

May 5, 2011
No. 23

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



**First Year of the 162nd Session of the
New Hampshire General Court
Legislative**

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON
WEDNESDAY, MAY 11, 2011, AT 10:00 A.M.**

L Aid 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 89, requiring the attorney general to join the lawsuit challenging the Patient Protection and Affordable Care Act. 5/4/11, pending motion Committee Amendment (1585s), Commerce, SJ 15, pg. TBA

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 156-FN-A, reducing the rates of the tobacco tax. 4/27/11, pending motion Inexpedient to Legislate, Ways and Means, SJ 14, pg. 281

HB 335-FN-A, establishing multi-use number plates. 5/4/11, pending motion Committee Amendment (1658s), Transportation, SJ 15, pg. TBA

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. 4/27/11, pending motion Committee Amendment (1490s), Ways and Means, SJ 14, pg. 287

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 451-FN, relative to prerecorded political messages. 4/20/11, pending motion Ought to Pass, Public and Municipal Affairs, SJ 13, pg. 267

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**

HB 650-FN-L, authorizing a school district to call a special meeting in the event of changes in the amount of state education funding. **5/4/11, pending motion Committee Amendment (1607s), Education, SJ 15, pg. TBA**

REPORTS

COMMERCE

HB 276-FN, relative to wine manufacturers.

Ought to Pass, Vote 5-0.

Senator De Blois for the committee.

HB 291, relative to permissible fireworks.

Ought to Pass, Vote 5-0.

Senator Prescott for the committee.

HB 317, relative to fire warning devices and carbon monoxide detection devices in dwellings.

Ought to Pass, Vote 5-0.

Senator De Blois for the committee.

HB 605, authorizing the business finance authority to establish a New Hampshire innovation business job growth program.

Ought to Pass with Amendment, Vote 5-0.

Senator Sanborn for the committee.

HB 617, repealing the prohibitions on Sunday business activities.

Ought to Pass with Amendment, Vote 3-2.

Senator De Blois for the committee.

EDUCATION

HB 290, relative to staffing exceptions for small schools.

Inexpedient to Legislate, Vote 4-1.

Senator Carson for the committee.

ENERGY AND NATURAL RESOURCES

HB 205-FN, relative to notice to owners of upstream dams.

Ought to Pass with Amendment, Vote 5-0.

Senator Gallus for the committee.

HB 468-FN, relative to assessments for aquatic resource compensatory mitigation.

Ought to Pass with Amendment, Vote 4-1.

Senator Merrill for the committee.

HB 519-FN, repealing New Hampshire's regional greenhouse gas initiative cap and trade program for controlling carbon dioxide emissions.

Inexpedient to Legislate, Vote 3-2.

Senator Lambert for the committee.

HB 651, allowing the sale and possession of monk parakeets.

Ought to Pass, Vote 5-0.

Senator Lambert for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 211, relative to the review and approval of proposed agency rules under the administrative procedures act.

Ought to Pass, Vote 5-0.

Senator Groen for the committee.

HB 299-FN, relative to the method of financing for the judicial retirement plan.

Ought to Pass with Amendment, Vote 5-0.

Senator White for the committee.

HB 413, directing the joint legislative oversight committee on the emergency management system to review the duties of certain other committees.

Ought to Pass, Vote 5-0.

Senator Larsen for the committee.

HB 450, relative to the regulatory authority of the board of barbering, cosmetology, and esthetics.

Inexpedient to Legislate, Vote 5-0.

Senator Luther for the committee.

HB 462-FN, relative to the determination of employer assessments for excess benefits paid by employers in the retirement system.

Ought to Pass with Amendment, Vote 4-0.

Senator Groen for the committee.

FINANCE

HB 113, prohibiting the use of state funds for New Hampshire public television.

Inexpedient to Legislate, Vote 4-3.

Senator D'Allesandro for the committee.

HEALTH AND HUMAN SERVICES

HB 442-FN, relative to the use of marijuana for medicinal purposes.

Ought to Pass with Amendment, Vote 3-2.

Senator Kelly for the committee.

HB 479-FN, relative to receivership of nursing homes and other residential health care facilities.

Re-refer to committee, Vote 5-0.

Senator Sanborn for the committee.

INTERNAL AFFAIRS

HB 114, reinstating and expanding the duties of the joint legislative historical committee.

Ought to Pass, Vote 5-0.

Senator Lambert for the committee.

HB 160, relative to the powers of the joint committee on legislative facilities.

Inexpedient to Legislate, Vote 3-2.

Senator Prescott for the committee.

HB 190, relative to legislative study committees.

Ought to Pass with Amendment, Vote 5-0.

Senator Lambert for the committee.

JUDICIARY

HB 52, relative to grounds for modification of parental rights and responsibilities.

Ought to Pass with Amendment, Vote 4-0.

Senator Luther for the committee.

HB 131, relative to indemnification of volunteers performing duties in the state park system.

Ought to Pass with Amendment, Vote 4-0.

Senator Carson for the committee.

HB 174, relative to insurance coverage for court-ordered counseling in divorce proceedings.

Ought to Pass, Vote 4-0.

Senator Groen for the committee.

HB 210-FN, relative to the use of deadly force to protect oneself.

Ought to Pass with Amendment, Vote 3-1.

Senator Luther for the committee.

HB 225-FN, relative to the return of personal property confiscated by law enforcement agencies from a person charged with a crime.

Re-refer to committee, Vote 4-0.

Senator Carson for the committee.

HB 313, requiring parental consent for court referral of a minor to a juvenile diversion program.
Ought to Pass, Vote 4-0.
Senator Luther for the committee.

HB 330-FN, relative to carrying firearms.
Re-refer to committee, Vote 4-0.
Senator Groen for the committee.

HB 378-FN, inserting an exception to the criminal threatening statute, relative to the minimum mandatory sentence for a felony conviction involving the possession, use, or attempted use of a firearm, and relative to the definition of “non-deadly” force.
Re-refer to committee, Vote 3-1.
Senator Groen for the committee.

HB 478-FN, relative to testimony by video teleconference.
Ought to Pass with Amendment, Vote 4-0.
Senator Houde for the committee.

HB 490-FN, adopting the interstate compact for juveniles.
Ought to Pass, Vote 4-0.
Senator Groen for the committee.

HB 532-L, relative to municipal liability for dog bites.
Ought to Pass, Vote 4-0.
Senator Carson for the committee.

HB 544, relative to state authority over firearms and ammunition.
Ought to Pass with Amendment, Vote 4-0.
Senator Carson for the committee.

