

February 7, 2013
No. 8

STATE OF NEW HAMPSHIRE

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**First Year of the 163rd Session of the
New Hampshire General Court
Legislative**

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON
THURSDAY, FEBRUARY 14, 2013 AT 10:00 A.M.**

**THE SENATE WILL MEET IN JOINT CONVENTION WITH THE HOUSE OF
REPRESENTATIVES ON THURSDAY, FEBRUARY 14, 2013 FOR THE GOVERNOR'S BUDGET ADDRESS**

CONSENT CALENDAR REPORTS

COMMERCE

SB 51, relative to the definition of "professional service."

Ought to Pass, Vote 5-0.

Senator Pierce for the committee.

This is a technical correction bill that was requested by the Secretary of State's office to bring into parity the definition of "professional service" under the professional corporations and professional limited liability statutes.

SB 52, relative to names of limited partnerships.

Ought to Pass, Vote 5-0.

Senator Hosmer for the committee.

This bill is a technical correction to the limited partnership naming statute and was a request from the Secretary of State's office. This bill will allow limited partnerships to use varying forms of abbreviations such as "L.P." as the last words of its name.

SB 60, relative to assisted living facilities and landlord tenant law.

Ought to Pass with Amendment, Vote 5-0.

Senator Pierce for the committee.

Currently, assisted living facilities are regulated under both landlord tenant and health and human services statutes. This bill, as amended by the Committee, will remove assisted living facilities from the landlord tenant statutes while leaving the more appropriate health and human services regulations in place.

SB 71, establishing a committee to study the use and misuse of prescription drugs in workers' compensation cases.

Ought to Pass with Amendment, Vote 5-0.

Senator Hosmer for the committee.

This bill, as amended by the committee, establishes a committee to study the extent of misuse and abuse of opiates and other commonly abused prescription medications by injured workers and the direct and indirect social and economic costs of such misuse.

ENERGY AND NATURAL RESOURCES

SB 46-FN, relative to air quality violations for outdoor fires.

Inexpedient to Legislate, Vote 5-0.

Senator Bradley for the committee.

The prime sponsor asked for a recommendation of inexpedient to legislate for this legislation. The committee has decided to honor that request at this time.

SB 64, relative to public informational meetings on dams.

Ought to Pass with Amendment, Vote 5-0.

Senator Woodburn for the committee.

This bill, as amended, improves the public meeting process regarding dams and received unanimous support from the committee of jurisdiction as well as complete support from the agency who oversees and enforces the statute.

SB 72, including owls within the definition of raptor for the purposes of falconry.

Inexpedient to Legislate, Vote 5-0.

Senator Bradley for the committee.

After divided public testimony, the committee unanimously believes more consideration needs to be given to this issue.

SB 74, relative to an exemption for entities that furnish hot water through a district energy system.
Ought to Pass with Amendment, Vote 5-0.
Senator Odell for the committee.

This bill, as amended, exempts from PUC jurisdiction entities that produce hot water as a by-product and transfer said water to other parties within a district energy system.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 33, making technical changes to the judicial retirement plan.
Ought to Pass with Amendment, Vote 5-0.
Senator Carson for the committee.

This bill makes technical changes to the judicial retirement plan due to the establishment of the circuit courts and was requested by the supreme court. The amendment changes the effective date to upon passage.

SB 37, relative to management rights under collective bargaining.
Inexpedient to Legislate, Vote 5-0.
Senator Carson for the committee.

This bill expands the definition of “terms and conditions of employment” as it relates to public employee labor relations. The ED & A Committee believes that this legislation is not necessary at this time.

SB 42, relative to applications for licensure by the real estate appraisers board.
Ought to Pass, Vote 5-0.
Senator Carson for the committee.

This bill requires applicants for licensure by the real estate appraiser board to have a criminal history records check. The bill also provides for licensure by reciprocity for applicants who are in good standing in another state. This bill was requested by the Joint Board of Licensure and Certification in order to be in compliance with Federal standards.

JUDICIARY

SB 68, relative to the escrow fund for court facility improvements.
Ought to Pass, Vote 5-0.
Senator Boutin for the committee.

This bill merely makes a change in the Court Facilities Escrow Fund account to reflect the existing practice of using these moneys for any judicial branch facility improvement.

