

April 21, 2011  
No. 21

# STATE OF NEW HAMPSHIRE

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**First Year of the 162<sup>nd</sup> Session of the  
New Hampshire General Court  
Legislative**

## SENATE CALENDAR

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**THE SENATE WILL MEET IN SESSION ON  
WEDNESDAY, APRIL 27, 2011, AT 10:00 A.M.**

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**LAI D ON THE TABLE**

**SB 14-FN**, relative to the brandishing of a firearm. 3/16/11, pending motion Re-refer to committee, Judiciary, SJ 9, pg. 136

**SB 24-FN-L**, exempting the Unity school district from the moratorium on school building aid. 3/9/11, pending motion Ought to Pass, Finance, SJ 8, pg. 89

**SB 61**, relative to capital appropriations to the liquor commission. 3/30/11, pending motion OT3rdg, Capital Budget, SJ 11, pg. 195

**SB 103**, requiring the commissioner of administrative services to develop a plan to consolidate the human resource functions within state government. 2/16/11, pending motion OT3rdg, Finance, SJ 6, pg. 56

**SB 114**, prohibiting assessing teacher performance based solely on assessment scores. 3/30/11, pending motion Committee Amendment (1215s), Education, SJ 11, pg. 209

**SB 126-FN**, relative to net operating loss carryovers under the business profits tax. 3/23/11, pending motion OT3rdg, Finance, SJ 10, pg. 176

**SB 136-FN**, relative to games of chance. 3/23/11, pending motion OT3rdg, Finance, SJ 10, pg. 186

**SB 164**, relative to the personal needs allowance of residents of nursing homes. 3/9/11, pending motion OT3rdg, Health and Human Services, SJ 8, pg. 90

**SB 165-FN**, relative to the Medicaid uncompensated care fund and the Medicaid enhancement tax. 3/30/11, pending motion OT3rdg, Finance, SJ 11, pg. 226

**SB 178**, establishing a commission to study long-term sustainable funding for school building aid and the establishment of eligibility criteria for school building aid in order to ensure that all school age children in every part of the state have access to a safe, healthy, and academic environment for learning. 3/9/11, pending motion Inexpedient to Legislate, Education, SJ 8, pg. 87

**HB 36-FN-L**, reducing the fee for copies of birth certificates. 4/13/11, pending motion OT3rdg, Ways and Means, SJ 12, pg. 253

**HB 42**, relative to the appropriate officials with whom to file for a primary. 3/30/11, pending motion Ought to Pass, Public and Municipal Affairs, SJ 11, pg. 232

**HB 136-FN**, repealing the uniform athlete agents act. 4/13/11, pending motion Ought to Pass, Executive Departments and Administration, SJ 12, pg. 249

**HB 369-FN-L**, relative to withdrawal from a school administrative unit or an authorized regional enrollment area school. 4/13/11, pending motion Inexpedient to Legislate, Education, SJ 12, pg. 246

**HB 397**, relative to image display devices in motor vehicles. 4/20/11, pending motion Committee Amendment (1438s), Transportation, SJ 13, pg. TBA

**HB 426**, adding certain entities to the unused prescription drug program. 4/20/11, pending motion Ought to Pass, Health and Human Services, SJ 13, pg. TBA

**HB 451-FN**, relative to prerecorded political messages. 4/20/11, pending motion Ought to Pass, Public and Municipal Affairs, SJ 13, pg. TBA

**HB 542-FN**, prohibiting a school district from requiring that a parent send his or her child to any school or program to which the parent may be conscientiously opposed. 4/13/11, pending motion Inexpedient to Legislate, Education, SJ 12, pg. 247

# REPORTS

## **COMMERCE**

**HB 175**, relative to technical changes in life, accident, and health insurance.  
Ought to Pass with Amendment, Vote 5-0.  
Senator White for the committee.

**HB 405**, relative to dissolving corporations.  
Re-refer to committee, Vote 5-0.  
Senator Houde for the committee.

**HB 419-FN**, relative to language in insurance certificates.  
Ought to Pass with Amendment, Vote 4-0.  
Senator White for the committee.

**HB 601-FN**, relative to implementation of federal health care reform.  
Ought to Pass with Amendment, Vote 4-0.  
Senator De Blois for the committee.

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 331-FN**, relative to posting agency expenditures on the state transparency website.  
Ought to Pass, Vote 4-0.  
Senator Groen for the committee.

**HB 503**, allowing a master electrician to have 2 apprentice electricians under his or her supervision.  
Ought to Pass, Vote 4-0.  
Senator Luther for the committee.

**HB 580-FN-L**, relative to the New Hampshire retirement system, and relative to continuation of provisions of a collective bargaining agreement following the end of the term of the agreement.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Carson for the committee.

## **JUDICIARY**

**HB 524-FN**, relative to the release of prisoners on probation or parole.  
Ought to Pass with Amendment, Vote 3-0.  
Senator Carson for the committee.

**HB 572-FN**, relative to official oppression.  
Inexpedient to Legislate, Vote 3-0.  
Senator Luther for the committee.

## **PUBLIC AND MUNICIPAL AFFAIRS**

**HB 56**, relative to proper observance of September 11, 2001.  
Ought to Pass, Vote 4-0.  
Senator Boutin for the committee.

**HB 198**, relative to the investment options for county funds.  
Ought to Pass, Vote 4-0.  
Senator Merrill for the committee.

**HB 251**, relative to absentee ballots.  
Ought to Pass, Vote 3-0.  
Senator Stiles for the committee.

**HB 274-FN**, relative to voting procedures.  
Ought to Pass, Vote 4-0.  
Senator Forrester for the committee.

## **WAYS AND MEANS**

**HB 156-FN-A**, reducing the rates of the tobacco tax.  
Inexpedient to Legislate, Vote 3-3.  
Senator Odell for the committee.

**HB 187-FN-A**, relative to the carry forward periods for the business enterprise tax credit against the business profits tax.

Ought to Pass, Vote 5-0.

Senator Luther for the committee.

**HB 277-FN**, relative to the deposit of fees collected under the Unified Carrier Registration System into the highway fund.

Ought to Pass, Vote 5-0.

Senator Boutin for the committee.

**HB 348-FN**, transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

Ought to Pass with Amendment, Vote 6-0.

Senator D'Allesandro for the committee.

## AMENDMENTS

### Commerce

April 19, 2011

2011-1492s

01/04

#### Amendment to HB 175

Amend the bill by replacing section 6 with the following:

6 New Paragraph; Insurance Standards; Preexisting Conditions. Amend RSA 415-A:5 by inserting after paragraph II the following new paragraph:

III. For policies that meet the definition of health coverage under RSA 420-G:2, IX, an insurer may impose a preexisting condition exclusion period, but only if it is at least as favorable to covered persons as the following:

(a) No preexisting condition exclusion period shall extend beyond a period of 9 consecutive months after the date of enrollment of the person's health coverage; and

(b) Such preexisting condition exclusion period shall only apply to a condition, whether physical or mental, regardless of the cause of the condition, for which medical advice, diagnosis, care or treatment was recommended or received during the 3 months immediately preceding the enrollment date of health coverage.

### Senate Ways and Means

April 19, 2011

2011-1490s

08/10

#### Amendment to HB 348-FN

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

AN ACT relative to games of chance and prohibiting the racing and charitable gaming commission and the lottery commission from authorizing new gambling machines or devices.

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

1 Unclaimed Ticket Vouchers. Amend RSA 284:31 to read as follows:

284:31 Unclaimed Ticket Money. On or before January 31 of each year every person, association, or corporation conducting a race or race meet, whether live racing or simulcast racing, hereunder shall pay to the state treasurer all moneys collected during the previous year of pari-mutuel pool tickets *and vouchers* which have not been redeemed. The books or records of said person, association, or corporation, which clearly show the tickets entitled to reimbursement in any given race, live or simulcast, shall be forwarded to the commission. Such moneys shall become a part of the general funds of the state. The state treasurer shall pay the amount due on any ticket *or voucher* to the holder thereof from funds not otherwise appropriated upon an order

from the commission. Pari-mutuel tickets **and vouchers** which remain unclaimed after 11 months shall not be paid. ***Vouchers shall be remitted to the state treasurer on January 31 of the calendar year, 24 months after the year of the unclaimed voucher.***

2 Definitions; Game Operator. Amend RSA 287-D:1, V to read as follows:

V. "Game operator" means:

(a) "Primary game operator" which means any consultant or any person other than a bona fide member of the charitable organization, involved in conducting, managing, supervising, directing, or running the games of chance; or

(b) "Secondary game operator" which means any person other than a bona fide member of the charitable organization, involved in dealing, running a roulette wheel, [or] handling chips, ***or providing accounting services or security functions.***

(c) ***"Game operator employer" means a primary game operator or a business entity who employs, supervises, and controls game operators and who is hired by a charitable organization to operate games of chance on its behalf. The owner of 10 percent or more of the entity, partner, managing member, or chief executive of a business entity who serves as a game operator employer must be licensed as a primary game operator.***

3 Operation of Games of Chance; Game Operators. Amend RSA 287-D:2-b, I(d) to read as follows:

(d) Notwithstanding subparagraph (a), all charitable organizations that conduct games of chance for charitable purposes may employ, by means of a written agreement, a [primary] game operator ***employer or a primary game operator*** licensed under RSA 287-D:2-c to operate games of chance on their behalf.