HB 614, requiring a performance audit of the guardian ad litem board and guardian ad litem services.
Ought to Pass, Vote 3-1.
Senator Groen for the committee.

HB 634-FN, relative to payment of guardian ad litem and mediator fees in marital cases where the parties are indigent.
Ought to Pass with Amendment, Vote 4-0.
Senator Houde for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

HB 61, relative to daylight saving time.
Ought to Pass, Vote 5-0.
Senator Merrill for the committee.

HB 109, relative to residential fire sprinklers.
Ought to Pass with Amendment, Vote 4-1.
Senator Barnes for the committee.

HB 257, relative to removal of political advertising.
Inexpedient to Legislate, Vote 5-0.
Senator Barnes for the committee.

HB 398, relative to service animals.
Ought to Pass, Vote 5-0.
Senator Boutin for the committee.

HB 487-FN, relative to election day registrants.
Ought to Pass with Amendment, Vote 4-1.
Senator Stiles for the committee.

HB 521, relative to meeting dates for county conventions.
Ought to Pass, Vote 4-0.
Senator Forrester for the committee.

TRANSPORTATION

HB 218, repealing the New Hampshire rail transit authority.

Ought to Pass with Amendment, Vote 4-1.

Senator Boutin for the committee.

WAYS AND MEANS

HB 557-FN-A, relative to the standards and burden of proof with respect to the business profits tax deduction for reasonable compensation attributable to owners of partnerships, limited liability companies, and sole proprietorships.

Ought to Pass with Amendment, Vote 4-0.

Senator Luther for the committee.

AMENDMENTS**Senate Judiciary**

April 29, 2011

2011-1678s

05/04

Amendment to HB 52

Amend the bill by replacing section 3 with the following:

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

Public and Municipal Affairs

May 4, 2011

2011-1749s

05/10

Amendment to HB 109

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

1 New Paragraph; Local Land Use; Subdivision Regulations. Amend RSA 674:36 by inserting after paragraph III the following new paragraph:

IV. The planning board shall not require, or adopt any regulation requiring, the installation of a fire suppression sprinkler system in proposed one- or 2-family residences as a condition of approval for a local permit. Nothing in this paragraph shall prohibit a duly adopted regulation mandating a cistern, dry hydrant, fire pond, or other credible water source other than a fire suppression sprinkler system.

2 Effective Date. This act shall take effect July 1, 2011.

Senate Judiciary

May 5, 2011

2011-1782s

04/10

Amendment to HB 131

Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.

2011-1782s

AMENDED ANALYSIS

This bill amends the statute governing indemnification of volunteers under the supervision of department of resources and economic development personnel.

Internal Affairs

May 4, 2011

2011-1759s

04/01

Amendment to HB 190

Amend RSA 14:49, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The membership of any study committee established by the general court shall be limited to members of the general court only.

Energy and Natural Resources
 May 5, 2011
 2011-1770s
 03/05

Amendment to HB 205-FN

Amend the bill by replacing section 2 with the following:

2 Board's Procedure on Plats; Notice to Upstream Dam Owners. Amend RSA 676:4, I(d) to read as follows:

(d)(1) Notice to the applicant, holders of conservation, preservation, or agricultural preservation restrictions, abutters, ~~[upstream dam owners, the department of environmental services dam bureau,]~~ and the public shall be given as follows: The planning board shall notify the abutters, the applicant, holders of conservation, preservation, or agricultural preservation restrictions, and every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the board by certified mail of the date upon which the application will be formally submitted to the board. ~~[For those proposals near rivers and streams and downstream of a dam, the planning board shall also notify the owners of the upstream dam and the department of environmental services dam bureau by certified mail.]~~ Notice shall be mailed at least 10 days prior to submission. Notice to the general public shall also be given at the same time by posting or publication as required by the subdivision regulations. The notice shall include a general description of the proposal which is the subject of the application and shall identify the applicant and the location of the proposal. For any public hearing on the application, the same notice as required for notice of submission of the application shall be given. If notice of public hearing has been included in the notice of submission or any prior notice, additional notice of that hearing is not required nor shall additional notice be required of an adjourned session of a hearing with proper notice if the date, time, and place of the adjourned session was made known at the prior hearing. All costs of notice, whether mailed, posted, or published, shall be paid in advance by the applicant. Failure to pay such costs shall constitute valid grounds for the planning board to terminate further consideration and to disapprove the plat without a public hearing.

(2) For those proposals in which any structure or proposed building site will be within 500 feet of the top of the bank of any lake, pond, river, or stream, the planning board shall also notify the department of environmental services by first class mail at the same time that notice is provided to abutters, cost to be paid in advance by the applicant consistent with subparagraph (d)(1). The sole purpose of notification to the department shall be to provide information to the department for dam hazard classification. This requirement shall not confer upon the department the status of an abutter. Failure by the municipality to notify the department shall not be considered a defect of notice.

Senate Judiciary
 May 5, 2011
 2011-1780s
 04/05

Amendment to HB 210-FN

Amend the bill by replacing section 1 with the following:

1 Physical Force in Defense of a Person. Amend RSA 627:4, III to read as follows:

III. A person is not justified in using deadly force on another to defend himself, ***herself***, or a third person from deadly force by the other if he ***or she*** knows that he ***or she*** and the third person can, with complete safety:

(a) Retreat from the encounter, except that he ***or she*** is not required to retreat if he ***or she*** is within his ***or her*** dwelling [or], its curtilage, ***or in any place where he or she has a right to be***, and was not the initial aggressor; or

(b) Surrender property to a person asserting a claim of right thereto; or

(c) Comply with a demand that he ***or she*** abstain from performing an act which he ***or she*** is not obliged to perform; nor is the use of deadly force justifiable when, with the purpose of causing death or serious bodily harm, the actor has provoked the use of force against himself ***or herself*** in the same encounter.

(d) If he ***or she*** is a law enforcement officer or a private person assisting [him] ***a law enforcement officer*** at [his] ***the law enforcement officer's*** direction and was acting pursuant to RSA 627:5, he ***or she*** need not retreat.

2011-1780s

AMENDED ANALYSIS

This bill allows a person who is in any place where he or she has a right to be to use deadly force to protect oneself or a third person.

Senate Transportation**May 5, 2011****2011-1773s****05/10****Amendment to HB 218**

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

AN ACT relative to the New Hampshire rail transit authority.

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

1 New Hampshire Rail Transit Authority; Authority Established. Amend RSA 238-A:2 to read as follows:

238-A:2 Authority Established; Duties. There is hereby established the New Hampshire rail transit authority for the ~~[general]~~ purpose of ***studying cost-benefit analyses of*** developing ~~[and providing]~~ commuter rail or other similar forms of passenger rail service. The authority shall be an administratively attached agency, pursuant to RSA 21-G:10, to the department of transportation.