PUBLIC AND MUNICIPAL AFFAIRS

SB 11-L, relative to water resources utility districts.
Ought to Pass with Amendment, Vote 5-0.
Senator Stiles for the committee.

This bill as amended permits municipalities to enter into intermunicipal agreements for the establishment of water and/or sewer utility districts. It allows communities to cooperate to provide services to its residents and/or commercial districts at potentially reduced costs, being respective of available resources.

SB 12, relative to protection and preservation of significant archeological deposits.
Ought to Pass with Amendment, Vote 5-0.
Senator Stiles for the committee.

This enabling legislation, as amended, authorizes the adoption of provisions for the protection or preservation and documentation of archeological resources in the master plan, subdivision regulations and site plan review process. Final language was the result of many various stakeholders coming together in support.

SB 49, relative to appeals of planning board decisions.
Ought to Pass with Amendment, Vote 5-0.
Senator Lasky for the committee.

The amended bill clarifies the process for appeals of planning board decisions concerning a subdivision or site plan to the board of adjustment prior to an appeal to the superior court, without jeopardizing the right to appeal to the superior court.

SB 50, relative to expiration of variances and special exceptions.

Ought to Pass with Amendment, Vote 5-0.

Senator Pierce for the committee.

The amended bill allows authorized variances and special exceptions to be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the Board of Adjustment for good cause.

SB 57, relative to approval of the project proposed by the Town of Alstead for the lower Warren Brook Restoration project and reestablishes the commission established to determine the appropriate use of flood damaged property.

Ought to Pass with Amendment, Vote 5-0.

Senator Forrester for the committee.

The committee voted to approve the Alstead project and reestablish the commission. The single change made to this senate bill designates the senate member to call the first meeting, rather than the first-named house member.

SB 58, relative to the taxation of water works or flood control land held in another town or city.

Ought to Pass, Vote 5-0.

Senator Stiles for the committee.

This bill allows a municipality holding water works or flood control land in another town or city to enter into a voluntary agreement for the amount of a payment in lieu of taxes. The legislation allows municipalities to have the conversation, which they are not now allowed to do, before the expense of the court. If they can't come to an agreement, the legal process remains available to them.

SB 62, authorizing the placement of a certain sign in the town of Danbury.

Ought to Pass with Amendment, Vote 5-0.

Senator Forrester for the committee.

This bill permits Ragged Mountain to erect one commercial sign outside a commercially zoned area in the town of Danbury.

SB 73, prohibiting an immediate family member of a school board member from being employed by the school district.

Inexpedient to Legislate, Vote 5-0.

Senator Lasky for the committee.

Committee members agreed the bill was unnecessary as most individuals would disclose a potential conflict of interest. They also questioned whether the proposal should prohibit parents and extended family members as well. SB 73 could restrict the pool of qualified candidates for school boards.

SB 76, relative to disqualification of candidates.

Ought to Pass with Amendment, Vote 5-0.

Senator Pierce for the committee.

This bill as amended requires a letter from a licensed physician to corroborate a candidate's request to have his or her name removed from the ballot due to an incapacitating physical disability.

TRANSPORTATION

SB 20, making modifications to the DWI ignition interlock program.

Ought to Pass with Amendment, Vote 5-0.

Senator Watters for the committee.

This bill was requested by the department of safety to make various modifications to the DWI ignition interlock program. The Committee believes that the bill will clarify current statutes and give the Department the ability to properly implement statutes currently in place.

SB 21, making technical corrections to the International Registration Plan.

Ought to Pass, Vote 5-0.

Senator Boutin for the committee.

At the request of the Department of Safety, this bill makes technical corrections to the definitions of 2 terms in the International Registration Plan. The word "Repository" is changed to "Reciprocity" in order to reflect the correct intention of the statute.

SB 22, exempting small trailers from inspection requirements; allowing marine dealers to inspect boat trailers; and deleting a reference to highway enforcement officers.

Ought to Pass with Amendment, Vote 5-0.

Senator Gilmour for the committee.

This bill and amendment are at the request of the Department of Safety to exempt trailers under 10,000lbs from inspection requirements, allow qualified dealers to inspect trailers and delete a reference to highway enforcement officers. It will permit for the department's statutes and procedures to be updated and appropriate.

