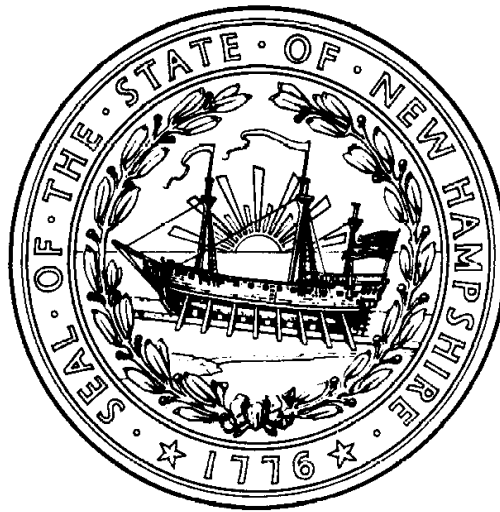


April 12, 2012  
No. 15

# STATE OF NEW HAMPSHIRE

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Second 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 18, 2012,  
AT 10:00 A.M.**

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## **LAI D ON THE TABLE**

**CACR 33**, relating to biennial legislative sessions. Providing that the general court shall meet biennially. **03/28/12, Internal Affairs, SJ 8, pg. 287**

**SB 74-FN**, relative to the life settlements act. **01/25/12, pending motion Inexpedient to Legislate, Commerce, SJ 3, pg. 80**

**SB 163-FN**, relative to the New Hampshire health benefit exchange. **01/18/12, pending motion Committee Amendment (0164s), Commerce, SJ 2, pg. 36**

**SB 279-FN**, establishing registers of probate as clerks of the probate division of the circuit court. **03/07/12, pending motion Inexpedient to Legislate, Judiciary, SJ 6, pg. 164**

**SB 292-FN**, relative to property taxation of certain manufactured housing. **03/21/12, pending motion Committee Amendment (1217s), Ways and Means, SJ 7, pg. 252**

**SB 293-FN**, relative to notice requirements and payment of interest by the department of revenue administration for overpayments and underpayments of tax. **03/21/12, pending motion Inexpedient to Legislate, Finance, SJ 7, pg. 237**

**SB 341**, authorizing electronic payment of payroll. **03/28/12, pending motion Inexpedient to Legislate, Commerce SJ 8, pg. 272**

**SB 355**, clarifying the exemption for attorneys from licensing requirements for mortgage brokers or bankers. **02/15/12, pending motion Ought to Pass, Commerce, SJ 5, pg. 129**

**SB 377-FN**, relative to unemployment compensation eligibility for participants in the return to work program. **02/15/12, pending motion Committee Amendment (0655s), Commerce, SJ 5, pg. 130**

**HB 518-FN-A**, changing the prospective repeal date for the research and development tax credit. **03/21/12, pending motion Ought to Pass, Ways and Means SJ 7, pg. 254**

**HB 1221**, relative to the credit for the business enterprise tax against the business profits tax. **03/28/12, pending motion Ought to Pass, Ways and Means SJ 8, pg. 291**

**HB 1677-FN**, relative to choice as to whether to join a labor union and eliminating the duty of a public employee labor organization to represent employees who elect not to join or to pay dues or fees to the employee organization. **4/11/12, pending motion Committee Amendment (1525s), Commerce, SJ 9, pg. TBA**

## **CONSENT CALENDAR REPORTS**

### **ENERGY AND NATURAL RESOURCES**

**HB 1392**, relative to oyster aquaculture licenses.

Ought to Pass with Amendment, Vote 5-0.

Senator Merrill for the committee.

This bill directs the executive director of fish and game to adopt rules for a five-year license for oyster aquaculture operations in the Great Bay estuary. The committee heard testimony that a robust oyster population in the Bay is desirable for both economic and environmental (water-filtering) reasons, and that a multi-year license would likely encourage oyster aquaculture, as it would reflect department recognition of the time frame involved in raising oysters.

**HB 1477**, relative to the definition of spent materials.

Ought to Pass, Vote 5-0.

Senator Gallus for the committee.

This bill redefines spent materials. It brings the New Hampshire department of environmental services definition in line with the federal definition in order to remove any potential ambiguity.

### **FINANCE**

**HB 1505-FN**, relative to public employee suggestions for cost-saving measures.

Interim Study, Vote 7-0.

Senator Gallus for the committee.

This bill makes changes to the State Suggestion and Extraordinary Service Award Program, including creating a one time award equal to 10 percent of the savings achieved during the initial 12 months after a public employee's cost saving or revenue-producing suggestion is implemented. The Finance committee felt this bill makes a lot of substantial changes to an existing system and although this bill has good merit and well intended for cost savings, the committee would like to further review the elements of the bill.

**HB 1534-FN**, repealing the self-funding of the department of labor.

Inexpedient to Legislate, Vote 7-0.

Senator Barnes for the committee.

This bill would repeal the restricted fund established to fund operations of the department of labor from fees, licenses, certificates and civil penalties collected by the department. The committee feels at this time that the Department of Labor has worked within their budget and has a sufficient program in place with the business community. By putting the Labor Department's funding back into the general fund and taking away the restricted fund would result in significant amount of adjustments and disruption through the department.

**HB 1662-FN**, relative to preparation of fiscal notes.

Inexpedient to Legislate, Vote 7-0.

Senator Bragdon for the committee.

This bill requires fiscal notes for bills to state the costs and benefits of the bills to the citizens and businesses of the state. Fiscal notes are already complex and time consuming to prepare; as a result many are not complete when the bills come to committee. Though this bill is well intentioned, adding even more time and complexity to the process will result in even more bills having incomplete fiscal notes.

### **TRANSPORTATION**

**HB 1434**, relative to display of antique motor vehicle plates.

Ought to Pass with Amendment, Vote 5-0.

Senator Boutin for the committee.

This bill allows the display of antique motor vehicle plates on both the front and rear of any vehicle with a year of manufacture of 1960 or earlier.

**HB 1442**, relative to motorcycle noise emission regulation.

Ought to Pass, Vote 5-0.

Senator Stiles for the committee.

This bill modifies motorcycle noise level restrictions to require that a motorcycle operates at no more than 92 decibels while idle, when measured in accordance with the provisions of the SAE International Recommended Practice SAE J2825.

## **REGULAR CALENDAR REPORTS**

### **EDUCATION**

**HB 533-FN-L**, establishing a cap on the amount of school building aid grants distributed in each fiscal year.

Ought to Pass with Amendment, Vote 4-0.

Senator Stiles for the committee.

**HB 1167**, relative to the calculation of days in the school year.

Inexpedient to Legislate, Vote 4-0.

Senator Forsythe for the committee.

**HB 1417**, relative to a student's freedom of association.

Ought to Pass, Vote 3-1.

Senator Carson for the committee.

### **ENERGY AND NATURAL RESOURCES**

**HB 325-FN**, relative to the transfer of animals from licensed animal vendors.

Ought to Pass with Amendment, Vote 4-0.

Senator Merrill for the committee.

**HB 1233**, establishing a statute of limitations on wetlands filling and dredging.

Ought to Pass, Vote 4-0.

Senator Lambert for the committee.

**HB 1296**, relative to net energy metering.

Ought to Pass, Vote 4-0.

Senator Lambert for the committee.

### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 383**, prohibiting the collection of certain agency fees from state employees who are not members of the state employees' association.

Inexpedient to Legislate, Vote 2-1.

Senator White for the committee.

**HB 517-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board.

Interim Study, Vote 3-0.

Senator Carson for the committee.

**HB 1150**, relative to examinations for licensure as a professional engineer or land surveyor.

Ought to Pass, Vote 4-0.

Senator Groen for the committee.

**HB 1460**, establishing a defined contribution retirement plan for public employees.

Ought to Pass with Amendment, Vote 2-1.

Senator Groen for the committee.

**HB 1593-FN**, relative to the department of information technology.

Ought to Pass with Amendment, Vote 4-0.

Senator Carson for the committee.

### **FINANCE**

**HB 344-FN**, relative to judicial performance evaluations.

Ought to Pass, Vote 6-0.

Senator Morse for the committee.

**HB 1552-FN**, relative to the reporting of funds.

Ought to Pass with Amendment, Vote 6-0.

Senator Morse for the committee.

**HB 1687-FN**, relative to state employee information available on the state transparency website.

Ought to Pass with Amendment, Vote 7-0.

Senator Morse for the committee.

### **HEALTH AND HUMAN SERVICES**

**HB 602-FN-A**, relative to funding the law requiring reporting of health care acquired infections.

Ought to Pass, Vote 4-1.

Senator Bradley for the committee.

### **JUDICIARY**

**HB 486-FN**, relative to penalties for alcohol ignition interlock circumvention.

Ought to Pass with Amendment, Vote 4-0.

Senator Luther for the committee.

**HB 514**, relative to entry on private land.

Ought to Pass with Amendment, Vote 3-2.

Senator Forsythe for the committee.

**HB 1240**, relative to license suspensions for refusal to consent to an alcohol test.

Ought to Pass, Vote 4-0.

Senator Forsythe for the committee.

**HB 1312**, relative to the statute of limitations for violations involving a motor vehicle accident resulting in death or serious bodily injury.

Ought to Pass with Amendment, Vote 4-0.

Senator Groen for the committee.

### **TRANSPORTATION**

**HB 342**, relative to boat operation rules.

Ought to Pass, Vote 4-0.

Senator Boutin for the committee.

**HB 628-FN**, relative to searches conducted for purposes of transportation-related security.

Inexpedient to Legislate, Vote 4-1.

Senator Kelly for the committee.

**HB 1138**, naming a bridge in Pelham in honor of Sergeant Daniel R. Gionet.

Ought to Pass, Vote 4-0.

Senator Stiles for the committee.

**HB 1144**, establishing a commission to study the taxation of alternative fuel and electric-powered motor vehicles for the purpose of funding improvements to the state's highways and bridges.

Ought to Pass with Amendment, Vote 4-0.

Senator Boutin for the committee.

**HB 1165**, naming a bridge in the town of Meredith the POW/MIA Vigil and Freedom Ride bridge.

Ought to Pass with Amendment, Vote 4-0.

Senator Boutin for the committee.

**HB 1171**, updating certain references in motor vehicle statutes.

Ought to Pass with Amendment, Vote 4-0.

Senator Kelly for the committee.

**HB 1440**, relative to driver education.

Interim Study, Vote 4-1.

Senator Rausch for the committee.