4 Operation of Games of Chance; Game Operators. Amend RSA 287-D:2-d, III to read as follows:

III. An applicant for a primary game operator license under RSA 287-D:2-c shall apply to the racing and charitable gaming commission, and if the applicant meets all other requirements of this chapter and pays the fee established by the racing and charitable gaming commission in rules adopted pursuant to RSA 541-A, a license shall be issued. A ***primary game operator*** license issued under RSA 287-D:2-c shall expire on December 31. The racing and charitable gaming commission shall notify the attorney general and police chief of any city or town where games of chance are held of any applications approved. RSA 7:28-c shall not apply to game operator licensees subject to this chapter. An applicant for a secondary game operator license under RSA 287-D:2-c shall apply to the racing and charitable gaming commission, and if the applicant meets all other requirements of this chapter and pays the fee established by the racing and charitable gaming commission in rules adopted pursuant to RSA 541-A, which shall not exceed \$45, a license shall be issued. ***A secondary game operator license issued under RSA 284-D:2-c shall expire on the last day of the month of the licensee's birthday.***

5 Operation of Games of Chance; Game Operators. Amend RSA 287-D:2-d, VI to read as follows:

VI. Any license issued under RSA 287-D:2-a or RSA 287-D:2-c shall not be transferable and the fees for the license shall not be refunded except for good cause shown as specified in rules adopted by the racing and charitable gaming commission. ***Nothing in this section shall prevent a licensee from working for different licensed entities. A licensee who works for more than one game operator employer during the licensed period shall have a separate badge for each game operator employer and pay a separate fee for each badge.***

6 Bond; Game Operators. Amend RSA 287-D:2-b, VIII to read as follows:

VIII.(a) On game dates where the charitable organization operates the games, the charitable organization shall deposit cash and proceeds from a game of chance into the account required by RSA 287-D:2-a, VII(e). All expenses, including [~~prizes of more than \$500~~] ***prizes of \$500 or more*** and equipment and hall rental fees shall be paid by check from the account required by RSA 287-D:2-a, VII(e). The treasurer of the charitable organization shall document all prizes awarded as prescribed in rules adopted by the racing and charitable gaming commission.

(b) On game dates where the licensed game operator operates the games, the licensed game operator shall deposit cash and proceeds from a game of chance into the account required by RSA 287-D:2-c, VI. All expenses, including [~~prizes of more than \$500 and~~] equipment and hall rental fees shall be paid by check ***or***

**electronic fund transfers** from the account established in RSA 287-D:2-c, VI. The licensed game operator shall document all prizes awarded as prescribed in rules adopted by the racing and charitable gaming commission. **Prizes of \$500 or more shall be paid by check from the account established in RSA 287-D:2-c, VI.**

7 Bond; Game Operators. Amend RSA 287-D:2-c, V to read as follows:

**V. Prior to conducting any games of chance**, the game operator or the game operator's employer shall submit a bond for each location where the game operator is conducting games of chance, conditioned upon the game operator running games of chance in conformity with this chapter and with the rules and regulations prescribed by the racing and charitable gaming commission, in the amount of up to ~~[\$300,000]~~ **\$500,000 but not less than \$25,000** to the racing and charitable gaming commission with the application form. **The amount of the bond in excess of \$25,000 established for each licensee shall be based on that licensee's normal outstanding obligations of charity payments and state taxes.**

8 New Paragraph; Licensing of Game Operators. Amend RSA 287-D:2-c by inserting after paragraph VII the following new paragraph:

VIII. Unless a provision to the contrary is part of a written agreement in place prior to the commencement of a game date between the charitable organization and the game operator or game operator employer, all moneys due to the charitable organization shall be paid over to the organization no later than 5 business days following the date on which a game was conducted. Notwithstanding the provisions of any agreement with the charitable organization, the game operator or game operator employer shall pay over all moneys due to the charitable organization no later than 15 business days following a game date.

9 Wagering; Game Operators. Amend RSA 287-D:3, VII to read as follows:

VII. Unless a charitable organization rents a facility from a ~~[primary]~~ game operator **employer or a primary game operator** licensed under RSA 287-D:2-c, the charitable organization shall only rent a facility by means of a fixed rental payment. The fixed rental payment shall not be based on a percentage of what the charitable organization receives from the game of chance and it shall reflect fair rental value of the property for any use not just as a place to hold a game of chance. If a charitable organization rents a facility from a licensed game operator under RSA 287-D:2-c, the charitable organization shall retain no less than 35 percent of the gross revenues from any games of chance minus any prizes paid in accordance with RSA 287-D:3, VIII. Any rental agreement entered into by the charitable organization shall be submitted with the charitable organization's license application for review by the racing and charitable gaming commission. Under no circumstances shall a charitable organization sustain any loss from games of chance, such that its share of the gross revenues minus any prizes paid is less than zero dollars, during a license period with a single game operator.

10 Wagering; Game Operators. Amend RSA 287-D:5, I to read as follows:

I. A charitable organization ~~[or]~~, a licensed ~~[primary]~~ game operator **employer, or a primary game operator** under contract to conduct games of chance on behalf of a charitable organization **and designated by the charitable organization to be responsible for submitting financial reports** shall submit a complete financial report for all game dates licensed under RSA 287-D:2 and RSA 287-D:2-a to the racing and charitable gaming commission on forms approved by the racing and charitable gaming commission within 15 days of the end of each month during which a game of chance was held.

11 Operation of Bingo Games; Penalty Added. Amend RSA 287-E:7, XVI to read as follows:

XVI. In not more than one game conducted in accordance with ~~[RSA 287-E:7,]~~ **paragraph XIII**, a carry-over, cover-all game may be run with the prize money rolled over to the successive game dates in the event that there is no winner on the original or preceding game dates. Notwithstanding any provision of law to the contrary, the prize money may accumulate until there is a winner. The prize shall be awarded to any winner covering all 24 numbers on the card in less than 50 numbers, or a greater number if so designated prior to the game. If there is no winner on a given game date, a pre-designated consolation prize shall be awarded to the game winner who first achieves cover-all. The balance of the ~~[monies]~~ **moneys** collected shall be carried over to subsequent game dates until there is a winner. **Any person who purposely, knowingly, or recklessly deprives a charitable organization of any of its moneys collected from bingo or lucky 7 or any person who purposely, knowingly, or recklessly deprives players of any prizes collected from bingo or lucky 7, shall be guilty of a class A felony.**

12 Reference Change; Financial Reports and Inspection Required. Amend RSA 287-E:9, I to read as follows:

I. A charitable organization which has been licensed to conduct bingo games shall submit a complete financial report to the commission for each license issued under RSA 287-E:6 within 15 days after the expiration of each license; provided, however, a complete monthly financial report shall be submitted in a timely fashion to the commission for each month covered by a license issued under ~~[RSA 287-E:6, I-a]~~ **RSA 287-E:6, II.**

13 Reference Change; Financial Reports and Inspection Required. Amend RSA 287-E:9, IV to read as follows:

IV. All charitable organizations licensed under this chapter shall maintain a separate checking account for the deposit and disbursement of all income relating to bingo and lucky 7, except cash prizes awarded at the games. All expenses shall be paid by check, ~~[and all prizes of \$500 or more shall be paid by check]~~ **or electronic funds transfers. All prizes of \$500 or more shall be paid by check.** There shall be no commingling of bingo and lucky 7 funds with other funds of the charitable organization. The organization shall retain all cancelled checks for the payment of expenses and prizes for at least 2 years. The organization may cash checks which it issues.