SB 29, relative to the motorist service signing program.

Ought to Pass with Amendment, Vote 5-0.

Senator Stiles for the committee.

This bill was at the request of the Department of Transportation, exempting the motorist service signing program from rulemaking since the program is controlled by federal regulations. The Committee added an amendment to clarify the language and believes that the bill will allow the Department a greater ability to prioritize their efforts.

SB 32, relative to Selective Service registration upon driver's license application or renewal.

Inexpedient to Legislate, Vote 5-0.

Senator Watters for the committee.

This bill would have updated the law relative to Selective Service registration upon driver's license application or renewal and allowed persons to opt out of automatic registration upon driver's license application or renewal. The committee feels that the current policies in place, including an opt in provision, are sufficient and therefore requests that the bill not go forward.

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.

Ought to Pass, Vote 5-0.

Senator Watters for the committee.

This bill establishes a committee at the request of the Department of Fish and Game, Division of Motor Vehicles and the Trails Bureau 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. The committee supports this endeavor and requests that the bill move forward.

SB 84, relative to road toll administration and relative to motor vehicles carrying property for hire.

Ought to Pass with Amendment, Vote 5-0.

Senator Boutin for the committee.

At the request of the Department of Safety, this is a housekeeping bill clarifying certain provisions relating to licensing under the road toll laws and repeals the chapter regulating motor vehicles carrying property for hire. The Committee feels that this bill is necessary in the proper function of the Department and requests that it be moved forward.

SB 85, relative to commercial motor vehicle operation.

Ought to Pass, Vote 5-0.

Senator Boutin for the committee.

This bill is at the request of the Department of Safety, modifying various statutes relating to commercial motor vehicle operation, including clarification of penalties and requirements for registration and licensure. It has the full support of the motor transit industry and the Committee requests that it move forward.

WAYS AND MEANS

SB 30, making technical corrections to tax laws.

Ought to Pass with Amendment, Vote 5-0.

Senator Rausch for the committee.

This bill was requested by the Department of Revenue Administration to make various updates and technical corrections to tax laws. The Committee amendment removes sections one and four of the original bill and fixes two small typographical errors.

SB 43, relative to the property taxation of qualifying historic buildings.

Ought to Pass, Vote 5-0.

Senator Rausch for the committee.

This is enabling legislation that will provide a local option to cities and towns to appraise certain qualifying historic buildings at not more than 10% of market value in order to encourage the preservation of said buildings. The qualifying criteria are very narrow in scope; therefore this will apply to very few buildings.

REGULAR CALENDAR REPORTS

COMMERCE

SB 70, relative to the appointment of insurance agents and repealing a fee for insurance producers.

Re-refer to committee, Vote 5-0.

Senator Sanborn for the committee.

ENERGY AND NATURAL RESOURCES

SB 14, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development.

Ought to Pass with Amendment, Vote 4-0.

Senator Odell for the committee.

SB 56-FN, prohibiting the taking of bear from baited areas.

Inexpedient to Legislate, Vote 4-0.

Senator Prescott for the committee.

SB 101, relative to collocation and modification of personal wireless services facilities.

Ought to Pass with Amendment, Vote 4-0.

Senator Bradley for the committee.

SB 122-FN, establishing a commercial shrimp license.

Ought to Pass, Vote 4-0.

Senator Fuller Clark for the committee.

SB 133-FN, adopting the interstate wildlife violators compact.

Ought to Pass, Vote 4-0.

Senator Woodburn for the committee.

FINANCE

SB 28, relative to the department of transportation inventory fund.

Ought to Pass with Amendment, Vote 6-0.

Senator D'Allesandro for the committee.

SB 139-FN-L, relative to mileage fees for sheriffs and deputy sheriffs.

Ought to Pass, Vote 6-0.

Senator Morse for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

SB 78, relative to the New Hampshire Municipal Association.

Inexpedient to Legislate, Vote 3-2.

Senator Forrester for the committee.

RULES, ENROLLED BILLS AND INTERNAL AFFAIRS

SB 112, requiring constitutional amendment concurrent resolutions to contain the language for the voter's guide.

Ought to Pass, Vote 5-0.

Senator Bradley for the committee.

TRANSPORTATION

SB 15, naming a portion of route 101 after the 101st Airborne Division Screaming Eagles.