2 Membership. Amend RSA 238-A:4, I(h) to read as follows:

(h) Four members appointed by the governor, one of whom resides in the ~~[service]~~ ***study*** area of the authority as established in RSA 238-A:5, I, 2 of whom are recognized as experts in railroad matters, and one public member.

3 Study Areas of the Authority. Amend RSA 238-A:5 to read as follows:

238-A:5 ~~[Service Area]~~ ***Study Areas*** of the Authority.

I. The ~~[service area]~~ ***study areas*** of the authority shall include any town or city in the state of New Hampshire through which commuter rail or other similar forms of passenger rail service ~~[operates or]~~ may operate.

II. The board of directors shall determine when to expand the ~~[service area]~~ ***study areas*** of the authority. Upon approval of a resolution to expand the ~~[service area]~~ ***study areas*** of the authority, after a properly noticed public hearing, the board of directors shall notify eligible cities, towns, or regional planning commissions of the determination to expand the ~~[service area]~~ ***study areas*** of the authority. A city, town, or regional planning commission may petition the authority to support the development and establishment of commuter rail and related public transportation services within its jurisdiction. The board of directors shall have sole discretion to accept or reject any such petition. When considering an expansion of the ~~[service area]~~ ***study areas*** of the authority the board of directors shall consider support for the proposed passenger or commuter rail project by affected towns, cities, and regional planning commissions, and the completion of an alternatives analysis or major investment study.

III. When the ~~[service area]~~ ***study areas*** of the authority ~~[is]~~ ***are*** expanded as identified in ~~[RSA 238-A:5;]~~ ***paragraph II***, new members will be added to the board of directors as follows:

(a) One designee for each town or city added to the ~~[service area]~~ ***study areas*** that is not represented on the board of directors.

(b) One designee for each regional planning commission added to the ~~[service area]~~ ***study areas*** that is not represented on the board of directors.

4 Powers. Amend RSA 238-A:8, XIII to read as follows:

XIII. Conduct or cause to be conducted any studies that the authority determines necessary ***pursuant to RSA 238-A:2.***

5 Expenses and Obligations. Amend RSA 238-A:11 to read as follows:

238-A:11 Expenses and Obligations. All expenses incurred in carrying out this chapter shall be paid solely from funds provided to or obtained by the authority under this chapter. ~~[Any notes, obligations, or liabilities]~~

~~under this chapter shall not be deemed to be a debt of the state or a pledge of the faith and credit of the state; but those notes, obligations, and liabilities are payable exclusively from funds provided to or obtained by the authority under this chapter. The records and correspondence relating to negotiations, trade secrets received by the authority, and estimates of costs on projects to be put out to bid are confidential.]~~

6 New Section; Limitation of Authority. Amend RSA 238-A by inserting after section 19 the following new section:

238-A:20 Limitation of Authority. Neither the state of New Hampshire nor its representatives shall expend any capital or operating funds for the purpose of developing or providing passenger rail service without the approval of the general court.

7 Repeal. The following are repealed:

I. RSA 238-A:1, V, VI, and VII, relative to definitions of railroad lines, passenger rail service, and railroad.

II. RSA 238-A:3, relative to duties of the authority.

III. RSA 238-A:5, II and III, relative to service area of the authority.

IV. RSA 238-A:8, VII, IX, X, XII, XIV, XV, and XVI, relative to powers of the authority.

V. RSA 238-A:9, I, II, III, IV, V, VI, VII, and VIII, relative to funding.

VI. RSA 238-A:10, relative to bonds.

VII. RSA 238-A:13, relative to property of the authority.

VIII. RSA 238-A:14, relative to exemption from taxes.

IX. RSA 238-A:15, relative to public utilities commission.

X. RSA 238-A:16, relative to review of rail transit authority.

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

2011-1773s

AMENDED ANALYSIS

This bill modifies the New Hampshire rail transit authority.

Senate Executive Departments and Administration

May 5, 2011

2011-1774s

10/04

Amendment to HB 299-FN

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

2 Judicial Retirement Plan; Recalculation and Recertification of Employer Rate. Notwithstanding the requirements of RSA 100-C:13, I, the board of trustees of the judicial retirement plan shall direct the plan's actuary to recalculate the employer contribution rate for the state fiscal years 2012 and 2013 to reflect the requirements of RSA 100-C:13, III(d) as amended by section 1 of this act. Such recalculated employer contribution rate shall be recertified by the board of trustees to the judicial branch and shall be used by the judicial branch for state fiscal years 2012 and 2013 until the next biennial valuation.

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

Health and Human Services

May 5, 2011

2011-1778s

04/09

Amendment to HB 442-FN

Amend RSA 126-V:4, I as inserted by section 2 of the bill by replacing it with the following:

I. The fee structure by the department for alternative treatment centers and registry identification cards shall generate revenues sufficient to offset all state expenses of implementing and administering this chapter, and no state funds shall be used to implement or administer this chapter; however,

Amend RSA 126-V:8, II(a)(12) as inserted by section 2 of the bill by replacing it with the following:

(12) Permissible hours of operation, including the establishment of an appointment-only system for patient access.

Amend RSA 126-V:8, II(d) as inserted by section 2 of the bill by replacing it with the following:

(d) Within 18 months of the effective date of this section, provided that at least 2 applications have been submitted that score sufficiently high to receive a certificate, the department shall issue alternative treatment center registration certificates to the 2 highest-scoring applicants.

Amend RSA 126-V:8, II(f)-(g) as inserted by section 2 of the bill by replacing them with the following:

(f) If at any time after one year after the effective date of this section, fewer than 2 alternative treatment centers hold valid registration certificates in New Hampshire, the department shall accept applications for a new alternative treatment center. Except as provided in subparagraph (g), no more than 2 alternative treatment centers shall hold valid registration certificates at one time. One alternative treatment center shall be located in Carroll, Coos, or Grafton county and one shall be located in Cheshire, Hillsborough, or Rockingham county.

(g) If at any time after 2 years after the effective date of this section, the report issued pursuant to RSA 126-V:9 determines that 2 alternative treatment centers are not sufficient to ensure access to registered qualifying patients throughout the state, the department shall accept applications for up to 2 additional alternative treatment centers and issue registration certificates to the appropriate number of applicants who score the highest. The number of additional alternative treatment centers shall be determined by the department, based on the report issued pursuant to RSA 126-V:9.

