

April 18, 2013  
No. 17

# STATE OF NEW HAMPSHIRE

Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)



**First Year of the 163<sup>rd</sup> Session of the  
New Hampshire General Court  
Legislative**

## SENATE CALENDAR

## LAID ON THE TABLE

**SB 4**, establishing a scholarship program for New Hampshire residents to attend any New Hampshire public postsecondary education institution. **03/28/13, pending motion OT3rdg, Finance, SJ 9, pg. 237**

**SB 63-FN**, allowing historical racing. **03/07/13, pending motion Inexpedient to Legislate, Ways & Means, SJ 6, pg. 95**

**SB 77**, instituting a state minimum hourly rate. **03/07/13, pending motion Inexpedient to Legislate, Commerce, SJ 6, pg. 95**

**SB 79**, relative to an oath of city officers concerning appraisals of taxable property. **03/21/13, pending motion Inexpedient to Legislate, Public & Municipal Affairs, SJ 8, pg. 206**

**SB 86**, relative to unclassified state employees. **03/07/13, pending motion Ought to Pass, Executive Departments & Administration, SJ 6, pg. 99**

**SB 103**, relative to beaching, grounding, or tying a boat to shore. **03/28/13, pending motion Ought to Pass, Finance, SJ 9, pg. 237**

**SB 130-FN-A-L**, exempting special hospitals for rehabilitation from the Medicaid enhancement tax. **03/14/13, pending motion OT3rdg, Ways & Means, SJ 7, pg. 173**

**SB 145-FN**, allowing publication by electronic means by the probate division. **03/07/13, pending motion Committee Amendment (0507s), Judiciary, SJ 6, pg. 107**

**SB 150-FN-A-L**, making an appropriation to the department of revenue administration for the purpose of reimbursing cities and towns for certain flood control payments. **03/07/13, pending motion OT3rdg, Finance, SJ 6, pg. 100**

**SB 168**, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program. **03/28/13, pending motion OT3rdg, Finance, SJ 9, pg. 238**

**SB 174-FN-A**, making an appropriation for the purpose of reimbursing the spouse of a law enforcement officer who died in the line of duty. **03/07/13, pending motion OT3rdg, Finance, SJ 6, pg. 101**

**SB 177-FN**, relative to the procurement process for state services and establishing a state contracting standards board. **03/07/13, pending motion Re-refer to committee, Finance, SJ 6, pg. 101**

**SB 182-FN**, relative to implementation of voter identification requirements. **03/21/13, pending motion Inexpedient to Legislate, Public & Municipal Affairs, SJ 8, pg. 208**

**SB 195**, relative to wind-powered renewable energy facilities. **03/28/13, pending motion Ought to Pass with Amendment, Energy & Natural Resources, SJ 9, pg. 246**

**HB 183**, relative to processing absentee ballots. **04/18/13, pending motion Committee Amendment (1224s), Public & Municipal Affairs, SJ 10**

**HB 265**, relative to procedures by absentee voters. **04/18/13, pending motion Ought to Pass with Amendment, Public & Municipal Affairs, SJ 10**

**HB 301**, relative to notice of sale in foreclosure proceedings. **04/18/13, pending motion Ought to Pass with Amendment, Commerce, SJ 10**

**HB 370**, repealing the education tax credit program. **04/18/13, pending motion Inexpedient to Legislate, Health, Education & Human Services, SJ 10**

Amendment 2013-0759s to SB 190-FN, 03/21/13, SJ 8, pg. 211

## HEARINGS

***MONDAY, APRIL 22, 2013***

**FINANCE**, Room 103, SH

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

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

9:00 a.m. Public Employee Labor Relations Board

9:30 a.m. Department of Agriculture

10:00 a.m. Liquor Commission  
 10:30 a.m. Department of Corrections  
 11:30 a.m. University System  
 12:00 p.m. to 1:00 p.m. **BREAK**  
 1:00 p.m. Department of Administrative Services  
 2:30 p.m. Fish and Game  
**EXECUTIVE SESSION MAY FOLLOW**

## ***TUESDAY, APRIL 23, 2013***

### **CAPITAL BUDGET**, Room 103, SH

Sen. Boutin (C), Sen. Larsen (VC), Sen. D'Allesandro, Sen. Morse, Sen. Rausch, Sen. Sanborn

