

January 24, 2013  
No. 6

# 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

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**THE SENATE WILL MEET IN SESSION ON  
THURSDAY, JANUARY 31, 2013, AT 10:00 A.M.**

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## **CONSENT CALENDAR REPORTS**

### **HEALTH, EDUCATION AND HUMAN SERVICES**

**SB 18**, conferring degree-granting authority to the American University of Madaba.

Ought to Pass, Vote 5-0.

Senator Stiles for the committee.

The American University of Madaba (AUM) in Jordan, having a physical presence in NH, has met the requirements of the NH Higher Education Commission. This legislation, therefore, provides degree granting authority in engineering, the hard sciences, health science, information technology, business and finance, and art and design.

### **TRANSPORTATION**

**SB 13**, relative to hearings in the department of safety.

Ought to Pass, Vote 5-0.

Senator Stiles for the committee.

This bill clarifies the authority of the bureau of hearings to hold adjudicative hearings on behalf of the commissioner of safety and divisions of the department. It allows for the statutes to more clearly reflect the duties and responsibilities of the bureau and clarifies the process for filing an appeal with the bureau.

## **REGULAR CALENDAR REPORTS**

### **FINANCE**

**SB 39-FN-A**, relative to funding of capital projects of the division of ports and harbors, Pease development authority.

Ought to Pass with Amendment, Vote 6-0.

Senator Morse for the committee.

**SB 40-FN-L**, relative to distribution of education funds for fiscal year 2013.

Ought to Pass, Vote 6-0.

Senator D'Allesandro for the committee.

### **HEALTH, EDUCATION AND HUMAN SERVICES**

**SB 17**, establishing a commission to study palliative care and associated quality of life initiatives.

Ought to Pass, Vote 4-1.

Senator Gilmour for the committee.

**SB 23**, directing the school administrative unit legislative oversight committee to study the consolidation of school administrative units.

Inexpedient to Legislate, Vote 4-0.

Senator Sanborn for the committee.

### **JUDICIARY**

**SB 34**, relative to the appointment of bail commissioners.

Ought to Pass, Vote 4-0.

Senator Cataldo for the committee.

### **PUBLIC AND MUNICIPAL AFFAIRS**

**SB 2**, relative to the calculation of the local tax cap.

Ought to Pass with Amendment, Vote 5-0.

Senator Pierce for the committee.

### **WAYS AND MEANS**

**SB 1-FN-A**, increasing the research and development tax credit against the business profits tax.

Ought to Pass, Vote 5-0.

Senator Odell for the committee.

# AMENDMENTS

Public and Municipal Affairs  
January 23, 2013  
2013-0045s  
10/01

## Amendment to SB 2

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

Senate Finance  
January 22, 2013  
2013-0040s  
09/04

## Amendment to SB 39-FN-A

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

1 Repeal. 2011, 253:1, XVIII, relative to the source of funding for the Pease development authority, division of ports and harbors, is repealed.

2 Capital Budget 2011; Bonds Authorized; Totals Adjusted. Amend 2011, 253:5 as amended by 2012, 187:4 to read as follows:

253:5 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1 and 2 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$97,278,481 and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The source of funds shall be as follows: general fund \$87,865,294 and highway funds \$9,423,187; with other funds [~~\$78,387,482~~] **\$73,008,172**.

3 Purpose Amended; 1991 Appropriation; Port Authority. Amend 1991, 351:5, as amended by 1992, 260:20, 1994, 204:1, 2000, 15:1, 2000, 292:10, 2003, 240:27, and 2004, 2:4 to read as follows:

351:5 Appropriation; Port Authority. The expansion of the Port of Portsmouth funded in this section shall include an expansion of the port, the construction of an up to 750-foot pier, dredging projects including associated mitigation to maintain channels and harbor, a hydrodynamic study of Hampton and Seabrook, renovation of any commercial fish piers that may be transferred to the port authority, and the rip-rap project on River Street in Seabrook. The sums hereinafter detailed are hereby appropriated for the project specified:

