not in excess of the rate computed to be sufficient to provide an additional retirement allowance which, together with his regular retirement allowance will result in a total retirement allowance not in excess of (1) thirty per cent of the portion of his average final compensation in excess of one thousand two hundred dollars but not in excess of four thousand two hundred dollars, plus (2) fifty per cent of the portion of his average final compensation in excess of four thousand two hundred dollars. Such additional contributions shall become part of his accumulated contributions except in the case of retirement, when they shall be treated as excess contributions returnable to the member in cash or as an employee annuity of equivalent actuarial value.

**9. Accrued Liability Contribution.** Amend subparagraph (c) of paragraph III of section 13 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 (subparagraph (c) of paragraph III of section 14 of chapter 100, RSA) by striking out said subparagraph and inserting in place thereof the following: (c) Immediately after making each valuation during the period over which the accrued liability contribution is payable, the board shall determine the percentage normal contribution rate as the uniform and constant percentage of the earnable compensation of the average new entrant member which, if contributed on the basis of his compensation throughout his entire period of active service, would be sufficient to provide for the payment of any state annuity payable on his account from contributions by the state; provided, however, that if the basis of determining benefits payable from the retirement system shall be substantially changed, the percentage normal contribution rate shall be recomputed to reflect such change. After the accrued liability contribution has ceased to be payable, the percentage normal contribution rate shall be determined after each actuarial valuation as the rate per cent of the earnable compensation of all members obtained by deducting from the total liabilities of the state annuity accumulation fund the amount of the funds in hand to the credit of that fund and dividing the remainder by one per cent of the present value of the future compensation of all members.

**10. Rate.** Amend subparagraph (d) of paragraph III of

section 13 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 (subparagraph (d) of paragraph III of section 14 of chapter 100, RSA) by striking out said subparagraph and inserting in place thereof the following: (d) Immediately following the first actuarial valuation after the date of establishment, the actuary shall compute the rate per cent of the total annual earnable compensation of all members which is equivalent to four per cent of the total liabilities of the state annuity accumulation fund which is not dischargeable by the funds in hand to the credit of the state annuity accumulation fund and the aforesaid normal contribution made on account of such members during the remainder of their active service. The rate per cent originally so determined shall be known as the "accrued liability contribution" rate. In the event that the basis of determining benefits payable from the retirement system shall be substantially changed, the actuary shall recompute the accrued liability contribution rate. The recomputed accrued liability contribution rate shall be the rate per cent of the total annual earnable compensation of all members that the actuary computes will be required to discharge the part of the recomputed liabilities of the state annuity accumulation fund which is not dischargeable by the funds in hand to the credit of the state annuity accumulation fund and future payments of normal contributions over the period of time that is equal to the period of time that would have been required to discharge the corresponding part of the liabilities of the state annuity accumulation fund if the basis of determining benefits payable from the retirement system had not been so changed. The accrued liability contribution shall be discontinued as soon as the accumulated reserves in the state annuity accumulation fund equal the present value, as actuarially computed and approved by the board of trustees, of the total liabilities of the fund less the present value, computed on the basis of the normal contribution rate then in force, of the prospective normal contributions to be received on account of all members.

**11. Total Amount Payable.** Amend subparagraph (e) of paragraph III of section 13 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 (subparagraph (e) of paragraph III of section 14 of chapter 100, RSA) by striking out said subparagraph and inserting in place

thereof the following: (e) The total amount payable to the state annuity accumulation fund in each year shall be not less than the sum of the rates per cent known as the normal contribution rate and the accrued liability contribution rate, of the total compensation earnable by all members; provided, however, that the amount of each annual accrued liability contribution, except for the first contribution that takes into account any substantial change in the basis of determining benefits payable from the retirement system, shall be at least three per cent greater than the preceding annual accrued liability payment, and provided that the aggregate payment by the state shall be sufficient, when combined with the amount in the state annuity accumulation fund, to provide the state annuities payable out of the fund during the year then current.

**12. Certain Benefits Permitted.** Amend section 17 of chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 as amended by section 2, chapter 131, Laws of 1947 (section 18, chapter 100, RSA) by inserting at the end of said section the words, the provisions of this section shall not apply to any person participating in, or receiving or eligible to receive benefits under the old age and survivors insurance provisions of title II of the federal Social Security Act, as amended, so that said section, as amended, shall read as follows: **17. Limitation on Membership.** The retirement system and the provisions hereof shall not apply to any person benefited by or entitled to participate under any other provision of law which provides wholly or in part at the expense of the state or of any subdivision thereof, for retirement benefits for employees of the state, their widows, or other dependents. The provisions of this section shall not apply to any person participating in, or receiving or eligible to receive benefits under the old age and survivors insurance provisions of title II of the federal Social Security Act, as amended.

**13. Past Contributions.** Amend chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 (chapter 100, RSA) by inserting after section 18 the following new section: **19. Determination of Excess.** There shall be determined for each member as of the date of modification the excess, if any, of his accumulated contributions over the



accumulated contributions that would have resulted if in each year of his previous membership such member had made contributions at the rate or rates prescribed in subparagraph (a) of paragraph I of section 13 as hereinbefore amended as applied to his earnable compensation as of said date of modification. If the member shall request it within six months after the date of modification, the excess shall be returned to him. Otherwise such excess shall be added to his accumulated contributions and, upon his retirement, shall be used to provide an additional employee annuity of equivalent actuarial value; and such additional employee annuity shall be disregarded in computing his state annuity hereunder.

**14. Subdivisions; Exclusion.** Amend chapter 201 of the Laws of 1945 by inserting after section 5 (section 35, chapter 100, RSA) thereof the following new section: **5-a. Limitation.** Notwithstanding the provisions of the foregoing section, any allowance or benefit provided for under said chapter 27-A which is computed by reference to the member's primary insurance amount or to the survivor's insurance benefit shall not be payable with respect to a member whose service performed in the employ of the subdivision at the time of his retirement was not covered under an agreement between the state and the Secretary of Health, Education and Welfare made under the provisions of chapter 234 of the Laws of 1951.

**15. Accrued Liability Rate.** Amend paragraph II of section 6 of chapter 201 of the Laws of 1945 (paragraph II, section 36, chapter 100, RSA) by striking out the words "was originally" in the tenth line of said paragraph, and inserting in place thereof the word, is, so that said paragraph as amended shall read as follows: II. Employers whose employees become members of the state employees' retirement system under the provisions of this act shall make contributions in behalf of their employees corresponding to the contributions which the state makes in behalf of state employees, except that each employer shall make a special accrued liability contribution, which shall be determined by an actuarial valuation of the accrued liability on account of the employees of such employer who elect to become members, in the same way as the accrued liability rate is determined for state employees. The special accrued liability contribution rate for all employers electing

to have their employees participate as of July 1, 1946 shall be based on a combined valuation for all such employers and shall be uniform for all such employers. Notwithstanding the foregoing, regardless of date of participation, the special accrued liability contribution on account of employees, who were members of a local retirement system discontinued in accordance with section 3 of this act, shall be determined on the basis of a special valuation of the benefits to be paid on account of such employees. The special accrued liability contribution, subject to such adjustment as may be necessary on account of any additional prior service credits awarded to employees of such employer, shall be payable by each employer in lieu of the accrued liability contribution payable by the state on account of state employees. The expense of making the valuation to determine any special accrued liability contribution shall be assessed against and paid by the employer or employers on whose account the valuation is necessary.

**16. Application of Part.** Notwithstanding any other provisions of law, the provisions of this Part shall not take effect nor have any application whatsoever unless and until the following conditions are met: I. A referendum has been conducted with respect to the employees of the state as authorized in paragraph I of section 13 of chapter 234 of the Laws of 1951 as hereinbefore inserted;

II. The governor has received satisfactory evidence with respect to such referendum that the conditions specified in chapter 218 (d) (3) of the Social Security Act have been met, and he has so certified to the Secretary of Health, Education and Welfare as required in paragraph II of said section 13, and

III. The state agency established in paragraph IV of section 2 of said chapter 234, acting pursuant to section 2 of Part III of this act, has requested the Secretary of Health, Education and Welfare to effect a modification of the agreement between the state and the Secretary of Health, Education and Welfare made under the provisions of said chapter 234 so as to include under said agreement service which under said chapter constitutes employment performed in the employ of the state, such modification to be effective with respect to service performed after December 31, 1954; and the Secretary

of Health, Education and Welfare has granted said request. If said conditions shall, in his opinion, be met, the attorney general shall on or about July 1, 1956, file his certificate to that effect in the office of the secretary of state; and this part shall thereupon take effect and be deemed to be effective as of said July 1, 1956, and thereafter.

**17. Subdivisions.** Amend chapter 201 of the Laws of 1945 (chapter 100, RSA) by inserting after section 9 thereof the following new sections: **10. Revocation of Election.** Notwithstanding any provision of law to the contrary, the governing body of any county, city, town, school district or other political subdivision which has heretofore elected to have its officers and employees become eligible to participate in the state employees' retirement system, may, by resolution legally adopted, revoke such election with respect to officers and employees who shall enter the service of such political subdivision on or after July 1, 1956, and with respect to officers and employees in the service of such subdivision on June 30, 1956 who are inactive members of the state employees' retirement system. As used herein, the phrase "inactive members of the state employees' retirement system" shall mean and refer to persons in the employ of an employer with respect to whom there have not been made the deductions and contributions to the state employees' retirement system directed by this chapter. The phrase shall also include persons who have elected not to become members of said system under an option allowed by law. Such election shall not affect the rights and obligations of the active members or beneficiaries of the employer, nor of the employer with respect to such active members and beneficiaries, except as hereinafter set forth.

**11. Notice to Trustees.** The clerk of the subdivision shall forthwith upon the adoption of such resolution notify the trustees thereof, and shall furnish such other information with respect to the employees of the subdivision as the trustees shall request.

**12. Contributions.** Upon the receipt of such notification, and from time to time thereafter, the trustees shall determine the contributions thence forth to be made by the employer with respect to its active members and beneficiaries. The contributions of each employer shall be determined on the basis such

that its own past and future contributions shall provide the reserve heretofore established and to be established in the future for the state annuities of its employees. The trustees shall notify the employer of such determination, and the employer shall thereafter contribute to the state employees' retirement system in accordance therewith.

## PART V.

### Administrative; Miscellaneous

**1. Retired Members.** Nothing herein shall be construed as affecting retirement benefits of members of the system who have or shall have retired prior to July 1, 1956, and said benefits shall be payable as provided by chapter 27-A as in force prior to the amendments to said chapter provided for herein.

**2. Administration and Employees' Retirement System.** Nothing contained in this act shall be construed or deemed to divest the trustees of the employees' retirement system of the state of New Hampshire of any of their powers and duties in the management, administration and control of said system and its funds except as herein specifically directed; nor shall this act be deemed to confer any powers and duties with respect to said system or its funds, except to the extent provided herein, upon any other official or agency of the state.

**3. Certainty of Obligation.** Nothing contained in or done pursuant to this act shall in any way affect the obligation of the state with respect to bonds and notes issued or to be issued under chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945, and to the extent that any of the proceeds of such bonds or notes shall be used under the provisions of this act to such extent the purpose for which said proceeds are so used shall be deemed a purpose for which said bonds or notes were originally authorized.

**4. Designation of Agency.** Whenever the governor and council shall find that it would be for the best interest of the state that one agency should administer both the employees' retirement system of the state of New Hampshire established in chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945 as amended (chapter 100, RSA) and the provisions of chapter 234 of the Laws of 1951, they may desig-

nate the trustees of said system or any division which the trustees may establish for that purpose to be the state agency as that term is defined in said chapter 234. If such designation is made, all of the functions, powers, duties, records, property and unexpended funds of the department of public welfare pertaining to said chapter 234 shall be transferred to said trustees.

**5. Appropriation.** The sum of two thousand five hundred dollars, or so much thereof as shall be required, is hereby appropriated for expenditure by the governor in the conduct of the referendum of the employees of the state authorized in paragraph I of section 13 of chapter 234 of the Laws of 1951 as hereinbefore inserted. The sum of two thousand five hundred dollars, or so much thereof as shall be required, is hereby appropriated for the use of the governor in the conduct of the referenda of the employees of the several political subdivisions authorized in the manner prescribed in paragraph III of section 13 of chapter 234 of the Laws of 1951 as hereinbefore inserted; provided, however, that each such subdivision shall reimburse the state for the expenses incurred in such referenda in the proportion that the number of employees of such subdivision eligible to vote in a referendum bears to the total number of employees of political subdivisions eligible to vote in the state. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**6. Takes Effect.** Except as otherwise hereinbefore provided, this act shall take effect upon its passage.  
[Approved August 5, 1955.]

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## CHAPTER 302.

### AN ACT RELATIVE TO FLAG-BEARING BATTALIONS OF THE NEW HAMPSHIRE NATIONAL GUARD.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Adjutant General's Department.** There is hereby appropriated the sum of \$910.00 for the purchase and acquisition of ten state flags together with tassels and staff to be assigned

by the adjutant general to the various flag-bearing battalions and other units of the New Hampshire national guard. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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### CHAPTER 303.

#### AN ACT RELATIVE TO COLBY JUNIOR COLLEGE HIGHWAY AND SUTTON ROAD.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Repeal.** Chapter 11 of the Laws of 1953, changing the name of a part of Route 114 to Colby Junior College Highway is hereby repealed.

**2. Highway Markers.** The commissioner of public works and highways shall cause to be removed the markers designating Colby Junior College Highway. He shall cause to be erected markers at the several appropriate junctions on Routes 114, 103, 11, 10 and 4, and at any other points deemed desirable, which will adequately identify the town of Sutton and Colby Junior College.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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### CHAPTER 304.

#### AN ACT TO LAY OUT AND CONSTRUCT A SERVICE ROAD CONNECTING WITH THE EASTERN NEW HAMPSHIRE TURNPIKE.

WHEREAS public necessity requires a service road on the Eastern New Hampshire Turnpike at a point on the easterly

side thereof extending from the southerly side of Echo Avenue in the city of Portsmouth to the southerly side of Gosling Road in said Portsmouth,

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Eastern New Hampshire Turnpike.** Amend section 1, chapter 295, Laws of 1947 as inserted by chapter 237, Laws of 1953 (section 1, chapter 256, RSA) by adding at the end thereof the following new paragraph: (n) Construct a service road along the easterly side of the Eastern New Hampshire Turnpike, at a point commencing at the southerly side of Echo Avenue in the city of Portsmouth, and running northerly to the southerly side of Gosling Road in said Portsmouth, with access to the service road from land abutting the service road on the east; providing that all land required for such roads shall be provided without cost to the state, that all claims against the state as a result of construction of the Spaulding Turnpike and the service road shall also be waived by said land-owners and further provided that a sufficient balance from the funds established for the construction of the Spaulding Turnpike to provide such access road shall be available on completion of the project;

Further provided that upon completion of said service road, it be accepted by the city of Portsmouth and thereafter it will keep and maintain said service road without expense to the state of New Hampshire.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 305.

AN ACT RELATIVE TO THE USE AND DISPLAY OF THE STATE FLAG.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authorization.** Amend section 2-a of chapter 13 of the Revised Laws as inserted by section 7 of chapter 266 of the

Laws of 1953 (section 4, chapter 3, RSA) by striking out said section and inserting in place thereof the following new section: **2-a. Powers of the Governor.** The governor is authorized to make rules and regulations governing the use and display of the state flag not inconsistent with the provisions of chapter 443 of the Revised Laws; and it shall be lawful to use and display said flag in accordance with such rules and regulations.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 306.

### AN ACT TO CHANGE THE NAME OF THE BOARD OF NURSE EXAMINERS AND TO INCREASE THE FEES FOR NURSE REGISTRATION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Change of Name.** Amend section 1, chapter 257, Revised Laws as inserted by chapter 285, Laws of 1947, (section 1, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **1. Board of Nursing Education and Nurse Registration.** There shall be a board of nursing education and nurse registration consisting of five nurses, one to be appointed each year by the commissioner of education from a list of two nominated by the New Hampshire State Nurses Association. The term of office of each shall be five years and until a successor is appointed and qualified. Vacancies shall be filled in like manner for the unexpired term. No person shall be nominated for office as such board member unless he shall have had not less than five years of successful experience in the nursing profession, not less than two years of which experience shall have been in the field of professional nursing education. The board shall be responsible for the direction and supervision of nursing education in all the schools of nursing in the state.



**2. Change of Compensation.** Amend section 4, chapter 257, Revised Laws, as inserted by chapter 285, Laws of 1947, (section 4, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **4. Compensation.** Each member of the board shall be paid ten dollars for each day actually engaged on official duties hereunder, and shall be reimbursed for actual expenses incurred therein. Said compensation and expenses shall be paid by the state to an amount not exceeding the fees received hereunder.

**3. Uniformity of Wording.** Amend section 6, chapter 257, Revised Laws as inserted by chapter 285, Laws of 1947, and as amended by chapter 127, Laws of 1951, (section 6, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **6. Registration.** Any person of good moral character over twenty years of age who is a citizen of the United States or who has legally declared his intention of becoming one or who is a citizen of a Canadian province, who holds a diploma from a state accredited school of nursing giving a course of at least three years or its equivalent in a university or college of nursing, affiliated with an institution or institutions approved by the board as maintaining in this and other respects adequate standards, all of which shall be determined by the said board, and who shall have received from the board a certificate of qualification to practice as a registered nurse, shall be styled and known as a registered nurse and no other person shall assume such title or use the abbreviation R. N. or any other words, letters, or figures to indicate that the person using the same is a registered nurse.

**4. Persons from Other States.** Amend section 7, chapter 257, Revised Laws, as inserted by chapter 285, Laws of 1947, (section 7, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **7. Registration by Endorsement.** Any person from another state registered by the board as maintaining standards not lower than those provided by this chapter, who shall show to the satisfaction of the board that he is properly and duly registered for the practice of nursing in such state, upon the payment of the fee for a certificate of qualification provided herein, shall be entitled to registration by endorsement in this state without an examination.

**5. Change of Fees.** Amend section 8, chapter 257, Revised Laws, as inserted by chapter 285, Laws of 1947, (section 8, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **8. Fees.** Each person applying for certification of qualification to practice as a registered nurse, or for examination and such certification, shall pay to the commissioner of education a fee of fifteen dollars. The commissioner shall pay all fees so received and all fees from biennial permits to the state treasurer who shall keep the same in a separate fund to be used only for the purposes of the board hereunder.

**6. Change in Term of Permit.** Amend section 10, chapter 257, Revised Laws as inserted by chapter 285, Laws of 1947, (section 10, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **10. Biennial Permit.** Any person who has at any time received a certificate of qualification to practice as a registered nurse, whether in this or any other state and intends to engage in the practice of nursing in this state, shall biennially before July first, commencing July 1, 1956, file his name and address with the commissioner of education and pay to the commissioner a fee of three dollars, whereupon, if he has complied with all the requirements of this chapter and the rules and regulations of the board, he shall be granted a permit which shall entitle him to engage in the practice of nursing for the period ending on July first two years hence.

**7. Uniformity of Wording.** Amend section 11, chapter 257, Revised Laws, as inserted by chapter 285, Laws of 1947, (section 11, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **11. Prohibition.** No person shall engage in the practice of nursing in this state unless he has received a certificate of qualification to practice and unless he has received a biennial permit to so practice.

**8. Uniformity of Wording.** Amend section 12, chapter 257, Revised Laws, as inserted by chapter 285, Laws of 1947, (section 12, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **12. Persons Excepted.** This chapter shall not apply to the gratuitous nursing of, or caring for the sick by friends or members of the family, nor to any person nursing the sick for hire who does not in

any way assume to be a registered nurse. Provided further that a legally qualified nurse from another state may engage in the practice of nursing in this state, for a period not to exceed six months, if during said period application has been made for registration by endorsement hereunder.

**9. Uniformity of Wording.** Amend section 13, chapter 257, Revised Laws, as inserted by chapter 285, Laws of 1947, (section 13, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **13. Public Health Nursing.** No person shall engage in any of the various forms of public health nursing unless he is a registered nurse and holds a valid biennial permit as provided in section 10; provided that this section shall not affect any person who, previous to July 1, 1925, has been employed in this state in said capacity.

**10. Uniformity of Wording.** Amend section 14, chapter 257, Revised Laws, as inserted by chapter 285, Laws of 1947, (section 15, chapter 326, RSA) by striking out said section and inserting in place thereof the following: **14. False Representations.** Any person who shall wilfully make any false representation in applying for a certificate of qualification or biennial permit shall be fined not less than one hundred nor more than five hundred dollars.

**11. Effect of Change of Name.** The present board of nurse examiners are hereby constituted the board of nursing education and nurse registration provided for in section 1 of this act. The change of name hereby accomplished shall not affect the terms of office of the present members of said board, nor otherwise affect the tenure of such present members. All powers and duties heretofore vested in the board of nurse examiners by any other act or statute are hereby transferred to and vested in the said board of nursing education and nurse registration.

**12. Takes Effect.** This act shall take effect July 1, 1956. [Approved August 5, 1955.]

CHAPTER 307.

AN ACT TO SIMPLIFY REQUIREMENTS FOR ABSENTEE VOTING.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Absentee Voting.** Amend paragraphs II and III of section 61, chapter 34, Revised Laws, as amended by section 2, chapter 20, Laws of 1943 (paragraph II, section 2, chapter 60, RSA) by striking out said paragraph and inserting in place thereof the following:

II. Blank forms of application for such ballots worded as follows: To the city or town clerk of .....  
I ..... hereby apply for an official absent voting ballot. I am a duly qualified voter and entitled to vote in ward ..... city or town .....  
(Signature) .....  
(Street and number) .....  
(City or town, state) .....

III. Envelopes of sufficient size to contain the ballots specified in paragraph I, on which shall be printed the following: **Absence from City or Town.** A person voting by absentee ballot because of absence from the city or town in which he is entitled to vote shall fill out and sign the following certificate:

I do hereby certify, under the penalties of perjury, that I am a duly qualified voter in the city or town of ..... New Hampshire, in Ward ....., that I will be absent on election day from said city or town, and will be unable to vote in person; that on said day at least one city or town will intervene between the place where I am entitled to vote and the place where I am then; that I have carefully read the instructions forwarded to me with the ballot herein enclosed and that I personally marked the within ballot and enclosed and sealed it in this envelope.  
(Signature) .....

**Absence Because of Physical Disability.** A person voting by absentee ballot because of physical disability shall fill out and sign the following certificate:

I do hereby certify, under the penalties of perjury, that I am a duly qualified voter in the city or town of .....

New Hampshire, in Ward . . . . ., that on account of physical disability I am unable to vote in person; that I have carefully read the instructions forwarded to me with the ballot herein enclosed, and that I personally marked the within ballot and sealed it in this envelope.

(Signature) . . . . .

**2. Duties of Clerk.** Amend section 63 of chapter 34, Revised Laws (section 4, chapter 60, RSA) by striking out the same and inserting in place thereof the following:

**63. Forwarding Ballots.** When an application for an official absent voting ballot is received by the clerk of a city or town, whether on the form supplied by the secretary of state, or by written statement or oral request containing the information required by paragraph II of section 61, said clerk shall check the same and ascertain if the person is on the check-list of the town or city. He shall then deliver or mail the papers described in paragraphs I, II and IV of section 61 and shall keep lists of the names and addresses, arranged by voting places, of all persons to whom official absent voting ballots have been sent. Copies of said lists shall be open to inspection and shall be posted at the polling places during the day of the election.

**3. Penalties.** Amend section 75 of chapter 34 of the Revised Laws (section 15, chapter 60, RSA) by striking out said section and inserting in place thereof the following: **75. Penalties.** Whoever, prior to the closing of the polls upon election day, shall show or exhibit an unsealed absent voter's ballot to any person, or shall use an absent voter's ballot for any purpose except to vote the same, shall be fined not more than one hundred dollars; provided, that this provision shall not apply to any person engaged in printing or distributing or otherwise dealing with said ballots according to law; and whoever, not being entitled to vote under the provisions of this subdivision, votes or attempts to vote under the provisions hereof, or, being entitled to vote under the provisions, hereof, knowingly votes or attempts to vote in violation of the terms hereof, shall be fined not more than five hundred dollars or imprisoned not more than one year or both.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 308.

AN ACT RELATIVE TO THE TAKING OF OYSTERS, LOBSTERS, CRABS  
AND CLAMS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

1. **Oysters, Taking of.** Amend section 60 of chapter 245 of the Revised Laws as amended by section 1 of chapter 214 of the Laws of 1953 (section 51, chapter 211, RSA) by striking out said section and inserting in place thereof the following:  
**60. Oysters.** No person shall at any time take oysters from Great Bay or its tributaries, Little Bay, Durham river or Piscataquog [Piscataqua] river unless he is a resident of the state or a non-resident owning real estate in the state, nor unless he has been duly licensed to take oysters as provided in section 61-b of this chapter. No person shall take oysters during the months of June, July and August, or through the ice, or in any manner other than by the use of hand tongs or from the shore by hand. The taking of oysters permitted under the provisions of this section shall be prohibited between two hours after sunset and one hour before sunrise.

2. **Limit of Taking.** Amend section 61 of chapter 245 of the Revised Laws (section 52, chapter 211, RSA) by adding after the words "bushel of" in the first line, the word, unshucked, so that said section as amended shall read as follows:  
**61. Limit.** No person shall take more than one bushel of unshucked oysters from said waters in one day, unless said oysters have been bedded in said waters by the person taking the same.

3. **Licenses, Minors.** Amend section 61-b of chapter 245 of the Revised Laws, as inserted by section 2, chapter 214, Laws of 1953 (section 54, chapter 211, RSA) by striking out said section and inserting in place thereof the following: **61-b.**

**Licenses for Taking.** Any resident of the state, or non-resident owning real estate in the state, over the age of sixteen years may, on application to the director or his designated agent be granted a license to take oysters as provided in this section. Said license shall be for the current calendar year and the fee for each such license shall be two dollars. Any resident of the state who is under the age of sixteen years may take oysters as provided in section 60 without a license therefor.

4. **Fines.** Amend section 64 of chapter 245 of the Revised Laws, as amended by chapter 124, Laws of 1943 and chapter 199, Laws of 1953 (section 57, chapter 211, RSA) by striking out said section and inserting in place thereof the following:

**64. Penalty.** Whoever violates a provision of section 63, or any rule or regulation promulgated thereunder relative to taking or possessing clams or clam worms shall be fined not more than ten dollars and not more than five dollars for each peck of clams taken or possessed in violation thereof.

5. **Penalty.** Amend section 65 of chapter 245 of the Revised Laws (section 58, chapter 211, RSA) as amended by section 2, chapter 67, Laws of 1945, by adding at the end the words, and not more than five dollars for each bushel of oysters taken or possessed in violation thereof, so that said section as amended shall read as follows: **65. Penalties.** A person who violates a provision of this subdivision shall be fined as follows: For each violation of sections 57, 58, 59, and 59-a, not more than fifty dollars; of sections 60 to 62 inclusive, not more than ten dollars and not more than five dollars for each bushel of oysters taken or possessed in violation thereof.

6. **Time of Taking.** Amend chapter 245 of the Revised Laws (chapter 211, RSA) by inserting after section 63 thereof the following new section: **63-a. Clams; Time of Taking.** The taking of clams by any person under the authority of section 63 of this chapter between two hours after sunset and one hour before sunrise is prohibited. Any person who violates the provisions of this section shall be fined not more than ten dollars and not more than five dollars for each peck of clams taken or possessed in violation thereof.

7. **Licenses.** Amend section 43 of chapter 245 of the Revised Laws, as amended by section 3, chapter 12, Laws of 1950

(section 21, chapter 211, RSA) by striking out in the fourth line the words "in the discretion of the director" so that said section as amended shall read as follows: **43. Revocation; Suspension.** Persons convicted for violation of the provisions pertaining to taking lobsters and crabs shall forfeit their license for not more than one year. If an appeal is taken the license shall be suspended pending the disposition of said case and for not more than one year thereafter from date of conviction by the higher court. The director shall revoke the license of any person who has been found guilty in any court a second time within five years of the first finding of guilt, of a violation of any such laws or regulations, for a period of not less than one, nor more than three years from the date of such finding or conviction. The director may order any license to be suspended or revoked, after due hearing, for any cause that he may deem sufficient. Any person whose license has been revoked or suspended shall not accompany any licensed fisherman or assist him in any way while he is engaged in taking or transporting lobsters or crabs.

**8. Residence Requirement.** Amend section 44 of chapter 245 of the Revised Laws, as amended by section 5, chapter 12, Laws of 1950 (section 23, chapter 211, RSA) by adding at the end thereof the following: Provided further that the five-year resident requirement for a license shall be waived in the case of a resident who does not at any one time use more than five traps for taking of lobsters, so that said section as amended shall read as follows: **44. Who May Take Lobsters and Crabs.** No person shall take lobsters or crabs from the waters of New Hampshire unless he is a *bona fide* resident of the state, and no license shall be issued to a person unless he shall furnish proof that he has resided within the state for at least five years immediately preceding his application for a license and has not during that time claimed a residence in any other state for any purpose. Provided further that the five-year resident requirement for a license shall be waived in the case of a resident who does not at any one time use more than five traps for taking of lobsters.

**9. Canned Lobster Meat.** Amend section 47-b of chapter 245 of the Revised Laws, as inserted by section 3, chapter 200 of the Laws of 1951 and as amended by section 1, chapter 231,



Laws of 1951 (section 29, chapter 211, RSA) by adding at the end thereof the following: Provided, however, that the provisions of this section shall not prohibit the sale of lobsters canned in hermetically sealed cans not requiring refrigeration when the contents of the cans do not weigh over eight ounces net, so that said section as amended shall read as follows: **47-b. Lobster Meat.** No person, firm or corporation shall transport, possess or offer for sale lobster meat from sources outside the jurisdiction of this state unless such meat shall comply with section 47 of this chapter. The inclusion of any such meat of less than the prescribed legal length within any container, package, receptacle or tray shall subject all such meat included in said container, package, receptacle, or tray to be forfeited and the possessor of such meat shall be subject to the penalty imposed for violation of section 47. Provided, however, that the provisions of this section shall not prohibit the sale of lobsters canned in hermetically sealed cans not requiring refrigeration when the contents of the cans do not weigh over eight ounces net.

**10. Clams.** Amend section 63 of chapter 245 of the Revised Laws as amended by chapter 124 of the Laws of 1943, chapter 132 of the Laws of 1945, chapter 214, Laws of 1951 and chapter 215 of the Laws of 1953 (section 56, chapter 211, RSA) by striking out said section and inserting in place thereof the following: **63. Clams; Regulations; Licenses and Permits.** Residents of this state and non-residents owning real estate in the state licensed by the fish and game commission shall be permitted to dig one peck of clams per day for personal use but not for commercial use within the public waters or flats of New Hampshire but such clams shall not be taken between two hours after sunset and one hour before sunrise. Said residents and non-residents shall be permitted to dig clams in the aforesaid places by the use of clam-digging forks. Clam worms shall not be dug for resale except by residents of this state. Provided further that these restrictions shall not apply to the fish and game commission or its authorized representatives in conducting their experimental work. No clams under two inches shall be taken. The commission shall require annual licenses and permits for the taking of clams and shall charge a fee of two dollars for each such license. The director may authorize

town or city clerks to issue clam licenses for a fee of two dollars, twenty cents of each fee to be retained by said clerk.

**11. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 309.

### AN ACT RELATIVE TO THE RATE OF TAX ON INTEREST AND DIVIDENDS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Income Tax.** Amend section 1 of chapter 78 of the Revised Laws (section 1, chapter 77, RSA) by striking out said section and inserting in place thereof the following: **1. Rate.** The annual tax upon incomes shall be levied at the rate of four and one quarter per cent. ( $4\frac{1}{4}\%$ )

**2. Takes Effect.** This act shall take effect as of January 1, 1956.

[Approved August 5, 1955.]

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## CHAPTER 310.

### AN ACT RELATIVE TO WEIGHT OF CERTAIN SMALL COMBINATION VEHICLES AND SEMI-TRAILERS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Exception.** Notwithstanding the provisions of chapter 230, Laws of 1955, any combination of vehicle and semi-trailer equipped with three axles and with distance between extreme axles of less than twenty-five feet, which are now or may hereafter be registered, may be operated upon the ways of this state with a maximum gross weight of fifty thousand pounds.

**2. Authority of Motor Vehicle Commissioner.** Amend section 37, chapter 119, Revised Laws as amended by section 1,

chapter 11, Laws of 1947, section 1, chapter 104, Laws of 1949, sections 1 and 2, chapter 11, Laws of 1950, section 11, chapter 20, Laws of 1951 (section 61, chapter 263, RSA) and as further amended by section 1, chapter 230, Laws of 1955, by inserting at the end of said section the following new paragraph: XIV. In determining the gross weight of vehicles under the tables as set forth in paragraphs VII and VIII the motor vehicle commissioner shall, in cases where the distance between extreme axles is not in exact number of feet, be governed by the following: If the distance is six inches or less in excess of the number of feet stated in the table the gross weight shall be deemed to be the number of feet stated in the table; if the distance is more than six inches in excess of the number of feet in the table the gross weight shall be deemed to be the next higher number of feet.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 311.

AN ACT RELATING TO THE APPORTIONMENT OF EXPENSES FOR  
MUNICIPALITIES IN FIGHTING FOREST FIRES AND TO  
CLASS V ROAD AID.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Forest Fire Expenses.** Amend section 24 of chapter 233 of the Revised Laws as amended by chapter 93 of the Laws of 1949 and chapter 212, Laws of 1951 (section 15, chapter 224, RSA) by striking out the words "one-half" in line eleven thereof and inserting in place thereof the words, one-quarter, so that the same as amended shall read as follows: **24. Apportionment.** The expenses of fighting forest and brush fires in towns, and other expenses lawfully incurred by wardens and deputy wardens of said towns in preventing forest fires, shall be borne equally by the municipality and the state, except as otherwise herein provided, and except that when in any one town or city fiscal year the net total of sums required for the

suppression and prevention of forest and brush fires, excluding the initial cost of fire fighting equipment, to be so borne by such municipality, computed at rates within limits established by the forestry and recreation commission and the state forester, shall equal one-quarter of one per cent of the latest equalized locally assessed valuation on such municipality, expenses incurred in excess of such sum shall be borne entirely by the state on the basis of the rate limits above specified. The provisions of this section shall not apply to expenses incurred in fighting any forest or brush fire when, as determined by the state forestry and recreation commission, such fire was caused by the negligence of the town or of its agents. Any determination of the forestry and recreation commission under the provisions of the preceding sentence shall be subject to rehearing and appeal as provided in chapter 414 of the Revised Laws.

**2. Forest Fire Bills.** Amend section 31-a of chapter 233 of the Revised Laws (chapter 224, RSA) as inserted by section 1, chapter 188, Laws of 1955, by striking out the word, "one-half," and inserting in place thereof the word, one-quarter, so that said section as amended shall read as follows: **31-a. Payment by the State.** When, in the opinion of the state forester, the expenses of fighting forest and brush fires in towns, and other expenses lawfully incurred by wardens and deputy wardens of said towns in preventing forest fires, shall exceed an amount equal to one-quarter of one per cent of the latest equalized locally assessed valuation on such municipality, the state may pay such bills in the first instance.

**3. Class V Highways.** Amend section 10 of Part 13, chapter 90 of the Revised Laws as inserted by section 1, chapter 83, Laws of 1951, as amended by chapter 30, Laws of 1953 (section 11, chapter 241, RSA) by striking out the same and inserting in place thereof the following: **10. Maintenance Allotment by State.** In addition to any funds hereinbefore apportioned for construction and reconstruction purposes, the commissioner, in the month of July in each year, shall allot to each town a sum sufficient, when added to the amount which would be derived by a tax of twenty cents on each one hundred dollars of the town's last equalized valuation, to equal one hundred fifteen dollars for each mile of regularly maintained class V

highway in such towns. The sums so allotted shall be used for the care and maintenance of class V highways and for no other purposes, under the supervision of the commissioner, and shall be expended in accordance with specifications provided by the commissioner under the direction of a person or persons appointed by the selectmen of the town.

**4. Takes Effect.** The provisions of section 3 hereof shall take effect as of July 1, 1956. The remaining provisions of this act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 312.

### AN ACT RELATIVE TO POWERS OF THE SUPERIOR COURT ON IMMUNITY OF WITNESSES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Privilege Against Self-Incrimination.** No witness summoned by the attorney general in the course of the investigation of subversive activities as provided in chapter 307 of the Laws of 1953 as amended by chapter 197, Laws of 1955, shall be excused from giving his testimony or producing documentary evidence upon the ground that such testimony or documentary evidence could tend to incriminate him provided that upon claim of privilege against self-incrimination, on relation of the attorney general, any justice of the superior court has adjudged the testimony of such witness or the production of such evidence to be necessary in the public interest confirmed by such justice in a written communication to the witness which shall be made a part of the record of the hearing, case or proceeding in which such testimony or evidence is given. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise and no testimony so given by him shall in any prosecution be used as evidence, either directly or indirectly, against him nor shall he thereafter be prosecuted for any offense so disclosed by him.

2. **Limitation.** No witness shall be exempt under any provision hereof from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided for herein.

3. **Federal Immunity.** Should federal law subsequently permit a grant of concurrent federal immunity the attorney general is directed to request such concurrent federal immunity in the case of each witness about to be compelled to testify by authority of this act.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 313.

### AN ACT PROVIDING FOR THE DEVELOPMENT OF CONCORD LAKE PROJECT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Concord Lake Study Commission.** There is hereby directed to be created a commission to consist of seven members of whom at least three shall be from Concord and two from Bow to be appointed by the governor, and to be known as the Concord Lake Study Commission. One member of the total number of members shall be a resident owner of land under study by the commission as submerged or littoral areas of the Concord Lake Project so-called. The members of the commission originally appointed shall hold office until August 1, 1957, at which time this commission shall be terminated. If any vacancy shall occur in the membership prior to such date it shall be filled by appointment of the governor with the advice and consent of the council for the remainder of the unexpired term. Commission members shall serve without pay except that they shall be reimbursed for their actual expenses while engaged in the business of the commission from the voluntary contributions hereinafter authorized to be solicited.

2. **Duties of the Commission.** The commission shall study the feasibility of constructing on Turkey River in Concord at

a point westerly of St. Paul's school, a dam, the crest of the spillway of which shall not exceed an elevation of three hundred forty feet above sea level, for the purpose of creating an artificial body of water suitable for recreational and other public uses to be known as Concord Lake. The commission may also study other locations in the vicinity which might be suitable for the creation of such a lake. The commission shall make studies of the various public uses which such a body of water could serve; and it shall cause to be made such studies as are necessary to determine whether the creation of the said Concord Lake is physically and financially feasible, to determine the area of land necessary to be acquired to create the said Concord Lake including the area of littoral land necessary or desirable to be acquired to fulfill the various public uses which Concord Lake might reasonably serve, to determine the revenue producing potentials of such areas of land as might be acquired and to determine whether such a facility can be constructed, operated and maintained under the direction of a state commission without appropriation of funds by the state or a pledge of the state's credit, by the sale of bonds secured by revenues expected to be earned from the lake facility and the properties thereof. The commission shall cause to be made all such studies as are reasonably necessary or desirable in the determination of the foregoing matters and matters reasonably incident thereto. The commission shall make a report to the governor and council of the results of the studies that it shall have made by November 1, 1956.

**3. Revenues of the Commission.** The commission is hereby authorized to solicit and to receive from any donor voluntary contributions to the commission for the accomplishment of its purposes; and the city of Concord and other towns and cities in Merrimack county are hereby authorized to appropriate funds and make contributions to the work of the commission if they desire. The commission shall not incur obligations beyond the limits of amounts it shall have obtained from contributions to it.

**4. Powers of the Commission.** The commission shall be authorized to employ such engineers, surveyors, architects, experts, assistants, agents and servants as are necessary or desirable in the accomplishment of the purposes for which it is

created; provided, that the compensation, fees, charges or salaries of such individuals, firms or organizations shall be payable only from funds the commission shall have acquired by voluntary contributions as hereinbefore provided.

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 314.

AN ACT RELATIVE TO THE LACONIA STATE SCHOOL.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Laconia State School.** Amend chapter 129 of the Revised Laws, as amended by chapters 99 and 229, Laws of 1953, (chapter 171, RSA) by striking out said chapter and inserting in place thereof the following new chapter:

### Chapter 129

#### Laconia State School

**1. State School.** The state shall maintain a school for the care and instruction of the mentally deficient which shall be known as the Laconia State School.

**2. Trustees' Powers.** The trustees shall have the general management and supervision of said school, and once each month shall hold a meeting thereat. They shall have power to administer all rules and regulations as to admission to, and for the government and control of, said institution and its children, and to do everything necessary to properly care for and educate the mentally deficient persons of the state.

**3. Superintendent.** The trustees shall, subject to the approval of the governor and council, appoint a superintendent of the school who, subject to the control of the trustees, shall have charge of the lands, buildings, furniture, tools, implements, stock, provisions, and other property of the institution. He shall keep, in suitable books, regular and complete accounts of all his receipts and expenditures, and of the debts, credits,



contracts, and property of the institution, showing its income and expenses, and shall account to the trustees annually, and at such other times as they may require, for all money received and paid out by him. Such accounts shall be specific, containing the dates and amounts of all receipts, and the date, quantity and price of every article purchased or procured. There is specifically excepted from the foregoing such accounts and accountability as is required otherwise by the department of administration and control. The superintendent shall be a constant resident at the institution, and he and subordinate officers of the school, under his direction, shall have the custody and charge of the scholars therein, shall discipline, govern, instruct, and employ them, and shall use their best endeavors to preserve their health, promote their improvement in such studies, trades, and employments as may be suited to their ages and capacities, and to secure the formation of moral, religious and industrious habits.

**4. Deputy Superintendent.** The superintendent, subject to the approval of the board of trustees, shall appoint a deputy superintendent who shall perform such duties as may be assigned to him, and in the absence of the superintendent shall perform all of the duties of the superintendent.

**5. Detention.** Mentally deficient persons, legally received into said school shall be detained in custody, regardless of age or length of residence, if, in the judgment of the board of trustees, their segregation is for the best interest of the person concerned and of the public.

**6. State Charges.** All indigent mentally deficient persons in this state may be received as state wards.

**7. Non-residents.** Mentally deficient persons, residents of other states, may be received into said school provided there is space available without excluding resident persons found to be fit subjects for said school. Expenses for said non-resident persons shall be borne by the state of residence or any political sub-division thereof, or by persons legally chargeable with their support.

**8. Change of Residence.** If the residence of the parent or guardian of any mentally deficient person of the Laconia state school is changed to another state, the board of trustees

may negotiate with officials of the other state for a transfer of said person to the state of residence of the said parent or guardian. The trustees may also enter into agreements, reciprocal in nature, to accept transfers from like institutions of other states, of resident mentally deficient persons whose parent or guardian has established a legal residence in this state.

**9. Order of Admissions.** Prior consideration shall be given to applicants already supported at public expense.

**10. Defective Delinquents.** Whenever any mentally deficient person demonstrates, in the opinion of the board of trustees, by his continuous conduct that he may seriously injure or endanger other persons of the school, the trustees may, through the office of the attorney general, file a petition with the superior court, stating the method of original committal, the reasons for the transfer request, and the place to which said person is to be transferred. The superior court may approve such transfer if it is of the opinion that the best interests of the person and of the public are being served.

**11. Modification of Order.** The superior court shall have continuing jurisdiction to modify its order in such cases and shall consider petitions for further commitments as may be brought by the trustees of the receiving institutions.

**12. Costs of Maintenance.** The school shall continue to bear the necessary cost of maintenance and care of persons transferred under the authority of section 10, provided, however, that this in no way relieves the person or persons chargeable with the support of the said person, from their duty to pay to the state the costs as provided by law.

**13. Committals.** Any petition for the committal of any person to the Laconia state school shall be referred by the judge of probate to the mental hygiene clinic, or a suitable and adequate agency approved by the mental hygiene clinic, for study, report and recommendation, prior to hearing. Upon the finding that such person is a suitable subject for said institution, such person may be committed to said school by an order of commitment, directed to the superintendent, accompanied by a certified copy of the report prepared and executed by said clinic.

**14. Warrant; Return.** The register shall issue a warrant in duplicate, commanding such suitable person as the judge shall select to deliver the person ordered to be committed to the superintendent of said school. The agent shall endorse upon each copy that he has delivered the person as ordered, and the superintendent shall endorse upon each copy a receipt naming the agent from whom the person was received. One copy of the warrant so endorsed shall be returned to the court and filed with the commitment papers and the other copy shall be left with the superintendent. No male person, other than the husband or father, shall act as such agent for the commitment of a female unless accompanied by a responsible woman of mature age.

**15. Delinquents.** Defective delinquent persons having criminal records or criminalistic or incorrigible tendencies of such nature as to make their presence in said school detrimental to the other persons shall not be committed there, but may at the discretion of the judge of probate be detained pending proceedings for commitment to some other institution suited to their care.

**16. Fee.** Whenever, upon such application, there is occasion for a special session the judge of probate shall be allowed the legal fee and his expenses, to be paid by the county treasurer upon the certificate of the county commissioners.

**17. Committals by Municipal Courts.** Municipal courts may commit to the said school, under the provisions of section 15 of chapter 132 of the Revised Laws (section 18, chapter 169, RSA), provided that said person has been referred to the mental hygiene clinic as in the case of committals by the judge of probate under section 13 hereof.

**18. Committals by Superior Courts.** Whenever, in any proceeding before the superior court, it shall appear that any respondent or any person being examined as provided by section 4, chapter 314 of the Laws of 1949, is mentally deficient, the justice thereof may require an examination of said person by the mental hygiene clinic as provided in section 13 hereof. Upon a finding that said person is a fit subject for said school, the justice may issue an order of commitment directed to the superintendent and trustees thereof. The court shall have con-

tinuing jurisdiction and may alter or amend such order of commitment as may be necessary. Nothing contained herein shall relieve any person legally chargeable from payment for care and custody of said person.

**19. Placement.** The trustees may permit any person of the school to leave the institution on placement or change the conditions on which it is granted. They shall cause an investigation to be made prior to the granting of such placement, as to the home into which such person is to go if placed, and other conditions and circumstances which may affect his or her welfare and behavior, and shall provide such supervision of placed persons as may be deemed necessary for their welfare. The trustees may revoke the placement and order the return of the person to whom it has been granted. No length of absence or placement shall operate as a discharge from the school.

**20. Discharge.** Any person of the school may be discharged by any quorum of the trustees, or by a justice of the superior court, whenever a further detention at the school is in their opinion unnecessary; but any person so discharged who was under sentence of imprisonment at the time of his commitment, the period of which shall not have expired, shall be remanded to prison. The superintendent shall file with the state board of health the names of persons discharged, paroled or in placement from said school as provided in chapter 338, section 14.

**21. Escapes.** If any person shall escape from said school, it shall be the duty of the superintendent and his assistants, and of any police officer, sheriff, or deputy sheriff to take and detain such person without a warrant and return him forthwith to said school. All reasonable expense for such detention and return shall be borne by said school.

**22. Limitation.** Committal to and admittance into the Laconia state school shall be only in accordance with the provisions of this chapter.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

## CHAPTER 315.

AN ACT RELATIVE TO REIMBURSEMENT TO TOWNS AND CITIES FOR  
LAND TAKEN BY THE UNITED STATES FOR FLOOD CONTROL.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Permanent Reimbursement Policy for Real Estate Acquired for Flood Control Purposes.** Amend section 4, chapter 4, Revised Laws as amended by chapter 41, Laws of 1945, chapter 260, Laws of 1949 and chapter 128, Laws of 1953, (section 4, chapter 122, RSA) by striking out said section and inserting in place thereof the following: **4. Reimbursement to Cities and Towns Authorized.** On or before the first day of October of each year, the state treasurer shall pay to each town and city in which any taxable real estate or interest therein has been acquired hereunder by the United States and thus become tax exempt for such year, a sum equal to the taxes which would have been assessed against said real estate or interest therein in such town or city if the same had been included in the list of taxable property for such year at an assessed valuation of the same determined as provided in this section. For land acquired by the United States hereunder, reimbursement shall be made upon a valuation determined as provided herein on a permanently continuing basis, and if growing wood and timber was taxable as real estate on the date of acquisition by the United States of the land on which it stood, it shall be deemed to be land hereunder. For all artificial improvements on land acquired by the United States hereunder, including buildings, structures and other artificial real estate fixtures of whatsoever kind and nature, reimbursement shall be made upon a valuation determined initially as provided herein and thereafter annually reduced by two and one-half per cent so that at the end of forty years reimbursement therefor shall have terminated. On land and improvements thereon acquired by the United States hereunder prior to or on April 1, 1955, the tax commission shall, prior to September 15, 1955, fix anew such separate valuations thereon, for purposes of reimbursement, as will make the same currently proportional with the assessed value of all other property in the town or city which is subject to taxation; and the valuation of improvements thus determined shall thereafter be annually reduced over a forty-year period as above

provided. On land and improvements thereon acquired by the United States hereunder after April 1, 1955, the initial assessed valuation of the same for purposes of reimbursement shall be the locally assessed valuation thereon for the tax year in which acquired as adjusted by the assessors and the tax commission acting as a joint board, so as to make such valuation proportional to the value of all other property in such town or city subject to taxation; and for purposes of this section the joint board may subdivide such assessment equitably between land and improvements thereon or between real estate acquired and that not acquired, if the official assessment was not thus subdivided; and the valuations of improvements thus determined shall thereafter be annually reduced over a forty-year period as above provided. On land, the valuations initially established as above provided in a town or city shall be reviewed by the tax commission at least once in every five years and more frequently if reasonably necessary and be changed as necessary to make them proportional with the assessed value of all other taxable property in such town or city. The amount of the reimbursement due to each town and city hereunder shall be determined by the tax commission and certified by it to the state treasurer on or before the fifteenth day of September of each year. The tax commission shall reduce the amount of reimbursement thus determined by any amount paid or due that town or city for that year by or from the United States, another state, an interstate flood control agency or other source, because of such loss of taxable valuation. The governor is authorized to draw his warrant for the payment of such reimbursements out of any money in the treasury not otherwise appropriated. Provided however, that reimbursement payments for loss of taxes on account of the acquisition of railroad or public utility property shall be reduced to the extent that such railroad or public utility property is relocated and reconstructed in the same town or city as a result of such acquisition, and thereby is included to that extent in the list of taxable property in said town or city as relocated.

2. **State Funds.** Amend section 6, chapter 4, Revised Laws, (section 6, chapter 122, RSA) by striking out said section and inserting in place thereof the following: **6. Funding of Reimbursement.** The tax commission shall propose to each biennial session of the legislature an estimate of the full

amount needed to make the reimbursements provided for in section 4 for the ensuing biennium. In the event that the amount appropriated in any biennium shall be insufficient, then the towns and cities entitled to benefits hereunder shall be reimbursed proportionately, unless otherwise subsequently ordered by the legislature.

**3. Takes Effect.** The provisions of section 2 hereof shall take effect as of July 1, 1957 and the remaining sections hereof shall take effect upon the passage of this act.

[Approved August 5, 1955.]

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## CHAPTER 316.

AN ACT RELATING TO CERTIFICATES REQUIRED IN COMMITTING A PATIENT TO THE STATE HOSPITAL.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Committal to State Hospital.** Amend section 18 of chapter 17 of the Revised Laws (section 21, chapter 135, RSA) by inserting after the word "court" in the seventh line the words, or a chief or deputy chief of police, so that said section as amended shall read as follows: **18. Physicians' Certificates.** No person shall be committed to the state hospital, except as otherwise specially provided, without the certificate of two reputable physicians that such person is insane, given after a personal examination made within one week of the committal. Such certificate shall be accompanied by a certificate of a judge of the superior or probate court, a county commissioner, mayor, or city clerk, or a justice of the municipal court, or a chief or deputy chief of police of a city, or one of the selectmen of a town, or the town clerk, certifying to the genuineness of the signatures and the respectability of the signers. The physicians making such examination shall be legally registered to practice medicine in this state, and in the actual practice of their profession at the time of said examination and for at least three years prior thereto. They shall act jointly in making such examination, and their certificate shall bear the date thereof. Neither of said physicians shall be a relative of the person

alleged to be insane, or an official of the institution to which it is proposed to commit him. The certificate of insanity shall be in the form prescribed by the commission of mental health and shall contain the facts and circumstances upon which the judgment of the physicians is based.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 317.