### **AGENCY PRESENTATIONS**

9:00 a.m. State Treasurer  
 9:15 a.m. Department of Corrections  
 10:45 a.m. Department of Health and Human Services  
 11:30 a.m. Department of Transportation

### **COMMERCE**, Room 101, LOB

Sen. Sanborn (C), Sen. Bradley (VC), Sen. Cataldo, Sen. Hosmer, Sen. Pierce

1:00 p.m. **HB 246**, relative to falsity by employer.  
 1:20 p.m. **HB 359**, relative to mailing of notices and determinations by the department of employment security.  
 1:40 p.m. **HB 440**, relative to new hire reports to the department of employment security.  
 2:00 p.m. **HB 546**, relative to medical examinations under workers' compensation.  
 2:20 p.m. **HB 647-FN**, relative to appeals from the compensation appeals board.  
**EXECUTIVE SESSION MAY FOLLOW**

### **FINANCE**, Room 103, SH

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

1:00 p.m. **HB 432-FN**, relative to health care costs for county and state inmates.  
**EXECUTIVE SESSION MAY FOLLOW**

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

1:30 p.m. Department of Justice  
 2:30 p.m. Judicial Branch  
 3:30 p.m. Judicial Council

### **HEALTH, EDUCATION AND HUMAN SERVICES**, Room 103, LOB

Sen. Stiles (C), Sen. Reagan (VC), Sen. Gilmour, Sen. Kelly, Sen. Sanborn

9:00 a.m. **HB 305**, establishing a committee to study the apportionment formula for cooperative school districts for towns with electric generation facilities.  
 9:30 a.m. **HB 551**, relative to the composition and duties of the task force on work and family.  
**(THE PREVIOUS HEARING FOR HB 551 WAS RECESSED ON APRIL 9TH)**  
**EXECUTIVE SESSION MAY FOLLOW**

### **JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Lasky (VC), Sen. Boutin, Sen. Cataldo, Sen. Soucy

9:00 a.m. **HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force.  
 9:30 a.m. **HB 388**, relative to the storage of firearms.  
**EXECUTIVE SESSION MAY FOLLOW**

## **WEDNESDAY, APRIL 24, 2013**

### **ENERGY AND NATURAL RESOURCES**, Room 101, LOB

Sen. Prescott (C), Sen. Odell (VC), Sen. Bradley, Sen. Fuller Clark, Sen. Woodburn

- 9:00 a.m. **HB 184-FN**, relative to the oil discharge cleanup fund.
- 9:15 a.m. **HB 189**, extending the commission to study water infrastructure sustainability funding.
- 9:30 a.m. **HB 588**, extending the instream flow pilot program for 2 years.
- 9:45 a.m. **HB 535**, establishing the white potato as the state vegetable.
- 10:00 a.m. **HB 259-FN**, relative to special licenses for taking lobster while engaged in recreational scuba diving.

#### **EXECUTIVE SESSION MAY FOLLOW**

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

Sen. Carson (C), Sen. Cataldo (VC), Sen. Reagan, Sen. Soucy, Sen. Watters

- 9:00 a.m. **HB 686**, relative to approval of liquor commission contracts.
- 9:20 a.m. **HB 353**, relative to the regulation of private investigators and security guards.
- 9:40 a.m. **HB 453**, repealing the prospective repeal of the information and analysis center.

#### **EXECUTIVE SESSION MAY FOLLOW**

### **FINANCE**, Room 103, SH

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

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

- 1:00 p.m. Department of Transportation
- EXECUTIVE SESSION MAY FOLLOW**

### **PUBLIC AND MUNICIPAL AFFAIRS**, Room 102, LOB

Sen. Boutin (C), Sen. Forrester (VC), Sen. Lasky, Sen. Pierce, Sen. Stiles

- 9:00 a.m. **HB 204-FN-L**, relative to the removal of social security and other numbers from registry of deeds documents available on the Internet.  
Proposed non-germane amendment to HB 204-FN-L, #2013-1294s.
- 9:30 a.m. **HB 178-FN-L**, relative to public employer collective bargaining agreements.
- 9:50 a.m. **HB 367**, relative to the municipal bond bank reserve process.
- 10:05 a.m. **HB 510**, relative to backflow prevention valves.
- 10:20 a.m. **HB 595-FN**, relative to photo identification of voters.
- EXECUTIVE SESSION MAY FOLLOW**

