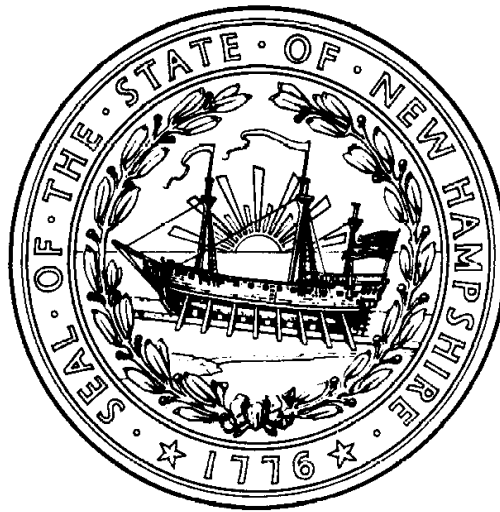


May 3, 2012
No. 18

STATE OF NEW HAMPSHIRE

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Second Year of the 162nd Session of the New Hampshire General
Court Legislative

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON WEDNESDAY, MAY 9, 2012, AT
10:00 A.M.**

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 121, relative to eligibility for the property tax exemption for the disabled. **05/02/12, pending motion Committee Amendment (1721s), Public and Municipal Affairs, SJ 12, pg. TBA**

HB 228-FN, prohibiting the use of public funds for abortion services. **04/25/12, pending motion Committee Amendment (1768s), Health and Human Services, SJ 11, pg. 411**

HB 383, prohibiting the collection of certain agency fees from state employees who are not members of the state employees' association. **04/18/12, pending motion Inexpedient to Legislate, Executive Departments and Administration, SJ 10, pg. 364**

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 536-FN, relative to the natural right to carry a firearm, openly or concealed, without a license. **05/02/12, pending motion Ought to Pass with Amendment, Judiciary, SJ 12, pg. TBA**

HB 655, establishing a committee to study issues regarding the New Hampshire Local Government Center. **04/25/12, pending motion Inexpedient to Legislate, Public and Municipal Affairs, SJ 11, pg. 396**

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. **05/02/12, pending motion Ought to Pass with Amendment, Ways and Means, SJ 12, pg. TBA**

HB 1460, establishing a defined contribution retirement plan for public employees. **04/18/12, pending motion Ought to Pass with Amendment, Executive Departments and Administration SJ 11, pg. 367**

HB 1483-FN, repealing the retirement system special account. **05/02/12, pending motion Ought to Pass, Executive Departments and Administration, SJ 12, pg. TBA**

HB 1617-FN, repealing the certificate of need law. **05/02/12, pending motion Interim Study, Health and Human Services SJ 12, pg. TBA**

HB 1642-FN, relative to destination specialty hospitals. **05/02/12, pending motion Committee Amendment (1890s), Health and Human Services, SJ 12, pg. TBA**

HB 1671, apportioning congressional districts. **04/25/12, pending motion Interim Study, Internal Affairs, SJ 11, pg. 395**

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. **04/11/12, pending motion Committee Amendment (1525s), Commerce, SJ 9, pg. 341**

CONSENT CALENDAR REPORTS

ENERGY AND NATURAL RESOURCES

HB 1555, relative to the penalty for firearm use in a state area for propagation of game controlled by the fish and game department.

Ought to Pass with Amendment, Vote 5-0.

Senator Lambert for the committee.

This bill requires that the penalty for possession of a firearm in a state fish and game refuge applies only to a person who discharges his or her firearm for the purpose of taking wildlife. The amendment simply removes the purpose statement in the bill.

FINANCE

HB 263-FN, relative to the time limits for assistance from the Temporary Assistance for Needy Families Program (TANF).

Interim Study, Vote 7-0.

Senator Morse for the committee.

The Senate Finance Committee believes that this may be an expense on our cities and towns that would delay the receipt of much needed assistance to the families by forcing the TANF client to apply for hardship waivers.

PUBLIC AND MUNICIPAL AFFAIRS

HB 137-FN-L, relative to the state fire code and the state building code.

Ought to Pass with Amendment, Vote 5-0.

Senator Barnes for the committee.

This bill clarifies the authority of the state fire marshal to inspect and issue permits for state buildings and authorizes municipalities to contract with outside agencies for building inspection services. It defines the state fire code, updates references to the most recent version of the codes that comprise the state building code, and ratifies changes to the state building code already adopted by the state building code review board.

HCR 35, designating Miss New Hampshire, of the Miss America Scholarship Program, the official honorary hostess of the state of New Hampshire during her term as Miss New Hampshire.

Ought to Pass with Amendment, Vote 5-0.

Senator Merrill for the committee.

This resolution designates Miss New Hampshire, of the Miss America Scholarship Program, as an official ambassador of the state of New Hampshire during her term as Miss New Hampshire.

WAYS AND MEANS

HB 564, relative to the adoption of forms by the department of revenue administration for the filing of taxes and removing the requirement for electronic tax payments.

Interim Study, Vote 6-0.

Senator Boutin for the committee.

This bill would have required the Department of Revenue Administration to go through the JLCAR process before making any changes to tax forms. The DRA already seeks input from CPA's, tax attorneys and taxpayers through their forms committee when considering a form change. Requiring them to also go through the JLCAR process would result in delays and complications that could be harmful to the taxpayer.

HB 1209, establishing a committee to study administration of the business profits tax and the business enterprise tax.

Ought to Pass with Amendment, Vote 6-0.

Senator Boutin for the committee.

This bill establishes a committee to study administration of the business profits tax and the business enterprise tax. The committee amendment removes the Senate membership and adjusts the quorum from four to two members.

HB 1294, relative to applications for abatement of property taxes.

Inexpedient to Legislate, Vote 6-0.

Senator Luther for the committee.

This bill would have allowed for an application for property tax abatement to be signed by an applicant's attorney or authorized representative rather than the actual applicant. The committee believes that signing a property tax abatement application is the responsibility of the taxpayer and furthermore is not a burden for the taxpayer to do so.

HB 1592, establishing a committee to study the reporting of business tax revenues collected by the state.

Inexpedient to Legislate, Vote 6-0.

Senator D'Allesandro for the committee.

This bill sought to establish a committee to study the reporting of business tax revenues collected by the state. This committee believes this study is duplicative of the study committee created by HB 1209 and is therefore unnecessary.

REGULAR CALENDAR REPORTS

COMMERCE

HB 1172, authorizing nano brewery, beverage manufacturer, and brew pub licensees to sell their products at farmers' markets and establishing an alcohol consultant license.

Ought to Pass, Vote 3-0.

Senator De Blois for the committee.

HB 1182, prohibiting the sale of baby food products containing bisphenol A in New Hampshire.

Inexpedient to Legislate, Vote 2-1.

Senator White for the committee.

HB 1241, relative to table wines.

Ought to Pass with Amendment, Vote 3-0.

Senator Prescott for the committee.

HB 1297, relative to federal health care reform and health care exchanges.

Interim Study, Vote 2-1.

Senator Prescott for the committee.

HB 1410, relative to securities regulation.

Ought to Pass with Amendment, Vote 2-1.

Senator De Blois for the committee.

HB 1480, relative to requiring sprinklers in certain buildings.

Ought to Pass with Amendment, Vote 3-0.

Senator Prescott for the committee.

HB 1622, relative to the adoption of forms under the administrative procedures act by the department of insurance.

Ought to Pass, Vote 3-0.

Senator White for the committee.

ENERGY AND NATURAL RESOURCES

HB 1140, relative to the care of war memorials in Franconia Notch state park.

Ought to Pass with Amendment, Vote 4-0.

Senator Gallus for the committee.

HB 1346, relative to the construction of power line extensions.

Ought to Pass with Amendment, Vote 4-1.

Senator Lambert for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1206, relative to continuing obligations under expired public employee labor agreements.

Inexpedient to Legislate, Vote 2-2.

Senator Larsen for the committee.

HB 1300, relative to removing public officials for cause.

Ought to Pass with Amendment, Vote 3-1.

Senator Luther for the committee.

HB 1362, exempting service animals from dog registration and licensing and establishing an option for permanent registration and licensing of service animals.

Ought to Pass with Amendment, Vote 4-0.

Senator Carson for the committee.

HB 1387, requiring flags purchased with state funds or displayed in state facilities to be manufactured in the United States.

Ought to Pass, Vote 3-1.

Senator Luther for the committee.

HB 1508, relative to procedures of the board of mental health practice.

Ought to Pass with Amendment, Vote 3-1.

Senator Carson for the committee.

HB 1553, repealing obsolete and outdated provisions of the Revised Statutes Annotated.

Ought to Pass with Amendment, Vote 4-0.

Senator White for the committee.

HB 1582 relative to medical and surgical benefits for state employees.

Ought to Pass with Amendment, Vote 4-0.

Senator Carson for the committee.

HB 1631, allowing persons licensed to provide emergency medical services to work at social or sporting events.

Ought to Pass with Amendment, Vote 4-0.

Senator Luther for the committee.

FINANCE

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

Interim Study, Vote 6-1.

Senator Forrester for the committee.

HB 1418-FN-A, increasing the threshold amounts for taxation under the business enterprise tax and extending the commission to study business taxes.

Ought to Pass with Amendment, Vote 6-1.

Senator Morse for the committee.

HEALTH AND HUMAN SERVICES

HB 1560, relative to the interstate Health Care Compact.

Interim Study, Vote 5-0.

Senator Bradley for the committee.

HB 1725-FN, prohibiting health care practitioner self-referrals for medical devices.

Interim Study, Vote 4-1.

Senator Sanborn for the committee.

HCR 31, commending the work of pregnancy care centers in New Hampshire and across the United States.

Ought to Pass with Amendment, Vote 4-1.

Senator De Blois for the committee.

HCR 41, urging the United States Congress to find that the Department of Health and Human Services' grant to Planned Parenthood of Northern New England is unconstitutional and void.

Inexpedient to Legislate, Vote 4-1.

Senator Kelly for the committee.

INTERNAL AFFAIRS

HCR 2, in support of the Arizona immigration law.

Inexpedient to Legislate, Vote 2-1.

Senator Larsen for the committee.

HCR 37, urging the New Hampshire delegation to support any legislation requiring a comprehensive audit of the Federal Reserve.

Ought to Pass, Vote 3-0.

Senator Bradley for the committee.

HCR 40, for the purpose of petitioning the Congress of the United States to adopt an amendment to the Constitution of the United States, for submission to the states, to require, with certain exceptions, that the federal budget be balanced; or, in the alternative, to call a convention for the sole and exclusive purpose of proposing a federal balanced budget amendment for submission to the states for ratification.

Inexpedient to Legislate, Vote 2-1.

Senator Larsen for the committee.

HCR 43, urging the joint legislative historical committee to move the granite gates Lafayette passed through to the state house grounds.

Ought to Pass, Vote 3-0.

Senator Larsen for the committee.

JUDICIARY

HB 217-FN, amending the first and second degree murder statutes and the negligent homicide statute to include causing the death of a fetus.

Ought to Pass with Amendment, Vote 4-1.

Senator Luther for the committee.

HB 1184, relative to the use of video evidence to support an arrest for willful concealment of merchandise.

Ought to Pass with Amendment, Vote 4-0.

Senator Forsythe for the committee.

HB 1341, repealing the provision relative to the unauthorized use of firearms in the compact part of a city or town.

Interim Study, Vote 4-0.

Senator Carson for the committee.

HB 1510-FN, relative to taxpayer standing for declaratory judgments.

Ought to Pass, Vote 4-1.

Senator Luther for the committee.

HB 1699-FN, relative to driving under the influence of drugs.

Ought to Pass with Amendment, Vote 5-0.

Senator Forsythe for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1354, relative to a person's residence for voting and all other legal purposes.

Inexpedient to Legislate, Vote 4-0.

Senator Barnes for the committee.

