

February 9, 2012
No. 7

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,
FEBRUARY 15, 2012, AT 1:00 P.M.**

VETO MESSAGE

Governor Lynch's Veto Message Regarding SB 160

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on January 27, 2012, I vetoed SB 160, relative to regulation of installment loans.

I am vetoing this legislation because legalizing excessive interest rates for so-called "installment loans" – interest rates in excess of 400 percent APR – hurts our families, communities and economy.

SB 160 creates a new small loan product in New Hampshire – an installment loan – and overturns the interest rate cap for payday lenders. These new installment loans are essentially payday loans that would create an escalating spiral of debt for New Hampshire families that would undermine their financial security, as well as the financial well being of our communities and our economy. That is why 31 other states – including all the other New England states – ban these types of excessive interest rates for consumer credit.

SB 160 was strongly opposed by both Republicans and Democrats in the legislature, the American Friends Service Committee, the New Hampshire Local Welfare Administrator's Association, AARP, the New Hampshire Department of Justice, New Hampshire Legal Assistance and a coalition of churches.

While this legislation allows a lender to charge nominal interest of \$15.50 per \$100 installment, there could be as many as 26 installments per year with the resulting APR being in excess of 400 percent. On a 6-month loan with payments every two weeks, lenders will be able to charge consumers over \$1,100 to repay a \$500 loan. For vulnerable families, these excessive interest charges could force them further into a cycle of debt, and potentially onto public assistance.

Oversight and regulation of payday lenders under SB 160 is also inconsistent with current practices for other forms of consumer credit. For example, unlike current law for the examination of banks, the Banking Commissioner must provide a payday lender with advanced notice before conducting examination of its books, records and loan documents. Administrative fine authority over payday lenders is less than half of the existing authority over other lenders. Consumers will not receive the same level of protection from payday lenders as they do now with other providers of consumer credit.

The lack of adequate consumer protections and the existence of excessive interest rates will undoubtedly increase the cycle of debt for too many of our families are not in New Hampshire's interest. Therefore, I am vetoing SB 160.

Respectfully submitted,

John H. Lynch
Governor

Date: January 27, 2012

LAI D ON THE TABLE

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**

CONSENT CALENDAR REPORTS

ENERGY AND NATURAL RESOURCES

SB 265, relative to the definition of stormwater.

Ought to Pass with Amendment, Vote 5-0.

Senator Merrill for the committee.

Stormwater management has received growing attention over the past few years. The legislatively established Stormwater Commission recommended that our New Hampshire definition of stormwater be aligned with the federal definition. SB 265 fulfills that goal.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 213-FN, relative to the authority of state agencies to assess fines and penalties.

Interim Study, Vote 5-0.

Senator Carson for the committee.

This bill would require state agencies to waive first time paperwork violations and issue warnings imposing certain fines. At the request of the prime sponsor, the committee recommends this bill interim study.

SB 240-FN, relative to the regulation of the practice of genetic counseling.

Interim Study, Vote 5-0.

Senator Carson for the committee.

This bill was introduced at the request of the Genetic Counselors to establish a governing board in the office of licensed allied health professionals to regulate the practice of genetic counseling in this state. The committee believes this bill be sent to interim study for further review.

JUDICIARY

SB 325, relative to periodic payments of judgments.

Inexpedient to Legislate, Vote 5-0.

Senator Luther for the committee.

The prime sponsor of the bill determined that there are some unresolved issues. He asked that the bill not go forward at this time.

PUBLIC AND MUNICIPAL AFFAIRS

SB 238, establishing a committee to assess the form of government in towns that have elected the official ballot referendum form of meeting.

Ought to Pass with Amendment, Vote 5-0.

Senator Merrill for the committee.

As amended, this bill establishes a committee to assess the effectiveness of procedures currently in effect in municipalities that have adopted the official ballot (SB 2) form of town meetings, to review statutory changes that have been enacted relative to procedures, and to address potential further changes, including but not limited to adoption of quorum requirements.

SB 247-L, relative to certifying municipal culvert installers.

Ought to Pass with Amendment, Vote 5-0.

Senator Forrester for the committee.

This bill authorizes the Department of Environmental Services to develop a certification program in conjunction with the University of New Hampshire Technology Transfer Center for municipal culvert installers.

SB 248, relative to the installation of municipal culverts.

Inexpedient to Legislate, Vote 5-0.

Senator Forrester for the committee.

This bill would have exempted certain municipalities from the permitting requirements for excavating and dredging.

WAYS AND MEANS

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

Ought to Pass, Vote 6-0.

Senator Boutin for the committee.

This bill permanently extends the authority for the commercial and industrial construction property tax exemption. It also requires owners to apply for the exemption prior to construction, thus allowing the municipality to plan accordingly for the exemption.

REGULAR CALENDAR REPORTS

COMMERCE

SB 222, relative to property and casualty insurance.

Ought to Pass with Amendment, Vote 4-0.

Senator Prescott for the committee.

SB 257, relative to unemployment compensation.

Inexpedient to Legislate, Vote 4-0.

Senator Sanborn for the committee.

SB 334, relative to Medicare unfair trade practices.

Ought to Pass with Amendment, Vote 4-0.

Senator Houde for the committee.

SB 335, establishing a procedure for certain condominiums to waive portions of the state fire code.

Inexpedient to Legislate, Vote 2-2.

Senator Houde for the committee.

SB 350-FN, relative to the sale of portable electronics insurance.

Inexpedient to Legislate, Vote 3-1.

Senator Sanborn for the committee.

SB 355, clarifying the exemption for attorneys from licensing requirements for mortgage brokers or bankers.

Ought to Pass, Vote 4-0.

Senator Houde for the committee.

SB 368, relative to nondepository trust companies.

Ought to Pass, Vote 4-0.

Senator Sanborn for the committee.