## **THURSDAY, APRIL 25, 2013**

### **COMMERCE**, Room 101, LOB

Sen. Sanborn (C), Sen. Bradley (VC), Sen. Cataldo, Sen. Hosmer, Sen. Pierce

- 10:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

### **RULES, ENROLLED BILLS AND INTERNAL AFFAIRS**, Room 100, SH

Sen. Prescott (C), Sen. Bragdon (VC), Sen. Bradley, Sen. Kelly, Sen. Fuller Clark

- 1:00 p.m. **HB 140**, relative to the committee on legislator orientation.
- 1:15 p.m. **HB 262**, establishing a committee to study the construction of a permanent memorial to Governor John Gilbert Winant on state property other than the state house grounds.
- 1:30 p.m. **HB 363**, establishing a committee to study the form of the oath taken by members of the general court.
- 1:45 p.m. **HB 410**, establishing a commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B.

2:00 p.m. **HB 602**, establishing a commission to study general court policies and procedures relative to persons with disabilities.

**EXECUTIVE SESSION MAY FOLLOW**

## ***FRIDAY, APRIL 26, 2013***

**CAPITAL BUDGET**, Room 103, SH

Sen. Boutin (C), Sen. Larsen (VC), Sen. D'Allesandro, Sen. Morse, Sen. Rausch, Sen. Sanborn

### **AGENCY PRESENTATIONS**

9:00 a.m.	Adjutant General
9:15 a.m.	Department of Agriculture
9:25 a.m.	Department of Environmental Services
9:45 a.m.	Department of Resources and Economic Development
10:15 a.m.	Secretary of State
10:30 a.m.	Veterans Home
10:45 a.m.	Administrative Services
11:30 a.m.	Department of Information Technology
12:00 p.m.	<b>BREAK</b>
1:00 p.m.	Department of Education
1:30 p.m.	Judicial Branch
1:45 p.m.	Department of Justice
2:00 p.m.	Department of Safety
2:30 p.m.	Liquor Commission
3:00 p.m.	Community College System of NH
3:30 p.m.	University System of NH

## ***TUESDAY, APRIL 30, 2013***

**COMMERCE**, Room 101, LOB

Sen. Sanborn (C), Sen. Bradley (VC), Sen. Cataldo, Sen. Hosmer, Sen. Pierce

1:00 p.m.	<b>HB 373</b> , establishing a right of discovery to a carrier's investigation of claims in workers' compensation cases.
1:20 p.m.	<b>HB 400</b> , relative to funding agreements issued by life insurance companies.
1:40 p.m.	<b>HB 401</b> , relative to property and casualty insurers under the risk-based capital law.
2:00 p.m.	<b>HB 472</b> , relative to residential units in rooming houses.

**EXECUTIVE SESSION MAY FOLLOW**

**HEALTH, EDUCATION AND HUMAN SERVICES**, Room 103, LOB

Sen. Stiles (C), Sen. Reagan (VC), Sen. Gilmour, Sen. Kelly, Sen. Sanborn

9:00 a.m.	<b>HB 295-FN</b> , requiring criminal background checks for volunteers and employees at youth skill camps.
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**EXECUTIVE SESSION MAY FOLLOW**

**JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Lasky (VC), Sen. Boutin, Sen. Cataldo, Sen. Soucy

9:00 a.m.	<b>HB 224</b> , relative to the authority of the superintendent of a county correctional facility.
9:20 a.m.	<b>HB 228</b> , relative to insurance fraud.
9:40 a.m.	<b>HB 433</b> , relative to procedures for juvenile delinquency petitions filed by a school district or school official.