Amend RSA 126-V:8, III(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Any time one or more alternative treatment center registration applications are being considered, the department shall also allow for comment by the public and shall solicit input from registered qualifying patients, registered designated caregivers, local law enforcement agencies, and the towns or cities where the applicants would be located.

Amend RSA 126-V:8, VI(b) as inserted by section 2 of the bill by replacing it with the following:

(b) An alternative treatment center may not be located in a residential district or within 1,000 feet of the property line of a pre-existing public or private school or playground.

Amend RSA 126-V:8, VII(a) as inserted by section 2 of the bill by replacing it with the following:

(a) An alternative treatment center agent shall require a qualifying patient or the designated caregiver to produce a valid registry identification card and one additional form of photo identification in order to gain access to the center. Each time an alternative treatment center agent dispenses marijuana to a registered qualifying patient directly or through the qualifying patient's registered designated caregiver, he or she shall consult the alternative treatment center's records to verify that the records do not indicate that the dispensing of marijuana would cause the registered qualifying patient to receive more marijuana than is permitted in a 10-day period. Each time marijuana is dispensed, the alternative treatment center agent shall record the date the marijuana was dispensed and the amount dispensed. All records shall be kept according to the registry identification number of the registered qualifying patient and registered designated caregiver, if any.

Amend RSA 126-V:9 as inserted by section 2 of the bill by inserting after paragraph VI the following new paragraph and renumbering the original paragraphs VII-VIII to read as VIII-IX, respectively:

VII. Input from state and local law enforcement agencies.

Amend RSA 126-V:1, I as inserted by section 2 of the bill by replacing it with the following:

I. "Alternative treatment center" means:

(a) A not-for-profit entity registered under RSA 126-V:8 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, or dispenses marijuana, or related supplies and educational materials, to a registered qualifying patient who has designated it, either by dispensing it directly to the registered qualifying patient or by dispensing it to his or her registered designated caregiver, or

(b) A hospital registered under RSA 126-V:8 which is engaged in providing to patients, under supervision of physicians, diagnostic and therapeutic services for medical diagnosis, treatment, and care of

injured, disabled, or sick persons, or rehabilitation services for the rehabilitation of such persons, which has a pharmacy on site staffed full-time by at least one registered pharmacist, that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, or dispenses marijuana, or related supplies and educational materials, to a registered qualifying patient who has designated it, either by dispensing it directly to the registered qualifying patient or by dispensing it to his or her registered designated caregiver.

Amend RSA 126-V:4, I as inserted by section 2 of the bill by replacing it with the following:

I. The fee structure by the department for alternative treatment centers and registry identification cards shall generate revenues sufficient to offset all state expenses of implementing and administering this chapter, and no state funds shall be used to implement or administer this chapter; however,

Amend RSA 126-V:8, II(a)(12) as inserted by section 2 of the bill by replacing it with the following:

(12) Permissible hours of operation, including the establishment of an appointment-only system for patient access.

Amend RSA 126-V:8, II(d) as inserted by section 2 of the bill by replacing it with the following:

(d) Within 18 months of the effective date of this section, the department shall issue one alternative treatment center registration certificate to the highest-scoring applicant under RSA 126-V:1, I(a), provided that such applicant has achieved a score which is sufficient to receive a registration certificate. The department shall issue a registration certificate to any alternative treatment center applicant as defined in RSA 126-V:1, I(b) which receives a sufficient score under this chapter.

Amend RSA 126-V:8, II(f)-(g) as inserted by section 2 of the bill by replacing them with the following:

(f) If at any time after one year after the effective date of this section, no alternative treatment center as defined in RSA 126-V:1, I(a) holds a valid registration certificate in New Hampshire, the department shall accept applications for registration of an alternative treatment center as defined in RSA 126-V:1, I(a). Except as provided in subparagraph (g), no more than one alternative treatment center as defined in RSA 126-V:1, I(a) shall operate in this state at any time. There shall be no limit on the number of alternative treatment centers as defined in RSA 126-V:1, I(b) in operation in this state at any time.

(g) If at any time after 2 years after the effective date of this section, the report issued pursuant to RSA 126-V:9 determines that the alternative treatment centers registered and operating in this state are not sufficient to ensure access to registered qualifying patients throughout the state, the department shall accept applications for one additional alternative treatment center as defined in RSA 126-V:1, I(a), and issue a registration certificate to the applicant which achieves the highest score.

Amend RSA 126-V:8, III(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Any time one or more alternative treatment center registration applications are being considered, the department shall also allow for comment by the public and shall solicit input from registered qualifying patients, registered designated caregivers, local law enforcement agencies, and the towns or cities where the applicants would be located.

Amend RSA 126-V:8, VI(b) as inserted by section 2 of the bill by replacing it with the following:

(b) An alternative treatment center as defined in RSA 126-V:1, I(a) may not be located in a residential district or within 1,000 feet of the property line of a pre-existing public or private school or playground.

Amend RSA 126-V:8, VII(a) as inserted by section 2 of the bill by replacing it with the following:

(a) An alternative treatment center agent shall require a qualifying patient or the designated caregiver to produce a valid registry identification card and one additional form of photo identification in order to gain access to the center. Each time an alternative treatment center agent dispenses marijuana to a registered qualifying patient directly or through the qualifying patient's registered designated caregiver, he or she shall consult the alternative treatment center's records to verify that the records do not indicate that the dispensing of marijuana would cause the registered qualifying patient to receive more marijuana than is permitted in a 10-day period. Each time marijuana is dispensed, the alternative treatment center agent shall record the date the marijuana was dispensed and the amount dispensed. All records shall be kept according to the registry identification number of the registered qualifying patient and registered designated caregiver, if any.

Amend RSA 126-V:9 as inserted by section 2 of the bill by inserting after paragraph VI the following new paragraph and renumbering original paragraphs VII-VIII to read as VIII-IX, respectively:

VII. Input from state and local law enforcement agencies.

Senate Executive Departments and Administration
 May 5, 2011
 2011-1772s
 08/10

Amendment to HB 462-FN

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

1 Retirement System; Employer Assessment for Excess Benefits. Amend RSA 100-A:16, III-a to read as follows:

III-a. Upon the retirement of a member:

(a) The retirement system shall:

(1) Calculate average base pay of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years;

(2) Multiply the average base pay determined in subparagraph (1) above by 125 percent;

(3) Subtract the result from subparagraph (2) from the member's average final compensation.