SB 377-FN, relative to unemployment compensation eligibility for participants in the return to work program.

Ought to Pass with Amendment, Vote 4-0.

Senator Sanborn for the committee.

EDUCATION

SB 328, relative to the procedure for filling a vacancy on a cooperative school board.

Ought to Pass, Vote 3-0.

Senator Carson for the committee.

ENERGY AND NATURAL RESOURCES

SB 339, establishing Loon Appreciation Day.

Ought to Pass, Vote 4-0.

Senator Lambert for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 211, relative to the board of registration of funeral directors and embalmers.

Inexpedient to Legislate, Vote 4-1.

Senator White for the committee.

SB 227-FN, relative to the status of members of the board of tax and land appeals.

Inexpedient to Legislate, Vote 4-0.

Senator Groen for the committee.

SB 234-FN, relative to salary grades for certain positions.

Ought to Pass with Amendment, Vote 4-0.

Senator Carson for the committee.

SB 249-FN, requiring a request for proposals for the administration and management of the New Hampshire retirement system.

Inexpedient to Legislate, Vote 3-0.

Senator Carson for the committee.

SB 331, clarifying the definition of surviving spouse for eligibility for line-of-duty death benefits for police officers or firefighters killed in the line of duty.

Ought to Pass, Vote 4-0.

Senator Larsen for the committee.

SB 365-FN, authorizing state residents to join the state health care program.

Inexpedient to Legislate, Vote 3-0.

Senator White for the committee.

SB 370-FN, relative to the breeding of dogs for sale or transfer.

Ought to Pass with Amendment, Vote 4-0.

Senator Groen for the committee.

FINANCE

SB 142-FN, relative to reorganizing the permitting process within the department of environmental services.

Ought to Pass, Vote 7-0.

Senator Odell for the committee.

SB 237-FN, relative to field purchases and transfers of funds for the state park system and the bureau of trails, and the use of gifts and donations to the division of parks and recreation.

Ought to Pass, Vote 7-0.

Senator Morse for the committee.

SB 303-FN, relative to the penalty assessment on fines for criminal offenses.

Inexpedient to Legislate, Vote 6-1.

Senator Morse for the committee.

SB 313-FN, relative to state photographic identification indicating veteran's status.

Ought to Pass, Vote 6-1.

Senator Barnes for the committee.

SB 348-FN, relative to the pulse oximetry test for newborns.

Ought to Pass, Vote 5-2.

Senator Barnes for the committee.

SB 366-FN, relative to use of certain OHRVs on snowmobile trails.

Ought to Pass with Amendment, Vote 7-0.

Senator Gallus for the committee.

SB 375-FN, relative to a prepaid health plan for Medicaid services.

Ought to Pass with Amendment, Vote 7-0.

Senator Morse for the committee.

HEALTH AND HUMAN SERVICES

SB 380, relative to the study committee on juvenile delinquency and children in need of services.

Ought to Pass, Vote 3-0.

Senator De Blois for the committee.

INTERNAL AFFAIRS

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

Ought to Pass, Vote 3-2.

Senator Bradley for the committee.

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. Ought to Pass with Amendment, Vote 4-1.
Senator Bradley for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

SB 225-FN-L, relative to fees for vital records.
Ought to Pass, Vote 5-0.
Senator Boutin for the committee.

SB 308, proclaiming January 24 of each year as Granny D. Day.
Inexpedient to Legislate, Vote 4-1.
Senator Barnes for the committee.

WAYS AND MEANS

SB 307-FN, relative to the refund of tax overpayment related to a fraudulent investment scheme.
Ought to Pass with Amendment, Vote 6-0.
Senator D'Allesandro for the committee.

SB 337-FN-L, relative to property held for water supply or flood control.
Interim Study, Vote 6-0.
Senator Luther for the committee.

AMENDMENTS

Internal Affairs
February 1, 2012
2012-0528s
09/01

Amendment to CACR 12

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

RELATING TO: public education.

PROVIDING THAT: the legislature shall have the full power and authority and the responsibility to define standards for public education, establish standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full power and authority to determine the amount of state funding for public education.

Amend the resolution by replacing paragraph I with the following:

I. That the second part of the constitution be amended by inserting after article 5-b the following new article:

[Art.] 5-c [Public Education.] In fulfillment of the provisions with respect to education set forth in Part II, Article 83, the legislature shall have full power and authority and the responsibility to define reasonable standards for elementary and secondary public education, to establish reasonable standards of accountability, and to mitigate local disparities in educational opportunity and fiscal capacity. Further, the legislature shall have full power and authority to determine the amount of, and the method of raising and distributing, state funding for public education.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending the second part of the constitution by inserting after article 5-b a new article to read as follows:

[Art.] 5-c [Public Education.] In fulfillment of the provisions with respect to education set forth in Part II, Article 83, the legislature shall have full power and authority and the responsibility to define reasonable standards for elementary and secondary public education, to establish reasonable standards of accountability, and to mitigate local disparities in educational opportunity and fiscal capacity. Further, the legislature shall have full power and authority to determine the amount of, and the method of raising and distributing, state funding for public education.”

2012-0528s

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that the legislature has the full power and authority and the responsibility to define standards for public education, establish standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full power and authority to determine the amount of state funding for public education.

Commerce
February 7, 2012
2012-0653s
01/04

Amendment to SB 222

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 6:

4 Investigations; Enforcement. Amend RSA 400-A:16, III(b) to read as follows:

(b) The commissioner may share documents, materials, or other information, including the confidential and privileged documents, materials, or other information under paragraph III, with other state, federal, and international regulatory agencies *including the Bank for International Settlements*, with the *International Association of Insurance Supervisors or the* National Association of Insurance Commissioners, [its] *their* affiliates or subsidiaries, and with state, federal, and international law enforcement authorities; provided, that the recipient agrees to maintain the confidentiality and privileged status of the document, material, or other information.