### AN ACT PROVIDING FOR THE ELECTION OF COUNTY COMMISSIONERS FROM THE COMMISSIONER DISTRICTS OF HILLSBOROUGH COUNTY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Hillsborough County.** Amend section 1 of chapter 45 of the Revised Laws (section 1, chapter 64, RSA) as amended by section 1, chapter 261, Laws of 1955 by striking out said section and inserting in place thereof the following: **1. Election; Term.** There shall be chosen at each biennial election, by ballot, by the inhabitants of the several towns in each county qualified to vote for state senators, a sheriff, a county solicitor, a county treasurer, a register of deeds, a register of probate and three county commissioners, each of whom shall take office on January first next succeeding his election, and shall hold the same for two years and until his successor is chosen and qualified, provided, however, that in the counties of Grafton and Hillsborough the inhabitants of the several towns in each of the commissioner districts, so qualified, shall choose at each election one commissioner for said district.

**2. Commissioner Districts.** Amend chapter 45 of the Revised Laws (chapter 64, RSA) by inserting after section 2 the following new section: **2-a. Hillsborough County.** The county of Hillsborough is divided into three districts, as provided in paragraph I, section 14, chapter 45, Revised Laws, for the purpose of choosing county commissioners and each district is entitled to elect one commissioner.



**3. Qualifications.** Amend section 2 of chapter 45, Revised Laws (section 2, chapter 64, RSA) as amended by section 3, chapter 261, Laws of 1955, by striking out said section and inserting in place thereof the following: **2. Eligibility.** No person is eligible to the office of sheriff, county solicitor, county treasurer, register of deeds, register of probate, or county commissioner unless he is a resident of the county for which he is chosen, and, in the case of the county commissioners of the counties of Grafton and Hillsborough unless he is a resident also of the district for which he is chosen. No person shall hold two of said offices at the same time, and the acceptance of one of them shall be a resignation of the others.

**4. Commissioners.** Amend section 15, chapter 45, Revised Laws (section 12, chapter 64, RSA) by striking out said section and inserting in place thereof the following: **15. Eligibility, Voting and Election.** In the foregoing counties, no person shall be eligible to be a candidate for county commissioner except from the district in which he is a resident. The inhabitants of said counties may vote for not more than one candidate from each district, except in the counties of Grafton and Hillsborough where the inhabitants of each district therein may vote for not more than one candidate from said district. In all of said counties the candidate receiving the highest number of votes in any one district shall be declared elected county commissioner from that district.

**5. Takes Effect.** This act shall take effect for the nomination and election of Hillsborough county commissioners at the biennial election in 1956, but nothing herein shall be construed as affecting the term of office or the qualifications of county commissioners in office at the time this act takes effect.

[Approved August 5, 1955.]

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## CHAPTER 318.

### AN ACT CONCERNING INVESTMENTS BY SAVINGS BANKS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Investments of Savings Banks; Limitations.** Amend

paragraph I of section 3 of chapter 310 of the Revised Laws as inserted by chapter 195 of the Laws of 1953 (section 3, chapter 387, RSA) and as amended by section 18, chapter 214, Laws of 1955, by striking out said paragraph and inserting in place thereof the following: I. Not exceeding fifteen per cent of the capital funds shall be invested in the obligations or stock of any individual, partnership or corporation except public obligations and loans authorized by paragraphs II and III of section 4 of this chapter. Notwithstanding the foregoing a bank having deposits of one million five hundred thousand dollars or less may invest, in loans authorized by paragraph I of section 4 of this chapter, an amount to any one borrower not exceeding two and one-half per cent of deposits or fifteen per cent of capital funds, whichever is greater, but in no case in excess of twenty-two thousand five hundred dollars unless in such case fifteen per cent of capital funds exceeds said latter sum, in which case the limit shall be fifteen per cent of capital funds for such bank.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 319.

### AN ACT RELATIVE TO TRUST DEPOSITS IN BANKS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Deposit in Writing in the form "a, trustee for b".** When any deposit shall be made in a bank by any person in trust for another, including a minor, and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to the bank, in the event of the death of the trustee, the deposit, together with the dividends credited thereon, may be paid to the person for whom the deposit was made, and the receipt or acquittance of such person shall be a valid and sufficient release and discharge to the bank for any payment so made.

**2. Definitions.** The word bank shall apply to state banks, mutual savings banks, guaranty savings banks, national banking associations, building and loan associations, co-operative banks, Morris Plan banks, trust companies, federal savings and loan associations, and credit unions. The word deposit shall apply to all types of deposits or accounts in the above-named institutions, whether represented by a certificate, a deposit book, an account book, or by any other form of document, as well as to checking accounts.

**3. Application of Act.** This act shall apply to present deposits in such banks, providing the trustee and beneficiaries have not deceased prior to the effective date of this act, and the continued maintenance of present deposits in such banks in the form hereinabove provided without change shall be construed as constituting acceptance of the legal effect of this act by said trustee and beneficiaries to the extent that any such acceptance and consent may be required to permit this act to apply to present deposits.

**4. Construction.** This act shall in no way affect the provisions of section 20, chapter 309, (RSA 386:19) section 8, chapter 314, (RSA 393:12) sections 3 and 4, chapter 87 of the Revised Laws (RSA 86:8,9) and chapter 162, Laws of 1953 (RSA 384:28-31).

**5. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 320.

### AN ACT RELATIVE TO THE SOLICITATION OF BRIBES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Bribery.** Amend section 25 of chapter 457 of the Revised Laws (chapter 587, RSA) by striking out said section and inserting in place thereof the following: **25. Giving Bribes.** If any person shall give, offer or promise to any officer or employee of the state, or of a county, city, town or district,

any money, services or other thing of value with intent to influence his action as to any matter over which said officer or employee has control or is entrusted with on behalf of the body by which he is employed, he shall be imprisoned not more than five years or fined not more than three thousand dollars, or both.

**2. Solicitation.** Amend section 26 of chapter 457 of the Revised Laws (chapter 587, RSA) by striking out said section and inserting in place thereof the following: **26. Receiving or Soliciting Bribes.** If any officer or employee of the state, or of a county, city, town or district, shall accept, offer to accept or solicit the making of any gift, offer or promise made as aforesaid, he shall be imprisoned not more than ten years, or fined not more than five thousand dollars, or both, and shall be disqualified thereafter to hold any public office, trust or appointment.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 321.

### AN ACT RELATIVE TO THE CHANGE OF DESIGNATION OF THE DEPUTY DIRECTOR OF RECREATION AND TO THE SALARY OF SAID OFFICE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Deputy Director of Recreation.** Amend paragraph II of section 1 of chapter 265 of the Laws of 1953 by striking out the words "assistant director of recreation 5,500-6,325" in the fifth line and inserting in place thereof the following: Deputy director of recreation, 6,000-6,900.

**2. Takes Effect.** This act shall take effect July 1, 1955.  
[Approved August 5, 1955.]

## CHAPTER 322.

AN ACT AUTHORIZING THE MERRIMACK VILLAGE DISTRICT TO  
ISSUE BONDS OR NOTES, AND RELATIVE TO APPEALS  
BEFORE MUNICIPAL COURTS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Authorization.** The Merrimack Village District in the town of Merrimack is hereby authorized to incur indebtedness in an amount not exceeding one hundred fifty thousand (\$150,000) dollars, excluding the amount authorized by chapter 72 of the Revised Laws, for the purpose of purchasing or constructing, or both, and maintaining and operating such water works system as it may deem necessary for municipal use and for the use of its inhabitants and others. Said district shall have all necessary power to take any property, including any existing utilities within the district, in accordance with the provisions of section 3, chapter 56, of the Revised Laws, (section 3, chapter 38, RSA) that it may need in connection with the establishment of such water system, by condemnation proceedings.

**2. Issuance of Bonds or Notes.** The Merrimack Village District is hereby authorized to issue serial notes or bonds to an amount not exceeding one hundred fifty thousand (\$150,000) dollars for the purpose of the construction of a district water system.

**3. Debt Limit.** In ascertaining the debt limit of said Merrimack Village District the debt hereby authorized shall be excluded.

**4. Appeals.** Amend section 5 of chapter 425 of the Revised Laws (section 4, chapter 599, RSA) by striking out the words "shall add to the costs fees for the copies sent to the clerk, fifty cents for the clerk's certificate and fifty cents for recording it," in the second and third lines and by striking out the words "with such increased costs" in the fourth and fifth lines so that said section as amended shall read as follows: **5. Enforcing Original Sentence.** The justice shall record such certificate, and he shall issue a mittimus or other process to carry into effect the original sentence.

5. **Application of Laws.** Except as otherwise provided by this act, the provisions of chapter 72 of the Revised Laws (chapter 33, RSA) shall apply to the serial notes and bonds herein authorized.

6. **Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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### CHAPTER 323.

AN ACT RELATIVE TO THE APPEAL BOARD IN PUBLIC CONSTRUCTION CONTRACTS, PROVIDING FOR A DEPUTY LABOR COMMISSIONER, RELATIVE TO THE BOARD OF ARBITRATION AND INCREASING THE SALARY OF THE DEPUTY STATE TREASURER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Board of Appeal.** Amend section 3 of chapter 214 of the Revised Laws (section 3, chapter 280, RSA) as amended by section 2, chapter 248, Laws of 1951 by striking out said section and inserting in place thereof the following: 3. **Appeal.** Within fifteen days after such wage rates shall be determined in accordance with the provisions of the preceding sections 1 and 2, such rates may be appealed by an association of employees or employers, any two citizens of the state, or any public awarding agency, such appeal to be heard before a board of three, constituted as follows: The governor and council shall appoint two members for a term of two years each. Employers and organized employees in the construction industry shall each be represented on said board. The third member of said board shall be appointed by the first two members, and in case the two cannot agree on the third member within thirty days after their own appointment, said third member shall be appointed by the governor and council. If while an appeal is pending any member of the appeal board, by reason of illness, absence from the state or otherwise, is unable to perform his duties, the governor shall appoint a person to act in his stead with respect to that appeal then pending. Upon the filing of an appeal hereunder, the appeal board shall fix a time and place

for a public hearing thereon to be held not later than seven days after filing of the appeal, Saturdays, Sundays and holidays excepted; and the commissioner of labor shall give written notice thereof to any public awarding agencies concerned, and to all interested associations and organizations of employers and employees in the construction industry deemed by him to be affected by the appeal. Within forty-eight hours after adjournment of the hearing, the board shall submit its decision in writing to the commissioner of labor who shall forward copies thereof to all parties deemed by him to be interested in the appeal and affected thereby.

**2. Department of Labor.** Amend sections 7 and 8 of chapter 210, Revised Laws (sections 7 and 8, chapter 273, RSA) by striking out said sections and inserting in place thereof the following: **7. Deputy Commissioner.** The commissioner shall appoint a deputy labor commissioner. Said deputy shall exercise the powers and perform the duties of the commissioner whenever the labor commissioner is incapacitated, absent or unable to act from any cause. Whenever there is a vacancy in the office of labor commissioner the deputy shall have the powers and duties of the commissioner until another commissioner is appointed and qualified. **8. Salary.** The salary of the deputy labor commissioner shall be that as fixed by chapter 265, Laws of 1953 (RSA 94).

**3. Present Administrative Assistant.** The administrative assistant of the department of labor in office at the time of the passage of this act is hereby designated as deputy labor commissioner.

**4. Salary.** Amend paragraph II of section 1 of chapter 265, Laws of 1953 (section 1, chapter 94, RSA) by inserting after the provision for the salary of the deputy warden for the state prison the following: Deputy labor commissioner, minimum 5,000, maximum 5,750.

**5. Appropriation.** There is hereby appropriated the sum of one thousand dollars for the fiscal year ending June 30, 1956, and the sum of one thousand one hundred and fifty dollars for the fiscal year ending June 30, 1957, to be expended by the labor department for the increase in salary for the deputy labor commissioner.

**6. Deputy State Treasurer.** Amend paragraph II of section 1 of chapter 265, Laws of 1953 (section 1, chapter 94, RSA) by striking out the line "Deputy state treasurer 5,500 6,325" and inserting in place thereof the line, Deputy state treasurer minimum, 6,000 maximum, 6,900.

**7. Appropriation.** There is hereby appropriated the sum of five hundred and thirty dollars for the fiscal year ending June 30, 1956, and the sum of seven hundred and ten dollars for the fiscal year ending June 30, 1957, to be expended by the treasury department for the additional salary provided in section 6 for the deputy state treasurer.

**8. Board of Arbitration.** Amend section 24 of chapter 210 of the Revised Laws (section 25, chapter 273, RSA) by striking out the word "eight" in the first line and inserting in place thereof the word, sixteen, so that said section as amended shall read as follows: **24. Compensation.** Such arbitrators shall receive sixteen dollars a day for each day actually engaged in such arbitration and their necessary traveling expenses, to be paid upon vouchers signed by the commissioner, with the approval of the governor, out of the funds appropriated for the maintenance of the department of labor.

**9. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 324.

### AN ACT RELATIVE TO NON-RESIDENT FISHING AND HUNTING LICENSES, AND RELATIVE TO DAMAGE BY BEAR AND THE TAKING OF LOBSTERS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Non-resident Fishing Licenses.** Amend paragraph IV of section 6 of chapter 247 of the Revised Laws as amended by section 3, chapter 217, Laws of 1947, and section 1, chapter 245, Laws of 1949, and section 5, chapter 181, Laws of 1951 (paragraph VIII, section 9, chapter 214, RSA) by striking



out said paragraph and inserting in place thereof the following: IV. If the applicant is a non-resident and wishes to take fresh water fish or salt water smelt only, seven dollars, and the agent shall thereupon issue a non-resident fishing license which shall entitle the licensee to kill, take and transport fresh water fish and salt water smelt under the restrictions of this title, provided that if said applicant wishes to take said fish or smelt for fifteen consecutive days, four dollars, and the agent shall thereupon issue a fifteen-day non-resident fishing license for said time only under the restrictions of this title, and further provided that if said applicant wishes to take said fish or smelt for three consecutive days, two dollars and fifty cents, and the agent shall thereupon issue a three-day non-resident fishing license for said time only under the restrictions of this title.

**2. Non-residents.** Amend paragraph III of section 6, chapter 247 of the Revised Laws as amended by section 2, chapter 217, Laws of 1947, and section 3, chapter 181, Laws of 1951 (paragraph VI, section 9, chapter 214, RSA) by striking out the word "twenty" in the second line and inserting in place thereof the word, twenty-five, so that said paragraph as amended shall read as follows: III. If the applicant is a non-resident and wishes to hunt, twenty-five dollars, and said agent shall thereupon issue a non-resident hunting license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds and game animals, under the restrictions of this title.

**3. Non-resident Minors.** Amend paragraph III-a of section 6, chapter 247, Revised Laws as inserted by section 3, chapter 163, Laws of 1947, and as amended by section 4, chapter 181, Laws of 1951 (paragraph VII, section 9, chapter 214, RSA) by striking out the word "twenty" and inserting in place thereof the word, twenty-five, so that said paragraph as amended shall read as follows: III-a. If the applicant is a non-resident under sixteen years of age and wishes to hunt, twenty-five dollars, and said agent shall thereupon issue a non-resident minor's hunting license which shall entitle the licensee to hunt, shoot, or take game animals when accompanied by another licensee twenty-one years of age or over, and to transport game animals under the restrictions of this title.

4. **Damage by Bear.** Amend section 1 of chapter 180 of the Revised Laws (section 1, chapter 470, RSA) by striking out said section and inserting in place thereof the following:

1. **Damage.** A person who suffers loss or damage to live-stock, bees, orchards or growing crops, by bear, shall, if he claims damages therefor, notify the director of fish and game in writing of such damage. The director or his agent shall investigate such claim within thirty days from the receipt by him of notice of such damage, determine whether such damage was caused by bear and appraise the amount to be paid. The appraisal shall be made within sixty days from the receipt of the notice of damage; and the director shall present his certificate of the amount of appraisal to the governor, who is authorized to draw his warrant upon any money in the treasury not otherwise appropriated in payment therefor.

5. **Lobsters.** Amend chapter 245 of the Revised Laws (chapter 211, RSA) by inserting after section 44 the following new section: 44-a. **Prohibition.** No person shall at any time take from any waters under the jurisdiction of this state any lobsters by diving, spearing or dipping.

6. **Application.** Nothing herein shall be construed as affecting the provisions of chapter 105, Laws of 1955.

7. **Effective Dates.** That part of paragraph IV of section 6 of chapter 247, Revised Laws, as amended by section 1 of this act, providing for an increase in the fee for the fifteen-day non-resident fishing license, and the provisions of sections 4, 5, and 6 shall take effect upon the passage of this act; the remaining provisions of this act shall take effect as of January 1, 1956. [Approved August 5, 1955.]

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## CHAPTER 325.

AN ACT PROVIDING FOR THE ACQUISITION OF CERTAIN DAMS AND WATER RIGHTS BY THE WATER RESOURCES BOARD.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Acquisition Authorized.** The water resources board is hereby authorized to accept from the owners thereof the follow-

ing described property for the purpose of improving and controlling certain water rights for the benefit of the state: (1) dams and water rights controlling Pawtuckaway pond and Mendum pond in the towns of Nottingham and Barrington together with approximately seven hundred acres of land bordering said waters in said towns. Said board after said acquisition shall make repairs and modifications to said dams and shall place them in condition to best serve the interests of the state. The water resources board is further authorized (2) to acquire from the owners thereof on such terms and conditions as it may deem suitable the dams and water rights on and in the Suncook river extending from the town of Barnstead through Gilmanton to the town of Alton, for the purpose of making repairs and modifications to said dams and placing them in condition to best serve the interests of the state. The costs of the projects hereunder shall be a charge upon the appropriations made for said purposes in the act making appropriations for capital improvements passed at the 1955 session. Said appropriations for said purposes shall be continuing appropriations and shall not lapse.

**2. Tax Exemption.** The properties hereby authorized to be acquired by the water resources board for the benefit of the state shall be exempt from taxation so long as the said properties are held by the state.

**3. Takes Effect.** This act shall take effect as of July 1, 1955.

[Approved August 5, 1955.]

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## CHAPTER 326.

### AN ACT PROVIDING FOR A STUDY AND ESTABLISHMENT OF RECREATIONAL AREAS IN THE LAKE WINNIPESAUKEE REGION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Commission Established.** There shall be a commission of six members appointed as follows whose duty it shall be to make a study of the Lake Winnepesaukee area with a view to

the establishment of state parks on Lake Winnepesaukee for additional recreational facilities for the public. Three members of said commission shall be designated by the speaker of the house of representatives, two members shall be designated by the president of the senate and one member shall be designated by the governor. Said commission shall make a report to the governor with its recommendations for sites for said parks and the cost thereof.

**2. Compensation.** The members of said commission shall serve without pay but shall be reimbursed for mileage and actual expenses incurred when on business of the commission.

**3. Appropriation.** The sum of two thousand five hundred dollars is hereby appropriated for the expenses of the commission and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

**4. Further Appropriation.** The sum of two hundred and fifty thousand dollars is hereby appropriated for the purchase of sites for said recreational facilities at Lake Winnepesaukee and the governor, upon the recommendation of the commission, with the consent of the council, is hereby authorized to acquire the same. Not more than one hundred thousand dollars shall be paid for any one site and no site shall be nearer than eight shore miles from another. The power of eminent domain shall not be used in acquiring these sites.

**5. Bond Issue.** To provide funds for the appropriation provided by section 4 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not to exceed two hundred fifty thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. The governor and council shall determine the form of such bonds or notes, the rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds shall be signed by the treasurer and countersigned by the governor. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state. Out

of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrant for the sum appropriated by section 4 for the purposes of section 4 only.

**6. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 327.

AN ACT RELATIVE TO TAXATION IN PITTSBURG AND CLARKSVILLE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Water Resources.** Amend section 13, chapter 266, Revised Laws (section 14, chapter 481, RSA) by striking out said section and inserting in place thereof the following: **13. Tax Exemption.** All property and rights acquired by the corporation shall be exempt from all taxation; but the corporation shall make payments, on or before the first day of December in each year, to each town in which property or rights acquired by the corporation are located. Such sums shall be based on the tax rate then current in each town or city and on the average assessed valuation for a period of five years prior to the acquisition by the corporation, provided, that when a town or city wherein corporation land is located shall have made a general re-valuation of property for tax assessment purposes then the new values shall be used for the determination of the sums as would have been assessed against said property and rights in such town or city if the same had been included in the tax invoice for such year. Betterments, changes in land use or new structures are exempted and shall not be used for the determination of such sums to be paid in lieu of taxes. Provided, however, that the provisions of this section shall not apply to the dam and any appurtenances thereto owned by said corporation and located in the towns of Pittsburg and Clarksville, and there shall be paid annually to said towns the sum of \$12,500 in lieu of taxes, said sum to be apportioned between said towns in the same ratio that the value of that portion of said dam and any appurtenances thereto located in each town bears to

the total value of said dam and any appurtenances thereto as determined by the tax assessors of said towns.

**2. Appropriation.** For the purposes of this act there is hereby appropriated for the fiscal year ending June 30, 1956, the sum of \$12,500, and a like sum for the fiscal year ending June 30, 1957. The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**3. Takes Effect.** This act shall take effect as of April 1, 1955.

[Approved August 5, 1955.]

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## CHAPTER 328.

### AN ACT RELATIVE TO MENTAL HYGIENE CLINICS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Mental Hygiene Clinic for Children.** Any balance of the appropriation provided by section 9 of chapter 279 of the Laws of 1947, as extended by section 8, chapter 8, Laws of 1950, section 1, chapter 164, Laws of 1951, and chapter 240, Laws of 1953 and the authority to issue bonds or notes thereunder shall not lapse but shall be continued and made available for the purposes specified hereinafter. The sum of not exceeding one hundred and forty thousand dollars shall be expended under the direction of the governor and council for the construction of a building at the location specified in chapter 240, Laws of 1953, together with furniture, furnishings and equipment for said building, for an out-patient mental hygiene clinic for children, provided that any federal funds received for the purposes of construction of mental hygiene clinics shall be applied to reduce the amount of state appropriations hereunder.

**2. Disposition of Winant Property.** When the building specified in section 1 is ready for occupancy the so-called Winant property shall be disposed of by the governor and council. The proceeds from the sale of said property shall be

paid to the state treasurer who shall apply the same to a reduction of the bonded debt of the state.

**3. In-Patient Clinic.** The commission on mental health is hereby directed to have prepared plans for an in-patient mental hygiene clinic for children at the same location as the out-patient mental hygiene clinic. The plans for said in-patient clinic, together with the cost of the same shall be submitted to the governor and council for submission to the legislature of 1957. The cost of the plans for the in-patient clinic shall be a charge against the appropriation referred to in section 1.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 329.

### AN ACT TO AMEND THE MUNICIPAL FINANCE ACT RELATIVE TO BORROWING FOR SCHOOL PURPOSES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Municipal Finances.** Amend section 4 of chapter 72 of the Revised Laws as inserted by chapter 258 of the Laws of 1953 (section 4, chapter 33, RSA) by striking out the whole thereof and inserting in place thereof the following:

**4. Debt Limit, Counties.** Counties shall not incur net indebtedness to an amount, at any one time outstanding, exceeding two (2) per cent of the last assessed valuation thereof.

**4-a. Debt Limit, Municipalities.** (a) Cities shall not incur net indebtedness, except for school purposes, to an amount, at any one time outstanding, exceeding one and seventy-five hundredths (1.75) per cent of their valuation determined as hereinafter provided. Cities shall not incur net indebtedness for school purposes to an amount, at any one time outstanding, exceeding three (3) per cent of said valuation, except with approval of the board of investigation hereinafter provided for, such debt limitation may be increased to an amount not exceeding four and fifty hundredths (4.50) per

cent. Any debt incurred for school purposes by a city under this or any special statute heretofore or hereafter enacted shall be excluded in determining the borrowing capacity of a city for other than school purposes under the aforesaid one and seventy-five hundredths (1.75) per cent limitation. (b) Towns shall not incur net indebtedness to an amount, at any one time outstanding, exceeding one and seventy-five hundredths (1.75) per cent of their valuation determined as hereinafter provided. (c) School districts shall not incur net indebtedness to an amount, at any one time outstanding, exceeding three (3) per cent of their valuation determined as hereinafter provided except that in cases where it shall appear to the board of investigation hereinafter provided for, that such action is necessary or desirable indebtedness may be incurred to an amount not to exceed four and fifty hundredths (4.50) per cent of their valuation determined as hereinafter provided. (d) Village districts shall not incur net indebtedness to an amount, at any one time outstanding, exceeding one (1) per cent of their valuation, computed as hereinafter provided.

**4-b. Debt Limit; Computation.** (a) The debt limitation hereinbefore prescribed, except for counties, shall be based upon the applicable last locally assessed valuation of the municipality as last equalized by the tax commission. (b) Whenever several municipalities possessing the power to incur debt cover or extend over identical territory, each such municipal corporation shall so exercise the power to increase its debts under the foregoing limitations that the aggregate net indebtedness of such municipal corporations shall not exceed seven and twenty-five hundredths (7.25) per cent of the valuation of the taxable property as hereinbefore determined. (c) A written certificate of the tax commission, signed by any member thereof, shall be conclusive evidence of the base valuation of municipalities for computing debt limits hereunder.

**2. School District Borrowing.** Further amend said chapter 72 by inserting after section 4-b thereof the following new sections: **4-c. Board of Investigation.** There shall be a board of investigation composed of a member of the tax commission, chosen by said commission, who shall act as chairman of the board; the commissioner of education; a member of the senate appointed by the president; a member of the house of



representatives appointed by the speaker; and one person to be appointed by the governor. In the absence, disability, refusal or personal interest of any member of the board, the appointing authority of such member or members shall designate some other person to serve on said board for the particular matter involved. The board shall designate one of their number to serve as clerk. **4-d. Term of Office; Compensation.** The members appointed by the president of the senate, the speaker of the house and the governor shall be appointed on or before January 10 of each odd numbered year, and each such member shall hold office for a term of two years and until his successor is appointed and qualified, provided that the first members of said board appointed hereunder shall be the same persons who were appointed in like manner during the legislative session of 1955 who shall each hold office until January, 1957, upon the appointment and qualification of their successors. Said appointive members shall be paid at the rate of ten dollars per day plus their reasonable expenses and said compensation together with other expenses incurred by said board shall be paid by the school district or city whose proposals are to be investigated as hereinafter provided. Said board shall make a complete record of its hearings. **4-e. Exceeding Debt Limit.** A school district or city may vote to issue bonds or notes for school purposes in excess of three per cent but not in excess of four and fifty hundredths (4.50) per cent of its last assessed valuation determined under the provisions of sections 4-a and 4-b, and a certified copy of the record of such action shall forthwith be filed with the commissioner of education. **4-f. Meetings of Board.** Upon receipt of the record provided for in section 4-e the commissioner of education shall notify the chairman of the board of investigation of such receipt and said chairman shall fix a time and place when all interested parties may be heard and cause notice thereof to be given by registered mail to the chairman of the school board and the clerk of the school district, or to the mayor of a city and the chairman of the board of education of a city, presenting the proposal at least ten days prior to the date set for the hearing and causing said notice to be published once in a newspaper of general circulation in said school district or city. Said hearing may be adjourned, postponed or cancelled at the discretion of said board. The findings of said board shall be by

majority vote of all the members. **4-g. Findings of Board.** Said board shall consider the educational needs and financial condition of the district or city. If it finds the proposal in the best interest of and within the financial capacity of said district or city, said board shall certify its findings to the secretary of state who shall notify the chairman of the school board and clerk of the school district or mayor and the chairman of the board of education of a city, whereupon said bond issue shall be regarded as authorized to the same extent as though it did not exceed the three (3) per cent limitation. If the board finds the proposal is inexpedient it shall submit its disapproval forthwith in writing to the chairman of the school board and clerk of the district or the mayor and chairman of the board of education and thereupon the action of said school district or city shall be null and void.

**3. Definition.** Amend the definition of net indebtedness in section 1 of chapter 72 of the Revised Laws (section 1, chapter 33, RSA) by inserting after the word "outstanding" in the first line the words, and authorized, so that said definition as amended shall read as follows: Net Indebtedness. All outstanding and authorized indebtedness, heretofore or hereafter incurred by a municipality, exclusive of unmatured tax anticipation notes issued according to law, debts incurred for supplying the inhabitants with water or for the construction or maintenance of water works, debts incurred to finance new sewerage systems or sewage disposal works when the cost thereof is to be financed by sewer rent or sewer assessments, debts incurred pursuant to section 10 of chapter 51 of the Revised Laws, debts incurred outside the statutory debt limit of the municipality under any general law or special act heretofore or hereafter enacted (unless otherwise provided in such legislation), and sinking funds and cash applicable solely to the payment of the principal of debts incurred within the debt limit.

**4. Application of Statutes.** Nothing contained in this chapter shall affect any action taken by a county, city, town, school district, or village district before the enactment hereof and all issues of bonds or notes authorized before the enactment hereof shall be issued in accordance with the law as it existed at the time of the action taken by such county, city,

town, school district or village district. Nothing contained in this chapter shall affect the debt limitations of the city of Manchester as provided by an act passed June 1, 1955.

**5. Application and Interpretation.** Chapter 11, Laws of 1955, shall not apply to indebtedness voted and authorized by any school district or city subsequent to the effective date of this act, but otherwise said chapter 11 shall remain effective in accordance with its provisions.

**6. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 330.

### AN ACT RELATIVE TO MILEAGE ALLOWANCES FOR LEGISLATIVE OFFICERS AND EMPLOYEES AND ESTABLISHING A NEW APPORTIONMENT FOR THE ASSESSMENT OF PUBLIC TAXES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Change in Computation.** Amend section 17, chapter 9, Revised Laws, as amended by chapter 214, Laws of 1943, section 3, chapter 117, Laws of 1949, section 5, chapter 251, Laws of 1951 (section 18, chapter 14, RSA) and chapter 132 of the Laws of 1955, by striking out said section and inserting in place thereof the following: **17. Employees.** Any officer or employee of the senate or house of representatives shall be allowed mileage at the rate of seven cents per mile to and from his home for each day of attendance up to a maximum of fifty miles for one way of travel. Any fractional part of a mile shall be deemed to be one mile for the purposes hereof. The committee on mileage shall be the arbiters of all disputes and claims involving payment of mileage to such officers and employees.

**2. Apportionment.** That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place shall pay, and for which the treasurer of the

state is hereby authorized to issue his warrant, shall be as follows, to wit:

**Rockingham county, \$151.94**

Atkinson, one dollar and three cents .....	\$ 1.03
Auburn, one dollar and forty-eight cents .....	1.48
Brentwood, one dollar and two cents .....	1.02
Candia, one dollar and thirty-eight cents .....	1.38
Chester, one dollar and thirty-three cents .....	1.33
Danville, eighty cents .....	.80
Deerfield, one dollar and thirty-eight cents .....	1.38
Derry, eight dollars and ninety-five cents .....	8.95
East Kingston, seventy cents .....	.70
Epping, one dollar and ninety-two cents .....	1.92
Exeter, twelve dollars and forty cents .....	12.40
Fremont, eighty-eight cents .....	.88
Greenland, one dollar and forty-eight cents .....	1.48
Hampstead, one dollar and ninety-one cents .....	1.91
Hampton, fourteen dollars and seventy-one cents ....	14.71
Hampton Falls, one dollar and fifty-eight cents .....	1.58
Kensington, seventy-nine cents .....	.79
Kingston, two dollars and forty-two cents .....	2.42
Londonderry, two dollars and seventy-two cents ....	2.72
New Castle, one dollar and ninety-two cents .....	1.92
Newfields, sixty-three cents .....	.63
Newington, two dollars and thirty-three cents .....	2.33
Newmarket, four dollars and six cents .....	4.06
Newton, one dollar and thirty-nine cents .....	1.39
North Hampton, four dollars and ten cents .....	4.10
Northwood, two dollars and six cents .....	2.06
Nottingham, one dollar and five cents .....	1.05
Plaistow, three dollars and forty cents .....	3.40
Portsmouth, forty-five dollars and thirty-six cents ...	45.36
Raymond, one dollar and ninety-four cents .....	1.94
Rye, seven dollars and twelve cents .....	7.12
Salem, eight dollars and seventy-eight cents .....	8.78
Sandown, eighty-four cents .....	.84
Seabrook, three dollars and forty-four cents .....	3.44
South Hampton, fifty-three cents .....	.53
Stratham, one dollar and forty-four cents .....	1.44
Windham, two dollars and sixty-seven cents .....	2.67

**Strafford county, \$83.79**

Barrington, one dollar and forty-four cents . . . . .	\$ 1.44
Dover, twenty-eight dollars and fifty-five cents . . . . .	28.55
Durham, four dollars and fifty-eight cents . . . . .	4.58
Farmington, three dollars and forty-seven cents . . . . .	3.47
Lee, seventy-nine cents . . . . .	.79
Madbury, seventy-nine cents . . . . .	.79
Middleton, nineteen cents . . . . .	.19
Milton, two dollars and thirty-six cents . . . . .	2.36
New Durham, one dollar and twenty-three cents . . . . .	1.23
Rochester, twenty-three dollars and forty-two cents . . . . .	23.42
Rollinsford, two dollars and eighty-nine cents . . . . .	2.89
Somersworth, twelve dollars and sixty-three cents . . . . .	12.63
Strafford, one dollar and forty-five cents . . . . .	1.45

**Belknap county, \$60.72**

Alton, four dollars and six cents . . . . .	\$ 4.06
Barnstead, one dollar and thirty-five cents . . . . .	1.35
Belmont, two dollars and two cents . . . . .	2.02
Center Harbor, one dollar and twenty-eight cents . . . . .	1.28
Gilford, five dollars and nineteen cents . . . . .	5.19
Gilmanton, one dollar and sixty-four cents . . . . .	1.64
Laconia, thirty-one dollars and thirty-eight cents . . . . .	31.38
Meredith, six dollars and thirty-two cents . . . . .	6.32
New Hampton, two dollars and two cents . . . . .	2.02
Sanbornton, one dollar and fifty-seven cents . . . . .	1.57
Tilton, three dollars and eighty-nine cents . . . . .	3.89

**Carroll county, \$39.99**

Albany, forty-five cents . . . . .	\$ 0.45
Bartlett, one dollar and seventy-six cents . . . . .	1.76
Brookfield, fifty-six cents . . . . .	.56
Chatham, twenty-six cents . . . . .	.26
Conway, eight dollars and twenty-two cents . . . . .	8.22
Eaton, thirty cents . . . . .	.30
Effingham, seventy-three cents . . . . .	.73
Freedom, one dollar and eleven cents . . . . .	1.11
Hart's Location, two cents . . . . .	.02
Jackson, one dollar and fourteen cents . . . . .	1.14
Madison, one dollar and twenty-five cents . . . . .	1.25
Moultonborough, four dollars and thirty-eight cents . . . . .	4.38
Ossipee, three dollars and three cents . . . . .	3.03

Sandwich, two dollars and two cents .....	2.02
Tamworth, one dollar and ninety-one cents .....	1.91
Tuftonboro, three dollars and twenty-three cents ....	3.23
Wakefield, two dollars and fifty-six cents .....	2.56
Wolfeboro, seven dollars and six cents .....	7.06

**Merrimack county, \$101.17**

Allenstown, two dollars and thirteen cents .....\$	2.13
Andover, two dollars and twenty-three cents .....	2.23
Boscawen, two dollars and one cent .....	2.01
Bow, two dollars and ninety-one cents .....	2.91
Bradford, one dollar and thirty cents .....	1.30
Canterbury, seventy-seven cents .....	.77
Chichester, one dollar and one cent .....	1.01
Concord, forty-three dollars and seventy-five cents ..	43.75
Danbury, forty-eight cents .....	.48
Dunbarton, ninety cents .....	.90
Epsom, one dollar and twenty-two cents .....	1.22
Franklin, ten dollars and fifty-five cents .....	10.55
Henniker, two dollars and thirty-one cents .....	2.31
Hill, seventy-seven cents .....	.77
Hooksett, three dollars and ninety-five cents .....	3.95
Hopkinton, three dollars and ninety-seven cents .....	3.97
Loudon, one dollar and twenty-two cents .....	1.22
Newbury, two dollars and two cents .....	2.02
New London, four dollars and sixteen cents .....	4.16
Northfield, one dollar and sixty-nine cents .....	1.69
Pembroke, three dollars and seventy-three cents ....	3.73
Pittsfield, three dollars and two cents .....	3.02
Salisbury, sixty-three cents .....	.63
Sutton, one dollar and eighteen cents .....	1.18
Warner, one dollar and eighty-seven cents .....	1.87
Webster, seventy-eight cents .....	.78
Wilmot, sixty-one cents .....	.61

**Hillsborough county, \$270.32**

Amherst, three dollars and forty-five cents .....\$	3.45
Antrim, one dollar and ninety-five cents .....	1.95
Bedford, five dollars and two cents .....	5.02
Bennington, one dollar and thirty-four cents .....	1.34
Brookline, one dollar and four cents .....	1.04
Deering, seventy cents .....	.70

Fracestown, one dollar and twenty-three cents . . . . .	1.23
Goffstown, seven dollars and seventy-one cents . . . . .	7.71
Greenfield, one dollar and seventeen cents . . . . .	1.17
Greenville, one dollar and fifty-five cents . . . . .	1.55
Hancock, one dollar and eighty-three cents . . . . .	1.83
Hillsborough, three dollars and fifty-two cents . . . . .	3.52
Hollis, two dollars and twenty-four cents . . . . .	2.24
Hudson, five dollars and thirty-four cents . . . . .	5.34
Litchfield, seventy-one cents . . . . .	.71
Lyndeborough, seventy-eight cents . . . . .	.78
Manchester, one hundred thirty-eight dollars and ninety-five cents . . . . .	138.95
Mason, fifty-two cents . . . . .	.52
Merrimack, three dollars and twenty-one cents . . . . .	3.21
Milford, seven dollars and forty-three cents . . . . .	7.43
Mont Vernon, eighty-one cents . . . . .	.81
Nashua, fifty-eight dollars and fifty-one cents . . . . .	58.51
New Boston, one dollar and forty-seven cents . . . . .	1.47
New Ipswich, one dollar and ninety-six cents . . . . .	1.96
Pelham, two dollars and twenty-five cents . . . . .	2.25
Peterborough, eight dollars and fifty-one cents . . . . .	8.51
Sharon, thirty cents . . . . .	.30
Temple, seventy-five cents . . . . .	.75
Weare, one dollar and eighty-five cents . . . . .	1.85
Wilton, four dollars and eleven cents . . . . .	4.11
Windsor, eleven cents . . . . .	.11

**Cheshire county, \$81.29**

Alstead, one dollar and twenty-nine cents . . . . . \$	1.29
Chesterfield, two dollars and ninety-four cents . . . . .	2.94
Dublin, two dollars and twenty-six cents . . . . .	2.26
Fitzwilliam, one dollar and ninety-nine cents . . . . .	1.99
Gilsum, forty-one cents . . . . .	.41
Harrisville, one dollar and seventy-one cents . . . . .	1.71
Hinsdale, four dollars and thirty-three cents . . . . .	4.33
Jaffrey, six dollars and five cents . . . . .	6.05
Keene, thirty-five dollars and fifty-three cents . . . . .	35.53
Marlborough, two dollars and nine cents . . . . .	2.09
Marlow, forty-five cents . . . . .	.45
Nelson, seventy-six cents . . . . .	.76
Richmond, forty cents . . . . .	.40

Rindge, two dollars and forty-two cents .....	2.42
Roxbury, nineteen cents .....	.19
Stoddard, sixty-four cents .....	.64
Sullivan, thirty-five cents .....	.35
Surry, fifty-one cents .....	.51
Swanzey, four dollars and twenty cents .....	4.20
Troy, two dollars and thirty cents .....	2.30
Walpole, five dollars and ninety-five cents .....	5.95
Westmoreland, ninety-five cents .....	.95
Winchester, three dollars and fifty-seven cents .....	3.57

**Sullivan county, \$43.98**

Acworth, fifty-nine cents .....	\$ 0.59
Charlestown, three dollars and seven cents .....	3.07
Claremont, twenty-three dollars and forty-six cents ..	23.46
Cornish, one dollar and thirty-seven cents .....	1.37
Croydon, forty-two cents .....	.42
Goshen, forty cents .....	.40
Grantham, twenty-nine cents .....	.29
Langdon, forty-two cents .....	.42
Lempster, thirty-four cents .....	.34
Newport, six dollars and seventy-seven cents .....	6.77
Plainfield, one dollar and thirty-seven cents .....	1.37
Springfield, sixty-five cents .....	.65
Sunapee, three dollars and eighty cents .....	3.80
Unity, forty-nine cents .....	.49
Washington, fifty-four cents .....	.54

**Grafton county, \$91.58**

Alexandria, sixty-two cents .....	\$ 0.62
Ashland, two dollars and seventy-one cents .....	2.71
Bath, eighty-nine cents .....	.89
Benton, nine cents .....	.09
Bethlehem, three dollars and fifty-two cents .....	3.52
Bridgewater, one dollar and twenty-one cents .....	1.21
Bristol, three dollars and thirty-eight cents .....	3.38
Campton, two dollars and thirty cents .....	2.30
Canaan, one dollar and sixty-five cents .....	1.65
Dorchester, sixteen cents .....	.16
Easton, twenty-three cents .....	.23
Ellsworth, six cents .....	.06
Enfield, two dollars and fifty-seven cents .....	2.57



Franconia, one dollar and forty-one cents . . . . .	1.41
Grafton, fifty-eight cents . . . . .	.58
Groton, thirty-eight cents . . . . .	.38
Hanover, eleven dollars and seventy-eight cents . . . . .	11.78
Haverhill, four dollars and twenty-six cents . . . . .	4.26
Hebron, sixty-seven cents . . . . .	.67
Holderness, two dollars and seventy-four cents . . . . .	2.74
Landaff, twenty-eight cents . . . . .	.28
Lebanon, fourteen dollars and thirty-five cents . . . . .	14.35
Lincoln, two dollars and sixty-one cents . . . . .	2.61
Lisbon, three dollars and nine cents . . . . .	3.09
Littleton, eight dollars and seventy-three cents . . . . .	8.73
Lyman, thirty-one cents . . . . .	.31
Lyme, one dollar and eighteen cents . . . . .	1.18
Monroe, seven dollars and eighty-two cents . . . . .	7.82
Orange, seventeen cents . . . . .	.17
Orford, one dollar and eighteen cents . . . . .	1.18
Piermont, one dollar and fourteen cents . . . . .	1.14
Plymouth, four dollars and forty-eight cents . . . . .	4.48
Rumney, one dollar and thirty-three cents . . . . .	1.33
Thornton, eighty-nine cents . . . . .	.89
Warren, sixty-one cents . . . . .	.61
Waterville, nine cents . . . . .	.09
Wentworth, forty-two cents . . . . .	.42
Woodstock, one dollar and sixty-nine cents . . . . .	1.69

**Coos county, \$74.67**

Berlin, thirty-seven dollars and twenty-three cents ..\$	37.23
Carroll, one dollar and fifty-one cents . . . . .	1.51
Clarksville, twenty-six cents . . . . .	.26
Colebrook, two dollars and fifty-two cents . . . . .	2.52
Columbia, forty-five cents . . . . .	.45
Dalton, sixty-one cents . . . . .	.61
Dummer, fifty-three cents . . . . .	.53
Errol, forty-seven cents . . . . .	.47
Gorham, ten dollars and five cents . . . . .	10.05
Jefferson, one dollar and twelve cents . . . . .	1.12
Lancaster, four dollars and eighty-eight cents . . . . .	4.88
Milan, one dollar and four cents . . . . .	1.04
Northumberland, five dollars and thirty cents . . . . .	5.30
Pittsburg, one dollar and eighty-seven cents . . . . .	1.87

Randolph, ninety-nine cents . . . . .	.99
Shelburne, ninety-three cents . . . . .	.93
Stark, forty cents . . . . .	.40
Stewartstown, eighty-three cents . . . . .	.83
Stratford, seventy-seven cents . . . . .	.77
Wentworth's Location, nineteen cents . . . . .	.19
Whitefield, two dollars and seventy-two cents . . . . .	2.72

#### Unincorporated Places, \$0.55

Cambridge, four cents . . . . . \$	0.04
Crawford's Purchase, one cent . . . . .	.01
Dixville, sixteen cents . . . . .	.16
Dix's Grant, one cent . . . . .	.01
Erving's Grant, one cent . . . . .	.01
Gilmanton & Atkinson Academy Grant, one cent . . . . .	.01
Green's Grant, three cents . . . . .	.03
Hale's Location, one cent . . . . .	.01
Millsfield, four cents . . . . .	.04
Odell, five cents . . . . .	.05
Sargent's Purchase, seven cents . . . . .	.07
Second College Grant, three cents . . . . .	.03
Success, four cents . . . . .	.04
Thompson and Meserve Purchase, four cents . . . . .	.04

**3. Limitation.** The same shall be the proportion of assessment of public taxes until a new apportionment shall be made and established, and the treasurer for the time being shall issue his warrant accordingly.

**4. Takes Effect.** The provisions of section 1 shall take effect as of January 5, 1955, and the remaining sections shall take effect upon the passage of this act.

[Approved August 5, 1955.]

**CHAPTER 331.****AN ACT TO EQUALIZE EDUCATIONAL OPPORTUNITIES AND TO  
IMPROVE THE PUBLIC ELEMENTARY AND HIGH SCHOOLS  
OF NEW HAMPSHIRE.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. State Aid.** Amend sections 8, 9, 9-a, 10, 11, 12 and 13 of chapter 140 of the Revised Laws, as amended by chapter 198 of the Laws of 1947 and chapter 148 of the Laws of 1951, and chapter 116, Laws of 1953, (chapter 198, RSA) by striking out said sections and inserting in place thereof the following:

**8. Declaration of Policy.** It is hereby declared to be the policy of the state of New Hampshire to share in the costs of public elementary and high school education of the local school districts of the state to the end that: (1) the more needy school districts may be assisted in providing an adequate education program; (2) education throughout New Hampshire may be improved; and (3) assistance and incentives may be provided for the formation of cooperative school districts.

**9. State Aid.** To aid needy local school districts in meeting the costs of providing public elementary and high school education the state board of education shall, from funds appropriated by the general court to carry out the provisions of this act, pay annually to the needy school districts of the state sums in accordance with the provisions of this act.

**10. Kind of State Aid.** To carry out the provisions of sections 8 and 9, aid termed "Foundation Aid" is hereby adopted as follows: a. **Foundation Aid.** To more nearly provide equal public school educational opportunity throughout the state, each school district qualifying therefor shall receive annually an amount equal to the remaining costs of the required programs of public elementary and high school education over and above the proceeds of a tax of fourteen dollars per thousand dollars of equalized valuation (hereinafter called the "Local Effort") of each district. For the purpose of this act the cost of the required programs shall be two hundred dollars annually for each elementary school pupil and three hundred dollars annually for each high school pupil in average

daily membership in approved public schools. If a district receives from local taxation for school purposes during the fiscal year previous to the year of computation of foundation aid a sum less than the amount of the local effort required of that district, its foundation aid shall be reduced by an amount equal to the difference between the local effort and the amount received from local taxation for school purposes.

b. **Time of Computation.** Before June first in each year the state board of education shall cause to be computed the amount of foundation aid to be paid to eligible school districts in the succeeding fiscal year. The computation shall be based upon the most recently available equalized valuation of each school district and the average daily membership in approved public schools in each school district for the preceding year. Whenever it shall appear or be made to appear to the tax commission that circumstances have so changed in any school district from one year to another that the use of the most recently available equalized valuation is unfair, unjust or inequitable, the tax commission shall determine what changes or modifications shall be made in the equalized valuation of such district. The tax commission shall certify such changed equalized valuation to the state board of education by May first. The state board of education shall use such changed equalized valuations in computing the foundation aid to which such district is entitled.

c. **To Whom Paid.** Foundation aid shall be paid to the school district legally responsible for the education of the pupils who attend approved public schools within the district or in other districts, as the case may be. Payment of foundation aid shall be made on or before January fifteenth in the fiscal year for which such aid is due.

11. **Allocation and Proration of Funds.** If in any year the amount appropriated for distribution as foundation aid shall be insufficient to distribute foundation aid in accordance with the provisions of paragraph a of section 10, the state board of education, except as hereinafter provided, shall reduce by proration the amount of foundation aid to be paid to each school district qualifying therefor. Provided that in any school district where the latest equalized valuation per pupil is less

than \$10,000 the state board shall not reduce by proration the amount of foundation aid.

**12. Unexpended Appropriation.** Any amounts not distributed in the first year of any biennium may be distributed in the second year, if required to distribute the maximum amount permissible under the provisions of section 10.

**13. Equalized Valuation.** The equalized valuation of a school district is the equalized valuation of the city or town of which it is composed, as computed by the state tax commission; and in a city or town comprising more than one school district the equalized valuation of any school district shall be such fraction of the equalized valuation of the whole city or town as the assessed valuation of the school district is to the assessed valuation of the whole city or town.

**13-a. State Board. Authority Given.** The state board of education may withhold from any districts the funds to which said districts are entitled under this chapter when, in their opinion, the number of students is so small that other arrangements could provide better and more economical educational facilities.

**2. Study of Financial Ability.** The state board of education and the state tax commission shall study, examine, investigate and analyze all sources of revenue of the several units of local government in the state for the purpose of determining the financial ability of each community to support and maintain its schools and of insuring fairness and equality in granting and distribution of any aid for schools from the state, so that all such communities may be treated as fairly and equitably as may be, and make a report of their findings and recommendations to the 1957 session of the general court.

**3. Takes Effect.** This act shall take effect as of July 1, 1955.

[Approved August 5, 1955.]

**CHAPTER 332.****AN ACT RELATIVE TO OLD AGE AND SURVIVORS INSURANCE  
COVERAGE AND THE ADMINISTRATION THEREOF.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Definitions.** Amend paragraph V of section 2 of chapter 234 of the Laws of 1951 (paragraph V, section 2, chapter 101, RSA) by striking out said paragraph and inserting in place thereof the following: V. The term "secretary of health, education and welfare" includes any individual to whom the secretary of health, education and welfare has delegated any of his functions under the Social Security Act with respect to coverage under such act of employees of states and their political subdivisions, and with respect to any action taken prior to April 11, 1953, includes the federal security administrator and any individual to whom such administrator had delegated any such function.

**2. Federal Code.** Amend paragraph VIII, of section 2 of chapter 234 of the Laws of 1951 (paragraph VIII, section 2, chapter 101, RSA) by striking out said paragraph and inserting in place thereof the following: VIII. The term "Federal Insurance Contributions Act" means sub-chapter A of chapter 9 of the federal Internal Revenue Code of 1939 and sub-chapters A and B of chapter 21 of the federal Internal Revenue Code of 1954, as such codes have been and may from time to time be amended; and the term "employee tax" means the tax imposed by section 1400 of such code of 1939 and section 3101 of such code of 1954.

**3. Federal-State Agreement and Interstate Instrumentalities.** Amend subparagraph (2) of paragraph I of section 3 of chapter 234 of the Laws of 1951 (subparagraph (2), paragraph I, section 3, chapter 101, RSA) by striking out the following: "sections 1400 and 1410 of" so that said subparagraph as amended shall read as follows: (2) The state will pay to the secretary of the treasury, at such time or times as may be prescribed under the Social Security Act, contributions with respect to wages equal to the sum of the taxes which would be imposed by the Federal Insurance Contributions Act

if the services covered by the agreement constituted employment within the meaning of that act.