**HB 1495-FN**, establishing a Purple Heart Trail along U. S. Route 3.

Ought to Pass with Amendment, Vote 5-0.

Senator Boutin for the committee.

**HB 1716**, relative to the state 10-year transportation improvement program.

Ought to Pass with Amendment, Vote 4-0.

Senator Rausch for the committee.

## **AMENDMENTS**

Energy and Natural Resources

April 10, 2012

2012-1582s

08/03

**Amendment to HB 325-FN**

Amend RSA 437:10, II as inserted by section 1 of the bill by replacing it with the following:

II. The original of the official health certificate accompanying the dog, cat, or ferret offered for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed, and made available for inspection upon request. The public will be informed of their right to inspect the health certificate for each dog, cat, or ferret by a sign prominently displayed in the area where the dogs, cats, or ferrets are displayed. Upon transfer of the dog, cat, or ferret, this health certificate shall be updated by the licensee if any other medication or treatment has been given by a licensed veterinarian or the licensee to the dog, cat, or ferret and shall be given to the transferee in addition to any other documents which are customarily delivered to the transferee. ***The transferee may accept a dog, cat, or ferret that has a noncontagious illness that has caused it to fail its examination by a licensed veterinarian for an official health certificate under paragraph I; the transferee shall sign a waiver that indicates the transferee has knowledge of the dog, cat, or ferret's noncontagious medical condition and then submit such waiver to the licensee who shall send a copy to the state veterinarian.***

Amend RSA 437:10, V as inserted by section 1 of the bill by replacing it with the following:

V. ~~[All dogs, cats, and ferrets received for transfer]~~ ***Once a dog, cat, or ferret intended for transfer has entered the state, it shall be held at least 48 hours at a facility licensed under RSA 437:1 or at a facility operated by a licensed veterinarian*** separated from other animals on the premises before being offered for transfer.

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

2 Prohibition. Amend RSA 437:8 to read as follows:

437:4 Prohibition. No licensee under this subdivision shall transfer to any member of the public other than to a qualified veterinarian or licensed animal shelter facility any maimed, sick, or diseased animal or bird ***other than as permitted under RSA 437:10, II*** nor shall any licensee treat inhumanely any animal or bird in his or her care or possession or under his or her control.

2012-1582s

#### AMENDED ANALYSIS

This bill:

I. Allows transferees to accept a sick or injured animal if the transferee has knowledge of the sickness or injury and so long as the illness is not contagious.

II. Requires that transferred animals be held for 48 hours at a licensed facility or a facility operated by a licensed veterinarian before their transfer.

Senate Judiciary

April 9, 2012

2012-1549s

03/04

### Amendment to HB 486-FN

Amend the bill by replacing section 2 with the following:

2 New Section; Definition Added; Enhanced Technology Ignition Interlock Device. Amend RSA 259 by inserting after section 28-a the following new section:

259:28-b Enhanced Technology Ignition Interlock Device. “Enhanced technology ignition interlock device” shall mean an ignition interlock device equipped with a camera and which is capable of transmitting data as events occur.

Senate Judiciary  
April 11, 2012  
2012-1601s  
06/01

### Amendment to HB 514

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

AN ACT relative to entry on private land and establishing a committee to study issues relating to entry on private land.

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

1 Purpose. The purpose of this act is to set guidelines for entry by conservation commissions or their designees onto private property for data gathering for conservation and natural resource inventory purposes and for the publication of such data, and to ensure that property owners are informed of data gathering on their property. These guidelines do not supercede guidelines already established by state agencies as they may be modified from time to time, but establish guidelines for conservation projects at the regional, local, and individual level.

2 Conservation Commissions; Powers. Amend RSA 36-A:4 to read as follows:  
36-A:4 Powers.

**I.** Said commission may receive gifts of money, personal property, real property, and water rights, either within or outside the boundaries of the municipality, by gift, grant, bequest, or devise, subject to the approval of the local governing body, such gifts to be managed and controlled by the commission for the purposes of this section. Said commission may acquire in the name of the city or town, subject to the approval of the local governing body, by purchase, the fee in such land or water rights within the boundaries of the municipality, or any lesser interest, development right, easement, covenant, or other contractual right including conveyances with conditions, limitations, or reversions, as may be necessary to acquire, maintain, improve, protect, or limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within their city or town, and shall manage and control the same, but the city or town or commission shall not have the right to condemn property for these purposes.

**II.** *No commission, its members, or designee shall enter private property to gather data about the property for use in a wetlands designation, prime wetlands designation, natural resource inventory report or map, or natural heritage map without first obtaining permission of the property owner or agent, or a lawfully issued warrant. Such permission*

*may be oral or written, providing that record is made of oral authorization. If consent for entry is denied, the conservation commission, or designee, may obtain an administrative inspection warrant under RSA 595-B.*

**III. Prior to requesting permission, the commission, its members, or designee shall notify the landowner of the purpose of the data gathering, the specific features that will be evaluated, the manner in which the data collected will be recorded and distributed, and possible known consequences of the data collection.**

**IV. No data gathered without the permission of the landowner shall be used for any purpose other than law enforcement purposes authorized by statute.**

3 Committee Established. There is established a committee to study entry onto private property, posting, trespassing, and the definition of recreational uses of private land.

4 Membership and Compensation.

I. The members of the committee shall be 5 members of the house of representatives, one of whom shall be a member of the house judiciary committee, one of whom shall be a member of the municipal and county government committee, one of whom shall be a member of the environment and agriculture committee, and one of whom shall be a member of the resources, recreation and development committee, appointed by the speaker of the house of representatives.

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

5 Duties of the Committee. The committee shall study:

I. The definition of recreational uses of private land by the public and clarification of activities allowed on land which is not posted as well as on land which is posted.

II. The adequacy and consistency of local and state policies as they relate to entry on private land, collection and publication of data on private land, and the ownership of such data.

III. The opportunities for integration of state policies regarding data collection, mapping, and publication of data collected from private and public lands.

IV. The potential legal, fiscal, regulatory, and technical obstacles for creating an integrated approach toward access to and data collection on private land.

V. The rights and responsibilities of persons entering onto private property.

VI. The adequacy of statutes regarding manner of posting.

VII. The definition of and remedies for trespassing on private property.

VIII. The opportunity for the landowner to challenge the data or findings.

6 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 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.

7 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 November 1, 2012.

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

2012-1601s

#### AMENDED ANALYSIS

This bill prohibits certain entry on private property for data gathering without a warrant or the consent of the landowner.

This bill also establishes a committee to study issues relating to entry on private land.

Senate Education  
April 10, 2012



2012-1575s  
04/09

### Amendment to HB 533-FN-LOCAL

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

AN ACT revising the distribution of school building aid grants.

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

1 School Building Aid; Annual Grant. Amend RSA 198:15-a to read as follows:

198:15-a Annual Grant for the Payment of Debt Service for School Construction.

I. To aid local school districts in meeting the costs of ~~[the payment of debt for]~~ school buildings ~~[and educational administration buildings, including office facilities for school administrative units, and to meet the costs of leasing permanent space in a building which is used for the operation of a high school vocational technical education program]~~, the department of education shall, from funds appropriated by the general court to carry out the provisions of this subdivision, pay ~~[annually]~~ to the school districts of the state, sums in accordance with the provisions of this subdivision or the alternative school building aid provisions under RSA 198:15-u through RSA 198:15-w~~[-depending on which option a school district elects. The annual grant to school districts shall be made in 2 approximately equal payments, one in October and one in April of each fiscal year. No payment shall be made to a school district prior to the district's first payment on the amount of principal borrowed].~~

II. ~~[To provide funds for appropriations made to the department of education relative to paragraph I for the fiscal years ending June 30, 2009, June 30, 2010, and June 30, 2011, the state treasurer is hereby authorized to borrow upon the credit of the state the sums necessary for payment of such grants and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made when due by the state treasurer from funds designated under RSA 78 A:26, I(a)]~~ ***Beginning with construction authorized by a local school district on or after July 1, 2013, office facilities for school administrative units and the purchase or lease-purchase of temporary space for any purpose, including but not limited to modulators, trailers, or other similar structures to be used as classroom, office, or storage space shall not be eligible for school building aid.***

***III. Facilities constructed using school building aid shall be used as instructional facilities for kindergarten through grade 12 for at least 20 years. A school district that discontinues the use of the facilities shall be required to repay the state 100 percent of the state grant received. Upon a showing of good cause by the school district, the commissioner of the department of education may waive this penalty in whole or part on a case by case basis.***

2 School Building Aid; Amount of Grant. Amend RSA 198:15-b to read as follows:

198:15-b Amount of ~~[Annual]~~ Grant.

I.(a)(1) ***For construction authorized by a school district on or before July 1, 2013,*** the amount of the annual grant to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, any receiving district operating an area school as defined in RSA 195-A:1, or any receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall be a sum equal to 30 percent of the amount of the annual payment of principal on all outstanding borrowings of the school district,

city, cooperative school district, joint maintenance agreement, or receiving district, heretofore or hereafter incurred, for the cost of construction or purchase of school buildings and school administrative unit facilities, or for the cost of acquiring, developing, or renovating any municipally-owned land, buildings, or facilities to be used for school district purposes, to the extent approved by the department of education, provided that any school district may receive an annual grant in the amount of 40 percent for the construction of an educational administration building for a school administrative unit, and provided that the amount of the annual grant in the case of a cooperative school district, joint maintenance agreement, a receiving district operating an area school, or any receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall be 40 percent plus 5 percent for each pre-existing district in excess of 2 and each sending district in excess of one, and provided further that no cooperative school district, joint maintenance agreement, or receiving district operating an area school, shall receive an annual grant in excess of 55 percent.

***(2)(A) For construction authorized by a school district after July 1, 2013, school building aid grants for new construction shall not exceed the state appropriation for school building aid for the fiscal year, less any debt service payments due and owing in the fiscal year for construction or renovation projects approved in a prior fiscal year, less the amount owed for construction or renovation projects approved prior to July 1, 2013 in accordance with subparagraph (a)(1), unless otherwise provided by an act of the general court. School building aid grants approved pursuant to RSA 198:15-u through RSA 198:15-w, shall be disbursed to school districts pursuant to this subparagraph and no state bonds shall be authorized or issued for the purpose of funding school building aid grants. The amount of the grant to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, any receiving district operating an area school as defined in RSA 195-A:1, or any receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall be calculated based on the criteria set forth in RSA 198:15-v.***

***(B) The amount of the grant to any chartered public school established in accordance with RSA 194-B:3-a shall be 30 percent of the eligible cost of construction.***

***(C) The state board of education shall make an initial grant equal to 50 percent of the eligible amount upon approval of the application for school building aid by the state board of education, and a final grant for the balance of the approved amount upon completion of the construction and verification of the construction by the department of education.***

(b) For any municipally-owned land, buildings, or facilities for which school building aid is granted under this subdivision, the following shall apply:

(1) A school district, a city maintaining a school department within its corporate organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an area school as defined in RSA 195-A:1, or a receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall have first priority in the use of such land, buildings, or facilities for 10 years or the life of any bond or note issued to provide funds for such land, buildings, or facilities, whichever is greater.