5 Examinations. Amend RSA 400-A:37, IV-a(e)(1) to read as follows:

(1) May share documents, materials, or other information, including the confidential and privileged documents, materials, or information subject to subparagraphs (a) and (b), with other state, federal, and international regulatory agencies *including the Bank for International Settlements*, with the *International Association of Insurance Supervisors or the* National Association of Insurance Commissioners and [its] *their* affiliates and subsidiaries, and with state, federal, and international law enforcement authorities; provided, that the recipient agrees to maintain the confidentiality and privileged status of the document, material, communication, or other information.

2012-0653s

AMENDED ANALYSIS

This bill makes technical corrections in the laws relating to property and casualty insurance. This bill also clarifies the insurance commissioner's ability to share information during investigations and examinations.

This bill is a request of the insurance department.

Senate Executive Departments and Administration
February 9, 2012
2012-0702s
05/10

Amendment to SB 234-FN

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

AN ACT relative to salary grades for certain executive branch positions and relative to the retirement classification of the director of the division of forests and lands.

Amend the bill by inserting after paragraph II of section 1 of the bill the following:

III. Liquor commission, chief operating officer

IV. Department of information technology, chief information security officer

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

3 State Forester; Initial Appointment, Tenure, and Retirement. Amend RSA 12-A:9-a to read as follows:

12-A:9-a Director of *the Division of* Forests and Lands, State Forester; Initial Appointment and Tenure; *Retirement*.

I. The director of the division of resources development in office on the effective date of this section shall continue in office as director of the division of forests and lands subject to the provisions of this chapter. His *or her* tenure and salary shall be as has been established for the director of the division of resources development. All of the powers, duties and functions heretofore performed by the director of the division of resources development pursuant to any provisions of the statutes shall henceforth be performed by the director of the division of forests and lands subject to the provisions of this chapter. Wherever reference is made to the director of the division of resources development, it shall henceforth be construed to mean the director, division of forests and lands, department of resources and economic development.

II. In addition to the title of director, division of forests and lands, said director shall also be entitled the state forester.

III. For purposes of classification under the provisions of RSA 100-A, the director shall be considered a permanent fireman if the director was a permanent fireman of group II for at least 10 years prior to appointment as director and continues to meet the physical, mental, educational, and other qualifications to fight forest fires pursuant to RSA 100-A:1, VIII(b).

2012-0702s

AMENDED ANALYSIS

This bill:

I. Establishes the salary grades for the positions of director of marketing, merchandising and warehousing, the director of enforcement and licensing, and the chief operating officer in the liquor commission.

II. Establishes the salary grade for the position of director of safety and security in the public utilities commission.

III. Establishes the salary grade for the chief information security officer in the department of information technology.

IV. Provides for continued group II membership of the director of the division of forests and lands if he or she was a member of group II for at least 10 years prior to appointment and continues to meet the applicable qualifications of a permanent fireman under the retirement system.

Public and Municipal Affairs

February 8, 2012

2012-0672s

06/03

Amendment to SB 238

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall:

(a) Study the changes that have been made in the law relative to towns that have elected the official ballot form of town meeting.

(b) Take testimony from any interested party including the Local Government Center and residents.

(c) Assess how procedures currently in effect are working and whether a quorum requirement should be instituted.

Public and Municipal Affairs

February 8, 2012

2012-0675s

06/10

Amendment to SB 247-LOCAL

Amend the bill by replacing section 2 with the following:

2 New Paragraphs; Excavating and Dredging Permit; Certified Individuals. Amend RSA 482-A:3 by inserting after paragraph XVI the following new paragraphs:

XVII. State and municipal public works employees who have fulfilled the requirements of a certification program developed by the department may maintain, repair, replace, or modify culverts up to a maximum

diameter of 48 inches, or the hydraulic equivalent, as long as the structure can pass flows from the contributing watershed without causing damage to upstream or downstream properties, and in accordance with best management practices to protect water quality, without prior notification to the department.

XVIII. The department shall develop an installer's certification program, in accordance with paragraph XVII, and shall determine the requirements for certification, including continuing education requirements, in accordance with a program jointly developed with the University of New Hampshire Technology Transfer Program. Professional engineers who are duly licensed by the New Hampshire board of professional engineers are exempt from the program requirements of this section. All certified individuals who perform such work shall submit a quarterly report to the department fully identifying work that they performed during each quarter and documentation of continuing education requirements.

XIX. The department shall issue an installer's permit to any individual who submits an application provided by the department, and has satisfactorily completed the program in accordance with paragraphs XVII and XVIII. Permits shall be issued from January 1 and shall expire December 31 of every other year. Permits shall be renewable upon proper application, and documentation of compliance with the continuing education requirement of paragraph XVIII. The installer's permit may be suspended, revoked, or not renewed for just cause, including, but not limited to, the installation of culverts in violation of this chapter or the refusal by a permit holder to correct defective work. The department shall not suspend, revoke, or refuse to renew a permit except for just cause until the permit holder has had an opportunity to be heard by the department. An appeal from such decision to revoke, suspend, or not renew a permit may be taken pursuant to RSA 21-0:14.

Amend the bill by replacing section 4 with the following:

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

2012-0675s

AMENDED ANALYSIS

This bill authorizes the department of environmental services to develop a certification program in conjunction with the University of New Hampshire Technology Transfer Center for municipal culvert installers.

Energy and Natural Resources

February 9, 2012

2012-0709s

06/01

Amendment to SB 265

Amend the bill by replacing section 1 with the following:

1 Stormwater Utilities; Definitions. Amend RSA 149-I:6-a, II to read as follows:

II. "Stormwater" means ~~[stormwater runoff from precipitation, snow melt runoff, and street wash waters related to street cleaning or maintenance, infiltration, and drainage]~~ ***water from precipitation that results in runoff, snowmelt runoff, and surface runoff and drainage, together with debris, chemicals, sediment, or other substances that may be carried along with the water.***

2012-0709s

AMENDED ANALYSIS

This bill amends the definition of "stormwater" in the statute governing stormwater utilities and amends the definition of "waste" for purposes of water pollution and waste disposal.