10:00 a.m. **HB 583**, relative to proceedings of medical injury claims screening panels.  
**EXECUTIVE SESSION MAY FOLLOW**

**TRANSPORTATION**, Room 103, LOB

Sen. Rausch (C), Sen. Gilmour (VC), Sen. Boutin, Sen. Stiles, Sen. Watters

1:00 p.m. **HB 304-FN**, relative to OHRV registration transfer fees, removing the penalty of completion of a training program for certain OHRV and snowmobile violations, and deleting OHRV and snowmobile vanity plates or decals.  
**EXECUTIVE SESSION MAY FOLLOW**

**WAYS AND MEANS**, Room 103, SH

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

**REVENUE PRESENTATIONS**

9:00 a.m. Liquor Commission  
 9:15 a.m. Lottery Commission  
 9:30 a.m. **HB 185-FN**, relative to the fuel oil discharge cleanup fund.  
 9:45 a.m. **HB 411-FN-A**, repealing a future reduction in vessel registration fees.  
 10:00 a.m. **HB 507-FN**, relative to the maximum permit application fee for certain municipal dredging projects.  
**EXECUTIVE SESSION MAY FOLLOW**

***WEDNESDAY, MAY 1, 2013***

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

Sen. Carson (C), Sen. Cataldo (VC), Sen. Reagan, Sen. Soucy, Sen. Watters

9:00 a.m. **HB 234**, relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training.  
 9:20 a.m. **HB 385**, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.  
 9:40 a.m. **HB 283**, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B.  
**EXECUTIVE SESSION MAY FOLLOW**

***TUESDAY, MAY 7, 2013***

**JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Lasky (VC), Sen. Boutin, Sen. Cataldo, Sen. Soucy

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

**MEETINGS**

***FRIDAY, APRIL 19, 2013***

**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

10:30 a.m. Rooms 210-211, LOB Audits

State of New Hampshire  
 Management Letter Year Ended  
 June 30, 2012

State of New Hampshire Single  
Audit of Federal Financial  
Assistance Programs for the Year  
Ended June 30, 2012

State of New Hampshire  
Department of Safety Division of  
Motor Vehicles Customer Service  
Performance Audit Report April  
2013

**COMMITTEE TO STUDY THE LAWS RELATING TO CONDOMINIUM AND HOMEOWNERS' ASSOCIATIONS (RSA 356-B:70)**

11:00 a.m. Room 202, LOB Regular Meeting

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

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

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

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

***MONDAY, APRIL 22, 2013***

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

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

***WEDNESDAY, APRIL 24, 2013***

**JOINT HEALTH CARE REFORM OVERSIGHT COMMITTEE (RSA 420-N:3)**

12:00 p.m. Rooms 302-304, LOB Regular Meeting

***FRIDAY, APRIL 26, 2013***

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

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

10:30 a.m. Room 307, LOB Regular Meeting

**GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J:1)**

9:30 a.m. Rooms 205-207, LOB Regular Meeting

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

10:00 a.m. Room 203, LOB Regular Meeting

***MONDAY, APRIL 29, 2013***

**STATE PARK SYSTEM ADVISORY COUNCIL (RSA 216-A:3-k)**

1:00 p.m. Department of Resources & Regular Meeting  
Economic Development  
172 Pembroke Road  
Concord, NH

***FRIDAY, MAY 3, 2013***

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

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

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

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

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

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

***MONDAY, MAY 6, 2013*****PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2, I)**

9:00 a.m. NH Fish and Game Headquarters Regular Meeting  
11 Hazen Drive  
Concord, NH

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

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

***FRIDAY, MAY 10, 2013*****STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)**

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

***MONDAY, MAY 13, 2013*****ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21)**

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

***TUESDAY, MAY 14, 2013*****LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)**

2:00 p.m. Room 201, LOB Regular Business

***FRIDAY, MAY 17, 2013*****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, MAY 20, 2013*****OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)**

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

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

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

***FRIDAY, MAY 24, 2013*****NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2)**

10:00 a.m. Room 203, LOB Regular Meeting

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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 2013 BILLS:**



**SENATE BILLS:** 1, 3, 4, 14, 19, 26, 27, 39, 40, 46, 56, 63, 65, 66, 99, 116, 117, 120, 123, 124, 125, 126, 129, 130, 131, 133, 134, 135, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 160, 177, 180, 181, 184, 188, 189, 190, 191, 192, 193, 194