HB 1478, relative to the definitions of resident for motor vehicle law purposes and domicile for voting purposes and relative to vehicle registration and driver's license requirements.

Inexpedient to Legislate, Vote 4-0.

Senator Barnes for the committee.

HB 1633, relative to a tally requirement on school district warrant articles.

Ought to Pass, Vote 4-1.

Senator Boutin for the committee.

HB 1704-FN, relative to limits on political contributions and relative to reporting by political committees.

Ought to Pass with Amendment, Vote 4-0.

Senator Boutin for the committee.

AMENDMENTS

Public and Municipal Affairs

May 2, 2012

2012-1971s

05/10

Amendment to HB 137-FN-LOCAL

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

1 Legislative Declaration of Purpose. The general court declares that the purpose of this act is the following:

I. The general court finds that a clearer distinction between codes that apply to new construction and codes that apply to existing buildings and their uses is in the best interest of the citizens of New Hampshire.

II. The state building code and the state fire code both govern the construction and renovation of buildings. Additionally, the state fire code governs the fire safety requirements of existing buildings. Amendments to these 2 codes currently follow separate processes, the building code requiring action by the legislature and the fire code requiring approval by the joint legislative committee on administrative rulemaking. When overlap of these 2 codes creates a conflict with differing requirements, property owners with building projects may suffer undue expense and/or delay.

III. The purpose of this act is to reduce the number of conflicts between the building code and the fire code, create a less burdensome regulatory process when conflicts arise, promote a more parallel adoption process for the building and fire codes, clearly define the authority of the state fire marshal and the building code review board to amend adopted codes, reserve the authority for code adoption and changes to code editions to the general court, ratify updates and changes to the state building code already adopted by the building code review board, and adopt by reference the 2009 editions of the Life Safety Code 2009 edition and the Uniform Fire Code NFPA 1, as published by the National Fire Protection Association.

2 New Paragraph; State Board of Fire Control; Definition of State Fire Code Added. Amend RSA 153:1 by inserting after paragraph VI the following new paragraph:

VI-a. “New Hampshire fire code” or “state fire code” means the adoption by reference of the Life Safety Code 2009 edition and the Uniform Fire Code NFPA 1, 2009 edition, as published by the National Fire Protection Association and as amended by the state board of fire control and ratified by the general court pursuant to RSA 153:5. The provisions of any other national code, model code, or standard referred to within a code listed in this definition shall be included in the state fire code unless amended in accordance with RSA 153:5.

3 Joint Committee on Code Enforcement. RSA 153:4-b is repealed and reenacted to read as follows:

153:4-b Joint Committee on Code Enforcement. There is established a joint committee on code enforcement, consisting of the chairpersons or presidents, or their designees, of the following: the state board of fire control, the electricians’ board, the board for the licensing and regulation of plumbers, the water well board, the board of architects, the board of professional engineers, the architectural barrier-free design committee, the state building code review board, the New Hampshire Association of Fire Chiefs, the New Hampshire Building Officials Association, and the state fire marshal. The chair or designee of the state board of fire control shall serve as the chair of the joint committee. The joint committee shall meet at least annually to carry out its duties as established in this chapter. The duties of the committee shall be to discuss matters of mutual interest in the area of code administration, coordination of the state building code and the state fire code adoption, inspections, licensing, and certification.

4 Organization of Firefighters; Clarification of Title of Fire Marshal. Amend RSA 154:4 to read as follows:

154:4 Organization of Firefighters. The firefighters shall be organized in such companies, under the supervision of duly selected officers, and shall be subject to such duties in relation to the care, preservation and use of the public property entrusted to them, and to meeting for drill in the management thereof, as the chief, firewards or engineers shall direct or approve; and shall, by night or day, under their direction, use their best endeavors to extinguish any fire that may happen in their town or the vicinity of their town. Firefighters may also mitigate other emergencies which may happen in their town or the vicinity of their town. ***The title of “fire marshal” is expressly reserved for use by the state to identify the position described in RSA 21-P:12.***

5 State Fire Code; Rules. RSA 153:5 is repealed and reenacted to read as follows:

153:5 State Fire Code; Rules.

I. The fire marshal, with the board of fire control, may adopt rules with the approval of the commissioner of safety to amend the state fire code described in RSA 153:1 to the extent the board deems such amendments are necessary, provided that any such amendments are ratified by the adoption of appropriate legislation within 2 years of their adoption. If such amendments are not ratified, then the amendments shall expire at the end of the 2-year period.

II. With the approval of the commissioner of safety, the state board of fire control is authorized, pursuant to RSA 541-A, to adopt rules governing its procedures of operation. The board shall meet to review and assess the application of the state fire code and shall recommend legislation, as the board deems necessary, to modify the requirements of the state fire code, in order to provide consistency with the application of other laws, codes, or regulations, giving due consideration to the economic impact and costs of such amendment, and to promote public safety and best practices.

III. The state fire code and associated rules shall not require automatic fire suppression or sprinkler systems in detached one or 2-family dwelling units in a structure used only for residential purposes.

IV. The state fire marshal may exempt a building, structure, or equipment from such rules if he or she finds that such exemption does not constitute a hazard to the public welfare and safety. A reasonable time, as determined by the state fire marshal, shall be allowed to make necessary alterations. Nothing in this section shall be construed to prevent municipalities from adopting bylaws or ordinances relative to a subject area of rules adopted by the state fire marshal in

accordance with this section if such bylaws or ordinances are no less restrictive than those adopted by the state fire marshal.

V. The state fire marshal, and the local fire chief, in accordance with RSA 154:2, shall use the state fire code, including rules adopted under paragraph I, and any local codes adopted in accordance with RSA 47:22 or RSA 155-A:3, for the purposes of new construction, additions, and alterations. It is the intent of the legislature to avoid conflicts in the adoption and application of the state building code and the state fire code.

6 Approval of Plans for Construction or Revision of State Buildings. RSA 153:8-a, I is repealed and reenacted to read as follows:

I. The state fire marshal or, by his or her direction, the deputy fire marshal shall be responsible for:

(a) Approval of all plans for construction or revision of all state buildings and properties, including the university system and the community college system of New Hampshire, as to compliance with the state building code and state fire code.

(b) Enforcement of the state fire code.

(c) With approval of the commissioner of safety, adoption of rules relative to the granting of exceptions or variances under this paragraph, and rules to be known as the state fire code as provided in RSA 153:5.

(d) Development, in consultation with the commissioner of safety and the commissioner of administrative services, of a schedule for the periodic safety inspection of all occupied public buildings owned by the state.

7 New Hampshire Building Code; Definition of Building. Amend RSA 155-A:1, I to read as follows:

I. "Building" means building as defined and interpreted by the International Code Council's International Building Code [2006] **2009, as amended by the state building code review board and ratified by the legislature in accordance with RSA 155-A:10.**

8 New Hampshire Building Code; Definition of Local Enforcement Agency and New Hampshire Building Code. Amend RSA 155-A:1, III and IV to read as follows:

III. "Local enforcement agency" means for a municipality that has adopted enforcement provisions or additional regulations under RSA 674:51 **or RSA 47:22**, the building inspector, **code official**, or other local government official ~~[with authority]~~ **qualified and authorized** to make inspections and to enforce the laws, ordinances, and rules enacted by the state and by local government that establish standards and requirements applicable to the construction, alteration, or repair of buildings. **For the purpose of enforcement of the state fire code for buildings and structures not owned by the state, the local enforcement agency means the municipal fire chief or his or her representative, pursuant to RSA 154:2, II.**

IV. "New Hampshire building code" or "state building code" means the adoption by reference of the International Building Code [2006] **2009, the International Existing Building Code 2009**, the International Plumbing Code [2006] **2009**, the International Mechanical Code [2006] **2009**, the International Energy Conservation Code [2006] **2009**, and the International Residential Code [2006] **2009**, as published by the International Code Council, and the National Electric Code [2008] **2011, as amended by the state building code review board and ratified by the legislature in accordance with RSA 155-A:10.** The provisions of any other national code or model code referred to within a code listed in this definition shall not be included in the state building code unless specifically included in the codes listed in this definition.

9 New Paragraph; Definition of New Hampshire Fire Code Added. Amend RSA 155-A:1 by inserting after paragraph IV the following new paragraph:

IV-a. "New Hampshire fire code" or "state fire code" means the state fire code as defined in RSA 153:1 and as amended by rules adopted pursuant to RSA 153:5.

10 New Hampshire Building Code; Definition of Structure. Amend RSA 155-A:1, VI to read as follows:

VI. "Structure" means structure as defined and interpreted by the International Code Council's International Building Code [2006] **2009, as amended by the state building code review board and ratified by the legislature in accordance with RSA 155-A:10.**

11 State Building Code. RSA 155-A:2 is repealed and reenacted to read as follows:

I. All buildings, building components, and structures constructed in New Hampshire shall comply with the state building code and state fire code. The construction, design, structure, maintenance, and use of all buildings or structures to be erected and the alteration, renovation, rehabilitation, repair, removal, or demolition of all buildings and structures previously erected shall be governed by the provisions of the state building code.

II. To the extent that there is any conflict between the state building code and the state fire code, the code creating the greater degree of life safety shall take precedence, subject to the review provisions contained in RSA 155-A:10. If the municipal building and fire code official cannot agree which code creates the greater degree of life safety, the property owner may notify the 2 officials in writing that if agreement is not reached within 2 business days of delivery of said notification, that the decision shall be made by the property owner to comply with either the applicable building code or fire code. Such decision by the property owner after proper notification shall not be grounds for the denial of a certificate of occupancy.

III. To the extent that it does not conflict with any other provision of law, and except as otherwise provided in this paragraph, the issuance of permits and the collection of fees pursuant to the state building code is expressly reserved for counties, towns, cities, and village districts where such activities have been authorized in accordance with RSA 674:51 and RSA 47:22. Pursuant to the state fire marshal's authority to enforce the state building code under RSA 155-A:7, I, the fire marshal may establish for municipalities that do not have a building inspector or other enforcement mechanism authorized in RSA 155-A:4, with approval of the commissioner of safety and by rules adopted under RSA 541-A, fees to defray the cost of issuing building permits in accordance with the state building code. Such fees shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

IV. Except for buildings owned by the state, the community college system of New Hampshire, or the university system, the issuance of permits and certificates of occupancy pursuant to the state building code is expressly reserved for counties, towns, cities, and village districts. The state fire marshal shall issue permits and conduct inspections for buildings owned by the state, the community college system of New Hampshire, and the university system. Nothing in this section shall prohibit the state fire marshal from contracting with or authorizing a local enforcement agency or other qualified third party for these services.

V. Counties, towns, cities, and village districts may adopt by ordinance pursuant to RSA 674:51 or RSA 47:22 any additional regulations provided that such regulations are not less stringent than the requirements of the state building code and the state fire code.

VI. For any municipality which has not adopted an enforcement mechanism under RSA 674:51, the contractor of the building, building component, or structure shall notify the state fire marshal concerning the type of construction before construction begins excluding one- and 2-family dwellings. Any municipality that has not adopted an enforcement mechanism under RSA 674:51 may contract with a local enforcement agency or a qualified third party for these services unless such an arrangement is contrary to a local government enactment or policy.

VII. The contractor of a building, building component, or structure shall be responsible for meeting the minimum requirements of the state building code and state fire code. No municipality shall be held liable for any failure on the part of a contractor to comply with the provisions of the state building code.

VIII. Nothing in this chapter shall be construed as amending, repealing, or superseding any local law, ordinance, code, or regulation, except local code requirements that are less stringent than the state building code or state fire code, and all buildings, building components, and structures shall comply with all applicable state or local building and fire code requirements, land use restrictions including but not limited to subdivision regulations, use and location restrictions, density and dimensional limitations, or historic district laws or ordinances.

IX. Nothing in this chapter shall be construed to permit or encourage the state to initiate or assume an independent role in the administration and enforcement of the New Hampshire building code for a building or structure that is not owned by the state unless otherwise authorized by law.