Senate Ways and Means

February 8, 2012

2012-0667s

10/03

Amendment to SB 307-FN

Amend RSA 21-J:28-e, I and II as inserted by section 1 of the bill by replacing them with the following:

I. Notwithstanding any other provision of law, any taxpayer aggrieved by a fraudulent investment scheme may petition for a refund of overpayment of taxes resulting from a fraudulent investment scheme for which an amended federal tax return has been filed claiming a theft loss for the fraudulent investment scheme under Internal Revenue Code section 165. Such petition for refund of overpayment of taxes shall be made within 180 days of the taxpayer filing the amended federal tax return.

II. For purposes of this section, “fraudulent investment scheme” means a transaction in which the party perpetrating the fraud receives cash or property from investors, purports to earn income for the investors, and reports to the investors income amounts that are wholly or partially fictitious. In a fraudulent investment scheme the party perpetrating the fraud criminally appropriates some or all of the investors’ cash or property.

Amend section 3 of the bill by replacing it with the following:

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

2012-0667s

AMENDED ANALYSIS

This bill allows a taxpayer to petition for refund of tax overpayments resulting from a fraudulent investment scheme.

This bill is a request of the department of revenue administration.

Commerce

February 7, 2012

2012-0654s

01/04

Amendment to SB 334

Amend the bill by replacing section 1 with the following:

1 Unfair Insurance Practices. Amend RSA 417:4, XXIII(a) and (b)(1) to read as follows:

(a)(1) Selling, soliciting or negotiating the purchase of Medicare products (Part C and Part D) or Medicare supplemental (Medigap) health insurance in this state through the use of cold lead advertising.

~~(2) [Using an appointment that was made to discuss Medicare products or to solicit the sale of Medicare products in order to solicit sales of life insurance or annuity products.~~

~~(3)] Soliciting the sale of Medicare products door-to-door prior to receiving an invitation from a consumer.~~

(b) In this paragraph:

(1) “Cold lead advertising” means ~~[making use directly or indirectly of]~~ a method of marketing that fails to disclose in a conspicuous manner that a purpose of the marketing is insurance sales solicitation and that a contact will be made by an insurance producer or insurance company.

2012-0654s

AMENDED ANALYSIS

This bill clarifies the law making certain practices regarding selling, soliciting, or negotiating the purchase of Medicare products and Medicare supplemental health insurance an unfair trade practice under RSA 417:4.

Senate Finance

February 9, 2012

2012-0712s

10/03

Amendment to SB 366-FN

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

AN ACT relative to use of certain OHRVs on snowmobile trails, and relative to authorization for snowmobiles and OHRVs registered in Vermont and Maine to operate in this state.

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

3 Snowmobiles; Vermont and Maine. Amend RSA 215-C:47 to read as follows:

215-C:47 [Reciprocity] ***Registrations in Vermont and Maine; Authorization.***

I. A snowmobile which is registered in Vermont~~[, or Maine[, or Quebec]~~ ***by a legal resident of that state*** shall be deemed to be properly registered for the purposes of this chapter if it is registered in

accordance with the laws of the state [or province] in which it is registered[, but only to the extent that a reciprocal exemption or privilege is granted under the laws of that state or province for snowmobiles registered in this state. For the purpose of this section, the executive director shall determine the extent of the privilege of operation granted by Vermont, Maine, and Quebec and, when necessary, adopt rules and charge fees to achieve a true reciprocity. The executive director's determination shall be final].

II. In order to operate any snowmobile granted [reciprocity] **authorization** under paragraph I, such vehicle shall meet all equipment requirements and sound level decibel limitations which are mandated by RSA 215-C for snowmobiles registered in New Hampshire.

4 OHRVs; Registrations in Vermont and Maine. Amend RSA 215-A:27 to read as follows:

215-A:27 [Reciprocity] **Registrations in Vermont and Maine; Authorization.**

I. An OHRV not registered for highway use which is registered in Vermont[,] **or** Maine[, or Quebec] **by a legal resident of that state** shall be deemed to be properly registered for the purposes of this chapter if it is registered in accordance with the laws of the state [or province] in which it is registered[, but only to the extent that a reciprocal exemption or privilege is granted under the laws of that state or province for OHRVs registered in this state. For the purpose of this section, the executive director shall determine the extent of the privilege of operation granted by Vermont, Maine, and Quebec and, when necessary, adopt rules and charge fees to achieve a true reciprocity. The executive director's determination shall be final.]

II. Any motorcycle which is registered for highway use in any state other than New Hampshire owned by a nonresident shall be deemed to be properly registered for the purposes of this chapter if it is registered in accordance with the laws of the state or province in which its owner resides, but only to the extent that a reciprocal exemption or privilege is granted under the laws of that state for motorcycles registered in New Hampshire.

III. In order to operate any OHRV granted [reciprocity] **authorization** under paragraph I, such vehicle shall meet all equipment requirements and sound level decibel limitations which are mandated by RSA 215-A for OHRVs registered in New Hampshire.

2012-0712s

AMENDED ANALYSIS

This bill provides for a snowmobile endorsement for OHRVs which use tracks, cleats, or skis. The bill also allows snowmobiles and OHRVs properly registered in Vermont and Maine by legal residents of those states to operate in this state.

Senate Executive Departments and Administration

February 9, 2012

2012-0703s

08/10

Amendment to SB 370-FN

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

AN ACT relative to the powers of law enforcement and animal control officers.