**HOUSE BILLS:** 25, 112, 142, 147, 178, 202, 204, 233, 253, 259, 260, 261, 295, 304, 316, 328, 334, 339, 342, 364, 376, 391, 394, 399, 432, 443, 481, 488, 489, 501, 511, 526, 575, 581, 594, 599, 617, 624, 629, 630, 655, 659, 664, 668, 676, 686

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**ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2013 BILLS:**

**SENATE BILLS:** 57

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## NOTICES

**MONDAY, APRIL 22, 2013**

April is National Child Abuse Prevention Month. For the first time in American history, individuals in over 150 cities and 45 states will join together in walks to raise awareness of child abuse and crimes against children in the U.S. On Monday, April 22, 2013, from 11:00 a.m. to 5:00 p.m., there will be a Million March Against Child Abuse held in the Monadnock Region. Please join us outside the Jaffrey Peterborough District Court House, 84 Peterborough Street in Jaffrey, to lend your support. (The court house is located right across the street from McDonald's on Rt. 202.) We hope to see you there.

Senator Peggy Gilmour

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**TUESDAY, APRIL 23, 2013**

The Coalition Against Domestic and Sexual Violence's AmeriCorps Victim Assistance Program invites you to view the New Hampshire Clothesline Project on April 23th from 11:00 a.m. to 2:00 p.m. on the State House Lawn. The Clothesline Project is a visual display that uses t-shirts to bear witness to domestic and sexual violence, child abuse and stalking. Each shirt is designed to represent a particular person's experience and is made by a survivor or someone who cares about them.

Senator Sharon M. Carson

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**TUESDAY, APRIL 23, 2013**

The New Hampshire Travel Council cordially invites the State Senate to the Legislative Reception of the 2013 Governor's Conference on Tourism to be held at 4:30 p.m. at the NH Historical Society on 30 Park Street on Tuesday, April 23rd.

Senator Nancy F. Stiles

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**WEDNESDAY, APRIL 24, 2013**

All legislators and staff are cordially invited to mingle with AFSCME Council 93, America Votes, Granite State Progress, League of Women Voters New Hampshire, NARAL Pro-Choice New Hampshire, NEA-NH, NH AFL-CIO, NH Alliance for Retired Americans, NH Citizen's Alliance for Action, NH Sierra Club, and others.

Please join the diverse selection of NH's leading labor, environmental, social and citizen advocacy organizations on Wednesday, April 24th from 8:00 a.m. to 10:00 a.m. in the State House Cafeteria for a Legislative Breakfast Briefing. Staff and key leaders will be on hand to discuss issue priorities and legislative briefings on cross-over bills. A light breakfast and drinks will be served.

Senator Sylvia B. Larsen, Senate Minority Leader

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### **WEDNESDAY, APRIL 24, 2013**

All legislators are cordially invited to attend a Legislative Luncheon with presentations, discussion and analysis on SB 152 *relative to video lottery and table gaming*. Please Join the NH Building and Construction Trades Council; NH Troopers Association; NEA NH; IBEW Locals 104, 490 and 2320; Granite State Teamsters; State Employees Association; Professional Fire Fighters of NH; Ironworkers Local 7; Plumbers and Steamfitters Local 131 on Wednesday, April 24th from 11:00 a.m. to 2:00 p.m. at St. Paul's Episcopal Church, Downstairs at 21 Centre St. across from the State House. Lunch will be provided by the Puritan Backroom of Manchester.

Senator Donna M. Soucy

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### **THURSDAY, APRIL 25, 2013**

The Council for Children with Chronic Health Conditions invites legislators to a hot buffet lunch and educational briefing on the Affordable Care Act with HHS Commissioner Nick Toumpas and Insurance Department Policy Analyst Tyler Brannen on Thursday, April 25th at the Concord Holiday Inn at 12:00 p.m.

Senator Andrew Hosmer

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### **TUESDAY, APRIL 30, 2013**

The members of the NH Snowmobile Association cordially invite all Senators and staff to a reception in the State House cafeteria on Tuesday, April 30th, from 7:30 a.m. to 9:30 a.m. where a breakfast will be served. Look forward to seeing you there.