(b) If the calculation in subparagraph (a)(3) is greater than zero, the employer shall be assessed the cost of the excess benefit provided by:

(1) Multiplying the present value of the member's retirement benefit by the amount determined in subparagraph (a)(3) divided by the [amount in subparagraph (a)(2):] member's average final compensation; and

(2) Subtracting from that amount a credit to account for the portion of the present value of the member's retirement benefit attributable to the compensation above base pay, as determined by the retirement system, that has been funded through the normal employer contributions.

(c) The employer shall certify to the accuracy of each member's base pay.

(d)(1) The retirement system shall certify to the cost determined in subparagraph (b) to the employer and assess upon the employer such cost for payment to the retirement system at such times and in such manner as the board of trustees may prescribe.

(2) The assessments upon employers determined in subparagraph (b) shall be phased-in over a 4-year period as follows:

(A) Until the end of state fiscal year 2013, the retirement system shall assess and collect 25 percent of the amount determined in subparagraph (b).

(B) For state fiscal year 2014, the retirement system shall assess and collect 50 percent of the amount determined in subparagraph (b).

(C) For state fiscal year 2015, the retirement system shall assess and collect 75 percent of the amount determined in subparagraph (b).

(D) For all state fiscal years thereafter, the retirement system shall assess and collect the full amount determined in subparagraph (b).

(3) Each such employer is hereby authorized to appropriate the sums necessary for payment of such assessments.

2 Retirement System; Effective Date; Employer Assessments. Amend 2008,300:35, VII as amended by 2009, 4:1 and 2010, 357:1, to read as follows:

VII. Sections 33 and 34 of this act shall take effect July 1, [2011] **2012**.

3 Effective Date.

I. Section 1 of this act shall take effect July 1, 2012 at 12:01 a.m.

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

2011-1772s

AMENDED ANALYSIS

This bill:

I. Modifies the method of calculation of the retirement system employer assessment under RSA 100-A:16, III-a for excess benefits paid to retirees.

II. Phases in the required payments over 4 years.

III. Extends the effective date of the implementation of employer assessments to July 1, 2012.

Energy and Natural Resources

May 5, 2011

2011-1771s

03/04

Amendment to HB 468-FN

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

1 Payment for Freshwater and Tidal Wetlands Losses. Amend RSA 482-A:30, III to read as follows:

III. An administrative assessment which equals [20] **10** percent of the sum of paragraphs I and II.

2 Payment for Freshwater and Tidal Wetlands Losses. Amend RSA 482-A:30, III to read as follows:

III. An administrative assessment which equals [10] **20** percent of the sum of paragraphs I and II.

3 Payment for Stream or Shoreline Losses. Amend RSA 482-A:30-a, II to read as follows:

II. An administrative assessment equal to [20] **10** percent of the amount in paragraph I.

4 Payment for Stream or Shoreline Losses. Amend RSA 482-A:30-a, II to read as follows:

II. An administrative assessment equal to [10] **20** percent of the amount in paragraph I.

5 Rulemaking. Amend RSA 482-A:31, II to read as follows:

II. The method of calculating the amount of in lieu payments under RSA 482-A:30 and RSA 482-A:30-a which shall approximate the total cost of wetlands construction, stream and river construction, or such other mitigation actions as would have been required by the department and incurred by the applicant in the absence of making such payments. An administrative assessment of [20] **10** percent of the total cost shall be added as part of the calculation method.

6 Rulemaking. Amend RSA 482-A:31, II to read as follows:

II. The method of calculating the amount of in lieu payments under RSA 482-A:30 and RSA 482-A:30-a which shall approximate the total cost of wetlands construction, stream and river construction, or such other mitigation actions as would have been required by the department and incurred by the applicant in the absence of making such payments. An administrative assessment of [10] **20** percent of the total cost shall be added as part of the calculation method.

7 Repeal. 2010, 16:3, 16:5, and 16:7, relative to administrative assessments, are repealed.

8 Effective Date.

I. Sections 2, 4, and 6 of this act shall take effect July 1, 2015.

II. The remainder of this act shall take effect July 1, 2011.

Senate Judiciary

May 5, 2011

2011-1779s

03/10

Amendment to HB 478-FN-LOCAL

Amend the bill by replacing section 3 with the following:

3 New Section; Testimony by Video Teleconference for Motor Vehicle Violations. Amend RSA 516 by inserting after section 37 the following new section:

516:38 Testimony by Video Teleconference for Motor Vehicle Violations. In any contested case for an alleged motor vehicle violation in district court at which a keeper of the records or technical specialist from the department of safety, bureau of hearings or division of motor vehicles is summoned to testify, the state may move to take the testimony of the keeper of the records or technical specialist by video teleconference, provided that the testimony is limited to expert testimony or to the results of and matters relating to records of the department of safety. Notice shall be provided to the defendant, and the defendant shall have an opportunity to object to the introduction of testimony by video teleconference. Similarly, in any contested case for an alleged motor vehicle violation in district court, the defendant may move to take the testimony of his or her own expert witness by video teleconference, provided that the testimony is limited to expert testimony or to the results of and matters relating to records of the department of safety. Notice shall be provided to the state, and the state shall have an opportunity to object to the introduction of testimony by video teleconference. Examination and cross-examination of the expert witness shall proceed in the same manner as permitted at a contested case for an alleged motor vehicle violation in district court. For purposes of this section, "video teleconference" includes the use of any technology that provides live, interactive aural and visual communication.

2011-1779s

AMENDED ANALYSIS

This bill authorizes testimony by video teleconference at department of safety administrative hearings and in district court motor vehicle cases.

Public and Municipal Affairs

May 4, 2011

2011-1747s

03/05

Amendment to HB 487-FN

Amend RSA 654:12, V(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The secretary of state shall cause a letter of identity verification to be mailed by first class mail to each voter identified at a state general election as a first-time election day registrant in New Hampshire who also did not verify his or her identity with an approved photo identification. The letter shall be mailed within 90 days after the general election. The secretary of state shall mark the envelope with instructions to the United States Post Office not to forward the letter and to provide address correction information. The letter shall notify the person that a person who was unable to present photo identification registered or registered and voted using his or her name and address and instruct the person ***to return the letter within 45 days with a written confirmation that the person registered and voted or*** to contact the attorney general immediately if he or she did not register and vote. ***Any voter under a protective order pursuant to RSA 173-B, and whose name does not appear on the checklist as provided under RSA 654:25, shall not be subject to the provisions of paragraph V.***

Senate Judiciary

May 5, 2011

2011-1783s

04/09

Amendment to HB 544

Amend RSA 159:26, I as inserted by section 1 of the bill by replacing it with the following:

I. To the extent consistent with federal law, the state of New Hampshire shall have authority and jurisdiction over the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearms components, ammunition, [or] firearms supplies, ***or knives*** in the state. Except as otherwise specifically provided by statute, no ordinance or regulation of a political subdivision may regulate the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearms components, ammunition, or firearms supplies in the state. Nothing in this section shall be construed as affecting a political subdivision's right to adopt zoning ordinances for the purpose of regulating firearms ***or knives*** businesses in the same manner as other businesses or to take any action allowed under RSA 207:59.