(2) The cost of any proposed renovation project shall be less than the cost of a new acquisition for the same purpose.

(3) In the absence of a bond or note or upon the expiration of any bond or note issued to provide funds for land, buildings, or facilities, the principal parties shall enter into an agreement on how such land, buildings, or facilities are to be used.

I-a.(a) A receiving district situated in this state which is providing education to students from another school district situated in this state under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall be eligible to receive the higher annual grant amount provided in RSA 198:15-b, I or RSA 198:15-v under the following conditions:

(1) The contract requires the receiving district to educate at least 70 percent of the public school students at particular grade levels from a sending district as provided in the contract.

(2) The contract contains a provision for the payment of capital costs for specific capital projects.

(3) The contract provides the manner in which school building aid is to be credited to school districts.

(4) The contract or sending district's obligation to pay capital costs is for a period of 10 years or longer.

(b) The provisions of this paragraph shall only apply for those years in which the contract is in effect. In all other years, the receiving district shall receive aid in the amount for which it would otherwise be eligible under RSA 198:15-b, I or RSA 198:15-v.

(c) No receiving district shall receive a school building aid grant which is less than what a single school district would receive under RSA 198:15-b, I or RSA 198:15-v.

I-b.(a) A school district, or other entity listed in paragraph I of this section, which is in compliance with the requirements of this section, shall be entitled to receive an additional grant equal to 3 percent of the total construction costs. To be eligible for additional grant moneys, construction projects, as built, shall meet the criteria for designation as a high performance school under the most recent edition of the New England version of standards from the Collaborative for High Performance Schools. Application for the grant of additional moneys shall be submitted on forms developed by the department of education.

(b) ~~[Not more than \$100,000 in any fiscal year in new additional grant moneys shall be awarded. In the event that the total additional grant entitlement in any fiscal year exceeds \$100,000, the full entitlement of grant moneys shall be awarded to the districts having projects which exceed the minimum criteria for designation as a high performance school to the greatest extent.]~~

~~(e)]~~ The department of education shall review other high performance standards as they are developed and shall recommend adoption of new standards when in the judgment of the department, the new standards better reflect the intent of this section.

I-c.(a) In addition to the requirements of paragraph I, each school district, prior to receipt of any grant moneys, shall submit for review and approval a written maintenance plan describing in detail how the school district intends to maintain the new facilities to be constructed with state aid moneys. The required maintenance plan shall include, but not be limited to, the following information:

(b) A description of the procedures to be used, and the method of staffing in which, the following building services are or will be provided. For work performed by in-house staff, an indication of the staffing level shall be provided, expressed as full-time equivalent positions:

- (1) Daily facility cleaning.
- (2) Grounds maintenance.
- (3) Refuse removal.
- (4) Snow removal.
- (5) Minor maintenance and repair.
- (6) Pest management.
- (7) Periodic equipment servicing and preventive maintenance.
- (8) Plan for 12 month operations, if applicable.

(c) The average amount of space, in square feet, assigned to each custodian for daily cleaning.

(d) The process for reporting, recording, verifying, and prioritizing building problems and fire safety issues.

(e) The process for assigning corrective work.

(f) The process for determining that corrective work has solved the problem.

(g) The process for tracking and analyzing recurring problems.

(h) The process for scheduling and completing preventive maintenance services and inspections on installed equipment and major building systems including, but not limited to heating, ventilation, air conditioning, life safety, elevators, plumbing, roofs, windows, doors, and kitchen appliances.

(i) Custodial or maintenance staff increases or reductions that result from the project.  
 (j) The training program for employees on new equipment to be installed by the project.  
 (k) A statement of assurance, signed by the chair of the school board, which indicates that the district intends to maintain and service all installed equipment according to the manufacturer's instructions.

~~II. for the purposes of computing grants hereunder, the amount of the annual payment of principal shall be increased by an amount equal to the amount of capital reserve or the amount raised by taxation which was actually expended for the project at any time, divided by the number of years for which bonds or notes were issued to provide funds for such school building or school administrative unit facilities; provided, however that funds received from trusts, bequests, gifts or insurance policies shall not be eligible for computing grants hereunder. When bonds and notes are issued for a period of less than 5 years, the amount of aid for which the district is eligible shall be paid in no fewer than 5 equal installments.~~

~~III. If the project was entirely financed by the use of amounts raised by taxation or by the use of capital reserve other than funds from trusts, bequests, gifts or received from insurance policies the aid provided herein shall be paid in 5 equal installments.~~

~~IV.] II.~~ For the purposes of this subdivision, "construction" shall include any one or more of the following for the construction of instructional facilities only:

- (a) The acquisition and development of a site.
- (b) Planning, construction, or both, of a new building.
- (c) Planning, construction, or both, of additions to existing buildings .
- (d) Architectural and engineering fees.
- (e) Purchase of equipment and any other costs necessary for the completion of a building as approved by the department of education.
- (f) Substantial renovations approved by the commissioner of education.
- (g) Purchase or lease-purchase of mechanical, structural, or electrical equipment, including the cost of installation of such equipment, which is designed to improve energy efficiency or indoor air quality in school buildings. All grant amounts awarded under this subparagraph shall be returned to the state if such equipment is removed from the school building by the vendor due to the school district's failure to comply with the terms of the lease-purchase agreement. Lease-purchase agreements shall be subject to the requirements of RSA 33:7-e.

~~[V.] III.~~ Purchase of school buildings shall include the acquisition and improvement of land in connection therewith and the remodeling, altering, repairing, equipping and furnishing of such buildings as approved by the department of education.

~~[VI. Repealed].~~

~~VII.] IV.~~ In this paragraph, "new construction" means additional square footage but shall not mean the renovation of school buildings ~~[or school administrative unit facilities]~~. The provisions of this paragraph shall apply to any school building aid grants made pursuant to RSA 198:15-a through RSA 198:15-w.

(a) The department of education shall issue annually maximum eligible cost standards for the construction of new school buildings ~~[or school administrative unit facilities]~~, less site acquisition costs, qualifying for school building aid. These standards shall take into account the type, size, and location of the school ~~[or school administrative unit facility]~~ and shall be based on an appropriate construction cost index developed or adopted by the department which shall reflect cost differences in the several regions of the state. Maximum cost standards shall be computed and published annually and expressed as a maximum cost per square foot.

(b) Maximum size standards for new construction shall be as follows:

(1) Maximum gross square footage per pupil:

Student Population		
<u>under 250</u>	<u>250 and over</u>	
Elementary school	144	120
Middle or junior high school	168	140
Senior high school		

(excluding vocational-technical centers) 192160

(2) Maximum usable site size for new schools:

Elementary School	20 acres plus 1 acre for each 100 pupils
Middle or junior high school	25 acres plus 1 acre for each 100 pupils
Senior high school	30 acres plus 1 acre for each 100 pupils

**(3) In addition to the provisions of subparagraphs (1) and (2), the department of education shall require architectural designs for new space in order to make efficient use of space. Space determined by the department to be excessive or unnecessary to fulfill educational needs shall not be eligible for reimbursement.**

(c) For the purpose of calculating the total school building aid grants made under RSA 198:15-a through RSA 198:15-w, the final approved cost for school construction or school project shall not exceed the cost that would result if the project conformed to the maximum cost and size standards. The provisions of this section shall not preclude an eligible applicant from exceeding the maximum standards provided, however, the cost of the portion of the facilities which exceed the maximum standards shall not be eligible for school building aid. The maximum cost and size standards in effect at the time general contract work begins shall be used for the purposes of determining school building aid.

(d) The commissioner of the department of education shall have the authority to waive eligible cost and size standards for new construction for good reason shown.

~~[VIII.]~~ V. For the purpose of receiving grants under this section, acquisition of additional land as part of any school renovation project shall not be required unless such additional land is necessary to ensure the safe flow of traffic for school buses or other vehicles entering or exiting school grounds, or the safe boarding or discharge of children using school buses or other vehicles.

3 School Building Aid; Approval of Plans. Amend RSA 198:15-c to read as follows:

198:15-c Approval of Plans, Specifications, and Costs of Construction or Purchase.

**I.** A school district maintaining approved schools, desiring to avail itself of the grants herein provided shall have the plans, specifications, and cost estimates for school plant construction or proposals for the purchase of school buildings, or both, and the costs for them approved by the ~~[state board]~~ **department of education** prior to the start of construction. For this purpose the district shall submit its plans, specifications, cost, and purchase estimates in writing to the department of education on such forms as the department prescribes. A school district shall also submit a copy of any application for energy efficiency reimbursement under RSA 374-F. The department of education shall coordinate with the public utilities commission to ensure that eligible school districts have submitted applications for funding reimbursement and technical assistance as available from energy utility companies to promote indoor air quality and energy efficiency in public schools. Application for school building aid shall be submitted before ~~[January 1 of each year in order to be eligible for school building aid in the fiscal year following the year of submittal]~~ **December 1 of the fiscal year prior to the biennium in which school building aid is to be disbursed.**

**II.(a) The commissioner shall accept school building aid applications based upon completeness and submit a preliminary school building aid list to the school building authority established pursuant to RSA 195-C. By March 1 of the fiscal year prior to the biennium in which school building aid is to be disbursed, the school building authority shall develop a rank ordered list of all school building construction and renovation proposals submitted by school districts and shall categorize each proposal based on school building and site criteria in descending order. The school building authority shall recommend prioritized proposals to be funded in descending rank order to the state board of education for approval. School districts which have projects approved for funding shall be notified by the department of education of the projected amount to be funded within 10 days of approval. The project rating system and criteria used to rate project applications which shall include an administrative review process for appeal of a school district's project point rating, shall be developed**

*by the department of education and approved by the state board of education no later than November 1, 2013.*

*(b) A ranking system in support of primary categories criteria shall include consideration of unsafe conditions; obsolete, inefficient, or unsuitable facilities or mechanical and building systems; overcrowding and associated influences to instructional areas and programming; enrollment projections and population shifts; and other conditions as determined necessary. The ranking system shall also include criteria to determine if a school district has made a reasonable attempt to accommodate maintenance activities including scheduled and unscheduled repairs, upkeep, minor alterations, enhancements to buildings, and preventative maintenance necessary to achieve the design life expectancy of building systems and components.*

*(c) The school building authority shall recommend those proposals to be funded in descending rank order to the state board of education for approval. Those proposals not approved shall be considered for approval in the next biennial budget. Project proposals shall be funded to the extent of available appropriations in the fiscal year.*

*(d) Emergency requests shall be dealt with on a case-by-case basis as deemed appropriate by the state board of education.*

**III.** The department of education shall not approve the plans, specifications, cost, or purchase estimates, if in the department's judgment the facilities planned will not adequately meet the educational requirements, or if its cost estimates are excessive or unreasonable. The department of education shall not approve the plans, specifications, cost, or purchase estimates if in the department's judgment the proposed construction or purchase is in conflict with effective statewide planning pursuant to RSA 9-A or the principles of smart growth pursuant to RSA 9-B. Necessary costs of the purchase of school buildings may be determined by any recognized method of real estate appraisal with appropriate adjustments for remodeling or other expenditures. Upon approval of the construction or purchase, or both, by the department of education, the school district shall be entitled to receive ~~[an annual]~~ a grant as provided herein.