X. No state agency, authority, board, or commission shall vary, modify, or waive the requirements of the state building code or state fire code, unless approved by the state building code review board pursuant to RSA 155-A relative to the state building code or the state fire marshal pursuant to RSA 153:8-a, I(c) for the state fire code. Nothing in this chapter shall affect the statutory authority of the commissioner of labor, the state board for the licensing and regulation of plumbers, or the state electricians' board to administer their respective programs, provided that any changes to codes proposed under the rulemaking authority of these agencies shall not be enforced until approved by the state building code review board.

12 Local Amendment of State Building Code. Amend RSA 155-A:3, IV(b) to read as follows:

(b) Any provision of the state building code that conflicts with existing or amended local ordinances, regulations, policies, practices, or procedures regarding the appointment, removal, or duties of municipal employees and the organization of municipal departments, shall not apply ***provided that the ordinances, regulations, policies, practices, or procedures do not prevent effective enforcement of the state building code or state fire code.***

13 Permit for Construction or Renovation of Public Buildings. RSA 155-A:4 is repealed and reenacted to read as follows:

155-A:4 Permit Required.

I. Before starting new construction or renovation of buildings and structures as described in RSA 155-A:2, I, the person responsible for such construction shall obtain a permit.

II. In municipalities that have adopted an enforcement mechanism pursuant to RSA 674:51 and RSA 47:22, the permit under this section shall conform to the locally adopted process. No permit shall be issued that would not result in compliance with the state building code and state fire code.

III. For buildings and structures owned by the state, the community college system of New Hampshire, or the university system, the person responsible for such activities shall obtain a permit from the state fire marshal. Before issuing the permit, the state fire marshal shall give due consideration to any written recommendations of the municipal fire chief, building official, or designee in the community where the state building is located.

14 Enforcement Authority. RSA 155-A:7, I is repealed and reenacted to read as follows:

I. The local enforcement agency appointed pursuant to RSA 674:51 or RSA 47:22 shall have the authority to enforce the provisions of the state building code and the local fire chief shall have the authority to enforce the provisions of the state fire code, provided that where there is no local enforcement agency or contract with a qualified third party pursuant to RSA 155-A:2, VI, the state fire marshal or the state fire marshal's designee may enforce the provisions of the state building code and the state fire code, subject to the review provisions in RSA 155-A:10, upon written request of the municipality.

15 State Building Code Review Board. Amend RSA 155-A:10 to read as follows:

155-A:10 State Building Code Review Board.

I. There is established a state building code review board consisting of the commissioner of safety or the commissioner's designee, and ~~[additional]~~ ***the following*** members, appointed by the commissioner of safety ~~[as follows]~~:

(a) One architect licensed in this state for a minimum of 5 years, nominated by the board of architects established in RSA 310-A:29.

(b) One structural engineer licensed in this state for a minimum of 5 years, nominated by the board of ***professional*** engineers established in RSA 310-A:3.

(c) One mechanical engineer licensed in this state for a minimum of 5 years, nominated by the board of ***professional*** engineers established in RSA 310-A:3.

(d) One electrical engineer licensed in this state for a minimum of 5 years, nominated by the board of ***professional*** engineers established in RSA 310-A:3.

(e) One representative of the state's municipalities, nominated by the New Hampshire Municipal Association.

(f) One municipal building official, nominated by the New Hampshire Building Officials Association.

(g) One municipal fire chief, nominated by the New Hampshire Association of Fire Chiefs.

(h) One active fire prevention officer, nominated by the New Hampshire Association of Fire Chiefs.

(i) One building contractor, primarily engaged in the business of constructing nonresidential buildings, nominated by the Associated General Contractors of New Hampshire.

(j) One building contractor primarily engaged in the business of constructing residential buildings, nominated by the New Hampshire Home Builders Association.

(k) One representative from the state energy conservation code office under RSA 155-D, nominated by the New Hampshire public utilities commission.

(l) One master plumber licensed in this state for a minimum of 5 years, nominated by the state board for the licensing and regulation of plumbers established in RSA 329-A.

(m) One mechanical contractor ~~[with a minimum of 5 years experience]~~, primarily engaged in the business of mechanical construction, nominated by the New Hampshire Plumbing and Mechanical Contractors Association.

(n) One master electrician licensed in this state for a minimum of 5 years, nominated by the electricians' board established in RSA 319-C.

(o) One representative of the Committee on Architectural Barrier - Free Design nominated by the governor's commission on disability.

(p) One ~~[master electrician licensed in this state for a minimum of 5 years]~~ **electrical contractor**, nominated by Electrical Contractors Business Association.

II. The term of each member shall be 3 years. The chair ~~of the board~~ shall be appointed by the commissioner of safety ***after meeting with the board***. Board members shall be appointed for no more than 2 consecutive 3-year terms. ***The board shall elect from among the members a vice-chair, who shall assume the responsibilities of the chair in the event of the chair's absence.***

III. The board shall be administratively attached to the department of safety under RSA 21-G:10.

IV. The board shall meet to review and assess the application of the state building code and shall recommend legislation, as the board deems necessary, to ~~[modify]~~ ***amend*** the requirements of the state building code ~~[and the state fire code]~~ in order to provide consistency with the application of other laws, rules, or regulations, ***to avoid undue economic impacts on the public by considering the cost of such amendments***, and to promote public safety and best practices.

V. The board may adopt rules to ~~[update or change]~~ ***amend*** the state building code for the codes described in RSA 155-A:1, IV ***and IV-a***, to the extent the board deems that such ~~[updates or changes]~~ ***amendments*** are necessary, provided that any such ~~[updates or changes]~~ ***amendments*** are ratified by the adoption of appropriate legislation within 2 years of their adoption. If such ~~[updates or changes]~~ ***amendments*** are not ratified, then the rules shall expire, notwithstanding RSA 541-A:17, I, at the end of the 2-year period. With the approval of the commissioner of safety, the board shall be authorized, pursuant to RSA 541-A, to adopt rules relative to procedures of its operation and appeals to the board.

VI. ~~[The board shall review the National Fire Protection Association Building Code and its companion manuals when published, and shall review any other building codes when published, in order to evaluate whether the state should continue with the International Building Codes and its manuals, switch to other codes or adopt a combination of codes.]~~

~~VII.]~~ The state building code review board shall not adopt or enforce any rule requiring the installation of fire sprinkler systems in any new or existing detached one- or 2-family dwelling unit in a structure used only for residential purposes. This paragraph shall not prohibit a duly adopted requirement mandating that fire sprinkler systems be offered to the owners of dwellings for a reasonable fee.

16 Appeal of Decision by the State Fire Marshal to the Building Code Review Board. RSA 155-A:11, I is repealed and reenacted to read as follows:

I. Any person aggrieved by a decision of the state fire marshal relative to the application and enforcement of the state building code pursuant to RSA 153:8-a, I(a), or the state fire code, may appeal the decision to the board.

17 Powers of the Building Code Board of Appeals. RSA 674:34 is repealed and reenacted to read as follows:

674:34 Powers of Building Code Board of Appeals. The building code board of appeals shall hear and decide appeals of orders, decisions, or determinations made by the building official or fire official relative to the application and interpretation of the state building code or state fire code as defined in RSA 155-A:1. An application for appeal shall be based on a claim that the true intent of the code or the rules adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of the state building code or the state fire code.

18 State Building Code; Ratification of Amendments by the State Building Code Review Board. Pursuant to RSA 155-A:10, V, the general court hereby ratifies the amendments to the state building codes, as defined in RSA 155-A:1, adopted by the state building code review board between January 1, 2010 and February 29, 2012, in administrative rules Bcr 300.

19 Working Group Formed. There is established a working group to study the egress provisions in the International Building Code and the egress provisions in the Life Safety Code in an effort to harmonize the codes and make them applicable to the needs of New Hampshire citizens balancing life safety considerations and economic concerns. The working group shall consist of the commissioner of safety or designee, a representative of the board of architects chosen by the board, a representative of the New Hampshire Home Builders and Remodelers Association chosen by the association, a representative of the New Hampshire Building Officials Association chosen by the association, a representative of the New Hampshire Association of Fire Chiefs chosen by the association, and the state fire marshal or designee. The commissioner of safety or designee shall serve as the chair and shall convene the meetings of the group. The group shall file a report with the chairs of the house and senate executive departments and administration committees not later than April 1, 2013, recommending any legislative changes.

20 New Subparagraphs; Rulemaking Exception. Amend RSA 541-A:21 by inserting after subparagraph (dd) the following new subparagraphs:

(ee) RSA 155-A:10, V, relative to the amendments to the state building code and state fire code for the codes described in RSA 155-A:1, IV and IV-a.

(ff) RSA 153:5, II, relative to the adoption of the state fire code.

21 Repeal. RSA 155-A:6, relative to the inspection of state buildings, is repealed.

22 Effective Date.

I. Section 4 of this act shall take effect July 1, 2013.

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

2012-1971s

AMENDED ANALYSIS

This bill:

I. Defines the state fire code, establishes a procedure for amendment of the state fire code by the state fire marshal and state advisory board of fire control, and revises membership of the joint committee on code enforcement.

II. Reserves the title of “fire marshal” for use by the state and clarifies responsibility of the state fire marshal to approve plans for construction or renovation of state buildings and to enforce the state fire code.

III. Updates references to the most recent version of the codes that comprise the state building code.

IV. Clarifies the authority of the state fire marshal to inspect and issue permits for state buildings and authorizes municipalities to contract with outside agencies for building inspection services.

V. Clarifies membership of the building code review board and authorizes the board to amend the state building code, provided that such amendments are subsequently ratified by the legislature.

VI. Ratifies changes to the state building code already adopted by the state building code review board.

VII. Establishes a working group to study egress provisions in the International Building Code and Life Safety Code.

Senate Judiciary
April 27, 2012
2012-1896s
04/01

Amendment to HB 217-FN

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

AN ACT including “unborn child” in the definition of “another” for the purpose of first and second degree murder, manslaughter, and negligent homicide.

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

1 Homicide; Capital Murder; Definition of Unborn Child. Amend RSA 630:1, IV to read as follows:

IV. As used in this section [~~and RSA 630:1-a, 1-b, 2, 3 and 4~~], the meaning of “another” does not include a [~~fetus~~] **fetus**.

2 New Paragraphs; First Degree Murder; Definition of Another; Exemption for Abortion. Amend RSA 630:1-a by inserting after paragraph III the following new paragraphs:

IV. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, and RSA 630:4, the meaning of “another” shall include an unborn child as defined in paragraph V.

V.(a) Nothing in this section or RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4 shall apply to any act committed by the mother of the unborn child, to any medical procedure, including abortion, performed by a physician or other licensed medical professional at the request of the pregnant woman or her legal guardian, or to the lawful dispensation or administration of lawfully prescribed medication. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4, “abortion” means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn child. Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of an unborn child, or to remove a dead unborn child caused by spontaneous abortion, or to remove an ectopic pregnancy.

(b) In this section:

- (1) "Conception" means the fusion of a human spermatozoon with a human ovum.
 - (2) "Pregnant" means the female reproductive condition of having an unborn child in the woman's body.
 - (3) "Unborn child" means the offspring of human beings from conception until birth.
- 3 Effective Date. This act shall take effect January 1, 2013.

2012-1896s

AMENDED ANALYSIS

This bill provides that an unborn child shall be included in the definition of "another" for the purpose of first and second degree murder, manslaughter, and negligent homicide.

Energy and Natural Resources

May 1, 2012

2012-1920s

04/10

Amendment to HB 1140

Amend the bill by replacing section 1 with the following:

1 New Section; Expansion of State Park System; Franconia Notch State Park; War Memorials.
Amend RSA 216-A by inserting after section 6-a the following new section:

216-A:6-b Franconia Notch State Park War Memorials.