Senate Ways and Means
May 3, 2011
2011-1716s
01/09

Amendment to HB 557-FN-A

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

2 Reasonable Compensation Deduction. RSA 77-A:4, III is repealed and reenacted as follows:

III.(a) In the case of a proprietorship, partnership, or limited liability company filing a business profits tax return as a proprietorship, partnership, or limited liability company, a deduction equal to a fair and reasonable compensation for the personal services of a natural person who is a proprietor, partner, or member provided to the business organization, provided, however, that the amount of such deduction shall not exceed such business organization's gross business profits. The purpose of this paragraph is to permit a deduction from gross business profits of such a proprietorship, partnership, or limited liability company of all amounts that are fairly attributable to the personal services of the proprietor, partner, or member. Such amounts shall generally include all amounts reported as earned income on federal tax returns, but shall also include amounts attributable to personal services provided in connection with the operation and rental of real property, the sale of property and services, and other amounts due to services rendered.

(b) A taxpayer claiming a deduction under this paragraph shall bear the burden of proving that at least one or more proprietors, partners, or members provided actual services to the business organization at any time during the taxable period. Once a taxpayer has satisfied this burden of proof, the amount claimed as a deduction shall be presumed to be reasonable, unless the commissioner proves by a preponderance of the evidence that the deduction claimed by the taxpayer is grossly excessive.

3 Applicability. This act shall apply with respect to taxable periods ending after January 1, 2013.

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

Commerce
May 3, 2011
2011-1727s
05/10

Amendment to HB 605

Amend the introductory paragraph of RSA 162-A:13-d, III as inserted by section 1 of the bill by replacing it with the following:

III. Upon approval by the authority's board of directors, the authority may apply funds maintained in the New Hampshire innovation business job growth fund to provide guarantees of the principal of investments in qualified venture capital funds and to invest directly in qualified venture capital funds that by contract agree to invest such principal in New Hampshire within 60 months of the receipt of the guarantees. The authority's board of directors shall approve such application of funds after making all of the following findings:

Amend the introductory paragraph of RSA 162-A:13-d, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Qualified venture capital funds are those funds that have by contract with the authority's board of directors agreed to invest, no later than 60 months after the execution of the guarantee or investment, the amount of the guaranteed or invested principal in businesses whose primary operations are located in New Hampshire and that, in opinion of the board:

Commerce
May 3, 2011
2011-1723s
05/10

Amendment to HB 617

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

AN ACT establishing a committee to study the consequences of repealing the prohibition on Sunday business activities.

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

1 Committee Established. There is established a committee to study the consequences of repealing the prohibition on Sunday business activities.

2 Membership and Compensation.

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

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

(b) Three members of the house of representatives, appointed by the speaker of the house 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 the consequences of repealing RSA 332-D, relative to prohibitions on Sunday business activities. The committee shall solicit testimony from any individual or group with information relevant to the committee's study.

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 senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2011.

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

2011-1723s

AMENDED ANALYSIS

This bill establishes a committee to study the consequences of repealing the prohibition on Sunday business activities.

Senate Judiciary

May 5, 2011

2011-1784s

05/09

Amendment to HB 634-FN

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

AN ACT relative to payment of guardian ad litem and mediator fees in marital cases where the parties are indigent and relative to standards of practice for non-certified guardians ad litem.

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

1 Repayment of Mediator Fees by Indigent Parties. Amend RSA 461-A:7, X to read as follows:

X. In the event both parties are indigent, the mediator shall be paid a set fee for his or her services. The amount of the fee shall be set annually by supreme court rule. The court may order each party to pay a proportional amount of said fee. The fee shall be paid from the ~~[special fund established pursuant to RSA 461-A:17]~~ **mediation and arbitration fund established in RSA 490-E:4** and repaid by the parties in accordance with RSA 461-A:18, **including fees for pre-suit marital mediation authorized pursuant to RSA 490-E:2, V. The supreme court shall determine by rule a percentage amount of the entry fee paid to each clerk of court for each petition in domestic relations cases to be deposited into the mediation and arbitration fund to be used to pay for mediation where both parties are indigent. At no time shall the percentage amount exceed 25 percent of the entry fee for each petition.**

2 Repayment of Guardian Ad Litem Fees by Indigent Parties. Amend RSA 461-A:16, IV to read as follows:

IV. The fees for services for the guardian ad litem and others utilized by the guardian and approved by the court shall be a charge against the parties in a proportional amount as the court may determine. ~~[Where the parties are indigent, compensation for guardians ad litem and others utilized by the guardian and approved by the court shall be based upon the applicable fee schedule established by the supreme court for indigent defense counsel.]~~

3 Repayment of Mediator and Guardian Ad Litem Fees. Amend RSA 461-A:18, I to read as follows:

I. In any case where a mediator has been appointed pursuant to RSA 461-A:7 or a guardian ad litem has been appointed pursuant to RSA 461-A:16 and the responsible party's proportional share of the expense [is] ***was*** ordered to be paid by the judicial council from the ***prior*** special fund established pursuant to RSA 461-A:17 ***or is ordered to be paid by the judicial branch from the mediation and arbitration fund pursuant to RSA 490-E:4***, the party shall be ordered by the court to repay the state through the unit of cost containment, office of administrative services, the fees and expenses paid on the party's behalf as the court may order consistent with the party's ability to pay, such ability to be determined by the unit of cost containment.

4 Mediation and Arbitration Fund. Amend RSA 490-E:4, I(a) to read as follows:

(a) All moneys collected pursuant to ***RSA 461-A:7, X***, RSA 490:27, II, RSA 490-D:12, III, RSA 503:4, II, and RSA 502-A:28, III.

5 Liability for Expenses. RSA 461-A:17 is repealed and reenacted to read as follows:

461-A:17 Guardians Ad Litem and Mediators; Liability for Expenses. The judicial council shall have no responsibility for the payment of the costs of a mediator or guardian ad litem for any party under this chapter.