14 Campground Bingo. Amend RSA 287-E:12 to read as follows:

287-E:12 Bingo [License] for Private Campgrounds and Hotels. Any private campground or hotel may ~~[apply to the commission for a special campground or hotel bingo license. Licenses may be granted under the following conditions]~~ **conduct bingo games provided:**

~~I. The bingo license application fee shall be \$25 per year and shall be nonrefundable.~~

~~II. The provisions of RSA 287-E:6, IV and RSA 287-E:7, IV and VI relating to bingo licenses and the operation of games for charitable organizations shall also apply to licenses issued under this section.~~

~~III. I. The price to be paid for a single card or play under the license shall be \$.10.~~

~~IV. A license shall permit no more than 2 game dates of bingo in any one calendar week and shall be issued on an annual basis.~~

~~V. II. All revenues received from the sale of bingo cards in any game or series of games on any one calendar day shall be paid out to the players. The total value of all prizes, tokens, or awards used, given, offered, or awarded in connection with any game or series of games in any calendar day shall not exceed \$500.~~

~~VI. III. Games shall be operated only by persons on the staff of the campground or hotel [holding the license under this section]. Such staff shall operate the games without compensation from the bingo revenues.~~

~~VII. IV. The games of bingo shall be open only to persons 18 years of age or older who are bona fide guests at the campground or hotel.~~

~~VIII. Licenses shall be granted only to campgrounds or hotels in cities or towns which have approved bingo under RSA 287-E.~~

~~IX. V. No campground or hotel shall act as an agent for operating games of bingo when it is unlawful for such campground's or hotel's principal to operate bingo games.~~

~~X. The campground or hotel holding the license issued under this section shall keep records and submit a report as required for agricultural fairs under RSA 287-E:10, VIII, except that the report shall be submitted to the commission within 15 days of the expiration of the bingo license. The report shall include the names and addresses of persons from whom bingo equipment was rented or leased.~~

~~XI. VI. The campground or hotel shall have been in existence for at least 2 years in the city or town in which the bingo games are to be conducted.~~

~~XII. The campground or hotel shall be in compliance at the time of application with all applicable state and local requirements for the operation of private campgrounds or hotels.~~

~~XIII. VII. The campground or hotel shall maintain a current list of bona fide guests.~~

~~XIV. VIII. The campground or hotel shall not have been established solely for the purpose of operating bingo games.~~

15 Campground Bingo. Amend the introductory paragraph RSA 287-E:13 to read as follows:

Any campground or hotel ~~[holding a license under RSA 287-E:12]~~ may conduct special bingo games for children under the conditions specified in RSA 287-E:12, except:

16 Payment to Distributor. Amend RSA 287-E:23-a to read as follows:

287-E:23-a Payment to Distributor. Licensees shall pay for purchased tickets no later than 30 *calendar* days after delivery. ***Unless a waiver is given by the commission for good cause shown, no charitable organization may purchase tickets from a different distributor when that charitable organization has failed to comply with the provisions of this section.***

17 Financial Reports and Inspection Required. Amend RSA 287-E:24, IV to read as follows:

IV. All expenses ***shall be paid by check or electronic funds transfers***, and all cash prizes ~~over~~ of \$500 ***or more*** shall be paid by check, and the charitable organization shall retain cancelled checks ***or bank produced facsimiles of cancelled checks*** for the payment of expenses and ***checks or bank produced facsimiles of checks and receipts for the payment of prizes*** for a period of 2 years.

18 Campground Bingo. Amend RSA 287-E:4, II to read as follows:

II. Such fee shall be submitted to the commission at the time the application for a bingo license is filed and ~~except as provided in RSA 287-E:12~~, shall be refunded if the application is denied.

19 Games of Chance. Amend RSA 287-D:2-b, II-a to read as follows:

II-a. Unless otherwise agreed to in advance, pursuant to paragraph II, in writing by the charitable organization, ~~operators of games of chance~~ ***game operators*** may be reimbursed for their out-of-pocket expenses in an amount not to exceed \$25 per game date, provided that such expenses are itemized and submitted in writing to the charitable organization.

20 Games of Chance. Amend RSA 287-D:2-b, VII-a to read as follows:

VII-a. Notwithstanding any other provision of law, a member of the sponsoring charitable organization shall be present and on site at least once per day during the operation of any game of chance and shall file with the racing and charitable gaming commission an affidavit attesting to the member's presence at the site during the operation of any games of chance. The sponsoring charitable organization member shall not be employed by the game operator ~~or the employer of the game operator~~.

21 Licensing of Game Operators. Amend RSA 287-D:2-c, II(a)-(c) to read as follows:

(a) The name and social security number of the ***primary or secondary*** game operator, or for ~~an organization~~ ***a game operator employer*** the name and federal tax identification number. The racing and charitable gaming commission shall not disclose any social security number submitted;

(b) The name, ~~of the game operator's employer and the employer's~~ address, and telephone number ***of the game operator employer***;

(c) A list of the ***known*** ~~games of chance~~ ***game dates*** in which the game operator will participate including the ~~date~~ ***name*** of the game, the location of the game, and the charitable organization holding the game;

22 Licensing of Game Operators. Amend RSA 287-D:2-c, VI to read as follows:

VI. To be eligible for licensure under this chapter, a licensed ***game operator employer or primary*** game operator shall maintain an account at a financial institution with at least one branch.

23 New Section; Surveillance Requirements. Amend RSA 287-D by inserting after section 2-d the following new section:

287-D:2-e. Surveillance Requirements.

I.(a) A game operator employer conducting games of chance at a facility that is required to be licensed pursuant to RSA 287-D:2-a, VI shall conduct and record, at the expense of the game operator employer, video surveillance that allows clear, unobstructed views of cashier transactions, table games where cash wagers are accepted, and the counting of money from storage boxes removed from a gaming table. A game operator employer which is authorized to conduct games of chance for no more than 50 calendar days in a calendar year at a particular location may petition the commission to adopt an alternate method of oversight of cash transactions in lieu of the surveillance requirements in this section. Upon approval of any such alternative method of oversight of cash transactions by the commission, the game operator employer may conduct games of chance at such location for not more than 50 calendar days at the particular location in a calendar year. The game operator employer shall be responsible for all costs and expenses associated with implementation of the alternative method of oversight as approved by the commission.



(b) Surveillance shall include the customer, the employee, and the surrounding area and shall monitor and record with sufficient clarity to identify employees and customers in all areas where currency is counted, verified, sorted, stacked, or stored, including monitoring and recording all table game drop boxes, safes, and counting surfaces, and all cashier personnel. The counting surface area shall be continuously monitored and recorded by a dedicated camera during the count.

(c) Access to the surveillance equipment shall be limited to management personnel, designated employees, state regulators, and other persons authorized in accordance with the surveillance policy.

(d) The game operator employer shall ensure at least one person at the facility while games of chance are being conducted is trained in the use of the equipment, knowledge of the games, and all applicable regulations.

(e) Each camera required by these regulations shall be installed in a manner that will prevent it from being readily obstructed, tampered with, or disabled by customers or employees.

(f) Reasonable effort shall be made to repair each malfunction of surveillance system equipment required by the standards in this section within 72 hours after the malfunction is discovered.

(g) In the event of a dedicated camera malfunction, the gaming operator or the surveillance person shall immediately provide alternative camera coverage or other security measures.

## II. The surveillance system, at a minimum, shall:

(a) Have an auxiliary or backup power source shall be available and capable of providing immediate restoration of power to all elements of the surveillance system.

(b) Include date and time generators that possess the capability to display the date and time of recorded events on all digital recordings. The displayed date and time shall not significantly obstruct the recorded view.

(c) Utilize cameras that possess the capability of having its picture displayed on a monitor and recorded.

(d) Include sufficient numbers of monitors and recorders to simultaneously display and record multiple table games and count room activities, and record the views of all dedicated cameras and motion-activated cameras.

(e) Record at 30 frames per second or its equivalent.

III.(a) All digital records of coverage provided by cameras required by the standards in this section shall be retained for a minimum of 30 days.

(b) Recordings involving suspected or confirmed gaming crimes, unlawful activity, or actions of investigations by management personnel, shall be retained for a minimum of 90 days.

(c) Duly authenticated copies of digital records shall be provided to the commission upon request.

(d) Multiple recordings shall be made to avoid any loss of images in the event of a hardware failure.

(e) A recording library log, or comparable alternative procedure approved by the commission, shall be maintained to demonstrate compliance with the storage, identification, and retention standards required in this section.

(f) All recordings may be destroyed after a period of 90 days.

24 New Paragraph; Surveillance. Amend RSA 284:12 by inserting after paragraph X the following new paragraph:

## XI. Surveillance regulations pursuant to RSA 287-D:2-e.

25 New Paragraph; Racing and Charitable Gaming Commission; Authorization of Electronic Gaming. Amend RSA 284:6-a by inserting after paragraph V the following new paragraph:

VI. The racing and charitable gaming commission shall not authorize the use of any electronic gaming device in connection with the acceptance of wagers on running or harness horse racing, whether live or simulcast, or simulcast dog racing, the type of which was not in use prior to January 1, 2011, unless specific authorization for such electronic gaming device is enacted by the general court. Electronic gaming devices shall mean and include all electro-mechanical instruments and devices used for the purposes of gaming, other

than wagering on live or simulcast horse racing or simulcast dog racing, whether in physical presence or through the Internet, and such shall include video slot machines and other gambling devices which function or are designed to function to emulate a video slot machine or historic racing machine. This section shall not be interpreted to prohibit licensees under RSA 284 from replacing equipment used in the conduct of wagering on live or simulcast horse racing or simulcast dog racing, which type of equipment was in service prior to January 1, 2011 with updated or new equipment which are the functional equivalent of the machines which are being replaced. This section shall not be interpreted as prohibiting licensees from accepting account wagers in compliance with applicable rules and regulations.