A. Port of Portsmouth Expansion	\$18,300,000
Total state appropriation section 5	\$18,300,000

(The funds appropriated in subparagraph A for the Port of Portsmouth expansion shall not be expended, encumbered, or obligated in any way unless an action plan, which shall include construction documents, prepared by the New Hampshire Port Authority shall be approved by the capital budget overview committee, the fiscal committee, and the governor and council. \$1,500,000 of the total amount appropriated herein is hereby released for the purpose of final design and bid documents. \$1,800,000 of the total amount appropriated is designated for wetland mitigation. \$400,000 of the total amount appropriated is designated for the Hampton-Seabrook hydrodynamic study. The remaining \$14,600,000 is designated for construction, renovation, and dredging projects including associated mitigation. This appropriation shall be nonlapsing until the project is completed. The New Hampshire Port Authority shall not encumber, obligate, or expend any funds from this appropriation for renovation or dredging projects without the prior approval of the capital budget overview committee. The total amount that may be expended for renovation and dredging projects including associated mitigation shall not exceed a total of \$1,000,000. In addition, for the biennium beginning July 1, 2003, the sum of \$1,000,000 shall be expended for the dredging of Hampton – Seabrook harbor. ***In addition, for the biennium ending June 30, 2013, \$1,379,310 of the total amount appropriated shall be expended for Hampton and Seabrook harbors dredging, and \$1,500,000 of the total amount appropriated shall be expended for the Hampton harbor marine facility.***)

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

# HEARINGS

***TUESDAY, JANUARY 29, 2013***

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

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

- 1:00 p.m. **SB 51**, relative to the definition of “professional service.”  
 1:20 p.m. **SB 52**, relative to names of limited partnerships.  
 1:40 p.m. **SB 60**, relative to assisted living facilities and landlord tenant law.  
 2:10 p.m. **SB 71**, establishing a committee to study the use and misuse of prescription drugs in workers’ compensation cases.

**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. **SB 19**, repealing provisions relative to the sale of the former Laconia state school property.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

- 9:30 a.m. **SB 55**, allowing a waiver for certain transportable cooking devices.  
 10:00 a.m. **SB 45**, relative to electronic prescriptions.  
 10:30 a.m. **SB 53**, relative to school district policies regarding a parent’s determination that certain course material is objectionable.  
 11:00 a.m. **SB 48**, relative to school performance and accountability.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

- 9:00 a.m. **SB 44**, relative to the disposal of controlled drugs by law enforcement officers.  
 9:15 a.m. **SB 68**, relative to the escrow fund for court facility improvements.  
 9:30 a.m. **SB 69**, relative to superior court jurisdiction over domestic violence petitions.

**EXECUTIVE SESSION MAY FOLLOW**

## **TRANSPORTATION**, Room 103, LOB

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

- 1:00 p.m. **SB 47**, relative to a surviving spouse’s right to retain a Purple Heart plate.  
 1:30 p.m. **SB 67**, establishing a committee to examine the issue of statutory authority for all terrain vehicles, off highway recreational vehicles, and low speed utility vehicles to access public highways for food, fuel, and lodging.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

- 9:00 a.m. **SB 75**, relative to games of chance.  
 9:15 a.m. **SB 63-FN**, allowing historical racing.  
**EXECUTIVE SESSION MAY FOLLOW**  
 9:45 a.m. Presentation by the Lottery Commission

## ***WEDNESDAY, JANUARY 30, 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. **SB 72**, including owls within the definition of raptor for the purposes of falconry.  
 9:15 a.m. **SB 64**, relative to public informational meetings on dams.  
 9:30 a.m. **SB 74**, relative to an exemption for entities that furnish hot water through a district energy system.  
 9:45 a.m. **SB 46-FN**, relative to air quality violations for outdoor fires.  
**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. **SB 54**, relative to appeals from the department of administrative services bureau of public works design and construction.  
 9:15 a.m. **SB 42**, relative to applications for licensure by the real estate appraisers board.  
**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. **SB 73**, prohibiting an immediate family member of a school board member from being employed by the school district.  
 9:30 a.m. **SB 79**, relative to an oath of city officers concerning appraisals of taxable property.  
 9:45 a.m. **SB 76**, relative to disqualification of candidates.  
 10:00 a.m. **SB 62**, authorizing the placement of a certain sign in the town of Danbury.  
 10:15 a.m. **SB 78**, relative to the New Hampshire Municipal Association.  
**EXECUTIVE SESSION MAY FOLLOW**