6 Repeal. RSA 6:12, I(b)(81), relative to moneys deposited in the mediator and guardian ad litem fund, is repealed.

7 Parental Rights and Responsibilities; Non-Certified Guardians Ad Litem. Amend the introductory paragraph of RSA 461-A:16, VI to read as follows:

VI. The supreme court shall provide the following relative to ***non-certified*** guardians ad litem appointed pursuant to this section:

8 Effective Date. This act shall take effect July 1, 2011.

2011-1784s

AMENDED ANALYSIS

This bill:

I. Abolishes a special fund for compensation of mediators and guardians ad litem in marital cases where the parties are indigent and requires that such compensation be paid from the mediation and arbitration fund.

II. Requires the supreme court to determine by rule a percentage amount of the entry fee for each petition in domestic relations cases to be deposited into the mediation and arbitration fund.

III. Requires the supreme court to adopt practice standards for non-certified guardians ad litem appointed in parental rights and responsibilities cases.

COMMITTEE OF CONFERENCE

SB 3-FN-A-L, making comprehensive changes to the state retirement system.

Meeting: Monday, May 9, 2011, Rooms 306-308, LOB, 1:00 p.m.

Senate Conferees: (C) Senators Bradley, Carson, Larsen.

House Conferees: Representatives Hawkins, Kurk, W. Smith, Sedensky.

HEARINGS

FRIDAY, MAY 6, 2011

FINANCE, Room 103, SH

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

SENATE FINANCE BRIEFINGS

9:00 a.m. Department of Justice
 10:00 a.m. Department of Environmental Services
 11:00 a.m. Department of Resources and Economic Development
 12:00 p.m. to 1:00 p.m. **BREAK**
 1:00 p.m. Department of Health and Human Services

EXECUTIVE SESSION MAY FOLLOW

MONDAY, MAY 9, 2011

FINANCE, Room 103, SH

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

9:00 a.m. – 12:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION INCLUDING HB 1-A AND HB 2-FN-A-L**

1:00 p.m. – 3:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION INCLUDING HB 1-A AND HB 2-FN-A-L**

TUESDAY, MAY 10, 2011

COMMERCE, Room 102, LOB

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

9:00 a.m. **HCR 22**, declaring that although a trademarked name may include a New Hampshire geographic location such as "Mount Washington," no single business, firm, or association shall have sole authority or exclusive use of the name of such geographic location.
 9:15 a.m. **HB 647**, relative to withholding of wages.
 9:30 a.m. **HB 589**, repealing written majority authorization for an employee organization to be certified as the exclusive representative of public employees in a bargaining unit.
 9:45 a.m. **HB 133**, relative to the minimum wage.
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 382**, relative to the maintenance of municipal public cemeteries.
 9:15 a.m. **HB 541**, relative to ownership of property placed in trust qualifying for certain property tax exemptions and credits.
 9:45 a.m. **HB 588**, relative to polling hours and location of polling places.
 10:00 a.m. **HB 603**, prohibiting public works projects and natural formations from being named in honor of any living elected, or formerly elected, official.
 10:30 a.m. **HB 594**, relative to the application of procedures for discharge or suspension from county employment.
 11:00 a.m. Hearing on proposed amendment #1757s to HB 409, relative to planning board members.
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. Committee discussion on revenue projections

WEDNESDAY, MAY 11, 2011

INTERNAL AFFAIRS, Room 100, SH

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

2:00 p.m. **CACR 6**, relating to taxation. Providing that a 3/5 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments of principle of all state bonds.

2:15 p.m. **CACR 12**, relating to public education. Providing that the general court shall have the authority to define standards for public education, establish standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education.

EXECUTIVE SESSION MAY FOLLOW

THURSDAY, MAY 12, 2011

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, SH

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

9:00 a.m. **HB 355**, enabling state and local fire and building officials to issue citations for violations of the fire code, and for fireworks, gas fitting, and electric code violations.

9:30 a.m. **HB 623**, prohibiting preferences in recruiting, hiring, promotion, or admission by state agencies, the university system, the community college system, and the post-secondary education commission.

EXECUTIVE SESSION MAY FOLLOW

FINANCE, Room 100, SH

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

1:00 p.m. Hearing on proposed amendment #1742s to HB 635-FN-A, requiring the governor to consolidate certain agency functions and making an appropriation therefor.

EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 101, LOB

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

1:00 p.m. **HB 158**, relative to the misuse of social security numbers.

1:15 p.m. **HB 305**, relative to the homestead right.

1:30 p.m. **HB 82**, relative to the annulment of criminal records.

1:45 p.m. **HB 51**, relative to screening panel members for screening panels for medical injury claims.

EXECUTIVE SESSION MAY FOLLOW

FRIDAY, MAY 13, 2011

CAPITAL BUDGET, Room 100, SH

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

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

FINANCE, Room 103, SH

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

9:00 a.m. – 12:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION INCLUDING HB 1-A AND HB 2-FN-A-L**

1:00 p.m. – 3:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION INCLUDING HB 1-A AND HB 2-FN-A-L**

WEDNESDAY, MAY 18, 2011

JUDICIARY, Rooms 305-307, LOB

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

1:30 p.m.

HB 147-FN, making the commission of certain offenses punishable under the capital murder statute.

EXECUTIVE SESSION MAY FOLLOW

THURSDAY, MAY 19, 2011

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, SH

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

9:00 a.m.

HB 565, establishing a dental hygienists committee within the board of dental examiners.

EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Representatives' Hall, SH

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

1:00 p.m. – 4:00 p.m.

HB 141, relative to protected utility services.

1:15 p.m. – 4:00 p.m.

HB 648, relative to eminent domain petitions by public utilities.

EXECUTIVE SESSION MAY FOLLOW

THURSDAY, MAY 26, 2011

JUDICIARY, Room 101, LOB

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

1:00 p.m.

HB 110, requiring professional safety and security services personnel to report certain criminal offenses.

1:15 p.m.

HB 145, permitting the audio and video recording of a law enforcement officer while in the course of his or her official duties.

EXECUTIVE SESSION MAY FOLLOW

MEETINGS

FRIDAY, MAY 6, 2011

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

9:00 a.m.

Rooms 305-307, LOB

Continued Meeting

MONDAY, MAY 9, 2011

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3)

9:00 a.m.

Room 205, LOB

Regular Meeting

COMMISSION RELATIVE TO CHILDREN'S HEALTH INSURANCE (RSA 126-H:10)

1:00 p.m.

Room 103, LOB

Regular 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

HOME EDUCATION ADVISORY COUNCIL (RSA 193-A:10)

3:30 p.m.