26 New Paragraph; Lottery Commission; Authorization of Electronic Gaming. Amend RSA 284:21-h by inserting after paragraph V the following new paragraph:

VI. The commission shall not authorize the use of any electronic gaming device in any game, lottery or other offering which was not in use by the commission on or before January 1, 2011, unless specific authorization for such electronic gaming device is enacted by the general court. Electronic gaming devices shall mean and include all electro-mechanical instruments and device used for the purpose of gaming, whether in physical presence or through the Internet, and shall include video slot machines and other gambling devices which function or are designed to emulate a video slot machine or other gambling machine, historic racing machine, and computer technology to reveal instant ticket winners. This section shall not be interpreted to prohibit the commission from replacing offerings, games, or equipment which were in service prior to January 1, 2011 with new offerings, games or equipment which are the functional equivalent of those offerings, games or equipment which are being replaced.

27 Racing and Charitable Gaming Commission; Lucky 7; Authorization of Electronic Gaming. RSA 287-E:21, III-a is repealed and reenacted to read as follows:

III-a. Lucky 7 tickets may be sold by dispenser devices approved by the commission and located at the regular meeting place of, or at a facility owned, leased, or utilized by, the licensee for its activities. The commission may authorize electronic lucky 7 ticket dispenser devices so long as those devices have been certified by a testing laboratory, authorized and approved by the commission, as meeting the following criteria: communication with a server to obtain the next available ticket in a finite game set; offer only the game approved by the commission; assure that each game set is totally exhausted; possess the ability to retain accounting information in the event of a power failure; have the ability to accept \$1, \$5, \$10 and \$20 bills; have individual programmable ticket values; contain a tamper-proof money receptacle; dispense a paper ticket; dispense a redemption certificate and an electronically produced lucky 7 ticket that comply with commission rules; have a distinctive serial number; and have system servers that interface with the manufacturer's secure website database that is capable of tracking each charity location, vendor, terminal game form, game set, ticket number and time of sale for each ticket purchased.

28 Effective Date.

I. Sections 1 through 22 and sections 25 through 27 of this act shall take effect 60 days after its passage.

II. Section 23 of this act shall take effect January 1, 2012.

III. The remainder of this act shall take effect upon its passage.

## **2011-1490s**

### **AMENDED ANALYSIS**

This bill:

I. Defines game operator employers.

II. Requires that game operators pay charities participating in charitable gaming no later than 15 business days following a game date.

III. Raises the amount of bond required for conducting games of chance.

IV. Requires charitable organizations to collect certain fees on lucky 7 deals and pay them to the racing and charitable gaming commission.

V. Allows private campgrounds and hotels to conduct certain bingo games without a license.

VI. Prohibits the racing and charitable gaming commission and the lottery commission from authorizing new gambling machines or devices in the state.

Commerce  
 April 19, 2011  
 2011-1491s  
 01/04

#### Amendment to HB 419-FN

Amend RSA 412:6-b, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) "Certificate holder" means any person, other than a policyholder, who possesses a certificate of insurance and is identified as the certificate holder on the certificate.

Amend RSA 412:6-b, II(a) as inserted by section 1 of the bill by replacing it with the following:

- (a) No person shall issue a certificate of insurance that:
- (1) Does not comply with the requirements of subparagraph (b).
  - (2) Is misleading, deceptive, or encourages misrepresentation.
  - (3) Violates any law.

Amend RSA 412:6-b, II(b)(6) as inserted by section 1 of the bill by replacing it with the following:

(6) No certificate of insurance shall contain references to contracts, including construction or service contracts, other than the referenced contract of insurance, unless such reference is in relation to coverage or other requirements of the insurance contract.

Amend RSA 412:6-b, II(e) as inserted by section 1 of the bill by replacing it with the following:

- (e) An insurance producer may charge a reasonable fee for providing a certificate.

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

2 New Paragraph; Rulemaking Added. Amend RSA 412:43 by inserting after paragraph II the following new paragraph:

III. The commissioner shall adopt rules, under RSA 541-A, relative to defining a reasonable fee for providing insurance certificates and circumstances in which a fee may be charged under RSA 412:6-b.

Senate Judiciary  
 April 15, 2011  
 2011-1444s  
 04/09

#### Amendment to HB 524-FN

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

AN ACT excluding persons convicted of violent crimes and sexually violent persons from mandatory early release on probation or parole.

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

1 Parole of Prisoners; Terms of Release. Amend RSA 651-A:6, I(b) to read as follows:

(b) A prisoner convicted of a nonviolent offense ***who has not been previously convicted of a sexually violent offense as defined in RSA 135-E:2, XI, aggravated felonious sexual assault pursuant to RSA 632-A:2, felonious sexual assault pursuant to RSA 632-A:3, sexual assault pursuant to RSA 632-A:4, I(a)-(b), kidnapping pursuant to RSA 633:1, I, first degree assault pursuant to RSA 631:1, I, possession of child sexual abuse images pursuant to RSA 649-A:3, I, or distribution of child sexual abuse images pursuant to RSA 649-A:3-a, I*** shall be released on parole upon serving 120 percent of the minimum term of his or her sentence, minus any credits received pursuant to RSA 651-A:23, plus the disciplinary period added to such minimum under RSA 651:2, II-e, any part of which is not reduced for good conduct as provided in RSA 651-A:22, ***unless the parole board votes to deny such release.***

2 Parole of Prisoners; Terms of Release. Amend RSA 651-A:6, I(c) to read as follows:

(c) ~~[All prisoners who have not been previously paroled]~~ ***A prisoner who has not been previously paroled***, or who ~~[were]~~ ***was*** recommitted to prison more than one year prior to the expiration of the maxi-

maximum term of his or her sentence, shall be released on parole at least 9 months prior to the expiration of the maximum term of his or her sentence, ***unless the parole board votes to deny such release***. This provision shall not apply to any prisoner who is the subject of a pending petition for civil commitment pursuant to RSA 135-E. In the event that the prisoner is not civilly committed, he or she shall be released on parole for the remainder of his or her sentence.

3 Effect of Recommitment. Amend RSA 651-A:19 to read as follows:

651-A:19 Effect of Recommitment.

I. A prisoner who is recommitted shall serve 90 days in prison before being placed back on parole or the remainder of his or her maximum sentence, whichever is shorter, ***or may be subject to an extended term of recommitment pursuant to paragraphs III and IV***. The time between the return of the parolee to prison after arrest and revocation of parole shall be considered as time served as a portion of the maximum sentence.

II. Prisoners who are recommitted shall be ~~[housed separately in a prison housing unit that provides]~~ ***provided access to*** focused, evidence-based programming aimed at reengaging parolees in their parole plan.

***III. The parole board may impose an extended term of recommitment for greater than 90 days if:***

***(a) The prisoner has previously been recommitted for a parole violation; or***

***(b) The prisoner was on parole for a sexual offense as defined in RSA 651-B:1, V or an offense against a child as defined in RSA 651-B:1, VII; and***

***(1) The conduct underlying the parole violation is related to his or her offense or offending pattern; or***

***(2) The prisoner has displayed a combination of dynamic risk factors, including but not limited to, homelessness, loss of supports, substance abuse, or non-compliance with treatment, as determined by the department of corrections sexual offender treatment program staff; or***

***(3) Both subparagraphs (1) and (2); or***

***(c) The prisoner was on parole for a violent crime as defined in RSA 651:5, XIII; or***

***(d) The nature of the conduct underlying the parole violation constitutes a criminal act or is otherwise so serious as to warrant an extended period of recommitment.***

***IV.(a) A prisoner may be brought before the parole board at any time during the 90-day term of recommitment to determine whether a longer term is warranted if:***

***(1) The prisoner did not meaningfully participate in the evidence-based programming during the 90-day recommitment period; or***

***(2) The prisoner received one or more major disciplinary violations during the 90-day recommitment period.***

***(b) The prisoner shall be provided notice of the hearing and the basis of the parole board's consideration of an extended term.***

***V. The imposition of an extended term of recommitment pursuant to paragraph III or IV shall be supported by written findings and a written order.***

***VI. Any prisoner who is subject to an extended term of recommitment shall, upon request, be entitled to a hearing before the parole board after serving 6 months of his or her term of recommitment and every 6 months thereafter.***

***VII. At the revocation hearing, the parole board may impose a term of recommitment for less than 90 days if:***

***(a) The prisoner has not been previously recommitted for a parole violation;***

***(b) The prisoner was not on parole for a sexual offense as defined in RSA 651-B:1, V or an offense against a child as defined in RSA 651-B:1, VII;***

***(c) The prisoner was not on parole for a violent crime as defined in RSA 651:5, XIII;***

*(d) The parole violation is not substantially related to his or her offense or offending pattern; and*

*(e) The parole board determines that a lesser period of recommitment will aid in the rehabilitation of the parolee.*

4 Involuntary Civil Commitment of Sexually Violent Predators; Notice. Amend RSA 135-E:3, II to read as follows:

II. When a person who has committed a sexually violent offense is to be released from total confinement in New Hampshire, the agency with jurisdiction over the person shall give written notice to the person and the county attorney of the county where that person was last convicted of a sexually violent offense, or attorney general if the case was prosecuted by the attorney general. If the person is in custody on an out-of-state or federal sexually violent offense, the agency with jurisdiction shall give written notice to the person and the county attorney of the county where the person plans to reside upon release or, if no residence in this state is planned, the county attorney in the county where the facility from which the person to be released is located or to the attorney general if the person has been convicted of murder. Except as provided in RSA 135-E:4, the written notice shall be given at least 9 months prior to the [anticipated] **potential** release on parole pursuant to RSA 651-A:6, I(c), except that in the case of persons who are totally confined for a period of less than 9 months, written notice shall be given as soon as practicable.