## ***TUESDAY, FEBRUARY 5, 2013***

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

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

- 10:00 a.m. **SB 35**, relative to the master jury list.  
**(THE PREVIOUS HEARING FOR SB 35 WAS RECESSED ON JANUARY 22ND)**  
**EXECUTIVE SESSION MAY FOLLOW**

## **MEETINGS**

### ***FRIDAY, JANUARY 25, 2013***

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

9:00 a.m. Room 203, LOB Executive Committee Meeting

### ***SUNDAY, JANUARY 27, 2013***

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

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

### ***MONDAY, JANUARY 28, 2013***

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

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

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

10:00 a.m.	NH Medical Society 7 North State Street Concord, NH	Regular Meeting
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**NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2)**

1:00 p.m.	Department of Health & Human Services Brown Bldg. Room 460 129 Pleasant Street Concord, NH	Regular Meeting
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**NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4)**

3:00 p.m.	Department of Resources & Economic Development 172 Pembroke Road Concord, NH	Annual Meeting
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***THURSDAY, JANUARY 31, 2013*****HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

2:00 p.m.	Room 205, LOB	Long Term Care Subcommittee Organizational Meeting
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***FRIDAY, FEBRUARY 1, 2013*****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 Comprehensive Annual Financial Report for Fiscal Year 2012 The Unique College Investing Plan Annual Report September 30, 2012 The Fidelity Advisor 529 Plan Annual Report September 30, 2012 State of New Hampshire Department of Transportation Turnpike System Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2012 New Hampshire Lottery Commission A Department of the State of New Hampshire Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2012

***MONDAY, FEBRUARY 4, 2013*****JOINT COMMITTEE ON LEGISLATIVE FACILITIES (RSA 17-E:1)**

10:30 a.m.	Room 100, SH	Regular Meeting
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**SENATE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:1)**

11:00 a.m.	Room 100, SH	Regular Meeting
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(or immediately following JCLF mtg)

***FRIDAY, FEBRUARY 8, 2013***

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

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

***MONDAY, FEBRUARY 11, 2013***

**NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2)**

1:00 p.m.                      Department of Health & Human Services    Regular Meeting  
Brown Bldg. Room 460  
129 Pleasant Street  
Concord, NH

***FRIDAY, FEBRUARY 15, 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

***FRIDAY, FEBRUARY 22, 2013***

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

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

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

10:00 a.m.                      NH Employment Security                                      Special Meeting  
32 South Main Street  
Concord, NH

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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: 40**

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**NOTICES**

**THURSDAY, JANUARY 31, 2013**

All legislators are invited to the New Hampshire Department of Health and Human Services Legislative Orientation on Thursday, January 31, 2013 at St. Paul's Church from 11:30 a.m. to 1:30 p.m. Snow date is Thursday, February 7, 2013. Come to learn more about the Department and its many programs and services that benefit the citizens of New Hampshire. Lunch prepared by the New Hampshire Hospital Food and Nutritional Services will be provided, but donations will be accepted to the NHH's Resident Benefit Fund. You may RSVP to John Williams, DHHS Director of Legislative Affairs, at [jwilliams@dhhs.state.nh.us](mailto:jwilliams@dhhs.state.nh.us) or 271-9395.

Senator Nancy F. Stiles

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**TUESDAY, FEBRUARY 5, 2013**

Northeast Delta Dental cordially invites all members of the New Hampshire Senate and the staff to its Fourteenth Annual Legislative Reception to be held Tuesday, February 5th from 4:00 p.m. to 6:30 p.m. at its corporate office at One Delta Drive in Concord.