Department of Education, Room 15
101 Pleasant Street
Concord, NH

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

COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T)

10:00 a.m. Room 305, LOB Regular Meeting

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

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

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

4:00 p.m. Room 212, LOB Regular Meeting

FRIDAY, MAY 20, 2011

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

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

ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION (RSA 282-A:128)

9:00 a.m. NH Employment Security
32 South Main Street
Concord, NH Special Meeting

CHILD CARE ADVISORY COMMITTEE (RSA 126-A:17)

9:00 a.m. Dolloff Building
107 Pleasant Street
Concord, NH Regular Meeting

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

10:00 a.m. Room 201, 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

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

1:00 p.m. Room 205, 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

WEDNESDAY, JUNE 1, 2011

ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES (RSA 186-C:3-b)

4:30 p.m.	NH Department of Education Londergan Hall, Room 15 101 Pleasant Street Concord, NH	Regular Meeting
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FRIDAY, JUNE 3, 2011

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

9:00 a.m.	Rooms 305-307, LOB	Continued Meeting
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LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

1:00 p.m.	Room 104, LOB	Regular Meeting
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MONDAY, JUNE 6, 2011

JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)

1:00 p.m.	Room 212, LOB	Regular Meeting
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FRIDAY, JUNE 10, 2011

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

9:00 a.m.	Rooms 305-307, LOB	Regular Meeting
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STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)

9:30 a.m.	Room 101, LOB	Regular Meeting
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FRIDAY, JUNE 17, 2011

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

9:00 a.m.	Rooms 305-307, LOB	Regular Meeting
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FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)

10:00 a.m.	Rooms 210-211, LOB	Regular Business
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GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m.	Room 102, LOB	Regular Meeting
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MONDAY, JUNE 20, 2011

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

9:00 a.m.	Room 101, LOB	Regular Meeting
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FRIDAY, JUNE 24, 2011

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

10:00 a.m.	Room 201, LOB	Regular Meeting
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SENATE BILLS AMENDED BY THE HOUSE

SB 33-FN, relative to retired state employee contributions for medical benefits costs.

SB 42, relative to the declaration of consideration for purposes of the real estate transfer tax.

SB 78-FN-A-L, relative to motor vehicle registration fees.

SB 89, establishing a study committee on the procurement of health insurance by employee leasing companies.

SB 91, relative to automatic fire suppression sprinklers.

SB 92, establishing an economic strategic commission to review the relationship between business and government.

SB 116, relative to the manufactured housing installation standards board.

SB 148-FN, relative to health insurance coverage and declaring that the attorney general should join the lawsuit challenging the Patient Protection and Affordable Care Act.

SB 156-FN-L, authorizing retail vehicle dealers to act as agents of the division of motor vehicles for vehicle registrations and title applications.

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

SENATE BILLS: 26, 35, 174

HOUSE BILLS: 35, 86, 142, 288, 571 609, 621

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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, 66, 70, 71, 72, 74, 75, 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, 72, 186, 205, 206, 229, 231, 284, 289, 299, 330, 337, 411, 419, 444, 468, 488, 489, 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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FRIDAY, MAY 6, 2011

Touch the Future, Inc., invites Senators to participate in tours at 10:30 a.m. and a dedication ceremony at 11:00 a.m. at the McAuliffe-Shepard Discovery Center on Friday, May 6th, to celebrate 50 years of spaceflight and a major gift from BAE Systems. Refreshments to follow. To RSVP or for more information, please contact Director of Special Events Gina Bowler at gbowler@starhop.com or 271-7827 x104.

Senator Sylvia B. Larsen, Senate Minority Leader

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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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WEDNESDAY, MAY 18, 2011

The New Hampshire Snowmobile Association would like to invite all Senate members to a reception to be held in the State House cafeteria on Wednesday, May 18, 2011 from 7:30 a.m. to 9:30 a.m. Please come by and have a cup of coffee and a quick snack prior to session.

Senator Jeb Bradley, Senate Majority Leader
Senator Sylvia B. Larsen, Senate Minority Leader

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THURSDAY, MAY 19, 2011

The 9th Annual Rock 'N Race to benefit the Concord Hospital Payson Center for Cancer Care will be taking place on Thursday, May 19, 2011. The start time will be shortly after 6:00 p.m. There will be heavy foot traffic, as they expect over 6,000 participants. The race start will take place on North Main Street and will finish on Park Street, with post-race activities taking place on the State House Plaza.

Please note the following roads will be closed:

Capitol Street between North Main and North State Streets (Eastbound) from 12:00 p.m. – 8:30 p.m.

North Main Street at Capitol Street (Northbound) from 4:00 p.m. - 8:30 p.m.

Park Street between North Main and North State Streets (Westbound) from 4:00 p.m. - 8:30 p.m.

Peter Bragdon, Senate President

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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 19th 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 24th, 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

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 – MAY & JUNE

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

DATE	TIME	GROUP	Group#/Grade
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

DATE	TIME	GROUP	Group#/Grade
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	9:30	Waterville Valley Elementary School	10/3,4&5
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 20	12:30	Hopkinton High School – Civics Class	25/HS
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
May 23	2:00	Villa Crest Nursing Home – Manchester	14/Srs
May 24	9:00	Merrimack Middle School	50/8
May 24	10:30	Open World Program/NHCADSV-Russians	10
May 24	9:00	Florence Ride Out School	45/4
May 24	1:00	Camp Allen – Bedford	20
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	11:00	Bakersville Elementary School – Manchester	43/4
May 26	12:00	St. Elizabeth Seton School – Rochester	22/4
May 27	9:15	St. Thomas School of Derry	45/3&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
June 1	9:30	Mountain Shadows School – Dublin	10/6
June 1	10:00	Kensington Elementary School	40/4
June 1	11:00	Lincoln-Akerman School – Hampton Falls	44/4
June 1	12:30	Enfield Village School	40/4
June 2	10:00	Salisbury/Webster Elementary Schools	30/4
June 2	10:00	Cornerstone Christian Academy – Ossipee	10/4
June 2	11:00	Birch Hill Elementary School – Nashua	77/4
June 3	9:00/10:30 SH/SC	Riddle Brook Elementary School – Bedford	80/4
June 3	11:30	William E. Lancaster School – Salem	
June 6	9:00	John Fuller School – No. Conway	28/4
June 6	10:15/11:30 SH/Giftshop	Pelham Elementary School	100/4
June 7	9:00	Andover Elementary Middle School	54/3&4
June 7	10:00/11:30 SH/HM	Interlakes Elementary School – Meredith	80/4
June 7	12:30	Conant Rumford School – Concord	45/4
June 8	10:15/11:30 SH/Giftshop	Pelham Elementary School	75/4
June 8	12:30	Conant Rumford School – Concord	45/4