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

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### **TUESDAY, APRIL 30, 2013**

The Children's Alliance of NH cordially invites all legislators to a joint meeting of the Legislative Caucus for Children and Youth on Tuesday, April 30th from 1:30 p.m. to 2:30 p.m. in Room 205-207 LOB. The program will highlight the NH Kids Count Cities Data Book. The data book features 24 indicators of child well-being on fourteen cities and towns across New Hampshire. For more information please contact Lindsay Crete at [lcrete@childrennh.org](mailto:lcrete@childrennh.org) or call 603-225-2264.

Senator Molly M. Kelly

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### **WEDNESDAY, MAY 1, 2013**

On May 1<sup>st</sup> at St. Paul's Church, the New Hampshire State Advisory Committee on Education of Students with Disabilities invites you to lunch at 12:00 p.m. and popcorn and soda at 3:00 p.m. to enjoy viewing Dan Habib's award winning documentary film "Who Cares about Kelsey?."

12:00 p.m. to 1:00 p.m.: Enjoy Lunch with a brief introductory film, "The Education Revolution"

1:00 p.m. to 3:00 p.m.: Mini Clips and Discussion

1:00 p.m.: Thaysa (a young student with autism) - 14 minutes

1:30 p.m.: Marcel (a student with mental health issues) - 9 minutes

2:00 p.m.: Tariq (a young man with a history of addiction, who is incarcerated)-14 minutes

2:30 p.m.: Daniel (a student who has experienced abuse)-12 minutes

Senator Nancy F. Stiles

Senator Jeff Woodburn

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### **TUESDAY, MAY 7, 2013**

Members of the General Court and staff are invited to join UNH President Mark W. Huddleston on Tuesday, May 7th from 12:00 p.m. to 1:00 p.m. at St. Paul's Church, 21 Centre Street, to learn how UNH is driving innovation and forging job-creating partnerships with New Hampshire businesses. A brown bag lunch will be provided.

Senator Martha Fuller Clark

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### **FRIDAY, MAY 17, 2013**

The New Hampshire Law Enforcement Officers Memorial Committee cordially invites you to the 21st Annual New Hampshire Law Enforcement Officers Memorial Ceremony. The Ceremony will be held on Friday, May 17, 2013, beginning promptly at 10:00 a.m., on the memorial site in front of the Legislative Office Building. The Ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please do not hesitate to contact either Timothy J. Acerno of Fish and Game at 603-271-3128 or Chief Michael Greeley of the Deerfield Department at 603-463-7258 if you have any questions.

Senator Peter Bragdon, Senate President

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### **WEDNESDAY, MAY, 22, 2013**

All legislators and staff are invited to attend "Banding Together for New Hampshire's Oral Health," Annual Legislative Breakfast provided by the New Hampshire Oral Health Coalition. A hot breakfast will be served buffet-style May 22nd from 7:30 a.m. to 9:00 a.m. in the State House Cafeteria with food prepared by Elizabeth's Kitchen at the State House. Member displays will update you on the latest in oral health. You can view and learn about the Dental Simulator from the Dental School at the University of New England – staff from the North Country Health Consortium will be on-site to show you how the simulator works.

Senator Bob Odell

Senator Martha Fuller Clark

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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 2013-1 Response to a Request for an Advisory Opinion from Representative Patricia Higgins (April 1, 2013)

Pursuant to RSA 14-B:3, I (c), Representative Patricia Higgins has requested an Advisory Opinion whether, consistent with applicable statutes and the Ethics Guidelines, she may accept free or reduced cost attendance at a handgun training course.

According to information provided to the Committee by Rep. Higgins the course would be an

“...NRA Basic Handgun class. This starts out with firearms safety rules and they continue throughout the class. During the class you will learn about different types of handguns and their parts. Different shooting stances. How to shoot and will have a chance to shoot over 25 different handguns. From 22, 38 and 357 revolvers to 22, 9mm and 45 ACP pistols. You will learn the laws on purchasing handguns, storage and transportation of handguns. How to clean and maintain handguns and much more.

“ This class involves both practical and written tests to pass. This is a great class if you are trying to find out what handgun to purchase and its practical uses. This class does have a certification that is accepted is several states for their concealed carry permits.

“ The class price of \$170.00 includes everything except for refreshments, pen and notebook.”

Rep. Higgins has been offered a “guest slot” to attend the course at no cost.