I. The war memorials on the eastern shore of Profile Lake in Franconia Notch state park shall be maintained in an appropriate manner for viewing and visiting by veterans and the public. Signage that recognizes the status of the park as a memorial to the men and women of New Hampshire who have served the nation in times of war as provided for in 1925, 260, and signage that directs people to the memorial site shall be placed in appropriate locations. The state shall not be responsible for the cost of purchasing and installing the signage. Veterans groups may aid the state in the purchase and placement of signage and enhancing and maintaining the memorial sites through programs such as the Adopt-a-Park program and by other means. Veterans, as defined in RSA 21:50, and members of a veteran's immediate family accompanying them, shall pay no fee to visit the war memorials on the eastern shore of Profile Lake. Fees may be charged for the use of amenities, improvements, amusements, special events, and other enterprise and concession activities.

II. The director of the division of parks and recreation may solicit, accept, and expend any gifts, grants, and donations for the purpose of placement of signage, and enhancing and maintaining the war memorials in accordance with this section.

Senate Judiciary

May 1, 2012

2012-1936s

04/01

Amendment to HB 1184

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

AN ACT relative to arrest without a warrant for the offense of willful concealment.

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

1 New Paragraph; Use of Force by Merchants. Amend RSA 627:8-a by inserting after paragraph II the following new paragraph:

III. Notwithstanding RSA 594:10, a peace officer may arrest a person who has been detained pursuant to this section, without a warrant, if the peace officer has probable cause to believe that the person has committed the offense of willful concealment and if the merchant or his or her agent witnessed the offense or if the unlawfully obtained goods or merchandise of the store were recovered from the person.

2 Effective Date. This act shall take effect January 1, 2013.

2012-1936s

AMENDED ANALYSIS

This bill establishes circumstances under which a peace officer may arrest a person for the offense of willful concealment.

Senate Ways and Means
May 1, 2012
2012-1939s
10/09

Amendment to HB 1209

Amend paragraph I of section 1 of the bill by replacing it with the following:

I. The committee shall consist of 3 members of the house of representatives, appointed by the speaker of the house of representatives.

Amend the bill by replacing section 4 with the following:

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

Commerce
May 1, 2012
2012-1938s
03/10

Amendment to HB 1241

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

AN ACT relative to table wines and specialty beer.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Definitions; Specialty Beer. Amend RSA 175:1, LXIV-a to read as follows:

LXIV-a. "Specialty beer" means any beer as defined in RSA 175:1, VII intended for human consumption as a beverage, having an alcohol content greater than 6 percent but not more than 12 percent by volume at 60 degrees Fahrenheit. ***Specialty beer shall possess the character and flavor of a beer and may contain added ingredients such as, but not limited to, molasses, maple syrup, honey, spices, herbs, fruits, nuts, chocolate, vanilla, or other nonbeverage ingredients. Specialty beer shall not include a caffeinated or stimulant-enhanced malt beverage or flavor.*** The commission may approve any specialty beer greater than 12 percent alcohol by volume at 60 degrees Fahrenheit. ***The commission may approve any specialty beer as liquor as defined by RSA 175:1, XLII and shall establish rules for a listing procedure.***

2012-1938s

AMENDED ANALYSIS

This bill defines fermented fruit and agricultural products with an alcohol content of 15.5 to 18 percent as table wine. This bill also refines the definition of specialty beer.

Senate Executive Departments and Administration
May 3, 2012
2012-2004s
05/09

Amendment to HB 1300

Amend the bill by replacing section 1 with the following:

1 Removal of Public Officials for Cause. Amend the introductory paragraph of RSA 4:1 and RSA 4:1, I to read as follows:

4:1 Removal of Public Officials for Cause. No state official who is not a classified employee shall be discharged or removed except for malfeasance, misfeasance, ~~[inefficiency in office,]~~ ***intentional non-performance***, incapacity, ***incompetency***, or unfitness to perform assigned duties, or for the good of the department, agency, or institution to which such official is assigned, according to the procedures set out in this section, unless otherwise provided by law.

I. The attorney general, the governor, any member of the executive council, ***the majority of any standing committee of the house of representatives or senate germane to the department, agency, or institution to which such official is assigned***, or the appointing authority of such official, may petition the governor and council for the removal of such official setting forth the grounds and reasons therefor.

2012-2004s

AMENDED ANALYSIS

This bill provides that a public official may be removed for the failure to perform assigned duties. The bill also permits a majority of the relevant legislative committee to petition the governor and council for the official's removal.

Energy and Natural Resources
May 2, 2012
2012-1966s
06/10

Amendment to HB 1346

Amend RSA 370:12 as inserted by section 1 of the bill by replacing it with the following:

370:12 Installation of Power Line Extensions. Any New Hampshire utility customer that requires a power line extension for a home or ancillary service located on private property may hire a contractor who is licensed in the state of New Hampshire and is approved by the utility. Such contractor shall supply and install materials specified by the local utility for underground and overhead line extensions, the cost of which shall be borne by the utility customer.

2012-1966s

AMENDED ANALYSIS

This bill permits certain Public Service of New Hampshire customers to hire licensed contractors to install power line extensions.

Senate Executive Departments and Administration
May 3, 2012
2012-1991s
08/04

Amendment to HB 1362

Amend RSA 466:8 as inserted by section 1 of the bill by replacing it with the following:

I. No fee shall be required for the registration and licensing of a dog which has served with the armed forces of the United States and has received an honorable discharge therefrom.

II. No fee shall be required for the registration and licensing of a service animal dog as defined in RSA 167-D:1, IV. When registering and applying for a license for a dog that is a service animal, the owner or trainer shall present an identification card issued by a recognized dog training agency. If a dog has been trained by its owner and does not have an identification card issued by a recognized dog training agency or school, in order to register and license a dog that is a service animal, the dog shall pass the Assistance Dogs International Public Access Test administered by a service animal trainer, as defined in RSA 167-D:1, V, and the owner shall present a letter from a health care professional stating that the individual requires the use of a service animal to perform tasks directly related to his or her disability.

III. The owner of a dog that is a service animal may elect for the registration and licensing of such dog to be permanent and not subject to annual renewal so long as such dog has met the requirements of this section.

IV. For the purpose of this section, the town clerk of each town or municipality shall determine the process by which permanently registered dogs that are service animals will be tracked for town purposes and ensure that town service animal owners are not required to participate, in any way, with an annual renewal of such dog's registration or licensing. In cases of change of town of residency, the service animal owner shall re-register the dog at no cost. If the owner has elected to obtain a tag through the governor's commission on disability as set forth in paragraph V, the owner shall let the governor's commission on disability know of any change in town of residency.

V. Certificates and tags stamped "G C D – Permanent Registration" with a registration number shall be issued by the governor's commission on disability to those who wish to affix such a tag on their service animal's collar after registering the dog under paragraph II. Tags and certificates may be obtained directly from the governor's commission on disability which will verify with the town clerk that such dog has met the requirements under paragraph II and is duly registered and licensed by the town of residency. Tags issued by the governor's commission on disability shall not be used to verify the legitimacy or authenticity of a service animal for any purpose.

VI. Upon the death or retirement of a service animal, the owner or person in possession of the service animal tag shall immediately return the tag to the governor's commission on disability.

VII. The tag identifying a service animal shall be used only by an eligible service animal, as defined in RSA 167-D:1, IV.

VIII. The owners and trainers of dogs that are service animals shall comply with all state and local ordinances regarding rabies certification under RSA 436:102 and RSA 466:1-a.

Commerce
May 2, 2012
2012-1951s
08/10

Amendment to HB 1410

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

1 New Paragraph; Non-Criminal, Non-Fraudulent, and Non-Monetary Loss Acts. Amend RSA 421-B:26-a by inserting after paragraph IV the following new paragraph:

IV-a. Within a reasonable amount of time after receiving a complaint, the secretary of state shall determine whether the complaint involves a criminal act, fraud, or monetary loss to the consumer. If the secretary of state determines that the complaint does not involve a criminal act, fraud, or monetary loss to the consumer, the secretary of state shall give such person a written warning that such person's conduct is in violation of this chapter or in violation of a rule adopted under this chapter. Such person shall have 30 days from the receipt of such written notice to cure the violation. If such person fails to cure the violation within 30 days, then the secretary of state may impose a fine or penalty. This provision shall not apply to a person who has previously been given a warning for the same violation. If the secretary of state determines that the complaint involves a criminal act, fraud, or monetary loss to the consumer, the secretary of state shall proceed with the hearing procedure established in this section.

2 Effective Date. This act shall take effect January 1, 2013.

2012-1951s

AMENDED ANALYSIS

This bill gives certain violators of the Uniform Securities Act time to cure their violations before receiving a penalty.

Senate Finance
May 3, 2012
2012-2010s
09/01

Amendment to HB 1418-FN-A

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

AN ACT extending the commission to study business taxes.

Amend the bill by deleting section 1 and renumbering the original sections 2-4 to read as 1-3, respectively.

Amend the bill by replacing section 3 with the following:

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

2012-2010s

AMENDED ANALYSIS

The bill extends the commission to study business taxes.

Commerce
May 1, 2012
2012-1947s
08/03

Amendment to HB 1480

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

AN ACT requiring all local enforcement agencies and other officials responsible for enforcement of fire codes to provide information on the local and state appeals process when issuing a building permit or notice of violation.

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

1 New Paragraph; Notice of Appeal Process. Amend RSA 155-A:7 by inserting after paragraph III the following new paragraph:

IV. All local enforcement agencies and selectmen and the state fire marshal in those communities without a local enforcement agency shall provide information on the local and state appeals process when issuing a building permit or notice of violation.

2 Notice of Appeal Process. Amend RSA 154:2, II to read as follows:

II.(a) The fire chief shall have the authority to enforce any local or state laws or rules pertaining to the control of combustible or hazardous materials, or both, the design of exits, and any other fire safety measures including the state fire code enacted pursuant to RSA 153:5.

(b) All local fire chiefs and duly authorized subordinates shall provide information on the local appeals process for local fire code ordinances and the variance process for the state fire code upon review of plans and notice of violations.

3 New Paragraph; Notice of Appeals. Amend RSA 153:14 by inserting after paragraph IV the following new paragraph:

V. All fire chiefs and duly authorized subordinates shall provide information on the local appeals process for local fire code ordinances and the variance process for the state fire code upon review of plans and notice of violations.

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

2012-1947s

AMENDED ANALYSIS

This bill requires all local enforcement agencies and other officials responsible for enforcement of the fire code to provide information on the local and state appeals process when issuing a building permit or notice of violation.

Senate Executive Departments and Administration

May 3, 2012

2012-1990s

10/04

Amendment to HB 1508

Amend the bill by deleting section 2 and renumbering the original sections 3-12 to read as 2-11, respectively.

Amend the bill by replacing section 3 with the following:

3 License Reinstatement. Amend RSA 330-A:31, II to read as follows:

II. If a license is not renewed it may be **retroactively** reinstated not later than 6 months after the date of license expiration upon payment of the fee and compliance with rules adopted by the board. A license may be placed on inactive status pursuant to rules adopted by the board.

2012-1990s

AMENDED ANALYSIS

This bill makes various changes to the regulation of mental health practitioners including the requirements of the board of mental health practice relating to investigation and hearings concerning disciplinary proceedings, the form of complaints against licensees, and the disclosure of patient records.

Senate Executive Departments and Administration

May 3, 2012
 2012-1988s
 09/01

Amendment to HB 1553

Amend the bill by deleting section 1 and renumbering the original sections 2-5 to read as 1-4, respectively.

Amend section 1 of the bill by deleting paragraph VIII.

Energy and Natural Resources
 May 3, 2012
 2012-1993s
 10/03

Amendment to HB 1555

Amend the bill by deleting section 1 and renumbering the original sections 2 and 3 to read as 1 and 2, respectively.