4 School Building Aid; Proration and Unexpended Funds. Amend RSA 198:15-e to read as follows:

198:15-e Proration and Unexpended Funds. ~~[If in any year,]~~ The amount appropriated for distribution as school building grants in accordance with ***the version of RSA 198:15-b in effect prior to July 1, 2012 shall be first awarded to a school district for an eligible project funded before July 1, 2012. If the amount appropriated in any fiscal year*** is insufficient therefor, ~~[grants for eligible construction work approved by the legislative body of the school district since the approval of the most recent state biennial budget shall be deferred and included in a request for a future appropriation, or partial grants may be made to the extent of the available appropriation. Any partial grant made shall be prorated proportionally among all districts with eligible construction work approved since the approval of the most recent biennial budget. The department of education shall include any unpaid grant amounts in the next biennial budget or request a supplemental appropriation. If the amount appropriated is insufficient after deducting all grants approved since the approval of the most recent biennial budget,]~~ the appropriation shall be prorated proportionally among the districts entitled to a grant. ***If the amount appropriated exceeds the amount necessary to fund grants to school districts for construction projects approved by the state board of education in a prior fiscal year, the remaining amount of the appropriation shall be distributed to school districts for proposals approved by the state board of education in accordance with the procedure set forth in RSA 198:15-c, II. Such school district shall receive a grant equal to 100 percent of the approved amount of the request until the amount appropriated has been exhausted. A partial grant may be awarded to the extent that funds are available. If a school district declines a full or partial grant, a grant shall be made to the next ranked school district until the amount appropriated has been exhausted.*** Any amounts not distributed in the first year of any biennium may be distributed in the second year if required to distribute the maximum amount permissible under RSA 198:15-a.

5 Kindergarten Construction Program; Eligibility. Amend RSA 198:15-s, II(b)(4) to read as follows:

(4) Costs shall be limited to the annual maximum eligible cost standards in accordance with RSA 198:15-b, [VII] V, unless waived by the commissioner of the department of education for good cause.

6 Alternative School Building Aid. Amend RSA 198:15-v, II to read as follows:

II.(a) The amount of the annual grant in this subdivision shall be a sum equal to a percentage of the amount of the annual payment of principal on all outstanding borrowings of the school district, city, cooperative school district, joint maintenance agreement, or receiving district, for all approved costs of construction or purchase of school buildings and school administrative unit facilities, for ~~[which loans are approved after July 1, 2005]~~ **grants approved on or before July 1, 2013** according to the following table:

Building Aid Factor	Single District	Preexisting District in a
	Cooperative School District, Area School, or Joint Maintenance Agreement	
0-59	60 percent	60 percent
60-69	55 percent	60 percent
70-89	45 percent	55 percent
90-114	40 percent	50 percent
115 or greater	30 percent	40 percent

(b) ***For projects approved after July 1, 2013, the amount of the grant to any school district, city, cooperative school district, joint maintenance agreement, or receiving district shall be a sum equal to the percentage of all approved costs for construction or purchase of school buildings according to the following table:***

Building Aid Factor	Single District	Preexisting District in a
	Cooperative School District, Area School, or Joint Maintenance Agreement	
0-59	80 percent	80 percent
60-69	45 percent	50 percent
70-89	35 percent	45 percent
90-114	30 percent	40 percent
115 or greater		20 percent 30 percent

(c) The percentage once determined for a particular borrowing shall not thereafter be subject to change.

7 School Building Authority. Amend RSA 195-C:1, I to read as follows:

I. There shall be a school building authority, referred to in this chapter as the authority, ~~[of 5 members]~~ consisting of the state treasurer, the commissioner of education, ***the state fire marshal or designee***, and 3 other members appointed by the governor, ***one of whom shall have expertise in education, one of whom shall have expertise in finance, and one of whom shall have expertise in building construction or engineering***, with the advice and consent of the council, for terms of 3 years and until their successors are appointed and qualify. The governor shall designate one of said members as chairman. In case of vacancy among the appointive members of the authority, the governor, with the advice and consent of the council, shall fill the same for the unexpired term. The appointive members of the authority shall receive as compensation for their services, while actually engaged in the business of the authority, the sum of \$8 per day plus their necessary subsistence expenses. The appointive members of the authority shall be paid mileage at the state employees rate, plus necessary travel expenses, only when performing activities at the request of the state board of education.

8 Construction or Renovation of Regional Vocational Education Centers. Amend RSA 188-E:3, II to read as follows:

II. Upon completion, the constructed or renovated facility shall become the property of the school district or public academy, as the case may be. Provision of the site, parking, and other related areas shall be the responsibility of the local community. Site work, including but not limited to cut and fill work, compaction, demolition, relocation of utilities, relocation of roadways and sidewalks, and similar work within an area extending to one foot beyond the outside edge of the exterior walls of the building, shall be eligible for grants under paragraph I. Nothing shall prohibit the inclusion of the site and related facilities which are not funded as part of construction cost by the state under this chapter from being included in a regular building aid application of the district as provided in RSA 198:15-b. ***However, no school district which receives any funding under this chapter shall be eligible to receive school building aid under RSA 198:15-b for the same project.***

9 Repeal. RSA 198:15-hh, relative to annual grant for leased space, is repealed.

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

2012-1575s

#### AMENDED ANALYSIS

This bill amends the procedure for the approval of school building aid projects and the distribution of school building aid grants.

Senate Transportation

April 12, 2012

2012-1627s

09/04

#### Amendment to HB 1144

Amend RSA 21-J:47, II(a) as inserted by section 1 of the bill by replacing it with the following:

II.(a) The members of the commission shall be as follows:

- (1) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (2) The commissioner of the department of revenue administration, or designee.
- (3) The commissioner of the department of safety, or designee.
- (4) The commissioner of the department of environmental services, or designee.
- (5) The commissioner of the department of transportation, or designee.

Senate Transportation

April 12, 2012

2012-1620s

04/10



### Amendment to HB 1165

Amend the bill by replacing section 3 with the following:

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

Senate Transportation

April 12, 2012

2012-1628s

03/10

### Amendment to HB 1171

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

AN ACT updating certain references in motor vehicle statutes and relative to motor fuel distributors.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 5:

3 Road Tolls; Bond. Amend RSA 260:37, I(a)(1) to read as follows:

(1) In an amount equal to approximately ~~[3]~~ **2** times the monthly road toll liability of the distributor, but not less than \$10,000, on a form to be approved by the commissioner;

4 Road Tolls; Suspension or Revocation of License. Amend RSA 260:39, I to read as follows:

I.**(a)** If a distributor fails to maintain an active bond, as required by RSA 260:37, or at any time files a false monthly report, or willfully fails, neglects, or refuses to file the monthly report, or to pay the full amount of the road toll as required by this subdivision, the commissioner **or his or her designee**, after 10 days' written notice by certified mail directed to the last known address appearing on the files of the department:

~~[(a)]~~ **(1) Shall revoke or suspend the distributor's license, effective as of the date of the written notice; and**

**(2) Shall fix a time and place at [which] the department's bureau of hearings, within 10 days of the written notice, where the [distributor] licensee may appear and show cause why such license should [not be suspended or revoked; or] be reinstated. The license shall remain revoked or suspended until a hearing is conducted and a decision is rendered by the hearings examiner.**

~~(b) [May suspend or revoke the license, in which case the commissioner shall notify the distributor in writing of the suspension or revocation by certified mail.]~~ **The written notice shall be presumed to have been served, upon return of the certified receipt signed by the licensee, or 3 days after mailing to the last known address on record of the licensee, whichever comes first.**

**(c) Any distributor whose license [shall have been] remains suspended or revoked by the commissioner after a hearing may, within 30 days from the date of such [suspension or revocation] decision, [make application in the nature of an] appeal to the [governor and council] superior court of Merrimack county.**

2012-1628s

AMENDED ANALYSIS

This bill updates certain references relating to the United States Department of Transportation in motor vehicle statutes. This bill also reduces the bond requirement for motor fuel distributors under the road toll law and modifies the procedure for suspension or revocation of a distributor license by the commissioner of the department of safety.

This bill was requested by the department of safety.

Senate Judiciary  
April 9, 2012  
2012-1551s  
03/04

### **Amendment to HB 1312**

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Limitations; Accidents Resulting in Death or Serious Bodily Injury.

Amend RSA 625:8, III by inserting after subparagraph (g) the following new subparagraph:

(h) For any violation-level offense involving a motor vehicle accident resulting in death or serious bodily injury, within 6 months of the accident.

2012-1551s

### **AMENDED ANALYSIS**

This bill allows the prosecution of a violation-level offense involving a motor vehicle accident resulting in death or serious bodily injury up to 6 months after the accident.