5 Involuntary Civil Commitment of Sexually Violent Predators; Release From Total Confinement. Amend RSA 135-E:4, I to read as follows:

I. In the event that a person who has been convicted of a sexually violent offense is eligible for immediate release on parole pursuant to RSA 651-A:6, I(c), or upon completion of the maximum term of incarceration, the agency with jurisdiction shall provide immediate notice to the county attorney or attorney general of the person's release. The county attorney or attorney general or the agency with jurisdiction may file a petition for an emergency hearing in the superior court requesting that the person subject to immediate release be evaluated by the multidisciplinary team to determine whether the person is a sexually violent predator. The hearing shall be held within 24 hours of the filing of the petition, excluding Saturdays, Sundays, and holidays. The person shall not be released from total confinement until after the hearing has been held. At the hearing, the court shall determine whether there is probable cause to believe that the person is a sexually violent predator. If the court finds probable cause, the person shall be held in an appropriate secure facility.

6 Probationers and Parolees; Risk Assessment and Length of Supervision. Amend RSA 504-A:15, III-IV to read as follows:

III. Any person placed on probation for a felony shall be subject to active supervision for up to the first 12 months and thereafter be placed on administrative supervision unless the probationer has been designated high risk [or], has been adjudicated by the court for a violation of the conditions of probation during the first 12 months under supervision, **or was placed on probation for a felony listed as a tier II or tier III offense in RSA 651-B:1, IX and X, respectively.**

IV. Any person placed on parole for a felony shall be subject to active supervision for up to the first 18 months and thereafter be placed on administrative supervision unless the parolee has been designated high risk [or], has violated the conditions of parole during the first 18 months under supervision, **or was placed on parole for a felony listed as a tier II or tier III offense in RSA 651-B:1, IX and X, respectively.**

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

2011-1444s

#### AMENDED ANALYSIS

This bill:

I. Excludes a prisoner convicted of a violent crime or a sexually violent offense from mandatory early supervised release if the parole board votes to do so.

II. Provides the parole board with greater discretion to recommit a person who reoffends while on mandatory early supervised release.

III. Requires that an offender placed on probation or parole for conviction of a felony offense that would require registration as a sexual offender or an offender against children shall not be placed on administrative supervision.

**Senate Executive Departments and Administration**  
**April 21, 2011**  
**2011-1527s**  
**10/03**

**Amendment to HB 580-FN-LOCAL**

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

AN ACT establishing a committee to study collective bargaining by public employees.

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

1 Committee Established. There is established a committee to study collective bargaining by public employees.

2 Membership and Compensation.

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

(a) Three members of the senate, appointed by the president of the senate.

(b) Four members of the house of representatives, appointed by the speaker of the house of representatives.

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

3 Duties. The committee shall study matters as it deems necessary related to public employer collective bargaining agreements with public employees under RSA 273-A.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2011.

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

**2011-1527s**

**AMENDED ANALYSIS**

This bill establishes a committee to study collective bargaining by public employees.

**Commerce**  
**April 19, 2011**  
**2011-1493s**  
**01/04**

**Amendment to HB 601-FN**

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

1 New Subdivision; Federal Health Care Reform. Amend RSA 400-A by inserting after section 66 the following new subdivision:

**Federal Health Care Reform**

400-A:67 Purpose and Scope.

I. The intent of this subdivision is to preserve the insurance regulatory authority of the state by authorizing the commissioner to enforce the insurance reforms required under Public Law 111-152 (hereinafter "Law").

II. Further, it is the intent of this subdivision to prevent the state of New Hampshire from defaulting into federal oversight regarding the Law by not meeting certain federally-mandated time frames measuring

the progress being made of state-implemented requirements under the Law. It is not the intent of this subdivision to commit the state of New Hampshire to the full implementation of the Law, but rather to preserve the state's options regarding the implementation as each requirement arises.

III. The provisions of this subdivision shall ensure that New Hampshire residents obtain the protections and benefits provided by the Law, notwithstanding the affirmative choice of the general court of the state of New Hampshire not to participate in some or all of the Law's provisions.

#### 400-A:68 Implementation of the Law.

I. The general court shall determine any policy regarding implementation of the Law if it is determined that the state of New Hampshire is required to implement such Law. The insurance commissioner, or designee, shall develop recommendations in conjunction with the joint health insurance reform oversight committee, established in RSA 400-A:69, prior to the enforcement of the Law. In addition, any state official or agency that seeks to enforce the provisions of the Law shall develop recommendations in conjunction with the oversight committee.

II. The commissioner may, in limited circumstances, enforce provisions of the Law before consultation with the oversight committee when unforeseen circumstances or situations could cause harm to individuals or the insurance market generally, or immediate harm to the state of New Hampshire, if consultation with the oversight committee is not immediately practical, or if such administration and enforcement is a matter of the usual and customary day-to-day administrative and enforcement policies of the department generally. In such cases, the commissioner shall inform the oversight committee as soon as practical for consultation.

#### 400-A:69 Joint Health Insurance Reform Oversight Committee Established.

I. There is established a joint health insurance reform oversight committee consisting of 5 members as follows:

(a) Two members of the senate, appointed by the senate president.

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

II. The terms of the members shall be for the biennium and shall be coterminous with their membership in the general court. The committee shall elect a chairman from its membership. The committee shall meet at the call of the chairman who may call a meeting as often as necessary.

III. The committee shall provide legislative oversight, policy direction, and recommendations for legislation to implement the Law as it determines appropriate.

IV. The committee shall make a report, together with any recommendations for legislation, to the president of the senate, the speaker of the house of representatives, the chairpersons of the house and senate committees having jurisdiction over commerce issues and the house and senate committees having jurisdiction over health and human services issues by October 1, 2011 and annually thereafter.

400-A:70 Authority of the Commissioner. The commissioner shall enforce the consumer protections and market reforms as set forth in the Law that relate to insurance. This shall not include the medical assistance program under RSA 167. The commissioner, in consultation with the oversight committee established in RSA 400-A:69, shall have authority to:

I. Make, adopt, and amend rules and regulations pursuant to RSA 541-A for, or as an aid to, the administration of any provision of the Law relating to insurance;

II. Apply for any grant funds available under the Law; and

III. Adopt and apply standards consistent with the Law for form and rate review of insurance products and any other regulatory oversight functions performed by the department.

2 Contingency. RSA 420-L, relative to federal health care reform, shall be repealed upon the effective date of this act and 2010, 243:15 and 2010, 243:16 shall not take effect.

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

# HEARINGS

***MONDAY, APRIL 25, 2011***

**CAPITAL BUDGET**, Room 100, SH

Sen. Boutin (C), Sen. Sanborn (VC), Sen. Larsen, Sen. Morse, Sen. Odell, Sen. Rausch

**AGENCY PRESENTATIONS**

9:00 a.m.	Department of Administrative Services
10:00 a.m.	Department of Information Technology
11:00 a.m.	Health and Human Services
12:00 p.m.	<b>BREAK</b>
1:00 p.m.	Liquor Commission
1:30 p.m.	Department of Corrections
2:00 p.m.	Pease Development Authority, Division of Ports and Harbors
2:20 p.m.	Veterans' Home
2:40 p.m.	Adjutant General
3:00 p.m.	Department of Safety
3:20 p.m.	Department of Fish and Game

**FINANCE**, Room 103, SH

Sen. Morse (C), Sen. Odell (VC), Sen. Barnes, Sen. Bragdon, Sen. D'Allesandro, Sen. Forrester, Sen. Gallus

**AGENCY PRESENTATIONS ON THE BUDGET AS PASSED BY THE HOUSE**

8:45 a.m.	Secretary of State
9:00 a.m.	Department of Safety
10:00 a.m.	Police Standards and Training
10:30 a.m.	Fish and Game
11:00 a.m.	Department of Agriculture
11:30 a.m.	Joint Board of Licensure and Certification
12:00 p.m. to 12:45 p.m.	<b>BREAK</b>
12:45 p.m.	Human Rights Commission
1:00 p.m.	Department of Environmental Services
1:30 p.m.	Lottery Commission
2:00 p.m.	Banking Commission
2:30 p.m.	Employment Security
2:45 p.m.	Department of Resources and Economic Development
3:15 p.m.	Department of Information Technology

**EXECUTIVE SESSION MAY FOLLOW**

***TUESDAY, APRIL 26, 2011***

**COMMERCE**, Room 102, LOB

Sen. Prescott (C), Sen. White (VC), Sen. De Blois, Sen. Houde, Sen. Sanborn

9:00 a.m.	<b>HB 298</b> , requiring condominium management companies to make certain disclosures to the condominium board of directors.
9:15 a.m.	<b>HB 173</b> , relative to service of process on commercial tenants.
9:30 a.m.	<b>HB 322</b> , relative to occupancy fees charged by manufactured housing park owners.
9:45 a.m.	<b>HB 246</b> , relative to prearranged funeral contracts or burial plans.
10:00 a.m.	<b>HB 89</b> , requiring the attorney general to join the lawsuit challenging the Patient Protection and Affordable Care Act.