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

1 Powers of Law Enforcement and Animal Control Officers. Amend RSA 436:8 to read as follows:

436:8 Powers. The state veterinarian, under the direction of the commissioner, shall have all of the powers of the commissioner and shall have general charge of the enforcement of this chapter, and shall devote his or her entire time and attention to the duties of his or her office. Complaints under RSA 644:8, 644:8-a, 644:8-aa and any other law pertaining to the abuse of domestic animals, as defined under RSA 436:1, shall initially be filed with the local law enforcement agency, animal control officer, state police, or sheriff which has jurisdiction over where the animal is located or kept **and who shall have the authority to investigate complaints and prosecute suspected violations.** At the request of the local law enforcement agency, animal control officer, state police, or sheriff, the state veterinarian shall assist in a secondary capacity in enforcing the provisions of and investigating said complaints. In the event the commissioner becomes incapacitated or a vacancy occurs in the office, the state veterinarian shall perform all the duties of that office during any such incapacity or until any such vacancy is filled. The commissioner may direct the state veterinarian to act for him or her in an official capacity whenever he or she may be absent from his or her duties.

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

2012-0703h**AMENDED ANALYSIS**

This bill provides for powers of law enforcement and animal control officers.

Senate Finance
February 9, 2012
2012-0711s
01/09

Amendment to SB 375-FN

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

AN ACT relative to a prepaid health plan for Medicaid services and relative to the Medicaid management information system.

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

2 Repeal. RSA 2011, 224:365, I, relative to the requirement that the commissioner of information technology shall engage the services of an information systems consultant for the purposes of the Medicaid management information system, is repealed.

2012-0711s**AMENDED ANALYSIS**

This bill:

I. Repeals the requirement that the department of health and human services apply for a waiver to deliver and pay for Medicaid services to Medicaid-eligible persons with severe mental disabilities through a prepaid health plan.

II. Repeals the requirement that the commissioner of information technology shall engage the services of an information systems consultant for the purposes of the Medicaid management information system.

Commerce
February 7, 2012
2012-0655s
01/04

Amendment to SB 377-FN

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

AN ACT establishing a commission to study workforce training.

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

1 New Section; Workforce Training Study Commission. Amend RSA 282-A by inserting after section 26-a the following new section:

282-A:26-b Workforce Training Study Commission

I. There is established a commission to review job training programs in New Hampshire, including New Hampshire working programs, as well as other comparable programs in other states, to identify effective ways to reduce unemployment while fostering and training a skilled New Hampshire workforce and linking New Hampshire companies to qualified applicants.

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

- (a) Two members of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of employment security, or designee.
- (d) The commissioner of the department of resources and economic development, or designee.
- (e) The chancellor of the New Hampshire community college system, or designee.

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

IV. The commission shall:

(a) Identify effective ways to reduce unemployment while fostering and training a skilled New Hampshire workforce and linking New Hampshire companies to qualified applicants.

(b) Review and recommend programs that offer regionally accessible training or retraining to potential employees in key skill areas, identified by New Hampshire employers as needed for business growth and essential to workplace success.

(c) Review and recommend ways to effectively promote recognized successful job training and employment programs operating in New Hampshire.

(d) Review state and federal resources for workforce training, and make recommendations as to adequacy and availability.

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

VI. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2012.

2 Repeal. RSA 282-A:26-b, relative to the workforce training study commission, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 2, 2012.

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

2012-0655s

AMENDED ANALYSIS

This bill establishes a commission to study workforce training.

HEARINGS

MONDAY, FEBRUARY 13, 2012

JOINT SENATE - HOUSE EDUCATION COMMITTEES, Rooms 305-307, LOB

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

2:00 p.m. **New England Board of Higher Education Policy Briefing.**

TUESDAY, FEBRUARY 14, 2012

COMMERCE, Room 102, LOB

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

9:00 a.m. **SB 204**, adopting amendments to Article 9 of the Uniform Commercial Code relative to secured transactions.

(THE PREVIOUS HEARING FOR WAS SB 204 RECESSED ON FEBRUARY 7TH)

9:10 a.m. **SB 341**, authorizing electronic payment of payroll.

9:20 a.m. **SB 345**, relative to the sale of mortgages.

9:40 a.m. **SB 212-FN**, relative to pooled risk management programs.

EXECUTIVE SESSION MAY FOLLOW

EDUCATION, Room 103, LOB

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

1:00 p.m. **SB 372-FN-L**, establishing an education credit against the business profits tax.
(THE PREVIOUS HEARING FOR SB 372-FN-L WAS RECESSED ON JANUARY 24TH)
EXECUTIVE SESSION MAY FOLLOW

PUBLIC AND MUNICIPAL AFFAIRS, Room 101, LOB

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

9:00 a.m. **SB 364**, relative to tenant guest practices.
 9:20 a.m. **SB 378**, allowing municipalities to remove snow from private roads and driveways and class VI highways.
 9:40 a.m. **SB 269**, relative to the definition of default budget in towns that use official ballot voting.
 10:10 a.m. **SB 340**, relative to locations for junkyards.
 10:30 a.m. **SB 342**, including standards for log homes in the New Hampshire building code.
 10:50 a.m. **SB 322-L**, relative to the holding of gold and silver by municipalities.
EXECUTIVE SESSION MAY FOLLOW

WAYS AND MEANS, Room 100, SH

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

1:00 p.m. **SB 395**, relative to construction of an access road on land in current use.
EXECUTIVE SESSION MAY FOLLOW

THURSDAY, FEBRUARY 16, 2012**ENERGY AND NATURAL RESOURCES**, Room 102, LOB

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

9:00 a.m. **SB 396**, declaring the Temple Mountain ski area a historic site.
 9:15 a.m. **SB 400**, including owls within the definition of raptor for the purposes of falconry.
 9:30 a.m. **SB 218-FN**, relative to electric renewable portfolio standards.
EXECUTIVE SESSION MAY FOLLOW