Energy and Natural Resources  
April 12, 2012  
2012-1624s  
10/04

### **Amendment to HB 1392**

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Fish and Game; Aquaculture; Rulemaking. Amend RSA 211:62-e by inserting after paragraph II-a the following new paragraph:

II-b. The executive director shall adopt rules, pursuant to RSA 541-A, for the issuance of 5-year licenses under this section to oyster aquaculture operations in the Great Bay estuary, and the fees, terms, and conditions therefor as authorized under paragraph II-a.

2012-1624s

## AMENDED ANALYSIS

This bill requires the executive director of fish and game to adopt rules for a 5-year license for oyster aquaculture operations in the Great Bay estuary.

Senate Transportation

April 12, 2012

2012-1626s

03/05

**Amendment to HB 1434**

Amend the bill by replacing section 1 with the following:

1 Antique Motor Vehicle Plates; Placement. Amend RSA 261:89-a, I to read as follows:

I. The director may permit the owner of an antique motor vehicle or motorcycle, as defined in RSA 259:4, or trailer, as defined in paragraph II of this section, to use a registration plate which was issued in the same year that the antique motor vehicle, motorcycle, or trailer was manufactured, provided the motor vehicle, motorcycle, or trailer is registered as an antique motor vehicle, motorcycle, or trailer under this chapter, and the number of the antique plate is recorded with the director. ***Registration plates issued in the same year that the antique motor vehicle was manufactured may be affixed to both the front and rear of the antique motor vehicle, to either the front or rear of the antique motorcycle, and to the rear of the antique trailer for any such vehicle with a year of manufacture of 1960 or earlier if the registration plate matching the registration certificate is carried within the antique motor vehicle.*** Any antique motor vehicle, motorcycle, or trailer bearing a registration plate with the year of manufacture shall also carry, within it, a valid antique motor vehicle, motorcycle, or trailer registration certificate and a permit issued under this section. ~~[The registration plate matching the registration certificate shall be affixed to the rear of the antique motor vehicle, motorcycle, or trailer. The registration plate which was issued in the same year that the antique motor vehicle was manufactured shall be affixed to the front of the antique motor vehicle, to either the front or rear of the antique motorcycle, and to the rear of the antique trailer, provided it is not placed in a location where the registration plate is normally affixed.]~~

Senate Executive Departments and Administration

April 12, 2012

2012-1623s

10/05

**Amendment to HB 1460**

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

AN ACT establishing a commission to make recommendations on whether the New Hampshire retirement system should be replaced with a defined contribution plan for all new hires and to study the impact such change would have on the retirement system, and making an appropriation therefor.

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

1 New Section; Commission to Study a Viable Defined Contribution Plan. Amend RSA 100-A by inserting after section 56 the following new section:

100-A:56-a Commission to Study a Viable Defined Contribution Plan.

I. There is established a commission to make recommendations on whether the New Hampshire retirement system should be replaced with a defined contribution plan for all new hires and to study the impact such change would have on the retirement system.

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

(a) Three members of the house of representatives, one of whom shall be from the executive departments and administration committee and one of whom shall be from the finance committee, appointed by the speaker of the house of representatives.

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

(c) The chairman of the New Hampshire retirement system board of trustees, or designee.

(d) Two member representatives of group I of the retirement system, one appointed by the governor and one appointed by the speaker of the house of representatives.

(e) Two member representatives of group II of the retirement system, one appointed by the governor and one appointed by the president of the senate.

(f) Four employer representatives, with one of the 4 employer representatives appointed by the New Hampshire Municipal Association, one appointed by the New Hampshire School Boards Association, one appointed by the New Hampshire Association of Counties, and one representing the state of New Hampshire, appointed by the governor.

(g) One public member with recognized expertise in finance, financial management, or the governance and oversight of large endowments or public funds, appointed by the governor.

(h) Two public members with recognized expertise in the design, administration, implementation, and educational components of public sector and/or private sector defined contribution plans. One member to be appointed by the speaker of the house of representatives and one member to be appointed by the president of the senate.

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

IV. The commission shall:

(a) Study and make recommendations regarding a viable defined contribution plan to replace the current defined benefit plan for new hires. Such study shall include, but not necessarily be limited to:

(1) Evaluation and comparison of defined contribution plans in place in other states, in the private sector, and in public and private sector higher education.

(2) Evaluation and comparison of mandatory and voluntary contribution requirements in defined contribution plans and the statistical outcomes for each in providing retirement benefits.

(3) Evaluation of the effect on retirement account balances and member retirement outcomes of allowing participant loans or hardships withdrawals.

(4) Evaluation of various investment management options for participants and the effect such options have on retirement outcomes.

(5) Evaluation of employer and employee education programs for administration and participation in defined contribution plans.

(6) Evaluation of a plan design with a fixed employer and employee contribution, but which provides a hybrid defined benefit and defined contribution member benefit.

(b) Provide a legislative history of the existing New Hampshire retirement system and the financial impact that major legislative decisions have had on the funding of the corpus of the plan.

(c) Analyze the current financial status of the retirement system and the challenges facing the system in the future.

(d) Study the impact on the investment returns and plan funding of closing the existing New Hampshire retirement system defined benefit plan, and compare and evaluate how other jurisdictions and/or the private sector have addressed these issues.

(e) Evaluate various methods for continued funding of the unfunded accrued liability of the existing New Hampshire retirement system, including but not limited to recent legislative proposals establishing a state administered defined contribution plan.

(f) Evaluate options for providing a cost of living increase for current New Hampshire retirement system plan participants and provide an analysis of the annual costs of the same for the amortization period of the system's unfunded accrued liability.

(g) Study the issue of equity in contribution rates between employers and employees.

(h) Study other matters deemed necessary by the commission.

(i) Seek technical assistance as necessary from the New Hampshire retirement system and from other independent financial, investment, actuarial, and retirement experts. The commission may employ support staff for the purposes of its duties.

V. The commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section.

VI. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before December 1, 2013.

## 2 Appropriation; Expenditures.

I. There is hereby appropriated the sum of \$100,000 for fiscal year 2013 which may be expended by the commission established by this act for the purposes of RSA 100-A:56-a as inserted by this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The commission established in RSA 100-A:56-a as inserted by this act is authorized to accept and expend private sector grants, gifts, or donations of any kind for the purpose of the duties required in this act. Any moneys collected shall be continually appropriated to the commission for the purposes of this act.

3 Commission Repealed. RSA 100-A:56-a, relative to the commission on long-term viability, defined contribution plan, is repealed.

## 4 Effective Date.

I. Section 3 of this act shall take effect January 1, 2014.

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

2012-1623s

## AMENDED ANALYSIS

This bill establishes a commission to make recommendations on whether the New Hampshire retirement system should be replaced with a defined contribution plan for all new hires and to study the impact such change would have on the retirement system. The bill makes an appropriation to the commission for purposes of the duties of the commission.

Senate Transportation

April 12, 2012  
 2012-1625s  
 01/05

### Amendment to HB 1495-FN

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

2 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers authorized under section 1 of this act shall not be a charge to the state. However, the design, construction, and installation of any signage or other markers authorized under this act shall be approved by the department of transportation.

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

Senate Finance  
 April 12, 2012  
 2012-1634s  
 06/09

### Amendment to HB 1552-FN

Amend RSA 6:12-f, III as inserted by section 1 of the bill by replacing it with the following:

III. ~~[Beginning on]~~ **By** November 15, 2009, and each odd-numbered year thereafter, it shall be the responsibility of the commissioner of administrative services, ~~[in consultation with the relevant assigned department,]~~ to submit a report of funds, accounts, or trusts **identified by requests under subparagraph II(b) and** not included in RSA 6:12, RSA 6:12-b, RSA 6:12-c, or RSA 6:12-d to the **legislative budget assistant and the** chairpersons of the ways and means committees of the senate and house of representatives for introduction in the next legislative session in order to include said funds, accounts, or trusts in RSA 6:12, RSA 6:12-b, RSA 6:12-c, or RSA 6:12-d.

Senate Executive Departments and Administration  
 April 12, 2012  
 2012-1615s  
 05/01

### Amendment to HB 1593-FN

Amend the bill by deleting section 5 and renumbering the original sections 6-7 to read as 5-6, respectively.

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

6 Duties of the Commissioner. Amend RSA 21-R:4, X to read as follows:

X. Developing **and implementing** a data center [~~consideration~~] **consolidation** plan, which establishes strategic data centers throughout the state for data processing operations and service responsibilities for all executive branch agencies.

7 Duties of the Commissioner. Amend RSA 21-R:4, XIII to read as follows:

XIII. Developing **and implementing** a strategy to increase efficiency and effectiveness in all areas of state government by using information technology to its fullest potential.

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

2012-1615s

#### AMENDED ANALYSIS

This bill:

I. Repeals the prospective repeal date of July 1, 2014 for the department of information technology.

II. Permits agency heads to appoint designees to the information technology council and adds certain public members to the council.

III. Requires the commissioner of the department of information technology to develop a cyber security strategy and GIS strategy and clarifies other duties of the department.

IV. Adds the commissioner of the department of information technology to the advisory council on emergency preparedness and security.

Senate Finance  
April 6, 2012  
2012-1543s  
09/10

#### Amendment to HB 1687-FN

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

1 Online Access to Budget Information and Reports; State Employee Information. Amend RSA 9-F:1, II(b) to read as follows:

(b) Annual salaries of all full-time state employees, listed by pay type category and in a searchable format **that includes the state agency, accounting unit, job title, position number, and whether the position is vacant or filled.**

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

Senate Transportation  
 April 12, 2012  
 2012-1613s  
 01/09

### Amendment to HB 1716

Amend the bill by replacing all after section 14 with the following:

15 Interstate 93 Exit 4A; Derry/Londonderry. The department of transportation may accept and expend any federal or other funds, with the approval of the governor and council, for the Derry/Londonderry project, number 13065, 1816, for the construction of a new exit 4A on I-93.