Senate Executive Departments and Administration
 May 3, 2012
 2012-1987s
 01/09

Amendment to HB 1582

Amend the bill by replacing section 2 with the following:

2 New Paragraph; State Employees; Medical and Surgical Benefits. Amend RSA 21-I:30 by inserting after paragraph I the following new paragraph:

I-a. Nothing in this section shall prohibit the state or state employees from making contributions to post-retirement medical savings plans for such employees, if authorized by a collective bargaining agreement, but only for the term of such agreement.

Senate Executive Departments and Administration
 May 3, 2012
 2012-1989s
 01/09

Amendment to HB 1631

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

1 New Subparagraph; Plan Required. Amend RSA 21-P:12-b, II by inserting after subparagraph (m) the following new subparagraph:

(n) Develop and implement a plan for individuals possessing a New Hampshire emergency services license to provide non-emergency services at social or sporting events. Such plan shall be developed and implemented by July 1, 2013. The plan shall be distributed to the commissioner of safety, the director of the division of fire standards and training and emergency medical services, and the chair of the emergency medical and trauma services coordination board.

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

2012-1989s

AMENDED ANALYSIS

This bill allows New Hampshire emergency medical services providers to provide non-emergency medical services at a social or sporting event.

Senate Judiciary
April 26, 2012
2012-1875s
03/04

Amendment to HB 1699-FN

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

1 Chemical Substance. Amend RSA 261:180, III to read as follows:

III. The commissioner, when suspending a driver's license or privilege to drive because the driver is an habitual offender or has been convicted of negligent homicide involving the use of a motor vehicle, manslaughter involving the use of a motor vehicle, a subsequent offense of driving or attempting to drive under the influence of intoxicating liquor or any controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which can impair a person's ability to drive*** under RSA 265-A:2, I, or aggravated driving while intoxicated or attempted aggravated driving while intoxicated under RSA 265-A:3, shall also revoke the registration of any vehicle registered to the individual whose license is being revoked or suspended, for the period of revocation or suspension of the license or privilege to drive.

2 Chemical Substance. Amend RSA 265-A:2 to read as follows:

265-A:2 Driving or Operating Under Influence of Drugs or Liquor; Driving or Operating With Excess Alcohol Concentration.

I. No person shall drive or attempt to drive a vehicle upon any way or operate or attempt to operate an OHRV:

(a) While such person is under the influence of intoxicating liquor or any controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which***

impairs a person's ability to drive or any combination of intoxicating liquor and controlled drugs, *prescription drugs, over-the-counter drugs, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive*; or

(b) While such person has an alcohol concentration of 0.08 or more or in the case of a person under the age of 21, 0.02 or more.

II. No person shall operate or attempt to operate a boat while under the influence of intoxicating liquor or a controlled drug, *prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive* or any combination of intoxicating liquor and a controlled drug or drugs, *prescription drug or drugs, over-the-counter drug or drugs, or any substance or substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive* or while such person has an alcohol concentration of 0.08 or more or in the case of persons under the age of 21, 0.02 or more.

3 Chemical Substance. Amend the introductory paragraph of RSA 265-A:3, I to read as follows:

I. While under the influence of intoxicating liquor or any controlled drug, *prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive* or any combination of intoxicating liquor and controlled drug or drugs, *prescription drug or drugs, over-the-counter drug or drugs, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive* and, at the time alleged:

4 Chemical Substance. Amend RSA 265-A:4 to read as follows:

265-A:4 Implied Consent of Driver or Operator to Submit to Testing to Determine Alcohol Concentration. Any person who drives, operates, or attempts to operate an OHRV, drives or attempts to drive a vehicle upon the ways of this state, or operates or attempts to operate a boat upon the public waters of the state shall be deemed to have given consent to physical tests and examinations for the purpose of determining whether such person is under the influence of intoxicating liquor or controlled drugs, *prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive* and to a chemical, infrared molecular absorption, or gas chromatograph test or tests of any or all of any combination of the following: blood, urine, or breath, for the purpose of determining the controlled drug, *prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive* content of such person's blood or alcohol concentration if arrested for any offense arising out of acts alleged to have been committed while the person was driving, operating, attempting to operate, or in actual physical control of an OHRV, driving, attempting to drive, or in actual physical control of a vehicle, or operating, attempting to operate, or in actual physical control of a boat while under the influence of intoxicating liquor or controlled drugs, *prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive* or while having an alcohol concentration in excess of the statutory limits contained in RSA 265-A:2 or RSA 265-A:3. The test or tests shall be administered at the direction of a law

enforcement officer, peace officer, or authorized agent having reasonable grounds to believe the person to have been driving, operating, attempting to operate, or in actual physical control of an OHRV, driving or in actual physical control of a vehicle, or operating or in actual physical control of a boat while under the influence of intoxicating liquor or controlled drugs, ***prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive*** or while having an alcohol concentration of 0.08 or more, or in the case of a person under the age of 21, 0.02 or more. A copy of the report of any such test shall be furnished by the law enforcement agency to the person tested within 48 hours of receipt of the report by the agency by certified mail directed to the address shown on such person's license or other identification furnished by the person. Results of a test of the breath shall be furnished immediately in writing to the person tested by the certified breath testing operator conducting the test. When the incident involves an accident resulting in death or serious bodily injury to any person as provided in RSA 265-A:16, the prerequisites of RSA 265-A:8 shall not apply. Properly trained personnel of the United States Coast Guard may arrest and conduct tests on persons who are believed to be under the influence of intoxicating liquor or controlled drugs, ***prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive*** or a combination thereof, and who are in physical control of a boat operating upon the public coastal waters of this state.

5 Chemical Substance. Amend RSA 265-A:5, II to read as follows:

II. All such blood and urine tests made under the direction of a law enforcement officer, authorized agent, or peace officer shall be conducted in the forensic science laboratory of the department of safety established in RSA 106-B:2-a or, in the case of blood and urine samples to be tested for the presence of controlled drugs, ***prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive*** in any other laboratory capable of conducting such tests which is licensed under the laws of this or any other state and which has also been licensed by the U.S. Department of Health and Human Services under the Clinical Laboratory Improvement Act of 1988, as amended.

6 Chemical Substance. Amend RSA 265-A:5, V(a) to read as follows:

(a) Methods and procedures for the testing of blood, urine, and breath to determine alcohol concentration and controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive*** content of a person's blood;

7 Chemical Substance. Amend RSA 265-A:9 to read as follows:

265-A:9 Effect of Evidence of Alcohol Concentration Test. The provisions of this subdivision do not limit the introduction of any other competent evidence bearing on the question of whether a person charged with the violation of RSA 265-A:2, I(a), or RSA 265-A:3, I, was under the influence of intoxicating liquor or any controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive***.

8 Chemical Substance. Amend RSA 265-A:10 to read as follows:

265-A:10 Effect of Evidence of Refusal to Take Alcohol Concentration Test. If a person refuses to submit to a test as provided in RSA 265-A:4, such refusal may be admissible into evidence in a civil or criminal action or proceeding arising out of an act alleged to have been committed by that person while driving, operating, attempting to operate, or in actual physical control of an OHRV, driving, attempting to drive, or in actual physical control of a vehicle, or operating, attempting to operate, or in actual physical control of a boat while under the influence of intoxicating liquor or any

controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive.***

9 Chemical Substance. Amend RSA 265-A:11 to read as follows:

265-A:11 Evidence.

I. Upon complaint, information, indictment, or trial of any person charged with the violation of RSA 265-A:2, the court may admit evidence of physical testing of the defendant for being under the influence of intoxicating liquor or controlled drugs, ***prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive*** as provided in RSA 265-A:4, and of the controlled drug, ***prescription drug, over-the-counter drug, or substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive*** content of the defendant's blood and the defendant's alcohol concentration, as shown by a test of his or her breath, blood, or urine as provided in RSA 265-A:4. Evidence that there was, at the time alleged, an alcohol concentration of 0.03 or less is prima facie evidence that the defendant was not under the influence of intoxicating liquor. Evidence that there was, at the time alleged, an alcohol concentration of more than 0.03 and less than 0.08 is relevant evidence but is not to be given prima facie effect in indicating whether or not the defendant was under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant. Evidence that there was, at the time alleged, an alcohol concentration of 0.08 or more is prima facie evidence that the defendant was under the influence of intoxicating liquor. In addition, evidence that there was, at the time alleged, an alcohol concentration of 0.08 or more shall, in conjunction with the evidence otherwise required by RSA 265-A:2, I(b) of driving or attempting to drive a vehicle upon a way, constitute a separate offense under RSA 265-A:2, I(b); and evidence that there was, at the time alleged, an alcohol concentration of 0.08 or more shall, in conjunction with the evidence otherwise required by RSA 265-A:3, II of driving or attempting to drive a vehicle upon a way and of one or more of the circumstances specified in RSA 265-A:3, II (a), (b), (c), and (d) constitute a separate offense under RSA 265-A:3, II; and evidence that there was, at the time alleged, an alcohol concentration of 0.16 or more shall, in conjunction with the evidence otherwise required by RSA 265-A:3, III of driving or attempting to drive a vehicle upon a way, constitute a separate offense under RSA 265-A:3, III.

II. Upon complaint, information, indictment, or trial of any person charged with a violation of the provisions of RSA 265-A:2, II relative to the operation of boats by a person under the influence of intoxicating liquor or a controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive*** the court may admit evidence of the defendant's alcohol concentration at the time alleged, as shown by a chemical, infrared molecular absorption, or gas chromatograph test or tests of his or her breath, urine, or blood. Evidence that there was, at the time alleged, an alcohol concentration of 0.08 or more, is prima facie evidence that the defendant was under the influence of intoxicating liquor. Evidence that the defendant had, at the time alleged, an alcohol concentration of more than 0.03 and less than 0.08 is relevant evidence and may be considered with other competent evidence in determining whether or not the defendant was under the influence of intoxicating liquor. Evidence that the defendant had, at the time alleged, an alcohol concentration of 0.03 or less is prima facie evidence that the defendant was not under the influence of intoxicating liquor.

10 Chemical Substance. Amend RSA 265-A:12, V to read as follows:

V. Any person who is arraigned on a charge arising under RSA 265-A:2, RSA 265-A:3, or RSA 265-A:43 shall file, within 10 days of such person's receipt of the results of any toxicology test

administered to such person for the presence of any controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive***, a notice in said court requiring the attendance of the certifying scientist. Failure to file notice shall be deemed a waiver to require attendance of the certifying scientist at trial. The official report of the test issued pursuant to RSA 265-A:4 shall be deemed conclusive evidence of the conduct of the result of such test.

11 Chemical Substance. Amend RSA 265-A:14, IV(a) to read as follows:

(a) That the authorized agent or peace officer had reasonable grounds to believe the arrested person had been operating, had been attempting to operate, or was in actual physical control of a boat upon the public waters of this state while under the influence of intoxicating liquor or controlled drugs, ***prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive*** or any combination thereof;

12 Chemical Substance. Amend RSA 265-A:15, I to read as follows:

I. Any law enforcement officer, authorized agent, or peace officer, who has been certified by the police standards and training council according to standards for such certification contained in rules adopted by said council pursuant to RSA 541-A, having reasonable grounds to believe that a person has been driving, operating, attempting to operate, or in actual physical control of an OHRV, driving, attempting to drive, or in actual physical control of a vehicle, or operating, attempting to operate, or in actual physical control of a boat upon the public waters of the state while under the influence of intoxicating liquor or controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive*** or while the person's alcohol concentration was 0.08 or more or in the case of a person under the age of 21, 0.02 or more or in the case of a person licensed to operate and operating a commercial vehicle or operating a commercial vessel and licensed pursuant to RSA 270-E:22 at the time of the offense, 0.04 or more may, without making an arrest, request that such person submit to a preliminary breath test for alcohol concentration to be administered by the officer. The results of any test administered under this section may be introduced into evidence in a court for any relevant purpose. Failure to submit to the test shall not constitute a violation of this chapter. Evidence of a failure to submit to a preliminary breath test shall not be admissible in court in any prosecution under this subdivision, except for the purpose of determining whether the officer had probable cause to arrest the person. The provisions of this section shall not limit the introduction of any other competent evidence bearing on the question of whether a person charged with violating RSA 265-A:2, I(a), RSA 265-A:2, II, or RSA 265-A:3 was under the influence of intoxicating liquor or any controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive***. Nothing contained in this section shall be construed to prevent or require a subsequent test pursuant to RSA 265-A:4. The police officer requesting the test shall advise orally the person to be tested that his or her failure to take the test or his or her taking of the test shall not be construed to prevent or require a subsequent test pursuant to RSA 265-A:4. The results of the test shall be furnished immediately to the person tested by the police officer administering the test and in writing, if requested.