Senator Jeb Bradley, Senate Majority Leader

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**TUESDAY, FEBRUARY 5, 2013**

The New Hampshire Children's Alliance and the New Hampshire Child Advocacy Network (NH CAN) cordially invites all legislators for lunch and a brief program on Tuesday, February 5th, from 12:00 p.m. to 1:00 p.m. in the House Finance Committee room (LOB 210-211). The program will release NH CAN's 15<sup>th</sup> annual *Priorities for New Hampshire's Children*. NH CAN is comprised of numerous Partners (child advocates) and Advisors (legislators and state agency staff). NH CAN seeks to ensure that New Hampshire continues to be one of the best places to raise children. For more information please contact Lindsay Crete at [lcrete@childrennh.org](mailto:lcrete@childrennh.org) or 225-2264.

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

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**TUESDAY, FEBRUARY 5, 2013**

Legislators are invited to a catered lunch at St. Paul's Church, 21 Church Street, in Concord, from 12:00 p.m. to 1:00 p.m. to meet representatives from some of New Hampshire's most innovative companies. Come learn how translational research funding through the NH Innovation Research Center (NHIRC) helps companies innovate, stay, and grow in New Hampshire, and how the NHIRC is a proven job creator for NH with 15:1 leverage on dollars spent.

Business representatives will have a chance to describe their company, highlight the technology developed with NHIRC support, and describe the value added in terms of increased profits, revenue streams, and new jobs for our state on an 18x22" poster board. These will be displayed by region throughout the room as a focal point for engagement and dialogue about why the NHIRC is important and why state support, in addition to other sources of capital, is essential.

Please RSVP to Gretchen Smith at [gretchen.smith@unh.edu](mailto:gretchen.smith@unh.edu) or call (603) 862-0123.

Senator Martha Fuller Clark

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**WEDNESDAY, FEBRUARY 6, 2013**

Bi-State Primary Care Association's NH Legislative and Business HOT Breakfast

Implementing Health Care Reform: Building on New Hampshire's Primary Care Foundation – New Hampshire's Community Health Centers. February 6, 2013 at 7:30 a.m. to 9:00 a.m. (Snow date: February 7, 2013). Holiday Inn, 172 N. Main Street, Concord, NH.

Senator Jeb Bradley, Senate Majority Leader

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**THURSDAY, FEBRUARY 14, 2013**

All members of the General Court are invited to join Dr. Jose Montero, Director of the Division of Public Health Services, for lunch and a 20-minute screening of "Weight of the Nation" on February 14<sup>th</sup>, 11:30 a.m.



to 1:00 p.m. at St. Paul's Church. Please join us and learn how obesity drives up rates of death and disability due to heart disease, stroke and diabetes – and the role of government in creating environments that promote health and wellness. Please RSVP to [info@hnhfoundation.org](mailto:info@hnhfoundation.org) so that we can be sure to have lunch for everyone that would like to attend.

Senator Nancy F. Stiles

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### **WEDNESDAY, FEBRUARY 20, 2013 AND TUESDAY, MARCH 5, 2013**

The Community College System of NH will host a breakfast for legislators and staff Wednesday, February 20th and Tuesday, March 5th from 8:00 a.m. to 9:30 a.m. in the State House Cafeteria. New Hampshire's Community colleges provide high-quality, accessible and affordable programs of higher education, aligned with NH industry needs and in partnership with NH employers, in every region of the state. Stop in at the State House cafeteria and learn more about the programs, pathways, and strategic initiatives of the Community College System of NH. Continental breakfast will be served.

Senator Nancy F. Stiles  
Senator Molly M. Kelly

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## **SENATE SCHEDULE**

Monday, February 18, 2013	Presidents' Day (State Holiday)
Monday, February 25, 2013 – Friday, March 01, 2013	SENATE BREAK.
Wednesday, March 06, 2013	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 28, 2013	CROSSOVER – Deadline to ACT on all Senate bills.
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)

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