**4. Contributions by State Employees.** Amend paragraph I of section 4 of chapter 234 of the Laws of 1951 (paragraph I, section 4, chapter 101, RSA) by striking out the words "the amount of tax which would be imposed by section 1400 of" and insert in place thereof the words, the amount of the employee tax which would be imposed by, so that said paragraph as amended shall read as follows: I. Every employee of the state whose services are covered by an agreement entered into under section 3 shall be required to pay for the period of such coverage, into the contribution fund established by section 6, contributions, with respect to wages, equal to the amount of the employee tax which would be imposed by the Federal Insurance Contributions Act if such service constituted employment within the meaning of that act. Such liability shall arise in consideration of the employee's retention in the service of the state, or his entry upon such service, after the enactment of this act.

**5. Deduction from Wages.** Amend subparagraph (2) of paragraph III of section 5 of chapter 234 of the Laws of 1951 (subparagraph (2), paragraph III, section 5, chapter 101, RSA) by striking out the words "the amount of tax which would be imposed by section 1400 of" and insert in place thereof the words, the amount of the employee tax which would be imposed by, so that said subparagraph as amended shall read as follows: (2) Each political subdivision required to make payments under subparagraph (1) of this paragraph is authorized, in consideration of the employee's retention, or entry upon, employment after enactment of this act, to impose upon each of its employees, as to services which are covered by an approved plan, a contribution with respect to his wages not exceeding the amount of the employee tax which would be imposed by the Federal Insurance Contributions Act if such services constituted employment within the meaning of that act, and to deduct the amount of such contribution from his wages as and when paid. Contributions so collected shall be paid into the contribution fund in partial discharge of the liability of such political subdivision or instrumentality under subparagraph (1) of this paragraph. Failure to deduct such contribution shall not relieve the employee or employer of liability therefor.

**6. Pro-Rata Share of Administration Costs.** Amend section 7 of chapter 234 of the Laws of 1951 (section 7, chapter 101, RSA) and as amended by section 2, chapter 92, Laws of 1955, by striking out said section and inserting in place thereof the following: **7. Administration.** For the purpose of providing funds for the cost of administering the provisions of this act the state agency is hereby authorized to certify to each division of the state or to any political subdivision which has adopted the provisions of this act a pro-rata share of the cost of administration of this act by the state agency based upon the amount of wage contributions that said state division or political subdivision coming within the provisions of this act is required to make to the contribution fund. The contributions payable by employers whose employees participate in the system provided for hereunder shall include the pro-rata share of the cost of administration provided for herein and the amounts so certified shall be a charge against said employer. The pro-rata share of the cost of administration attributable to the coverage hereon of the civilian employees of the national guard described in paragraph III of section 2 shall be a charge against the appropriation for the adjutant-general.

**7. Application of Terms.** The term "federal security administrator" wherever it appears in paragraph II, section 2, in paragraphs I and II, section 3, chapter 234, Laws of 1951, (paragraph II, section 2, paragraphs I and II, section 3, chapter 101, RSA) is hereby amended to read, secretary of health, education and welfare.

**8. Subdivisions.** Amend chapter 201 of the Laws of 1945 (chapter 100, RSA) by inserting after section 7 thereof the following new sections: **7-a. Revocation of Election.** Notwithstanding any provision of law to the contrary, the governing body of any county, city, town, school district or other political subdivision which has heretofore elected to have its officers and employees become eligible to participate in the state employees' retirement system, may, by resolution legally adopted, revoke such election with respect to officers and employees who shall enter the service of such political subdivision on or after July 1, 1956, and with respect to officers and employees in the service of such subdivision on June 30, 1956, who are inactive members of the state employees' retirement



system. As used herein, the phrase "inactive members of the state employees' retirement system" shall mean and refer to persons in the employ of an employer with respect to whom there have not been made the deductions and contributions to the state employees' retirement system directed by this chapter. The phrase shall also include persons who have elected not to become members of said system under an option allowed by law. Such election shall not affect the rights and obligations of the active members or beneficiaries of the employer, nor of the employer with respect to such active members and beneficiaries, except as hereinafter set forth.

**7-b. Notice to Trustees.** The clerk of the subdivision shall forthwith upon the adoption of such resolution notify the trustees thereof, and shall furnish such other information with respect to the employees of the subdivision as the trustees shall request.

**7-c. Contributions.** Upon the receipt of such notification, and from time to time thereafter, the trustees shall determine the contributions thence forth to be made by the employer with respect to its active members and beneficiaries. The contributions of each employer shall be determined on the basis such that its own past and future contributions shall provide the reserve heretofore established and to be established in the future for the state annuities of its employees. The trustees shall notify the employer of such determination, and the employer shall thereafter contribute to the state employees' retirement system in accordance therewith.

**9. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 333.

AN ACT RELATIVE TO EXPENDITURE OF STATE FUNDS ON CLASS IV  
COMPACT SECTION HIGHWAYS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Application of Statutes.** Amend section 7, part 2, chap-

ter 90, Revised Laws, as inserted by chapter 188 of the Laws of 1945 and as amended by section 2, chapter 79 of the Laws of 1949, (section 7, chapter 231, RSA) by striking out the figure "1-a," in the last line of said section and inserting in place thereof the figure, 1, so that said section as amended shall read as follows: **7. Class IV Compact Section Highways.** All class IV highways shall be wholly constructed, reconstructed, and maintained by the city or town in which they are located, and no state funds shall be expended thereon except as may be authorized by section 1, part 13 of this chapter.

**2. Highways.** Amend section 4, part 1 of chapter 90 of the Revised Laws as inserted by chapter 188, Laws of 1945 and amended by chapter 30 of the Laws of 1951 by striking out said section and inserting in place thereof the following:

**4. Classification.** Highways of the state shall be divided into six classes as follows:

I. Class I highways shall consist of all existing or proposed highways on the primary state highway system, excepting all portions of such highways within the compact sections of cities or towns of three thousand inhabitants and over.

II. Class II highways shall consist of all existing or proposed highways on the secondary state highway system, excepting all portions of such highways within the compact sections of cities or towns of three thousand inhabitants and over.

III. Class III highways shall consist of all recreational roads leading to, and within, state reservations designated by the legislature.

IV. Class IV highways shall consist of all highways within the compact sections of cities or towns of three thousand inhabitants and over. The compact section of any such city or town shall be the territory within such city or town where the frontage on any highway, in the opinion of the highway commissioner, is mainly occupied by dwellings or buildings in which people live, or business is conducted, throughout the year and not for a season only.

IV-a. The number of inhabitants for the determination of class IV highways shall be those shown by the latest available federal census and where the classification of any highway

under this section is dependent upon the number of inhabitants of a city or town such classification shall be changed in accordance with the changed population of such city or town as reported by said census; provided, that in towns where colleges or other institutions of higher learning are located and students residing within the town during the school year only have been included in the federal census figures, the commissioner of public works and highways shall deduct from the federal census figures the number of such students as shown by a signed statement by the head of the college or other institution of higher learning.

V. Class V highways shall consist of all other traveled highways which the town has the duty to maintain regularly and shall be known as town roads.

VI. Class VI highways shall consist of all other existing public ways, and shall include all highways discontinued as open highways and made subject to gates and bars, and all highways which have not been maintained and repaired by the town in suitable condition for travel thereon for five successive years or more.

**3. Aid for Town Highways.** Amend section 2, part 13, chapter 90 of the Revised Laws, as inserted by chapter 83, Laws of 1951 and amended by chapter 31, Laws of 1953 (section 2, chapter 241, RSA) by striking out the words "twenty-five hundred" in the nineteenth line thereof and inserting in place thereof the words, three thousand, so that said section as amended shall read as follows: **2. Apportionment.** All funds available to cities, towns and unincorporated places, pursuant to the provisions hereof shall be allotted by the commissioner of public works and highways upon the following basis: (a) **Apportionment A.** The commissioner shall apportion, on the basis of a sum of not less than nine hundred thousand dollars, to each city, town and unincorporated place, an amount based on the proportion which the mileage of the regularly maintained Class IV and Class V highways in that city, town or unincorporated place, as of January 1st of the previous year, bears to the total mileage of the regularly maintained Class IV and Class V highways in the state as of that date. Any city or town issuing bonds or long term notes to accelerate the improvement of its Class

IV and Class V highways may apply any part of the funds herein apportioned, for a period not to exceed five years or with the approval of the commissioner for a period not to exceed ten years, to aid in the retirement of such bonds or notes: (b) **Apportionment B.** The commissioner shall apportion to each city and town of three thousand inhabitants and over, one thousand dollars per mile for the mileage of Class IV highways which are urban extensions of Class I and Class II highways. If the projects submitted are eligible for federal assistance, this apportionment must be used to match any federal funds which may be available to the applicant city or town. Any city or town issuing bonds to accelerate the improvement of arterial routes within its compact area may apply any part of the funds herein apportioned, for a period not to exceed ten years, to aid in the retirement of such bonds: (c) **Apportionment C.** The commissioner shall apportion to eligible cities or towns the amount of federal funds which are available for their use.

4. **Highways, Regulation.** Amend section 1, part 19, chapter 90, of the Revised Laws, as inserted by chapter 188, Laws of 1945 (section 5, chapter 249, RSA) as amended by section 1, chapter 178, Laws of 1955, by striking out the words "twenty-five hundred" in the third line and inserting in place thereof the words, three thousand, so that said section as amended shall read as follows: 1. **Regulation.** The commissioner may regulate the use of class I, class II, and class III highways in towns of less than three thousand population and in other towns or cities outside the compact portion thereof as determined by him. He may establish stop intersections, erect stop signs, yield right-of-way signs, or other traffic devices or signals thereon or upon any highway entering therein.

5. **Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

**CHAPTER 334.**

AN ACT RELATIVE TO COOPERATIVE SCHOOL DISTRICTS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Cooperative School Districts.** Amend chapter 199 of the Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by inserting after section 9 the following new section: **9-a. Property Not Taken Over by District.** Whenever a cooperative district is formed and assumes all of the functions of a pre-existing school district but does not take over all of the property in a pre-existing district, the school board of such pre-existing district shall call a special school district meeting prior to the time of establishment of the cooperative district to see what action shall be taken relative to the remaining property.

**2. Disposition of Property.** Amend chapter 199 of the Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by inserting after section 11 the following new section: **11-a. Capital Reserves and Cash Balances.** When all of the functions of a school district are to be assumed by a cooperative district the balance in any capital reserve fund established by a school district and any cash balance in the hands of the treasurer or money due the district at the time of establishment of the cooperative district less any outstanding bills or debts other than long term indebtedness which is to become the obligation of the cooperative district, shall be used as a credit against the cooperative district assessment to be raised by the pre-existing district for the first year of operation or may be spread over a period of not more than five years as the voters of the pre-existing school district shall determine at either any annual meeting or a special school district meeting called for that purpose prior to the establishment of the cooperative district.

**3. District Taxes.** Amend section 14 of chapter 199 of the Laws of 1947, as inserted by chapter 213, Laws of 1951, (section 14, chapter 195, RSA) by striking out said section and inserting in place thereof the following: **14. Certification.** Between June 1 and June 10 an attested copy of every vote taken to raise money shall be certified by the district clerk, in

writing, with the approval of the chairman of the school board, to the selectmen of each town wholly or partly included within the cooperative school district, the amount of taxes to be raised for educational purposes in each pre-existing school district wholly or partly incorporated in the cooperative district. The selectmen of each town shall pay over to the treasurer of the cooperative district such portions of the sums so raised as may reasonably be required according to a schedule of payments needed for the year as prepared by the treasurer and approved by the cooperative school board, but no such payment shall be greater in percentage to the total sum raised by such local district than that of any other local district comprising such cooperative school district. Whenever a cooperative school district assumes all the functions of a pre-existing district, the cooperative board shall also certify to the selectmen the amount to be raised by taxation to meet the outstanding obligations of such pre-existing district including serial notes or bonds of such pre-existing district.

**4. Reports.** Amend chapter 199 of the Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by inserting after section 4 the following new section: **4-a. Acceptance by State Board of Education.** Following the organization meeting the state board shall receive from the clerk of the cooperative school district a certified copy of the action taken including the names of the districts uniting into the new cooperative district, grades included in the program, officers elected at the meeting, plan adopted for distributing the cost of operation, property to be purchased, if any, date of establishment and any other action taken, provided however that if the organization meeting is adjourned, action taken at the adjourned meeting shall be likewise reported to the state board. Prior to the date of establishment the board shall review all the information received from the organizing districts and certify to clerk and chairman of the new cooperative school district that all the requirements have been fulfilled relative to the establishment and that after that date the new cooperative district will be recognized as in existence.

**5. Powers of District to Borrow Money for Capital Improvements.** Amend paragraphs II and III of section 6 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951

(chapter 195, RSA) by striking out said paragraphs and inserting in place thereof the following: II. Each cooperative school district shall have the power to borrow money and issue its notes or bonds in conformity with the provisions of chapter 72 of the Revised Laws as amended, provided, however, when it shall appear to the board of investigation as established in the municipal finance act, Revised Laws chapter 72 as amended that such action is necessary or desirable, indebtedness may be incurred to an amount not to exceed six per cent of their assessed valuation as last equalized by the state tax commission.

III. Whenever only a part of the educational facilities of a local school district are incorporated into a cooperative school district, such local district shall continue in existence and function as previously. The cooperative school district shall assume only those outstanding debts and obligations of the local school district which pertain to the property acquired by the cooperative school district for use by the cooperative school district. In such case no cooperative school district shall for elementary school purposes incur debt to an amount exceeding one and one half per cent, and for secondary school purposes to an amount exceeding three per cent of the total assessed value of such district as last equalized by the tax commission. In the event that it shall appear necessary or desirable to the board of investigation provided for in the Municipal Finance Act, chapter 72, Revised Laws, upon application properly made to it, that an elementary or a secondary cooperative school district incur indebtedness greater than the aforesaid one and one-half per cent or three per cent, as the case may be, such elementary school district or secondary school cooperative district may incur such indebtedness, as may be authorized by said board of investigation, but not in excess of six per cent of said valuation as hereinbefore set forth. No cooperative school district shall incur indebtedness if it subjects the taxable property of any school district forming a part thereof to debt, when added to the debt of such school district, of more than six per cent of the value of such taxable property.

**6. Definitions.** Amend section 1 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, and as amended by section 1, chapter 225, Laws of 1953 (chapter 195, RSA)

by inserting at the end thereof the following new paragraph: IX. "Valuation" shall mean the valuation as determined by the tax commission for debt limits, under the provisions of chapter 72 of the Revised Laws, as amended.

7. **Formation of District.** Amend paragraph I of section 3 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, and as amended by section 2, chapter 225, Laws of 1953 (chapter 195, RSA) by inserting after the word "district" in the eleventh line the words: The petitioning motion shall be substantially in the following form: Resolved that . . . . . school district petition the state board of education to become a member of a cooperative school district which may include, in addition to this district the following school districts, namely . . . . . so that said paragraph as amended shall read as follows: I. The board is hereby authorized and empowered to suggest in this state cooperative school districts to provide for the educational needs and services of elementary and secondary school children and youth, to determine and define the boundaries, and to designate said districts by name, number and such other description as it shall deem proper. Any school district desirous of becoming a part of a suggested cooperative school district for a region shall at a duly called annual or special meeting by a majority vote of those present and voting to petition the board to become a part of a cooperative school district. The petitioning motion shall be substantially in the following form: Resolved that . . . . . school district petition the state board of education to become a member of a cooperative school district which may include, in addition to this district the following school districts, namely . . . . . One or two representatives from each pre-existing district shall be elected at the petitioning meetings to form an interim committee who shall prepare a financial budget for the operation of the proposed cooperative district. The district clerk shall within ten days after the meeting forward to the board a certified record of the meeting, a certified copy of the warrant articles acted upon at the meeting, and also certification of the posting of the notice of the meeting plus the results of the election to the interim committee. The records of each meeting shall show that a majority of the qualified voters present and



voting in each duly called school district meeting are in favor of joining a cooperative school district of the region as approved and laid out by the board. Following a vote by the individual districts of the suggested cooperative school district, the board is empowered to lay out a proposed cooperative school district when a sufficient number of districts of the original proposal have indicated their desire by a majority vote of the qualified voters to become a part of a cooperative school district, and if in the board's judgment the districts so voting would constitute an administrative unit possessing the necessary conditions to make it to the best interests of the region to be so organized. Within ten days after the making and entry of the orders pursuant to this section, the board shall transmit a certified copy thereof to the clerk and to the chairman of the school board of each school district, indicating the territory which is affected by said orders. Each school board shall within ten days after receipt of such orders cause them to be published in a local newspaper or in one commonly circulated in the district.

**8. Change in Date.** Amend paragraph I of section 6 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, (chapter 195, RSA) by striking out the words "July first, next, following its absorption by the cooperative school district" and inserting in place thereof the words, the date of establishment of the cooperative district, so that said paragraph as amended shall read as follows:

I. Each cooperative school district shall be a body corporate and politic with power to sue and be sued, to acquire, hold and dispose of real and personal property for the use of schools therein, and to make necessary contracts in relation thereto, and have and possess all the powers and be subject to all the liabilities conferred and imposed upon school districts under the provisions of chapter 138 of the Revised Laws. Whenever a cooperative school district assumes all the functions of a local school district, such local district shall continue in existence to the date of establishment of the cooperative district, and thereafter such cooperative school district shall be the agent for the payment of all outstanding just debts and obligations of such pre-existing district.

**9. Computation of Costs.** Amend section 7 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out the word "adjusted" where it occurs in the fourth, fifth, eighth and ninth lines, and inserting in place thereof the word, equalized, so that said section as amended shall read as follows: **7. Apportionment of Costs.** During the first five years after the formation of a cooperative school district, each pre-existing district shall pay its share of the cost of all capital improvements, based upon the proportion which its equalized valuation bears to the total aggregate equalized valuation of the cooperative school district at the time of its formation. Thereafter, such costs shall be apportioned on the basis of the ratio of the equalized valuation of the pre-existing district to the total equalized valuation of the cooperative school district at the time the funds therefor are appropriated.

**10. Operation.** Amend section 8 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, and as amended by section 8, chapter 225, Laws of 1953, (chapter 195, RSA) by striking out said section and inserting in place thereof the following: **8. Cost of Operation.** The cost of operating cooperative schools shall be prorated among the pre-existing districts in accordance with either one of the following ways, except as hereinafter provided, as determined by the majority vote of the cooperative district meeting:

I. The proportion that its equalized valuation bears to the total equalized valuation of the property within the cooperative school district; or

II. One-half of cost shall be apportioned in proportion to the average daily membership for the preceding school year and one-half shall be apportioned on the equalized valuation formula above.

**11. Transfer of Property.** Amend section 9 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out the word "adjusted" where it occurs in the seventh and eighth lines, and inserting in place thereof the word, equalized, so that said section as amended shall read as follows: **9. Taking Over Property.** Whenever a cooperative school district is formed, the property belonging to the pre-existing districts to be used by the cooperative dis-

trict shall be separately appraised by the state tax commission. At the next annual assessment a tax equivalent to that amount shall be levied upon the several districts composing the cooperative school district in the proportion that the equalized valuation of each bears to the equalized valuation of the whole, and there shall be remitted to the taxpayers of each pre-existing district the appraised value of its property. Whenever the board decides the foregoing adjustment will work a hardship on any one or all of the pre-existing districts, it may of its own motion, or upon petition of any ten residents of a pre-existing district provide that such adjustment be made over a period of not exceeding twenty years.

**12. Trust Funds.** Amend section 11 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out said section and inserting in place thereof the following: **11. Continuance of Trust Funds.** All trust funds held or enjoyed by any pre-existing district shall be held and applied as the terms of the trust indicate. If such trust allows, the funds may be applied for the same uses and purposes of the cooperative district.

**13. Computation.** Amend section 15 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out said section and inserting in place thereof the following: **15. State Aid.** The state aid, provided by sections 8, 9 and 9-a of chapter 140, Revised Laws, as amended, to which a cooperative elementary and/or secondary district shall be entitled shall be the total of those shares of the aid to which the pupils attending the cooperative district would have entitled the pre-existing districts, had they remained in the pre-existing districts.

**14. Additional Aid.** Amend chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by inserting after section 15 the following new section: **15-a. Building Aid.** Except as hereinafter provided, for the purpose of receiving state building aid, or other similar aid toward school buildings, which may hereafter be provided, the amount of such aid for cooperative school districts shall apply only to those cooperative or union school districts which were formed from two or more districts from two or more towns. A cooperative school district formed from two or more school dis-

tricts within one town shall be deemed to be a school district and not a cooperative school district in so far as receipt of state building or other similar aid toward school buildings is concerned. The limitations of this section relative to cooperative school districts formed from districts within one town shall apply only to those which are so organized after July 1, 1955. Such cooperative school district organized prior to July 1, 1955, shall be deemed a cooperative school district for the purpose of receiving such building aid.

**15. Goshen-Lempster Cooperative School District.** The present capital reserve established by the pre-existing school district of Lempster by vote of March 14, 1950, shall be used by the Goshen-Lempster cooperative school district for the construction of the new central school in addition to the amount already appropriated and this capital reserve shall be used as a credit against the cooperative school assessment to be raised by the pre-existing district of Lempster for a period of five years from the date of the passage of this act.

**16. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 335.

### AN ACT PROVIDING FOR A STUDY OF THE JURISDICTION OF MUNICIPAL COURTS OR DISTRICT COURTS AND RELATING TO SCHOOL BUILDING AID AND OTHER PURPOSES.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Judicial Council.** The judicial council is directed to institute a study of the jurisdictional limits of municipal courts in this state to determine whether said jurisdiction should be enlarged, or whether district courts should be established in order to improve the local courts of the state. Said council shall make a report of its investigation and study together with its recommendations for legislation, if any, to the 1957 legislature.

2. **Report.** The judicial council shall complete such portion of its report, if any, which may embody constitutional changes prior to the convening of the next constitutional convention and shall submit such portion of its report to that body.

3. **Special Courts.** The judicial council shall particularly inquire into the advisability of establishing special courts for the administration of juvenile cases.

4. **Appropriation.** There is hereby appropriated the sum of one thousand dollars for the use of the judicial council in effectuating the purposes of sections 1, 2 and 3.

5. **Compensation of Clerks.** Amend section 18 of chapter 9 of the Revised Laws, as amended by section 1, chapter 85 of the Laws of 1951 (section 19, chapter 14, RSA) by striking out in the second line the words "ninety-five" and inserting in place thereof the word, one hundred, so that said section as amended shall read as follows: **18. Senate Clerk.** The compensation of the clerk of the senate shall be one hundred dollars a week for each six-day week of any regular session, together with three hundred and fifty dollars when he files with the secretary of state a printed copy of his journal and seventy-five dollars for attendance according to law at the opening of each session. Said sums shall be in full for services performed at such regular session.

6. **Assistant Clerks.** Amend section 20 of chapter 9 of the Revised Laws, as amended by section 1, chapter 85 of the Laws of 1951 (section 21, chapter 14, RSA) by striking out said section and inserting in place thereof the following: **20. Assistant Clerks.** The compensation of the assistant clerk of the senate and the assistant clerk of the house shall be ninety-five dollars each per week for each six-day week of any regular session.

7. **Senate Attaches.** The compensation of the doorkeeper and assistant messenger of the senate shall be seven dollars and fifty cents a day; each for six days a week in any regular session. Said sum shall be in full for services performed at any regular session. Any part of section 23 of chapter 9 of the Revised Laws, as amended by an act passed at 1955 session of the legislature which is inconsistent with the provisions of

this section shall be repealed to the extent of such inconsistencies.

**8. Business Supervisor.** Amend that part of section 1 of chapter 265 of the Laws of 1953 pertaining to the salary for business supervisor in the eleventh line of paragraph II by striking out the figures 6,500 - 7,475 and inserting in place thereof the figures 7,000 - 8,050.

**9. School Building Aid.** Amend chapter 140 of the Revised Laws (chapter 198, RSA) by inserting after section 14 the following new sections:

#### **School Building Aid**

**14-a. Annual Grant for the Payment of Debt Service for School Construction.** To aid local school districts in meeting the costs of the payment of debt for school buildings, the state board of education shall, from funds appropriated by the general court to carry out the provisions of this sub-division, pay annually to the school districts of the state, sums in accordance with the provisions of this sub-division.

**14-b. Amount of Annual Grant.** The amount of the annual grant to any school district duly organized, any city maintaining a school department within its corporate organization, and any cooperative school district as defined in chapter 199, Laws of 1947, as amended, shall be a sum equal to twenty per cent of the amount of the annual payment of principal on all outstanding loans of the school district, city or cooperative district heretofore or hereafter issued for the cost of construction of school buildings, to the extent approved by the state board of education, provided that the amount of the annual grant in the case of a cooperative school district (as defined in chapter 199, Laws of 1947) shall be forty per cent. For the purposes of this subdivision construction shall include the acquisition and development of the site, construction of a new building and/or additions to existing building including alterations providing additional pupil capacity, architectural and engineering fees, purchase of equipment and any other costs necessary for the completion of the building as approved by the state board of education.

**14-c. Approval of Plans, Specifications and Costs of Construction.** A school district which desires to avail itself of the

grant herein provided shall submit its plans and specifications and make application in writing to the state board of education on such forms as the board may prescribe for the approval of the plans and specifications, and construction cost of school buildings heretofore or hereafter completed or authorized. The state board of education shall approve such costs as it deems necessary. For the purposes of this subdivision, necessary costs shall be computed on the basis of the pupil capacity of the building multiplied by a per pupil allowance, as determined by the state board of education. Pupil capacity shall be based upon the square footage per pupil and/or pupil stations including laboratories and shops adjusted to elementary, junior high and secondary school facilities. The per pupil allowance shall be based upon the actual cost to the school district, city school department, or cooperative school district of the school construction in the school district upon which the school district is now carrying a debt service, or the state average per pupil construction costs of elementary and secondary facilities for the preceding five year period, respectively whichever is lower. The state average per pupil construction cost for a particular school building may be adjusted whenever in the judgment of the state board of education the expenditures for construction, land, equipment and/or furnishings in the school district, were or are of necessity in excess of average requirements. Upon approval of the construction by the state board of education, the school district shall be entitled to receive an annual grant as provided herein.

**14-d. Time of Computation of Grant.** Between October 1 and December 31 in each year, the state board of education shall cause to be computed the amount of the annual grants for school building aid to be paid to eligible school districts for the current fiscal year. The computation shall be based upon the total of approved costs of construction of school buildings for which loans are outstanding in each school district for the preceding fiscal year.

**14-e. Proration and Unexpended Funds.** If in any year, the amount appropriated for distribution as school building grants in accordance with section 14-b is insufficient therefor, the appropriation shall be prorated proportionally among the districts entitled to a grant. Any amounts not distributed in

the first year of any biennium may be distributed in the second year if required to distribute the maximum amount permissible under section 14-a.

**10. Funds Provided.** If unrestricted general fund revenue for the fiscal year ending June 30, 1956, shall exceed the sum of \$16,419,527 a sum of not exceeding the three hundred and fifty thousand dollars is hereby appropriated for the purpose of school building aid hereunder. For distribution of school building aid for year beginning July 1, 1956, the state board of education may accept applications and compute the amount of aid under the provisions of 14-d hereinabove inserted, prior to July 1, 1956.

**11. Takes Effect.** This act shall take effect upon its passage, provided that the first annual grant for school building aid hereunder shall be made for the fiscal year beginning July 1, 1956.

[Approved August 5, 1955.]

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## CHAPTER 336.

### AN ACT RELATIVE TO LEGISLATIVE ATTACHES.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Legislative Employees.** There is hereby appropriated the sum of \$5,315 as additional compensation to the following attaches of the present session of the general court: Alice V. Flanders, \$192; Esther T. Hurd, \$186; Marion C. Colby, \$189; Margaret L. Ford, \$189; Virginia B. Easton, \$191; Frances Doherty, \$158; Helen Y. Andrews, \$189; Eleanor C. Brown, \$186; Helene H. Wester, \$192; Alice P. Pinkham, \$193; Mabel L. Richardson, Bertha E. Boutwell, Harry J. E. Robinson, Sherman L. Greer, Daniel Cronin, Oney Russell, Fayne E. Anderson, Forest A. Bucklin, Lucie Weston, H. Furber Jewett, William T. Thompson, James Martin, George J. Heon, Joseph Kershaw, Reuben Moore, Joseph W. Means, \$186 each; Palmer C. Read, \$187; William Palfrey, \$161; and Charles Woodbury, \$126. Said sum shall be a charge upon the legislative appropriation.



**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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**CHAPTER 337.**

AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS  
AND LONG TERM REPAIRS FOR THE STATE OF  
NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriation.** The sum of one million, three hundred fifty-three thousand, forty dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same. The estimated costs for the projects are as follows:

I. Soldiers' home:		
Sprinkler pressure tank		\$6,500.00
II. State sanatorium:		
Electric power generator —	\$30,000.00	
1 diesel unit and tie-in for control station.		
Sprinkler — Brown infirmary	19,000.00	
Water supply	10,000.00	
Infirmary elevator and controls	9,000.00	
Plot and utility plans	2,500.00	
		<hr/> 70,500.00
III. Industrial school:		
Roads	\$4,000.00	
Riverview cottage rewiring	1,500.00	
Irrigation and drainage	7,640.00	
Steam line extension	16,500.00	
Boys cottage:		
Construction	\$84,000.00	
Furnishings	20,000.00	
	<hr/> 104,000.00	
<b>Total</b>		<hr/> <b>\$133,640.00</b>

	Less land fund	36,500.00	
	Net appropriation		97,140.00
IV.	State prison:		
	Boiler repairs	\$40,000.00	
	Remodel kitchen and vegetable room and relocate toilets	4,000.00	
	Repairs to north wall	4,000.00	
	Snow guards	2,000.00	
	Total appropriation		50,000.00
V.	Laconia state school:		
	*Rehabilitation of Floyd, Keyes, Quimby, McLane and Baker buildings	\$135,000.00	
	Sprinklers for Felker, McLane, Baker, Keyes and Blood buildings	53,000.00	
	Complete and furnish new cottages:		
	Furnishings	\$20,000.00	
	Fire protection	3,500.00	
	Roadways	7,500.00	
			31,000.00
	Repairs Little Hall, Administration building and fire boxes	3,600.00	
	Plot plan	1,500.00	
	1 new building for defective, delinquent children	90,000.00	
	Furnishing thereof	10,000.00	
	Total		\$324,100.00
* The amount of \$135,000 is to provide for complete rehabilitation of Laconia State School. A sufficient amount of this shall be used so that adequate sanitation facilities may be provided.			
VI.	State hospital:		
	Power plant improvements	\$14,000.00	
	Cafeteria — Walker building	20,000.00	
	Laundry equipment	32,500.00	
	Sprinkler — Walker building	82,000.00	
	Total appropriation		148,500.00

VII.	State library:		
	Heating improvements	\$5,000.00	
	Archives	4,000.00	
		<hr/>	
	Total appropriation		9,000.00
VIII.	Adjutant general:		
	Manchester armory	\$41,000.00	
	Dover armory	12,500.00	
		<hr/>	
	Total appropriation		53,500.00
IX.	Department of education:		
	Manchester technical institute roof repairs	\$12,000.00	
	Plymouth teachers' college —		
	Furnishings for new building	25,000.00	
	Remodel kitchen —		
	Mary Lyon	10,000.00	
	Water — Hall dormitory	5,000.00	
	Parking area	5,000.00	
	Keene teachers' college —		
	Repairs home economic building	3,500.00	
	Vocational building addition ready for occupancy	350,000.00	
	Repairs — Huntress hall and Fiske	5,000.00	
		<hr/>	
	Total appropriation		415,500.00
X.	Water resources board:		
	Long term repairs for Pawtucket-away and Mendum Ponds	\$18,000.00	
	Suncook River dams in the towns of Barnstead, Gilmananton and Alton	31,000.00	
		<hr/>	
			49,000.00
XI.	State house and grounds:		
	1. New office space for appropriations committee	\$2,500.00	

2. Representatives hall and  
senate chamber fire safety 20,000.00\*

\* Provided that before any plans are approved they must be approved by the speaker of the house and president of the senate for their respective chambers.

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|---|-----------|
| 3. Stairway (2) Smoke<br>towers, fire doors, elevator<br>enclosures | 20,000.00 |
| 4. Ventilation for elevator<br>motor rooms (2)                      | 1,000.00  |
| 5. Sprinklers — waste paper<br>room, state house<br>basement        | 500.00    |
| 6. Strengthen corridor<br>floors — 1st floor,<br>state house        | 3,500.00  |
| 7. Structural repairs —<br>state house dome                         | 1,800.00  |
| 8. New elevator (1)<br>state house                                  | 48,000.00 |
| 9. Pointing and steam clean-<br>ing masonry — state<br>house        | 32,000.00 |

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129,300.00

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\$1,353,040.00

**2. Recreation Division.** The sum of three hundred seventy-one thousand four hundred fifty dollars is hereby appropriated for the recreation division as follows:

Recreation division:

Franconia tramway — new track cable	\$75,000.00
Preservation of Great Stone Face	1,000.00
Sewage disposal	10,000.00
Flume area	4,100.00
Toilets for Mt. Sunapee beach area	31,350.00

\*For acquisition of land

at Spofford Lake \$120,000.00

For improvements	
to same	130,000.00
	<hr/>
	250,000.00

Total appropriations \$371,450.00

\* Spofford lake route 9-A shall not become a dead-end road.

**3. Governor and Council.** There is hereby appropriated the sum of two hundred and fifty-five thousand dollars to be expended by the governor and council as follows:

I. For remodeling of office space for state departments in the state house and annex, and for purchase of additional property for housing state departments if such purchase shall be deemed by the governor and council to be in the interest of the state \$250,000.00

II. For a survey of the top of  
Mt. Washington 5,000.00

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\$255,000.00

**4. Powers of Governor and Council.** The governor and council are hereby authorized and empowered:

I. To establish the priority of undertaking the projects hereinbefore enumerated;

II. To transfer funds from any project named in section 1 to any other project in the same section;

III. To delete projects or parts of projects provided such deletion is for the public good or is necessary to keep within the funds appropriated;

IV. To substitute emergency long term repair projects for any of the projects hereinbefore enumerated if such substitution is necessary for the public good; and

V. To cooperate with and enter into such agreements with the federal government or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

**5. Expenditures.** The appropriations made for the purposes mentioned in section 1 and the sums available for those projects shall be expended by the trustees, commission, or department head of the institutions and departments referred to therein, provided that all contracts for projects and plans and specifications therefor shall be awarded in accordance with

the provision of chapter 90-A of the Revised Laws as inserted by part 9 of chapter 5, Laws of 1950. The appropriation made and the sum made available for the project referred to in section 2 above shall be expended by the recreation division provided that all contracts for projects and plans and specifications therefor shall be awarded in accordance with the provisions of chapter 90-A of the Revised Laws as inserted by part 9 of chapter 5, Laws of 1950.

**6. Borrowing Power.** To provide funds for the appropriations made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of one million, three hundred fifty-three thousand and forty dollars (\$1,353,040.00); to provide funds for the appropriations made by section 2 hereof not exceeding the sum of three hundred seventy-one thousand four hundred fifty dollars; and to provide funds for the appropriations made by section 3 hereof the sum of not exceeding two hundred fifty-five thousand dollars and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

**7. Payments.** The payment of principal and interest on bonds and notes issued for the projects in sections 1 and 3 shall be made when due from the general funds of the state. The payment of principal and interest on bonds and notes issued for the projects in section 2 shall be a charge upon the state recreational fund established under section 19-a, chapter 234, Revised Laws.

**8. Proceeds from sale.** The proceeds of the sale of said bonds or notes authorized by section 6 shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of sections 1, 2 and 3 alone. The governor, with the advice and consent of the council, shall draw his warrants for the payments from the funds provided

for herein of all funds expended or due for the purposes herein authorized.

**9. Continuation of Reimbursements on Account of Timber Tax.** For the purpose of providing additional funds for the reimbursement for losses in tax revenue sustained by the exemption of growing wood and timber from taxation under the provisions of chapter 79-A of the Revised Laws as inserted by chapter 295 of the Laws of 1949 and as amended by section 6, chapter 12 of the Laws of 1951, there is hereby appropriated, in addition to any sums previously appropriated for the purpose the additional sum of three hundred fifty thousand dollars. The funds hereby appropriated shall be available for distribution for tax losses incurred during the tax years 1954 and 1955 and shall be deposited in the reimbursement fund established under said chapter 79-A.

**10. Bonds Authorized.** To provide funds for the appropriation provided by section 9 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not to exceed three hundred fifty thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. The governor and council shall determine the form of such bonds or notes, the rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds shall be signed by the treasurer and countersigned by the governor. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrant for the sum appropriated by section 9 for the purpose of section 9 only.

**11. Timber Tax Reimbursement.** Amend chapter 242 of the Laws of 1953 (section 14, chapter 79, RSA) by striking out sections 1 and 2 thereof and inserting in place thereof the following: **1. Reimbursement Fund Created.** There is hereby appropriated the sum of \$350,000, to be raised in the manner hereinafter provided, which sum shall be a reimbursement fund for the reimbursement for losses in tax revenue sustained by the exemption of growing wood and timber from taxation

under the provisions of chapter 79-A of the Revised Laws as inserted by chapter 295 of the Laws of 1949 and as amended by section 6, chapter 12 of the Laws of 1951. Any balance left in said reimbursement fund shall not lapse but shall be carried forward to be used for the purpose originally established. To provide funds for the appropriation provided herein the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not to exceed three hundred fifty thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. The governor and council shall determine the form of such bonds or notes, the rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds shall be signed by the treasurer and countersigned by the governor. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrant for the sum hereinbefore appropriated for the purpose of this act only.

**12. Accounts.** The secretary of state shall keep an account of all bonds or notes authorized hereunder countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity.

**13. Short Term Notes.** Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purpose hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on short term loans exceed the following sums: (1) Not exceeding the sum of one million three hundred fifty-three thousand and forty dollars; for borrowing to provide funds for



the purposes of section 1; (2) not exceeding the sum of three hundred seventy-one thousand four hundred fifty dollars for borrowing to provide funds for the purposes of section 2; (3) not exceeding the sum of two hundred and fifty-five thousand dollars for borrowing to provide funds for the purposes of section 3; (4) not exceeding the sum of three hundred fifty thousand dollars for borrowing for purposes of section 9 and (5) not exceeding the sum of three hundred fifty thousand dollars for borrowing for the purposes of section 11.

**14. Sale of Bonds or Notes.** All bonds or notes except short term loans issued under the provisions of this act shall be sold at public sealed bidding to the highest bidder provided, however, that the governor and council may reject any or all bids and may negotiate for said sale upon terms which it may deem most advantageous to the state.

**15. Public Works.** The department of public works and highways shall keep an accurate breakdown of all department charges, including consultative conferences, on all projects provided for by this act.

**16. Requests for Appropriations.** Amend section 4 of chapter 23 of the Revised Laws (section 4, chapter 9, RSA) by striking out said section and inserting in place thereof the following: **4. Requests for Appropriations.** On or before October first next prior to each biennial legislative session, all departments of the state shall transmit to the comptroller, on blanks to be furnished by him, estimates of their expenditure requirements for each fiscal year of the ensuing biennium, classified so as to distinguish between expenditures estimated for (a) administration, operation, and maintenance, and (b) the cost of each project involving the purchase of land or the making of a public improvement or capital outlay of a permanent character. Requests for capital appropriations as specified in (b) above shall be accompanied by the following data: (1) Preliminary drawings and estimates prepared by a qualified architect or engineer; (2) the approval of such preliminary drawings by the department of public works and highways and of the governor and council; (3) cost of preliminary planning; (4) estimates of capital cost including land, if any; (5) estimates of furnishings and equipment, if any; (6) allowances for contingencies; (7) consultant's fees and (8) fees to depart-

ment of public works and highways including consultation fees and clerk of works. When a department shall present requests for more than one capital appropriation there shall also be submitted a preference schedule and a time schedule to show when projects should be constructed. The information contained in the requests for capital appropriations shall be reproduced and submitted to the appropriations and finance committees of the legislature for their information when the budgets are submitted.

**17. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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## CHAPTER 338.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF CERTAIN  
DEPARTMENTS OF THE STATE FOR THE YEAR ENDING  
JUNE 30, 1956.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriations.** The sums hereinafter mentioned are appropriated to be paid out of the treasury of the state for the purposes specified for the departments herein named, for the fiscal year ending June 30, 1956, to wit: A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$28,950.00 for the office of legislative assistant to the appropriations and finance committees, as provided by sections 33-37, chapter 9 of the Revised Laws, as inserted by chapter 10, Laws of 1953 (sections 30-34, chapter 14, RSA), and \$9,750.00 for the office of research analyst to the legislative council.

(Salary of legislative budget assistant \$8,500.00, other personal services \$18,700.00, current expenses \$850.00, travel \$800.00, equipment \$100.00).

(Salary of research analyst \$5,250.00, secretary to analyst \$3,120.00, other expenses \$1,380.00)	\$275,000.00
Council of state governments	2,500.00
*Legislative council	2,500.00
Total for legislative branch	\$280,000.00

\* The funds in this appropriation shall not lapse but shall be available for expenditure in the following year.

For executive branch:

Office of governor	
Salary of governor	\$12,000.00
Other personal services	20,700.00*
Current expenses	3,850.00
Travel	600.00
Equipment	300.00
Total	\$37,450.00
Contingent fund	7,500.00
Special citations to state employees	300.00
Governor's special fund	13,500.00**
Rent, light, heat for governor's Concord home	2,000.00
Marine memorial	10,000.00†
Total for governor's office	\$70,750.00
Emergency fund	75,000.00
Governor's council:	
Per diem	\$8,400.00

\* Salaries paid out of this appropriation shall be at levels set by the governor.

\*\* The funds appropriated under this item to be spent by the governor in his own and sole discretion for state purposes, including but not limited to participation in the activities of the United States Governors' Conference, the New England Conference of Governors, and the council of state governments, for which monies are not otherwise appropriated.

† This appropriation shall be a continuing appropriation and shall not lapse. The funds herein shall be expended by the New Hampshire marine memorial commission with the approval of the governor and council, provided that no expenditures shall be made therefrom unless and until said commission shall have raised from private sources the sum of at least \$15,000.00.

Current expenses	300.00	
Travel	1,700.00	
		<hr/>
Total for governor's council		10,400.00
		<hr/>
Total for executive branch		<u>\$156,150.00</u>
For judicial branch:		
For supreme court:		
Salaries of justices	\$60,305.00	
Salary of clerk-reporter	7,265.00	
Other personal services	5,380.00	
Current expenses	3,850.00	
Travel	1,600.00	
Equipment	415.00	
N. H. supreme court reports	5,500.00*	
		<hr/>
Total	\$84,315.00	
Less estimated revenue	680.00	
		<hr/>
Net appropriation		\$83,635.00
For superior court:		
Salaries of judges	\$84,105.00	
Current expenses	4,280.00	
Travel	9,000.00	
		<hr/>
Total		97,385.00
For referees and masters:		
Salary of referee		3,800.00
For judicial council		*4,200.00
For probate court:		
Salaries of judges	\$29,400.00	
Salaries of registers	25,440.00	
Salaries of deputies	23,590.00	
		<hr/>
Total		78,430.00
		<hr/>
Total judicial branch		<u>\$267,450.00</u>

\* The funds in these appropriations shall not lapse, but shall be available for expenditure in the following fiscal year.

## For adjutant general's department:

Central administrative office:	
Salary of adjutant general	\$8,285.06
Other personal services	22,382.50
Current expenses	3,800.00
Equipment	490.00
Other expenditures:	
State flags	180.00
	<hr/>
Total	\$35,137.56

## National guard:

Personal services	\$25,571.00
Current expenses	20,000.00
Travel	1,300.00
Equipment	1,400.00
Other expenditures:	
Social security	350.00
	<hr/>
Total	48,621.00

## Armories:

Personal services	\$65,822.50
Current expenses	82,000.00
Equipment	736.80
	<hr/>
Total	148,559.30

## National guard rifle and pistol range:

Personal services	\$2,070.00
Current expenses	1,100.00
	<hr/>
Total	3,170.00

## Officers' uniform allowance:

Current expenses	8,750.00
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## State military reservation, Concord:

Current expenses	18,750.00
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## State military reservation, Concord:

Photostatic division:	
Personal services	\$2,830.00

Current expenses	475.00	
Equipment	50.00	
		<hr/>
Total		3,355.00
State military reservation, Grenier Air force base, Manchester:		
Personal services	\$9,910.00	
Current expenses	15,900.00	
Travel	200.00	
		<hr/>
Total		26,010.00
State military reservation, Fort William and Mary, New Castle:		
Current expenses		700.00
Drill expenses:		
Travel		700.00
		<hr/>
Total for adjutant general's department		\$293,752.86
Less estimated revenue		38,850.00
		<hr/>
Net appropriation		<u>\$254,902.86</u>
For administration and control:		
Division of budget and control:		
Salary of comptroller	\$9,810.00	
Salary of business supervisor	6,890.00	
Salary of farm supervisor	5,810.10	
Salary of assistant business supervisor	6,000.00	
Other personal services	5,989.96	
Current expenses	1,425.00	
Travel	1,000.00	
Other expenditures:		
Atlantic marine fisheries	900.00	
Firemen's relief	4,000.00	
League of N. H. arts and crafts	8,000.00	
State house annex sinking fund	26,000.00	
		<hr/>
Total		\$75,825.06

## Division of accounts:

Salary of director	\$6,890.00
Other personal services	42,152.67
Current expenses	15,100.00
Travel	200.00
Equipment	500.00

Total	64,842.67
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## Division of investigation of accounts:

Personal services	\$16,240.00
Travel	5,600.00

Total	21,840.00
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## Division of buildings and grounds:

Personal services	\$130,178.58
Current expenses	70,000.00
Equipment	2,300.00

	\$202,478.58
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## Mailing division:

Personal services	\$9,395.00
Current expenses	595.00
Equipment	287.00

Total	212,755.58
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## Division of personnel:

## State funds:

Salary of director	\$7,420.00
Other personal services	34,126.90
Current expenses	2,370.00
Travel	1,000.00
Equipment	125.00

Total	45,041.90
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## Federal funds: (merit system)

Deputy director of personnel	\$6,395.00
Other personal services	240.00

Other expenditures:			
Retirement		409.18	
Total		<u>\$7,044.18</u>	
Less federal revenue		7,044.18	
Net appropriation			0.00
Division of purchase and property:			
Salary of director		\$7,810.00	
Other personal services		33,847.65	
Current expenses		3,100.00	
Travel		300.00	
Equipment		575.00	
Total			<u>45,632.65</u>
Printing layout:			
Personal services		\$3,030.00	
Less refunds		3,030.00	
Net appropriation			<u>0.00</u>
Surplus food and commodities distribution:			
Salary of director		\$5,000.00	
Salary of supervisor of surplus food and commodities		4,558.20	
Other personal services		4,940.00	
Current expenses		24,235.00	
Travel		2,500.00	
Other expenditures:			
Employees retirement		940.93	
Total		<u>\$42,174.13‡</u>	
Less estimated revenue and balance		42,174.13‡	
Net appropriation			0.00
Total for administration and control		<u><u>\$465,937.86</u></u>	

‡ Authority is hereby given to utilize so much as may be necessary of the balance accumulated as of June 30, 1955 or any surplus accumulating during the fiscal year 1956 within this subdivision, to efficiently operate this division without the use of any other state funds.



## For department of agriculture:

## Office of commissioner:

Salary of commissioner	\$7,950.00
Other personal services	29,048.57
Current expenses	3,500.00
Travel	5,000.00
Equipment	1,800.00
Other expenditures:	
Feed, seed and fertilizer services	15,240.00

Total	\$62,538.57
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## Division of markets and standards:

## Bureau of markets:

Personal services	\$26,661.90
Current expenses	13,192.00
Travel	4,200.00
Equipment	447.50
Other expenditures:	
Cooperative grant to New Eng- land crop reporting service	800.00

Total	45,301.40
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## Bureau of weights and measures:

Personal services	\$21,460.50
Current expenses	3,200.00
Travel	4,000.00
Equipment	3,500.00

Total	\$32,160.50
Less estimated revenue	17,000.00

Net appropriation	15,160.50
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## Division of animal industry:

Salary of state veterinarian	\$7,980.00
Other personal services	36,454.43
Current expenses	6,200.00
Travel	6,200.00
Equipment	4,800.00

Other expenditures:		
Tubercular testing	35,000.00	
Other veterinarian service	800.00	
Radio transcriptions	25.00	
Fees to town clerks for checking mortgages	25.00	
Indemnities for condemned animals	15,000.00	
Brucellosis and vibrosis testing	60,000.00	
Testing for mastitis control	2,500.00	
	<hr/>	
Total		174,984.43
Insect and plant disease control:		
Personal services	\$23,240.00	
Current expenses	1,325.00	
Travel	5,800.00	
Equipment	215.00	
	<hr/>	
Total		30,580.00
Milk control:		
Personal services	\$11,318.17	
Current expenses	2,680.00	
Travel	1,600.00	
Equipment	1,287.50	
	<hr/>	
Total	\$16,885.67	
Less estimated revenue	16,885.67	
	<hr/>	
Net appropriation		0.00
Economic poisons law:		
Current expenses	\$300.00	
Travel	1,197.50	
Equipment	459.00	
Other expenditures:		
Temporary and professional services	1,043.50	
	<hr/>	
Total	\$3,000.00	
Less estimated revenue	3,000.00	
	<hr/>	
Net appropriation		0.00

Board of veterinary examiners		425.00
Tests for germination and purity of agricultural seeds	\$200.00	
Less revenue and balance	200.00	
	<hr/>	
Net appropriation		0.00
Vesicular exanthema	\$250.00	
Less revenue and balance	250.00	
	<hr/>	
Net appropriation		0.00
Licensing of live poultry dealers	\$540.00	
Less revenue and balance	540.00	
	<hr/>	
Net appropriation		0.00
Licensing of livestock dealers	\$10.00	
Less revenue and balance	10.00	
	<hr/>	
Net appropriation		0.00
Grants: †		
State soil conservation committee		\$100.00
Eastern states exhibit		2,000.00
		<hr/>

† The provisions of section 8, chapter 231 of the Revised Laws (section 5, chapter 241, RSA) are suspended for the fiscal year ending June 30, 1956.

Total for department of agriculture	<u>\$331,089.90</u>
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For attorney general:

Office of attorney general:

Salary of attorney general	\$9,540.00
Salary of deputy attorney general	8,480.00
Salaries of 3 assistant attorneys general	22,260.00
Other personal services	24,240.23
Current expenses	3,000.00
Travel	3,400.00
Equipment	1,200.00

## Other expenditures :

Commission on uniform state laws	700.00	
Conference of national association of attorneys general	5,000.00*	
		<hr/>
Total		\$77,820.23

## Division of charitable trusts :

Salary of director	\$3,760.00	
Other personal services	4,420.00	
Current expenses	200.00	
Travel	150.00	
Equipment	200.00	
		<hr/>
Total		8,730.00
		<hr/>
Total for attorney general		\$86,550.23
Less estimated revenue		3,000.00
		<hr/>
Net appropriation		\$83,550.23

\* No part of this appropriation shall be transferred to any other account.

## For forestry division (forestry and recreation) :

## Administration :

Salary of state forester	\$7,420.00	
Other personal services	25,648.72	
Current expenses	4,775.00	
Travel	1,375.00	
Equipment	200.00	
		<hr/>
Total	\$39,418.72	
Less refunds (maintenance)	234.60	
		<hr/>
Net appropriation		\$39,184.12

## District fire supervision :

Personal services	\$67,002.44
Current expenses	16,295.00
Travel	11,050.00

Equipment	18,500.00	
	<hr/>	
Total	\$112,847.44	
Less estimated revenue and balance	63,173.00***	
	<hr/>	
Net appropriation		49,674.44
Lookout stations:		
Personal services		57,291.27
Wardens training conference		
Current expenses	\$2,000.00	
Other expenditures:		
State's share of town warden training	3,500.00	
	<hr/>	
Total		5,500.00
Prevention of fires:		
Personal services	\$6,246.68	
Current expenses	730.00	
Equipment	5,000.00	
Other expenditures:		
State's share of prevention bills with towns	1,200.00	
	<hr/>	
Total		13,176.68
White pine blister rust control:		
Personal services	\$15,570.00	
Current expenses	1,385.00	
	<hr/>	
Total		16,955.00
Northeastern forest fire compact:		
Current expenses	\$592.50	
Travel	100.00	
	<hr/>	
Total		692.50

## Nursery:

Personal services	\$20,661.92	
Current expenses	9,442.00	
Equipment	3,700.00	
	<hr/>	
Total	\$33,803.92	
Less estimated revenue and balance	11,116.75***	
Less refunds (maintenance)	152.79	
	<hr/>	
Net appropriation		22,534.38

\*\*\* If the federal grant exceeds the above estimate, such excess may be expended with the approval of the governor and council for said purposes.