13 Chemical Substance. Amend the introductory paragraph of RSA 265-A:16 to read as follows:

265-A:16 Blood Testing of Certain Motor Vehicle Fatalities. When a collision, boating accident, or OHRV accident results in death or serious bodily injury to any person, all drivers or operators involved, whether living or deceased, and all deceased vehicle, boat, or OHRV occupants and pedestrians involved shall be tested for evidence of alcohol or controlled drugs, ***prescription drugs,***

over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive. A law enforcement officer, authorized agent, or peace officer shall request a licensed physician, registered nurse, certified physician's assistant, or qualified medical technician or medical technologist to withdraw blood from each driver or operator involved if living and from the body of each deceased driver or operator, deceased occupant, or deceased pedestrian, in accordance with RSA 611-B:14, II, for the purpose of testing for evidence of alcohol content or controlled drugs, **prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive;** provided that in the case of a living driver or operator the officer has probable cause to believe that the driver or operator caused the collision or accident. All tests made under this section shall be conducted by the forensic science laboratory established in RSA 106-B:2-a or in any other laboratory capable of conducting such tests which is licensed under the laws of this or any other state and which has also been licensed by the U.S. Department of Health and Human Services under the Clinical Laboratory Improvement Act of 1988, as amended. A copy of the report of any such test shall be kept on file by the medical examiner. The filed report is not a public record under RSA 91-A. However, the report shall be made available to the following:

14 Chemical Substance. Amend RSA 265-A:17 to read as follows:

265-A:17 Arrest Without a Warrant. Notwithstanding any other statutory provision of law to the contrary, a law enforcement officer may, without a warrant, arrest any person involved in a traffic accident, OHRV accident, or boating accident when the officer has probable cause to believe that such person has committed an offense, an element of which is driving under the influence of intoxicating liquors[.] **or controlled drugs, prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive,** or both. Notwithstanding any statutory provision of law to the contrary, a law enforcement officer may make such an arrest in such officer's own jurisdiction or on the property of any medical facility in another jurisdiction in this state where the person or others are taken for treatment for injuries suffered in such traffic accident.

15 Chemical Substance. Amend RSA 265-A:21, I to read as follows:

I. Notwithstanding the provisions of RSA 651:5, no court shall order an annulment of any record of conviction of driving or attempting to drive a vehicle upon any way or driving, operating, attempting to operate, or being in actual physical control of an OHRV or operating or attempting to operate a boat on the waters of this state while under the influence of intoxicating liquor or any controlled drug, **prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive** or while having an alcohol concentration of 0.08 or more or of aggravated drunken driving until 10 years after the date of conviction. Any record thus annulled shall be retained in a permanent file, to be opened only for purposes of sentencing in the case of an offense under RSA 265-A:3.

16 Chemical Substance. Amend RSA 265-A:35, II to read as follows:

II. No holder of a probationary license shall drive or attempt to drive a vehicle upon any way when he or she is under the influence of intoxicating liquor or any controlled drug, **prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive** or any combination of intoxicating liquor and controlled drugs, **prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's**

ability to drive so that the alcohol concentration is 0.03 or more. Driving with an alcohol concentration of 0.03 or more is a per se violation of a probationary license and subjects the probationary license holder to administrative suspension of his or her driver's license for not less than 90 days and not more than 180 days. Such administrative suspension shall be in addition to any court imposed suspension or revocation periods.

17 Chemical Substance. Amend RSA 270:12-a, I(b) to read as follows:

(b) The provisions of RSA 265-A, relative to the operation or attempted operation of boats by a person under the influence of intoxicating liquor or a controlled drug, ***prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive*** or other unlawful operation of boats thereunder;

18 Chemical Substance. Amend RSA 651:6, II(b)-(c) to read as follows:

(b) Has previously been convicted of a violation of RSA 630:3, II, RSA 265-A:3, I(b) or II(b), or any crime in any other jurisdiction involving driving or attempting to drive a motor vehicle under the influence of controlled drugs, ***prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive*** or intoxicating liquors, or both, and such person has committed a crime as defined under RSA 630:3, II or RSA 265-A:3, I(b) or II(b);
or

(c) Has twice previously been convicted in this state or any other jurisdiction, for driving or attempting to drive a motor vehicle under the influence of intoxicating liquors or controlled drugs, ***prescription drugs, over-the-counter drugs, or any substances having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impair a person's ability to drive***, or both, and such person has committed a crime as defined under RSA 630:3, II or RSA 265-A:3, I(b) or II(b).

19 Effective Date. This act shall take effect January 1, 2013.

2012-1875s

AMENDED ANALYSIS

This bill changes the prohibition on driving under the influence of a controlled drug to driving under the influence of a controlled drug, prescription drug, over-the-counter drug, or any substance having the property of releasing toxic vapors used for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, which impairs a person's ability to drive.

Public and Municipal Affairs

May 2, 2012

2012-1968s

03/10

Amendment to HB 1704-FN

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

AN ACT relative to political contributions and expenditures, relative to reporting by political committees, and relatives to nomination of political organizations.

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

1 Declaration of Intent; Political Organization. Amend RSA 655:17-c to read as follows:

655:17-c Declaration of Intent; Political Organization.

I. Declarations of intent for political organizations shall be in the following form and signed by the chairman of the political organization:

I, _____, chairman of the _____ organization hereby declare that the _____ organization intends to file nomination papers by the deadline established under RSA 655:43, I. ~~[I further declare that the _____ organization intends to file the names of candidates for the following offices with the nomination papers.]~~

II. *At the time of filing the declaration of intent, the chairman of the political organization shall submit a list of the offices for which it intends to file candidates and the names of the candidates for those offices. In addition, each candidate shall file a declaration of candidacy. The declaration of candidacy shall be in the form provided by RSA 655:17 with the understanding that, where the form says primary election, it shall be construed to mean general election. If the political organization does not obtain enough nomination papers to have its name placed on the ballot, any declarations of candidacy filed for that political organization shall be void.*

2 Definitions; Political Committee. RSA 664:2, III is repealed and reenacted to read as follows:

III. "Political committee" means any organization that has as its major purpose promoting, defeating, or influencing a candidate election, campaign, or measure and that makes expenditures aggregating more than \$2,500 in a calendar year for that purpose; or that does not have as its major purpose promoting, defeating, or influencing a candidate election, campaign, or measure but whose independent expenditures, as defined in paragraph XI, and spending on electioneering communication, as defined in paragraph XVIII, when combined, total more than \$5,000 in a calendar year. As used in this paragraph, "organization" includes, but is not limited to, for-profit and nonprofit corporations, associations, partnerships, and the political committee of a political party, as defined in paragraph V.

3 Definitions; Expenditure. Amend RSA 664:2, IX to read as follows:

IX. "Expenditure" shall mean the disbursement of money or thing of value or the making of a legally binding commitment to make such a disbursement in the future for the purpose of influencing the nomination for election or election of any candidate **or candidates or the success or defeat of a measure or measures**. It does not include the candidate's filing fee or his **or her** expenses for personal travel and subsistence.

4 Definitions; Independent Expenditures. Amend RSA 664:2, XI to read as follows:

XI. "Independent expenditures" means expenditures by a person, political committee, or other entity expressly advocating the election or defeat of a clearly identified candidate **or candidates or the success or defeat of a measure or measures** which are made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which are not made in concert with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate. As used in this paragraph, "clearly identified" means that the name of the candidate involved appears; a photograph or drawing of the candidate appears; or the identity of the candidate is apparent by unambiguous reference.

5 New Paragraph; Definitions; Electioneering Communication. Amend RSA 664:2 by inserting after paragraph XVII the following new paragraph:

XVIII. "Electioneering communication" means any broadcast, publication, mailer, or cable or satellite communication that fulfills each of the following conditions:

- (a) The communication refers to a clearly identified candidate for state office or measure without a call to action.
- (b) The communication is publicly distributed within 60 days prior to a general election or 30 days prior to a primary election for the office a candidate is seeking.
- (c) The communication is targeted to the relevant electorate.

6 Registration of Political Committees. Amend RSA 664:3, I to read as follows:

I. Any political committee, except the political committee of a political party, shall register with the secretary of state as provided in this section. The committee shall register with the secretary of state not later than 24 hours after receiving any contribution in excess of [~~\$500~~] **\$2,500** or before making any expenditure in excess of [~~\$500~~] **\$2,500 in the aggregate**, but in no event later than 14 days after the formation of the committee. The registration shall be accompanied by a fee of \$50, which shall be deposited by the secretary of state into the general fund; provided, however, that the political committee of a candidate which registers under this section shall not be required to pay the \$50 fee. Each political committee shall designate a treasurer or agent who is a citizen of this state and who is authorized to receive all process and other legal documents on behalf of the political committee, and through whom may be obtained access to all books and records of the political committee. The political committee shall file with the secretary of state a statement of the purpose of the committee and shall indicate whether the committee will be making independent expenditures in support of or in opposition to any candidate including a statement of the name, address, occupation, and principal place of business of its chairperson and treasurer or agent, and the names and addresses of other officers. The committee shall file an amendment to its registration within 14 days of any change in the officers or purpose of the committee.

7 Prohibited Political Contributions; Amount. Amend RSA 664:4, V to read as follows:

V. By any person (1) if in excess of [~~\$5,000~~] **\$7,000** in value, except for contributions made by a candidate in behalf of his **or her** own candidacy, or if in excess of [~~\$1,000~~] **\$3,500** in value by any person or by any political committee to a candidate or a political committee working on behalf of a candidate who does not voluntarily agree to limit his campaign expenditures and those expenditures made on his behalf as provided in RSA 664:5-a, ***provided that a person may contribute up to \$7,000 for the state primary election and up to \$7,000 for the general election to a candidate who has agreed to voluntary spending limits; or up to \$3,500 for the state primary election and up to \$3,500 for the general election to a candidate who has not agreed to voluntary spending limits, to a political committee, or to a political party; and may contribute an additional \$5,000 during an exploratory period to a political committee working on behalf of a person prior to his or her public declaration of candidacy***, (2) if made anonymously or under a name not that of the donor, (3) if made in the guise of a loan, (4) if any other manner concealed, (5) if made without the knowledge and written consent of the candidate or his **or her** fiscal agent, a political committee or its treasurer, or not to any one of the same.

8 Political Expenditure Limitation Amounts. Amend RSA 664:5-b to read as follows:

664:5-b Political Expenditure Limitation Amounts. Total expenditures by a candidate who voluntarily agrees to limit campaign expenditures as provided in RSA 664:5-a shall be as follows:

I. For governor:

- (a) [~~\$625,000~~] **\$1,000,000** in a state primary election.
- (b) [~~\$625,000~~] **\$1,000,000** in a state general election.

I-a. For United States senator:

- (a) [~~\$625,000~~] **\$1,000,000** in a state primary election.
- (b) [~~\$625,000~~] **\$1,000,000** in a state general election.