Ought to Pass with Amendment, Vote 5-0.

Senator Boutin for the committee.

SB 115, naming a bridge in the town of Whitefield.
Ought to Pass, Vote 5-0.
Senator Stiles for the committee.

WAYS AND MEANS

SB 63-FN, allowing historical racing.
Inexpedient to Legislate, Vote 4-1.
Senator Morse for the committee.

AMENDMENTS

Public and Municipal Affairs
January 30, 2013
2013-0124s
06/01

Amendment to SB 11-LOCAL

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

AN ACT relative to water and sewer utility districts and water or sewer utility districts.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Water and/or Sewer Utility Districts. Amend RSA 31 by inserting after section 133 the following new subdivision:

Water and/or Sewer Utility Districts

31:134 Statement of Purpose. An adequate supply of water is indispensable to the health, welfare, and safety of the people of the state and essential to the natural environment of the state. Therefore, the general court declares and determines that the waters of New Hampshire constitute a limited and precious public resource to be protected, conserved, and managed in the interest of present and future generations. This requires careful stewardship and management of water and wastewater within the state. To maximize health and safety, ecological and aesthetic values, and the overall well-being of the people, the state of New Hampshire must enable municipalities to protect water supplies and provide sewer utility services in compliance with federal, state, and local requirements. In order to foster regional approaches to providing utility services to multiple municipalities, the state must enable municipalities to enter into agreements that provide for efficient means of collectively financing and operating such services. The establishment of water and/or sewer utility districts will enable municipalities to provide property services at a more intensive level than is provided in the balance of the municipality; provide funds for capital expenditures towards constructing and maintaining those utilities; provide funds for the operation and maintenance of those utilities; and authorize the establishment of charges to owners and users of property within such water and/or sewer utility districts in an amount not to exceed the costs to the municipality of providing such utility services at levels over and above those provided in the balance of the municipality.

31:135 Definition. In this subdivision, "water and/or sewer utility" means an entity established for the acquisition, operation, and management of water and sewer infrastructure.

31:136 Water and/or Sewer Utility Authorized; Intermunicipal Agreement.

I. For the purposes of this subdivision, the legislative body of any city or town shall have the authority by a majority vote to establish one or more water and/or sewer utility districts and designate a water and/or sewer utility commission to be the governing body to manage the activities of the district.

II. In the case where a utility district encompasses land within more than one municipality, the district may be authorized by majority vote of the legislative bodies within each affected jurisdiction in accordance with the terms of an intermunicipal agreement under RSA 53-A:3. Such agreement shall be contingent upon approval of the legislative bodies of each of the parties to the agreement, and shall, in addition to the requirements of RSA 53-A:3, II, specify the following:

- (a) The source of the water.
- (b) The disposition of sewage.

III. For a water and/or sewer utility that encompasses more than one municipality, the intermunicipal agreement shall create the water and/or sewer utility commission and representation on such commission shall be proportional to the number of the owners or users, or both, of properties in the water and/or sewer utility district as defined by the intermunicipal agreement.

31:137 Commissioners. For the convenient management of any water and/or sewer utility district, a municipality shall vest the construction, management, control, and direction of such district in a board of commissioners to consist of 3, 5, or 7 citizens of each municipality, the commissioners to have such powers and duties as the municipality may prescribe. Their term of office shall be for 3 years and until their successors are elected and qualified. The first board of commissioners may be chosen for terms of one, 2, and 3 years, respectively.

31:138 Election or Appointment.

I. The board of commissioners may be elected by the legal voters of the municipality at any meeting or election at which the provisions of this subdivision are accepted, or at any special meeting or election thereafter called for that purpose, and their successors shall be elected at each annual meeting or election thereafter in the manner or form as the municipality may determine.

II. The board of commissioners may be appointed by the mayor and board of aldermen or city council or by the selectmen of the town in the manner or form as the municipality may determine.

31:139 Services Provided; Cost.

I. The services provided by a water and/or sewer utility district under this subdivision may include property-related services, including but not limited to providing public drinking water and water for domestic uses; water for fire suppression; and wastewater management; related construction, operation, and maintenance of capital facilities needed in the performance of these services; and other business development services and activities related to the maintenance of an attractive, useful, and economically viable business environment within the district. These services and activities may be either those of a routine nature provided for all properties, or may be particular to those in the water and/or sewer utility district.