16 Issuance of Revenue Bonds. Amend RSA 228-A:2 to read as follows:

228-A:2 Issuance of Revenue Bonds. The state may issue bonds under this chapter to be known as "federal highway grant anticipation bonds." The bonds may be issued from time to time for the purpose of financing project costs related to the widening of Interstate 93 from Manchester to the Massachusetts border, the replacement or repair of the Memorial Bridge and the Sarah Mildred Long Bridge in Portsmouth, New Hampshire, and any other federally aided highway project hereafter authorized by the general court to be financed under this chapter. Bonds issued hereunder shall be special obligations of the state and the principal of, premium, if any, and interest on all bonds shall be payable solely from the particular funds provided therefor under this chapter. ***The issuing of bonds shall be contingent upon the availability of sufficient anticipated federal aid over the term of the bonds.*** The bonds shall be issued by the treasurer in such amounts as ***the fiscal committee of the general court and*** the governor and council shall determine, not exceeding [~~\$195,000,000 for Interstate 93~~] ***\$445,000,000 for federally aided highway projects*** and \$45,000,000 for the replacement or repair of the Memorial Bridge and the Sarah Mildred Long Bridge. Debt service for federal highway grant anticipation bonds (Garvee bonds) for the bridges shall be paid from a portion of future federal bridge funds. Bonds of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker's loan rate, or other method as may be determined by the treasurer, and shall mature at such time or times as may be determined by the treasurer, except that no bond shall mature more than 15 years from the date of its issue. Bonds may be made redeemable before maturity either at the option of the state or at the option of the holder, or on the occurrence of specified events, at such price or prices and under such terms and conditions as may be fixed by the treasurer prior to the issue of bonds. The treasurer shall determine the form and details of bonds. Subject to RSA 93-A, the bonds shall be signed by the treasurer and countersigned by the governor. The bonds may be sold in such manner, either at public or private sale, for such price, including above or below par value, at such rate or rates of interest, or at such discount in lieu of interest, as the treasurer may determine.

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

2012-1613s

### AMENDED ANALYSIS

This bill:

I. Adopts the 10-year transportation improvement plan for 2013-2022.



II. Requires legislative approval for capital and operating budgets related to passenger rail service prior to any expenditures.

III. Clarifies the management and disbursement of various donations for a public works employee memorial.

IV. Provides that the commissioner of the department of transportation serve as a non-voting member of the governor's advisory commission on intermodal transportation.

V. Deletes the Jennison Road bridge project, number 8342.

VI. Advances the Belmont–Laconia project, number 2787 and the Concord–Loudon project, number 8341 contingent upon 100 percent financing.

VII. Provides that New Hampshire's share of the costs of rehabilitating or reconstructing the Sarah Mildred Long Bridge be contingent upon the center lift span being of sufficient length to allow safe passage of the upcoming generation of cargo vessels.

VIII. Deletes the Sutton-Bradford project, number 8340.

IX. Authorizes the commissioner of transportation to acquire land and relocate certain transmission lines for the redevelopment of rest areas on I-93 in the town of Hooksett.

X. Deletes the project Walpole-Charlestown from the Deferred Projects List.

XI. Deletes the Salem to Manchester project of the I-93 widening project from the Deferred Projects List and adds it to the Ten Year Transportation Improvement Plan 2013-2022.

XII. Permits the department of transportation to accept and expend federal or other funds for the I-93 exit 4A Derry/Londonderry project, number 13065.

XIII. Makes the issuance of federal highway grant anticipation bonds contingent upon the availability of sufficient federal aid over the term of the bonds.

## HEARINGS

***TUESDAY, APRIL 17, 2012***

### **COMMERCE**, Room 102, LOB

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

9:00 a.m. **HB 1410**, relative to securities regulation.

9:20 a.m. **HB 1579**, authorizing the department of employment security to garnish the wages of individuals with delinquent unemployment compensation overpayments.

9:40 a.m. **HB 1366**, relative to employer charges for unemployment compensation benefits and relative to suitable work and eligibility requirements for claimants for unemployment compensation benefits.

### **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 1175**, relative to the membership of the cooperative school district budget committees.

1:10 p.m. **HB 1225**, permitting a charter school to incur long-term debt.

- 1:20 p.m. **HB 1571**, relative to educational evaluation of home schooled children.  
 1:40 p.m. **HB 545**, relative to the administrative rulemaking process governing home educated pupils.  
 2:00 p.m. **HB 1607-FN-L**, establishing an education tax credit.

**EXECUTIVE SESSION MAY FOLLOW**

**JOINT SENATE-HOUSE FINANCE AND WAYS AND MEANS COMMITTEES**, Rooms 210-211, LOB

**FINANCE**, Sen. Morse (C), Sen. Odell (VC), Sen. Barnes, Sen. Bragdon, Sen. D'Allesandro, Sen. Forrester, Sen. Gallus **WAYS AND MEANS**, Sen. Odell (C), Sen. Luther (VC), Sen. Boutin, Sen. D'Allesandro, Sen. Morse, Sen. Rausch

- 1:00 p.m. NCSL briefing on the Federal Deficit and the Federal Budget Control Act and their impact on states.

**PUBLIC AND MUNICIPAL AFFAIRS**, Room 101, LOB

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

- 9:00 a.m. **HB 1308**, relative to the definition of "public body" under the right-to-know law.  
**(THE PREVIOUS HEARING FOR HB 1308 WAS RECESSED ON APRIL 10<sup>TH</sup>)**  
 10:00 a.m. **HB 1546**, recodifying the laws relative to religious societies and adding a religious exemption to the insurance mandates relative to coverage for contraception.  
 10:45 a.m. **HB 1704-FN**, relative to limits on political contributions and relative to reporting by political committees.  
 11:30 a.m. **HB 1254**, establishing a committee to study the effect of illegal immigration on the state and its political subdivisions.  
 11:45 a.m. **HB 1353**, relative to establishing an individual's status as a veteran.

**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

- 2:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

***WEDNESDAY, APRIL 18, 2012***

**INTERNAL AFFAIRS**, Room 100, SH

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

- 2:00 p.m. **HB 1195**, relative to membership of the joint legislative historical committee.  
 2:10 p.m. **HB 1256**, establishing a New Hampshire state register of historic places.  
 2:20 p.m. **HB 1435**, establishing a liaison committee to monitor the department of environmental services.  
 2:30 p.m. **HB 1436**, establishing a liaison committee to monitor the management of natural resources by the department of resources and economic development.  
 2:40 p.m. **HB 1671**, apportioning congressional districts.

**EXECUTIVE SESSION MAY FOLLOW**

***THURSDAY, APRIL 19, 2012***

**ENERGY AND NATURAL RESOURCES**, Rooms 305-307, LOB

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

- 9:30 a.m. **HB 1490-FN**, relative to New Hampshire's regional greenhouse gas initiative cap and trade program for controlling carbon dioxide emissions.

**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 1255**, relative to the membership of the commission on primary care workforce issues.
- 9:10 a.m. **HB 1387**, requiring flags purchased with state funds or displayed in state facilities to be manufactured in the United States.
- 9:20 a.m. **HB 1362**, exempting service animals from dog registration and licensing and establishing an option for permanent registration and licensing of service animals.
- 9:40 a.m. **HB 1306-FN-L**, requiring a report on part-time employment of retired members of the retirement system.
- 10:00 a.m. **HB 1206**, relative to continuing obligations under expired public employee labor agreements.
- 10:20 a.m. **HB 1582**, relative to medical and surgical benefits for state employees.

**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 1230-FN**, requiring a listing of state real property.
- 1:15 p.m. **HB 138-FN**, relative to the cold case homicide unit.
- 1:45 p.m. **HB 618-FN**, requiring state agencies to develop performance measures and to develop budgets for each biennium.
- 2:00 p.m. **HB 1692-FN**, making changes to the administration of the university system of New Hampshire.

**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 1402**, relative to the sale of homemade food and licensing of certain milk producer-distributors.
- 1:15 p.m. **HB 1725-FN**, prohibiting health care practitioner self-referrals for medical devices.
- 1:30 p.m. **HB 234-FN-A**, relative to food service licensure and establishing a committee to study the regulation of food service establishments.
- 1:45 p.m. **HB 1217**, relative to the form for executing advance directives for health care decisions.
- 2:00 p.m. **HB 1560**, relative to the interstate Health Care Compact.

**EXECUTIVE SESSION MAY FOLLOW**

**JUDICIARY**, Room 101, LOB

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

- 1:00 p.m. **HB 1438**, relative to confidentiality of police personnel files.
- 1:15 p.m. **HB 1537-FN**, relative to violations of privacy occurring outside a private place.
- 1:30 p.m. **HB 1707-FN**, relative to penalties for operation after revocation or suspension.
- 1:45 p.m. **HB 1526-FN**, relative to possession of less than one-half ounce of marijuana.
- 2:15 p.m. **HB 1615**, relative to industrial hemp.
- 2:45 p.m. **HB 1510-FN**, relative to taxpayer standing for declaratory judgments.

**EXECUTIVE SESSION MAY FOLLOW**

**TRANSPORTATION**, Room 103, LOB

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

- 9:00 a.m. **HB 1128**, relative to ignition interlock device recalibration and data reports.
- 9:15 a.m. **HB 1549**, prohibiting the use of motor vehicle records for any federal identification database.

- 9:45 a.m. **HB 1629-FN**, relative to state photographic identification indicating honorable veteran's status.
- 10:15 a.m. **HB 1635**, relative to motor vehicle inspections.
- 10:30 a.m. **HB 1701-FN**, prohibiting New Hampshire from entering into or enforcing reciprocal agreements with other states to deny rights and privileges for nonpayment of taxes owed to another state.
- 10:45 a.m. **HB 1304**, relative to the waiver of financial responsibility requirements for certain habitual offenders.
- EXECUTIVE SESSION MAY FOLLOW**

## ***TUESDAY, APRIL 24, 2012***

### **COMMERCE**, Room 102, LOB

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

- 9:00 a.m. **HB 1727-FN**, to return certain insurance exchange moneys to the federal government.
- 9:30 a.m. **HB 1297**, relative to federal health care reform and health care exchanges.
- 10:00 a.m. **HB 1622**, relative to the adoption of forms under the administrative procedures act by the department of insurance.
- 10:20 a.m. **HB 1241**, relative to table wines.
- 10:40 a.m. **HB 1182**, prohibiting the sale of baby food products containing bisphenol A in New Hampshire.

**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. **HB 1698-FN-A**, establishing a committee to study implementing keno in the state of New Hampshire.
- 1:15 p.m. **HB 1260-FN**, relative to certain contributions to pari-mutuel pools by race simulcasters in Cheshire county, compensation of charitable organizations by gaming operators, and unauthorized gambling machines and sweepstakes.
- 1:30 p.m. **HB 1251-FN**, establishing a committee to study requiring that all sales of alcoholic beverages for off-premises consumption be made at state liquor stores.