## Reforestation:

Personal services	\$2,967.42	
Current expenses	130.00	
Travel	675.00	
	<hr/>	
Total	\$3,772.42	
Less refunds (maintenance)	125.01	
	<hr/>	
Net appropriation		3,647.41

## Cooperative forest management:

Personal services	\$12,036.00	
Current expenses	400.00	
Travel	3,800.00	
Equipment	50.00	
	<hr/>	
Total		16,286.00

## Forest improvement fund:

## Administration:

Personal services	\$20,440.61	
Current expenses	2,005.00	
Travel	3,000.00	
Equipment	1,400.00	
State forest operations:		
Personal services	25,000.00**	

\*\* Includes \$5,000.00 for silviculture.

Land purchase:

Other expenditures:

State Land purchase	5,000.00*
Reimbursement of state treasury	6,000.00†
Total	<u>\$62,845.61</u>
Less refunds (maintenance)	114.00
Less revenue and balance	<u>62,731.61</u>

Net appropriation 0.00

\* No part of this appropriation shall be used to purchase land that will increase by more than five per cent the total acreage of land held by the forestry division at the time this act becomes effective.

† This item to be used for reimbursement to state treasury on account of moneys paid to towns under the provisions of section 30, chapter 234, Revised Laws (section 32, chapter 219, RSA), for loss of taxes on real estate owned by the state and held by the forestry division for operation and development as state forest land.

Caroline A. Fox Research Fund:

Personal services	\$6,243.50
Current expenses	2,785.00
Travel	800.00
Equipment	1,100.00
Total	<u>\$10,928.50</u>
Less refunds (maintenance)	398.40
Less revenue and balance	<u>10,530.10</u>

Net appropriation 0.00

Total for forestry \$224,941.80

For department of health:

Administration: state

Salary of state health officer	\$9,930.00
Other personal services	23,963.90**
Current expenses	17,000.00
Travel	600.00
Total	<u>\$51,493.90</u>
Less credit transfer	3,810.00

Net appropriation \$47,683.90

\*\* Of this amount \$900.00 shall be for the part-time services of a Clerk I for the cancer commission.

Administration: federal		
Personal services	\$15,067.60	
Current expenses	7,400.00	
Travel	2,100.00	
	<hr/>	
*Total	\$24,567.60	
*Less estimated revenue	24,567.60	
	<hr/>	
Net appropriation		0.00
Business management: state		
Personal services	\$15,824.40	
Current expenses	600.00	
	<hr/>	
Total		16,424.40
Business management: federal		
Personal services	\$5,532.50	
Current expenses	1,200.00	
Travel	500.00	
Equipment	460.00	
	<hr/>	
*Total	\$7,692.50	
*Less estimated revenue	7,692.50	
	<hr/>	
Net appropriation		0.00
Health education: state		
Personal services	\$8,940.00	
Current expenses	1,630.00	
	<hr/>	
Total		10,570.00
Health education: federal		
Personal services	\$5,257.60	
Current expenses	3,850.00	
Travel	1,475.40	
Equipment	409.50	
	<hr/>	
*Total	\$10,992.50	
*Less estimated revenue	10,992.50	
	<hr/>	
Net appropriation		0.00



## Hospital services: state

Personal services	\$15,847.30
Current expenses	500.00
Travel	2,600.00

Total	\$18,947.30
Less estimated revenue	2,000.00

Net appropriation 16,947.30

## Hospital services: federal

Personal services	\$3,642.50‡
Current expenses	340.00
Travel	1,000.00

*Total	\$4,982.50
*Less estimated revenue	4,982.50

Net appropriation 0.00

‡ In case federal funds are not available in the amount estimated the department is authorized to transfer from state funds for personal services in other divisions to this account.

## Vital statistics: state

Personal services	\$25,159.00
Current expenses	500.00

Total †25,659.00

† Any revenue received in addition to this appropriation shall be available for expenditure.

## Vital statistics: federal

Personal services	\$2,215.00
Current expenses	2,750.00
Travel	500.00
Equipment	500.00

*Total	\$5,965.00
*Less estimated revenue	5,965.00

Net appropriation 0.00

Public health nursing: state		
Personal services	\$57,979.50	
Current expenses	500.00	
Travel	3,000.00	
	<hr/>	
Total		61,479.50
Public health nursing: federal		
Personal services	\$23,660.00	
Current expenses	2,689.70	
Travel	9,589.70	
Equipment	357.50	
	<hr/>	
*Total	\$36,296.90	
*Less estimated revenue	36,296.90	
	<hr/>	
Net appropriation		0.00
Communicable disease control: state		
Personal services	\$36,006.50	
Current expenses	97,750.00	
Travel	1,500.00	
	<hr/>	
Total		135,256.50
Communicable disease control: federal		
Personal services	\$4,300.00	
Current expenses	6,695.00	
Travel	1,650.00	
Equipment	400.00	
	<hr/>	
*Total	\$13,045.00	
*Less estimated revenue	13,045.00	
	<hr/>	
Net appropriation		0.00
Dental services: state		
Personal services	\$22,017.80	
Current expenses	400.00	
Travel	200.00	
Equipment	200.00	
	<hr/>	
Total	\$22,817.80	

Less revenue grants	2,480.00†	
Net appropriation		20,337.80

† Any revenue received in excess of the estimate shall be available for further expenditure.

Dental services: federal		
Personal services	\$5,738.00	
Current expenses	3,900.00	
Travel	2,000.00	
*Total	\$11,638.00	
*Less estimated revenue	11,638.00	
Net appropriation		0.00

Maternal and child health and crippled children's services: state		
Personal services	\$21,099.00	
Current expenses	35,000.00	
Travel	400.00	
Other expenditures:		
Convalescent care and clinics	60,000.00**	
Total		116,499.00

\*\* The division of investigation of accounts shall investigate the ability to pay of patients and those legally chargeable for their support and maintenance for care, treatment or maintenance furnished hereunder and the expenses of said care, treatment or maintenance may be recovered in an action in the name of the state from the patient or those persons chargeable with his support where said person or persons have a weekly income or other resources more than sufficient to provide a reasonable subsistence compatible with decency and health.

Maternal and child health and crippled children's services: federal		
Personal services	\$17,437.50	
Current expenses	56,317.50	
Travel	2,000.00	
Other expenditures:		
Convalescent care and clinics	40,000.00†	
(see note at the end of the appropriation for department of health)		
*Total		\$115,755.00

*Less estimated revenue	115,755.00	
	<hr/>	
Net appropriation		0.00
Occupational health: state		
Personal services	\$23,768.90	
Current expenses	500.00	
Travel	500.00	
Equipment	370.00	
	<hr/>	
Total		25,138.90
Occupational health: federal		
Personal services	\$3,430.00	
Current expenses	2,500.00	
Travel	3,200.00	
	<hr/>	
*Total	\$9,130.00	
*Less estimated revenue	9,130.00	
	<hr/>	
Net appropriation		0.00
Diagnostic laboratories: state		
Personal services	\$44,736.10	
Current expenses	3,000.00	
Travel	300.00	
Equipment	720.50	
	<hr/>	
Total		48,756.60
Diagnostic laboratories: federal		
Personal services	\$2,950.00	
Current expenses	5,000.00	
Equipment	1,130.00	
	<hr/>	
*Total	\$9,080.00	
*Less estimated revenue	9,080.00	
	<hr/>	
Net appropriation		0.00

Food and chemistry: state		
Personal services	\$56,453.70	
Current expenses	3,400.00	
Travel	10,500.00	
Equipment	500.00	
	<hr/>	
Total	\$70,853.70	
Less transfer from motor vehicle department	4,000.00	
	<hr/>	
Net appropriation		66,853.70
Sanitary engineering: state		
Personal services	\$48,112.75	
Current expenses	3,300.00	
Travel	6,100.00	
	<hr/>	
Total		57,512.75
Sanitary engineering: federal		
*Equipment	\$545.00	
*Less estimated revenue	545.00	
	<hr/>	
Net appropriation		0.00
Commission on alcoholism:		
Personal services	\$32,259.20	
Current expenses	45,000.00	
Travel	1,500.00	
Equipment	700.00	
Other expenditures:		
Medical and other expenses	2,000.00	
	<hr/>	
Total	\$81,459.20	
Less estimated revenue	6,800.00	
	<hr/>	
Net appropriation		74,659.20
Merit system: federal		
Other expenditures:		
*Participation, examinations and training	\$3,420.00	

\*Less estimated revenue 3,420.00

Net appropriation 0.00

† This item may only be expended if federal funds are available restricted to this purpose, or if the total received from federal funds for this division shall exceed \$75,755.00 and said excess is available for crippled children's services, or if the board of health finds federal funds are not required in other items and such funds can be made available to this item without detriment to other programs. In no event shall the expenditures under convalescent care and clinics exceed the sum of \$40,000.00.

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes, except as hereinabove provided.

Total for department of health :

State		<u>\$723,778.55</u>
Federal	\$253,110.00	
Less estimated revenue	<u>253,110.00</u>	
Net appropriation		<u>0.00</u>

For barbers board :

Personal services	\$1,400.00
Current expenses	765.00
Travel	<u>1,400.00</u>
Total	\$3,565.00

Less revenue, after transfer of \$1,395.00 to department of health	<u>3,565.00</u>
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Net appropriation	<u>0.00</u>
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For cancer commission :

Personal services	\$21,930.00
Current expenses	99,550.00
Travel	1,320.00
Equipment	<u>120.00</u>

Total for cancer commission	\$122,920.00
Less estimated revenue	<u>24,000.00</u>

Net appropriation	<u>\$98,920.00</u>
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## For board of chiropody :

Personal services	\$145.00	
Current expenses	45.00	
		<hr/>
Total	\$190.00	
Less revenue and balance	190.00	
		<hr/>
Net appropriation		<u>0.00</u>

## For board of hairdressers :

Personal services	\$1,600.00	
Current expenses	780.00	
Travel	2,000.00	
		<hr/>
Total	\$4,380.00	
Less revenue after transfer of \$2,415.00 to department of health	4,380.00	
		<hr/>
Net appropriation		<u>0.00</u>

## For pharmacy commission :

Personal services	\$1,911.37	
Current expenses	575.00	
Travel	1,250.00	
Equipment	400.00	
		<hr/>
Total for pharmacy commission		<u>\$4,136.37</u>

## For board of registration in medicine :

Personal services	\$1,100.00	
Current expenses	1,250.00	
Travel	500.00	
		<hr/>
Total	\$2,850.00	
Less estimated revenue	2,850.00	
		<hr/>
Net appropriation		<u>0.00</u>

## For insurance department :

## Office of commissioner :

Salary of commissioner	\$8,235.00
Salary of deputy commissioner	7,205.00
Other personal services	28,824.81
Current expenses	4,925.00
Travel	1,200.00
Equipment	650.00

Total	\$51,039.81
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## Rating divisions :

Personal services	\$6,028.17
Current expenses	825.00
Travel	400.00
Equipment	300.00

Total	7,553.17
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## Real estate division :

Personal services	\$336.00
Current expenses	300.00
Travel	50.00

Total	\$686.00
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Less estimated revenue	686.00
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Net appropriation	0.00
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Total for insurance department	\$58,592.98
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## For department of labor :

## Office of commissioner :

Salary of commissioner	\$6,589.37
Other personal services	7,910.00
Current expenses	5,760.00

Travel	500.00
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Total	\$20,759.37
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## Inspections division:

Personal services	\$29,251.83	
Current expenses	2,100.00	
Travel	7,100.00	
Equipment	180.00	
		<hr/>
Total		38,631.83

## Workmen's compensation division:

Personal services	\$20,385.00	
Current expenses	2,400.00	
Travel	100.00	
Equipment	2,600.00	
		<hr/>
Total		25,485.00

New Hampshire apprenticeship council		100.00
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Total for department of labor		<hr/> <hr/> \$84,976.20
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## For public welfare:

## Administration:

Board of public welfare	\$3,000.00	
Salary of commissioner	9,600.00	
Other personal services	150,962.19**	
Current expenses	27,500.00	
Travel	6,000.00	
Equipment	1,200.00	

## Other expenditures:

Personnel division (merit system)	2,254.14	
Employees retirement	39,500.00	
Aid to disabled persons— physicians' fees	250.00	
		<hr/>

Total	\$240,266.33	
Less estimated revenue	4,500.00	
		<hr/>

Net appropriation		\$235,766.33
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\*\* This amount includes \$3,000.00 to be paid to department of attorney general for legal services.

State service :	
Personal services	\$14,618.38
Current expenses	100.00
Travel	1,000.00
Equipment	125.00
	<hr/>
Total	15,843.38
Field services :	
Personal services	\$350,000.00
Current expenses	39,988.00
Travel	30,675.00
Equipment	2,500.00
	<hr/>
Total	423,163.00
Blind services :	
Personal services	\$15,466.00
Current expenses	900.00
Travel	2,750.00
Equipment	75.00
Other expenditures :	
Blind education	28,900.00
Sight conservation	17,500.00
	<hr/>
Total	65,591.00
Child welfare services :	
Personal services	\$49,711.84
Travel	10,000.00
Other expenditures :	
Educational leave	1,200.00
Conferences and institutes	697.00
	<hr/>
*Total	\$61,608.84
*Less estimated revenue (federal grant)	48,327.00
	<hr/>
Net appropriation	13,281.84
Vocational rehabilitation: federal	
Personal services	\$15,784.00
Travel	1,750.00

Other expenditures:		
Case services	3,616.00	
*Total	<u>\$21,150.00</u>	
*Less estimated revenue	21,150.00	
Net appropriation		0.00
Vocational rehabilitation: state		
Case services		11,200.00
Special children's fund		5,000.00
John Nesmith fund		3,700.00
Old age assistance:		
State's share	\$746,703.25	
Less estimated revenue	<u>75,000.00</u>	
Net appropriation		671,703.25
Towns and counties	\$951,643.79	
Less estimated revenue	<u>951,643.79</u>	
Net appropriation		0.00
*Federal	\$2,108,228.14	
*Less estimated revenue	<u>2,108,228.14</u>	
Net appropriation		0.00
Aid to dependent children:		
State's share	\$749,928.91	
Less estimated revenue	<u>64,500.00</u>	
Net appropriation		685,428.91
*Federal	\$802,612.68	
*Less estimated revenue	<u>802,612.68</u>	
Net appropriation		0.00
Aid to needy blind:		
State's share	\$103,724.48	
Less estimated revenue	<u>1,500.00</u>	
Net appropriation		102,224.48
*Federal	\$100,300.06	
*Less revenue	<u>100,300.06</u>	
Net appropriation		0.00

Aid to permanently and totally disabled:		
State's share	\$27,818.93	
Less estimated revenue	1,000.00	
	<hr/>	
Net appropriation		26,818.93
Towns and counties	\$64,085.05	
Less estimated revenue	64,085.05	
	<hr/>	
Net appropriation		0.00
*Federal	\$91,196.16	
*Less estimated revenue	91,196.16	
	<hr/>	
Net appropriation		0.00
Old age assistance to aliens:		
Towns and counties	\$113,055.16	
Less estimated revenue	113,055.16	
	<hr/>	
Net appropriation		0.00
*Federal	\$150,049.58	
*Less estimated revenue	150,049.58	
	<hr/>	
Net appropriation		0.00
Medical pools:		
Old age assistance:		
State's share		419,811.60
Towns and counties	\$182,160.50	
Less estimated revenue	182,160.50	
	<hr/>	
Net appropriation		0.00
*Federal	\$192,361.48	
*Less estimated revenue	192,361.48	
	<hr/>	
Net appropriation		0.00
Aid to dependent children:		
State's share		170,485.20
*Federal	\$29,614.80	
*Less estimated revenue	29,614.80	
	<hr/>	
Net appropriation		0.00

Aid to needy blind:		
State's share		33,366.24
*Federal	\$6,052.16	
*Less estimated revenue	6,052.16	
Net appropriation		0.00
Aid to permanently and totally disabled:		
State's share		32,103.00
Towns and counties	\$13,383.73	
Less estimated revenue	13,383.73	
Net appropriation		0.00
*Federal	\$8,871.50	
*Less estimated revenue	8,871.50	
Net appropriation		0.00
Old age assistance to aliens:		
Towns and counties	\$48,875.90	
Less estimated revenue	48,875.90	
Net appropriation		0.00
*Federal	\$21,348.10	
*Less estimated revenue	21,348.10	
Net appropriation		0.00

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with approval of the governor and council for said purposes.

For the period ending June 30, 1956, the share which a county or town must reimburse the state for aid to totally and permanently disabled persons for which such county or town is liable shall be thirty-five per cent. Provisions of the law inconsistent with the provision hereof are hereby suspended until June 30, 1956.

Total for public welfare		\$2,915,487.16
Less transfer re administra-		
tion from federal grant	\$209,369.39	
Less balance	94,888.53	
		<u>304,257.92</u>
Net appropriation		<u><u>\$2,611,229.24</u></u>

## For veterans' council:

Personal services	\$10,280.00
Current expenses	735.00
Travel	2,800.00
Other expenditures — veterans burials	5,000.00
	<hr/>
Total for veterans' council	\$18,815.00
	<hr/> <hr/>

## For recreation division (forestry and recreation):

Salary of director	\$7,810.00
Salary of assistant director	6,280.00
Other personal services	487,206.59
Current expenses	149,144.87
Travel	7,927.52
Equipment	10,547.63
Other expenditures:	
Employees retirement	\$8,129.07
Awards and indemnities	2,351.38
Prison program	6,516.69
Recreational facilities bonds, issue of 1951	15,000.00
Recreational areas bonds, issue of 1954	13,000.00
Recreational facilities bonds, issue of 1954	45,000.00
Mt. Sunapee Tramway bonds	25,000.00
Interest on bonds	16,086.25
	<hr/>
Total	131,083.39
	<hr/>
Total for recreation	\$800,000.00
Less revenue and balance	800,000.00
	<hr/>
Net appropriation	0.00
	<hr/> <hr/>

In this appropriation any revenue in excess of the estimate shall be available for such further expenditures as the governor and council shall approve.

## For secretary of state:

## Office of secretary:

Salary of secretary	\$7,870.00
Salary of deputy secretary	6,720.00
Other personal services	26,781.50
Current expenses	2,300.00
Travel	900.00
Equipment	890.00

## Other expenditures:

Preservation of state and provincial records	500.00
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Total	<u>\$45,961.50</u>
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## Elections:

Personal services	\$600.00
Current expenses	30,128.00
Travel	50.00

Total	<u>30,778.00</u>
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## Photostat division:

Personal services	\$3,445.00
Current expenses	1,420.00
Equipment	83.00

Total	<u>4,948.00</u>
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Total for secretary of state	<u><u>\$81,687.50</u></u>
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## For board of accountancy:

Personal services	\$250.00
Current expenses	450.00
Travel	100.00

Total	<u>\$800.00</u>
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Less revenue and balance	800.00
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Net appropriation	<u><u>0.00</u></u>
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## For chiropractic examiners:

Personal services	\$700.00	
Current expenses	300.00	
Travel	500.00	
		<hr/>
Total for chiropractic examiners		\$1,500.00
		<hr/> <hr/>

## For board of optometry:

Personal services	\$450.00	
Current expenses	180.00	
Travel	235.00	
		<hr/>
Total for board of optometry		\$865.00
		<hr/> <hr/>

## For state library:

## Administration:

Salary of librarian	\$6,600.00	
Salary of assistant librarian	5,630.00	
Other personal services	77,908.88	
Current expenses	7,600.00	
Travel	600.00	
Equipment	16,300.00	
Other expenditures:		
Rewire library intercommuni-		
cating system	1,000.00	
Splitting library stack lighting		
circuits	300.00	
		<hr/>
Total		\$115,938.88

## Extension:

Current expenses	\$3,500.00	
Travel	2,500.00	
Equipment	9,841.00	
Other expenditures:		
Summer institute	300.00	
		<hr/>
Total		16,141.00
State aid — books and supplies		1,500.00
		<hr/>
Total for state library		\$133,579.88
		<hr/> <hr/>



## For state police :

Salary of superintendent	\$8,175.00	
Other personal services	351,666.24	
Current expenses	30,600.00	
Travel	86,500.00	
Equipment	50,000.00	
Other expenditures:		
Retirement	19,000.00	
		<hr/>
Total for state police	\$545,941.24	
Less transfer from highway fund	464,050.05	
		<hr/>
Net appropriation		<u>\$81,891.19</u>

## For state treasury :

## Office of the treasurer :

Salary of treasurer	\$7,690.00
Salary of deputy	5,830.00
Other personal services	52,517.50
Current expenses	13,193.00
Travel	300.00
Equipment	4,500.00
Other expenditures — audit	5,000.00†

Total	<hr/> \$89,030.50
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† The legislative budget assistant shall designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of section 12-a, chapter 23-A of the Revised Laws, (paragraph II, section 31, chapter 14, RSA) whereby the said legislative budget assistant is required to audit the accounts of the state treasurer.

## Highway division :

Personal services	\$9,082.50
Current expenses	5,380.00
	<hr/>
Total	\$14,462.50

Less transfer from highway fund	14,462.50	
	<hr/>	
Net appropriation		0.00
Bounties		1,000.00
Trust funds		37,095.27
Expense re head tax		100.00
Reimbursement to towns		*30,000.00
		<hr/>
Total for treasury		<u>\$157,225.77</u>

\* No part of this appropriation shall be transferred to any other account.

For industrial school:

Administration:

Salary of superintendent	\$6,890.00	
Salary of deputy superintendent	5,355.00	
Other personal services	13,100.00	
Current expenses	3,525.00	
Travel	885.00	
Equipment	370.00	
	<hr/>	
Total		\$30,125.00

Instruction:

Personal services	\$27,687.50	
Current expenses	1,500.00	
Equipment	310.00	
	<hr/>	
Total		29,497.50

Custodial care:

Personal services	\$124,615.72	
Current expenses	50,875.00*	
Equipment	2,000.00	
	<hr/>	
Total		177,490.72

\* In this appropriation \$19,275.00 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

## Auxiliary to custodial care:

Personal services	\$2,200.00
Current expenses	60.00
Travel	150.00

Total		2,410.00
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## Operation of plant:

Personal services	\$10,002.96
Current expenses	27,490.00
Equipment	1,730.00

Total		39,222.96
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## Maintenance of plant:

Personal services	\$21,534.04
Current expenses	5,110.00
Equipment	454.13

Total		27,098.17
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## Agriculture:

Personal services	\$10,919.40
Current expenses	15,682.50
Equipment	589.00

Total		\$27,190.90
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Less credit transfer		\$19,275.00
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Less estimated revenue		8,025.00
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		27,300.00
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Net reduction		—109.10
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## Boys' and girls' benefit fund:

Current expenses	3,800.00
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## Parole:

Personal services	\$15,795.00
Current expenses	300.00
Travel	1,700.00

Equipment	360.00
Total	18,155.00
Total for industrial school	\$327,690.25
Less revenue (maintenance)	9,500.00
Net appropriation	\$318,190.25

For Laconia state school:

Administration:

Salary of superintendent	\$7,950.00
Other personal services	29,009.72
Current expenses	1,815.00
Travel	1,500.00
Equipment	1,825.00
Total	\$42,099.72

Professional care and treatment:

Personal services	\$309,330.88
Current expenses	8,900.00
Travel	310.00
Equipment	2,978.00*
Total	321,518.88

\* In this appropriation \$1,000.00 is for the purchase of a second hand bus and no part of this amount shall be expended for any other purpose.

Custodial care:

Personal services	\$100,864.22
Current expenses	200,000.00†
Travel	25.00
Equipment	6,000.00**
Total	306,889.22

† In this appropriation \$74,000.00 shall be for products used from the institution's farm and no part of said sum shall be transferred to any other appropriation or expended for any other purpose.

\*\* In this appropriation \$4,000.00 shall be for purchase of mattresses and no part of this amount shall be expended for any other purpose.

## Operation of plant:

Personal services	\$37,259.96
Current expenses	63,000.00‡
Equipment	300.00
	<hr/>
Total	100,559.96

‡ In this appropriation \$2,000.00 shall be for lumber used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

## Maintenance of plant:

Personal services	\$19,123.88
Current expenses	14,065.00
Equipment	6,240.00
Other expenditures:	
Care of grounds, snow removal, etc.	22,000.00***
	<hr/>
Total	61,428.88

\*\*\* This appropriation shall be for supplies, work and services received from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

## Agriculture:

Personal services	\$47,174.32†
Current expenses	46,000.00
Travel	25.00
Equipment	750.00
	<hr/>

Total	\$93,949.32
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Less transfer credits	\$98,000.00
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Less revenue	9,500.00
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	<hr/>	107,500.00
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Net reduction	<hr/>	—13,550.68
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† Under this division of the Laconia State School there shall at no time be more than twelve permanent full time personnel. Of this appropriation the sum of \$7,500.00 may be expended for temporary seasonal personnel in addition to the full time personnel.

Total for Laconia state school	\$818,945.98
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Less refunds (maintenance)	23,500.00
Net appropriation	<u>\$795,445.98</u>

## For prison industries :

Personal services	\$69,469.45
Current expenses	144,335.00
Travel	300.00
Equipment	2,500.00
Total	<u>\$216,604.45</u>
*Less estimated revenue	216,604.45

Net appropriation 0.00

\* In the above appropriation any revenue in excess of the estimate shall be available for such further expenditure as the governor and council shall approve.

## For soldiers' home :

## Office of the commandant : state

Salary of commandant	\$4,322.00
Other personal services	3,625.10

Total \$7,947.10

## Professional care and treatment : state

Personal services 17,493.39

## Custodial care : state

Personal services 16,817.50

## Operation of plant : state

Personal services 14,053.16

## Operation and Maintenance of plant : federal

Current expenses \$22,235.00

Travel 375.00

Equipment 950.00

## Other expenditures — snow

ploughing, refuse disposal, ex-  
termination services, repairs to  
buildings, and renewal of water  
main 3,130.00

Total \$26,690.00

Less revenue and balance	26,690.00	
	<hr/>	
Net appropriation		0.00
		<hr/>
Total for soldiers' home		\$56,311.15
Less refunds (maintenance)		2,700.00
		<hr/>
Net appropriation		<u>\$53,611.15</u>

## For state hospital:

## Administration:

Salary of superintendent	\$9,853.08	
Salary of assistant superintendent	8,805.00	
Other personal services	82,896.95	
Current expenses	23,626.95	
Travel	2,900.00	
Equipment	1,565.00	
	<hr/>	
Total		\$129,646.98

## Professional care and treatment:

Salary of director of psychiatric education and research	\$7,062.00	
Salary of director of correctional psychiatry	7,062.00	
Salary of director of clinical services	8,346.00	
Salary of director of out-patient services	7,062.00	
Other personal services	1,622,285.82	
Current expenses	63,740.00	
Travel	4,200.00	
Equipment	7,000.00	
	<hr/>	
Total		\$1,726,757.82

## Custodial care:

Personal services	\$466,967.38	
Current expenses	632,962.15*	
Travel	75.00	
Equipment	12,150.00†	
Total		<u>1,112,154.53</u>

\* In this appropriation \$120,500.00 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

† In this appropriation \$7,000.00 shall be for a pot and pan washer. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

## Operation of plant:

Personal services	\$154,104.61	
Current expenses	230,687.00	
Travel	100.00	
Equipment	10,000.00	
Total		<u>394,891.61</u>

## Maintenance of plant:

Personal services	\$166,179.53	
Current expenses	83,174.00	
Equipment	4,285.00	
Total		<u>253,638.53</u>

## Agriculture:

Personal services	\$53,493.60	
Current expenses	59,000.00	
Travel	50.00	
Equipment	5,450.00	
Total	\$117,993.60	

Less transfer  
credit

\$120,500.00

Less revenue

3,200.00

123,700.00

Net reduction

—5,706.40

Total for state hospital

\$3,611,383.07



Less refunds (maintenance)	71,000.00
Net appropriation	<u><u>\$3,540,383.07</u></u>

## For state prison:

## Administration:

Salary of warden	\$6,890.00
Other personal services	11,720.00
Current expenses	1,350.00
Travel	1,150.00
Equipment	555.00
Total	<u>\$21,665.00</u>

## Instruction:

Personal services	3,600.00
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## Custodial care:

Salary of deputy warden	\$5,355.00
Other personal services	151,064.40
Current expenses	87,985.00*
Equipment	4,500.00†
Other expenditures:	
Custody of certain inmates	5,000.00**
Total	<u>253,904.40</u>

\* In this appropriation \$19,250.00 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

† In this appropriation \$3,000.00 is for the purchase of an x-ray machine and no part of this amount shall be expended for any other purpose.

\*\* This appropriation shall be available for the custody of unmanageable inmates in out-of-state institutions or federal penitentiaries when no suitable institutions exist in New Hampshire. Any payments out of this appropriation shall be made with the approval of the governor and council. This fund may also be used for such inmates who have been sent to such out-of-state institutions from the Laconia state school, the industrial school and the state hospital. No part of this appropriation shall be expended for any other purpose.

Auxiliary to prison care and custody:	
Personal services	\$6,000.00
Current expenses	3,750.00
Other expenditures:	
Awards — gate money	1,600.00
	<hr/>
Total	11,350.00
Operation of plant:	
Personal services	16,242.95
Maintenance of plant:	
Current expenses	\$8,705.00
Equipment	465.00
Other expenditures:	
Boiler and sprinkler inspection	50.00
Repair and resurface driveway (inside yard)	300.00
	<hr/>
Total	9,520.00
Agriculture:	
Personal services	\$11,437.88
Current expenses	17,685.00
Equipment	510.00
Other expenditures:	
Slaughtering, cutting and curing meat	1,000.00
Bunker silo	500.00
Registration fees	75.00
	<hr/>
Total	\$31,207.88
Less transfer credit	\$19,250.00
Less revenue	15,500.00
	<hr/>
	34,750.00
	<hr/>
Net reduction	—3,542.12
Parole:	
Personal services	\$18,632.50
Current expenses	800.00
Travel	3,000.00

Equipment	1,000.00	
	<hr/>	
Total		23,432.50
		<hr/>
Total for state prison		\$336,172.73
Less estimated revenue	\$2,275.00	
Less refunds (maintenance)	2,154.60	
Less transfer from prison industries	10,000.00	
	<hr/>	
		14,429.60
		<hr/>
Net appropriation		<u><u>\$321,743.13</u></u>

## For state sanatorium:

## Administration:

Salary of superintendent	\$7,950.00	
Other personal services	10,585.85	
Current expenses	1,720.00	
Travel	1,350.00	
Equipment	475.00	
	<hr/>	
Total		\$22,080.85

## Professional care and treatment:

Personal services	\$94,389.59	
Current expenses	22,020.00	
Equipment	2,275.00	
	<hr/>	
Total		118,684.59

## Custodial care:

Personal services	\$55,471.79	
Current expenses	41,725.00*	
Equipment	1,000.00	
	<hr/>	
Total		98,196.79

\* In this appropriation \$8,660.00 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

## Operation of plant:

Personal services	\$41,842.21
Current expenses	22,211.00
Equipment	2,400.00
Other expenditures:	
Cutting wood for institutional buildings	1,000.00

Total		67,453.21
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## Maintenance of plant:

Personal services	\$1,200.00
Current expenses	3,000.00
Equipment	645.00
Other expenditures:	
Completion of toilet facilities	3,500.00

Total		8,345.00
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## Agriculture:

Personal services	\$8,498.92
Current expenses	5,340.00
Equipment	460.00

Total		\$14,298.92
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Less transfer credit		\$8,660.00
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Less estimated revenue		5,560.00
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14,220.00
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Net appropriation		78.92
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Total for state sanatorium		\$314,839.36
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Less refunds (maintenance)		14,500.00
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Net appropriation		\$300,339.36
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## For University of New Hampshire: \*

University of New Hampshire fund	\$1,841,097.22
Extension work in counties	72,000.00

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Total for University of New Hampshire	\$1,913,097.22
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\* It is estimated that the income received by the university from tuition charges will be \$1,072,000.00 for the year. In case this amount of income from this source is not received the state's appropriation for the university will be increased by such sum, not in excess of \$50,000.00, as represents the difference between \$1,072,000.00 and the amount actually received from tuition charges. Such provisions of section 22 of chapter 222, Revised Laws (section 28, chapter 187, RSA) as may be inconsistent with the provisions of this note are hereby suspended for the fiscal year ending June 30, 1956. The provisions of section 18, chapter 222, Revised Laws (section 24, chapter 187, RSA) are suspended for the fiscal year ending June 30, 1956.

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## For board of education:

## Administration:

Salary of commissioner	\$9,725.00
Other personal services	103,158.14
Current expenses	14,000.00
Travel	7,500.00
Equipment	4,420.00
Other expenditures:	
Rentals (I.B.M.)	1,100.00
Curriculum development	1,000.00

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Total	\$140,903.14
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## Foundation aid:

State aid to school districts	\$1,200,000.00‡
Transportation, board, tuition	6,000.00

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Total	1,206,000.00
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‡ See under area vocational schools.

## State-wide supervision:

Personal services (net)	\$170,992.00†	
Other expenditures:		
Superintendents' conference	2,000.00	
	<hr/>	
Total		172,992.00

† See limitations as set forth in footnote under net appropriation for board of education.

## Smith-Hughes: state

Personal services	\$7,121.50	
Current expenses	200.00	
Travel	1,000.00	
	<hr/>	
Total		8,321.50

## Smith-Hughes: federal

Personal services	\$7,121.50	
Current expenses	200.00	
Travel	1,000.00	
Other expenditures:		
Reimbursement for salaries and travel of teachers	24,205.00	
	<hr/>	
Total	\$32,526.50*	
Less estimated revenue	32,526.50	
	<hr/>	
Net appropriation		0.00

## Vocational rehabilitation: state

Current expenses	\$27,600.00	
Travel	300.00	
Equipment	800.00	
	<hr/>	
Total		28,700.00

## Vocational rehabilitation: federal

Personal services	\$25,001.21	
Current expenses	27,271.79	
Travel	4,000.00	
Equipment	800.00	

Other expenditures:		
Retirement	1,200.00	
Total	<u>\$58,273.00*</u>	
Less estimated revenue	58,273.00	
Net appropriation		0.00
George-Barden: state		
Personal services	\$11,526.40	
Current expenses	507.00	
Travel	1,500.00	
Total		13,533.40
George-Barden: federal		
Personal services	\$11,726.40	
Current expenses	507.00	
Travel	2,500.00	
Other expenditures:		
Reimbursement for salaries and travel of teachers	120,266.60	
Total	<u>\$135,000.00*</u>	
Less estimated revenue	135,000.00	
Net appropriation		0.00
N. H. technical institute — Manchester:		
Personal services	\$109,177.56	
Current expenses	29,150.00	
Travel	350.00	
Equipment	10,000.00	
Total	<u>\$148,677.56</u>	
**Less cafeteria revenue	6,000.00	
Net appropriation		\$142,677.56
N. H. technical institute — Portsmouth:		
Personal services	\$61,017.47	
Current expenses	21,000.00	
Travel	500.00	

Equipment	5,000.00	
Total	<u>\$87,517.47</u>	
**Less cafeteria revenue	5,000.00	
Net appropriation		82,517.47

\*\* Revenue received in excess of above estimates shall be available for further cafeteria expenditures.

N. H. technical institute — Concord office:

Personal services	\$5,960.00	
Current expenses	1,600.00	
Travel	900.00	
Equipment	300.00	
Total		8,760.00

Veterans' educational services: state

Current expenses	\$1,575.00	
Equipment	500.00	
Total		2,075.00

Veterans' educational services: federal

Personal services	\$12,079.80	
Travel	1,900.00	
Total	<u>\$13,979.80*</u>	
Less estimated revenue	13,979.80	
Net appropriation		0.00

School lunch program: state

Personal services	\$11,829.50	
Current expenses	400.00	
Travel	1,200.00	
Equipment	150.00	
Total		13,579.50

School lunch program: federal

Other expenditures:		
Reimbursements to school districts	\$215,000.00*	
Less estimated revenue	215,000.00	
Net appropriation		0.00



## Education of the deaf:

Current expenses	\$70,000.00
Travel	350.00
Equipment	300.00

Total	\$70,650.00
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†Less transfer from Coos County extension fund	6,000.00
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Net appropriation	64,650.00
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† This item shall be a charge on the funds received by the state from the United States on account of the national forests in unorganized places as provided in sections 20 and 23, chapter 234, Revised Laws (sections 22 and 25, chapter 219, RSA) and such parts of said sections as may be inconsistent with the provisions hereof shall be suspended until June 30, 1956.

## Area vocational schools:

Personal services	\$2,490.00
Current expenses	300.00
Travel	200.00

## Other expenditures:

Reimbursement to school districts	47,010.00
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Total	\$50,000.00
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*Less transfer	50,000.00
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Net appropriation	0.00
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\* The amount of \$50,000.00 herein provided for area vocational schools shall be a charge against the appropriation provided for state aid to school districts and the state board of education is authorized to discontinue said area vocational schools if it shall consider it desirable to do so.

## Keene teachers college:

Salary of president	\$8,415.00
Other personal services	420,412.80
Current expenses	166,260.00
Travel	6,000.00
Equipment	20,000.00

Other expenditures		
Scholarships	25,000.00†	
Teachers retirement	4,000.00	
	<hr/>	
Total		\$650,087.80
Plymouth teachers college:		
Salary of president	\$7,950.00	
Other personal services	330,971.62‡	
Current expenses	110,000.00	
Travel	3,000.00	
Equipment	9,500.00	
Other expenditures:		
Scholarships	15,000.00†	
Teachers retirement	4,700.00	
	<hr/>	
Total		481,121.62

‡ A position of pipefitter is authorized within the amount of this appropriation.

† It shall be a condition precedent to granting a scholarship to a person attending the teachers college that said person shall sign an agreement that after graduation he will teach in the state for as many years as he was the recipient of said scholarship and that if he shall not so teach for the required number of years he will reimburse the state for the amount of scholarship aid he received.

#### Scholarships — world war orphans

(As provided by chapter 196,

Laws of 1945, RSA 193:19)

2,700.00

#### Board of nurse examiners:

Personal services	\$10,432.90
Current expenses	2,875.00
Travel	450.00
Equipment	200.00
Other expenditures:	
Retirement	651.13
	<hr/>
Total	\$14,609.03

Less revenue and balance	14,609.03	
Net appropriation		0.00
Total for board of education	\$3,018,618.99	
Less estimated revenue	865,324.36	
Net appropriation	\$2,153,294.63	

\* This amount available for expenditure only if funds are available as a federal grant.

In addition to the above appropriation said department shall receive for disbursement any excess over estimates in the income of the teachers colleges' dormitories and practice schools, and revenue from tuitions received by the Manchester and Portsmouth technical institutes. No nursery school program shall be allowed at either Keene or Plymouth teachers colleges, and no funds out of this appropriation or any other available funds shall be used for this purpose.

In addition to the above appropriation, said department shall receive for disbursement sums paid by school districts for the additional salaries of superintendents under the provisions of section 44, chapter 135, Revised Laws (section 44, chapter 189, RSA). The appropriation to cover the state's share for personal services for state-wide supervision is at the same rates of compensation as for the fiscal year 1954-1955. All helping teacher positions hereinafter established shall be only after a majority vote in each of the school districts in the supervisory union requesting the establishment of the position of helping teacher at their respective annual school district meetings. Any unexpended balance of appropriation by the state for this purpose being revenue from the so-called per capita tax as provided by section 12, chapter 138, Revised Laws (section 12, chapter 194, RSA) which is in excess of the amount expended for such supervision shall be paid over by the state treasurer to each school district in proportion to the total receipts from said school district. Any provisions of paragraph XXIII, section 11, chapter 134, of the Revised Laws, as amended by section 3, chapter 243 of the Laws of 1953 (XXIII, section 11, chapter 186, RSA) inconsistent with the provisions of this footnote are hereby suspended until June 30, 1956.

For board of fire control;

Salary of state fire marshal	\$5,830.00	
Other personal services	11,084.36	
Current expenses	1,923.00	
Travel	3,550.00	
Equipment	385.00	
Total		\$22,772.36

## For board of probation:

Salary of director	\$6,115.00
Other personal services	108,935.18
Current expenses	8,800.00
Travel	11,000.00
Equipment	500.00
	<hr/>
Total	<u>\$135,350.18</u>

## For water resources board:

Salary of chairman	\$6,307.50
Other personal services	25,454.40
Current expenses	1,345.00
Travel	2,325.00
Equipment	74.15
Other expenditures:	
Maintenance of dams	2,500.00
Dams in disrepair (construction)	10,000.00
	<hr/>
Total	\$48,006.05

## Stream flow gauging:

Personal services	11,925.00
Connecticut river valley flood control commission:	
Other expenditures:	
Per diems and expenses of N. H. commission	\$1,000.00
State's contribution to commission	1,000.00
	<hr/>
Total	2,000.00

Total for water resources board	\$61,931.05
Less transfer from highway	\$4,500.00
*Less transfer from Pitts- burg project	5,000.00
	<hr/>
	9,500.00
	<hr/>
Net appropriation	<u>\$52,431.05</u>

Transferred by vote of the directors: \*

For aeronautics commission:

Salary of director	\$6,720.00
Other personal services	11,612.90
Current expenses	2,400.00
Travel	1,400.00
Equipment	1,400.00

Total	\$23,532.90
Less estimated revenue	2,500.00

Net appropriation	\$21,032.90
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*Airways toll fund	\$7,500.00
Less transfers and balance	7,500.00

Net appropriation	0.00
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Total for aeronautics commission	\$21,032.90
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\* Expenditures shall not exceed existing balances plus revenue.

For bank commissioner:

Salary of commissioner	\$8,415.00
Salary of deputies (two)	12,573.00
Other personal services	57,733.03
Current expenses	5,612.00
Travel	9,700.00
Equipment	2,500.00
Other expenditures:	
Retirement	4,780.92

Total for bank commissioner	\$101,313.95
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*Less revenue	92,898.95	
Net appropriation		\$8,415.00

\* The bank commissioner shall collect from the institutions the condition and management of which he is required to examine under the provisions of section 8 of chapter 307 of the Revised Laws (section 9, chapter 383, RSA) as the cost of such examination, the sum of \$92,898.95 for fiscal year ending June 30, 1956, and each such institution shall pay to the state within thirty days after receipt by it of notice of assessment such proportion of the said stated sum so collectible as its assets bear to the total assets of all such institutions as shown by their reports to the bank commissioner as of the thirtieth day of June preceding such payments; provided, however, the sum to be paid by each such institution shall not be less than the following:

Savings bank or trust company	\$50
Building and loan association	\$25
Credit Union	\$15
Small loan licensee	\$10
Miscellaneous institution	\$25

and any amount collected under the provisions of this minimum assessment in excess of the stated assessment together with said stated assessment amounts shall be credited to the appropriation for the bank commissioner.

For liquor commission:

Liquor administration:

One-half salary of three commissioners	\$11,316.25
Other personal services	79,215.70
Current expenses	23,425.00
Travel	1,750.00
Equipment	885.00
Other expenditures — retirement	5,300.00
Total	\$121,891.95

Beer administration:

One-half salary of three commissioners	\$11,316.25
Other personal services	74,851.81
Current expenses	8,375.00
Travel	24,000.00
Equipment	885.00
Other expenditures — retirement	5,250.00
Total	124,678.06

## Liquor enforcement :

Personal services	\$16,630.41
Current expenses	140.00
Travel	5,500.00
Other expenditures — retirement	1,100.00

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Total	23,370.41
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## Stores operation :

Personal services	\$604,503.69
Current expenses	200,500.00
Travel	8,500.00
Equipment	10,500.00
Other expenditures — retirement	34,455.27

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Total	858,458.96
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## Warehouse :

Personal services	\$71,249.43
Current expenses	12,375.00
Travel	25.00
Equipment	3,750.00
Other expenditures — retirement	4,000.00

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Total	91,399.43
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Total for liquor commission	\$1,219,798.81
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Less revenue	1,219,798.81
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Net appropriation	0.00
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## For planning and development commission :

Salary of executive director	\$7,837.50
Other personal services	106,609.95
Current expenses	82,500.00
Travel	8,750.00
Equipment	2,500.00

## Other expenditures :

*Regional associations	21,000.00	
Eastern states exposition	8,000.00	
		<hr/>
Total for planning and development commission	\$237,197.45	
Less estimated revenue	1,200.00	
		<hr/>
Net appropriation		<u>\$235,997.45</u>

\* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than \$3,500.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

## For public utilities commission :

## Office of commission :

Salary of three commissioners	\$25,318.00	
Other personal services	67,986.31	
Current expenses	5,550.00	
Travel	2,250.00	
Equipment	971.50	
		<hr/>
Total		\$102,075.81

## Motor carriers :

Personal services	\$5,250.94	
Current expenses	2,510.00	
Travel	600.00	
		<hr/>
Total	\$8,360.94	
*Less revenue and balance	8,360.94	
		<hr/>
Net appropriation		0.00

\* Any revenue and balance in excess of \$8,360.94 shall be available for such further expenditure as provided by statute.

## Motor boat registration :

Personal services	\$31,239.18
Current expenses	24,545.00
Travel	6,000.00



Equipment	175.00	
Other expenditures:		
Boat equipment	6,000.00	
		<hr/>
Total	\$67,959.18	
**Less revenue and balance	67,959.18	
		<hr/>
Net appropriation		0.00
Total for public utilities commission		<u>\$102,075.81</u>

\*\* Any revenue and balance in excess of \$67,959.18 shall be available for such further expenditures as provided by statute.

For racing commission:

Salary of three commissioners	\$6,000.00	
Other personal services	35,747.60*	
Current expenses	2,500.00	
Travel	3,000.00	
Equipment	280.00	
		<hr/>
Total for racing commission	\$47,527.60	
Less revenue	47,527.60	
		<hr/>
Net appropriation		<u>0.00</u>

\* Such portion of this amount as constitutes the compensation of the official steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet.

For state tax commission:

Office of commission:		
Salary of two commissioners	\$13,780.00	
Salary of secretary	8,295.00	
Other personal services	43,060.23	
Current expenses	13,090.00	
Travel	12,000.00	
Equipment	1,986.00	
		<hr/>
Total	\$92,211.23	
Less estimated refunds	1,500.00	
		<hr/>
Net appropriation		<u>\$90,711.23</u>

## Municipal accounting:

Personal services	\$41,395.57
Current expenses	1,500.00
Travel	5,000.00
Equipment	400.00

Total	\$48,295.57
Less estimated revenue	24,000.00

Net appropriation 24,295.57

## Intangibles tax:

Personal services	\$15,791.50
Current expenses	1,800.00
Travel	350.00
Equipment	315.00

## Other expenditures:

Retirement	1,024.87
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Total	\$19,281.37
Less estimated revenue	19,281.37

Net appropriation 0.00

## Utilities tax:

Personal services	\$2,810.00
Current expenses	100.00
Equipment	197.00

Total	\$3,107.00
Less revenue	3,107.00

Net appropriation 0.00

## Legacy and succession tax:

Personal services	\$20,280.10
Current expenses	1,488.00
Travel	100.00

Total 21,868.10

## Tobacco products tax:

Personal services	\$26,384.40
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Current expenses	15,740.00	
Travel	7,500.00	
Equipment	225.00	
Total		49,849.40
Total for tax commission		<u>186,724.30</u>

## For water pollution commission:

Personal services	\$38,422.00	
Current expenses	6,032.00	
Travel	7,100.00	
Total		51,554.00

New England Interstate Water  
Pollution Control Commission:

Personal services	\$1,000.00	
Current expenses	1,150.00	
Travel	1,200.00	
Total		3,350.00
Total for water pollution commission		<u>54,904.00</u>

## For civil defense:

Salary of director	\$4,770.00	
Other personal services	7,552.90	
Current expenses	4,060.00	
Travel	1,000.00	
Equipment	7,750.00	
Other expenditures:		
Training at federal schools	550.00	
Total		25,682.90
Field staff:		
Current expenses	\$650.00	
Travel	2,450.00	
Total		3,100.00
Total for civil defense		<u>28,782.90</u>

For civil air patrol — current expenses		<u>\$6,000.00</u>
For employees' retirement system:		
Personal services	\$19,599.50	
Current expenses	1,200.00	
Travel	400.00	
Equipment	1,250.00	
Other expenditures:		
Normal contribution for general employees	201,400.00	
		<u>                    </u>
Total	\$223,849.50	
Less estimated revenue	7,800.00	
		<u>                    </u>
Net appropriation		<u>\$216,049.50</u>
For firemen's retirement system		<u>\$50,000.00</u>
For policemen's retirement system		<u>\$59,000.00</u>
For teachers' retirement system:		
Personal services	\$18,277.00	
Current expenses	1,760.00	
Travel	775.00	
Equipment	200.00	
Other expenditures:		
Normal contribution	259,477.00	
		<u>                    </u>
Total for teachers' retirement system		<u>\$280,489.00</u>
For mental hygiene and child guidance clinics: state		
Salary of director	\$8,295.00	
Other personal services	44,274.73	
Current expenses	4,275.00	
Travel	1,900.00	
Equipment	257.00	
		<u>                    </u>
Total		<u>\$59,001.73</u>

## Federal funds:

Personal services	\$16,743.00
Current expenses	75.00
Travel	600.00
Equipment	70.00
Other expenditures:	
Merit system	212.00
Retirement	896.35

Total	<u>\$18,596.35</u>
Less estimated revenue	18,596.35

Net appropriation	<u>0.00</u>
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Total for mental hygiene and child guidance clinics	<u><u>\$59,001.73</u></u>
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For public works division of department of  
public works and highways:

Personal services	\$60,399.40
Current expenses	2,103.00
Travel	4,600.00
Equipment	1,000.00

Total	<u>\$68,102.40</u>
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Less estimated revenue from direct and overhead charges to projects	47,313.40
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Net appropriation	<u><u>\$20,789.00</u></u>
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## For fish and game department:

## Commission:

Current expenses	\$50.00
Travel	1,500.00
Other expenditures — retirement	34,000.00

Total	<u><u>\$35,550.00</u></u>
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## Administration:

Salary of director	\$7,145.00	
Other personal services	32,681.30†	
Current expenses	25,550.00	
Travel	1,200.00	
Equipment	1,335.00	
Total		<u>67,911.30</u>

† The classified position of assistant to the fish and game director is hereby abolished and no part of the funds accruing to the fish and game department shall be hereafter expended for the establishment of such a position.

## Bounties:

Other expenditures:		
Bobcat bounties		\$7,000.00

## Damage:

Personal services	\$7,170.00	
Current expenses	7,000.00	
Travel	500.00	
Equipment	1,450.00	
Other expenditures:		
Grants (damage by game)	8,000.00	
Total		<u>24,120.00</u>

## Conservation:

Personal services	\$158,762.44	
Current expenses	18,000.00	
Travel	71,000.00	
Equipment	6,500.00	
Total		<u>254,262.44</u>

## Education (publicity):

Personal services	\$16,342.30	
Current expenses	6,375.00	
Travel	2,000.00	
Equipment	855.00	
Other expenditures:		
Sportsman's show, Boston and Eastern States	5,500.00	
Total		<u>31,072.30</u>

## Propagation of fish:

Personal services	\$196,346.06	
Current expenses	128,510.00	
Travel	7,500.00	
Equipment	7,605.00	
	<hr/>	
Total		339,961.06

## Propagation of game:

Personal services	\$10,128.63	
Current expenses	15,050.00	
Travel	300.00	
Equipment	650.00	
	<hr/>	
Total		26,128.63

## Pittman-Robertson and Dingell-Johnson:

Personal services	\$88,677.53	
Current expenses	26,085.00	
Travel	9,975.00	
Equipment	4,290.00	
Other expenditures:		
U.N.H. contract	16,700.00	
Dams	10,000.00	
	<hr/>	
Total		155,727.53

## Construction and maintenance:

Personal services	\$42,319.00	
Current expenses	30,000.00	
Travel	8,000.00	
Equipment	2,450.00	
Other expenditures:		
Replace wooden pools —		
Warren	10,000.00	
	<hr/>	
Total		92,769.00
		<hr/>
Total for fish and game department		\$1,034,502.26

Less revenue and balance	1,034,502.26
Net appropriation	<u>0.00</u>

In addition to the above appropriation, the fish and game department may receive for disbursement any unexpended balances from previous years. Such balances shall be expended under the direction of the fish and game commission with the approval of the governor and council. Any sums received as revenue in excess of the estimated amounts hereunder may be expended by the director of fish and game, with the approval of the governor and council, for the purchase of state motor vehicles for the use of such conservation officers as desire to use state-owned motor vehicles.