II. For representative to Congress:

- (a) [~~\$350,000~~] **\$500,000** in a state primary election.
- (b) [~~\$350,000~~] **\$500,000** in a state general election.

III. For executive council:

- (a) [~~\$50,000~~] **\$75,000** in a state primary election.
- (b) [~~\$50,000~~] **& 75,000** in a state general election.

IV. For state senate:

- (a) [~~\$20,000~~] **\$50,000** in a state primary election.
- (b) [~~\$20,000~~] **\$50,000** in a state general election.

V. For representative to the general court and all county offices, based upon the latest figures filed with the secretary of state:

(a) ~~[\$50]~~ **\$1.00** per registered voter in the district or the county in a state primary election.

(b) ~~[\$50]~~ **\$1.00** per registered voter in the district or the county in a state general election.

VI. For the purposes of this section, RSA 664:5-a, and the enforcement provisions of this chapter, “total expenditures” shall mean the sum of all expenditures made to influence either a state primary or a state general election made by a candidate and those made on the candidate’s behalf by the candidate’s committee or committees, the candidate’s party, and the candidate’s immediate family. For candidates for governor, United States senator, representative to Congress, state senate, state representative, and executive council, “total expenditures” shall include any such expenditures made after January 1 of the election year, regardless of when the person actually declares his or her candidacy. Each campaign expenditure limitation amount shall apply solely and independently to either the state primary election or the state general election.

9 Reporting by Political Committee. Amend RSA 664:6, I to read as follows:

I. Any political committee whose receipts or expenditures in support of a candidate, measure, or political party exceed ~~[\$500]~~ **\$2,500** except, for the purposes of this paragraph only, the political committee of a political party, ~~or~~ the political committee of a candidate, **or a corporation that is tax exempt under section 501(c)(4), 501(c)(5), and 501(c)(6) of the United States Internal Revenue Code**, shall file with the secretary of state an itemized statement, signed by its chairman and treasurer showing each of its receipts exceeding \$25 with the full name and home post office address of the contributor in alphabetical order and the amount of the contribution, the date it was received, and the aggregate total for each election for each contributor of over \$100. The statement shall be filed not later than the Wednesday 12 weeks immediately preceding a primary election, before 5 o’clock in the afternoon, and shall cover the period from the day of the committee registration up to and including the Monday before the statement is due. All receipts of \$25 or under shall appear on the statements as unitemized receipts. Any listing which exceeds an individual’s aggregate total of \$100 for each election shall be accompanied by the contributor’s occupation including official job title, the name of the contributor’s employer, and the city or town of the contributor’s principal place of business, if any. The statement shall also show each committee expenditure with the full name and city or town of persons, corporations, committees, or to whomever paid or to be paid, the date paid, and the election for which the expenditure was made, with the specific nature and amount of each expenditure since the date of the registration.

10 Reporting by Political Committee. Amend RSA 664:6, II-a to read as follows:

II-a. A political committee shall file a statement in the same form as in paragraph I with the secretary of state not later than the Wednesday immediately preceding a primary and a general election, before 5 o’clock in the afternoon. The statement shall summarize the statements under paragraphs I and II if such statements are filed and itemize all receipts and expenditures since the cutoff of the statement under paragraph II up until the Monday preceding the filing of the statement under this paragraph. In addition to the reporting requirements contained in this section, the secretary of state shall be notified by the fiscal agent within 24 hours of any contribution exceeding ~~[\$500]~~ **\$2,500** which is received after the statement under this paragraph is filed and prior to the day of election.

11 Reporting by Political Committee. Amend RSA 664:6, IV-IV-a to read as follows:

IV. Any political committee whose receipts or expenditures do not exceed ~~[\$500]~~ **\$2,500** for a reporting period need not file. However, when a committee’s accumulated receipts or expenditures for an election exceed ~~[\$500]~~ **\$2,500** the committee shall file a statement at the next reporting deadline, **unless the committee is a corporation that is tax exempt under section 501(c)(4), 501(c)(5), and 501(c)(6) of the United States Internal Revenue Code.**

IV-a. Any political committee whose independent expenditures **or spending on electioneering communications**, in aggregate, exceed ~~[\$500]~~ **\$2,500** shall file an itemized statement with the secretary of state not later than 24 hours after such expenditures are made, and thereafter each time a further ~~[\$500]~~ **\$2,500** is expended. Such itemized statements shall cover the period during which independent expenditures **and spending on electioneering**

communications totaling [~~\$500~~] **\$2,500** were made. Each statement shall include a certification by the political committee that the independent expenditure **or electioneering communication** meets the definition in RSA 664:2, XI **or RSA 664:2, XVIII**. Each statement shall contain the date of each independent expenditure **or spending on electioneering communications**; the name and address of the person to whom the expenditure was made; the name of the candidate on whose behalf or against whom each **independent** expenditure was made **or referenced in each electioneering communication**; the amount of each expenditure; the purpose of each expenditure, and the aggregate amount of all previous independent expenditures **and spending on electioneering communications**. If [~~the independent expenditure is~~] **expenditures are** made in support of or to oppose more than one candidate, the statement made under this paragraph shall allocate the way in which the expenditure was made among the candidates on a reasonable basis. For the purposes of this paragraph, “reasonable basis” means a statement which reflects the benefit or the burden reasonably expected to be derived or suffered by each candidate. The filing requirements of this paragraph shall be in addition to all other filing requirements under this section, and shall not be limited to the filing periods during which expenditures must otherwise be reported.

12 New Section; Reports of Spending on Information Critical of General Court Members. Amend RSA 664 by inserting after section 6 the following new section:

664:6-a Reports of Spending on Information Critical of General Court Members. Any political committee whose spending on distribution of information critical of a member of the general court who has not filed for office, in aggregate, exceeds \$500 shall file an itemized statement with the secretary of state not later than 24 hours after such spending, and thereafter each time a further \$500 is spent. Such itemized statements shall cover the period during which a total of \$500 was spent. Each statement shall contain each date when such money was spent; the name and address of the person paid; the name of the member of the general court mentioned in the information distributed; the amount of each payment; the purpose of each payment; and the aggregate amount of all previous payments. If the payment is made for information critical of more than one member of the general court, the statement made under this paragraph shall allocate the way in which the payment was made among the members on a reasonable basis. For the purposes of this paragraph, “reasonable basis” means a statement which reflects the burden reasonably expected to be suffered by each member. The filing requirements of this paragraph shall be in addition to all other filing requirements, and shall not be limited to the filing periods during which expenditures must otherwise be reported.

13 New Paragraph; Penalties. Amend RSA 664:21 by inserting after paragraph VI the following new paragraph:

VII.(a) A political committee that fails to register in accordance with RSA 664:3 shall be subject to a fine equal to 25 percent of the electioneering communication and independent expenditures made during the period from the date the political committee was required to register to the date the political committee registered.

(b) A political committee that fails to report independent expenditures or spending on electioneering communications in accordance with RSA 664:6, IV-a shall be subject to a fine equal to 25 percent of the electioneering communication and independent expenditures not reported or reported late.

14 Repeal. RSA 655:40-b, relative to filing names of candidates, is repealed.

15 Effective Date.

I. Sections 3-6, 9-11, and 13 of this act shall take effect August 1, 2012.

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

2012-1968s

AMENDED ANALYSIS

This bill:

I. Modifies the procedure for nominating a political organization.

II. Modifies the definition of “political committee.”

III. Increases the limit on campaign contributions.

IV. Authorizes contributions of up to \$5,000 each during the exploratory period of a campaign.

V. Increases voluntary campaign expenditure limits.

VI. Requires reporting by political committees of spending on electioneering communications, as defined in the bill.

VII. Raises from \$500 to \$2,500 the amount of contributions or expenditures triggering registration and reporting requirements for political committees.

VIII. Requires reporting by a political committee of spending on distribution of information critical of a member of the general court.

Health and Human Services
May 3, 2012
2012-2013s
09/01

Amendment to HCR 31

Amend the second paragraph after the title by replacing it with the following:

Whereas, more than 2,500 pregnancy centers across the United States provide individualized care to women and men facing planned and unplanned pregnancies, including resources to meet their physical, psychological, emotional, and spiritual needs; and

Amend the tenth paragraph after the title by replacing it with the following:

Whereas, pregnancy care centers operate primarily through reliance on the voluntary donations and time of caring individuals who are committed to caring for the needs of women and promoting and protecting life; and

Amend the first paragraph after the resolving clause to read as follows:

That the New Hampshire general court recognizes the many contributions made by pregnancy care centers and supports pregnancy care centers in their unique, positive contributions to the individual lives of women, men, and babies, both born and unborn; and

Amend the resolution by deleting the third paragraph after the resolving clause.

Public and Municipal Affairs
May 2, 2012
2012-1970s
05/09

Amendment to HCR 35

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

A RESOLUTION designating Miss New Hampshire, of the Miss America Scholarship Program, an official ambassador of the state of New Hampshire during her term as Miss New Hampshire.

Amend the resolution by replacing all after the title with the following:

Whereas, the Miss America Scholarship Program, established in 1921, and its preliminary pageants comprise the largest women's scholarship foundation in the world, offering \$45 million to its contestants nationwide in 2002 alone; and

Whereas, it is the oldest, most prestigious competition for young women in America, and unlike other contests, is a non-profit endeavor; and

Whereas, the Miss America organization provides its participants with a vehicle to further their personal and professional goals and instills a spirit of community service through a variety of unique nationwide community-based programs; and

Whereas, the Miss New Hampshire pageant held its first contest in 1948 and has done so each year as the official preliminary for the Miss America pageant; and

Whereas, the pageant's participants, who are interested foremost in their education, are judged on the basis of the whole person including talent, intelligence, poise, beauty, spirit, as well as their platform, and seek to represent New Hampshire in the annual national pageant; and

Whereas, a young woman possessing these attributes would be an ideal person to serve as an official ambassador of New Hampshire; and

Whereas, many other states, including Nevada, Arkansas, Arizona, Mississippi, South Carolina, Missouri, Louisiana, Florida, Kentucky, and Hawaii have their respective official preliminary Miss America contestant winners serve in official capacities in their states; and

Whereas, it would be a great benefit to the state of New Hampshire to have a Miss New Hampshire serve as an official ambassador to assist with ceremonial functions, such as welcoming visiting dignitaries and attending important events, and to assist with other duties that may arise; now, therefore be it

Resolved by the House of Representatives, the Senate concurring:

That the members of the New Hampshire general court proclaim that the woman chosen as Miss New Hampshire of the Miss America Scholarship Program serve as an official ambassador of New Hampshire during her term as Miss New Hampshire; and

That the clerk of the house of representatives transmit copies of this concurrent resolution, signed by the speaker of the house of representatives and the senate president, to the Miss New Hampshire Scholarship Program, the current reigning Miss New Hampshire, the Miss America Scholarship Program Organization, and the governor of the state of New Hampshire.

2012-1970s

AMENDED ANALYSIS

This resolution designates Miss New Hampshire, of the Miss America Scholarship Program, as an official ambassador of the state of New Hampshire during her term as Miss New Hampshire.

COMMITTEE OF CONFERENCE

CACR 12, relating to public education. Providing that the general court shall have the authority to define standards for public education, establish standards of accountability, mitigate local disparities

in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education.

House Conferees: Representatives (C) L. Ober, Hess, Balboni, and Renzullo

Senate Conferees: Senators Bradley, D'Allesandro and Stiles

HB 102, establishing a committee to study certain issues relative to the insurance department, banking department, and bureau of securities regulation of the office of the secretary of state.

House Conferees: Representatives (C) Hunt, Mauro, McGuinness, and Gidge

Senate Conferees: Senators White, Luther, and Larsen

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

House Conferees: Representatives (C) Welch, Warden, Parsons, and Ginsburg

Senate Conferees: Senators Groen, Luther, and Houde

HB 146, relative to the right of a jury to judge the application of the law in relationship to the facts in controversy.