Specifically, Rep. Higgins asks whether, based on the facts she has provided, the “honorarium” exception to the statutory definition of “gift” might apply.

Relevant provisions of applicable law are:

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

\* \* \*

V. (a) “Gift” means:

\* \* \*

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

(b) Notwithstanding subparagraph (a), “gift” shall not include: \*\*\*

(11) Expense reimbursement or an honorarium. \*\*\*\*

VI. “Honorarium” means a payment in any form to an elected official, public official, public employee, constitutional official, or legislative employee for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities. Honorarium does not include a payment for such activities for which the person is being compensated by the state, a county, the United States of America, or by any other employer or client, where the activity giving rise to the honorarium is not related to or associated with any public office or government employment.

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

\* \* \*

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

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

\* \* \*

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

\* \* \*

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

We advise as follows:

The “guest slot” to attend the course at no cost, where the regular charge for such attendance is \$170.00, would involve a transaction with an economic value of \$25.00 or more. This would put it into the category of a prohibited gift, unless it would qualify for an exception set forth in RSA 15:2. One of these exceptions, in RSA 15-B:2, VI, is for an “honorarium.” Whether the “honorarium” exception would apply depends on whether participation in the handgun training course would fall within the statutory prescription of the kind of event that qualifies for an honorarium, *i.e.*, “participation in a discussion group or similar activities.”

The course described by Rep. Higgins does not fit within the statutory language. It doesn’t seem to be the kind of event that involves much if any discussion or similar activity about a matter of public interest. Instead, it seems to be a straightforward course in the safe use of handguns. While such courses are worthwhile, the statutory prescription was not intended to cover them, any more than (say) a course in personal development or art appreciation.

Previously, the Committee has issued two Advisory Opinions on the subject of honorariums: (1) An opinion issued in 2007 involving attendance at the Carsey Institute at UNH by the then-House legal counsel, which advised that the honorarium exception would apply to the event described as “a fellowship program that entails attendance at a three day policy leadership Institute conference”; and (2) Advisory Opinion 2011-2 approving a Representative’s subsidized participation in the Leadership Greater Nashua Program, described by the Committee as “a series of seminars and informational sessions designed to familiarize participants with local institutions and issues faced by them.”

Also in 2011, the Committee issued Interpretive Ruling 2011-#2 regarding honorariums to legislators for participation in activities surrounding a presidential campaign. None of these events was similar to the handgun training course described by Rep. Higgins.

Although Rep. Higgins has not specifically inquired about it, her request also raises the question whether the exception for “Expense Reimbursement” in RSA 15-B:5 might apply. The exception applies to

“a **bona fide conference, meeting, seminar, or educational or informational program** which the person attends and that is **related to the office... held with the state...**” [Emphasis added]

For the reasons discussed, the handgun course described by Rep. Higgins would not fit within the statutory language.

Accordingly, we advise Rep Higgins that acceptance of a “guest slot” at the handgun course valued at \$170.00 would be a prohibited gift. In response to another of her questions, we also advise her that she might accept a discount of up to \$24.99 from the course tuition, without violating the statute.

We appreciate the opportunity to be of assistance.

For the Committee,  
Martin L. Gross  
Chairman

[Vote 7-0]

\* \* \* \* \*

## SENATE SCHEDULE

Wednesday, May 15, 2013

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

Monday, May 27, 2013

Memorial Day (State Holiday)

Thursday, June 06, 2013	Deadline to ACT on all House bills.
Thursday, June 13, 2013	Deadline to FORM Committees of Conference.
Thursday, June 20, 2013 at 12:00 p.m.	Deadline to SIGN Committee of Conference Reports.
Thursday, June 27, 2013	Deadline to ACT on Committee of Conference Reports.
Thursday, July 04, 2013	Independence Day (State Holiday)
Monday, September 02, 2013	Labor Day (State Holiday)
Monday, November 11, 2013	Veterans' Day (State Holiday)
Thursday, November 28, 2013	Thanksgiving Day (State Holiday)
Friday, November 29, 2013	Day after Thanksgiving (State Holiday)
Wednesday, December 25, 2013	Christmas Day (State Holiday)

\* \* \* \* \*