For motor vehicle department:

Administration:

Salary of commissioner	\$8,475.00	
Salary of deputy commissioner	7,205.00	
Other personal services	159,618.41	
Current expenses	151,400.00	
Travel	3,250.00	
Equipment	7,250.00	
Other expenditures:		
Retirement	15,000.00	
		<hr/>
Total		\$352,198.41

Gasoline road toll:

Personal services	\$22,355.10	
Current expenses	2,000.00	
Travel	2,350.00	
Equipment	2,000.00	
		<hr/>
Total		28,705.10

Inspectional services:

Personal services	\$65,464.04	
Current expenses	6,350.00	
Travel	22,200.00	
Other expenditures	4,000.00	
		<hr/>
Total		98,014.04



## Highway safety:

Personal services	\$17,921.74	
Current expenses	5,100.00	
Travel	2,500.00	
Equipment	2,300.00	
		<hr/>
Total		27,821.74
		<hr/>
Total for motor vehicle department		\$506,739.29
Less revenue		506,739.29
		<hr/>
Net appropriation		0.00
		<hr/> <hr/>

## For public works and highways:

## Administration:

Salary of commissioner	\$9,540.00	
Salary of assistant commissioner	9,080.00	
Other personal services	128,855.60	
Current expenses	61,955.00	
Travel	2,480.00	
Equipment	8,665.00	
		<hr/>
Total		\$220,575.60

## Engineering:

Salary of deputy commissioner	\$8,720.00	
Other personal services	1,214,316.63	
Current expenses	59,137.00	
Travel	139,748.70	
Equipment	13,616.90	
		<hr/>
Total		1,435,539.23

## Laboratory:

Personal services	\$67,197.00	
Current expenses	15,339.00	
Travel	9,505.00	
Equipment	1,460.00	
		<hr/>
Total		93,501.00

Highway marking and roadside development:	
Personal services	\$129,318.80
Current expenses	197,423.00
Travel	39,745.00
Equipment	13,370.50
Total	<hr/> 379,857.30
Garage:	
Personal services	\$292,661.20
Current expenses	543,539.00
Travel	5,570.00
Equipment	274,600.00
Total	<hr/> 1,116,370.20
Planning and economics:	
Personal services	\$96,329.20
Current expenses	12,212.00
Travel	9,200.00
Equipment	1,495.00
Total	<hr/> 119,236.20
Equipment and transportation:	
Travel — state owned cars	108,000.00
Maintenance — roads	4,647,000.00
Legislative specials:	
Retirement	\$198,000.00
Stream flow gauging	4,500.00
Maintenance class V highways	105,000.00
State police	462,775.05
Roads to public waters	5,000.00
Accidents and compensation	20,000.00
Total	<hr/> 795,275.05
Bridge maintenance	260,000.00
Debt service	1,143,120.00
Land and buildings	157,722.00
Construction and reconstruction	9,549,458.00
Total for public works and highways	<hr/> \$20,025,654.58

Less revenue	20,025,654.58
Net appropriation	0.00

Authority is hereby given to expend such balances as may exist July 1, 1955, and any income received in excess of \$5,000,000.00 from motor vehicle fees, \$8,345,000.00 from gasoline road toll, \$1,000,000.00 from highway garage, and \$4,165,996.00 from federal aid shall be available for such further expenditure as may be approved by the governor and council.

Total net appropriation	\$17,057,140.30
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**2. Transfer of Accounting Personnel.** Whenever it shall be found by the governor and council that it would be to the advantage of the state that certain accounting or auditing procedures of a state department or agency be consolidated with that of other departments or agencies in the department of administration and control, the governor and council are authorized to transfer any employee of any department or agency authorized to do accounting or auditing work together with all unexpended appropriations and funds allocated for the payment of such employee's salary to the department of administration and control. Provided, that in case of such transfer the salary of such employee and his classification under the personnel system shall not be affected by such transfer and provided, further that any such employee so transferred shall be directly responsible to the comptroller and any liability of the head of the department or agency from which said employee is transferred for acts of such employee in connection with accounting for funds of such department or agency shall be suspended during the time such employee is under the jurisdiction of the comptroller. In like manner the governor and council may transfer back to the original department or agency any employee so transferred. Further provided that nothing herein shall be construed as authorizing the transfer of personnel or funds in cases where federal grants to the state would be affected thereby, nor to the provisions of chapters 10 and 121 of the Laws of 1953. The authority hereby delegated shall expire as of June 30, 1957.

3. **Economy in Personnel.** The sum of twenty-five thousand dollars, which appropriation shall not lapse, is hereby appropriated for the use of the governor during the ensuing biennium for the purpose of causing an investigation to be made into the possibilities of achieving economy in personnel services. For this purpose, the governor may employ necessary assistants. No funds whether appropriated by the so-called budget acts or otherwise available shall be used for the filling of vacated positions within the state classified service until authorized by the governor after appropriate study and investigation as to their necessity. A vacated position shall not be determined necessary if the work load can be reasonably redistributed to other positions, duplication of activities is evidenced, or if insufficient duties are evidenced to warrant a full time employee in the position.

Whenever the governor finds that any position in state service, except offices specifically established by law, is not necessary, he may by executive order abolish such position. In such event, the incumbent shall be transferred to any open position within the same or other department in accordance with the rules and regulations of the division of personnel. A certified copy of any such executive order shall be forthwith filed with the department head concerned and with the state treasurer and the comptroller. The balance of any appropriation saved thereby shall lapse upon the effective date of such order. The authority hereby delegated shall expire June 30, 1957.

The appropriation made hereunder shall be a charge upon the salary adjustment fund for the fiscal year ending June 30, 1955.

Any provisions of chapter 27-B, Revised Laws, as inserted by chapter 9, Laws of 1950, as amended, and of rules or regulations thereunder which are inconsistent with the provisions of this section are hereby suspended during the period this section is in effect.

4. **Hilton Park.** Amend section 3 of chapter 124 of the Laws of 1937 as amended by section 6, chapter 173, Laws of 1945, by striking out said section and inserting in place thereof the following: 3. **Administration.** The Soldiers' Memorial Parks, also known as Hilton State Park, shall be administered

by the department of public works and highways as a free public park. The cost of operation and maintenance of said park shall be a charge upon the highway funds.

**5. Business Supervisor.** Amend section 21 of chapter 23-A of the Revised Laws, as inserted by section 1, part 6, chapter 5, Laws of 1950 (section 36, chapter 8, RSA) by adding at the end thereof the following: (4) advise with the respective executive heads, boards, and commissions of the various state departments in relation to establishment, supervision and maintenance of uniform and efficient business records, business practices and business management, and to perform such other duties of assisting the state departments as the comptroller may require of him. (5) Subject to the approval of the comptroller the business supervisor may appoint an assistant business supervisor who shall receive such salary as may be provided by appropriation therefor.

**6. Legislative Council.** Amend chapter 9 of the Revised Laws (chapter 14, RSA) by inserting after section 25 the following new section: **25-a. Research Analyst.** There shall be a research analyst attached to the legislative council. The deputy legislative budget assistant in office at the time of the passage of this act shall become the research analyst and shall receive such salary as shall be determined by the legislature. She shall be reimbursed for actual expenses when engaged in the duties of research problems in connection with legislative matters. The position of deputy legislative budget assistant is hereby abolished and any reference to said officer in the statutes inconsistent with the provisions hereof is hereby repealed to the extent of such inconsistency. Said analyst shall attend all hearings on state budgets. Sections 2 and 3 of this act shall not apply or affect in any way the analyst or her secretary. Any supplies and equipment which have been assigned to the use of the deputy legislative budget assistant are hereby transferred to the research analyst.

**7. Takes Effect.** Section 3 of this act shall take effect as of June 30, 1955 and the remaining sections of this act shall take effect as of July 1, 1955.

[Approved August 5, 1955.]

## CHAPTER 339.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF CERTAIN  
DEPARTMENTS OF THE STATE FOR THE YEAR ENDING  
JUNE 30, 1957.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Appropriations.** The sums hereinafter mentioned are appropriated to be paid out of the treasury of the state for the purposes specified for the departments herein named, for the fiscal year ending June 30, 1957, to wit: A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$29,750.00 for the office of legislative assistant to the appropriations and finance committees, as provided by sections 3-34, chapter 14, RSA, and including \$9,750.00 for the office of the research analyst to the legislative council.

(Salary of legislative budget assistant \$8,500.00, other personal services \$19,500.00, current expenses \$850.00, travel \$800.00, equipment \$100.00).

(Salary of research analyst \$5,250.00, secretary to analyst \$3,250.00, other expenses \$1,230.00)	\$275,000.00
Council of state governments	\$2,500.00
Legislative council	2,500.00
	<hr/> 5,000.00
Total for legislative branch	<hr/> <u>\$280,000.00</u>

For executive branch :

Office of governor :

Salary of governor	\$12,000.00
Other personal services	21,490.00*
Current expenses	4,350.00
Travel	600.00
Equipment	300.00

Total	<hr/> \$38,740.00
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Contingent fund	7,500.00	
Special citations to state employees	300.00	
Governor's special fund	7,500.00**	
Rent, light, heat for governor's Concord home	2,000.00	
		<hr/>
Total for governor's office		\$56,040.00
Emergency fund		75,000.00
Governor's council:		
Per diem	\$8,400.00	
Current expenses	300.00	
Travel	3,300.00	
		<hr/>
Total for governor's council		\$12,000.00
		<hr/>
Total for executive branch		\$143,040.00

\* Salaries paid out of this appropriation shall be at levels set by the governor.

\*\* The funds appropriated under this item to be spent by the governor in his own and sole discretion for state purposes, including but not limited to participation in the activities of the United States Governors' Conference, the New England Conference of Governors, and the council of state governments, for which monies are not otherwise appropriated.

#### For judicial branch:

##### For supreme court:

Salaries of justices	\$60,380.00	
Salary of clerk-reporter	7,460.00	
Other personal services	5,380.00	
Current expenses	3,650.00	
Travel	1,600.00	
Equipment	600.00	
N. H. Supreme court reports	5,500.00	
		<hr/>
Total	\$84,570.00	
Less estimated revenue	680.00	
		<hr/>
Net appropriation		\$83,890.00

##### For superior court:

Salaries of judges	\$84,145.00	
Current expenses	4,280.00	
Travel	9,000.00	
		<hr/>
Total		97,425.00

For referees and masters:		
Salary of referee		3,800.00
For judicial council		4,200.00
For probate court:		
Salaries of judges	\$29,490.00	
Salaries of registers	25,470.00	
Salaries of deputies	24,232.67	
	<hr/>	
Total		79,192.67
		<hr/>
Total for judicial branch		<u>\$268,507.67</u>
For adjutant general's department:		
Central administrative office:		
Salary of adjutant general	\$8,510.13	
Other personal services	22,572.50	
Current expenses	3,800.00	
Other expenditures:		
State flags	180.00	
	<hr/>	
Total		\$35,062.63
National guard:		
Personal services	\$26,575.70	
Current expenses	22,000.00	
Travel	1,300.00	
Other expenditures:		
Social security	350.00	
	<hr/>	
Total		50,225.70
Armories:		
Personal services	\$71,028.50	
Current expenses	82,000.00	
Equipment	500.00	
	<hr/>	
Total		153,528.50
National guard rifle and pistol range:		
Personal services	\$2,115.00	
Current expenses	1,100.00	
	<hr/>	
Total		3,215.00



## Officers' uniform allowance:

Current expenses		10,000.00
State military reservation, Concord:		
Current expenses		18,750.00
State military reservation, Concord,		
Photostatic division:		
Personal services	\$2,830.00	
Current expenses	475.00	
Equipment	50.00	

Total		<u>3,355.00</u>
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## State military reservation, Grenier

## Air force base, Manchester:

Personal services	\$10,270.00	
Current expenses	15,900.00	
Travel	200.00	

Total		<u>26,370.00</u>
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State military reservation, Fort  
    William and Mary, New Castle:

Current expenses		700.00
Drill expenses:		
Travel		700.00

Total for adjutant general's department		<u>\$301,906.83</u>
Less estimated revenue		39,322.50

Net appropriation		<u><u>\$262,584.33</u></u>
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## For administration and control:

## Division of budget and control:

Salary of comptroller	\$10,080.00	
Salary of business supervisor	7,085.00	
Salary of farm supervisor	6,066.90	
Salary of assistant business supervisor	6,165.00	
Other personal services	6,109.96	
Current expenses	1,425.00	

Travel	900.00	
Equipment	175.00	
Other expenditures:		
Atlantic marine fisheries	900.00	
Firemen's relief	4,000.00	
League of N. H. arts and crafts	8,000.00	
		<hr/>
Total		\$50,906.86
Division of accounts		
Salary of director	\$7,085.00	
Other personal services	42,662.50	
Current expenses	15,100.00	
Travel	200.00	
Equipment	300.00	
		<hr/>
Total		65,347.50
Division of investigation of accounts:		
Personal services	\$16,267.50	
Travel	5,600.00	
		<hr/>
Total		21,867.50
Division of buildings and grounds:		
Personal services	\$132,089.74	
Current expenses	62,000.00	
Equipment	300.00	
		<hr/>
		\$194,389.74
Mailing division:		
Personal services	9,450.00	
Current expenses	595.00	
		<hr/>
Total		204,434.74
Division of personnel:		
State funds:		
Salary of director	\$7,630.00	
Other personal services	34,713.98	
Current expenses	2,370.00	
Travel	1,000.00	
Equipment	125.00	
		<hr/>
Total		45,838.98

Federal funds: (merit system)		
Deputy director of personnel	\$6,600.00	
Other personal services	163.00	
Other expenditures:		
Retirement	422.40	
	<hr/>	
Total	\$7,185.40	
Less federal revenue	7,185.40	
	<hr/>	
Net appropriation		0.00
Division of purchase and property:		
Salary of director	\$8,025.00	
Other personal services	34,345.00	
Current expenses	3,100.00	
Travel	300.00	
Equipment	150.00	
	<hr/>	
Total		45,920.00
Printing layout:		
Personal services	\$3,070.00	
Less refunds	3,070.00	
	<hr/>	
Net appropriation		0.00
Surplus food and commodities distribution:		
Salary of director	\$5,150.00	
Salary of supervisor of surplus food and commodities	4,782.90	
Other personal services	5,180.00	
Current expenses	24,245.00	
Travel	2,500.00	
Equipment	70.00	
Other expenditures:		
Employees' retirement	980.83	
	<hr/>	
Total	\$42,908.73†	

Less estimated revenue and balance	42,908.73	
Net appropriation		0.00
Total for administration and control		<u>\$434,315.58</u>

† Authority is hereby given to utilize so much as may be necessary of the balance accumulated as of June 30, 1955 or any surplus accumulating during the fiscal years 1956 and 1957 within this subdivision, to efficiently operate this division without the use of any other state funds.

For department of agriculture:

Office of commissioner:

Salary of commissioner	\$8,175.00	
Other personal services	29,418.90	
Current expenses	3,500.00	
Travel	5,000.00	
Equipment	415.00	
Other expenditures:		
Feed, seed and fertilizer services	15,240.00	
Total		<u>\$61,748.90</u>

Division of markets and standards:

Bureau of markets:

Personal services	\$26,795.73	
Current expenses	13,192.00	
Travel	4,200.00	
Equipment	215.00	
Other expenditures:		
Cooperative grant to New Eng- land crop reporting service	800.00	
Total		<u>45,202.73</u>

Bureau of weights and measures:

Personal services	\$21,720.00	
Current expenses	2,300.00	
Travel	4,000.00	
Equipment	1,300.00	
Total	<u>\$29,320.00</u>	
Less estimated revenue	17,000.00	
Net appropriation		<u>12,320.00</u>

## Division of animal industry:

Salary of state veterinarian	\$8,200.00	
Other personal services	36,591.10	
Current expenses	6,200.00	
Travel	6,200.00	
Equipment	1,000.00	
Other expenditures:		
Tubercular testing	35,000.00	
Other veterinarian service	800.00	
Radio transcriptions	25.00	
Fees to town clerks for checking mortgages	25.00	
Indemnities for condemned animals	15,000.00	
Brucellosis and vibrosis testing	60,000.00	
Testing for mastitis control	2,500.00	
Total		<u>171,541.10</u>

## Insect and plant disease control:

Personal services	\$23,318.84	
Current expenses	1,425.00	
Travel	5,800.00	
Total		<u>30,543.84</u>

## Milk control:

Personal services	\$11,510.00	
Current expenses	2,680.00	
Travel	1,600.00	
Equipment	187.50	
Total		<u>\$15,977.50</u>
Less estimated revenue	15,977.50	
Net appropriation		<u>0.00</u>

## Economic poisons law:

Current expenses	\$300.00	
Travel	1,200.00	
Other expenditures:		
Temporary and professional services	1,500.00	
Total		<u>\$3,000.00</u>

Less estimated revenue	3,000.00	
	<hr/>	
Net appropriation		0.00
Board of veterinary examiners		425.00
Tests for germination and purity of agricultural seeds	\$200.00	
Less revenue and balance	200.00	
	<hr/>	
Net appropriation		0.00
Vesicular exanthema	\$300.00	
Less revenue and balance	300.00	
	<hr/>	
Net appropriation		0.00
Licensing of live poultry dealers	\$540.00	
Less revenue and balance	540.00	
	<hr/>	
Net appropriation		0.00
Licensing of livestock dealers	\$10.00	
Less revenue and balance	10.00	
	<hr/>	
Net appropriation		0.00
Grants: †		
State soil conservation committee		100.00
Eastern states exhibit		2,000.00
		<hr/>

† The provisions of section 5, chapter 241, RSA are suspended for the fiscal year ending June 30, 1957.

Total for department of agriculture	<u><u>\$323,881.57</u></u>
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For attorney general:

Office of attorney general:

Salary of attorney general	\$9,810.00
Salary of deputy attorney general	8,720.00
Salaries of 3 assistant attorneys general	22,890.00
Other personal services	24,776.26
Current expenses	3,000.00

Travel	2,200.00	
Equipment	1,200.00	
Other expenditures:		
Commission on uniform state laws	700.00	
		<hr/>
Total		\$73,296.26
Division of charitable trusts:		
Salary of director	\$3,760.00	
Other personal services	4,420.00	
Current expenses	200.00	
Travel	150.00	
Equipment	200.00	
		<hr/>
Total		8,730.00
		<hr/>
Total for attorney general		\$82,026.26
Less estimated revenue		3,000.00
		<hr/>
Net appropriation		<u>\$79,026.26</u>

## For forestry division (forestry and recreation):

## Administration:

Salary of state forester	\$7,630.00	
Other personal services	26,037.57	
Current expenses	5,275.00	
Travel	1,375.00	
Equipment	200.00	
		<hr/>
Total	\$40,517.57	
Less refunds (maintenance)	234.60	
		<hr/>
Net appropriation		\$40,282.97

## District fire supervision:

Personal services	\$67,292.42	
Current expenses	16,295.00	
Travel	11,050.00	
Equipment	16,500.00	
		<hr/>
Total	\$111,137.42	

Less estimated revenue and balance	63,173.00***	
	<hr/>	
Net appropriation		47,964.42
Lookout stations:		
Personal services		58,039.31
Wardens training conferences:		
Current expenses	\$2,000.00	
Other expenditures:		
State's share of town warden training	3,500.00	
	<hr/>	
Total		5,500.00
Prevention of fires:		
Personal services	\$6,315.64	
Current expenses	730.00	
Equipment	5,000.00	
Other expenditures:		
State's share of prevention bills with towns	1,200.00	
	<hr/>	
Total		13,245.64
White pine blister rust control:		
Personal services	\$15,570.00	
Current expenses	1,385.00	
	<hr/>	
Total		16,955.00
Northeastern forest fire compact:		
Current expenses	\$592.50	
Travel	100.00	
	<hr/>	
Total		692.50
Nursery:		
Personal services	\$20,701.92	
Current expenses	8,897.00	
Equipment	1,400.00	
	<hr/>	
Total	\$30,998.92	



Less estimated revenue and balance	11,116.75***	
Less refunds (maintenance)	152.79	
		<hr/>
Net appropriation		19,729.38

\*\*\* If the federal grant exceeds the above estimate, such excess may be expended with the approval of the governor and council for said purposes.

Reforestation:

Personal services	\$2,967.42
Current expenses	130.00
Travel	675.00

Total	\$3,772.42
Less refunds (maintenance)	125.01

Net appropriation		3,647.41
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Cooperative forest management:

Personal services	\$12,036.00
Current expenses	400.00
Travel	3,800.00
Equipment	50.00

Total		16,286.00
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Forest improvement fund:

Administration:

Personal services	\$21,022.96
Current expenses	2,005.00
Travel	3,000.00
Equipment	2,400.00

State forest operations:

Personal services	25,000.00**
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\*\* Includes \$5,000.00 for silviculture.

Land purchase:

Other expenditures:

State land purchase	5,000.00*
Reimbursement of state treasury	6,000.00†

Total		\$64,427.96
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Less refunds (maintenance)	114.00
Less revenue and balance	64,313.96

Net appropriation	0.00
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\* No part of this appropriation shall be used to purchase land that will increase by more than five per cent the total acreage of land held by the forestry division at the time this act becomes effective.

† This item to be used for reimbursement to state treasury on account of moneys paid to towns under the provisions of section 32, chapter 219, RSA for loss of taxes on real estate owned by the state and held by the forestry division for operation and development as state forest land.

Caroline A. Fox Research Fund:

Personal services	\$6,333.50
Current expenses	3,285.00
Travel	800.00
Equipment	600.00

Total	\$11,018.50
Less refunds (maintenance)	398.40
Less revenue and balance	10,620.10

Net appropriation	0.00
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Total for forestry	\$222,342.63
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For department of health:

Administration: state

Salary of state health officer	\$10,200.00
Other personal services	24,063.90**
Current expenses	17,000.00
Travel	600.00

Total	\$51,863.90
Less credit transfer	3,820.00

Net appropriation	\$48,043.90
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\*\* Of this amount \$900.00 shall be for the part-time services of a Clerk I for the cancer commission.

Administration: federal		
Personal services	\$15,067.60	
Current expenses	7,400.00	
Travel	2,100.00	
	<hr/>	
*Total	\$24,567.60	
*Less estimated revenue	24,567.60	
	<hr/>	
Net appropriation		0.00
Business management: state		
Personal services	\$16,166.90	
Current expenses	825.00	
Equipment	200.00	
	<hr/>	
Total		17,191.90
Business management: federal		
Personal services	\$5,742.50	
Current expenses	1,200.00	
Travel	500.00	
Equipment	35.00	
	<hr/>	
*Total	\$7,477.50	
*Less estimated revenue	7,477.50	
	<hr/>	
Net appropriation		0.00
Health education: state		
Personal services	\$9,090.00	
Current expenses	1,630.00	
	<hr/>	
Total		10,720.00
Health education: federal		
Personal services	\$5,315.27	
Current expenses	3,850.00	
Travel	1,170.00	
Equipment	535.00	
	<hr/>	
*Total	\$10,870.27	
*Less estimated revenue	10,870.27	
	<hr/>	
Net appropriation		0.00

Hospital services: state		
Personal services	\$16,226.55	
Current expenses	500.00	
Travel	2,600.00	
	<hr/>	
Total	\$19,326.55	
Less estimated revenue	2,000.00	
	<hr/>	
Net appropriation		17,326.55
Hospital services: federal		
Personal services	\$3,670.00‡	
Current expenses	340.00	
Travel	1,000.00	
	<hr/>	
*Total	\$5,010.00	
*Less estimated revenue*	5,010.00	
	<hr/>	
Net appropriation		0.00

‡ In case federal funds are not available in the amount estimated the department is authorized to transfer from state funds for personal services in other divisions to this account.

Vital statistics: state		
Personal services	\$25,534.50	
Current expenses	500.00	
	<hr/>	
Total		‡26,034.50

† Any revenue received in addition to this appropriation shall be available for expenditure.

Vital statistics: federal		
Personal services	\$2,290.00	
Current expenses	2,750.00	
Travel	500.00	
Equipment	500.00	
	<hr/>	
*Total	\$6,040.00	
*Less estimated revenue	6,040.00	
	<hr/>	
Net appropriation		0.00
Public health nursing: state		
Personal services	\$58,799.50	
Current expenses	500.00	

Travel	3,000.00	
Total		62,299.50
Public health nursing: federal		
Personal services	\$23,830.00	
Current expenses	2,577.70	
Travel	9,646.43	
Equipment	325.00	
*Total	\$36,379.13	
*Less estimated revenue	36,379.13	
Net appropriation		0.00
Communicable disease control: state		
Personal services	\$41,236.50	
Current expenses	7,000.00	
Travel	1,500.00	
Total		49,736.50
Communicable disease control: federal		
Personal services	\$4,300.00	
Current expenses	6,640.00	
Travel	1,650.00	
Equipment	200.00	
*Total	\$12,790.00	
*Less estimated revenue	12,790.00	
Net appropriation		0.00
Dental services: state		
Personal services	\$22,232.80	
Current expenses	400.00	
Travel	200.00	
Equipment	200.00	
Total	\$23,032.80	
Less revenue, grants	2,480.00†	
Net appropriation		20,552.80

† Any revenue received in excess of the estimate shall be available for further expenditure.

## Dental services : federal

Personal services	\$5,785.50
Current expenses	3,900.00
Travel	2,000.00

*Total	\$11,685.50
*Less estimated revenue	11,685.50

Net appropriation 0.00

Maternal and child health and  
crippled children's services : state

Personal services	\$21,256.50
Current expenses	35,000.00
Travel	400.00

## Other expenditures :

Convalescent care and clinics	60,000.00*
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Total 116,656.50

\* The division of investigation of accounts shall investigate the ability to pay of patients and those legally chargeable for their support and maintenance for care, treatment or maintenance furnished hereunder and the expenses of said care, treatment or maintenance may be recovered in an action in the name of the state from the patient or those persons chargeable with his support where said person or persons have a weekly income or other resources more than sufficient to provide a reasonable subsistence compatible with decency and health.

Maternal and child health and  
crippled children's services :

## federal

Personal services	\$17,527.50
Current expenses	56,227.50
Travel	2,000.00

## Other expenditures :

Convalescent care and clinics (see note at the end of the appropriations for department of health)	40,000.00†
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*Total	\$115,755.00
*Less estimated revenue	115,755.00

Net appropriation 0.00

Occupational health: state		
Personal services	\$23,818.90	
Current expenses	500.00	
Travel	500.00	
Equipment	3,092.50	
	<hr/>	
Total		27,911.40
Occupational health: federal		
Personal services	\$3,430.00	
Current expenses	2,500.00	
Travel	3,100.00	
	<hr/>	
*Total	\$9,030.00	
*Less estimated revenue	9,030.00	
	<hr/>	
Net appropriation		0.00
Diagnostic laboratories: state		
Personal services	\$45,367.10	
Current expenses	3,000.00	
Travel	300.00	
	<hr/>	
Total		48,667.10
Diagnostic laboratories: federal		
Personal services	\$3,082.50	
Current expenses	5,200.00	
	<hr/>	
*Total	\$8,282.50	
*Less estimated revenue	8,282.50	
	<hr/>	
Net appropriation		0.00
Food and chemistry: state		
Personal services	\$56,663.70	
Current expenses	3,400.00	
Travel	10,500.00	
Equipment	500.00	
	<hr/>	
Total	\$71,063.70	
Less transfer from motor vehicle department	4,000.00	
	<hr/>	
Net appropriation		67,063.70

Sanitary engineering: state		
Personal services	\$48,702.10	
Current expenses	3,300.00	
Travel	6,100.00	
Equipment	350.00	
Total		58,452.10
Commission on alcoholism:		
Personal services	\$32,862.70	
Current expenses	45,000.00	
Travel	1,500.00	
Equipment	200.00	
Other expenditures:		
Medical and other expenses	2,000.00	
Total	\$81,562.70	
Less estimated revenue	6,800.00	
Net appropriation		74,762.70
Merit system: federal		
Other expenditures:		
*Participation, examinations and training	\$3,450.00	
*Less estimated revenue	3,450.00	
Net appropriation		0.00
<p>† This item may be expended only if federal funds are available restricted to this purpose, or if the total received from federal funds for this division shall exceed \$75,755.00 and said excess is available for crippled children's services, or if the board of health finds federal funds are not required in other items and such funds can be made available to this item without detriment to other programs. In no event shall the expenditures under convalescent care and clinics exceed the sum of \$40,000.00.</p>		
<p>* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate, such excess may be expended with the approval of the governor and council for said purposes, except as hereinabove provided.</p>		
Total for department of health:		
State		\$645,419.15
Federal	\$251,337.50	
Less estimated revenue	251,337.50	
Net appropriation		0.00



For barbers board :		
Personal services	\$1,400.00	
Current expenses	765.00	
Travel	1,400.00	
	<hr/>	
Total	\$3,565.00	
Less revenue, after transfer of \$1,395.00 to department of health	3,565.00	
	<hr/>	
Net appropriation		0.00
		<hr/> <hr/>
For cancer commission :		
Personal services	\$22,080.00	
Current expenses	99,550.00	
Travel	1,320.00	
Equipment	120.00	
	<hr/>	
Total for cancer commission	\$123,070.00	
Less estimated revenue	24,000.00	
	<hr/>	
Net appropriation		\$99,070.00
		<hr/> <hr/>
For board of chiropody :		
Personal services	\$145.00	
Current expenses	45.00	
	<hr/>	
Total	\$190.00	
Less revenue and balance	190.00	
	<hr/>	
Net appropriation		0.00
		<hr/> <hr/>
For board of hairdressers :		
Personal services	\$1,600.00	
Current expenses	780.00	
Travel	2,000.00	
	<hr/>	
Total	\$4,380.00	

Less revenue after transfer of \$2,425.00 to department of health	4,380.00	
Net appropriation		0.00
For pharmacy commission:		
Personal services	\$1,800.00	
Current expenses	575.00	
Travel	1,250.00	
Total for pharmacy commission		\$3,625.00
For board of registration in medicine:		
Personal services	\$1,000.00	
Current expenses	1,175.00	
Travel	500.00	
Total	\$2,675.00	
Less estimated revenue	2,675.00	
Net appropriation		0.00
For insurance department:		
Office of commissioner:		
Salary of commissioner	\$8,460.00	
Salary of deputy commissioner	7,400.00	
Other personal services	29,395.27	
Current expenses	4,925.00	
Travel	1,200.00	
Equipment	365.00	
Total		\$51,745.27
Rating division:		
Personal services	\$6,080.00	
Current expenses	825.00	
Travel	400.00	
Equipment	100.00	
Total		7,405.00

Real estate division:	
Personal services	\$336.00
Current expenses	300.00
Travel	50.00
	<hr/>
Total	\$686.00
Less estimated revenue	686.00
	<hr/>
Net appropriation	0.00
	<hr/>
Total for insurance department	<u>\$59,150.27</u>
For department of labor:	
Office of commissioner:	
Salary of commissioner	\$6,784.37
Other personal services	7,910.00
Current expenses	7,260.00
Travel	500.00
	<hr/>
Total	\$22,454.37
Inspections division:	
Personal services	\$29,611.50
Current expenses	2,100.00
Travel	7,100.00
Equipment	100.00
	<hr/>
Total	38,911.50
Workmen's compensation division:	
Personal services	\$21,157.83
Current expenses	2,400.00
Travel	100.00
Equipment	300.00
	<hr/>
Total	23,957.83
New Hampshire apprenticeship council	100.00
	<hr/>
Total for department of labor	<u>\$85,423.70</u>

## For public welfare :

## Administration :

Board of public welfare	\$3,000.00
Salary of commissioner	9,870.00
Other personal services	153,826.45**
Current expenses	27,500.00
Travel	6,000.00
Equipment	800.00

## Other expenditures :

Personnel division (merit system)	2,299.33
Employees retirement	40,000.00
Aid to disabled persons — physicians' fees	250.00

Total	\$243,545.78
Less estimated revenue	4,500.00

Net appropriation \$239,045.78

\*\* This amount includes \$3,000.00 to be paid to department of attorney general for legal services.

## State services :

Personal services	\$14,970.58
Current expenses	100.00
Travel	1,000.00
Equipment	125.00

Total 16,195.58

## Field services :

Personal services	\$350,000.00
Current expenses	39,238.00
Travel	30,675.00
Equipment	2,500.00

Total 422,413.00

## Blind services :

Personal services	\$15,506.00
Current expenses	900.00
Travel	2,750.00

Equipment	200.00	
Other expenditures:		
Blind education	28,900.00	
Sight conservation	17,500.00	
		<hr/>
Total		65,756.00
Child welfare services:		
Personal services	\$50,508.30	
Travel	10,000.00	
Other expenditures:		
Educational leave	1,200.00	
Conferences and institutes	697.00	
		<hr/>
*Total	\$62,405.30	
*Less estimated revenue (federal grant)	48,327.00	
		<hr/>
Net appropriation		14,078.30
Vocational rehabilitation: federal		
Personal services	\$15,936.50	
Travel	1,750.00	
Other expenditures:		
Case services	6,763.50	
		<hr/>
*Total	\$24,450.00	
*Less estimated revenue	24,450.00	
		<hr/>
Net appropriation		0.00
Vocational rehabilitation: state		
Case services		\$12,925.00
Special children's fund		5,000.00
John Nesmith fund		3,700.00
Old age assistance:		
State's share	\$775,416.13	
Less estimated revenue	75,000.00	
		<hr/>
Net appropriation		700,416.13
Towns and counties	\$985,793.29	
Less estimated revenue	985,793.29	
		<hr/>
Net appropriation		0.00

*Federal	\$2,181,963.74	
*Less estimated revenue	2,181,963.74	
	<hr/>	
Net appropriation		0.00
Aid to dependent children:		
State's share	\$761,630.70	
Less estimated revenue	65,000.00	
	<hr/>	
Net appropriation		696,630.70
*Federal	\$815,494.48	
*Less estimated revenue	815,494.48	
	<hr/>	
Net appropriation		0.00
Aid to needy blind:		
State's share	\$107,076.15	
Less estimated revenue	1,500.00	
	<hr/>	
Net appropriation		105,576.15
*Federal	\$103,320.39	
*Less revenue	103,320.39	
	<hr/>	
Net appropriation		0.00
Aid to permanently and totally disabled:		
State's share	\$41,939.43	
Less estimated revenue	1,000.00	
	<hr/>	
Net appropriation		40,939.43
Towns and counties	\$94,606.78	
Less estimated revenue	94,606.78	
	<hr/>	
Net appropriation		0.00
*Federal	\$133,758.88	
*Less estimated revenue	133,758.88	
	<hr/>	
Net appropriation		0.00
Old age assistance to aliens:		
Town and counties	\$122,781.91	
Less estimated revenue	122,781.91	
	<hr/>	
Net appropriation		0.00

*Federal	\$164,038.55	
*Less estimated revenue	164,038.55	
	<hr/>	
Net appropriation		0.00
Medical pools:		
Old age assistance:		
State's share		354,120.00
Towns and counties	\$182,160.50	
Less estimated revenue	182,160.50	
	<hr/>	
Net appropriation		0.00
*Federal	\$192,361.48	
*Less estimated revenue	192,361.48	
	<hr/>	
Net appropriation		0.00
Aid to dependent children:		
State's share		170,485.20
*Federal	\$29,614.80	
*Less estimated revenue	29,614.80	
	<hr/>	
Net appropriation		0.00
Aid to needy blind:		
State's share		23,615.28
*Federal	\$6,052.16	
*Less estimated revenue	6,052.16	
	<hr/>	
Net appropriation		0.00
Aid to permanently and totally disabled:		
State's share		15,984.00
Towns and counties	\$13,678.24	
Less estimated revenue	13,678.24	
	<hr/>	
Net appropriation		0.00
*Federal	\$9,418.44	
*Less estimated revenue	9,418.44	
	<hr/>	
Net appropriation		0.00
Old age assistance to aliens:		
Towns and counties	\$51,682.18	
Less estimated revenue	51,682.18	
	<hr/>	
Net appropriation		0.00

*Federal	\$22,573.82	
Less estimated revenue	22,573.82	
		<hr/>
Net appropriation		0.00
		<hr/>

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with approval of the governor and council for said purposes.

For the period ending June 30, 1957, the share which a county or town must reimburse the state for aid to totally and permanently disabled persons for which such county or town is liable shall be thirty-five per cent. Provisions of the law inconsistent with the provision hereof are hereby suspended until June 30, 1957.

Total for public welfare	\$2,886,880.55
Less transfer re administration from federal grant	206,476.16
	<hr/>
Net appropriation	\$2,680,404.39
	<hr/> <hr/>

For veterans' council:

Personal services	\$10,400.00
Current expenses	735.00
Travel	2,800.00
Other expenditures: veterans burials	5,000.00
	<hr/>
Total for veterans' council	\$18,935.00
	<hr/> <hr/>

For recreation division (forestry and recreation):

Salary of director	\$8,020.00
Salary of assistant director	6,445.00
Other personal services	491,571.54
Current expenses	145,007.55
Travel	7,943.78
Equipment	11,781.02
Other expenditures:	
Employees retirement	\$8,078.42
Awards and indemnities	2,288.89
Prison program	6,530.05



Recreational facilities bonds, issue of 1951	15,000.00
Recreational areas bonds, issue of 1954	13,000.00
Recreational facilities bonds, issue of 1954	45,000.00
Mt. Sunapee Tramway bonds	25,000.00
Interest on bonds	14,333.75
	<hr/>
Total	129,231.11
	<hr/>
Total for recreation	\$800,000.00
Less revenue and balance	800,000.00
	<hr/>
Net appropriation	0.00

In this appropriation any revenue in excess of the estimate shall be available for such further expenditures as the governor and council shall approve.

In purchasing supplies for resale under this division, preference shall be given to the purchase of products (1) manufactured in New Hampshire, and (2) products distributed by resident persons, firms, or corporations, in that order.

The forestry and recreation division shall not charge admission for any children of New Hampshire residents living within ten miles of the Wellington State Park who are under the age of sixteen years. New Hampshire residents living within ten miles who are sixteen and older shall be admitted at a special lower rate of admission to be based on the operating cost of the said park for the previous year.

For secretary of state:

Office of secretary:

Salary of secretary	\$8,080.00
Salary of deputy secretary	6,960.00
Other personal services	27,360.00
Current expenses	2,300.00
Travel	850.00
Equipment	150.00
Other expenditures:	
Preservation of state and provincial records	500.00
	<hr/>
Total	\$46,200.00

## Elections:

Personal services	\$5,500.00
Current expenses	44,040.00
Travel	500.00

Total	50,040.00
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## Photostat division:

Personal services	\$3,460.00
Current expenses	1,420.00
Equipment	83.00

Total	4,963.00
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Total for secretary of state	\$101,203.00
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## For board of accountancy:

Personal services	\$250.00
Current expenses	450.00
Travel	100.00

Total	\$800.00
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Less revenue and balance	800.00
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Net appropriation	0.00
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## For chiropractic examiners:

Personal services	\$700.00
Current expenses	300.00
Travel	500.00

Total for chiropractic examiners	\$1,500.00
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## For board of optometry:

Personal services	\$450.00
Current expenses	180.00
Travel	235.00

Total for board of optometry	\$865.00
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## For state library:

## Administration:

Salary of librarian	\$6,780.00
Salary of assistant librarian	5,780.00
Other personal services	80,353.58
Current expenses	8,000.00
Travel	600.00
Equipment	16,500.00
Other expenditures:	
Library electric service changes	2,700.00

Total	\$120,713.58
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## Extension:

Current expenses	\$3,500.00
Travel	2,500.00
Equipment	10,680.00
Other expenditures:	
Summer institute	300.00

Total	16,980.00
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State aid — books and supplies	1,500.00
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Total for state library	\$139,193.58
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## For state police:

Salary of superintendent	\$8,400.00
Other personal services	356,045.21
Current expenses	30,600.00
Travel	86,500.00
Equipment	50,000.00
Other expenditures:	
Retirement	19,000.00

Total for state police	\$550,545.21
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Less transfer from highway fund	467,963.43
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Net appropriation	\$82,581.78
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For state treasury:

Office of the treasurer:

Salary of treasurer	\$7,900.00
Salary of deputy	5,995.00
Other personal services	53,717.50
Current expenses	13,243.50
Travel	300.00
Equipment	3,000.00
Other expenditures — audit	2,000.00*

Total	<u>\$86,156.00</u>
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\* The legislative budget assistant shall designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of section 12-a, chapter 23 (paragraph II, section 31, chapter 14, RSA) of the Revised Laws, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer.

Highway division:

Personal services	\$9,292.50
Current expenses	5,380.00

Total	<u>\$14,672.50</u>
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Less transfer from highway fund	<u>14,672.50</u>
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Net appropriation	0.00
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Bounties	1,000.00
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Trust funds	37,095.27
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Expense re head tax	100.00
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Reimbursement to towns	†30,000.00
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Total for treasury	<u><u>\$154,351.27</u></u>
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† No part of this appropriation shall be transferred to any other account.

For industrial school:

Administration:

Salary of superintendent	\$7,085.00
Salary of deputy superintendent	5,400.00
Other personal services	13,242.50

Current expenses	3,525.00	
Travel	885.00	
Equipment	160.00	
	<hr/>	
Total		\$30,297.50
Instructions:		
Personal services	\$28,027.50	
Current expenses	1,500.00	
Equipment	310.00	
	<hr/>	
Total		29,837.50
Custodial care:		
Personal services	\$127,210.41	
Current expense	53,475.00*	
Equipment	1,500.00	
	<hr/>	
Total		182,185.41
* In this appropriation \$19,875.00 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.		
Auxiliary to custodial care:		
Personal services	\$2,200.00	
Current expenses	60.00	
Travel	150.00	
	<hr/>	
Total		2,410.00
Operation of plant:		
Personal services	\$10,036.08	
Current expenses	27,490.00	
Other expenditures:		
1/2 ton pickup truck	1,400.00	
	<hr/>	
Total		38,926.08
Maintenance of plant:		
Personal services	\$21,808.32	
Current expenses	5,110.00	
Equipment	532.00	
	<hr/>	
Total		27,450.32

## Agriculture:

Personal services	\$11,203.24
Current expenses	15,682.50
Equipment	264.00

Total	\$27,149.74
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Less credit transfer	\$19,875.00
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Less estimated revenue	8,025.00
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	27,900.00
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Net reduction	—750.26
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## Boys' and girls' benefit fund:

Current expenses	3,800.00
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## Parole:

Personal services	\$15,945.00
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Current expenses	300.00
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Travel	1,700.00
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Equipment	70.00
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Total	18,015.00
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Total for industrial school	\$332,171.55
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Less revenue (maintenance)	9,500.00
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Net appropriation	\$322,671.55
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## For Laconia state school:

## Administration:

Salary of superintendent	\$8,175.00
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Other personal services	29,609.96
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Current expenses	1,815.00
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Travel	1,500.00
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Equipment	125.00
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Total	\$41,224.96
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## Professional care and treatment:

Personal services	\$316,778.70	
Current expenses	9,650.00	
Travel	310.00	
Equipment	1,350.00	
		<hr/>
Total		328,088.70

## Custodial care:

Personal services	\$102,812.55	
Current expenses	200,000.00†	
Travel	25.00	
Equipment	6,000.00	
		<hr/>
Total		308,837.55

† In this appropriation \$74,000.00 shall be for products used from the institution's farm, and no part of said sum shall be transferred to any other appropriation or expended for any other purpose.

## Operation of plant:

Personal services	\$38,087.67	
Current expenses	63,000.00‡	
Equipment	300.00	
		<hr/>
Total		101,387.67

‡ In this appropriation \$2,000.00 shall be for lumber used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

## Maintenance of plant:

Personal services	\$19,276.36	
Current expenses	14,065.00	
Equipment	1,500.00	
Other expenditures:		
Care of grounds, snow removal, etc.	22,000.00***	
		<hr/>
Total		56,841.36

\*\*\* This appropriation shall be for supplies, work and services received from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

## Agriculture:

Personal services		\$48,078.41†	
Current expenses		46,000.00	
Travel		25.00	
Equipment		750.00	
Total			\$94,853.41
Less transfer credits	\$98,000.00		
Less revenue	9,500.00		
			<u>107,500.00</u>
Net reduction			<u>—12,646.59</u>

† Under this division of the Laconia State School there shall at no time be more than twelve permanent full time personnel. Of this appropriation the sum of \$7,500.00 may be expended for temporary seasonal personnel.

Total for Laconia state school	\$823,733.65
Less refunds (maintenance)	23,500.00
Net appropriation	<u>\$800,233.65</u>

## For prison industries:

Personal services	\$69,926.51	
Current expenses	144,835.00	
Travel	300.00	
Equipment	2,000.00	
Total	\$217,061.51	
*Less estimated revenue	217,061.51	
Net appropriation		0.00

\* In the above appropriation any revenue in excess of the estimate shall be available for such further expenditure as the governor and council shall approve.

## For soldiers' home:

Office of commandant: state		
Salary of commandant	\$4,436.00	
Other personal services	3,625.10	
Total		<u>\$8,061.10</u>



Professional care and treatment: state		
Personal services		17,684.08
Custodial care: state		
Personal services		17,085.00
Operation of plant: state		
Personal services		14,334.34
Operation and maintenance of plant:		
federal:		
Current expenses	\$22,210.00	
Travel	255.00	
Equipment	100.00	
Other expenditures —		
snow ploughing, refuse disposal, extermination services, repairs to buildings, and renewal of water main		2,340.00
		<hr/>
Total	\$24,905.00	
Less revenue and balance	24,905.00	
		<hr/>
Net appropriation		0.00
		<hr/>
Total for soldiers' home		\$57,164.52
Less refunds (maintenance)		2,700.00
		<hr/>
Net appropriation		\$54,464.52
		<hr/> <hr/>
For state hospital:		
Administration:		
Salary of superintendent	\$10,138.08	
Salary of assistant superintendent	8,805.00	
Other personal services	83,965.58	
Current expenses	23,917.95	
Travel	2,900.00	
Equipment	300.00	
		<hr/>
Total		\$130,026.61

## Professional care and treatment:

Salary of director of psychiatric education and research	\$7,383.00
Salary of director of correctional psychiatry	7,383.00
Salary of director of clinical services	8,346.00
Salary of director of out-patient services	7,383.00
Other personal services	1,672,235.10
Current expenses	64,820.00
Travel	4,200.00
Equipment	7,000.00
	<hr/>
Total	1,778,750.10

## Custodial care:

Personal services	\$474,470.67
Current expenses	649,422.15*
Travel	75.00
Equipment	3,000.00
	<hr/>
Total	1,126,967.82

\* In this appropriation \$120,500.00 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

## Operation of plant:

Personal services	\$155,834.69
Current expenses	229,690.00
Travel	100.00
Equipment	3,800.00
	<hr/>
Total	389,424.69

## Maintenance of plant:

Personal services	\$168,844.75
Current expenses	88,474.00
Equipment	2,500.00
	<hr/>
Total	259,818.75

## Agriculture:

Personal services	\$54,011.35
Current expenses	59,000.00
Travel	50.00
Equipment	3,600.00

Total	\$116,661.35
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Less transfer credit	\$120,500.00
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Less revenue	3,200.00
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	<u>123,700.00</u>
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Net reduction	<u>-7,038.65</u>
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Total for state hospital	\$3,677,949.32
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Less refunds (maintenance)	71,000.00
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Net appropriation	<u><u>\$3,606,949.32</u></u>
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## For state prison:

## Administration:

Salary of warden	\$7,085.00
Other personal services	11,960.00
Current expenses	1,350.00
Travel	1,150.00
Equipment	265.00

Total	<u>\$21,810.00</u>
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## Instruction:

Personal services	3,600.00
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## Custodial care:

Salary of deputy warden	\$5,355.00
Other personal services	151,721.73
Current expenses	89,485.00*
Equipment	781.00

## Other expenditures:

Custody of certain inmates	5,000.00**
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Total	252,342.73
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\* In this appropriation \$19,250.00 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

\*\* This appropriation shall be available for the custody of unmanageable inmates in out-of-state institutions or federal penitentiaries when no suitable institutions exist in New Hampshire. Any payments out of this appropriation shall be made with the approval of the governor and council. This fund may also be used for such inmates who have been sent to such out-of-state institutions from the Laconia state school, the industrial school and the state hospital. No part of this appropriation shall be expended for any other purpose.

## Auxiliary to prison care and custody:

Personal services	\$6,000.00
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Current expenses	3,750.00
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## Other expenditures:

Awards — gate money	1,600.00
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Total	11,350.00
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## Operation of plant:

Personal services	16,624.32
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## Maintenance of plant:

Current expenses	\$8,555.00
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## Other expenditures:

Boiler and sprinkler inspection	50.00
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Tarring driveway	200.00
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Total	8,805.00
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## Agriculture:

Personal services	\$11,437.88
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Current expenses	17,685.00
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Equipment	2,800.00
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## Other expenditures:

Slaughtering, cutting and curing meat	1,000.00
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Registration fees	75.00
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Total	\$32,997.88
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Less transfer credit	\$19,250.00
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Less revenue	15,500.00
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34,750.00
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Net reduction	—1,752.12
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## Parole:

Personal services	\$19,075.00	
Current expenses	800.00	
Travel	3,000.00	
Equipment	135.00	
		<hr/>
Total		23,010.00
		<hr/>
Total for state prison		\$335,789.93
Less estimated revenue	\$2,275.00	
Less refunds (maintenance)	2,154.60	
Less transfer from prison industries	5,000.00	
		<hr/>
		9,429.60
		<hr/>
Net appropriation		<u>\$326,360.33</u>

## For state sanatorium:

## Administration:

Salary of superintendent	\$8,175.00	
Other personal services	11,853.05†	
Current expenses	1,720.00	
Travel	1,350.00	
Equipment	575.00	
		<hr/>
Total		\$23,673.05

† Of this amount the sum of \$1,000.00 shall be paid to the superintendent, in addition to his regular salary, for extra work in connection with out-patient services.

## Professional care and treatment:

Personal services	\$103,991.82	
Current expenses	22,020.00	
Equipment	1,635.00	
Other expenditures:		
Other hospitalization — board and care	30,000.00	
		<hr/>
Total		157,646.82

## Custodial care:

Personal services	\$56,759.82	
Current expenses	45,725.00*	
Equipment	205.00	
		<hr/>
Total		102,689.82

\* In this appropriation \$8,660.00 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose.