II. The legislative body of each municipality shall define the water and/or sewer utility district, select specific services and levels of services to be provided, and, subject to RSA 31:137, authorize the department, agency, or other party that is to undertake the work.

III. The costs of providing services in the water and/or sewer utility district shall be those accruing to the municipality, which result exclusively from the provision of services in the district, and which exceed those being provided in the balance of the municipality.

31:140 Method of Appropriation. Each municipality shall adopt a budgetary appropriation for capital and operating expenditures including replacement and upgrades, or services to be performed in a water and/or sewer utility district as part of its budget process. The expense of constructing and maintaining the facilities needed to perform the authorized services to the district, or paying off any capital debt or interest incurred in constructing or maintaining the district on an annual basis shall be included in the budgetary appropriation. At the end of each fiscal year, a full accounting of expenditures shall be made.

31:141 Assessments and Fees. Upon adoption of the budgetary appropriation, the municipality may levy assessments or fees, or both, in an amount not greater than the net appropriation to a water and/or sewer utility district fund. The assessments and fees shall be made against the owners or users, or both, of properties in the water and/or sewer utility district and shall be based upon a formula determined by the municipality to be in relative proportion to benefits received by each property owner or user, or both, in the water and/or sewer utility district. Assessments and fees shall be billed and collected as specified by ordinance adopted by majority vote of the governing body of the municipality after a public hearing or in accordance with the terms of the intermunicipal agreement. Government property and non-profit organizations within the district shall be subject to the assessment and fees. Interest and other collection procedures shall be made by the tax collector or other official responsible for property tax collection. Enforcement powers for nonpayment shall be the same as those provided under RSA 80 relative to property tax collection.

31:142 Limit on Liability. The provisions of RSA 507-B relative to bodily injury actions against governmental units shall apply to all municipal activities performed in connection with a water and/or sewer utility district.

31:143 Authority to Incur Capital Debt. The commission shall have the authority to issue bonds under RSA 33 or RSA 33-B, as approved by the governing body of the municipality or, if intermunicipal, in accordance with the terms of the intermunicipal agreement.

31:144 Assessment Funds.

I. The funds received from the collection of water and/or sewer assessments and fees shall be kept as separate and distinct funds to be known as the water assessment fund and the sewer assessment fund respectively. Such funds shall be allowed to accumulate from year to year, shall not be commingled with municipal tax revenues, and shall not be deemed part of the municipality's general fund accumulated surplus. Such funds shall be expended only for the purposes of this subdivision as it relates to public drinking water and domestic supplies or the previous expansion or replacement of water lines or water treatment facilities; or for wastewater or the previous expansion or replacement of sewage lines or sewage treatment facilities.

II. Except when a capital reserve fund is established pursuant to paragraph III, all assessment funds shall be held in the custody of the municipal treasurer. Estimates of anticipated assessments or fees and anticipated expenditures from the assessment funds shall be submitted to the governing body under RSA 32:6 if applicable, and shall be included as part of the municipal budget submitted to the legislative body for approval. Notwithstanding RSA 41:29 or RSA 48:16, the treasurer shall pay out amounts from the assessment funds only upon order of the governing body of the district. Expenditures shall be within amounts appropriated by the legislative body.

III. At the option of the governing body of the district, all or part of any surplus in the assessment funds may be placed in one or more capital reserve funds under RSA 35:7 and placed in the custody of the trustees of trust funds. If such a reserve fund is created, then the governing body of the district may expend such funds pursuant to RSA 35:15 without prior approval or appropriation by the local legislative body, but all such expenditures shall be reported to the municipality pursuant to RSA 31:148. This section shall not be construed to prohibit the establishment of other capital reserve funds for any lawful purpose relating to municipal water.

31:145 District Utility Fund. Notwithstanding RSA 31:144, the local legislative body upon establishing a utility district may vote to establish a separate and distinct fund to be known as the district utility fund to serve as a collective operating fund for the district, or to administer funds common to the district that are not directly attributable to water or wastewater services. Such fund shall be allowed to accumulate from year to year, shall not be commingled with town or city tax revenues, and shall not be deemed part of the municipality's general fund accumulated surplus. Such fund shall function as a collective water and sewer fund and shall be authorized to be managed in the same ways as water or sewer funds are used under RSA 31:144.