House Conferees: Representatives (C) Giuda, LaCasse, McClarren, and Wall

Senate Conferees: Senators Forsythe, Groen, and Houde

HB 158, relative to the misuse of social security numbers.

House Conferees: Representatives (C) B. Murphy, Hagan, B. Palmer, and Watrous

Senate Conferees: Senators Carson, Luther, and Houde

HB 193, relative to the Mount Washington commission.

House Conferees: Representatives (C) Hawkins, Hansen, Ingbretson, and Y. Thomas

Senate Conferees: Senators Carson, Groen, and Larsen

HB 597, revising the child support guidelines based on an income shares model of calculating child support.

House Conferees: Representatives (C) Moran, E. Hogan, C. Soucy, and Lovejoy

Senate Conferees: Senators Groen, Forsythe, and Houde

HB 627, relative to "essential benefits" under federal health care reform.

House Conferees: Representatives (C) Hunt, Manuse, Flanders, and Schlachman

Senate Conferees: Senators White, Houde, and Prescott

HEARINGS

FRIDAY, MAY 4, 2012

EDUCATION, Room 103, LOB

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

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

INTERNAL AFFAIRS, Room 100, SH

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

1:00 p.m. **HB 1237**, establishing the joint committee on employee relations.

1:15 p.m. **HB 1276**, establishing a committee to study general court policies and procedures related to persons with disabilities.

1:30 p.m. **HB 1350**, relative to the style and form of new articles and amendments to articles proposed by constitutional amendment concurrent resolutions.

1:45 p.m. **HB 1623**, relative to records of the legislative ethics committee.

2:00 p.m. **HB 1632**, establishing a committee to assess the cost savings of digitizing the general court.

EXECUTIVE SESSION MAY FOLLOW

TUESDAY, MAY 8, 2012

CAPITAL BUDGET, Room 100, SH

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

- 1:00 p.m. **HB 1205**, relative to the duty of the long range capital planning and utilization committee.
- 1:10 p.m. Hearing on proposed amendment #1842s: relative to the duty of the long range capital planning and utilization committee and relative to the funding of the E-Court initiative for the judicial branch, to HB 1205.
- 1:20 p.m. Hearing on proposed amendment #1982s: relative to the duty of the long range capital planning and utilization committee and relative to the sale of the former Laconia state school property, to HB 1205.

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 1377**, requiring postsecondary education institutions to compile and submit reports on remedial education courses.
- 1:15 p.m. **HB 1389**, relative to the pre-engineering technology curriculum and pre-engineering technology advisory council.

EXECUTIVE SESSION MAY FOLLOW

THURSDAY, MAY 10, 2012

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. **EXECUTIVE SESSION ON PENDING LEGISLATION**

JUDICIARY, Room 101, LOB

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

- 1:00 p.m. **HB 1551**, clarifying the liability of landowners, lessees, and occupants of premises who allow other persons to use the premises for hunting, fishing, and other recreational purposes or to remove fuel wood, and relative to the losing party's payment of the prevailing party's costs in actions against such landowners, lessees, and occupants.
- 1:15 p.m. **HB 1263**, relative to the termination of tenancy and repealing the requirement that landlords of restricted residential property provide service of process information.
- 1:35 p.m. **HB 1597**, relative to taking by eminent domain for certain purposes.
- 1:45 p.m. **HB 1332**, relative to the law enforcement authority of fish and game conservation officers.

EXECUTIVE SESSION MAY FOLLOW

MEETINGS

FRIDAY, MAY 4, 2012

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

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

MONDAY, MAY 7, 2012

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

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

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

1:15 p.m. Rooms 205-207, LOB Special Meeting

TUESDAY, MAY 8, 2012

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

3:30 p.m. Department of Education, Room 15 Regular Meeting
101 Pleasant Street
Concord, NH

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

3:30 p.m. Room 201, LOB Regular Business

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

ECONOMIC STRATEGIC COMMISSION TO REVIEW THE RELATIONSHIP BETWEEN NEW HAMPSHIRE BUSINESSES AND STATE GOVERNMENT (RSA 359-K:2)

10:00 a.m. Rooms 305-307, LOB Regular Meeting

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

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

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

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

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

3:00 p.m. Room 100, SH Regular Meeting

WEDNESDAY, MAY 16, 2012

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

1:30 p.m. NH Department of Revenue Administration Subcommittee Meeting
109 Pleasant Street
Concord, NH

THURSDAY, MAY 17, 2012

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

FRIDAY, MAY 18, 2012

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

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

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

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

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

10:00 a.m. Room 101, LOB

Non-Public Session of the Complaint
Review Committee**GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

12:00 p.m. Room 101, LOB

Regular Meeting

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

12:00 p.m. Room 205, LOB

Regular Meeting

MONDAY, MAY 21, 2012**INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)**

9:00 a.m. Room 100, SH

Regular Meeting

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

9:00 a.m. Room 305, LOB

Regular Meeting

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

10:00 a.m. Room 307, LOB

Regular Meeting

THURSDAY, MAY 24, 2012**COMMISSION TO STUDY BUSINESS REGULATIONS IN NH (RSA 359-L)**

3:00 p.m. Room 303, LOB

Full Committee Meeting

WEDNESDAY, JUNE 6, 2012**ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN/STUDENTS WITH
DISABILITIES (RSA 186-C:3-b)**4:30 p.m. NH Department of Education
Londregan Hall, Room 15
101 Pleasant Street
Concord, NH

Regular Meeting

MONDAY, JUNE 11, 2012**ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21)**

3:00 p.m. Room 100, SH

Regular Meeting

FRIDAY, JUNE 15, 2012**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

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

Regular Meeting

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

1:00 p.m. Room 101, LOB

Regular Meeting

FRIDAY, JUNE 29, 2012**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

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

Continued Meeting

SENATE BILLS AMENDED BY THE HOUSE

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

SB 214, relative to the applicability of the right-to-know law to public libraries.

SB 216, relative to notification of revocation of conditional discharge by the department of health and human services.

SB 287, relative to confidential prescription data.

SB 291, relative to the use of currently allowed impact fees by municipalities.

SB 302, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces and relative to certain maintenance at the rotary in the town of Epsom.

SB 306, relative to the commercial and industrial construction property tax exemption.

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, 258, 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, 402, 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, 1230, 1251, 1274, 1297, 1302, 1366, 1383, 1418, 1440, 1455, 1460, 1483, 1490, 1495, 1505, 1510, 1526, 1534, 1546, 1593, 1607, 1611, 1644, 1652, 1658, 1679, 1680, 1698, 1721

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

SENATE BILLS: 363

HOUSE BILLS: 247, 648, 1133, 1231, 1448

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

MONDAY, MAY 7, 2012

Legislators are invited to attend a special meeting of the NH Legislative Task Force on Work and Family (RSA 276-B) on Monday, May 7th, 2012, in Rooms 205 and 207 in the Legislative Office Building beginning at 1:15 p.m. This meeting, which will be held jointly with business leaders and members of NH Chambers of Commerce and the BIA, will feature a report entitled *Working Parents and Workplace Flexibility*, published by the Carsey Institute at the University of New Hampshire in cooperation with the UNH Department of Family Studies, Cooperative Extension, and the NH

Department of Employment Security. Presenters will include Dr. Kristin Smith, Demographer from the Carsey Institute, and Dr. Malcolm Smith, Associate Professor in the UNH Department of Family Studies and Family Policy Specialist with NH Cooperative Extension. This study, the first to survey NH working families, is related to the Task Force's goal of researching employment policies and practices that improve productivity, promote economic development, and are specifically designed to recruit and retain a competent and talented workforce. Participants will have an opportunity to share experiences on the successes and challenges of introducing changes such as workplace flexibility in NH. All are welcome.

Senator Amanda Merrill

WEDNESDAY, MAY 16, 2012

The New Hampshire Soft Drink Association cordially invites all House and Senate members and legislative staff to enjoy a hot breakfast on Wednesday, May 16th, from 8:00 a.m. to 10:00 a.m. in the State House Cafeteria. Please come and see how the beverage industry in New Hampshire is delivering jobs, choice, and recycling innovation. Experts will be on hand to discuss how plastic bottles are recycled and reused. Please RSVP to jgrimбилas@biancopa.com See you there!

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

WEDNESDAY, MAY 16, 2012

Members of the General Court and staff are invited to join UNH President Mark W. Huddleston on Wednesday, May 16th 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 May 9th at www.unh.edu/universityevents or call (603) 862-3660. Brown bag lunches will be provided.

Senator Amanda Merrill

SENATE SCHEDULE

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, at 4:00 p.m.	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)

VISITORS' CENTER SCHEDULE – 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

DATE	TIME	GROUP	Group#/Grade
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 4	11:45	Tri City Christian Academy- Somersworth	23/4
May 7	9:00	Conant Rumford School – Concord	/4
May 7	10:15/11:30	Auburn Village School	78/4
	SH/HM		
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	9:30	Riverbend Community Group	15
May 9	10:30	World Affairs Council – Russians	
May 9	9:45/11:00	Danville Elementary School	60/4
	SH/HM		
May 10	10:15/11:30	DJ Bakie School – Kingston	94/4
	SH/HM		
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
May 14	10:00/11:30	Wm. Barron School – Salem	60/4
May 14	12:00	Rollinsford Grade School	60/4
May 15	9:15	Bridgewater Hebron School	35/4
May 15	10:15/11:30	Pelham Elementary School	97/4
	SH/GiftShop		
May 16	9:00	Path Finder Montessori School – Epsom	10
May 16	10:00/12:00	Mastway School – Lee	87/4

May 16	3:00	Immaculate Conception Apostolic School – Wolfeboro	15/HS
May 17	8:30	NH Society of CPA's Leadership Group	15
May 17	9:45	Lakeway Elementary School – Littleton	56/4
May 17	10:30	Mont Vernon Village School	36/4
May 18	10:15/11:30 SH/SC	Memorial School – Newton	60/4
May 21	9:15	John Fuller School – North Conway	40/4
May 21	10:15/11:30 SH/GiftShop	Pelham Elementary School	97/4
May 21	12:45	Simonds Elementary School – Warner	35/4
May 22	9:15	Florence Rideout School – Wilton	40/4
May 22	10:15	Deerfield Community School	34/4
May 22	11:30	Pittsfield Elementary School	40/4
May 23	9:30/11:00 SH/HM	Gossler Park School – Manchester	56/4
May 23	10:30	Hancock Elementary School	17/4
May 23	11:30	Ed Fenn Elementary School – Gorham	37/4
May 23	11:30	Mt. Washington Valley Leadership	20
May 24	9:30	Riverwoods Retirement Community-Exeter	
May 24	10:15	Hampstead Central School	46/4
May 24	12:30	Little Harbor School – Portsmouth	44/4
May 24	12:00	St. Elizabeth Seton School – Rochester	25/4
May 25	10:00	Lin-Wood School – Lincoln & Woodstock	30/4
May 25	11:00	Mt. Pleasant School – Nashua	50/4
May 25	12:00	Little Harbor School – Portsmouth	44/4
May 29	9:00	Merrimack Middle School	50/8
May 29	10:00	Hampstead Central School	46/4
May 29	10:30/12:00	Hollis Brookline High School	132/HS
May 29	11:00	Lincoln Akerman School- Hampton Falls	26/4
May 30	9:00	Merrimack Middle School	50/8
May 30	10:30	Mountain Shadows School – Dublin	10/6
May 30	10:30	Lakes Region Christian School- Laconia	4/HS
May 30	11:00	Sunset Tours	40/SRS
May 30	11:30	North Hampton School	45/4
May 30	12:30	Holderness Central School	22/4
May 31	9:00	Jennie Blake School – Hill	23/4
May 31	10:00	New Hampton School	16/4
May 31	10:00	Cornerstone Christian Academy-Ossipee	12/4
May 31	11:30	Mason Elementary School	37/4
May 31	12:30	Kimball School – Concord	27/4