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, SH

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

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

FINANCE, Room 103, SH

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

1:00 p.m. **SB 150-FN**, authorizing individuals and certain businesses to purchase health insurance from out-of-state insurance companies.
Following the hearing will be an update presented by the Department of Health and Human Services on Managed Care.
EXECUTIVE SESSION MAY FOLLOW

HEALTH AND HUMAN SERVICES, Room 102, LOB

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

1:00 p.m. **SB 284**, establishing pilot projects to improve access to oral health care.
EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 101, LOB

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

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

TRANSPORTATION, Room 103, LOB

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

- 11:00 a.m. **SB 391**, naming a portion of New Hampshire route 107/43 in the town of Deerfield the Honorable Joseph E. Stone Highway.
- 11:15 a.m. **SB 394-L**, relative to the reclassification of Province Road in Strafford from the intersection of Route 202A to Rickey Nelson Road from class II to class V.
- 11:30 a.m. **SB 397**, relative to vehicle operation when a traffic control signal is inoperative.
- EXECUTIVE SESSION MAY FOLLOW**

TUESDAY, FEBRUARY 21, 2012**EDUCATION**, Room 103, LOB

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

- 1:00 p.m. **SB 383-FN-L**, revising the distribution of school building aid grants.
- EXECUTIVE SESSION MAY FOLLOW**

PUBLIC AND MUNICIPAL AFFAIRS, Room 101, LOB

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

- 9:00 a.m. **SB 289-FN**, relative to presenting photo identification to vote in person.
(THE PREVIOUS HEARING FOR SB 289-FN WAS RECESSED ON JANUARY 24TH)
- 9:30 a.m. **SB 318-FN**, relative to eligibility to vote, voter registration, and verifying identity of voters.
(THE PREVIOUS HEARING FOR SB 318-FN WAS RECESSED ON JANUARY 24TH)
- 10:30 a.m. **SB 260**, relative to historic district commission regulations.
- 10:50 a.m. **SB 262**, requiring disclosure of minutes of meetings after the approval of the minutes.
- 11:10 a.m. **SB 393**, relative to the definition of "meeting" under the right-to-know law.
- EXECUTIVE SESSION MAY FOLLOW**

THURSDAY, FEBRUARY 23, 2012**HEALTH AND HUMAN SERVICES**, Room 102, LOB

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

- 1:00 p.m. **HB 309-FN**, relative to certain insurance mandates and establishing a committee to study current insurance mandates.
- EXECUTIVE SESSION MAY FOLLOW**

TRANSPORTATION, Room 103, LOB

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

- 9:00 a.m. **SB 390-FN**, establishing a special number plate to benefit the New England Patriots Charitable Foundation.
- EXECUTIVE SESSION MAY FOLLOW**

TUESDAY, MARCH 6, 2012**PUBLIC AND MUNICIPAL AFFAIRS**, Room 101, LOB

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

- 9:00 a.m. **SB 210**, relative to the default budget in school districts which have adopted the official ballot method of voting.
- 10:00 a.m. **SB 310**, requiring the commemoration of Purple Day in recognition of epilepsy awareness.
- 10:15 a.m. **SB 351**, relative to proclaiming Blue Star Mother's Day.
- 10:45 a.m. **SB 398**, proclaiming March 30 as Welcome Home Vietnam Veterans Day.

11:05 a.m. **SB 389-L**, relative to sewer commission costs.
 11:25 a.m. **SB 353-L**, relative to establishing water and sewer infrastructure in the commercial district of a town.
EXECUTIVE SESSION MAY FOLLOW

MEETINGS

FRIDAY, FEBRUARY 10, 2012

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

9:00 a.m. Room 201, LOB Subcommittee Meeting to Investigate the Prevalence and Problems Associated with Bed Bugs and the Effect on NH

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

9:00 a.m. Room 307, LOB Subcommittee Meeting

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

10:00 a.m. Room 104, LOB Regular Meeting

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

1:00 p.m. Upham-Walker House Subcommittee Meeting
 18 Park Street
 Concord, NH

SUNDAY, FEBRUARY 12, 2012

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1)

1:00 p.m. NHTI Community College Regular Meeting
 Crocker Sweeney Bldg. Room 225
 Concord, NH

MONDAY, FEBRUARY 13, 2012

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

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

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

10:00 a.m. Rooms 302-304, LOB Regular Meeting

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

10:00 a.m. Room 212, LOB Regular Business

EXOTIC AQUATIC WEEDS AND SPECIES COMMITTEE (RSA 487:30)

10:30 a.m. Room 308, LOB Regular Meeting

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

1:00 p.m. Room 100, SH Regular Meeting

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

3:00 p.m. Room 103, LOB Regular Meeting

TUESDAY, FEBRUARY 14, 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

THURSDAY, FEBRUARY 16, 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, FEBRUARY 17, 2012

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

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

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

9:30 a.m. NH Employment Security Regular Meeting
32 South Main Street
Concord, NH

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

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

10:30 a.m. Rooms 210-211, LOB Audits
State of New Hampshire
Department of Health and Human
Services
New Hampshire Hospital
Financial Audit Report
For the Nine Months Ended March
31, 2011

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

10:00 a.m. Room 101, LOB Non-Public session of the Complaint
Review Committee

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

11:00 a.m. Upham-Walker House Regular Meeting
18 Park Street
Concord, NH

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

12:00 p.m. Room 205, LOB Regular Meeting

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

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

THURSDAY, FEBRUARY 23, 2012

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

3:00 p.m. Room 303, LOB Full Committee Meeting

FRIDAY, FEBRUARY 24, 2012

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

9:30 a.m. NH Department of Revenue Administration Subcommittee Meeting
109 Pleasant Street
Concord, NH

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

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

MONDAY, MARCH 5, 2012

EMERGENCY MANAGEMENT SYSTEM JOINT LEGISLATIVE OVERSIGHT COMMITTEE (RSA 21-P:51)