31:146 Abatement and Appeal of Assessments and Fees.

I. Any person aggrieved by an assessment or fee made under this subdivision may, within 2 months of the notice of assessment, apply in writing to the governing body of the district for an abatement of such assessment or fee.

II. Upon receipt of an application under paragraph I, the governing body of the district shall review the application and shall, in writing, grant or deny the application in whole or in part to correct any error in the assessment or fee within 6 months after the notice of assessment or imposition of the fee.

III. If the governing body of the district neglects or refuses to abate the assessment or fee, any person aggrieved may petition the superior court in the county where the property is located within 8 months of the notice of assessment or imposition of the fee.

IV. For purposes of this section, "notice of assessment" means the date shown on the assessment bill.

V. Each assessment bill or fee shall require a separate request and appeal.

VI. For good cause shown, the governing body of the district may abate any such assessment or fee made by them or by their predecessors.

31:147 Liens and Collection of Assessments. In the collection of assessments and fees under RSA 31:141, municipalities shall have the same liens and use the same collection procedures as authorized by RSA 38:22. Interest on overdue charges shall be assessed in accordance with RSA 76:13.

31:148 Reports. In municipalities adopting this chapter, the governing body of the district shall annually, at the time other municipal officers report, make a report to the municipality of the condition of the plant financially and otherwise, showing the funds of the district, the expenses and income thereof, and all other material facts. This report shall be published in the annual report of the municipality.

31:149 Local Option. Any city or town may adopt this subdivision and shall thereafter have all the authority, powers, duties, and responsibilities set forth in this subdivision.

I. A city may adopt this subdivision by majority vote of the legislative body of the city after notice and hearing.

II. A town may adopt this subdivision by majority vote of the voters present and voting at any legal town meeting under a proper article after notice and hearing.

2013-0124s

AMENDED ANALYSIS

This bill permits municipalities to establish water and/or sewer utility districts and to enter into intermunicipal agreements for the establishment of such districts.

Public and Municipal Affairs

February 7, 2013

2013-0235s

03/04

Amendment to SB 12

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

1 Master Plan; Archeological Resources. Amend RSA 674:2, III(h) to read as follows:

(h) A section which identifies cultural, ***archeological***, and historic resources and protects them for rehabilitation or preservation from the impact of other land use tools such as land use regulations, housing, or transportation. Such section may encourage the preservation or restoration of stone walls, provided agricultural practices, as defined in RSA 21:34-a, are not impeded.

2 New Subparagraph; Subdivision Regulations; Archeological Resources. Amend RSA 674:36, II by inserting after subparagraph (n) the following new subparagraph:

(o) As a condition of subdivision approval, where the subdivision requires an alteration of terrain permit under RSA 485-A:17, require that the applicant protect or document archeological resources in areas of archeological sensitivity that have been identified in the master plan in accordance with RSA 674:2, III(h).

3 New Subparagraph; Site Plan Review Regulations; Archeological Resources. Amend RSA 674:44, II by inserting after subparagraph (j) the following new subparagraph:

(k) As a condition of site plan approval, require that the applicant protect or document archeological resources in areas of archeological sensitivity that have been identified in the master plan in accordance with RSA 674:2, III(h).

4 Effective Date. This act shall take effect January 1, 2014.

2013-0235s

AMENDED ANALYSIS

This bill authorizes the adoption of optional provisions for the protection or preservation of archeological resources in master plans, subdivision regulations, and site plan review regulations.

Energy and Natural Resources

February 6, 2013

2013-0226s

06/01

Amendment to SB 14

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

2 Department of Resources and Economic Development; Police Powers. Amend RSA 12-A:1-d, II to read as follows:

II. By written agreement executed by the commissioner of the department of resources and economic development, any authorized municipal official may utilize the summons procedures under RSA 31:39-d to cite individuals for violations of state park administrative rules or forests and lands administrative rules,

or both. Authorized municipalities acting under this paragraph shall retain [50] **100** percent of any fine collected in accordance with the schedule of administrative fines of the department of resources and economic development.