**EXECUTIVE SESSION MAY FOLLOW**

## ***THURSDAY, APRIL 26, 2012***

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

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

- 9:00 a.m. **HB 1553**, repealing obsolete and outdated provisions of the Revised Statutes Annotated.
- 9:20 a.m. **HB 1631**, allowing persons licensed to provide emergency medical services to work at social or sporting events.
- 9:40 a.m. **HB 1508**, relative to procedures of the board of mental health practice.
- 10:15 a.m. **HB 1300**, relative to removing public officials for cause.

**EXECUTIVE SESSION MAY FOLLOW**

### **HEALTH AND HUMAN SERVICES**, Room 100, SH

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

- 1:00 p.m. **HB 1617-FN**, repealing the certificate of need law.
- 1:30 p.m. **HB 1642-FN**, relative to destination specialty hospitals

**EXECUTIVE SESSION MAY FOLLOW**

**JUDICIARY**, Room 101, LOB

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

- 1:00 p.m. **HB 1665-FN**, enabling a superior court or circuit court to implement one or more drug courts.
- 1:15 p.m. **HB 1723**, making technical corrections regarding parental notification prior to abortion.
- 1:30 p.m. **HB 1611-FN**, repealing certain provisions relative to the sale of pistols and revolvers.
- 1:50 p.m. **HB 1341**, repealing the provision relative to the unauthorized use of firearms in the compact part of a city or town.
- 2:10 p.m. **HB 1246**, permitting resident application for pistol or revolver licenses to be submitted to the state police or the sheriff's department.
- 2:30 p.m. **HB 217-FN**, amending the first and second degree murder statutes and the negligent homicide statute to include causing the death of a fetus.
- EXECUTIVE SESSION MAY FOLLOW**

**THURSDAY, MAY 3, 2012****JUDICIARY**, Room 101, LOB

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

- 1:00 p.m. **HB 1131**, establishing a committee to study methods of creating a balanced and neutral judiciary.
- 1:15 p.m. **HB 1422**, relative to the applicability of foreign law in cases before New Hampshire tribunals.
- 1:30 p.m. **HB 1474**, relative to eliminating the requirement that attorneys be members of the state bar association.
- 1:45 p.m. **HB 1722**, relative to disqualification of judges and lawyers from practicing in the circuit courts.
- 2:00 p.m. **CACR 26**, Relating to administration of the supreme court. Providing that the article authorizing the chief justice of the supreme court to make rules governing the administration of all the courts of the state shall be repealed.
- 2:15 p.m. **HB 1395**, revoking amendments to supreme court rules 50 and 50-A.
- 2:30 p.m. **HB 1718**, relative to judicial review of electoral districts.
- EXECUTIVE SESSION MAY FOLLOW**

**MEETINGS****FRIDAY, APRIL 13, 2012****GUARDIAN AD LITEM BOARD (490-C:1)**

9:00 a.m. Room 102, LOB Non-Public Session of the Complaint Review Committee

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

9:00 a.m. Room 303, LOB Regular Meeting

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

10:00 a.m. Rooms 210-211, LOB Regular Business

10:30 a.m. Rooms 210-211, LOB Audits  
State of New Hampshire Single Audit  
of Federal Financial Assistance  
Programs for the Year Ended June 30,

2011

State of New Hampshire Turnpike  
System Management Letter For The  
Fiscal Year Ended June 30, 2011

State of New Hampshire Public  
Utilities Commission and its  
Administratively Attached Agencies  
Performance Audit April 2012

State of New Hampshire Banking  
Department Financial Audit Report  
Fiscal Year Ended June 30, 2011

### ***MONDAY, APRIL 16, 2012***

#### **COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T:1)**

10:00 a.m. Room 303, LOB Regular Meeting

#### **LEGISLATIVE OVERSIGHT COMMITTEE TO MONITOR COMPLIANCE WITH THE REQUIREMENTS FOR ONLINE ACCESS TO BUDGET INFORMATION AND REPORTS UNDER RSA 9-F:1 (RSA 9-F:2)**

10:00 a.m. Room 308, LOB Regular Meeting

#### **BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)**

1:00 p.m. Room 201, LOB Regular Meeting

#### **COMMITTEE TO STUDY WATER INFRASTRUCTURE SUSTAINABILITY FUNDING (SB 60, Chapter 245:1, Laws of 2009)**

1:00 p.m. Room 103, SH Regular Meeting

### ***WEDNESDAY, APRIL 18, 2012***

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

1:00 p.m. or Room 101, LOB Regular Meeting

Immediately Following  
Senate Session

### ***THURSDAY, APRIL 19, 2012***

#### **SHORELAND ADVISORY COMMITTEE (RSA 483-B:21)**

9:00 a.m. Department of Environmental Regular Meeting  
Services, Room 214  
29 Hazen Drive  
Concord, NH

#### **COMMISSION TO STUDY THE EFFECTS OF SERVICE-CONNECTED POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY SUFFERED IN THE LINE OF DUTY BY MEMBERS OF THE ARMED FORCES AND VETERANS (RSA 115-D:1)**

2:30 p.m. Room 203, LOB Regular Meeting

#### **COMMISSION TO STUDY BUSINESS REGULATIONS IN NH (RSA 359-L)**

3:00 p.m. Room 303, LOB Subcommittee Meeting on the  
Definition of Independent Contractor

***FRIDAY, APRIL 20, 2012***

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

9:00 a.m.	Room 201, LOB	Subcommittee Meeting to Investigate the Prevalence and Problems Associated with Bed Bugs and the Effect on NH
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**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.	Rooms 305-307, LOB	Regular Meeting
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**NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g)**

11:00 a.m.	Upham-Walker House 18 Park Street Concord, NH	Regular Meeting
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**GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

12:00 p.m.	Room 101, LOB	Regular Meeting
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***MONDAY, APRIL 23, 2012***

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

9:00 a.m.	Room 305, LOB	Regular Meeting
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***THURSDAY, APRIL 26, 2012***

**COMMISSION TO STUDY BUSINESS REGULATIONS IN NEW HAMPSHIRE (RSA 359-L)**

3:00 p.m.	Room 303, LOB	Regular Meeting
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***FRIDAY, APRIL 27, 2012***

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

10:00 a.m.	Room 203, LOB	Regular Meeting
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***WEDNESDAY, MAY 2, 2012***

**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, MAY 4, 2012***

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

9:00 a.m.	Rooms 305-307, LOB	Continued Meeting
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***MONDAY, MAY 7, 2012***

**STATE COMMITTEE ON AGING (RSA 161-F:7, I)**

10:00 a.m.	DHHS, Brown Building 129 Pleasant Street Concord, NH	Regular Meeting
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***THURSDAY, MAY 10, 2012***

**COMMISSION TO STUDY BUSINESS REGULATIONS IN NH (RSA 359-L)**

3:00 p.m.	Room 303, LOB	Subcommittee Meeting
3:00 p.m.	Room 307, LOB	Subcommittee Meeting

### ***MONDAY, MAY 14, 2012***

#### **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	Quarterly Meeting
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### ***FRIDAY, MAY 18, 2012***

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

9:00 a.m.	Rooms 305-307, LOB	Regular Meeting
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#### **GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

1:00 p.m.	Room 101, LOB	Regular Meeting
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### ***MONDAY, MAY 21, 2012***

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

9:00 a.m.	Room 305, LOB	Regular Meeting
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### ***THURSDAY, MAY 24, 2012***

#### **COMMISSION TO STUDY BUSINESS REGULATIONS IN NH (RSA 359-L)**

3:00 p.m.	Room 303, LOB	Full Committee Meeting
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## **SENATE BILLS AMENDED BY THE HOUSE**

**SB 49**, relative to tip pooling arrangements.

**SB 152-FN**, relative to participation in state employees' group insurance by members of the general court.

**SB 153-FN**, relative to the regulation of real estate appraisers by the New Hampshire real estate appraiser board.

**SB 188-FN**, establishing a committee to study establishing an office of the inspector general.

**SB 190**, relative to the duties and membership of the executive branch ethics committee.

**SB 223**, to make technical revisions relative to the health information organization corporation.

**SB 281**, relative to exposure to infectious disease by emergency response and public safety workers and notification of public health authorities.

**SB 319**, changing the membership of and extending the commission to study the effects of service-connected post-traumatic stress disorder and traumatic brain injury suffered in the line of duty by members of the armed forces and veterans.

**SB 394-L**, relative to the reclassification of Province Road in Strafford from the intersection of Route 202A to Ricky Nelson Road from class II to class V.

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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 2012 BILLS:**

**SENATE BILLS:** 19, 48, 71, 74, 83, 84, 132, 142, 152, 153, 155, 159, 160, 163, 168, 185, 186, 188, 198, 203, 212, 217, 219, 225, 227, 229, 234, 239, 244, 247, 266, 271, 272, 275, 276, 279, 285, 289, 294, 302, 303, 305, 307, 309, 311, 312, 313, 314, 320, 321, 324, 326, 330, 338, 343, 347, 348, 358, 366, 369, 370, 372, 375, 381, 383, 392, 399, 401, 405, 407, 409

**HOUSE BILLS:** 72, 110, 186, 210, 222, 225, 228, 234, 242, 247, 263, 269, 325, 330, 344, 351, 378, 420, 440, 449, 466, 479, 508, 518, 520, 528, 602, 652, 654, 1155, 1185, 1204, 1251, 1230, 1251, 1274, 1297, 1302, 1366, 1383, 1418, 1455, 1483, 1495, 1505, 1510, 1526, 1534, 1546, 1593, 1611, 1644, 1652, 1679, 1680, 1698, 1721

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**ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2012 BILLS:**

**HOUSE BILLS: 648**

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## NOTICES

### STATE HOUSE COMPLEX DISPOSAL BOXES

The General Court is exploring the issue of the disposal of dirty syringes, needles, and any other sharps into the proper disposal boxes.

During the first phase of exploration, we will have a sharps box for collection in the Health Services Department to place all sharps in. This will assist us in planning if there is any viability of placing like containers in the complex.

Senator Jeb Bradley, Senate Majority Leader

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The components of the NH Dental Society will be inviting legislators to events in their area in order to share information regarding oral health issues in New Hampshire. Please watch for invitations in the mail.

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

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### WEDNESDAY, APRIL 18, 2012

Members of the General Court and staff are invited to join UNH President Mark W. Huddleston on Wednesday, April 18<sup>th</sup> from 12:00 p.m. to 1:30 p.m. at St. Paul's Church, 21 Centre Street, to learn how the University of New Hampshire is driving research and innovation in New Hampshire and forging job-creating partnerships with New Hampshire businesses. Please register by April 11<sup>th</sup> at [www.unh.edu/universityevents](http://www.unh.edu/universityevents) or call (603) 862-3660. Brown bag lunches will be provided.