10:00 a.m. Room 205, LOB Regular Meeting

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

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

WEDNESDAY, MARCH 7, 2012

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

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

THURSDAY, MARCH 8, 2012

COMMISSION TO STUDY BUSINESS REGULATIONS IN NEW HAMPSHIRE (RSA 359-L:1)

3:00 p.m. Room 104, LOB Subcommittee Meeting

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

FRIDAY, MARCH 9, 2012

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

9:00 a.m. Room 307, LOB Regular Meeting

MONDAY, MARCH 12, 2012

SHORELAND ADVISORY COMMITTEE (RSA 483-B:21)

9:30 a.m. Department of Environmental Lakes' Subcommittee Regular
Services, Room 214 Meeting
29 Hazen Drive
Concord, NH

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

3:00 p.m. Room 103, LOB Regular Meeting

THURSDAY, MARCH 15, 2012

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

2:00 p.m. Department of Health & Human Services Subcommittee on Public
29 Hazen Drive Health Services Improvement
Concord, NH

FRIDAY, MARCH 16, 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

MONDAY MARCH 19, 2012

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

9:00 a.m. Room 100, SH Regular Meeting

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SENATE BILLS AMENDED BY THE HOUSE

SB 19, relative to the definition of “prime wetlands.”

SB 49, relative to tip pooling arrangements.

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

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

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FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK’S OFFICE FOR THE FOLLOWING 2011 RE-REFERRED AND RETAINED BILLS:

SENATE BILLS: 19, 48, 71, 74, 83, 84, 132, 142, 152, 153, 155, 159, 160, 163, 168, 185, 186, 188, 198, 212, 217, 219, 225, 227, 239, 271, 272, 275, 276, 279, 289, 294, 303, 309, 311, 312, 320, 324, 326, 343, 372, 375

HOUSE BILLS: 72, 110, 186, 210, 222, 225, 242, 247, 269, 325, 330, 351, 378, 420, 449, 466, 479, 508, 518, 520, 528, 654

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NOTICES

STATE HOUSE COMPLEX DISPOSAL BOXES

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

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

Senator Jeb Bradley, Senate Majority Leader

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WEDNESDAY, FEBRUARY 15, 2012

The annual Water Matters Legislative Breakfast is scheduled for Wednesday February 15, 2012 at the Holiday Inn on Main Street in Concord starting at 7:00 am. Legislators and staff are invited to enjoy a hearty complementary breakfast while learning about critical water issues facing the state. New Hampshire’s economy, job growth and quality of life are inextricably linked to the quality of our water resources and the condition of our water infrastructure. With the right investment, this infrastructure can provide us with an important competitive advantage in the 21st century economy. At this breakfast, you will learn more about the issues concerning New Hampshire’s wastewater treatment systems, drinking water supplies and dams, which were built over the last 150 years and which will require substantial investment in the near future to address aging systems, capacity problems, and federal regulatory issues. The need to develop sustainable funding options to keep the costs for water affordable for taxpayers and rate payers will also be discussed.

Please RSVP to nhwpca.linda@gmail.com by February 8th to reserve your seat at this important breakfast. The breakfast is sponsored by the NH Water Pollution Control Association in conjunction with a wide ranging coalition of other local non-profit water organizations. There is no cost for attending this event.

The 2012 Water Matters Legislative Breakfast event is sponsored by a coalition of non-profit organizations including:

NH Water Pollution Control Association (NHWPCA), New England Water Environment Association (NEWEA), NH Water Works Association (NHWWA), NH Public Works Association (NHPWA), American Society of Civil

Engineers – NH Section (ASCE-NH), American Council of Engineering Companies – NH Section (ACEC-NH), NH Rivers Management Advisory Committee, NH Lakes Management Advisory Committee, NH DES Dam Bureau

Senator John T. Gallus

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WEDNESDAY, FEBRUARY 15, 2012

All Senators, along with business and education leaders, are invited to a discussion and briefing on Aligning Employer Needs with Higher Education on Wednesday, February 15th from 4:00 p.m. to 6:00 p.m. at the Holiday Inn in Concord. The discussion and presentation will be moderated by Senator Nancy Stiles, Chair of the Senate Education Committee, and the keynote speaker will be Dr. Stephen J. Rose, a research professor at the Georgetown University Center on Education and the Workforce who is a nationally recognized labor economist and co-author of Education for What. This event is sponsored by Campus Compact for New Hampshire, The New Hampshire Forum on the Future, NH High Tech Council, and the New Hampshire College & University Council. Reservations are requested by e-mail to Brenda Perry at perry@nhcuc.org.

Senator Nancy F. Stiles

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THURSDAY, FEBRUARY 16, 2012

Please join the NH Association of Regional Planning Commissions and the NH Planners Association for breakfast in the State House cafeteria on February 16th from 8:00 a.m. to 9:30 a.m. Come learn about the Association and enjoy a light breakfast.

Senator Jeb Bradley, Senate Majority Leader

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WEDNESDAY, MARCH 28, 2012

Breathe New Hampshire invites all legislators and staff to attend a Breakfast Reception on Wednesday, March 28, 2012 from 7:30 a.m. to 9:00 a.m. at the State House Cafeteria. Please join Breathe New Hampshire staff, board members, and volunteers for breakfast, conversation, and door prizes. Please RSVP by March 16, 2012 at info@breathenh.org or by calling 603-669-2411.

Senator Sylvia B. Larsen, Senate Minority Leader

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LEGISLATIVE ETHICS COMMITTEE

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

Advisory Opinion 2012-1 Response to a Request for an Advisory Opinion from Senator Jeanie Forrester (January 23, 2012)

Pursuant to RSA 14-B:3, I (c), Senator Jeanie Forrester has requested an Advisory Opinion whether, consistent with applicable statutes and the Ethics Guidelines, as an appointed member of the Assessing Standards/Current Use Board, she is required to file a "Statement of Financial Interests," as prescribed by RSA 15-A:3, in addition to the "Financial Disclosure Form," prescribed by RSA 14-B:8, for the period covering a given calendar year.