**EXECUTIVE SESSION MAY FOLLOW**



**EDUCATION**, Room 103, LOB

Sen. Stiles (C), Sen. Forsythe (VC), Sen. Carson, Sen. Kelly, Sen. Prescott

1:00 p.m. **HB 401**, relative to postsecondary training for workers with disabilities.1:20 p.m. **HB 216**, relative to the instructional authority of school boards.1:40 p.m. **HB 429**, permitting a child 16 years of age or older to withdraw from school with parental permission.**EXECUTIVE SESSION MAY FOLLOW****PUBLIC AND MUNICIPAL AFFAIRS**, Room 101, LOB

Sen. Barnes (C), Sen. Forrester (VC), Sen. Boutin, Sen. Merrill, Sen. Stiles

9:00 a.m. **HB 257**, relative to removal of political advertising.9:10 a.m. **HB 487-FN**, relative to election day registrants.9:30 a.m. **HB 258**, eliminating certain unenforced election laws.9:45 a.m. **HB 358**, relative to the maintenance, repair, and preservation of burial grounds.10:00 a.m. **HB 411**, relative to distributing campaign materials at the polling place.10:20 a.m. **HB 466-FN**, eliminating the ballot law commission.**EXECUTIVE SESSION MAY FOLLOW****WAYS AND MEANS**, Room 100, SH

Sen. Odell (C), Sen. Luther (VC), Sen. Boutin, Sen. D'Allesandro, Sen. Morse, Sen. Rausch

1:00 p.m. Revenue Information Briefing by the Office of Medicaid Business and Policy.

1:30 p.m. Revenue Information Briefing by the Department of Revenue Administration.

**EXECUTIVE SESSION MAY FOLLOW*****WEDNESDAY, APRIL 27, 2011*****INTERNAL AFFAIRS**, Room 100, SH

Sen. Prescott (C), Sen. Lambert (VC), Sen. Bradley, Sen. Bragdon, Sen. Larsen

1:00 p.m. **HCR 6**, requiring the Congress of the United States of America to reaffirm its adherence to the Constitution of the United States regarding international agreements and treaties.1:10 p.m. **HCR 9**, urging Congress to support H.R. 6416 or similar legislation relative to airport security.1:20 p.m. **HCR 11**, to urge the Congress of the United States to withdraw the membership of the United States from the United Nations so that the United States may retain its sovereignty and control over its own funds and military forces.1:30 p.m. **HCR 12**, urging Congress to withdraw the United States from the North American Free Trade Agreement (NAFTA) in accordance with Article 2205 of the agreement.1:40 p.m. **HCR 19**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire.**EXECUTIVE SESSION MAY FOLLOW*****THURSDAY, APRIL 28, 2011*****ENERGY AND NATURAL RESOURCES**, Room 201-203, LOB

Sen. Odell (C), Sen. Gallus (VC), Sen. Bradley, Sen. Lambert, Sen. Merrill

9:00 a.m. **HB 205-FN**, relative to notice to owners of upstream dams.9:20 a.m. **HB 468-FN**, relative to assessments for aquatic resource compensatory mitigation.10:00 a.m. **HB 519-FN**, repealing New Hampshire's regional greenhouse gas initiative cap and trade program for controlling carbon dioxide emissions.**(THE PREVIOUS HEARING FOR HB 519-FN WAS RECESSED ON APRIL 21<sup>ST</sup>)****EXECUTIVE SESSION MAY FOLLOW**

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**, Room 100, SH

Sen. Carson (C), Sen. Groen (VC), Sen. Larsen, Sen. Luther, Sen. White

9:00 a.m. **HB 30**, relative to reciprocity for licensure by the board of veterinary medicine.9:10 a.m. **HB 102**, establishing a committee to study certain issues relative to the insurance department, banking department, and bureau of securities regulation of the office of the secretary of state.9:20 a.m. **HB 178**, establishing a committee to study issues regarding Financial Resources Mortgage, Inc.**EXECUTIVE SESSION MAY FOLLOW****FINANCE**, Room 103, SH

Sen. Morse (C), Sen. Odell (VC), Sen. Barnes, Sen. Bragdon, Sen. D'Allesandro, Sen. Forrester, Sen. Gallus

1:00 p.m. **HB 337-FN-L**, relative to the calculation and distribution of adequate education grants.1:30 p.m. **HB 438-FN-A**, relative to funding of the Claremont, Colebrook, Milford, Keene, and Plaistow District Courts.2:00 p.m. **HB 635-FN-A**, requiring the governor to consolidate certain agency functions and making an appropriation therefor.2:30 p.m. **HB 74**, relative to the ticketing and season passes at Cannon Mountain.**EXECUTIVE SESSION MAY FOLLOW****HEALTH AND HUMAN SERVICES**, Room 102, LOB

Sen. Bradley (C), Sen. De Blois (VC), Sen. Kelly, Sen. Lambert, Sen. Sanborn

1:00 p.m. **HB 168**, establishing a committee to study the juvenile delinquency and child in need of services statutes.1:15 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****JUDICIARY**, Room 101, LOB

Sen. Houde (C), Sen. Carson (VC), Sen. Groen, Sen. Luther

1:00 p.m. **HB 614**, requiring a performance audit of the guardian ad litem board and guardian ad litem services.1:15 p.m. **HB 634-FN**, relative to payment of guardian ad litem and mediator fees in marital cases where the parties are indigent.1:30 p.m. **HB 490-FN**, adopting the interstate compact for juveniles.1:45 p.m. **HB 597**, revising the child support guidelines based on an income shares model of calculating child support.2:00 p.m. **HB 225-FN**, relative to the return of personal property confiscated by law enforcement agencies from a person charged with a crime.**EXECUTIVE SESSION MAY FOLLOW****TRANSPORTATION**, Room 103, LOB

Sen. Rausch (C), Sen. Boutin (VC), Sen. Forsythe, Sen. Kelly, Sen. Stiles

9:30 a.m. **HB 374**, banning corn-based ethanol as an additive to gasoline sold in New Hampshire.**EXECUTIVE SESSION MAY FOLLOW*****FRIDAY, APRIL 29, 2011*****CAPITAL BUDGET**, Room 100, SH

Sen. Boutin (C), Sen. Sanborn (VC), Sen. Larsen, Sen. Morse, Sen. Odell, Sen. Rausch

**AGENCY PRESENTATIONS**

9:00 a.m. Department of Transportation

10:00 a.m. Department of Resources and Economic Development

11:00 a.m. Department of Environmental Services  
 11:30 a.m. Department of Employment Security  
 12:00 p.m. **BREAK**  
 1:00 p.m. Community College System of NH  
 2:00 p.m. University System of NH  
 2:30 p.m. Department of Education  
 3:00 p.m. McAuliffe-Shepard Discovery Center

**FINANCE**, Room 103, SH

Sen. Morse (C), Sen. Odell (VC), Sen. Barnes, Sen. Bragdon, Sen. D'Allesandro, Sen. Forrester, Sen. Gallus

**AGENCY PRESENTATIONS**

9:00 a.m. Department of Health and Human Services  
 10:30 a.m. Department of Education  
 12:00 p.m. to 1:00 p.m. **BREAK**  
 1:00 p.m. Department of Administrative Services  
**EXECUTIVE SESSION MAY FOLLOW**

***TUESDAY, MAY 3, 2011***

**EDUCATION**, Room 103, LOB

Sen. Stiles (C), Sen. Forsythe (VC), Sen. Carson, Sen. Kelly, Sen. Prescott

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

***THURSDAY, MAY 5, 2011***

**CAPITAL BUDGET**, Room 100, SH

Sen. Boutin (C), Sen. Sanborn (VC), Sen. Larsen, Sen. Morse, Sen. Odell, Sen. Rausch

3:00 p.m. **HB 25-FN-A**, making appropriations for capital improvements.  
**EXECUTIVE SESSION MAY FOLLOW**