Senator Amanda Merrill

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### WEDNESDAY, APRIL 18, 2012

All members of the Senate are invited to the first annual Technology Showcase presented by the Department of Information Technology (DoIT), to be held April 18<sup>th</sup>, 2012 from 4:00 p.m. to 6:00 p.m., at the Division of Motor Vehicles Auditorium, 23 Hazen Drive, Concord, NH. Join other Legislators and Commissioners for the informative keynote address by DoIT Commissioner S. William Rogers on the State's investment in technology and our future direction. Learn more about DoIT and view live demonstrations of the information technology systems that run the State, such as the DHHS Immediate Response Management System, the DOS E-Ticketing System, the NHES Job Match System, the DoIT Business OneStop System, the DES E-Permitting System, and several others. Please RSVP by April 17<sup>th</sup> to: [www.nh.gov/open-house.html](http://www.nh.gov/open-house.html). Registration is free.

Senator Sharon M. Carson

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### **WEDNESDAY, APRIL 25, 2012**

“Banding Together for Oral Health” – All Senators and their staff are invited to join the NH Oral Health Coalition for breakfast and displays in the State House Cafeteria on Wednesday, April 25<sup>th</sup> from 7:30 a.m. to 9:00 a.m. Breakfast will be served starting at 7:30 a.m. and will be provided by Elizabeth's at the State House. We hope to see you there! RSVP to: [gbrown@nhoralhealth.org](mailto:gbrown@nhoralhealth.org)

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

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### **WEDNESDAY, APRIL 25, 2012**

All members of the Senate are cordially invited to join ServiceLink representatives from each county in the State House cafeteria on Wednesday, April 25<sup>th</sup> during the lunch break for an informal luncheon reception. Sandwiches, hot and cold drinks, and desserts will be provided.

Senator Chuck W. Morse

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### **WEDNESDAY, APRIL 25, 2012**

The American Red Cross and the Greater Concord Chamber of Commerce cordially invite you to a Legislative Reception on Wednesday, April 25<sup>th</sup>, 4:30 p.m. to 6:00 p.m. at the NH Red Cross Headquarters located at 2 Maitland Street in Concord. Join a gathering of elected officials, business leaders, and representatives from the Red Cross for refreshments and informal conversation as we move closer to the end of the legislative session. Directions to Red Cross, 2 Maitland Street, Concord: Head southeast on N. Main Street toward Pitman Street for 1.0 miles. Turn right onto S. Main Street and drive 0.4 miles. Turn right onto Maitland Street. 2 Maitland Street and Red Cross building will be on your right.

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

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### **THURSDAY, APRIL 26, 2012**

All Legislators and staff are invited to the Biennial Legislative Health Screening Day presented by Health Services. This event will be held on Thursday, April 26<sup>th</sup> on the 3<sup>rd</sup> floor of the LOB from 12:00 p.m. to 4:00 p.m. There will be blood pressure screenings, blood sugar screenings, glaucoma screenings, fall prevention/balance screenings, even a chair massage by Hesser College, and lots more! Got questions? Bring them to our participating professionals - including medical doctors,

dentists, pharmacists, and ophthalmologists - for quick and up-to-date information. Contact State House Health Services at 271-2757 for more information.

Senator Jeb Bradley, Senate Majority Leader

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## LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee has voted to issue the following advisory opinion, which is printed below in its entirety.

### Advisory Opinion 2012-3 Response to a Request for an Advisory Opinion from Representative John A. Burt (April 6, 2012)

Pursuant to RSA 14-B:3, I (c), Representative John A. Burt has requested an Advisory Opinion whether, consistent with applicable statutes and the Ethics Guidelines, he may proceed with promotion and organization of an event he refers to as "Representative Burt's Hot Dog Day."

According to information provided to the Committee by Rep. Burt, the event would be a hot dog roast to take place at lunch time on the State House Plaza. Financial support for the event would come in the form of cash donations from lobbyists and others including fellow Representatives, as well as in-kind contributions, in response to requests from Rep. Burt. Donations would be received by Representative Burt. Cash donations would be deposited by him in a special bank account, from which he would disburse funds to pay the expenses of the event. After all expenses had been paid, any remaining funds would be donated to a charity of Rep. Burt's choice.

Specifically, Rep. Burt asks whether, based on the facts he has provided, he may proceed with the event as described.

Relevant provisions of applicable law are:

**RSA 15-B:2 Definitions.** – For the purposes of this chapter:

\* \* \*

V. (a) "Gift" means:

(1) Money in any amount, whether in the form of cash, check or any other negotiable or non-negotiable instrumentality for the transfer of money.

(2) Any other tangible thing, intangible thing, service, or the use thereof having more than insignificant economic value. Any such item with a value of less than \$25 is presumed to be of insignificant economic value.

**RSA 15-B:3 Prohibition on Gifts.** –

I. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or indirectly, to any elected official, public official, public employee, constitutional official, or legislative employee.

\* \* \*

III. No elected official, public official, public employee, constitutional official, or legislative employee shall knowingly accept, directly or indirectly, any gift, as defined in this chapter.

**Ethics Guidelines**, Section 4, Prohibited Activities.

I. Legislators shall not solicit, accept, or agree to accept anything of value from another for themselves or other persons, if the legislator receives such thing of value:

\* \* \*

(b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the legislator or the General Court.

\* \* \*

VII. Nothing in this section on prohibited activities should be construed to prohibit the following:

\* \* \*

(h) Acceptance of anything permitted to be accepted pursuant to RSA 15-B \* \* \* \*

We advise as follows:

While we commend efforts of legislators to promote fellowship and comity among their colleagues, we are concerned that direct solicitation and receipt by legislators of cash contributions for the proposed event, from any source, would violate the prohibitions set forth in RSA 15-B:3 and Ethics Guidelines. Section 4, I(b). We have previously approved of legislators organizing and promoting legislature-related events and activities, so long as there is no direct solicitation or receipt of cash by legislators, and the contributions are directed to charitable organizations which sponsor the event. See Advisory Opinions 2008-2 (White-Blaisdell Golf Tournament) and 2009-3 (Concord Hospital-Payson Center Rock 'n' Race)(summaries and full texts available at:

[http://gencourt.state.nh.us/ethics/Advisory Opinions/AO Blurbs.htm](http://gencourt.state.nh.us/ethics/Advisory%20Opinions/AO%20Blurbs.htm) ).

We therefore advise that for this event, violation of the statute and Guidelines may be avoided if arrangements are made for sponsorship by a charitable organization registered as such with the New Hampshire Department of Justice, announcement of the event is limited to publication in legislative calendars or other general means of communication, and all cash contributions are directed to the sponsoring charitable organization, rather than to any legislator. Any cash contributions for the event previously received by Rep. Burt or other individual legislators, should be returned to the donors. Non-cash contributions valued at less than \$25 may be solicited and received.

We appreciate the opportunity to be of assistance.

For the Committee,  
Martin L. Gross  
Chairman

[Vote 6-0]

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## SENATE SCHEDULE

Thursday, April 26, 2012

Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-3 (b) or exempted by the Senate President.

Thursday, May 17, 2012

Last Day to ACT on all House bills.

Thursday, May 24, 2012

Last Day to FORM Committees of Conference.

Monday, May 28, 2012	Memorial Day (State Holiday)
Thursday, May 31, 2012	Last Day to SIGN Committee of Conference Reports.
Thursday, June 07, 2012	Last Day to ACT on Committee of Conference Reports.
Wednesday, July 04, 2012	Independence Day (State Holiday)
Monday, September 03, 2012	Labor Day (State Holiday)
Monday, November 12, 2012	Veterans' Day (State Holiday)
Thursday, November 22, 2012	Thanksgiving Day (State Holiday)
Friday, November 23, 2012	Day after Thanksgiving (State Holiday)
Tuesday, December 25, 2012	Christmas Day (State Holiday)
Tuesday, January 01, 2013	New Year's 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 2012. 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 13	9:30/10:30 SH/HM	DAR	100
April 13	11:00	Thornton Ferry School – Merrimack	50/4
April 13	12:30	Teen Pact Family Day	
April 16	9:45/11:00 SH/HM	Richards Elementary School – Newport	80/4
April 16	1:00	Beaver Meadow School – Concord	24/4
April 17	9:00	Henniker Community School	43/4
April 17	10:00/11:30 SH/HM	Garrison School – Dover	100/4
April 17	12:30	Hopkinton High School French Exchange students	30/HS
April 18	9:45/11:00 SH/HM	Horne St. School – Dover	80/4

April 19	9:30	Epsom Central School	50/4
April 19	11:00	Gilmanton Elementary School	50/4
April 20	9:30/11:00 SH/SC	Thornton Ferry School – Merrimack	100/4
April 23	1:00	Hampton Christian Home School	25
April 25	10:00	Fuller School – Keene	53/4
April 25	11:00	Derry Girl Scouts	20
April 26	9:30	Lisbon Regional School	26/4
April 26	11:15	Lancaster Elementary School	28/4
April 27	10:00	Ray School – Hanover	45/4
April 30	9:30/11:00	Seabrook Middle School	68/4
May 1	10:15	North Walpole School	49/4
May 1	11:30	Newfields Elementary School	16/4
May 2	10:00/11:15	McClelland School – Rochester	68/4
May 2	2:45	Bi State Leadership Group	30/adults
May 3	9:00	Ashland Elementary School	40/4&6
May 3	10:30	Effingham Elementary School	15/4
May 3	11:30	Canaan Elementary School	50/4
May 4	9:00	Conant Rumford School - Concord	/4
May 4	10:00	Antrim Elementary School	34/4
May 4	11:00	Campton Elementary School	35/4
May 7	9:00	Conant Rumford School – Concord	/4
May 7	10:15/11:30 SH/HM	Auburn Village School	78/4
May 8	9:00	Bristol Elementary School	45/4
May 8	10:30	Ossipee Central School	38/4
May 8	11:30	Milton Elementary School	48/4
May 8	12:30	Conway Elementary School	45/4
May 9	9:45/11:00 SH/HM	Danville Elementary School	60/4
May 10	10:15/11:30 SH/HM	DJ Bakie School – Kingston	94/4
May 11	10:00	Ray School – Hanover	45/4
May 11	11:15	St. Joseph Regional School – Keene	14/4
May 11	11:15	Danbury Elementary School	11/4