## Operation of plant:

Personal services	\$42,426.36	
Current expenses	21,911.00	
Equipment	275.00	
Other expenditures:		
Cutting wood for institutional buildings	1,000.00	
		<hr/>
Total		65,612.36

## Maintenance of plant:

Personal services	\$1,200.00	
Current expenses	2,000.00	
Equipment	350.00	
		<hr/>
Total		3,550.00

## Agriculture:

Personal services	\$8,609.92	
Current expenses	5,340.00	
		<hr/>
Total	\$13,949.92	
Less transfer credit	\$8,660.00	
Less estimated revenue	5,560.00	
		<hr/>
	14,220.00	

Net reduction		<hr/>
		—270.08

Total for state sanatorium	\$352,901.97
Less refunds (maintenance)	14,500.00
	<hr/>

Net appropriation	\$338,401.97
	<hr/> <hr/>

## For University of New Hampshire: \*

University of New Hampshire fund	\$1,879,994.22
Extension work in counties	72,000.00
	<hr/>
Total for University of New Hampshire	\$1,951,994.22

\* It is estimated that the income received by the university from tuition charges will be \$1,072,000.00 for the year. In case this amount of income from this source is not received the state's appropriation for the university will be increased by such sum, not in excess of \$50,000.00, as represents the difference between \$1,072,000.00 and the amount actually received from tuition charges. Such provisions of section 22, of chapter 222, Revised Laws (section 28, chapter 187, RSA) as may be inconsistent with the provisions of this note are hereby suspended for the fiscal year ending June 30, 1957. The provisions of section 18, chapter 222, Revised Laws (section 24, chapter 187, RSA) are suspended for the fiscal year ending June 30, 1957.

## For board of education:

## Administration:

Salary of commissioner	\$9,995.00
Other personal services	104,029.38
Current expenses	14,000.00
Travel	7,500.00
Equipment	2,600.00
Other expenditures:	
Rentals (I.B.M.)	1,100.00
Curriculum development	1,000.00
	<hr/>
Total	\$140,224.38

## Foundation aid:

State aid to school districts	\$1,200,000.00†
Transportation, board, tuition	6,000.00
	<hr/>
Total	1,206,000.00

† See under area vocational schools.

## State-wide supervision:

Personal services (net)	\$177,478.00†
Other expenditures:	
Superintendents' conference	2,000.00
	<hr/>
Total	179,478.00

† See limitations as set forth in footnote under net appropriation for board of education.

Smith-Hughes: state		
Personal services	\$7,127.00	
Current expenses	200.00	
Travel	1,000.00	
	<hr/>	
Total		8,327.00
Smith-Hughes: federal		
Personal services	\$7,127.00	
Current expenses	200.00	
Travel	1,000.00	
Other expenditures:		
Reimbursement for salaries and travel of teachers	24,199.50	
	<hr/>	
Total	\$32,526.50*	
Less estimated revenue	32,526.50	
	<hr/>	
Net appropriation		0.00
Vocational rehabilitation: state		
Current expenses	\$27,600.00	
Travel	300.00	
Equipment	800.00	
	<hr/>	
Total		28,700.00
Vocational rehabilitation: federal		
Personal services	\$25,361.54	
Current expenses	26,911.46	
Travel	4,000.00	
Equipment	800.00	
Other expenditures:		
Retirement	1,200.00	
	<hr/>	
Total	\$58,273.00*	
*Less estimated revenue	58,273.00	
	<hr/>	
Net appropriation		0.00
George-Barden: state		
Personal services	\$11,541.30	
Current expenses	507.00	
Travel	1,500.00	
	<hr/>	
Total		13,548.30



## George-Barden: federal

Personal services	\$11,741.30
Current expenses	507.00
Travel	2,500.00
Other expenditures:	
Reimbursement for salaries and travel of teachers	120,251.70
<b>Total</b>	<b>\$135,000.00*</b>
*Less estimated revenue	135,000.00

Net appropriation

0.00

## N. H. technical institute —

## Manchester:

Personal services	\$110,210.89
Current expenses	29,150.00
Travel	350.00
Equipment	9,000.00
<b>Total</b>	<b>\$148,710.89</b>
**Less cafeteria revenue	6,000.00

Net appropriation

\$142,710.89

## N. H. technical institute —

## Portsmouth:

Personal services	\$61,510.30
Current expenses	21,000.00
Travel	500.00
Equipment	5,000.00
<b>Total</b>	<b>\$88,010.30</b>
**Less cafeteria revenue	5,000.00

Net appropriation

83,010.30

\*\* Revenue received in excess of above estimates shall be available for further cafeteria expenditures.

## N. H. technical institute —

## Concord office:

Personal services	\$6,030.00
Current expenses	1,600.00
Travel	900.00
Equipment	175.00

Total		8,705.00
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## Veterans' educational services: state

Current expenses	\$1,575.00
Equipment	125.00

Total		1,700.00
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## Veterans' educational services: federal

Personal services	\$12,292.30
Travel	1,900.00

Total	\$14,192.30*
Less estimated revenue	14,192.30

Net appropriation		0.00
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## School lunch program: state

Personal services	\$12,139.50
Current expenses	400.00
Travel	1,200.00
Equipment	150.00

Total		13,889.50
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## School lunch program: federal

## Other expenditures:

Reimbursements to school districts	\$215,000.00*
Less estimated revenue	215,000.00

Net appropriation		0.00
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## Education of the deaf:

Current expenses	\$70,000.00
Travel	350.00

Equipment	300.00
	<hr/>
Total	\$70,650.00
†Less transfer from Coos County extension fund	6,000.00
	<hr/>
Net appropriation	64,650.00

† This item shall be a charge on the funds received by the state from the United States on account of the national forests in unorganized places as provided in sections 22 and 25, chapter 219, RSA and such parts of said sections as may be inconsistent with the provisions hereof shall be suspended until June 30, 1957.

Area vocational schools:

Personal services	\$2,610.00
Current expenses	300.00
Travel	200.00
Other expenditures:	
Reimbursement to school districts	47,000.00
	<hr/>
Total	50,110.00
**Less transfer	50,110.00
	<hr/>
Net appropriation	0.00

\*\* The amount of \$50,110.00 herein provided for area vocational schools shall be a charge against the appropriation provided for state aid to school districts and the state board of education is authorized to discontinue said area vocational schools if it shall consider it desirable to do so.

Keene teachers college:

Salary of president	\$8,520.00
Other personal services	418,130.55
Current expenses	176,760.00
Travel	6,000.00
Equipment	20,000.00
Other expenditures:	
Scholarships	25,000.00†
Teachers' retirement	4,000.00
	<hr/>
Total	\$658,410.55

## Plymouth teachers college:

Salary of president	\$8,175.00
Other personal services	356,362.85‡
Current expenses	120,000.00
Travel	3,000.00
Equipment	14,490.00
Other expenditures:	
Scholarships	15,000.00†
Teachers' retirement	4,900.00

Total	521,927.85
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† It shall be a condition precedent to granting a scholarship to a person attending the teachers college that said person shall sign an agreement that after graduation he will teach in the state for as many years as he was the recipient of said scholarship and that if he shall not so teach for the required number of years he will reimburse the state for the amount of scholarship aid he received.

‡ A position of pipefitter is authorized within the amount of this appropriation.

## Scholarships — world war orphans

(As provided by RSA 193:19)	2,700.00
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## Board of nurse examiners:

Personal services	\$10,672.90
Current expenses	2,875.00
Travel	450.00
Other expenditures:	
Retirement	666.70

Total	\$14,664.60
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Less revenue and balance	14,664.60
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Net appropriation	0.00
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Total for board of education	\$3,073,981.77
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Less estimated revenue	911,266.00
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Net appropriation	\$2,162,715.77
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\* This amount available for expenditure only if funds are available as a federal grant.

In addition to the above appropriation said department shall receive

for disbursement any excess over estimates in the income of the teachers' colleges' dormitories and practice schools, and revenue from tuitions received by the Manchester and Portsmouth technical institutes. No nursery school program shall be allowed at either Keene or Plymouth teachers colleges, and no funds out of this appropriation or any other available funds shall be used for this purpose.

In addition to the above appropriation said department shall receive for disbursement sums paid by school districts for the additional salaries of superintendents under the provisions of section 44, chapter 135, Revised Laws (section 44, chapter 189, RSA). The appropriation to cover the state's share for personal services for state-wide supervision is at the same rates of compensation as for the fiscal year 1954-1955. All helping teacher positions hereinafter established shall be only after a majority vote in each of the school districts in the supervisory union requesting the establishment of the position of helping teacher at their respective annual school district meetings. Any unexpended balance of the appropriation by the state for this purpose being revenue from the so-called per capita tax as provided by section 12, chapter 194, RSA which is in excess of the amount expended for such supervision shall be paid over by the state treasurer to each school district in proportion to the total receipts from said school district. Any provisions of paragraph XXIII, section 11, chapter 186, RSA inconsistent with the provisions of this footnote are hereby suspended until June 30, 1957.

For board of fire control:

Salary of state fire marshal	\$5,995.00
Other personal services	11,429.06
Current expenses	1,973.00
Travel	3,550.00

Total	<u>\$22,947.06</u>
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For board of probation:

Salary of director	\$6,315.00
Other personal services	110,626.83
Current expenses	8,900.00
Travel	11,000.00
Equipment	500.00

Total	<u>\$137,341.83</u>
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For water resources board:

Salary of chairman	\$6,505.00
Other personal services	25,749.40

Current expenses	1,510.00	
Travel	2,325.00	
Equipment	175.00	
Other expenditures:		
Dams in disrepair (construction)	10,000.00	
		<hr/>
Total		\$46,264.40
Stream flow gauging:		
Personal services		11,925.00
Connecticut river valley flood control commission:		
Other expenditures:		
Per diems and expenses of N. H. commission	\$1,000.00	
State's contribution to commission	1,000.00	
		<hr/>
Total		2,000.00
		<hr/>
Total for water resources board		\$60,189.40
Less transfer from highway	\$4,500.00	
*Less transfer from Pittsburg project	5,000.00	
		<hr/>
		9,500.00
		<hr/>
Net appropriation		<u>\$50,689.40</u>

\* Transferred by vote of the directors.

For aeronautics commission:

Salary of director	\$6,900.00	
Other personal services	11,792.90	
Current expenses	2,200.00	
Travel	1,400.00	
Equipment	100.00	
		<hr/>
Total		\$22,392.90
Less estimated revenue		2,700.00
		<hr/>
Net appropriation		<u>\$19,692.90</u>

*Airways toll fund	\$7,800.00	
Less transfers and balance	7,800.00	
		<hr/>
Net appropriation		0.00
		<hr/>
Total for aeronautics commission		<u>\$19,692.90</u>

\* Expenditures shall not exceed existing balances plus revenue.

For bank commissioner:

Salary of commissioner	\$8,640.00
Salary of deputies (two)	12,920.00
Other personal services	61,833.43
Current expenses	5,637.00
Travel	9,700.00
Equipment	900.00
Other expenditures:	
Retirement	5,104.28

Total for bank commissioner	\$104,734.71
*Less revenue	96,094.71

Net appropriation	<u>\$8,640.00</u>
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\* The bank commissioner shall collect from the institutions, the condition and management of which he is required to examine under the provisions of section 8 of chapter 307 of the Revised Laws, (section 9, chapter 383, RSA) as the cost of such examination, the sum of \$96,094.71 for the fiscal year ending June 30, 1957, and each such institution shall pay to the state within thirty days after receipt by it of notice of assessment such proportion of the said stated sum so collectible as its assets bear to the total assets of all such institutions as shown by their reports to the bank commissioner as of the thirtieth day of June preceding such payments; provided, however, the sum to be paid by each such institution shall not be less than the following:

Savings bank or trust company	\$50
Building and loan association	\$25
Credit union	\$15
Small loan licensee	\$10
Miscellaneous institution	\$25

and any amount collected under the provisions of this minimum assessment in excess of the state assessment together with said stated assessment amounts shall be credited to the appropriation for the bank commissioner.

## For liquor commission:

## Liquor administration:

One-half salary of three commissioners	\$11,644.50	
Other personal services	80,607.87	
Current expenses	23,225.00	
Travel	1,750.00	
Equipment	1,000.00	
Other expenditures: retirement	5,500.00	
		<hr/>
Total		\$123,727.37

## Beer administration:

One-half salary of three commissioners	\$11,644.50	
Other personal services	75,594.91	
Current expenses	8,375.00	
Travel	24,000.00	
Equipment	1,000.00	
Other expenditures — retirement	5,400.00	
		<hr/>
Total		126,014.41

## Liquor enforcement:

Personal services	\$16,711.66	
Current expenses	140.00	
Travel	5,500.00	
Other expenditures — retirement	1,200.00	
		<hr/>
Total		23,551.66

## Stores operations:

Personal services	\$609,681.50	
Current expenses	200,500.00	
Travel	8,500.00	
Equipment	7,500.00	
Other expenditures — retirement	35,471.69	
		<hr/>
Total		861,653.19



## Warehouse:

Personal services	\$71,997.60
Current expenses	18,875.00
Travel	25.00
Equipment	1,800.00
Other expenditures — retirement	4,200.00
	<hr/>
Total	96,897.60
	<hr/>
Total for liquor commission	\$1,231,844.23
Less revenue	1,231,844.23
	<hr/>
Net appropriation	0.00
	<hr/> <hr/>

## For planning and development commission:

Salary of executive director	\$8,062.50
Other personal services	108,437.50
Current expenses	82,500.00
Travel	8,750.00
Equipment	1,252.15
Other expenditures:	
*Regional associations	21,000.00
Eastern states exposition	8,000.00
	<hr/>
Total for planning and development commission	\$238,002.15
Less estimated revenue	1,200.00
	<hr/>
Net appropriation	\$236,802.15
	<hr/> <hr/>

\* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than \$3,500.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

## For public utilities commission:

## Office of commission:

Salary of three commissioners	\$26,050.00
Other personal services	68,343.88

Current expenses	4,500.00	
Travel	2,250.00	
Equipment	600.00	
		<hr/>
Total		\$101,743.88

## Motor carriers:

Personal services	\$5,338.64	
Current expenses	1,135.00	
Travel	600.00	
		<hr/>

Total	\$7,073.64	
*Less revenue and balance	7,073.64	
		<hr/>

Net appropriation 0.00

\* Any revenue and balance in excess of \$7,073.64 shall be available for such further expenditure as provided by statute.

## Motor boat registration:

Personal services	\$31,644.95	
Current expenses	23,045.00	
Travel	6,500.00	

## Other expenditures:

Boat equipment	310.05	
		<hr/>

Total	\$61,500.00	
**Less revenue and balance	61,500.00	
		<hr/>

Net appropriation 0.00

Total for public utilities commission \$101,743.88

\*\* Any revenue and balance in excess of \$61,500.00 shall be available for such further expenditure as provided by statute.

## For racing commission:

Salary of three commissioners	\$6,000.00
Other personal services	35,747.60*
Current expenses	2,500.00
Travel	3,000.00

Equipment	380.00	
Total for racing commission	<u>\$47,627.60</u>	
Less revenue	47,627.60	
Net appropriation		<u>0.00</u>

\* Such portion of this amount as constitutes the compensation of the official steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet.

For state tax commission:

Office of commission:

Salary of two commissioners	\$14,170.00	
Salary of secretary	8,520.00	
Other personal services	43,754.10	
Current expenses	13,090.00	
Travel	12,000.00	
Equipment	1,392.00	
Total	<u>\$92,926.10</u>	
Less estimated refunds	1,500.00	
Net appropriation		<u>\$91,426.10</u>

Municipal accounting:

Personal services	\$41,920.90	
Current expenses	1,500.00	
Travel	5,000.00	
Total	<u>\$48,420.90</u>	
Less estimated revenue	24,000.00	
Net appropriation		<u>24,420.90</u>

Intangibles tax:

Personal services	\$15,830.50	
Current expenses	1,800.00	
Travel	350.00	
Other expenditures:		
Retirement	1,027.40	
Total	<u>\$19,007.90</u>	
Less estimated revenue	19,007.90	
Net appropriation		<u>0.00</u>

## Utilities tax:

Personal services	\$2,930.00
Current expenses	100.00
	<hr/>
Total	\$3,030.00
Less revenue	3,030.00
	<hr/>

Net appropriation 0.00

## Legacy and succession tax:

Personal services	\$20,400.10
Current expenses	1,488.00
Travel	100.00
	<hr/>

Total 21,988.10

## Tobacco products tax:

Personal services	\$26,877.60
Current expenses	15,965.00
Travel	7,500.00
	<hr/>

Total 50,342.60

Total for tax commission \$188,177.70

## For water pollution commission:

Personal services	\$38,662.00
Current expenses	5,982.00
Travel	7,100.00
Equipment	667.00
	<hr/>

Total \$52,411.00

## New England Interstate Water

## Pollution Control Commission:

Personal services	\$1,000.00
Current expenses	1,150.00
Travel	1,200.00
	<hr/>

Total 3,350.00

Total for water pollution commission \$55,761.00

## For civil defense :

Salary of director	\$4,905.00
Other personal services	7,612.90
Current expenses	4,060.00
Travel	1,000.00
Equipment	5,000.00
Other expenditures :	
Training at federal schools	550.00

Total	\$23,127.90
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## Field staff :

Current expenses	\$650.00
Travel	2,450.00

Total	3,100.00
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Total for civil defense	\$26,227.90
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For civil air patrol — current expenses	\$6,000.00
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## For employees retirement system :

Personal services	\$19,587.00
Current expenses	1,200.00
Travel	400.00
Equipment	70.00
Other expenditures :	
Normal contribution for general employees	204,200.00

Total	\$225,457.00
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Less estimated revenue	7,800.00
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Net appropriation	\$217,657.00
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For firemen's retirement system	\$50,000.00
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For policemen's retirement system	\$59,000.00
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## For teachers' retirement system :

Personal services	\$18,397.00
Current expenses	1,760.00
Travel	775.00
Equipment	215.00
Other expenditures :	
Normal contribution	283,876.00

Total for teachers' retirement system	<u>\$305,023.00</u>
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For mental hygiene and child guidance  
clinics: state

Secretary of director	\$8,520.00
Other personal services	44,474.90
Current expenses	4,475.00
Travel	1,900.00
Equipment	100.00

Total	<u>\$59,469.90</u>
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## Federal funds :

Personal services	\$16,743.00
Current expenses	75.00
Travel	600.00
Equipment	66.00
Other expenditures :	
Merit system	216.00
Retirement	925.56

Total	<u>\$18,625.56</u>
Less estimated revenue	18,625.56

Net appropriation	<u>0.00</u>
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Total for mental hygiene and child guidance clinics	<u>\$59,469.90</u>
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For public works division of department  
of public works and highways :

Personal services	\$61,488.40
Current expenses	1,988.00

Travel	4,600.00	
Equipment	481.00	
		<hr/>
Total	\$68,557.40	
Less estimated revenue from direct and overhead charges to projects	48,407.40	
		<hr/>
Net appropriation		<u>\$20,150.00</u>

## For fish and game department:

## Commission:

Current expenses	\$50.00	
Travel	1,500.00	
Other expenditures — retirement	36,000.00	
		<hr/>
Total		\$37,550.00

## Administration:

Salary of director	\$7,340.00	
Other personal services	33,164.80	
Current expenses	25,050.00	
Travel	1,200.00	
Equipment	2,635.00	
		<hr/>
Total		69,389.80

## Bounties:

## Other expenditures:

Bobcat bounties	7,000.00
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## Damage:

Personal services	\$7,290.00
Current expenses	7,000.00
Travel	500.00
Equipment	250.00
Other expenditures:	
Grants (damage by game)	8,000.00
	<hr/>

Total	23,040.00
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Conservation :	
Personal services	\$160,532.49
Current expenses	18,000.00
Travel	71,000.00
Equipment	6,500.00
	<hr/>
Total	256,032.49
Education (publicity) :	
Personal services	\$16,492.30
Current expense	7,075.00
Travel	2,000.00
Equipment	250.00
Other expenditures :	
Sportsman's show, Boston and Eastern States	5,500.00
	<hr/>
Total	31,317.30
Propagation of fish :	
Personal services	\$198,004.26
Current expenses	128,510.00
Travel	7,500.00
Equipment	7,010.00
	<hr/>
Total	341,024.26
Propagation of game :	
Personal services	\$10,301.32
Current expenses	15,050.00
Travel	300.00
Equipment	1,650.00
	<hr/>
Total	27,301.32
Pittman-Robertson and Dingell- Johnson :	
Personal services	\$89,900.38
Current expenses	25,585.00
Travel	9,975.00
Equipment	4,590.00
Other expenditures :	
U. N. H. contract	16,700.00
Dams	10,000.00
	<hr/>
Total	156,750.38



## Construction and maintenance:

Personal services	\$42,815.25
Current expenses	30,000.00
Travel	8,000.00
Equipment	3,150.00
Other expenditures:	
Replace wooden pools —	
Warren	10,000.00
	<hr/>
Total	93,965.25
	<hr/>
Total for fish and game de- partment	\$1,043,370.80
Less revenue and balance	1,043,370.80
	<hr/>
Net appropriation	0.00
	<hr/> <hr/>

In addition to the above appropriation the fish and game department shall receive for disbursement any unexpended balances from previous years. Said additional amounts appropriated hereunder shall be expended under the direction of the fish and game commission, with the approval of the governor and council.

## For motor vehicle department:

## Administration:

Salary of commissioner	\$8,706.33
Salary of deputy commissioner	7,400.00
Other personal services	161,253.31
Current expenses	150,900.00
Travel	3,250.00
Equipment	6,100.00
Other expenditures:	
Retirement	15,500.00
	<hr/>
Total	\$353,109.64

## Gasoline road toll:

Personal services	\$22,647.60
Current expenses	2,000.00
Travel	2,350.00
Equipment	500.00
	<hr/>

Total	27,497.60
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Inspectional services:	
Personal services	\$65,925.99
Current expenses	5,850.00
Travel	18,200.00
Equipment	7,100.00
Other expenditures	4,000.00
	<hr/>
Total	101,075.99
Highway safety:	
Personal services	\$18,328.85
Current expenses	5,100.00
Travel	2,500.00
Equipment	3,500.00
	<hr/>
Total	29,428.85
	<hr/>
Total for motor vehicle department	\$511,112.08
Less revenue	511,112.08
	<hr/>
Net appropriation	0.00
	<hr/> <hr/>
For public works and highways:	
Administration:	
Salary of commissioner	\$9,810.00
Salary of assistant commissioner	9,320.00
Other personal services	130,710.30
Current expenses	58,121.00
Travel	2,750.00
Equipment	2,350.00
	<hr/>
Total	\$213,061.30
Engineering:	
Salary of deputy commissioner	\$8,960.00
Other personal services	1,198,468.73
Current expenses	59,681.20
Travel	129,932.70
Equipment	10,166.00
	<hr/>
Total	1,407,208.63

## Laboratory:

Personal services	\$68,099.00
Current expenses	15,189.00
Travel	9,505.00
Equipment	950.00

Total	93,743.00
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## Highway marking and roadside development:

Personal services	\$130,277.20
Current expenses	186,138.00
Travel	46,845.00
Equipment	10,160.50

Total	373,420.70
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## Garage:

Personal services	\$295,473.26
Current expenses	557,464.00
Travel	5,570.00
Equipment	262,600.00

Total	1,121,107.26
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## Planning and economics:

Personal services	\$102,786.00
Current expenses	11,265.00
Travel	9,200.00
Equipment	1,295.00

Total	124,546.00
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## Equipment and transportation:

Travel — state owned cars	118,000.00
Maintenance — roads	4,647,000.00

## Legislative specials:

Retirement	\$198,000.00
Stream flow gauging	4,500.00
Maintenance class V highways	105,000.00
State police	466,688.43
Roads to public waters	5,000.00

Accidents and compensation	20,000.00
Special retirement	2,600.00
	<hr/>
Total	801,788.43
Bridge maintenance	260,000.00
Debt service	1,189,370.00
Land and buildings	142,491.00
Construction and reconstruction	9,554,458.00
	<hr/>
Total for public works and highways	\$20,046,194.32
Less revenue	20,046,194.32
	<hr/>
Net appropriation	0.00
	<hr/> <hr/>

Authority is hereby given to expend such balances as may exist July 1, 1956, and any income received in excess of \$5,154,000.00 from motor vehicle fees, \$8,707,000.00 from gasoline road toll, \$1,000,000.00 from highway garage, and \$4,165,996.00 from federal aid shall be available for such further expenditure as may be approved by the governor and council.

Total net appropriation	<u>\$17,214,535.23</u>
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**2. Takes Effect.** This act shall take effect as of July 1, 1956.

[Approved August 5, 1955.]

SPECIAL ATTENTION IS CALLED TO THE FOLLOWING:

(1) REVISED STATUTES ANNOTATED.

The Revised Statutes Annotated, effective September 1, 1955, publication and distribution of which are provided for in Chapter 231, Laws of 1955, were an act of the Legislature of 1955, Approved March 1, 1955, and omitted from this volume.

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(2) Chapter 171, Laws of 1955 — section 8 was amended by section 5, Chapter 448, Laws of 1955. See Private Acts.

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(3) The following Private Acts appear as a part of the following Public Acts:

Goshen-Lempster Cooperative School District — section 3, Chapter 287, Laws of 1955.

Goshen-Lempster Cooperative School District — section 15, Chapter 334, Laws of 1955.

Rye Water District — section 2, Chapter 292, Laws of 1955.

Merrimack Village District bond issue — sections 1, 2, 3, and 5, Chapter 322, Laws of 1955.

**CHAPTER 340.**JOINT RESOLUTION RELATIVE TO CONTINUED DUTIES OF THE  
ATTORNEY GENERAL.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the attorney general is hereby authorized and directed to continue the investigation authorized by chapter 307 of the Laws of 1953 in form, manner and authority as therein provided for the period from January 1, 1955 to April 30, 1955, and for the purposes hereof the provisions of said chapter 307, except as otherwise herein provided, are hereby continued in full force and effect for the additional period herein mentioned. [Approved January 13, 1955.]

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**CHAPTER 341.**JOINT RESOLUTION PROVIDING FUNDS FOR CERTAIN CLASSIFIED  
POSITIONS IN PLANNING AND DEVELOPMENT DEPARTMENT.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of one thousand three hundred twenty-eight dollars and forty-nine cents (\$1,328.49) is hereby appropriated to be added to the appropriation for the planning and development commission for the salary of the agricultural promotion assistant for the period from March 1 to June 30, 1955. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated. [Approved February 25, 1955.]

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**CHAPTER 342.**

## JOINT RESOLUTION IN FAVOR OF THE COUNTY OF COOS.

WHEREAS under and by virtue of section 18 of chapter 79-A, Revised Laws, inserted by chapter 295 of the Laws of 1949,

there was no provision made for reimbursement to counties for loss of taxes upon growing wood and timber in the unincorporated places in the tax year 1950; and

WHEREAS the county of Coos in the tax year 1950 suffered a financial loss because of the necessity of granting an abatement for an over-assessment of the timber yield tax in that year, amounting to eighteen dollars and twenty-one cents, now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the state treasurer is hereby authorized to pay to the treasurer of Coos county the sum of eighteen dollars and twenty-one cents (\$18.21) from the reimbursement fund provided for under chapter 79-A of the Revised Laws.

[Approved February 25, 1955.]

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### CHAPTER 343.

JOINT RESOLUTION IN FAVOR OF THE ESTATE OF JOHN S. BALL.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estate of John S. Ball of Contocook, the sum of fifty-three dollars and thirty cents (\$53.30), the amount due said decedent as messenger of the committee on appropriations.

[Approved February 25, 1955.]

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### CHAPTER 344.

JOINT RESOLUTION RELATIVE TO A STUDY OF OLD AGE AND SURVIVORS' INSURANCE FOR STATE EMPLOYEES.

WHEREAS, it appears that substantial benefits and advantages may accrue to the state and to its employees as a result of the amendment to Title II of the federal social security act made by Public Law 761, 83rd Congress, whereby employees

of a state, although covered by an existing retirement system may be made eligible for old age and survivors' insurance, and

WHEREAS, it appears that such benefits and advantages may be secured at a saving to the state, without any reduction in benefits now enjoyed by the employees of the state, and

WHEREAS, an actuarial study is necessary in order that the nature of such benefits and advantages, and the cost of the same, may be ascertained, and

WHEREAS, such study should be made at once in order that appropriate enabling legislation may, if feasible, be introduced at the present session of the general court, now therefore, be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the governor, the president of the senate and the speaker of the house, acting jointly, are hereby authorized and directed forthwith to commence a study to ascertain the benefits and advantages, if any, that may accrue to the state and to its employees, and the cost of the same, as a result of the amendment of Title II of the federal social security act by Public Law 761, 83rd Congress, whereby employees of a state may be eligible for old age and survivors' insurance although in positions covered by a retirement system; together with the methods of securing such benefits and advantages best adapted to this state and its employees. In the making of such study, authority is hereby granted to engage the services of a competent actuary. The sum of four thousand dollars is hereby appropriated for the study directed, such sum to be expended upon the order of the governor.

[Approved March 1, 1955.]

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## CHAPTER 345.

JOINT RESOLUTION IN FAVOR OF MERLE PITMAN.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of two hundred and fifty dollars is hereby appropriated to reimburse Merle Pitman of Chatham for prop-



erty damages which he sustained when his cows were attacked by a moose on September 14, 1954, at Chatham. This sum shall be in full and complete settlement of this claim. The sum hereby appropriated shall be a charge on the fish and game funds. [Approved March 5, 1955.]

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### CHAPTER 346.

#### JOINT RESOLUTION RELATIVE TO SPECIAL FISHING LICENSES FOR CERTAIN STUDENTS FROM FOREIGN COUNTRIES.

WHEREAS, there are in our midst certain exchange students representing many different countries of the world and,

WHEREAS, we deem it to be in the best interests of the commonweal and international understanding that these guests of our state know and enjoy the wonders of our great out-of-doors, now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the department of fish and game be and hereby is authorized and directed to issue to such so-called foreign exchange students who are living and studying in New Hampshire and who may apply to the director therefor, a special fishing license, without the payment of a fee therefor, which will entitle the licensee to kill, take and transport fish and salt water smelt under the restrictions of Title XX of the Revised Laws. Said special licenses shall be issued only for the calendar years 1955 and 1956.

[Approved March 16, 1955.]

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### CHAPTER 347.

#### JOINT RESOLUTION IN FAVOR OF HARRY J. RING.

WHEREAS, when the estate of Edward C. Ring was entered for probate in the county of Merrimack the statement of legatees contained the name of Harry J. Ring as a foster son and sole legatee, and

WHEREAS, as a matter of fact said Harry J. Ring when three years of age was legally adopted by the said Edward C. Ring and was therefore at the time of the death of said Edward C. Ring his adopted son, and

WHEREAS, under the misstatement above mentioned a tax of \$121.50 was paid on March 14, 1923 as inheritance tax on the estate of Edward C. Ring, now therefore, be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of \$121.50 is hereby appropriated to reimburse Harry J. Ring for the amount of the inheritance tax erroneously collected on his share of the estate of Edward C. Ring. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved March 26, 1955.]

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## CHAPTER 348.

### JOINT RESOLUTION RELATIVE TO THE ESTATE OF EUGENE HILL.

WHEREAS, it appears that upon settlement of the estate of Eugene Hill also known as Calvin Hill and Eugene Calvin Hill, late of Windham, in the county of Rockingham and state of New Hampshire, deceased, a balance of \$2,729.28 remained undistributed in the hands of the administrator of said estate and upon a petition alleging that there were no human heirs of the said Eugene Hill the judge of probate for said county of Rockingham on December 2, 1952, ordered the administrator to pay over said funds to the state treasurer after a period of three years from the date of original grant of administration; and

WHEREAS, said period expired on October 2, 1954, and payment has been made accordingly or by forfeiture of section 9 of chapter 360 of the Revised Laws; and

WHEREAS, it now appears that said Eugene Hill was survived by a widow, who has since deceased and whose estate may be entitled to said balance; now therefore

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the judge of probate for the county of Rockingham and state of New Hampshire is hereby authorized to conduct a hearing or hearings at which time the claim of the estate of the widow of said Eugene Hill may be presented; and if such claim shall be established, the treasurer of the state shall be ordered by said judge of probate aforesaid to pay the sum of \$2,729.28 to said estate. The secretary of state is hereby authorized to send a copy of this resolution to the judge of probate for the county of Rockingham aforesaid, who, upon receipt thereof shall act upon the same forthwith.

[Approved April 11, 1955.]

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#### CHAPTER 349.

JOINT RESOLUTION RELATIVE TO A STUDY OF THE PROBLEM OF  
COMBINING TOWNS AND SCHOOL DISTRICTS.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the legislative council is directed to study the possibilities of combining towns and school districts with the elimination of school districts. The council shall report its recommendations on this subject to the 1957 session of the legislature together with copies of proposed legislation, if any should be recommended.

[Approved April 11, 1955.]

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#### CHAPTER 350.

JOINT RESOLUTION RELATIVE TO PURCHASE OF SALK POLIO-  
MYELITIS VACCINE BY THE STATE.

WHEREAS, there is a limited supply of Salk poliomyelitis vaccine available at this time, and

WHEREAS, it is deemed to be in the public interest for the state to acquire a supply of said vaccine to dispense to physi-

cians of the state for the inoculation of certain children whose parents cannot afford to pay for said vaccine, now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of fifty thousand dollars is hereby appropriated to be expended under the direction of the state board of health for the purpose of purchasing and distributing Salk poliomyelitis vaccine under rules and regulations of said board for the inoculation of children who, due to financial hardship, might otherwise be unable to receive protection from said disease by such inoculation. The state board is hereby authorized to adopt rules and regulations to carry out the purposes hereof. The governor is authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated. Provided, further, that if the sum hereby appropriated shall be insufficient to carry out the purposes hereof the governor is authorized to draw his warrant upon the so-called emergency fund for further sums for the purposes hereof.

[Approved April 21, 1955.]

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## CHAPTER 351.

### JOINT RESOLUTION RELATING TO THE PLACEMENT OF CERTAIN OBSOLETE ARTILLERY.

WHEREAS, there is in the possession of the adjutant general one or more pieces of obsolete artillery formerly of the Piper Battery, so-called, of Manchester, and

WHEREAS, the carriages of said piece or pieces and other parts thereof are in need of repair for restoration, and

WHEREAS, James D. Filleul, of Manchester, has indicated a willingness to make such repairs and undertake such restoration in return for the privilege of displaying said piece or pieces along with his collection of antique and historical objects in said Manchester, now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the adjutant general is hereby authorized to enter into an agreement with the said James D. Filleul whereby said piece or pieces or any one or more of them may be placed in the custody of the said Filleul to be repaired and restored and displayed by him, all in accordance with such terms, and under such conditions, as the adjutant general may prescribe.

Such agreement shall provide that the piece or pieces shall be used for museum purposes only within the state of New Hampshire and shall be made accessible to the public from time to time, and with the further proviso that at any time whenever the adjutant general shall find that the terms of the agreement are not being complied with he may demand the return of said property to the state. In the case of such return the adjutant general shall pay to said Filleul or his heirs or assigns a sum not to exceed the original cost of restoration.  
[Approved April 26, 1955.]

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## CHAPTER 352.

### JOINT RESOLUTION RELATIVE TO CONTINUED DUTIES OF THE ATTORNEY GENERAL.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the attorney general is hereby authorized and directed to continue the investigation authorized by chapter 307 of the Laws of 1953 in form, manner and authority as therein provided for the period from April 30, 1955, to June 15, 1955, and for the purposes hereof the provisions of said chapter 307, except as otherwise herein provided, are hereby continued in full force and effect for the additional period herein mentioned.  
[Approved April 27, 1955.]

**CHAPTER 353.**

JOINT RESOLUTION IN FAVOR OF FRANCIS H. BUFFUM.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one thousand dollars be and hereby is appropriated to reimburse Francis H. Buffum for his actual expenses in the compiling and printing of two thousand copies of "New Hampshire in Miniature," provided that said Francis H. Buffum shall transfer to the state all his copyrights, plates and other material in connection with said pamphlet. Said sum appropriated shall be a charge upon the general funds.

[Approved May 14, 1955.]

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**CHAPTER 354.**

JOINT RESOLUTION APPROPRIATION FOR CARRYING OUT PROVISIONS OF STATUTE RELATIVE TO RECIPROCAL AGREEMENTS FOR EDUCATIONAL FACILITIES FOR NEW HAMPSHIRE RESIDENTS.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT there are hereby appropriated the sum of six thousand dollars for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, for the purpose of carrying out the provisions of chapter 197 of the Laws of 1953 providing for extension of educational facilities for New Hampshire residents under reciprocal agreements, as executed and approved by the trustees of the university of New Hampshire. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated. The sums hereby appropriated shall be a continuing appropriation and shall not lapse.

[Approved May 14, 1955.]

**CHAPTER 355.**JOINT RESOLUTION IN FAVOR OF THE DANBURY HOSPITAL,  
DANBURY, CONNECTICUT.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of two hundred forty-one dollars and seventy cents is hereby appropriated to reimburse the Danbury Hospital of Danbury, Connecticut, for expenses incurred in September 1950 in treating two escapees from the industrial school who were injured while driving in a stolen vehicle in Connecticut. The governor is authorized to draw his warrant for the sum hereby appropriated out of money in the treasury not otherwise appropriated. This sum shall be in full and complete settlement of this charge.

[Approved May 14, 1955.]

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**CHAPTER 356.**

## JOINT RESOLUTION IN FAVOR OF AUGUSTUS GLIDDEN.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of eight hundred and seventy-one dollars is hereby appropriated to reimburse Augustus Glidden for medical and hospital expenses, and loss of wages occasioned by an accident February 1, 1953 in Alton near the railroad station while helping to change a blade on a state-owned snow plow. The governor is authorized to draw his warrant for the sum hereby appropriated out of the highway fund and payment of said sum to said Augustus Glidden shall be in full settlement of all claims he may have against the state arising out of said accident.

[Approved May 21, 1955.]

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**CHAPTER 357.**

## JOINT RESOLUTION IN FAVOR OF ALEX E. DEMERS.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of three hundred and thirty-two dollars and

sixty-four cents is hereby appropriated to reimburse Alex E. Demers for expenses incurred and loss of time at his occupation occasioned by an accident which happened to him on June 28, 1953, at Lake Wentworth state park at Wolfeboro. This sum shall be in full and complete settlement of this claim. The governor is authorized to draw his warrant for the sum hereby appropriated which shall be a charge upon the state recreational fund.

[Approved May 21, 1955.]

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### CHAPTER 358.

#### JOINT RESOLUTION IN FAVOR OF HAROLD A. TODD.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of five hundred and fifty-seven dollars and thirty cents is hereby appropriated to reimburse Harold A. Todd of New Boston for damages caused to his home by water resulting from culvert restriction made by the department of public works and highways. The sum hereby appropriated shall be a charge against the highway funds and shall be in full and complete settlement of this claim.

[Approved May 21, 1955.]

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### CHAPTER 359.

#### JOINT RESOLUTION IN FAVOR OF ADA T. LANDSDOWNE.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one thousand dollars is hereby appropriated to reimburse Ada T. Landsdowne of Meredith for damages sustained by her arising from an accident which occurred on July 27, 1951, on the state highway at Meredith. The sum hereby appropriated shall be a charge upon the highway funds and shall be in full and complete settlement of this claim.

[Approved May 21, 1955.]



**CHAPTER 360.**JOINT RESOLUTION IN FAVOR OF THE ESTATE OF  
JOSEPH L. BOUTIN.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estate of Joseph L. Boutin of Belmont the balance of salary due said decedent as a member of the house of representatives. [Approved May 21, 1955.]

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**CHAPTER 361.**JOINT RESOLUTION RELATING TO THE  
"ACTUARIAL STUDY REPORT."

WHEREAS, there has been an unforeseen heavy demand for the so-called "Actuarial Study Report" on the integration of the OASI and state retirement system, therefore be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of four hundred fifty dollars is hereby appropriated for the printing of four thousand copies of this report, said report to be distributed through the clerk of the house. Said sum appropriated shall be a charge upon the legislative funds.

[Approved May 26, 1955.]

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**CHAPTER 362.**JOINT RESOLUTION IN FAVOR OF THE ESTATE OF  
EDITH P. ATKINS.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estate of Edith P. Atkins of Hanover the balance of salary due said decedent as a member of the house of representatives. [Approved May 26, 1955.]

**CHAPTER 363.**

## JOINT RESOLUTION IN FAVOR OF HARRY PIERCE.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of three hundred dollars be and hereby is appropriated to reimburse Harry Pierce of Unity for damage to his maple orchard and other growing timber by elk, during the period from 1952 to 1954. The sum hereby appropriated shall be a charge upon the fish and game funds and shall be in full and complete settlement of this claim.

[Approved June 1, 1955.]

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**CHAPTER 364.**JOINT RESOLUTION IN FAVOR OF THE ESTATE OF  
EDWARD C. SWEENEY, SR.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estate of Edward C. Sweeney, Sr. of Keene the balance of salary due said decedent as a member of the house of representatives.

[Approved June 20, 1955.]

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**CHAPTER 365.**JOINT RESOLUTION IN FAVOR OF THE ESTATE OF  
ALFRED J. MARCOTTE.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estate of Alfred J. Marcotte of Claremont the balance of salary due said decedent as a member of the house of representatives.

[Approved June 23, 1955.]

**CHAPTER 366.**JOINT RESOLUTION RELATIVE TO PURCHASE OF BOAT FOR THE  
FISH AND GAME DEPARTMENT.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the fish and game department is hereby authorized to purchase a boat for the use of the department in the administration of the laws relative to lobsters and crabs. The sum of four thousand dollars is hereby appropriated for a part of the expense of said boat and the balance of the purchase price shall be a charge against the funds of the fish and game department which were received from a sale of a boat. The sum hereby specifically appropriated shall be a charge on the general funds of the state and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved July 22, 1955.]

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**CHAPTER 367.**

## JOINT RESOLUTION IN FAVOR OF AUSTIN H. REED.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of two hundred dollars be allowed Austin H. Reed of Goffstown for his services as chaplain of the house of representatives. The sum shall be a charge upon the legislative appropriation.

[Approved July 22, 1955.]

**CHAPTER 368.****JOINT RESOLUTION RELATIVE TO A STUDY OF MULTIPLE-USE OF  
THE LAKE MASSABESIC REGION.**

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the New Hampshire council on resources and development is hereby directed to make a study of the feasibility and cost of multiple-use of the Lake Massabesic Region in the town of Auburn and the city of Manchester. For the purpose of providing funds for the study hereby authorized, the sum of five thousand dollars is hereby appropriated to be spent by the council. The governor is hereby authorized to draw his warrant for the sum hereby appropriated from any fund in the treasury not otherwise appropriated. The council shall report its findings and recommendations to the legislature of 1957.

[Approved August 1, 1955.]

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**CHAPTER 369.****JOINT RESOLUTION TO PROVIDE FOR A COOPERATIVE AERIAL  
GEOPHYSICAL SURVEY OF PORTIONS OF THE STATE OF  
NEW HAMPSHIRE.**

WHEREAS, the presence of mineable deposits of magnetic and related minerals have been located in adjacent states and provinces by means of airborne geophysical techniques, and

WHEREAS, geological surveys and investigations of the state indicate the possible presence of mineable deposits of magnetic and related minerals and radioactive minerals, and

WHEREAS, geophysical surveys and investigations would stimulate interest of mining companies in New Hampshire mineral resources, and

WHEREAS, a growing mining industry would contribute substantially to the economy of the state, now therefore be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT, the planning and development commission is hereby

authorized and directed to survey and investigate by means of airborne geophysical techniques, the presence of deposits of magnetic and related minerals and radioactive minerals in the state. To this end the commission is authorized to enter into contracts with the United States Geological Survey of United States Department of Interior. The findings of such surveys shall be made available to the public by means of maps or printed matter to be published or maintained in open file for reference. The sum of five thousand dollars each year is hereby appropriated for the next biennium, for the conduct of this survey and investigation, this sum to be matched by federal funds, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. The amount appropriated for the first fiscal year shall not lapse.

[Approved August 1, 1955.]

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### CHAPTER 370.

#### JOINT RESOLUTION IN FAVOR OF THE ESTATE OF GEORGE T. COLONY.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of \$1665.96 is hereby appropriated to reimburse the estate of George T. Colony for the amount of the inheritance tax erroneously collected by the state. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved August 1, 1955.]

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### CHAPTER 371.

#### JOINT RESOLUTION PROVIDING AN APPROPRIATION FOR WORKS OF IMPROVEMENT ON SMALL WATERSHEDS.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT there is hereby appropriated for the purpose of assist-

ing in carrying out joint federal-state-local projects for watershed protection and flood prevention in small watersheds under the provisions of chapter 266, Revised Laws, and amendments thereto, and in cooperation with the federal government under the Watershed Protection and Flood Prevention act of the 83rd Congress, the sum of two thousand dollars for the year ending June 30, 1956, and a like sum for the year ending June 30, 1957, and the governor is hereby authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated. The money herein appropriated shall be used only for operating and maintaining such works of improvement in accordance with regulations presented by the United States Secretary of Agriculture. The sums hereby appropriated shall not lapse but shall be added to the appropriations for the water resources board of any succeeding fiscal year to be used for the purpose herein contained.

[Approved August 1, 1955.]

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## CHAPTER 372.

### JOINT RESOLUTION RELATING TO TEACHERS' RETIREMENT SYSTEM STUDY.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT a committee of six persons consisting of the governor or his representative, the president of the senate or his representative, the speaker of the house or his representative, one member appointed by the New Hampshire state education association, one member appointed by the trustees of the teachers' retirement system of the state of New Hampshire and one member appointed by the New Hampshire school boards association, is hereby authorized and directed forthwith to commence a study to ascertain the benefits and advantages, if any, that may accrue to the state and to the members of the teachers' retirement system, and the cost of the same, as a result of the amendment to title II of the Federal Social Security Act by Public Law 761, 83rd Congress, whereby members of the state teachers' retirement system may be eligible for OASI although in positions covered by a retirement system; together

with the methods of securing such benefits and advantages best adapted to this state and the members of said system. In the making of such study, authority is hereby granted to engage the service of a competent actuary. The sum of five thousand dollars is hereby appropriated for the study as directed, or as much thereof as may be necessary, such sum to be expended upon the order of the committee; and the governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved August 1, 1955.]

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### CHAPTER 373.

JOINT RESOLUTION RELATIVE TO A ROAD IN FITZWILLIAM, AND  
PROVIDING FOR A STUDY OF ACCESS HIGHWAY TO STATE  
RESERVATIONS.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of ten thousand dollars is hereby appropriated to be expended by the department of public works and highways for the construction of the highway from Bemis Corner to Rhododendron State Reservation in the town of Fitzwilliam, provided that the town of Fitzwilliam appropriates the sum of two thousand dollars for the same purpose. The sum hereby appropriated by the state shall be a charge on the highway funds. The said road after construction shall be classified as Class V highway. The department of public works and highways is hereby authorized to cause a study to be made of roads to state reservations, parks and forests for the purpose of providing suitable access thereto from the nearest presently improved highways. Said department shall make a report of its study hereunder to the 1957 session of the legislature, together with estimates of costs of construction and future maintenance of such access highways to state reservations.

[Approved August 2, 1955.]

## CHAPTER 374.

JOINT RESOLUTION RELATIVE TO SUPPLEMENTAL APPROPRIATION  
FOR THE EDUCATION OF THE DEAF.

WHEREAS, there is an excess in the income for the Keene teachers college over and above that required for expenditure for the fiscal year ending June 30, 1955, now therefore

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of \$10,971.75 is hereby appropriated as a supplemental appropriation for the use of the department of education for the fiscal year ending June 30, 1955 for the education of the deaf account. The appropriation hereunder shall be a charge upon the general funds.

[Approved August 5, 1955.]

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CHAPTER 375.JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE  
VETERANS ASSOCIATION.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of fifteen hundred dollars for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, are hereby appropriated for the New Hampshire Veterans Association for the purpose of repairs and maintenance of the buildings and grounds of said association at The Weirs. The governor is authorized to draw his warrant for the sums hereinabove appropriated out of any money in the treasury not otherwise appropriated.

[Approved August 5, 1955.]



## CHAPTER 376.

JOINT RESOLUTION TO CONTINUE AND EXTEND THE STUDY OF  
GROUNDWATER RESOURCES WITHIN THE STATE.

WHEREAS, groundwaters comprise a resource indispensable to the people and industries of the state, and

WHEREAS, it has been demonstrated that certain sections of the state are facing ever increasing difficulty and expense in finding adequate water of suitable quality for public and private water supply, and

WHEREAS, a cooperative investigation and survey of groundwater resources in the seacoast area of New Hampshire has been underway for the past year and one-half between the United States Geological Survey, Groundwater Branch, and the state of New Hampshire, and

WHEREAS, time and funds are needed to continue and extend the survey and investigation of the groundwater resources of the state in anticipation of the development of critical shortages that would endanger the health, safety and economy of our citizens, now therefore be it

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the water resources board is hereby authorized and directed to continue and extend the survey and investigations of the groundwater resources of New Hampshire. To this end, the board is authorized to enter into contracts with the United States Geological Survey. The findings of such surveys shall be made available to the public by means of maps or printed matter to be published or maintained in open file for reference. The sum of five thousand dollars each year is hereby appropriated for the next biennium, for the conduct of this survey and investigation, this sum to be matched by federal funds, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. The amount appropriated for the first fiscal year shall not lapse.

[Approved August 5, 1955.]

**CHAPTER 377.****JOINT RESOLUTION RELATIVE TO INTERIM COMMITTEE TO STUDY  
SENATORIAL DISTRICTS.**

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the governor shall appoint a special committee of five members, three from the membership of the senate and two from the membership of the house of representatives who shall study the problem of the senatorial districts in order to re-district the same in accordance with the constitution. The tax commission is hereby directed to obtain for this committee the adjusted valuation of property in any town or city ward which may be necessary. The committee shall use the latest valuation available. Said committee shall prepare legislation for re-districting the senatorial districts and shall submit the same to the 1957 legislature. Said committee shall receive ten dollars per day and expenses and mileage at the legislative rate of payment. The expenses of the special committee hereunder and the expenses of the state tax commission in obtaining information shall be a charge on the general funds and the governor is authorized to draw his warrant for the same out of any money not otherwise appropriated.

[Approved August 5, 1955.]

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**CHAPTER 378.****JOINT RESOLUTION IN FAVOR OF LOUIS E. CLEMENT AND OTHERS.**

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT the sum of eight hundred eighty-five dollars and sixty-five cents be and hereby is appropriated to reimburse Louis E. Clement for hospital and medical expenses incurred by reason of an injury sustained by him while in the performance of his duties as an employee of the state.

THAT the sum of one hundred dollars be and hereby is appropriated to reimburse Eleanor Marquis for medical and other expenses incurred as a result of an accident with a national guard vehicle.

THAT the sum of three hundred eleven dollars be and hereby is appropriated to reimburse James S. Crowe for damage to his car caused by a national guard truck striking his parked car.

The governor is hereby authorized to draw his warrants from any funds not otherwise appropriated and the sums appropriated shall be in full and complete settlement of these claims.

[Approved August 5, 1955.]

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### CHAPTER 379.

JOINT RESOLUTION IN FAVOR OF HARRY L. HURLBURT.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of six hundred twenty-six dollars and eighteen cents for the fiscal year ending June 30, 1956 and a like sum for the fiscal year ending June 30, 1957 be and hereby are appropriated to provide funds for Harry L. Hurlburt in recognition of his having become disabled due to an accident occurring in 1947, while on active duty for the fish and game department, the resulting disability having become acute during the year 1955. The sums hereby appropriated shall be expended by the fish and game department to said former employee in such installments as it may determine and said sums shall be charges upon the fish and game fund.

[Approved August 5, 1955.]

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### CHAPTER 380.

JOINT RESOLUTION IN FAVOR OF FERNAND J. GAUDREAU.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of three hundred and thirty-four dollars and five cents is hereby appropriated to reimburse Fernand J. Gaudreau of Somersworth for damages to his motor vehicle

which resulted from an accident April 16, 1950, at Somersworth, when said vehicle was struck by a national guard truck. The sum hereby appropriated shall be in full settlement of said claim and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved August 5, 1955.]

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### CHAPTER 381.