**MEETINGS**

***FRIDAY, APRIL 22, 2011***

**ASSESSING STANDARDS BOARD** (RSA 21-J:14-a)

9:00 a.m. Room 301, LOB Regular Meeting

**NEW HAMPSHIRE RAIL TRANSIT AUTHORITY** (RSA 238-A:2)

10:00 a.m. Room 201, LOB Regular Meeting

**NH-CANADIAN TRADE COUNCIL** (RSA 12-A:2-g)

1:00 p.m. Upham Walker House Conference Room Organizational Meeting  
 Concord, NH

***MONDAY, APRIL 25, 2011***

**OIL FUND DISBURSEMENT BOARD** (RSA 146-D:4)

9:00 a.m. Room 305, LOB Regular Meeting

**COMMISSION ON HEALTH CARE COST CONTAINMENT** (RSA 21-S:2)

9:30 a.m. Room 307, LOB Regular Meeting

**JOINT LEGISLATIVE HISTORICAL COMMITTEE** (RSA 17-I:1)

10:00 a.m. Room 208, LOB Regular Meeting

***TUESDAY, APRIL 26, 2011***

**COMMITTEE TO STUDY THE 2009 NEW HAMPSHIRE CHILD SUPPORT GUIDELINES REVIEW AND RECOMMENDATIONS (HB 1193, Chapter 26:2, Laws of 2010)**

9:00 a.m.                      Room 206, LOB                      Organizational Meeting

***THURSDAY, APRIL 28, 2011***

**JOINT COMMITTEE ON EMPLOYEE CLASSIFICATION (RSA 14:14-C)**

10:00 a.m.                      Room 209, LOB                      Regular Meeting

***FRIDAY, APRIL 29, 2011***

**WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62)**

9:00 a.m.                      Rooms 305-307, LOB                      Regular Meeting

**TASK FORCE ON STATE PROCUREMENT POLICIES AND PROCEDURES (RSA 21-T)**

9:00 a.m.                      DOT, John D. Morton Building                      Subcommittee Work Session  
    Commissioner's Conference Room 185  
    7 Hazen Drive  
    Concord, NH

***MONDAY, MAY 2, 2011***

**FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)**

10:00 a.m.                      Rooms 201-211, LOB                      Regular Business

**COMMISSION TO STUDY BUSINESS TAXES (RSA 77-F)**

1:00 p.m.                      Room 202, LOB                      Regular Meeting

**TASK FORCE ON WORK AND FAMILY (RSA 276-B)**

1:15 p.m.                      Room 206, LOB                      Regular Meeting

***FRIDAY, MAY 6, 2011***

**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.                      Rooms 305-307, LOB                      Continued Meeting

***TUESDAY, MAY 10, 2011***

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)**

3:00 p.m.                      Room 201, LOB                      Regular Meeting

***FRIDAY, MAY 13, 2011***

**STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)**

9:30 a.m.                      Room 101, LOB                      Regular Meeting

**NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q)**

1:30 p.m.                      Room 205, LOB                      Regular Meeting

***MONDAY, MAY 16, 2011***

**NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2)**

10:00 a.m.                      NH Higher Education                      Regular Meeting  
    Assistance Foundation  
    4 Barrell Court  
    Concord, NH

## ***FRIDAY, MAY 20, 2011***

### **JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.                      Rooms 205-207, LOB                      Regular Meeting

### **GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

12:00 p.m.                      Room 102, LOB                      Regular Meeting

## ***MONDAY, MAY 23, 2011***

### **INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)**

9:00 a.m.                      Room 101, LOB                      Regular Meeting

### **ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21)**

3:00 p.m.                      Room 101, LOB                      Regular Meeting

## ***THURSDAY, MAY 26, 2011***

### **HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

1:30 p.m.                      Room 205, LOB                      Medical Sharps Subcommittee Meeting

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### **ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2011 BILLS:**

SENATE BILLS: 165, 174

HOUSE BILLS: 288

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### **FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2011 BILLS:**

SENATE BILLS: 1, 3, 12, 20, 21, 22, 35, 53, 56, 58, 70, 71, 72, 74, 76, 81, 82, 83, 106, 128, 129, 130, 131, 132, 133, 136, 138, 139, 142, 145, 147, 148, 152, 154, 155, 156, 157, 159, 160, 163, 165, 168, 170, 183, 185, 186, 188

HOUSE BILLS: 26, 35, 186, 205, 206, 229, 231, 284, 289, 299, 330, 337, 411, 419, 444, 468, 488, 528, 542, 557, 571, 601, 609, 621

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## **NOTICES**

In an effort to help Senate committee hearings run more efficiently, please note that if you have materials for distribution at a hearing bring with you enough copies for each of the Senators on the committee as well as two additional copies for the committee staff. If you wish to have copies available for members of the public please provide those as well. Thank you for your help and assistance.

Peter Bragdon, Senate President

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Topics Needed for Performance Audit: The Joint Legislative Performance Audit and Oversight Committee (RSA 17-N) seeks input from House and Senate members for potential performance audit topics. LBA audit division is currently completing audits of the Division of State Police Forensic Laboratory and the self-funded State Employees Health Benefit Program. House and Senate members are encouraged to submit potential

audit topics to Committee Chairman Senator Peter Bragdon or Committee Clerk Representative John Reagan. Subjects for performance audit should be focused on the member's perception of the problem they wish audited. Performance audits determine the degree with which the program fulfills the intent of the enabling legislation. For more information visit <http://www.gencourt.state.nh.us/lba>.

Peter Bragdon, Senate President

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## **MONDAY, APRIL 25, 2011 THROUGH SATURDAY, APRIL 30, 2011**

University of New Hampshire Undergraduate Research Conference

The University of New Hampshire Undergraduate Research Conference (URC), entering its 12<sup>th</sup> year in 2011, is a celebration of academic excellence. At the weeklong symposium, over 900 UNH undergraduate students from all academic disciplines present the results of their scholarly and creative research in venues on the Durham and Manchester campuses, making the UNH URC one of the largest conferences of its kind in the country. The majority of URC events are scheduled during the week of April 25<sup>th</sup> through April 30<sup>th</sup>, 2011. All events are free and open to the public; no registration is necessary to attend events. For a schedule of URC events please visit: <http://www.unh.edu/urc/events.html>

Senator Amanda Merrill

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## **TUESDAY, APRIL 26, 2011**

Senators are invited to meet with NH military veterans from Operation Free for an informational breakfast on the relationship between oil dependence, climate change, and national security. The breakfast will take place Tuesday, April 26, 2011, 8:00 a.m. to 10:00 a.m., in the State House cafeteria. Please contact Brendan Flynn at [Brendan@trumanproject.org](mailto:Brendan@trumanproject.org) or at 814-580-8410 for more information.

Senator Amanda Merrill

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## **WEDNESDAY, APRIL 27, 2011**

Representative Peter Ramsey, Director and CEO of the Palace Theatre in Manchester, has graciously invited all members of the House, Senate, and staff (and one guest each) to the dress rehearsal performance of the popular Broadway musical, "Hairspray". This complimentary performance will be Wednesday, April 27<sup>th</sup>, 2011 at 7:00 p.m. at the Palace Theatre on 80 Hanover Street. A cash bar and refreshments will be available at intermission. We look forward to seeing you at the Palace!

Senator David R. Boutin

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## **WEDNESDAY, APRIL 27, 2011**

All legislators and staff are cordially invited to join members of the New Hampshire Automobile Dealers Association (NHADA) for a Legislative Reception on Wednesday, April 27<sup>th</sup> at 1:00 p.m. at the Grappone Conference Center – Marriott Courtyard, 70 Constitution Avenue, Concord. NHADA has historically hosted this event which offers legislators a wonderful opportunity to unwind and enjoy the company of fellow legislators and staff in a fun, social gathering. This year in particular we want to recognize all of you for your support of New Hampshire automotive members and their 13,000 employees.

Peter Bragdon, Senate President  
Senator Sylvia B. Larsen, Senate Minority Leader

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### WEDNESDAY, APRIL 27, 2011

“Banding Together for Oral Health.” Please join the NH Oral Health Coalition for breakfast and local NH program displays on the State House Plaza Wednesday, April 27<sup>th</sup> from 7:30 a.m. to 9:00 a.m. Opening remarks will be at 8:00 a.m.; a hot and savory breakfast will be served starting at 7:30 a.m. and will be provided by Elizabeth’s at the State House and Madeleines-Elegance Defined.