According to the Committee's records, Senator Forrester has submitted to the Committee the Financial Disclosure Form required of legislators by RSA 14-B:8 for the calendar year 2012. Along with such forms submitted by other members of the General Court, in due course the Committee will review them and transmit properly completed forms to the Secretary of State for filing. See RSA 14-B:3, IV.

Specifically, Senator Forrester asks whether under these circumstances, she is excused from filing a separate RSA 15-A:3 form, in light of RSA 15-A:3, II, which reads:

“II. The filing of a financial disclosure form by an elected member of the house of representatives or senate pursuant to RSA 14-B:8 shall satisfy the requirement for filing a statement of financial interest pursuant to this chapter.”

An additional relevant statute is RSA 14-B:3, IV which states in part:

“IV. * * * The filing of a financial disclosure form in accordance with RSA 14-B:8 by a representative, senator, or officer of the house of representatives or senate shall satisfy the requirement of filing a statement of financial interest pursuant to RSA 15-A.”

We advise as follows: Not just once, but in two distinct RSA Chapters, the General Court has specified that the RSA 14-B:8 Financial Disclosure Form duly filed by a legislator satisfies the requirement for filing the RSA 15-A:3 Statement of Financial Interest Form. The law cannot be more plain or clear, and we assume the General Court meant what it said, both times: Legislators who comply with RSA 14-B:8 by filing a timely and sufficient Financial Disclosure Form need do nothing more to satisfy the filing requirements of RSA 15-A:3. Accordingly, having filed the requisite 14-B:8 form with the Committee, Senator Forrester is not required to file a separate 15-A:3 form with the Secretary of State as an appointed member of the Assessing Standards/Current Use Board.

We appreciate the opportunity to be of assistance.

For the Committee,
Martin L. Gross
Chairman

[Vote 7-0]

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SENATE SCHEDULE

Monday, February 20, 2012	President's Day (State Holiday)
Monday, February 27, 2012 - Friday, March 02, 2012	Senate Break
Thursday, March 15, 2012	Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-3 (b).
Thursday, March 29, 2012	Last Day to ACT on all Senate bills. (Crossover)
Thursday, May 03, 2012	Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-3 (b).
Thursday, May 17, 2012	Last Day to ACT on all House bills.
Thursday, May 24, 2012	Last Day to FORM Committees of Conference.
Monday, May 28, 2012	Memorial Day (State Holiday)
Thursday, May 31, 2012	Last Day to SIGN Committee of Conference Reports.
Thursday, June 07, 2012	Last Day to ACT on Committee of Conference Reports.
Wednesday, July 04, 2012	Independence Day (State Holiday)
Monday, September 03, 2012	Labor Day (State Holiday)
Monday, November 12, 2012	Veterans' Day (State Holiday)
Thursday, November 22, 2012	Thanksgiving Day (State Holiday)
Friday, November 23, 2012	Day after Thanksgiving (State Holiday)
Tuesday, December 25, 2012	Christmas Day (State Holiday)
Tuesday, January 01, 2013	New Year's Day (State Holiday)

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VISITORS' CENTER SCHEDULE – FEBRUARY & MARCH

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

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Group#/Grade</i>
Feb. 10	9:00	St. Benedict Academy – Manchester	25/4
Feb. 10	10:30	Peter Woodbury School – Bedford	40/4
Feb. 13	11:15	Moultonborough Central School	49/4
Feb. 14	11:30	ELL Civics Concord High School	20/9
Feb. 15	9:45	Haigh School – Salem	34/4
Feb. 15	9:00	UNH Policy group	25/Col
Feb. 15	10:15/11:30 SH/HM	Swasey Central School – Brentwood	67/4
Feb. 16	9:30/11:00 SH/HM	Webster Elementary School – Manchester	90/4
Feb. 16	1:30	World Affairs Council – India visitors	
Feb. 17	9:00/10:30 SH/Manse	Peter Woodbury School – Bedford	80/4
Feb. 17	11:30	Sandwich Central School	17/4
Feb. 17	11:30	Nashua Christian Academy	15/4
Feb. 17	1:00	Phoenix House Academy – Dublin	12/HS
Feb. 21	8:30	Concord High School Civics class	25/HS
Feb. 21	9:45/11:00 SH/HM	Hooksett Elementary School	89/4
Feb. 22	9:45/11:00 SH/HM	Hooksett Elementary School	89/4
Feb. 22	1:00	Kimball Walker School – Concord	46/4
Feb. 23	10:15/11:30 SH/HM	New Searles Elementary School – Nashua	64/4
Feb. 24	10:00	Concord High School Civics class	50/HS
Feb. 28	2:00	Boy Scout Troop #123 – Goffstown	10
Feb. 29	10:00	Portsmouth Christian Academy @ Dover	9/HS
March 1	10:00	Derry Girl Scouts	20/1-3rd
March 2	9:30/11:00 SH/HM/SC	Hanover St. School – Lebanon	62/4
March 2	3:00	Cub Scouts – Concord	10/2
March 5	9:00	Broken Ground School – Concord	25/4
March 5	10:00/11:30 SH/HM	Idlehurst School – Somersworth	100/4
March 6	9:00/10:00	Broken Ground School – Concord	50/4
March 7	9:45/11:00 SH/HM	Loudon Elementary School	60/4
March 7	10:00	American Cancer Society Day	
March 8	10:00	Tuftonboro Elementary School	35/4
March 8	11:00	New Franklin School – Portsmouth	50/4
March 9	10:15/11:30 SH/SC	Sandown Central School	88/4