JOINT RESOLUTION TO PROVIDE FOR AN INVESTIGATION OF THE  
LAWS RELATING TO TAX EXEMPTION OF REAL ESTATE AND  
PERSONAL PROPERTY AND TO ASCERTAIN THE TOTAL  
VALUE OF PROPERTY IN NEW HAMPSHIRE  
SO EXEMPTED.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT a thorough and impartial investigation be made of the whole subject of tax exemption in New Hampshire inasmuch as from information now available it appears that the total value of ordinarily taxable property now exempt from taxation by virtue of the tax exemption laws is in excess of one hundred million dollars although such information is not compiled, tabulated, analyzed and coordinated;

THAT a joint committee to consist of three members of the house of representatives be appointed by the speaker and two members of the senate be appointed by the president of the senate to study, investigate and examine into the matter of tax exempt property of every kind in the state, with particular reference to the existing laws governing and granting such exemptions; said committee to have full power and authority to require from the several departments, boards and commissions of the state government such information and assistance as may be available for the purposes of the committee, and, further, while the members of said committee shall serve without pay, the sum of not more than one thousand dollars shall be made available from funds not otherwise appropriated, for clerical assistance and to pay the actual and necessary

expenses incurred by the committee in securing such information as may be required and in preparing a report of its findings and recommendations to the legislature of 1957.

[Approved August 5, 1955.]

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## CHAPTER 382.

JOINT RESOLUTION IN FAVOR OF LLOYD E. FOGG AND OTHERS,  
RELATING TO INSURANCE PREMIUMS FOR THE RECREATION  
DIVISION, RELATIVE TO THE EMPLOYEES OF MERRI-  
MACK COUNTY AND A STUDY COMMITTEE FOR  
WINNIPESAUKEE SCENIC HIGHWAY.

*Resolved by the Senate and House of Representatives in  
General Court convened:*

THAT Lloyd E. Fogg, sergeant-at-arms of the house, be allowed the sum of \$1,726.50; that Nathan A. Tirrell, sergeant-at-arms of the senate, be allowed the sum of \$1,689; that Robert L. Stark, clerk of the house, be allowed the sum of \$3,291.66; that Benjamin F. Greer, clerk of the senate, be allowed the sum of \$3,225; that Francis W. Tolman, assistant clerk of the house, be allowed the sum of \$2,945; that Frank M. Ayer, assistant clerk of the senate, be allowed the sum of \$2,945; that Alice V. Flanders, house legislative service assistant, be allowed the sum of \$2,535; that Esther T. Hurd, senate legislative service assistant, be allowed the sum of \$1,860; that Marion C. Colby, house legislative service assistant, be allowed the sum of \$2,328; that Margaret L. Ford, house legislative service, be allowed the sum of \$1,794.50; that Virginia B. Easton, senate legislative service assistant, be allowed the sum of \$1,528; that Frances M. Doherty, senate legislative service assistant, be allowed the sum of \$1,264; that Cynthia Kirby, senate legislative service assistant, be allowed the sum of \$304; that Helen Y. Andrews, judiciary legislative service assistant, be allowed the sum of \$2,292; that Eleanor C. Brown, appropriations legislative service assistant, be allowed the sum of \$2,046; that Helene H. Wester, speaker's legislative service assistant, be allowed the sum of \$1,823; that Alice P. Pinkham, mileage clerk, be allowed the sum of \$1,930; that Fred C. Abbott, house custodian of mails and supplies, be

allowed the sum of \$1,638; that George F. Martin, senate messenger acting as custodian of mails and supplies, be allowed the sum of \$448.50; that Maurice Youmans, senate messenger acting as custodian of mails and supplies, be allowed the sum of \$1,320; that Sherman L. Greer, Mabel L. Richardson, Bertha E. Boutwell and Harry J. E. Robinson, doorkeepers of the house, be allowed the sum of \$1,116 each; that Daniel Cronin, doorkeeper of the senate, be allowed the sum of \$1,116; that Oney Russell, warden of the coat room, be allowed the sum of \$1,116; that Fayne E. Anderson, assistant warden of the coat room, be allowed the sum of \$1,116; that Forest A. Bucklin, library messenger of the house, be allowed the sum of \$1,116; that Lucie Weston, telephone messenger of the house, be allowed the sum of \$1,116; that Charles E. Woodbury, assistant messenger of the senate, be allowed the sum of \$756; that William T. Thompson, speaker's page, be allowed the sum of \$1,116; that James Martin, page, be allowed the sum of \$1,158; that H. Furber Jewett, page, be allowed the sum of \$1,116; that George J. Heon, page, be allowed the sum of \$1,116; that Joseph Kershaw, page, be allowed the sum of \$1,116; that Reuben S. Moore, page, be allowed the sum of \$1,116; that Joseph W. Means, clerks' messenger, be allowed the sum of \$1,116; that Palmer C. Read, judiciary messenger, be allowed the sum of \$1,122; that William Palfrey, appropriations messenger, be allowed the sum of \$972; that Marjorie Greene, stenographer, be allowed the sum of \$1,350; that Natalie Douillette, stenographer, be allowed the sum of \$50.18; that John N. Nassikas, legislative adviser to the executive department, be allowed the sum of \$6,250; that James Martin, be allowed the sum of \$177; that Clarence DuBois be allowed the sum of \$67.50; that John Todd be allowed the sum of \$24; that John Ball be allowed the sum of \$7.50; that the superintendent of state buildings and grounds be allowed the sum of \$706.22 for extra janitor service; that the sum of \$200 be appropriated to pay the expenses of the speaker of the house of representatives during the months of November and December, 1956 when he shall, if necessary, be working to prepare for the incoming legislature relative to reference of new bills to committees, the transmission of the proposed bills to the printer and to do any other matters that may be necessary in conjunction with the preparation and drafting of bills for

the 1957 session; that the office of the secretary of state be allowed the sum of \$10,836 for the employment of Benjamin F. Greer, clerk of the senate, and Robert L. Stark, clerk of the house, during the period from September 5, 1955 to December 31, 1956 at the rate of \$153.85 each, bi-weekly; said Benjamin F. Greer and Robert L. Stark to perform such duties as the secretary of state may assign them. The services of the said Benjamin F. Greer and Robert L. Stark shall be available to all interim committees and commissions set up by this legislature and to the constitutional convention which is to convene in May, 1956. The above mentioned sums shall be a charge upon the legislative appropriation.

THAT the sum of \$8,798.92 is hereby appropriated for the recreation division for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, for the payment of fire and extended coverage insurance premiums, and said sum appropriated shall be a charge upon the recreation division funds.

THAT any Merrimack county employee, except the superintendent of the county farm, who has served at least one year shall not be discharged or removed from office except for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform his duties as a county employee. Prior to the discharge or removal of any such employee a statement of the grounds and reasons therefor shall be prepared by the county commissioners and signed by a majority of the board and notice thereof shall be given to said employee not less than ten days nor more than thirty days prior to the effective date of such discharge or removal. Upon receipt of such notice the employee may request a public hearing thereon before the county commissioners. If upon such hearing said commissioners shall find good cause for discharge or removal of said employee they shall order his discharge or removal from office, provided that said employee shall have an appeal from the order of the county commissioners to the executive committee of the county delegation as provided in section 12-b of chapter 47 of the Revised Laws. That any such employee whose discharge or removal has been ordered by the county commissioners may, within ten days after notice of such order, make written request to the chairman of the Merrimack county convention for a rehearing. There shall be no change in salary of

such employee pending the outcome of the appeal. The chairman of said county delegation, as an ex-officio member of the executive committee, shall upon receipt of said request, call a special meeting of the executive committee whose decision on the discharge or removal of said employee shall be final.

THAT a study group of five persons comprised of three representatives and two senators; the representatives being appointed by the speaker of the house and the senators being appointed by the president of the senate to study the feasibility of a toll road in the Lake Winnepesaukee area. This study group shall serve without compensation, and shall report its findings to the 1957 legislature.

[Approved August 5, 1955.]



# PRIVATE ACTS

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## CHAPTER 383.

AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE BEDFORD  
SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Bedford School District.** The votes and proceedings of the Bedford School District at the special meeting held September 15, 1954, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved January 20, 1955.]

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## CHAPTER 384.

AN ACT LEGALIZING THE ANNUAL TOWN MEETING AND CERTAIN  
SPECIAL TOWN MEETINGS IN THE TOWN OF HUDSON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Votes and Proceedings Legalized.** The votes and proceedings of a special town meeting held in Hudson on January 23, 1954; the annual town meeting held in the town of Hudson on March 9, 1954; the adjourned annual town meeting held in Hudson on May 1, 1954; and a special town meeting held in Hudson on October 4, 1954 are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 9, 1955.]

**CHAPTER 385.**

AN ACT RELATIVE TO THE SEWERAGE SYSTEM IN THE TOWN OF  
JAFFREY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Sewer Funds.** The funds received from the collection of sewer rentals in the town of Jaffrey shall be kept as a separate and distinct fund and shall be known as the sewer fund. Any surplus in such fund may be used for the enlargement or replacement of the sewerage system or the sewage disposal works and for the extension of sewerage systems to serve unsewered areas, but shall not be used for any purpose other than those above specified.

**2. Application of Laws.** In the town of Jaffrey the provisions of section 9, part 22, chapter 90 of the Revised Laws, as inserted by chapter 188, Laws of 1945 (section 11, chapter 252, RSA) shall not apply to the sewer funds.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved February 17, 1955.]

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**CHAPTER 386.**

AN ACT RELATIVE TO THE CHARTER OF COLBY JUNIOR COLLEGE  
FOR WOMEN.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Property Authorized.** Amend section 2 of the charter of Colby Junior College for Women, an act approved July 4, 1837, chapter 29 of the Private Acts passed at the June, 1837 session of the General Court, as amended by chapter 1620 of the Laws of 1854, chapter 1741 of the Laws of 1855, chapter 83 of the Laws of 1867, chapter 91 of the Laws of 1875, chapter 134 of the Laws of 1878, chapter 236 of the Laws of 1891, chapter 206 of the Laws of 1903, chapter 327 of the Laws of 1929, chapter 311 of the Laws of 1933, and chapter 268 of the Laws of 1941,

by striking out said section and inserting in place thereof the following: Sec. 2. Be it further enacted, that said corporation may establish an institution in the town of New London in the country of Merrimack for the education and instruction of youth in useful knowledge, may erect, own and maintain suitable buildings therefor, and may hold real and personal estate to an amount not exceeding five million dollars, and that all gifts, donations, bequests or legacies that may from time to time be given or bequeathed to said institution may be received, held and possessed, or be sold and disposed of by said corporation for the use and benefit of said institution, and the interests, rents, and profits of the same applied by the corporation in such a manner, as will best promote the object of said institution.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 23, 1955.]

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## CHAPTER 387.

### AN ACT LEGALIZING THE BIENNIAL ELECTION IN THE TOWN OF NEWPORT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the biennial election held in the town of Newport on the second day of November, 1954, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 25, 1955.]

**CHAPTER 388.**

AN ACT LEGALIZING THE BIENNIAL ELECTION HELD IN THE TOWN  
OF NEWBURY, NOVEMBER 2, 1954.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the biennial election in the town of Newbury, on the second day of November, 1954, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 25, 1955.]

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**CHAPTER 389.**

AN ACT RELATING TO THE GALE HOME FOR AGED AND  
DESTITUTE WOMEN.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Amount of Property Authorized.** Amend section 2 of the charter of the Gale Home for Aged and Destitute Women, chapter 199 of the Laws of 1889 as amended by chapter 296 of the Laws of 1929, by striking out the word "eight" in the sixth line and inserting in place thereof the words, one million five, so that said section as amended shall read as follows: Sect. 2. Said corporation is authorized to establish and maintain in the city of Manchester an institution for the care and support of aged and destitute women, and for that purpose may acquire and hold by lease, purchase, donation, deed, will, or otherwise, real and personal estate not exceeding in value one million five hundred thousand dollars, and alienate the same at pleasure; and said corporation being in the nature of a public charity, its property shall be exempted from taxation.

**2. Takes Effect.** This act shall take effect upon its passage and shall be subject to alteration, amendment or repeal at the pleasure of the legislature.

[Approved February 25, 1955.]

**CHAPTER 390.**AN ACT RELATIVE TO BONDED INDEBTEDNESS OF THE TOWN OF  
HANCOCK FOR WATER-WORKS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Hancock Water-works.** Amend section 4 of chapter 231 of the Laws of 1907 by striking out the words "twenty thousand" and inserting in place thereof the following, seventy-five thousand, so that said section as amended shall read as follows: Sect. 4. Said town is also authorized and empowered, at any annual or special meeting, by a major vote of those present and voting, to raise and appropriate, or to borrow or hire such sums of money on the credit of the town as may from time to time be deemed necessary and expedient, for the purpose of defraying the expense of purchasing real estate, rights in real estate, water-rights, streams, springs, ponds, lakes, and other rights and property, as aforesaid, and for constructing, maintaining, repairing, extending, enlarging, and operating said water-works, such indebtedness not to exceed at any one time seventy-five thousand dollars, and to issue notes or bonds of the town therefor, in such amounts and payable at such time or times and at such rates of interest as may be thought proper, and may exempt such notes or bonds from taxation when held by inhabitants of the town, said notes and bonds to be signed by at least a majority of the selectmen and countersigned by the town treasurer. Said town is hereby authorized and empowered to raise by taxation and pay each year the interest of the notes and bonds so issued, and such part of the principal as the town may determine at any annual meeting.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved February 25, 1955.]

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**CHAPTER 391.**AN ACT RELATIVE TO THE CHARTER OF THE TRUSTEES OF THE  
PROTESTANT EPISCOPAL CHURCH IN NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Property Authorized.** Amend an act entitled "An Act

to incorporate sundry persons by the name of "The Trustees of the Protestant Episcopal Church in New Hampshire," approved July 10, 1846, as amended by an act approved June 29, 1853, an act approved June 28, 1877, and by chapter 141 of Laws of 1897, and by chapter 265 of Laws of 1931, and by chapter 278 of Laws of 1937, by striking out section 1 of chapter 278 of Laws of 1937 and inserting in place thereof the following: The Trustees of the Protestant Episcopal Church in New Hampshire may receive and hold in trust or otherwise by subscription, grants, gifts, bequests or otherwise real and personal estate, and may invest, reinvest or appropriate the same or the income thereof for the benefit of the Protestant Episcopal Church in New Hampshire as said corporation by its by-laws or votes may direct, and as the conditions of the trust shall prescribe.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 5, 1955.]

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## CHAPTER 392.

AN ACT TO INCREASE THE AMOUNT OF PROPERTY PERMITTED TO BE HELD BY THE NEW HAMPSHIRE CONFERENCE PREACHERS' AID SOCIETY OF THE METHODIST CHURCH.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. New Hampshire Conference Preachers' Aid Society.** Amend section 2 of chapter 127 of the Laws of 1877 as amended by section 1 of chapter 179 of the Laws of 1905 by striking out the words "two hundred fifty thousand" in the third line and inserting in place thereof the words, one million, so that said section as amended shall read as follows: Sect. 2. Said corporation shall have the power to hold by gift, grant, bequest, purchase, or otherwise, any real estate or personal property which shall not exceed in value one million dollars.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 5, 1955.]

## CHAPTER 393.

AN ACT RELATIVE TO BORROWING BY THE CAMPTON VILLAGE  
PRECINCT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Campton Village Precinct.** The Campton Village Precinct in the town of Campton is hereby authorized to borrow on the credit of the precinct a sum not exceeding twenty thousand dollars for the purpose of extending and improving its water system.

**2. Payments.** Payments on the principal of the debt authorized by this act shall not begin until 1965.

**3. Application of Laws.** Except as otherwise provided in this act the provisions of the municipal finance act shall apply to the bonds or notes herein authorized.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved March 7, 1955.]

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CHAPTER 394.AN ACT RELATING TO OYSTER RIVER COOPERATIVE SCHOOL  
DISTRICT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Organization and Proceedings Legalized.** Oyster River Cooperative School District hereby is constituted a legally organized cooperative school district as of August 6, 1953 under chapter 199 of the Laws of 1947 as amended in accordance with the votes taken at a meeting of said district held on August 6, 1953 and all votes and proceedings of said district at said meeting and at meetings held on November 24, 1953 and on April 7, 1954 are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 10, 1955.]

**CHAPTER 395.**

AN ACT RELATIVE TO THE CHARTER OF ST. PAUL'S LODGE No. 30,  
F. & A. M. AT ALSTEAD.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. St. Paul's Lodge.** Amend section 1 of chapter 111 of the Laws of 1867 by striking out the word "five" and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: Section 1. That Leland J. Graves, C. A. Fowler, Edward Glover, William M. French, Joseph M. Chapin and Isaac F. Kendall, their associates and successors, be, and they hereby are made a body corporate and politic by the name of St. Paul's Lodge, No. 30, at Alstead, for such charitable and benevolent purposes as said corporation may from time to time designate; and by that name may sue and be sued, prosecute and defend to final judgment and execution; may have and use a common seal, and the same may break, alter, and renew at pleasure; and be vested with all the powers and privileges, and subject to all the liabilities of corporations of a similar character, and may take and hold real and personal estate by donation, bequest or otherwise to the use of said corporation to an amount not exceeding fifteen thousand dollars, and the same may sell, convey or otherwise dispose of at pleasure.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 12, 1955.]

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**CHAPTER 396.**

AN ACT RELATING TO INVESTMENT OF TRUST FUNDS BY THE FIRST  
UNITARIAN CONGREGATIONAL SOCIETY OF NASHUA,  
NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. The First Unitarian Congregational Society.** The First Unitarian Congregational Society of Nashua, New Hampshire



is authorized to merge any and all funds received or held by it into a consolidated investment fund. Each separate fund so merged shall be represented by its proportionate part of said consolidated investment fund, and income returnable on each separate fund so merged shall be that proportion of the total net income earned by said consolidated investment fund which each separate fund so merged bears to the whole investment fund. In any accounting, probate or otherwise, of the administration of said separate funds a proper account filed in accordance with the merger and investment powers herein conferred shall be accepted and approved. Provided, however, that no funds shall be merged under the authority hereof if the instrument creating the trust expressly provides otherwise.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved March 17, 1955.]

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## CHAPTER 397.

### AN ACT RELATIVE TO AUDIT OF THE ACCOUNTS OF THE CITY OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. City of Portsmouth.** Amend section 43 of chapter 398 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **43. Independent Audit.** An independent audit shall be made of all accounts of the city government at least annually and more frequently if deemed necessary by the council. Such audit may be made by the tax commission, or if not made by said commission said audit shall be made by public accountants experienced in municipal accounting. An abstract of the results of such audit shall be made public. An annual report of the city's business shall be printed and made available.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 1, 1955.]

**CHAPTER 398.**

AN ACT LEGALIZING THE PROCEEDINGS OF THE VILLAGE DISTRICT MEETING OF NORTH WALPOLE ON MARCH 20, 1950.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Meeting Legalized.** The votes and proceedings of the annual village district meeting of the village of North Walpole on March 20, 1950 are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 1, 1955.]

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**CHAPTER 399.**

AN ACT RELATIVE TO PARK COMMISSION OF THE CITY OF BERLIN.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Berlin Park Commissioners.** Amend section 3 of chapter 297 of the Laws of 1917 by striking out the last two sentences and inserting in place thereof the following: The mayor and council may, in their discretion, establish salaries to be paid to each member of the commission, except the ex officio members. The mayor and city engineer shall be ex officio members of said board with all rights of other members except as hereinabove otherwise provided. The board shall be furnished a suitable office in the city hall, so that said section as amended shall read as follows: Sect. 3. For the more convenient management of said parks, playgrounds and parkways the said city shall place the control and management of the same in a board of park commissioners to consist of three citizens of said city and two ex officio members as hereinafter provided; and on the last Monday of March, 1917, the mayor shall appoint, subject to the approval and confirmation of the city council, said board of park commissioners; the first of whom shall serve for three years, the second for two years, and the third for one year, and annually thereafter on the last Monday of March, the mayor shall appoint, subject to the

approval and confirmation of the city council, one citizen of said city to be a member of said board of park commissioners to hold office for the term of three years from the date of his appointment, or until his successor is appointed and qualified unless sooner removed. If a vacancy occurs, the mayor and council shall in the same manner fill the vacancy for the residue of the term, and may remove any member of said board for cause, or when the public good may require. No member of said board of park commissioners shall be a member of the city council, and there shall not be at any time more than two members of said board of the same political party. The mayor and council may, in their discretion, establish salaries to be paid to each member of the commission, except the ex officio members. The mayor and city engineer shall be ex officio members of said board with all rights of other members except as hereinabove otherwise provided. The board shall be furnished a suitable office in the city hall.

**2. Authority of Board of Park Commissioners.** Amend section 4 of said chapter 297 by inserting after the word "parkways" in the sixth and fifteenth lines the words, and for recreational purposes, so that said section as amended shall read as follows: Sect. 4. The said board of park commissioners shall organize annually in the month of April by the choice of one of their members as chairman, and shall also choose a clerk who may be one of said commissioners. They may prescribe such rules and regulations governing the care, improvement and management of said parks, playgrounds and parkways, and for recreational purposes, as the city council heretofore or shall hereafter have the right to make under the laws of this state. They shall have the expenditure of all appropriations which the city council of said city from year to year vote for such purposes, and all bills for the expenditures from the appropriations so voted by the city council shall be approved by said board before the same are paid by the city treasurer. The said board shall annually in the month of April send to the city council an estimate of the appropriation required for the acquisition, care, and maintenance of said parks, playgrounds and parkways, and for recreational purposes, during the financial year; and the said board of park commissioners shall

recommend to the city council the acquiring of such lands as in their opinion should be taken for the purposes of this act.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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## CHAPTER 400.

AN ACT RELATIVE TO REGISTRATION OF VOTERS OF THE CITY OF  
CONCORD.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. City of Concord.** Amend section 2-a of chapter 418 of the Laws of 1949, as inserted by chapter 359 of the Laws of 1953 by striking out said section and inserting in place thereof the following: **2-a. Registration.** The supervisors of the check-lists in the city of Concord shall hold all sessions for the correction of the check-lists of their respective wards at their respective ward houses.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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## CHAPTER 401.

AN ACT RELATIVE TO LEGALIZING CERTAIN PROCEEDINGS AT THE  
EXETER TOWN MEETING, MARCH 8, 1955.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings taken by the town of Exeter at its annual meeting held March 8, 1955, relative to an appropriation for band concerts in said town, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

**CHAPTER 402.**AN ACT TO LEGALIZE THE 1955 MEETING IN THE TOWN OF  
LITTLETON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings taken at the annual town meeting in Littleton, March 8, 1955 are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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**CHAPTER 403.**AN ACT TO LEGALIZE THE ANNUAL MEETING OF THE BRISTOL  
SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings of the annual school district meeting of the Bristol School District held on March 3, 1955, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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**CHAPTER 404.**AN ACT LEGALIZING THE ANNUAL MEETING IN THE TOWN OF  
ATKINSON.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the annual meeting of the town of Atkinson, held on March 8, 1955, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

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## CHAPTER 405.

AN ACT RELATIVE TO THE CHARTER OF THE DARTMOUTH SAVINGS BANK AT HANOVER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Dartmouth Savings Bank.** Amend section 6 of chapter 2426 of the Laws of 1860, approved July 4, 1860, being the charter of the Dartmouth Savings Bank, by striking out the words "Provided that such real estate held at any one time for the purpose aforesaid shall not exceed, at the time of the purchase or acceptance thereof by the corporation, the sum of three thousand dollars," so that said section as amended shall read as follows: Sec. 6. The said corporation shall be capable of taking and holding such buildings and real estate as shall be necessary and convenient for managing their affairs; and the said corporation shall be further allowed to take, hold, and dispose of any real estate whatever which may in good faith be pledged or mortgaged for the security of its loans or debts due to it, or which may be in good faith conveyed to or taken by said corporation in satisfaction or discharge of its debts, demands or liabilities, which shall have been previously contracted or incurred.

**2. Compensation of Officers.** Amend section 7 of said charter by striking out said section and inserting in place thereof the following: Sect. 7. The said corporation shall not make or issue any bill or promissory note, to circulate as currency. The said corporation may pay its president, trustees, treasurer and other officers and employees reasonable compensation for services rendered.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 11, 1955.]

**CHAPTER 406.**

AN ACT REQUIRING A NEW REGISTRATION OF VOTERS IN THE  
CITY OF DOVER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Cancellation of Check-lists; Reregistration.** On June 1, 1955, all check-lists in the city of Dover shall become null and void, and all legal voters, except as hereinafter provided, shall be required to reregister with the board of supervisors of said city.

**2. Sessions for Registration.** The board of supervisors of voters for the city of Dover shall be in session for the purpose of preparing new lists of voters for sixteen sessions during the period from June 1, 1955, to June 18, 1955, inclusive. Said sessions shall be held in the morning, afternoon and evening, the time and place of said meetings shall be advertised in a newspaper published in Dover for at least three days prior to the first meeting and thence for at least seven days during the period that the meetings are held.

**3. Exceptions.** The name of any legal voter of said city who is in the armed forces when the reregistration of voters is held, and who had previously been registered, shall be added to the new check-list by the supervisors without the requirement for appearance before the board.

**4. Registration.** The board shall make a complete alphabetical list of all male voters and a complete alphabetical list of all female voters in each of the several wards, and shall record the first or Christian name of each voter in full, but may use initial letters to designate the middle name or names of voters; they shall also record against the name of each voter the name of the street, and the number of the dwelling in which said voter resides. The board shall enter upon the check-lists of the respective wards, as being entitled to vote in the respective wards, the names of those persons only who are known to them to be legal voters in the ward in which they live, and, in case the voter is unknown to them, only if such voter shall come before them and give satisfactory evidence to the board that such voter is a legal voter in some ward of the city; provided, that the names of persons shall be added to the

list as provided in section 3, and further provided that if any person is, at the time said sessions are held, physically unable to come before the board, the board may, upon satisfactory evidence of the right of the person, register him as a voter. The board of supervisors may require any person applying for registration to submit to an examination under oath as to his right to be registered. Any member may administer the oath, and any false statement by the applicant upon such examination shall be perjury and be punished accordingly. No qualification shall be required for registering than is agreeable to the constitution and laws of the state.

**5. Posting Checklists.** The supervisors, not later than September 15, 1955, shall post in two public places in each ward the newly printed check-lists for that ward prepared according to this act, and public notice shall be given as to the location of the public places at which said check-lists have been posted. Before the lists are posted in each ward the supervisors shall take and subscribe before a notary public or justice of the peace the following oath, the blanks being first properly filled, which oath shall be upon each posted list, to wit:

We, the board of supervisors of the city of Dover, do solemnly swear that, according to our best knowledge, the within list contains the names of those persons only who are by actual residence the legal registered voters in ward . . . . . in said city. So help us God.

The magistrate before whom said oath is taken shall make on the face of said check-list a certificate thereof.

**6. Perjury; Fraud.** Any supervisor who shall swear falsely in taking the oath upon the check-list prescribed by this act shall be deemed to be guilty of perjury, and shall be liable to the punishment prescribed therefor; and if any supervisor shall wilfully or fraudulently place upon the check-list the name of any person who is not qualified to be put thereon as a legal voter in the ward to which the check-list belongs, or shall refuse to place upon such list the name of any person who is a legal voter in the ward, or shall neglect or refuse to attend to the duties of his office, or in any way wilfully violate the provisions of this act, he shall be imprisoned in the county jail for not less than thirty days nor more than six months or be fined not less than one hundred dollars nor more than five hundred dollars, or both, to the use of the county of Strafford.



**7. Compensation.** The members of the board of supervisors of the city of Dover shall receive the same compensation for duties hereunder as are provided for regular sessions for correction of the check-lists. The city council shall make available to the board such funds as shall be sufficient to enable the board to obtain clerical assistance, and to incur such expense as may be necessary for said board to properly perform its duties hereunder.

**8. City Clerk.** The reregistration provided for hereunder shall be under the supervision of the city clerk.

**9. Inconsistent Statutes.** All acts and parts of act applying to the city of Dover which are inconsistent with the provisions hereof are hereby repealed to the extent of such inconsistency, and this act shall take effect as of June 1, 1955.

[Approved April 12, 1955.]

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## CHAPTER 407.

AN ACT LEGALIZING THE PROCEEDINGS AT THE ANNUAL TOWN MEETING IN COLEBROOK.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the annual town meeting of the town of Colebrook, held on the eighth day of March, 1955, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 408.

AN ACT LEGALIZING CERTAIN DISTRICT MEETINGS OF THE ALTON SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Alton School District.** The votes and proceedings of the

Alton School District at the annual meeting held March 13, 1954, the adjourned annual meeting held June 19, 1954 and at the special meeting held September 28, 1954 are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 409.

### AN ACT RELATIVE TO NOTICES FOR MEETINGS OF THE CITY COUNCIL OF CONCORD.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Concord Councilmen.** Amend section 12 of chapter 418 of the Laws of 1949 by adding after the word "councilman" in the fourth line of said section the following words, or left at his or her last and usual abode, so that said section as amended shall read as follows: **12. Meetings.** All meetings of the council shall be public. Regular meetings shall be held on the second Monday of each month and special meetings upon notice delivered to each councilman, or left at his or her last and usual abode, by the city clerk at the written request of the manager or at least eight councilmen. The council shall establish its own rules and a majority shall constitute a quorum for the transaction of the business of the council. Newly elected members of the council shall assume office at the regular January meeting in each even numbered year.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

**CHAPTER 410.**

AN ACT AUTHORIZING THE TOWN OF NEWPORT TO FUND OR  
REFUND ITS INDEBTEDNESS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Authorization.** The town of Newport is hereby authorized to raise, appropriate and borrow money to an aggregate amount of not exceeding thirty-two thousand dollars and to issue its serial notes or bonds therefor on the credit of the town for the purposes of funding or refunding outstanding bonds and notes against said town. Said notes or bonds shall be due and payable at such times, not more than twenty years from their date of issue, and in such amounts, and in such manner as the board of selectmen and treasurer of the town may determine at a rate of interest to be fixed by said board. Said notes or bonds shall be signed by the selectmen and countersigned by the treasurer and shall have the town seal affixed.

**2. Application of Laws.** Except as otherwise provided herein the provisions of chapter 72, Revised Laws, as amended by chapter 258, Laws of 1953, shall apply to the notes and bonds herein authorized.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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**CHAPTER 411.**

AN ACT EXTENDING THE POWERS OF THE PLYMOUTH VILLAGE  
FIRE DISTRICT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Plymouth Village Fire District.** The Plymouth Village Fire District, organized under the general laws, is hereby empowered and authorized to enact zoning regulations and for that purpose shall have all the powers conferred upon towns

by sections 50 to 71, inclusive, of chapter 51 of the Revised Laws, as amended.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 16, 1955.]

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## CHAPTER 412.

### AN ACT TO INCREASE THE BORROWING POWER OF THE CENTRAL HOOKSETT WATER PRECINCT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Issuance of Bonds.** The Central Hooksett Water Precinct, from after the effective date of this act, is hereby authorized and empowered to issue on the credit of the precinct serial notes or bonds, for the purpose of providing funds for the construction of a municipal water works system, to an amount not exceeding one hundred eighty thousand dollars. The provisions of chapter 70 and 72 of the Revised Laws, as amended, shall govern the authorization, issuance, form and sale of said bonds.

**2. Exception.** In ascertaining and fixing the debt limit of the town, or school district of Hooksett, under the provisions of chapter 72 of the Revised Laws, all indebtedness incurred under the authority of this act shall be excluded.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 413.

### AN ACT RELATIVE TO ELECTION OF CERTAIN OFFICERS OF THE CITY OF ROCHESTER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Annual Meeting.** Amend section 12 of chapter 241 of

the Laws of 1891 by striking out the words "Wednesday of January" in the fifth and sixth lines and inserting in place thereof the words, weekday after January first, so that said section as amended shall read as follows: Sect. 12. The meeting of the inhabitants of said city for the choice of such other city, ward, and town officers as are elected by the people shall be held annually on the first Tuesday of December; and their election shall be by ballot, and the terms of their respective offices shall commence on the first weekday after January first next following such election.

**2. City Clerk.** Amend section 17 of chapter 241 of the Laws of 1891 by striking out the words "Wednesday of January" in the second line and inserting in place thereof the words, weekday after January first, so that said section as amended shall read as follows: Sect. 17. The mayor and council shall annually, on the first weekday after January first, meet for the purpose of taking the oaths of their respective offices; and when so met they shall elect a city clerk, who shall also be clerk of the city council.

**3. Board of Health.** Amend section 18 of chapter 241 of the Laws of 1891 by striking out the word "Wednesday" in the sixth line and inserting in place thereof the words, weekday after the first day, so that said section as amended shall read as follows: Sect. 18. The city council first elected under this act shall, in the month of January, and as soon after their first meeting as convenient, elect three persons, legal voters of said city, to constitute a board of health, to serve, one for one year, one for two years, and one for three years; and thereafter, they shall annually, in the month of January, and after the first weekday after the first day therein, elect one such person to serve on said board for the term of three years. Elections shall be so made that at least one member of said board shall be a physician.

**4. Board of Assessors.** Amend section 19 of chapter 241 of the Laws of 1891 by striking out the word "Wednesday" in the seventh line and inserting in place thereof the words, weekday after the first day, so that said section as amended shall read as follows: Sect. 19. The city council first elected under this act shall, in the month of January, and as soon after their first meeting as convenient, elect three persons, legal

voters of said city, to constitute a board of assessors, one to serve for the term of one year, one for the term of two years, and one for the term of three years; and thereafter they shall annually, in said month and after the first weekday after the first day therein, elect one such person to serve as a member of said board for the term of three years.

**5. School Board; Duties.** Amend section 20 of chapter 241 of the Laws of 1891 as amended by section 1 of chapter 187 of the Laws of 1897 by striking out the words "Wednesday in January" in the fifth line and inserting in place thereof the words, weekday after January first, so that said section as amended shall read as follows: Sect. 20. The general management and control of the public schools in said city, and of the buildings and property pertaining thereto, shall be vested in a school board consisting of thirteen members, their terms of office to commence the first weekday after January first next after their respective elections under this act, and who shall have the power and perform the duties, and be subject to the liabilities pertaining to the school boards of towns, except wherein a different intention appears; but all bills, notes, and demands made or contracted for school purposes shall be paid from the city treasury.

**6. School Board; Term of Office.** Amend section 21 of chapter 241 of the Laws of 1891 as amended by section 1 of chapter 187 of the Laws of 1897 by striking out the words "Wednesday in January" in the fifteenth and sixteenth lines and inserting in place thereof the words, weekday after January first, so that said section as amended shall read as follows: Sect. 21. The members serving upon the school board in said city at the time of the passage of this act, together with the mayor and three additional members by him appointed, shall serve until the first Wednesday of January following; and for the further continuance of said school board, the mayor elected at the annual meeting shall be one member thereof, who shall act as chairman of said board; the other members thereof shall consist of the members of the present school board elected from wards five and six, and the member elected by the city council at the beginning of the municipal year 1897; and the three members appointed by the mayor shall serve as members of the school board until the first Wednesday in January, 1899; and at the annual election in 1897, and at every

annual election thereafter, each ward shall elect one member of the school board to serve for the period of two years from the first weekday after January first following their election, and a residence within either of the wards electing shall not be necessary to eligibility to the office.

**7. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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### CHAPTER 414.

AN ACT LEGALIZING THE ANNUAL MEETING OF THE LYNDEBOROUGH SCHOOL DISTRICT AND PROCEEDINGS AT A MEETING OF THE PELHAM SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Lyndeborough School District.** The votes and proceedings of the Lyndeborough school district at the annual meeting held March 5, 1954 are hereby legalized, ratified and confirmed.

**2. Pelham School District.** The votes and proceedings at the annual meeting of the Pelham school district held on March 25, 1950, relative to the transfer of the school house property to the Post No. 100 American Legion, are hereby legalized, ratified and confirmed.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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### CHAPTER 415.

AN ACT RELATING TO WOLFEBORO VILLAGE FIRE PRECINCT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Wolfeboro Village Fire Precinct.** Amend sections 9 and 10 of chapter 443 of the Laws of 1949 as amended by section

26, chapter 16, Laws of 1950, by striking out the words "one hundred and fifty" where they occur in said sections and inserting in place thereof the words, three hundred, and by inserting after the words "Revised Laws" in section 10 the words, as amended by chapter 258, Laws of 1953, so that said sections as amended shall read as follows: **9. Wolfeboro Fire Precinct, Additional Debt Authorized.** The village fire precinct of the town of Wolfeboro is hereby authorized to incur indebtedness in an amount not exceeding three hundred thousand dollars for the purpose of improving its electric light plant, extending its electric lines and for delayed maintenance, said amount to be in addition to the amounts already authorized by law. **10. Bonds Authorized.** In accordance with section 9 hereof, the commissioners of the village fire precinct of the town of Wolfeboro are hereby empowered and authorized to issue for and in behalf of said district serial notes or bonds to an amount not exceeding three hundred thousand dollars for the purposes specified in said section 9. Said notes or bonds shall be issued in conformity with the provisions of chapter 72 of the Revised Laws, as amended by chapter 258, Laws of 1953, excepting as may be otherwise provided in sections 9, 10, and 11 hereof.

**2. Wolfeboro Village Fire Precinct Meeting.** The votes and proceedings of the annual meeting of the village fire precinct of the town of Wolfeboro, held on March 22, 1955, are hereby legalized, ratified and confirmed.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved April 26, 1955.]

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## CHAPTER 416.

AN ACT RELATIVE TO BONDS OF THE CITY OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. City of Portsmouth.** Amend chapter 398 of the Laws of 1947 by adding after section 45 the following new section: **45-a. Investment of Bond Proceeds.** The city treasurer may



invest not more than eighty per cent of the proceeds from the issue of bonds and notes and temporary notes issued in anticipation of revenue, prior to their application to the payment of liabilities incurred for the purposes specified in the authorization of the loan, in certificates of deposit in any state banks or trust companies or national banks, or in United States treasury bills.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 27, 1955.]

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## CHAPTER 417.

### AN ACT RELATING TO THE CHARTER OF THE CITY OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Portsmouth.** Amend section 52 of chapter 398 of the Laws of 1947 by striking out after the word "person" in the first line the words "holding a position, other than councilman, or call fireman" and inserting in place thereof the words, receiving any compensation as an officer or employee of the city of Portsmouth, other than a councilman, a member of the board of registrars of voters, a ward officer or a call fireman, so that said section as amended shall read as follows: **52. Politics.** No person receiving any compensation as an officer or employee of the city of Portsmouth, other than a councilman, a member of the board of registrars of voters, a ward officer or a call fireman, in the service of the city, shall continue in such position after becoming a candidate for nomination or election to any public office, nor shall such person make any contribution to the campaign funds of any political party or any candidate for public office or take any part in the management, affairs, or political campaign of any political party, further than in the exercise of his rights as a citizen to express his opinion and to cast his vote. Whoever violates any provision of this section shall be punished by a fine of not more than fifty dollars and upon final conviction thereof his office or

position in the service of the city shall be vacated and he shall never again be eligible for any office or position, elective or otherwise, in the service of the city.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 27, 1955.]

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## CHAPTER 418.

AN ACT RELATIVE TO SALARIES FOR MEMBERS OF THE TRUSTEES OF TRUST FUNDS FOR THE CITY OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. City of Portsmouth.** The city council of the city of Portsmouth may establish annual salaries for the members of the trustees of trust funds for said city. Said salaries shall not exceed the sum of twelve hundred dollars per year for each trustee.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved April 27, 1955.]

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## CHAPTER 419.

AN ACT RELATING TO COMPENSATION FOR THE BOARD OF REGISTRARS IN THE CITY OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Rates of Compensation.** Amend section 8 of chapter 378 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **8. Compensation.** The clerk of the board shall keep a record of attendance of all members and each member, excepting the chairman and the clerk, shall receive one dollar and fifty cents for each hour of attendance and not more than eight hours shall be allowed to any member

for any one day. The chairman shall receive one dollar and sixty-five cents for each hour of attendance. The clerk shall receive one dollar and seventy-five cents for each hour of attendance and he shall keep all records of the proceedings of the board and shall supervise the preparation and printing of all check-lists. The clerk shall certify to the correctness of the payroll of the board and the payroll shall be approved by the chairman of the board.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 12, 1955.]

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## CHAPTER 420.

### AN ACT RELATING TO HOURS OF MEETING FOR THE BOARD OF REGISTRARS IN THE CITY OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Time of Meetings.** Amend section 1 of chapter 378 of the Laws of 1947 by striking out in the eighth, ninth and tenth lines the words "nine o'clock to twelve o'clock noon, from two o'clock to five o'clock in the afternoon and from seven o'clock to nine o'clock" and inserting in place thereof the words, twelve o'clock noon to eight o'clock, so that said section as amended shall read as follows: **1. Meetings of Board of Registrars.** The board of registrars of voters of the city of Portsmouth shall be in session at the city hall for the purpose of revising and correcting the list of voters, for six days before the biennial state election and for three days before other elections, within one month next preceding the day of election, the last session for registration to be held on the third Monday preceding the day of election. Said sessions shall continue from twelve o'clock noon to eight o'clock in the evening of said days, the times and place of said meetings to be advertised in a newspaper published in Portsmouth for at least three days prior to the first meeting. Said board shall also meet on the Friday preceding the day of election and on election day, as hereafter provided.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 12, 1955.]

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### CHAPTER 421.

#### AN ACT LEGALIZING THE ANNUAL MEETING IN THE TOWN OF CANTERBURY.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the annual meeting of the town of Canterbury, held on March 8, 1955, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 12, 1955.]

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### CHAPTER 422.

#### AN ACT LEGALIZING THE ANNUAL MEETING IN THE TOWN OF ACWORTH.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the annual meeting of the town of Acworth, held on March 8, 1955, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 12, 1955.]

## CHAPTER 423.

AN ACT TO AUTHORIZE THE SCHOOL DISTRICT OF LITCHFIELD  
TO EXCEED ITS LIMIT OF BONDED INDEBTEDNESS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Litchfield.** The school district of Litchfield is hereby authorized and empowered, at a regular or special meeting called for the purpose, to raise and appropriate a sum not exceeding fifty-five thousand dollars for the construction of a new school building, including the acquisition of land, grading, the purchase of furniture, furnishings and equipment and for the alteration, addition and improvement of existing school facilities, and to incur indebtedness not exceeding the above amount, for said purposes by the issuance of bonds or serial notes under and by virtue of the provisions of chapter 72 of the Revised Laws as amended.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 12, 1955.]

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CHAPTER 424.

AN ACT RELATIVE TO THE CHARTER OF THE PLYMOUTH  
GUARANTY SAVINGS BANK.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Plymouth Guaranty Savings Bank.** Amend section 6 of chapter 238 of the Laws of 1889, being the charter of the Plymouth Guaranty Savings Bank by striking out said section and inserting in place thereof the following: Sec. 6. The said bank shall be capable of taking and holding such buildings and real estate as shall be necessary and convenient for managing their affairs; and the said bank shall be further allowed to take, hold and dispose of any real estate whatever which may in good faith be pledged or mortgaged for the security of its loans or debts due to it, or which may be in good faith conveyed to or taken by said corporation in satisfaction or discharge of its

debts, demands or liabilities, which shall have been previously contracted or incurred.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 425.

AN ACT RELATIVE TO ALEXANDER CEMETERY ASSOCIATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Transfer of Funds.** Any funds of the Alexander Cemetery Association, so-called, including trust funds, shall be turned over to the town of Bow under the jurisdiction of the trustees of trust funds. Said town of Bow shall hold said funds in trust for the benefit of said Alexander cemetery and use the income from trust funds only for care of said cemetery either for specific lots as said funds are presently held or for general care of the lots in said cemetery.

**2. Legalization of Proceedings.** The votes and proceedings at the town meeting in Bow held on March 8, 1955, relative to acceptance of funds from the Alexander Cemetery Association, are hereby legalized, ratified and confirmed.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 21, 1955.]

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## CHAPTER 426.

AN ACT TO INCREASE THE BORROWING POWER OF THE GOFFSTOWN VILLAGE PRECINCT AND LEGALIZE THE PROCEEDINGS OF ITS ANNUAL MEETING OF MARCH 15, 1955.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authorization.** The Goffstown Village Precinct is here-

by authorized to incur an indebtedness, by the issuance of serial notes or bonds, in an amount not to exceed sixty thousand dollars in excess of the debt limit authorized by chapter 72 of the Revised Laws as amended by chapter 258, Laws of 1953, for the purpose of installing a water supply tank and connecting the same by a twelve inch main to the present water supply system.

**2. Proceedings Legalized.** The votes and proceedings of the annual meeting of the Goffstown Village Precinct on March 15, 1955 are hereby legalized, ratified and confirmed.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved May 26, 1955.]

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## CHAPTER 427.

### AN ACT LEGALIZING THE ANNUAL MEETING IN THE TOWN OF SPRINGFIELD.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the annual meeting of the town of Springfield, held on March 8, 1955, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved May 26, 1955.]

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## CHAPTER 428.

### AN ACT AMENDING THE CHARTER OF THE CITY OF CLAREMONT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Municipal Legislation.** Amend section 22 of chapter 392 of the Laws of 1947 by striking out said section and inserting in place thereof the following: **22. Ordinances.** Municipal

legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The enacting clause shall be "The City of Claremont Ordains" and the effective date of each ordinance shall be specified in it. All ordinances shall be recorded in full uniformly and permanently by the city clerk and each ordinance so recorded shall be authenticated by the signature of the mayor and city clerk. Ordinances shall be published within thirty days after their passage; and shall be further published, compiled, and revised in such manner and at such time as the council shall determine.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 1, 1955.]

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### CHAPTER 429.

AN ACT CHANGING THE NAME OF CLAREMONT BUILDING AND  
LOAN ASSOCIATION TO CLAREMONT COOPERATIVE BANK.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Change of Name.** The name of Claremont Building and Loan Association shall be changed to Claremont Cooperative Bank.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 1, 1955.]

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### CHAPTER 430.

AN ACT RELATING TO INDEBTEDNESS OF THE CITY OF  
MANCHESTER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Debt Limit.** Despite the provisions of section 4 of chapter 72 of the Revised Laws, municipal finance act, the city of Manchester is hereby authorized to incur indebtedness for all



municipal purposes, including school purposes, to an amount not to exceed eight per cent of its last assessed valuation of its taxable property; provided, however, that said city may incur indebtedness for school purposes including the construction of new school buildings, the acquisition of land, grading, and the purchase of furniture, furnishings and equipment therefor and for the alteration, addition, and improvement of existing facilities to an amount not exceeding three per cent of its last assessed valuation. The foregoing debt limitations shall be exclusive of unmatured tax anticipation notes issued according to law, debts incurred for supplying the inhabitants with water or for the construction or maintenance of water works, debts incurred to finance new sewerage systems or sewage disposal works when the cost thereof is to be financed by sewer rent or sewer assessments, debts incurred pursuant to section 10 of chapter 51 of the Revised Laws, debts incurred outside the statutory debt limit of the municipality under any general law or special act heretofore or hereafter enacted (unless otherwise provided in such legislation), sinking funds and cash applicable solely to the payment of the principal of debts incurred within the debt limit and indebtedness payable from parking meter revenue.

**2. Method of Borrowing.** Except as modified in section 1, all of the provisions of chapter 72 of the Revised Laws, municipal finance act, shall apply to any indebtedness incurred by the city of Manchester.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 1, 1955.]

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## CHAPTER 431.

AN ACT RELATIVE TO THE WARD LINES OF THE WARDS OF THE CITY OF DOVER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. City of Dover.** Amend section 1 of chapter 329 of the Laws of 1929 by striking out the same and inserting in place

thereof the following: **1. Wards.** The city of Dover is, and shall continue to be, divided into five wards, which shall be constituted as follows: Ward 1. The dividing lines between wards 1 and 2 of said city shall hereafter be as follows: Commencing on the line of the town of Rollinsford on the old road leading from Garrison hill to South Berwick; thence by said road westerly by the nurses' home, so-called, of the Dover-Wentworth Hospital to the junction of said road with Central avenue; thence southerly by the center of Central avenue to the center of the bridge over Cocheco river; thence westerly in a direct line to the center of the river at the foot of Chestnut street, and all of the territory in said city lying northerly of said above described line, and between said Cocheco river and the town lines of Rollinsford and Somersworth shall be included in and constitute ward 1 in said city. Ward 2. Ward 2 shall contain all that part of said city lying northerly of said Cocheco river not included in ward 1 as hereinbefore set forth, excepting that part of said city included between said river and a line commencing at the center of Central avenue bridge over said river; thence running by the center of said Central avenue to its junction with Portland avenue extended, thence by the center of Portland avenue to Rogers street; thence by the center of Rogers street to Cocheco street; thence to the center of the Cocheco river in line with the center of Rogers street. Ward 3. The dividing line between wards 3 and 4 in said city shall hereafter be as follows: Commencing at a line separating Dover from the town of Madbury at a point where said line is crossed by the tracks of the Boston and Maine Railroad; thence running by said railroad tracks to the center of the bridge where the Littleworth road crosses said railroad; thence by the center of Silver street to Locust street; thence by the center of Locust street to Hale street; thence by the center of Hale street to Central avenue; thence by the center of Central avenue to its intersection with Washington street; thence westerly by the center of Washington street to Walnut street; thence by Walnut street to Waldron street; thence by a direct line to the center of the Cocheco river at the foot of Chestnut street; and all territory in said city lying northerly or northwesterly of the above described line, and between said line and the boundaries in wards 1 and 5 as constituted hereby, shall be included in and constitute ward 3 in said city. Ward 4.

Ward 4 in said city shall contain all the territory in said city lying southerly of the Coheco river not included in ward 3 as constituted herein, excepting that part included between said river and the line commencing at the center of the Coheco river in line with the center of Rogers street; thence running in a direct line to the junction of Henry Law avenue (formerly Payne street) and McCone lane, so-called; thence running southwesterly by the center of Henry Law avenue to its junction with Back road; thence running southwesterly and then westerly by the center of Back road to its junction with Court street; thence running by the center of Court street to Watson street; thence running by the center Watson street to Central avenue, thence northerly along Central avenue, but not including Central avenue, to 263 Central avenue; thence diagonally across Central avenue to the center of Hale street and the boundary line of ward 3. Ward 5. Ward 5 in said city shall consist of and include all that part of said city not contained within wards 1, 2, 3, and 4 as herein constituted and established.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 8, 1955.]

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## CHAPTER 432.

### AN ACT RELATIVE TO THE GRANITE STATE BUILDING AND LOAN ASSOCIATION.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Name Changed.** The name of the Granite State Building and Loan Association, a building and loan association duly organized under general laws and having a usual place of business at 105 Washington Street in Dover, is hereby changed to the Granite State Cooperative Bank.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 8, 1955.]

**CHAPTER 433.****AN ACT RELATIVE TO THE AUTHORITY OF THE UNITED BAPTIST  
CHURCH OF SOMERSWORTH TO HOLD PROPERTY.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Authority Increased.** Amend section 2 of chapter 344 of the Laws of 1917 by striking out the word "fifty" in the second line and inserting in place thereof the words, one hundred, so that said section as amended shall read as follows: Sect. 2. Said corporation may acquire by purchase or otherwise real and personal estate to an amount not exceeding one hundred thousand dollars, may receive and hold gifts, donations or bequests, absolutely or in trust, as they may be made, for the benefit of said corporation, and convey and transmit the same in accordance with the law relating to such property, owned or held by church societies or corporations.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 8, 1955.]

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**CHAPTER 434.****AN ACT TO AMEND THE CHARTER OF THE CHESHIRE COUNTY  
SAVINGS BANK OF KEENE.**

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Cheshire County Savings Bank.** Amend section 2 of chapter 193 of the Laws of 1897, being the charter of Cheshire County Savings Bank of Keene, by striking out the figure "\$5,000" and inserting in place thereof the figure, \$10,000, so that said section as amended shall read as follows: Sect. 2, Said corporation may receive from any person or persons, corporations or associations, disposed to enjoy the advantage of said savings bank, any deposit or deposits of money, not exceeding \$10,000, from any one person, corporation, or association, subject to the by-laws of said savings bank; and may manage, use, and improve the same for the benefit of the de-

positors in such manner as shall be convenient or necessary for the security and profitable investment thereof under the restrictions of the laws regulating the investment and management of such funds; and all deposits, together with the net income and profits thereof, may be withdrawn at such reasonable times, in such manner and proportions, and subject to such equitable rules and regulations as said corporation may from time to time by its by-laws prescribe, not incompatible with the laws of the state.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 435.