Senator Sylvia B. Larsen, Senate Minority Leader

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### SUNDAY, MAY 1, 2011

Join the American Lung Association of New England’s Annual *Cycle the Seacoast* on Sunday, May 1, 2011. *Cycle the Seacoast* is a one-day multi-route cycling event that travels along the beautiful seacoast in Portsmouth, NH. Choose your challenge with a 25, 50 or 100 mile route option. You will experience panoramic views of the Atlantic Ocean while enjoying the quaint, historic homes and villages that only New England has to offer. All ages and experience levels are welcome. Fundraising minimum of \$250 required (\$125 for ages 7-17). For additional information, contact Gale Auclair - [gauclair@lungne.org](mailto:gauclair@lungne.org) or 207-624-0302 or to register, visit [biketreknnewengland.org](http://biketreknnewengland.org)

Senator Jeb Bradley, Senate Majority Leader

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### MONDAY, MAY 2, 2011

A forum on medical amnesty will be held at UNH on Monday, May 2<sup>nd</sup>, 7:00 p.m. to 9:00 p.m. in the MUB Theater 2. It is sponsored by the student council and members of the Legislative Youth Advisory Council are participating, also. Medical amnesty is a policy regarding calling for help when a student is in medical trouble due to excessive drinking or drug use. The youth council will be gathering information in their capacity of advising the Legislature on issues of concern to youth. For more information, contact Rep. Carolyn Gargas, 465-7463, [cgargas@cs.com](mailto:cgargas@cs.com).

Senator Molly M. Kelly

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### MONDAY, MAY 9, 2011

The Officers and Directors of Gun Owners of New Hampshire, Inc. are pleased to invite all Representatives, Senators, and their staff to the annual Legislative Firearms Orientation Day on Monday, May 9, 2011. This is an all-day (approximately 10:00 a.m. until 3:00 p.m.) event with an ongoing picnic lunch including desert. GO-NH, Inc. is very active in the education, training, and promotion of the shooting sports. GO-NH has sponsored a legislative shoot for many years, and each year a different club acts as a host.

This year, Pemigewassett Valley Fish and Game, Inc., 295 Beede Road, in Holderness has graciously agreed to host this event and provide a picnic lunch and snacks. Hundreds of volunteer hours are spent preparing for and participating in this worthwhile event. You will have the opportunity to actively participate (shoot!) and learn about firearms, muzzle-loading rifles, modern rifles, pistols, shotguns, and Title II or “Class III” items. A Cowboy Action demonstration, Captain Morrill’s Company and their cannons, and Roland Huber with his elephant gun are just a few of the many interesting special events planned. All in all, the day is intended to be a relaxing informative event centered on shooting and the shooting sports.

Firearm instructors and range officers in a variety of disciplines will be there to assist you, and as usual and expected, safe firearm practices and procedures will be in place. We will provide shooting and safety instruction, ammunition, targets, eye and ear protection, and loaner firearms; only your presence is requested!

We hope that you will attend and share an informative and pleasant day with us, and that you will bring your family and staff members with you. We are looking forward to seeing you there!

Senator Bob Odell

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**FRIDAY, MAY 20, 2011**

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Committee cordially invites you to the 19<sup>th</sup> Annual New Hampshire Law Enforcement Officers Memorial Ceremony. The Ceremony will be held on Friday, May 20, 2011, beginning promptly at 10:00 a.m., on the memorial site in front of the Legislative Office Building. The Ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please do not hesitate to contact either Timothy J. Acerno of Fish and Game at 603-271-3128 or Chief Michael Greeley of the Deerfield Department at 603-464-7258 if you have any questions.

Peter Bragdon, Senate President

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**TUESDAY, MAY 24, 2011**

All Legislators are cordially invited to join the New Hampshire Association of Regional Planning Commissions for breakfast on Tuesday, May 24<sup>th</sup>, from 8:00 a.m. to 10:00 a.m. in the State House cafeteria. Come and meet the staff and learn about the Regional Planning Commission in your district.

Senator Jeb Bradley, Senate Majority Leader

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**SENATE SCHEDULE**

Thursday, May 05, 2011	Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-3 (b).
Monday, May 30, 2011	Memorial Day (State Holiday)
Thursday, June 02, 2011	Last Day to ACT on all House bills.
Wednesday, June 08, 2011	Last Day to FORM Committees of Conference.
Thursday, June 16, 2011 at 12:00 p.m.	Last Day to SIGN Committee of Conference Reports.
Thursday, June 23, 2011	Last Day to ACT on Committee of Conference Reports.
Monday, July 4, 2011	Fourth of July (State Holiday)
Monday, September 5, 2011	Labor Day (State Holiday)
Friday, November 11, 2011	Veterans' Day (State Holiday)
Thursday, November 24, 2011	Thanksgiving Day (State Holiday)
Friday, November 25, 2011	Day after Thanksgiving (State Holiday)
Monday, December 26, 2011	Christmas Day (State Holiday)

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***VISITORS' CENTER SCHEDULE – APRIL & MAY*****State House Visitation Schedule**

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in 2011. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes.

Please contact the Visitors' Center concerning school tour booking information. Legislators planning to meet with students should notify the Visitors' Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director  
Deborah Rivers, Public Information Administrator



<b>DATE</b>	<b>TIME</b>	<b>GROUP</b>	<b>Group#/Grade</b>
April 25	11:30	The Huntington at Nashua	14/SRS
April 26	9:30/11:00 SH/HM	Henry Wilson Memorial School – Farmington	110/4
April 26	1:30	NH Association of Volunteer Administrators (Rep. Gargas)	20
April 27	9:00	The Well School – Peterborough	15/4
April 27	10:00	The Fuller School – Keene	54/4
April 27	11:00	Paul Elementary School – Wakefield	38/4
April 27	1:00	Carroll County Home School – Rep. Scala's group	
April 28	10:00/11:15 SH/HM	Horne St. School – Dover	80/4
April 28	1:30	Troop 3 Raymond Boy Scouts	10
April 29	9:30/11:00 SH/HM	Jaffrey Grade School	80/4
April 29	10:30	Madison Elementary School	22/4
April 29	10:30	Dublin Christian Academy	7/3
May 3	9:45	Lancaster Elementary School	49/4
May 4	9:30	Campton Elementary School	40/4
May 4	10:30	Nashua Christian School	11/4
May 4	10:30	Sarah Porter School – Langdon	15/4
May 4	11:30	Bow High School	21/HS
May 5	9:00	Ashland Elementary School	40/4&6
May 5	10:00/11:15 SH/F&G	McClelland Elementary School – Rochester	84/4
May 6	9:00	Ed Fenn School – Gorham	33/4
May 6	10:00	Antrim Elementary School	22/4
May 6	10:00	Pierce School @ Bennington	15/4
May 6	11:15	St. Joseph's School – Keene	11/4
May 6	1:30	Rep. Williams Seniors	12/Srs
May 9	10:00/11:30 SH/HM	Mastway Elementary School – Lee	60/4
May 10	9:00	Bristol Elementary School	35/4
May 10	10:30	Bridgewater – Hebron School	23/4
May 11	9:45/11:00 SH/HM	Danville Elementary School	60/3
May 11	11:30	Simonds Elementary School – Warner	26/4
May 12	8:45	NHSCPA Young Professionals Leadership Class – Manchester	20
May 12	10:00/11:30 SH/HM	DJ Bakie School – Kingston	90/4
May 12	2:30	IREM	Adults
May 13	9:00	Salem Christian School	11/4
May 13	9:45	Ray School – Hanover	45/4
May 13	10:30/12:00 SH/HM	Hillsboro-Deering Elementary School	90/4
May 16	10:00	Gilmanton Elementary School	42/4
May 16	11:45	Pittsfield Elementary School	56/4
May 17	8:45	Deerfield Community School	45/4
May 17	10:30/12:00 SH/Manse	Peterborough Elementary School	80/4
May 18	9:30	Gossler Park School – Manchester	50/4
May 18	10:30	Mont Vernon Village School	37/4
May 18	11:00	Jewett Street School – Manchester	57/4
May 18	1:30	Immaculate Conception Apostolic School – Meredith	20
May 19	9:30/11:00 SH/HM	Highland Goffes Falls School	95/4
May 19	12:00	Wheelock Elementary School – Keene	23/4
May 20	9:45	Ray School – Hanover	45/4
May 20	10:30/12:00 SH/SC	Memorial School – Newton	60/4
May 23	10:00	Maple Ave School – Claremont	55/4
May 23	11:30	Sacred Heart School – Hampton	28/4
May 23	12:30	Conway Elementary School	35/4

<b><i>DATE</i></b>	<b><i>TIME</i></b>	<b><i>GROUP</i></b>	<b><i>Group#/Grade</i></b>
May 23	2:00	Villa Crest Nursing Home – Manchester	14/Srs
May 24	9:00	Merrimack Middle School	50/8
May 24	9:00	Florence Ride Out School	45/4
May 25	10:00/11:30 SH/HM	Wm. Barron School – Salem	82/4
May 25	12:30	Russell Elementary School – Rumney	25/4
May 26	9:00	Merrimack Middle School	50/8
May 26	10:00	Newfields Elementary School	32/4
May 26	12:00	St. Elizabeth Seton School – Rochester	22/4
May 27	10:00	Lin-Wood School – Lincoln	32/4
May 27	11:00	New Hampton School	26/4
May 27	12:30	Holderness Central School	22/4
May 31	9:00	Hollis Brookline High School	46/HS
May 31	9:45/11:00 SH/HM	Richards School – Newport	80/4