AN ACT RELATING TO THE PETERBOROUGH HOME FOR THE AGED  
AND THE JAMES SCOTT AND SARAH A. SCOTT HOME.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Peterborough Home for the Aged.** Amend section 2 of chapter 232 of the Laws of 1927 as amended by section 1 of chapter 378 of the Laws of 1949 by striking out the words, "to an amount not exceeding two hundred and fifty thousand dollars" so that said section as amended shall read as follows:

**2. Powers.** Said corporation by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have power to take, acquire and hold real and personal estate by lease, purchase, donation, bequest, or otherwise, for the purpose of establishing and maintaining a home at Peterborough aforesaid, and may convey or dispose of the same at pleasure; and may erect suitable buildings and properly furnish the same with whatever may be desirable or necessary for the successful operation of said institution.

**2. Merger Authorized.** References in this section to the Peterborough Home shall refer to the Peterborough Home for the Aged incorporated by chapter 232 of the Laws of 1927 and references to the Scott Home to the James Scott and Sarah A. Scott home incorporated pursuant to the provisions of chapter

272 of the Revised Laws. The Peterborough Home and the Scott Home are authorized and empowered to take such action as they may deem desirable so that one home or institution for aged persons of both sexes may be maintained by them in the town of Peterborough under such agreements and arrangements as the said homes shall from time to time deem desirable. The Peterborough Home and the Scott Home are authorized to merge their respective corporations into one corporation under the name The Scott-Farrar Home which corporation shall be the legal successor of both said corporations for all purposes and shall be deemed the legal continuation of the said Peterborough Home and the said Scott Home. Such merger shall become effective on the filing of an appropriate agreement in the office of the secretary of state executed by a majority of the trustees of each of said homes and no other legal action by either of said homes shall be required. The merged corporation shall have the powers granted by chapter 232 of the Laws of 1927 as amended and also the powers set forth in the Articles of Agreement of the Scott Home. The merger agreement shall set forth said powers and by-laws and a method of amending the same and all such provisions shall govern the activities of the merged corporation. The fee for filing such agreement with the secretary of state shall be five dollars.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 436.

### AN ACT RELATIVE TO CAPITAL RESERVE FUNDS OF THE CITY OF NASHUA.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. City of Nashua Capital Reserve Fund.** Amend section 2 of chapter 256 of the Laws of 1945 by striking out the same and inserting in place thereof the following: **2. Investment.** The money in such fund shall be kept in a separate account and

not intermingled with other funds of said municipality. Said capital reserve fund shall be invested by the city treasurer, under the direction of the board of trustees of the public library. The trustees shall invest said fund in the same classes of property as are specified for investment by trustees of estates in chapter 363 of the Revised Laws, as amended.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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### CHAPTER 437.

AN ACT LEGALIZING THE PROCEEDINGS OF THE CAMPTON VILLAGE  
PRECINCT MEETING HELD ON MARCH 29, 1955.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The proceedings of the meeting of the Campton Village Precinct held on March 29, 1955 are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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### CHAPTER 438.

AN ACT AUTHORIZING THE TOWN OF HUDSON TO FUND OR REFUND  
CERTAIN INDEBTEDNESS.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Authorization.** The town of Hudson is hereby authorized to raise, appropriate and borrow money to an aggregate amount of not exceeding sixty-two thousand dollars and to issue its serial notes or bonds therefor on the credit of the town for the purposes of funding or refunding outstanding bonds and notes against said town for the purpose of installa-

tions of sewers and for certain primary treatment of sewage in said town. Said notes or bonds shall be due and payable at such times, not more than twenty years from their date of issue, and in such amounts and in such manner as the board of selectmen and treasurer of the town may determine at a rate of interest to be fixed by said board. The debt authorized hereunder shall at no time be included in the net indebtedness of the town of Hudson for the purpose of ascertaining its borrowing capacity.

**2. State Guarantee.** The notes or bonds issued pursuant to the provisions of section 1 shall qualify for state guarantee as provided by section 4-a, chapter 166-A, Revised Laws, as inserted by section 2, chapter 247, Laws of 1949.

**3. Application of Laws.** Except as otherwise provided herein the provisions of chapter 72, Revised Laws, as amended shall apply to the notes and bonds herein authorized.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 439.

AN ACT RELATING TO SEWER BONDS OF THE TOWN OF MEREDITH,  
LEGALIZATION OF A TOWN MEETING IN MEREDITH HELD  
MARCH 8, 1955 AND LEGALIZATION OF CERTAIN MEET-  
INGS HELD BY MEREDITH SCHOOL DISTRICT,  
CENTER HARBOR SCHOOL DISTRICT, AND  
ORGANIZATION MEETINGS OF THE INTER-  
LAKES SCHOOL DISTRICT No. 3.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Meredith Sewer Bonds.** No bonds of the town of Meredith heretofore or hereafter issued for installing, extending or improving its sewerage system or sewage treatment works shall be included in the net indebtedness of the town for the purpose of ascertaining its borrowing capacity.



**2. Proceedings Legalized.** The vote of the annual town meeting of said town held March 8, 1955 authorizing sewer bonds is hereby legalized and said bonds may be issued accordingly.

**3. Organization and proceedings Legalized.** Inter-Lakes School District No. 3, comprising the school districts of Meredith and Center Harbor, is hereby constituted a legally organized elementary and secondary cooperative school district under chapter 199 of the Laws of 1947, as amended, in accordance with the votes taken by the school district of Meredith and the school district of Center Harbor relative to the establishment of said cooperative district. The votes and proceedings, relative to the establishment of such cooperative district, of the Meredith school district meeting held March 5, 1954, of the Center Harbor school district meeting held March 3, 1954, and of the organization meetings of said cooperative district held April 5, 1954 and April 19, 1955, are hereby legalized, ratified and confirmed.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved June 9, 1955.]

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## CHAPTER 440.

### AN ACT ESTABLISHING A BOARD OF FIRE COMMISSIONERS FOR THE CITY OF LACONIA.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Fire Commissioners.** The powers now possessed by the mayor and city council of the city of Laconia in relation to the appointment and removal of the chief engineer and the assistant engineers of the fire department for said city, as provided in section 22 of the charter of said city are hereby transferred to a board of fire commissioners. On or before the first day of July, 1955, the mayor, with the approval of the council, shall appoint three fire commissioners, one of whom shall hold office for one year from the first day of July, 1955, one for two years and one for three years from said date, or until his successor

is appointed and qualified; and annually thereafter, on or before the first day of July the mayor, with the approval of the council, shall appoint one commissioner who shall take the place of the one whose term expires, who shall serve for three years unless sooner removed, as hereinafter provided; and any vacancy in said board shall be filled in the same manner. At no time shall more than two of said commissioners belong to one political party. No member of the board shall serve in any other capacity in the department.

**2. Removal.** The mayor, with the approval of the council, shall have full power to remove any commissioner at any time, after a fair hearing and for just cause.

**3. Personnel.** The fire department of the city of Laconia shall consist of a chief and as many assistants, and such other members as the board of fire commissioners may deem necessary.

**4. Tenure of Office.** The chief and assistants, and all other members of the fire department shall be appointed by said board to serve during good behavior, and so long as they are competent to discharge the duties of their respective positions. The fire commissioners shall have the right to remove any member of the fire department at any time for good and sufficient cause after a fair hearing.

**5. Powers.** The board shall have general supervision and control over the operation of the fire department, and shall have full power to make all rules for the government of the department, and to enforce said rules. The chief and assistants shall have all powers possessed by fire wards in the extinguishment of fires.

**6. Organization.** The said board shall organize annually by the choice of one of its members to act as a chairman and one to act as clerk and keep a record of its proceedings, issue all notices and attest all such papers and orders as said board shall desire.

**7. Report.** The said board shall make a detailed report of its doings annually to the mayor and council of said city. The records of said board shall at all times be open to the inspection of the mayor and council of said city.

**8. Compensation.** The compensation of the commissioners and salaries of the members of the fire department shall be determined from time to time by the city council upon recommendation of the board of commissioners.

**9. Powers of Mayor.** The powers of the mayor as defined in the Revised Laws shall not be impaired by this act, except as herein expressly provided.

**10. Inconsistencies.** All acts and parts of acts or ordinances inconsistent with this act are hereby repealed.

**11. Takes Effect.** This act shall take effect upon its passage.

[Approved June 20, 1955.]

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## CHAPTER 441.

### AN ACT RELATING TO THE NEW HAMPSHIRE VETERANS' ASSOCIATION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. New Hampshire Veterans' Association.** Amend section 2 of chapter 161, Laws of 1881, as amended by chapter 270, Laws of 1921, and by chapter 331, Laws of 1925, by striking out the word "fifty" in the seventh line and inserting in place thereof the words, five hundred, so that said section as amended shall read as follows: Sect. 2. Said corporation may purchase, take, and hold by deed, lease, gift, devise, or otherwise, real and personal estate for the purposes of said corporation to an amount not exceeding five hundred thousand dollars, and may improve, use, sell, lease, and convey, or otherwise dispose of the same at pleasure.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 20, 1955.]

**CHAPTER 442.**

AN ACT RELATIVE TO POWERS AND DUTIES OF THE TOWN OF  
LITTLETON AND REPEALING THE CHARTER OF THE  
LITTLETON VILLAGE DISTRICT.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Repeal.** Chapter 176 of the Laws of 1893, and any amendments thereto, relative to the Littleton Village District, are hereby repealed.

**2. Transfer of Powers to Town of Littleton.** All powers and duties heretofore exercised by the Littleton Village District are hereby transferred to the town of Littleton and all property of said district shall become the property of the said town which said town shall assume and satisfy all the indebtedness or liabilities of the said district.

**3. Superintendent of Public Works.** The selectmen of the town of Littleton shall appoint a superintendent of public works for the town who shall serve at the pleasure of said selectmen and shall, under the supervision of the selectmen have charge of all roads, bridges, sewers and sidewalks in the town. The office of highway agent is hereby abolished and the term of office of road agents now serving shall terminate as of December 31, 1955.

**4. Park Commissioners.** On and after the date of the passage of this act there shall be a board of three park commissioners in the town of Littleton. Said commissioners shall be elected by the town at the annual town meeting and the term of office of each shall be three years, provided that at the first election hereunder one shall be elected for a term of three years, one for a term of two years, and one for a term of one year. Vacancies as they occur shall be filled for the unexpired term only. Said commissioners shall have charge of all playgrounds, parks, commons and recreational activities in the town of Littleton.

**5. Present Commissioners.** If this act is adopted the term of office of the village commissioners then in office shall terminate as of December 31, 1955 and the term of office of the

elected village park commission then in office shall terminate as of December 31, 1955.

**6. Sidewalks.** The selectmen, upon petition, may construct sidewalks therein, with or without edgestones, and covered with any appropriate material, and for that purpose may widen and straighten any highway as in other cases, except that the notice of proceedings shall state that the construction of a sidewalk is contemplated.

**7. Costs.** At the annual town meeting, or any special town meeting held for the purpose, money may be raised and appropriated for the purpose of the construction of sidewalks as outlined in section 6.

**8. Repair and Maintenance.** The superintendent of public works under the supervision of the selectmen shall have charge of the repair of all sidewalks therein constructed and the costs shall be borne by the town.

**9. Sewers.** The selectmen shall construct and maintain all main drains or common sewers which they judge necessary for the public convenience and health. Such drains and sewers shall be substantially constructed of brick, stone, cement or other material adapted to the purpose and shall be the property of the town.

**10. Taking Land.** Whenever it is necessary to construct such main drains or common sewers across the land of any person the selectmen may lay out a sufficient quantity of such land for the purpose and assess the owner's damages in the same manner as in the case of taking land for highways, and the owner shall have the same right of appeal with the same procedure.

**11. Costs.** At the annual town meeting, or any special town meeting held for the purpose, money may be raised and appropriated for the purposes of the construction of sewers as hereinbefore provided.

**12. Special Tax.** For the defraying of the costs of construction, payment of the interest on any debt incurred, management, maintenance, operation and repair of newly constructed sewer systems and new sidewalks and the cost of maintaining existing sidewalks and sewers and hydrant rental;

the selectmen shall establish a separate inventory of all property that has abutting sidewalks or sewer connections or is within five hundred feet of a hydrant and shall access against such property a special tax to cover the cost of the same. Collection to be made in the same manner as real estate taxes, with similar rights of appeal.

**13. Liens.** All assessments under the provisions of section 12 shall be a lien upon the lands on account of which they are made, which shall continue until one year from October first following the assessment, and, in case of an appeal has been taken and the assessment has been sustained in whole or in part upon such appeal, until the expiration of one year from such decision, whichever is later. Such assessments shall be subject to the interest and such other charges as are applicable to delinquent taxes.

**14. Littleton Water and Light Department.** Nothing in this act shall be construed as affecting the Littleton Water and Light Department as constituted by chapter 255, Laws of 1903, as amended by chapter 247, Laws of 1943, and chapter 389, Laws of 1949.

**15. Referendum.** This act shall not take effect unless it shall be adopted by the voters of the town of Littleton at a special meeting held on or before December 31, 1955, as hereinafter provided. On said date a special meeting shall be held to vote on the question of the adoption of this act. The vote on the question shall be by ballot printed by the town clerk. On said ballot shall appear the following question: "Shall the provisions of an act relative to powers and duties of the town of Littleton and repealing the charter of the Littleton Village District be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, and the voter may indicate his choice by making a cross in the appropriate square. If a majority of the legal voters of the town of Littleton present and voting at said special meeting shall vote yes upon the question this act shall be declared to have been adopted. If said act is adopted the transfer of powers and duties and other provisions of this act shall be deemed to be in effect as of January 1, 1956.

**16. Repeal.** If this act is adopted by the referendum here-

in provided all acts or parts of acts inconsistent herewith are repealed in so far as the town of Littleton is concerned.

**17. Takes Effect.** In so far as provisions for the special meeting provided for in section 15 is concerned this act shall take effect upou its passage, other provisions of this act shall take effect as provided hereinbefore.

[Approved June 20, 1955.]

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### CHAPTER 443.

AN ACT CONCERNING WOLFEBORO VILLAGE FIRE PRECINCT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Wolfeboro Village Fire Precinct.** Section 11, chapter 443, Laws of 1949, is hereby repealed. This act shall apply to the serial bonds or notes authorized by the village fire precinct of Wolfeboro at its annual meeting held March 22, 1955. The said serial bonds or notes shall be signed by the precinct commissioners, and countersigned by the precinct treasurer, and, when issued as heretofore provided, shall constitute valid general obligations of said precinct.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 20, 1955.]

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### CHAPTER 444.

AN ACT LEGALIZING CERTAIN ACTION AT THE PLAINFIELD SCHOOL DISTRICT MEETING.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the annual meeting of the Plainfield school district, held March 5, 1955, relative to borrowing funds for the erection of an addition to White School in Meriden village, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

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#### CHAPTER 445.

AN ACT LEGALIZING THE BIENNIAL ELECTION HELD IN THE TOWN OF ELLSWORTH, NOVEMBER 2, 1954, AND LEGALIZING THE BRIDGEWATER SPECIAL SCHOOL DISTRICT MEETING OF MAY 1, 1955.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the biennial election in the town of Ellsworth, on the second day of November 1954, are hereby legalized, ratified and confirmed.

**2. Proceedings Legalized.** The votes and proceedings at the Bridgewater special school district meeting held in the town of Bridgewater on May 1, 1955, are hereby legalized, ratified and confirmed.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

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#### CHAPTER 446.

AN ACT RELATING TO BUILDING RESERVE AND SCHOOLHOUSES OF FORMER LEE SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authority Granted.** The selectmen of the town of Lee are hereby authorized to use the building reserve of the former Lee school district and any funds derived from the sale of real estate belonging to the former Lee school district toward pay-



ing assessments on the selectmen of Lee for appropriations of the Oyster River cooperative school district.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved June 21, 1955.]

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## CHAPTER 447.

### AN ACT RELATIVE TO THE FRANKLIN VETERANS HOME ASSOCIATION.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Tax Exemption.** There is hereby extended to the personal property owned and to real estate owned and occupied by The Franklin Veterans Home Association the same exemption from taxation as is granted to the property of the Grand Army of the Republic, the United Spanish War Veterans, Veterans of Foreign Wars, the American Legion and the Disabled American Veterans by section 24 of chapter 73 of the Revised Laws, as amended by chapter 141 of the Laws of 1945.

**2. Limitation.** The exemption from taxation provided by section 1 hereof shall apply only if membership in The Franklin Veterans Home Association is limited to those who are also eligible for membership in the Grand Army of the Republic, or the American Legion, or the United Spanish War Veterans, or the Veterans of Foreign Wars, or the Disabled American Veterans.

**3. Takes Effect.** This act shall take effect as of March 31, 1955.

[Approved June 23, 1955.]

## CHAPTER 448.

AN ACT TO REPEAL CHARTERS OF CERTAIN CORPORATIONS.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Charters Repealed.** The charter or certificate of incorporation of each of the following named corporations is hereby repealed, revoked and annulled except as otherwise here specified:

- A and A Machine Co. Inc. (Nashua, 1953)
- “A” and “C” Motors, Inc. (Hillsborough, 1946)
- Abbott’s Painting and Decorating Co., Inc. (Manchester, 1948)
- Abbott’s Wall Paper & Paint Store, Inc. (Manchester, 1947)
- Ace Construction Co., Inc. (formerly Ace Trucking Co., Inc., Milford, 1947)
- Acme Ball Bearing Spindle Corporation (Franklin, 1927)
- Adnoff, B., Realty Co., Inc. (Dover, 1953)
- Alberts Nashua Shoe Corporation (Nashua, 1953)
- Allen, Howard L., Associates, Inc., (Nashua, 1953)
- Aloha Products, Inc. (Portsmouth, 1950)
- Al’s Construction Company, Inc. (Allenstown, 1948)
- Ammonoosuc Investment Corporation (Littleton, 1948)
- Amoskeag Paper Company, Inc. (Manchester, 1946)
- Anchorage, Inc., The (Sunapee, 1952)
- Ashland Wood Products Co. Inc. (Ashland, 1943)
- B & B Drug and Chemical Company, Inc. (Durham, 1951)
- Balsams, Inc., The (Dixville Notch, 1949)
- Bankers Fur Storage, Inc. (Manchester, 1952)
- Barrington & Strafford Telephone Co. (Barrington, 1910)
- Bartlett, Mott, & Son, Inc. (Concord, 1947)
- Bass & Seidler, Inc. (Littleton, 1951)
- Bay State Electronics Corporation (Nashua, 1952)
- Beau Reve Hotel Corporation (Bedford, 1953)
- Bedford Gardens, Inc. (Bedford, 1953)
- Bedford Ski Tow, Inc. (Bedford, 1940)
- Berlin Amusement Company, The (Berlin, 1914)
- Better Builders, Inc. (Keene, 1948)
- Blake’s Greenhouses and Hill Brothers Nursery, Incorporated (Nashua, 1951)

- Blue Shops Fur Stylists, Inc. (Keene, 1952)  
Bonded Finance Corporation (Concord, 1953)  
Bourke's General Store, Inc. (Greenville, 1945)  
Bradford Industries, Inc. (formerly Park Industries, Inc.,  
Hopkinton) Bradford, 1951  
Breakfast Hill Workshop, Incorporated (West Rye, 1951)  
Brenda Lew, Inc. (Manchester, 1951)  
Bucket Shop, Inc., The (Wolfeboro, 1951)  
Burgess and Fuller, Inc. (formerly Pierce-Wells Bottled  
Gas, Inc., Keene, 1947)  
Burkehaven Hotel, Inc. (Sunapee, 1950)  
Cadoro, Inc. (Keene, 1949)  
Carbo-Tex Corp. of N. H. (Manchester, 1951)  
Carroll Motors, Inc. (Manchester, 1953)  
Center Ossipee Market, Inc. (formerly Center Ossipee  
Market, Incorporated, Ossipee, 1946)  
Central Garage of North Conway, Inc., (North Conway,  
1933)  
Chabot Bros., Inc. (Nashua, 1948)  
Chaput, Hector F., Inc. (Manchester, 1953)  
Charlestown Woolen Company (Keene, 1941)  
Cheshire Motors Inc. (Keene, 1949)  
Cheshire Photo-Engravers, Inc. (Keene, 1934)  
Chester Squab Co., Inc. (Chester, 1952)  
Churchill, Inc. (Gilsum, 1952)  
City Broadcasting Corporation (Nashua, 1950)  
City Floor Coverings Inc. (Nashua, 1952)  
City Hardware, Inc. (Berlin, 1950)  
City Motors, Inc. (Nashua, 1947)  
Claremont Hotel Co. Inc. (Claremont, 1937)  
Claremont Packard Co., Inc. (Claremont, 1952)  
Clark, A. C. Company (Swanzey, 1919)  
Coastal Television Center, Inc. (formerly McDonough Tele-  
vision Sales and Service, Inc., Dover, 1948)  
Cohen, David, Inc. (Lancaster, 1947)  
Colby Woodworking Corporation (Boscawen, 1952)  
Concord Consumer Cooperative Society, Inc. (Concord,  
1939)  
Concord Industrial Development Corporation (Concord,  
1952)

- Connecticut River Power Company (formerly Grafton Improvement Manufacturing & Power Company, also Grafton Power Company) Littleton, 1901
- Connolly & Murray, Inc. (Londonderry, 1948)
- Consolidated Plumbing and Heating Company, Inc. (Portsmouth, 1948)
- Cookson Bros., Inc. (Pittsfield, 1951)
- Copper Cannon Lodge, Inc. (Franconia, 1947)
- Cosy's Do-Nut Shoppe, Inc. (Manchester, 1950)
- Court Products of New Hampshire, Inc. (formerly Court Products, Inc., Keene, 1950)
- Crane, Emmons & Holmes, Inc. (Manchester, 1937)
- Crown Gear, Inc., (Keene, 1953)
- Cummings Furniture Co. Inc. (Manchester, 1948)
- Cushman-Rankin Company, The (Bath, 1905)
- Custom Auto Service, Inc. (Claremont, 1951)
- D. & H. Electric Company, Inc., The (Tilton, 1953)
- Danel Diner, Inc. (Dover, 1934)
- Dartmouth Bookstore, Inc. (Hanover, 1953)
- Davis-Watson Mfg. Co. Inc. (Nashua, 1931)
- Di Maria's Market, Inc. (Gorham, 1952)
- Doherty Corporation (Gilford, 1948)
- Donne Corporation (Rochester, 1952)
- Double "A" Auto Sales, Inc. (Rochester, 1951)
- Douglass Hardware Co., Inc. (Concord, 1950)
- Economy Cutter Grinding Co., Inc. (Laconia, 1952)
- Economy Incorporated (Manchester, 1950)
- Elite Super Cleaners, Inc. (Dover, 1950)
- Empire Construction Co., Inc. (Manchester, 1948)
- Fairbanks Garage Incorporated (Newport, 1949)
- Family Optical Co. Inc. (Manchester, 1950)
- Fashion House, Inc., The (Manchester, 1952)
- Feldman & Co. (Manchester, 1935)
- Fireplaces Incorporated (Conway, 1952)
- Fitch-Murray Company, Inc. (Concord, 1950)
- Flagg Metals Corporation (Manchester, 1947)
- Flanagan Bros., Inc. (Nashua, 1952)
- Florence's Beauty Shoppe, Inc. (Berlin, 1952)
- Foodmaster, Inc. (Manchester, 1952)
- Foodmaster of Portsmouth, Inc. (Portsmouth, 1952)
- Ford-Holman Vacuum Sales Inc. (formerly Tri-State Vacuum Sales Inc., Hinsdale, 1952)

- Fournier, G. H., Co., Inc. (Manchester, 1951)  
Franconia Sportswear, Inc. (Manchester, 1948)  
Fremont, Hill, Inc. (Concord, 1952)  
Frozen Food Lockers, Inc., of Hanover, N. H. (Hanover, 1944)  
Gaidmore Poultry Co. Inc. (Milford, 1951)  
Gaudreault, Phil, and Sons, Incorporated (Manchester, 1945)  
General Lumber Mills Corporation (Canaan, 1952)  
George Lumber Co., Inc. (Newport, 1950)  
Glazier Company, Inc. (formerly Temple Mountain Ski Forest, Inc., Peterborough, 1936)  
Globe Furniture Co., Inc. (Manchester, 1949)  
Gold-Craft Shoe Company, Inc. (Portsmouth, 1948)  
Granite State Amusements, Inc. (Salem, 1946)  
Granite State Park Racing Associates, Inc. (Dover, 1948)  
Grant, Edward E., Inc. (Fitzwilliam Depot, 1952)  
Greenridge Turkey Farm Restaurant, Inc. (Nashua, 1951)  
Guardian Publishing Company, Inc. (Newport, 1948)  
H & L Const. Co., Inc. (Manchester, 1952)  
Hajicostas, Inc. (Manchester, 1949)  
Hamel's Market, Inc. (Manchester, 1938)  
Hampshire Handkerchief Works, Inc. (Berlin, 1949)  
Hartford Water Company (Hartford, Vermont, 1897)  
Hazen Lumber Company, Inc. (Grafton, 1952)  
Hefler, Wm. A., Inc. (Dover, 1952)  
Hemlocks Television Co. Inc. (Plaistow, 1951)  
Hickory Lane Inc. (Kensington, 1950)  
Hide-A-Way Dairy Bar Enterprises, Inc. (Claremont, 1953)  
Hillsboro Woolen Mills, Inc. (Hillsborough, 1944)  
Hoag Land Realty, Inc. (Laconia, 1953)  
Hollis Wood Products Inc. (Hollis, 1951)  
Home Service Company Incorporated (Claremont, 1946)  
Hotel Cadillac, Inc. (Manchester, 1953)  
Houseworth Buick, Inc. (Rochester, 1948)  
Howard Bros. Inc. (Lebanon, 1949)  
Huard Club Plan, Incorporated (Manchester, 1951)  
Hubbard Sash & Door Mfg. Co., Inc. (Manchester, 1951)  
Hudson Associates, Incorporated (Hudson, 1946)  
Ice Cream Novelties of New Hampshire, Inc. (Nashua, 1951)

- Imperial Footwear Incorporated (Dover, 1953)  
Industrial Electronics, Inc. (Nashua, 1948)  
Institutional Foods, Inc. (Manchester, 1950)  
Insulation Engineers of New Hampshire, Incorporated  
(Manchester, 1945)  
Interstate Automotive Warehouse Corporation (Concord,  
1950)  
Irving Fashions, Inc. (Manchester, 1949)  
Irwin Motors, Inc. (formerly Blain & Irwin, Inc., Clare-  
mont, 1945)  
Irwin Pontiac, Inc. (formerly Irwin Pontiac, Incorporated,  
Claremont, 1947)  
J. J. J., Inc. (formerly Nashua Gane Needle, Inc., Nashua,  
1951)  
Janco Associates Inc. (Manchester, 1952)  
Janis, Inc. (Concord, 1948)  
John's Shoe Store, Inc. (Manchester, 1936)  
Just Home Farm, Inc. (New London, 1941)  
Kallman Transportation Company, Inc. (formerly Doudera  
Transportation Company Inc., The, Dixville, 1928)  
Kalloch, Hudson, Dog Shows, Inc. (Keene, 1953)  
Keene Baseball Association, Inc. (Keene, 1946)  
Keene Glues, Inc. (Keene, 1928)  
Keene Kiln Drying & Milling Company, Inc. (Keene, 1950)  
Kendall Exeter Agency, Inc. (formerly Hospital Service  
of New Hampshire, Inc., Rye ) Exeter, 1940  
Keniston Motors, Inc. (Concord, 1951)  
King, C. A., Company of New Hampshire, Inc. (Concord,  
1946)  
Kingston Broadcasting Corporation (formerly Monad-  
nock Radio Foundation, Inc., Keene, 1944)  
Klock's House, Inc. (Enfield, 1952)  
Kona Estates, Inc. (Moultonboro, 1952)  
Laconia Norwalk Vault Corporation (Lakeport, 1953)  
Lake Lumber & Milling Company, Inc. (Meredith, 1946)  
Lakeport Machine Works, Inc. (Laconia, 1951)  
Lakeport Realty Co., Inc. (Lakeport, 1953)  
Landers, Geo. B., Construction Co., Inc. (Newington, 1953)  
Lawrence Dairy Bar, Inc. (Claremont, 1953)  
Lee & Mason International Insurers, Inc. (Concord, 1953)  
Levesque, J. M. & Son, Inc. (Nashua, 1928)

- Lewis, John M., Inc. (Plaistow, 1950)  
Live Lobster Co. Inc. (Rye, 1953)  
Lupien Realty, Inc. (Manchester, 1951)  
Main Street Motors, Inc. (Concord, 1952)  
Manchester Broadcasting Corporation (Manchester, 1953)  
Manchester-Fitchburg Coach Lines, Inc. (Manchester, 1944)  
Market Realty Co., Inc. (Portsmouth, 1952)  
Martineau Bros. Inc. (Nashua, 1951)  
Mary Lee Wedge Heel Co. Inc. (Derry, 1953)  
McAllister Building Supply Co. Inc. (Pittsfield, 1950)  
McDuff Marine Corporation (Gilford, 1939)  
McGregor Realty Corporation (Manchester, 1950)  
McGuirk and Conway, Inc. (formerly McGuirk and Edgerly, Inc., Newmarket, 1949)  
McMillan Highway, Inc. (Bartlett, 1953)  
Mears Construction Co., Inc. (Dover, 1945)  
Medco Products, Inc. (Manchester, 1952)  
Medical Hall, Inc. (Keene, 1947)  
Merit Products Corporation (Wolfeboro, 1952)  
Merrimack Playhouse, Inc. (Concord, 1949)  
Metropolitan Cleaners and Dyers, Incorporated (Manchester, 1947)  
Michaels Advertising Agency, Inc. (Nashua, 1953)  
Monadnock Foundry, Inc. (Keene, 1945)  
Morin Lumber Company, Inc. (Lancaster, 1953)  
Morse Chevrolet Incorporated (Newton, 1954)  
Moul Poultry Farms, Inc. (Brentwood, 1948)  
Moul Realty, Inc. (Brentwood, 1948)  
Mt. Prospect Lodge, Inc. (Plymouth, 1952)  
Moving Starting Gate Corporation (Salem, 1950)  
Munsonville Realty Co., Inc. (Munsonville, 1952)  
Mutual Public Service Co. of N. H. (Concord, 1929)  
Mutual Real Estate Company (Manchester, 1906)  
Nardini's Restaurant, Incorporated (Concord, 1939)  
Nashua Blanket Corporation (Nashua, 1952)  
Nashua Frozen Foods, Inc. (Nashua, 1951)  
Nashua Motor Sales, Inc. (Nashua, 1945)  
Nashua Navy and Army Supply Store, Inc. (Nashua, 1949)  
Nashua Stone Machinery Company, Inc. (Nashua, 1948)  
Nelson, E. C., Inc. (Concord, 1946)

- New England Housing and Vending Co., Inc. (Nashua, 1950)  
New England Paint Works, Inc. (Goffstown, 1949)  
New England Turkey and Capon Farms, Inc. (Greenland, 1951)  
New Hampshire Air Conditioning Company (Manchester, 1938)  
New Hampshire Electronics, Inc. (Newport, 1951)  
New Hampshire Farms, Inc. (Concord, 1950)  
New Hampshire Fire-Works Display Company Incorporated (Manchester, 1949)  
New Hampshire Land Development Corp. (Laconia, 1946)  
N. H. Loam, Sand & Gravel Co. Inc. (Manchester, 1948)  
New Hampshire TV Corporation (Laconia, 1951)  
Newmarket Improvement Association, Incorporated (Newmarket, 1950)  
Newport Times Publishing Company, Inc. (Newport, 1953)  
P and H Market, Inc. (Portsmouth, 1951)  
Paris, Edgar L., Inc. (Manchester, 1953)  
Pembroke Furniture Company, Inc. (Pembroke, 1950)  
Peoples Wet Wash Laundry, Inc. (Manchester, 1945)  
Perkins and Young, Incorporated (Manchester, 1950)  
Plymouth Clam & Dairy Bar, Inc. (Plymouth, 1952)  
Plymouth Industrial Development Corporation (Plymouth, 1952)  
Plymouth Lumber Company, Inc. (Plymouth, 1946)  
Pratte's, Inc. (Manchester, 1944)  
Prentiss-Coffin, Inc. (formerly Sentinel Printing Company, Keene, 1892)  
Prescott Wood Products Company, Inc. (Pembroke, 1947)  
Presidential Inn, Inc. (Conway, 1953)  
Property Investment Company, Inc. (Newport, 1951)  
Queen City Casuals, Inc. (Manchester, 1950)  
Quincy Associates, Inc. (Quincy, 1950)  
Ramble Inn, Inc. (Dover, 1947)  
Red Hill Development Corporation (Sandwich, 1950)  
Remick Gas & Electric Inc. (Tamworth, 1950)  
Resin Research, Inc. (Manchester, 1948)  
Riviera Shoppe, Inc. (Concord, 1950)



- Roberts Jewelers, Inc. (Manchester, 1952)  
Rochester Down East Baseball League, Inc. (Rochester, 1950)  
Rock Pool Corporation (Lisbon, 1952)  
Roger's Sewing Circle, Inc. (Dover, 1952)  
Rose Lane Associates, Incorporated (New Castle, 1947)  
Royce Shoe Company (Newmarket, 1940)  
Rumford Foundry, Inc. (Concord, 1946)  
St. Laurent, Henry A., Funeral Home, Limited, The (Berlin, 1930)  
Sandler Homes, Inc. (Dover, 1952)  
Sandown Telephone Company (Sandown, 1911)  
Santy, Robert E., Inc. (Lisbon, 1950)  
Saunders, Heeley and Manter, Inc. (Moultonboro, 1948)  
Service Co. Inc. (Plaistow, 1930)  
Shattuck, L. H., Incorporated (formerly J. H. Mendell Engineering and Construction Company, The, Manchester, 1916)  
Shoreliner, Inc., The (formerly The Shoreliner, Incorporated, Portsmouth, 1950)  
Simon Engineering Co. Inc. (Manchester, 1950)  
Simplex Engineering & Manufacturing Co., Inc. (Keene, 1953)  
Singer, Snow Company (formerly Singer, Snow, Paparella Co., Manchester, 1936)  
Small Tool and Instrument Corporation (Lebanon, 1953)  
Smith, Walter A., Inc. (Pittsfield, 1952)  
Somersworth Knitwear Company, Inc. (Somersworth, 1946)  
Spear Shoe Company (Lancaster, 1932)  
Spencer and Sanborn, Inc. (Plymouth, 1947)  
Spofford Garage, Inc. (Chesterfield, 1928)  
Sprague & Carleton Trucking Co., Inc. (Keene, 1951)  
State Outdoor Advertising Co., Inc. (Manchester, 1948)  
State Woodworking Company, Inc. (Manchester, 1952)  
Stewart Farms Inc. (Marlow, 1953)  
Stinson Lake Camps, Inc. (Rumney, 1937)  
Stockwell Transformer Corporation (Concord, 1943)  
Stoughton Funeral Home, Inc. (Claremont, 1939)  
Stratton & Company (Concord and Boscawen, 1913)  
Studley's, Inc. (Exeter, 1949)

- Stylerite, Inc. (Manchester, 1952)  
Sunapee Industries, Inc. (Sunapee, 1948)  
Suncook Valley Transportation Company (Concord, 1943)  
Therriault Press Inc. (Nashua, 1949)  
Thibodeau Construction Company, Inc. (Wolfeboro, 1939)  
Tibbo Motors, Inc. (formerly Prince & Tibbo, Inc., Dover, 1946)  
Tilton Novelty, Inc. (Tilton, 1951)  
Tolman-Shea Laboratories, Inc., The (Nelson, 1952)  
Tri-City Aviation Inc. (Somersworth, 1949)  
Tri State Sales Inc. (Nashua, 1951)  
Twin Mountain Associates, Inc. (Carroll, 1951)  
Uncanoonuc Incline Railway and Development Co. (Goffstown, 1903)  
Union Grange Fair Association, The, (Plymouth, 1909)  
Union Products, Inc. (formerly Bailey & Blendinger Co., Inc., Union, 1936)  
Upland Terrace Hotel, Inc. (Bethlehem, 1945)  
Var Realty Company, Inc. (Manchester, 1951)  
Varick, John B. Company, The (Manchester, 1884)  
Veilleux Hardware, Inc. (Claremont, 1950)  
Veilleux, Inc. (Claremont, 1953)  
Vermont Poultry Farm, Inc. (Walpole, 1950)  
Victory Lumber and Supply Company, Inc. (Londonderry, 1946)  
WFEA, Inc. (Manchester, 1953)  
W & M Lumber Company, Inc. (Londonderry, 1953)  
Ware's Garage, Inc. (Hanover, 1950)  
Weathermaster of Manchester, Inc. (Manchester, 1950)  
Westfield Park Associates, Inc. (Portsmouth, 1950)  
Wheeler & Nutting Inc. (Nashua, 1952)  
Whitehall Cabins, Inc. (Manchester, 1952)  
White Mountain Furniture Company, Inc. (Bristol, 1953)  
Whiting Myer Company (Wilton, 1936)  
Wild Goose Lodges, Inc. (formerly Wild Goose Lodge, Inc., Newbury, 1951)  
William's Motel, Inc. (Woodstock, 1953)  
Wilmot Mining and Processing Company, Inc. (Wilmot, 1952)  
Wilson Recreation Park, Inc. (Keene, 1926)  
Winslow, O. F., Inc. (Milford, 1947)

Wonder Products, Inc. (Laconia, 1946)

Woodbury and McLeod, Incorporated (Manchester, 1936)

Woodstock Woodcraft Corporation (North Woodstock, 1944)

Workshop Cards, Inc. (Littleton, 1947)

Wunnishaunta Lodge, Inc. (Wolfeboro, 1948)

The principal place of business and date and year of incorporation, when given in the above list, are included for the purpose of distinguishing corporations of the same or similar names.

**2. Remedies Preserved.** No remedy against any such corporation, its stockholders or officers, for any liability previously incurred, shall be impaired hereby.

**3. Reinstatement.** Any such corporation may, within ninety days after this act takes effect, reinstate itself as a corporation by the payment of any fees in arrears and the filing with the secretary of state of any annual returns required by law and a statement under oath, signed by the clerk or secretary of such corporation, that it desires that its charter or certificate of incorporation shall remain in full force and effect.

**4. Disposition of Property.** Any corporation whose charter is hereby repealed, revoked and annulled, shall, nevertheless, continue as a body corporate for the term of three years from the date this act takes effect, for the purpose of presenting and defending suits by or against it and of gradually closing and settling its concerns and distributing its assets, including the disposition and transfer of all or any part of its property and for no other purpose; provided that for the purpose of any suit or action by or against any such corporation, pending at the end of said term of three years, such corporation shall continue as a body corporate until ninety days after final judgment or decree in such suit or action; and provided further that the superior court shall have power at any time when it shall be made to appear, upon the petition of any interested party, that the protection of proprietary or other rights requires the doing of any act or thing by or in behalf of any such corporation, to order the doing of such acts or things, and for this purpose may appoint and authorize an agent to act for and in the name

of such corporation and any action so ordered and done shall be effective corporate action.

**5. Annual Returns for Voluntary Corporations.** The provisions of section 4-b of chapter 272 of the Revised Laws, as inserted by section 8 of chapter 171, Laws of 1955, entitled, an act relative to fees for business, voluntary and foreign corporations, shall take effect as of June 1, 1956.

**6. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

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## CHAPTER 449.

### AN ACT ESTABLISHING A POLICE COMMISSION FOR THE CITY OF ROCHESTER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Rochester Police Commission.** There shall be a police commission for the city of Rochester consisting of three members. The members of said commission shall be elected by the voters of said city of Rochester at the municipal elections in the following manner: At the municipal election in December of 1955 one member of said board of police commissioners shall be elected for a term of three years, one member of said board shall be elected for a term of two years, and one member of said board shall be elected for a term of one year, and thereafter at each annual municipal election one member shall be elected for a term of three years. At the first election of said commissioners the member with the three-year term shall be a resident of Ward 5 or Ward 6, the member with the two-year term shall be a resident of Ward 3 or Ward 4, and the member for the one-year term shall be a resident of Ward 1 or Ward 2, and thereafter the election shall be rotated in the same manner. The election shall be by ballot and the term of office of each shall commence in January next following his election.

**2. Qualifications.** One member of said board of police com-

missioners shall be a resident of Ward 1 or Ward 2 of said city; one member of said board shall be a resident of Ward 3 or Ward 4 of said city; and one member of said board shall be a resident of Ward 5 or Ward 6 of said city.

**3. Duties.** It shall be the duty of the board of police commissioners authorized hereunder to appoint such police officers, constables and superior officers as it may in its judgment deem necessary and to fix their compensation.

**4. Compensation of Police Commission.** Each police commissioner shall be paid an annual salary of one hundred dollars to be paid from the city treasury.

**5. Rules.** The board of police commissioners shall have full power to make all rules and regulations for the government of the police force and to enforce said rules. Provided, that rules and regulations shall not be adopted by said commissioners which would require new applications or examinations of members of the police force employed at the date this act takes effect.

**6. Removal.** The board of police commissioners shall have authority to remove any police officer, constable or superior officer of the force at any time for just cause and after due hearing which cause shall be specified in the order of removal.

**7. Application of Statutes.** Such provisions of chapter 241 of the Laws of 1891 or amendments thereto as may be inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency. The authority of the mayor and city council to remove any member of the police department of the city is hereby repealed.

**8. Interim Provisions.** During the period from the time of the passage of this act until the qualifications of the board of police commissioners in January, 1956 all members of the police force of said city shall remain in office unless by voluntary separation from service and all rules and regulations affecting said department shall remain in effect until changed by the board of police commissioners.

**9. Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1955.]

**CHAPTER 450.**AN ACT LEGALIZING CERTAIN MEETINGS OF THE TOWN OF  
SEABROOK.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the annual meeting held in the town of Seabrook on March 8, 1955, and at adjourned meetings held on March 12, 1955, March 26, 1955 and May 25, 1955, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 5, 1955.]

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**CHAPTER 451.**AN ACT RELATIVE TO VACATIONS FOR EMPLOYEES OF THE CITY OF  
MANCHESTER.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. The City of Manchester.** Amend section 1 of chapter 279 of the Laws of 1919, as amended by section 1, chapter 278 of the Laws of 1921, section 1, chapter 275, Laws of 1943 and section 1, chapter 277 of the Laws of 1945 by striking out said section.

**2. Takes Effect.** This act shall take effect January 1, 1956.  
[Approved July 14, 1955.]

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**CHAPTER 452.**AN ACT RELATIVE TO TRUSTEES OF TRUST FUNDS OF THE CITY OF  
PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. City of Portsmouth.** Amend section 67 of chapter 398

of the Laws of 1947 by striking out said section and inserting in place thereof the following: **67. Trust Funds.** Trust funds of the city of Portsmouth shall continue to be kept separate and apart from all other funds and shall remain in the hands of the trustees of trust funds, one of whom shall be appointed by the mayor each year for a term of three years. The appointment of a trustee hereunder shall not be effective until it has been confirmed by vote of at least two-thirds of the membership of the council. Said trustees shall invest such funds in securities legal for investment by mutual savings banks of this state.

**2. Present Officials.** Nothing herein shall be construed as affecting the term of office of the trustees of trust funds in office at the time of the passage of this act.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved July 14, 1955.]

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## CHAPTER 453.

### AN ACT RELATIVE TO THE SALARIES OF THE BOARD OF PUBLIC WORKS OF LACONIA.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. City of Laconia; Board of Public Works.** The annual salary of each member of the board of public works of the city of Laconia shall be two hundred dollars.

**2. Application of Laws.** Such provisions of section 21 of chapter 241 of the Laws of 1893, as inserted by chapter 278, Laws of 1901, relative to the salaries of the members of the board of public works, as may be inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

**3. Takes Effect.** This act shall take effect upon its passage.

[Approved July 14, 1955.]

**CHAPTER 454.**

AN ACT RELATING TO THE EXCLUSIVE RIGHT OF THE RYE WATER DISTRICT TO ACQUIRE WATER RIGHTS WITHIN A PART OF THE TOWN OF RYE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Rye Water District.** The Rye Water District, a village district in the town of Rye, for the supplying of water to its inhabitants and for other municipal purposes, shall have the exclusive right and privilege of taking water for public use in said town of Rye except that part within the Rye Beach Precinct and that part northeast of the former site of the Wallis Sands life saving station and the road leading therefrom to Lang's Corner in said town of Rye, and is hereby authorized and empowered to take, purchase, and hold in fee simple or otherwise any real estate, rights therein, and water rights necessary for said purposes. The said district, if unable to agree with the owner of any real estate, rights therein, or water rights which may be necessary for the purposes hereof, may take the same by eminent domain as provided by chapter 56 of the Revised Laws (chapter 38, RSA), relating to municipal lighting and water system, and may do any and all other things necessary for carrying into effect the purposes of this chapter, including the laying, relaying, and maintenance of water mains and pipes in the public highways within said town, having due regard for the safety and security of the public travel thereon.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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**CHAPTER 455.**

AN ACT RELATING TO THE SCHOOL DISTRICT OF THE TOWN OF RYE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Approval of Bond Issue.** The school district of the town



of Rye is hereby authorized to avail itself of all the powers and privileges of chapter 11, Laws of 1955, with reference to the proposed bond issue of the said district in the sum of two hundred and twenty-five thousand dollars (\$225,000) authorized at the annual meeting of said school district for the year 1955, and said bond issue when approved as provided in chapter 11, Laws of 1955, shall constitute valid general obligations of said school district. In all other respects, the acts and proceedings of the 1955 annual meeting of said school district and the adjournment thereof, pertaining to said bond issue, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved July 22, 1955.]

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## CHAPTER 456.

AN ACT RELATING TO THE UNION SCHOOL DISTRICT OF KEENE.

WHEREAS, the Union School District of Keene, at a special meeting held by the district on September 28, 1950, raised the sum of three hundred thousand dollars by bond issue for the purchase of land and buildings known as the Dickinson property on Roxbury street and the construction thereon and equipment of a new senior high school gymnasium, and

WHEREAS, the Union School District of Keene, through its duly authorized building committee purchased said land and engaged an architect for carrying out said purpose and expended the sum of sixty-six thousand four hundred seventy-four dollars and five cents for same, and

WHEREAS, the board of education of the Union School District of Keene and the said building committee desires that the voters of the district have the opportunity to consider the aspect of using the balance of said monies for other capital improvements, and

WHEREAS, the Union School District of Keene is faced with capital improvements to its elementary and secondary school system, now therefore

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Authorization.** The Union School District of Keene is hereby authorized to use the balance of the so-called gymnasium fund amounting to two hundred thirty-three thousand five hundred twenty-six dollars, plus accumulated interest, for the necessary construction of additions to present elementary or secondary school buildings.

**2. Takes Effect.** This act shall take effect when approved by a vote of two-thirds of those present and voting at a special meeting of said district to be held on September 22, 1955, or at any other annual or special meeting duly called thereafter, provided that the warrant for said meeting shall contain an article calling for the consideration of such approval, and provided further that the requirements in section 3 of chapter 139, Revised Laws, as amended, to the effect that a majority of all the legal voters must be present and vote at such special meeting, shall not be applicable.

[Approved August 5, 1955.]

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## CHAPTER 457.

AN ACT LEGALIZING THE ANNUAL SCHOOL DISTRICT MEETING OF  
THE LITCHFIELD SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

**1. Proceedings Legalized.** The votes and proceedings at the annual school district meeting of the Litchfield school district, held on March 4, 1955, are hereby legalized, ratified and confirmed.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

**CHAPTER 458.**AN ACT RELATING TO ABSENTEE VOTING AT BIENNIAL ELECTIONS  
IN BERLIN.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. Berlin Election; Absentee Voting.** Amend section 10-a of chapter 121 of the Laws of 1897, as inserted by chapter 265 of the Laws of 1945, by striking out said section and inserting in place thereof the following: Sect. 10-a. Any legal voter of said city who is absent from the city on the day of the election or who is unable to vote in person, on the day of meeting for the election of city and ward officers, held in March biennially, may vote at said election by so-called absentee ballot. The provisions of sections 61 to 75 of chapter 34 of the Revised Laws, as amended, so far as applicable hereto and not inconsistent herewith, shall apply to such absent voting in said city, provided that the city clerk shall prepare the forms and ballots for such voting and said clerk shall also prepare the instructions required in section 74 of said chapter 34.

**2. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]

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**CHAPTER 459.**

## AN ACT RELATIVE TO ELECTIONS FOR THE CITY OF KEENE.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

**1. City of Keene.** Amend section 3, chapter 341, Laws of 1953, by striking out said section and inserting in place thereof the following: **3. Nomination and Election of Candidates.** The name of any person shall be printed upon the primary ballots upon his filing with the city clerk, not later than five o'clock in the afternoon of the fifteenth day before the primary, his declaration in writing that he is a candidate for any office to be filled at the succeeding municipal election and paying to the city clerk a filing fee of two dollars except in the case of

filing for mayor, when the filing fee shall be five dollars; provided, however, that the name of any person shall be printed upon the primary ballot without the filing of a declaration or the payment of a fee, if a petition in his behalf signed by at least fifty qualified voters shall have been filed with the city clerk not later than five o'clock in the afternoon of the tenth day before the primary. The petition shall consist of at least fifty individual certificates, each in form substantially as follows:

"I do hereby join in a petition for the publication on the primary ballot of the name of . . . . ., residing at . . . . . (street, ward) for the office of . . . . . to be voted for at the primary election to be held by the City of Keene on the . . . . . day of . . . . ., 19. . . . ., and I certify that I am qualified to vote for a candidate for said office, and am not a signer of any other similar petition for any other candidate for the above office; that my residence is . . . . . (street, ward). I further certify that I believe the above named person is especially qualified to fill said office.  
(signed) . . . . ."

Several certificates may be printed on one paper. One of the signers of each such paper make an oath before an officer competent to administer oaths that the statements therein made are true to his best knowledge and belief, and that each signature to the paper is the genuine signature of the person whose name it purports to be. The city clerk shall furnish upon application a reasonable number of forms of individual certificates of the above character. No primary petition shall be accepted by the city clerk without an endorsement thereon by the candidate consenting to the printing of his name on the primary ballot as requested in the petition. When a primary petition is presented for filing to the city clerk, he shall forthwith examine the same and ascertain whether it conforms to the provisions of this section, and if not found in conformity thereto, he shall designate the defect and return the petition to the candidate in whose behalf it was filed. Such petition may again be presented when properly amended if this can be done within the time allowed for filing such primary petitions. The

names of the two candidates for mayor receiving the greatest number of votes cast in the city, and the names of the four candidates for councilmen in each ward receiving the largest number of the votes cast at the primary for councilmen in each ward shall be printed upon the ballot to be used at the succeeding municipal election as nominees for such offices.

**2. Officers.** Amend section 8, chapter 439, Laws of 1949, by striking out the same and inserting in place thereof the following: **8. Terms of Office.** Terms of office shall begin from the first secular day of January next following election and until their successors are chosen and qualified. The term of office of the mayor shall be two years. Beginning with the biennial election in November 1955, and biennially thereafter there shall be elected in each ward of the city two councilmen. The candidate in each ward receiving the largest number of votes shall hold office for a term of four years and the candidate in each ward receiving the next largest number of votes shall hold office for a term of two years.

**3. Legalization of Election; Present Incumbents.** The election of the mayor and councilmen at the November election, 1953, is hereby legalized, ratified and confirmed. The term of office of the councilmen in each ward now in office who received the largest number of votes at the 1953 election shall be until the first secular day of January, 1958. The term of office of the remaining councilmen now in office shall expire as of the first secular day of January 1956.

**4. Takes Effect.** This act shall take effect upon its passage.

[Approved August 5, 1955.]



THE STATE OF NEW HAMPSHIRE

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Office of Secretary of State.

Concord, October 1, 1955.

I hereby certify that the acts and resolutions contained in this volume have been compared with the originals in this office and found to be correctly printed.

ENOCH D. FULLER,

*Secretary of State.*

This index includes references to the Private Acts, which are not printed in the paper-bound edition.



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