3 Effective Date. This act shall take effect June 27, 2013.

2013-0226s

AMENDED ANALYSIS

This bill:

I. Repeals the prospective repeal of the authority of the department of resources and economic development to adopt rules on assessing administrative fines.

II. Increases the percentage of administrative fines collected in accordance with the schedule of administrative fines of the department of resources and economic development that municipalities may retain.

Senate Transportation

January 17, 2013

2013-0013s

05/04

Amendment to SB 15

Amend the bill by replacing section 1 with the following:

1 101st Airborne Division Screaming Eagles Highway. Pursuant to RSA 4:43, the portion of New Hampshire route 101 from Interstate 93 in Manchester to the Auburn/Candia town line shall be named the 101st Airborne Division Screaming Eagles Highway in honor of all New Hampshire veterans who have served with the 101st Airborne Division. Appropriate signage may be placed along the designated portion of the highway.

Senate Transportation

January 31, 2013

2013-0128s

03/10

Amendment to SB 20

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

1 Words and Phrases Defined; Ignition Interlock Device. Amend RSA 259:43-a to read as follows:

259:43-a Ignition Interlock Device. "Ignition interlock device" shall mean breath alcohol ignition interlock device **or enhanced technology ignition interlock device**, which is a system or device that connects a breath analyzer to a motor vehicle's ignition system. The analyzer measures the concentration of alcohol in the breath of any person who attempts to start the motor vehicle by using the ignition system. The device prevents the vehicle from starting unless the person provides a breath sample with a concentration of alcohol that is below a preset level. The device contains a data-logger which retains records of failures to take or pass the test during the period between recalibrations.

2 Interlock Requirements. Amend RSA 265-A:36, IV to read as follows:

IV. **It shall be a violation for** an ignition interlock device ~~[may not]~~ **to** be sold or distributed in this state without the device being approved by the commissioner or the department of safety.

3 Interlock Program Rules. Amend RSA 265-A:36, VI(b)-(f) to read as follows:

(b) Maintain at least that number of locations across the state for the installation, service, calibration, ~~[and]~~ monitoring, **and removal** of an ignition interlock device as might be required from time to time by the program operating protocol developed by the commissioner;

(c) Provide periodic reports as determined by the court or in department rules, to the ~~[probation office and treatment provider, if applicable; if the offender is not placed on probation, to the arresting agency]~~ **director of the division of motor vehicles, the department's interlock coordinator**, and the court of jurisdiction;

(d) Retain all data-logger records for ~~[12]~~ **36** months after the end of the period to which the offender is sentenced;

(e) **Maintain a reserve account with a balance at least equal to 2 percent of the provider's revenue from interlock device service and installation in this state, excluding the purchase or rental costs of devices, during the previous calendar year. Funds in the account shall be used to [provide] assist with the cost of the** installation and service to those offenders determined by the court **or the department** to be unable to pay the full cost of an interlock program [by reserving for this purpose a hardship credit equal to 2 percent of the service provider's gross receipts, excluding the purchase or rental cost of the interlock device, which credit and free service]. **Offenders determined by the court or the department to be unable to pay the full cost of an interlock program shall, at a minimum, pay 25 percent of the cost for the installation and service. Reserve account balances and costs to the provider for assisting with the cost of installation and service shall be reported annually to the department;**

(f) Provide a certificate of installation to the vehicle's owner **and to the department's interlock coordinator** upon installation of the device in a form to be determined by the department's interlock rules; and

4 Ignition Interlock Violations. Amend RSA 265-A:37 to read as follows:

265-A:37 Alcohol Ignition Interlock Circumvention.

I. Any person required by the court **or by the commissioner of safety after a hearing pursuant to RSA 265-A:36-a** to install an ignition interlock device shall not drive any motor vehicle not equipped with this device.

II. [A] **No person who is subject to an interlock order of the court or of the commissioner and no person who is conspiring with or attempting to permit a person subject such an interlock order to circumvent the order** shall [not] tamper with, or in any way attempt to circumvent the operation of an ignition interlock device that has been installed in a motor vehicle, **and no person who is subject to an interlock order shall knowingly drive a vehicle in which the interlock device has been circumvented or otherwise illegally tampered with.**

III. A person shall not start or attempt to start a motor vehicle equipped with an ignition interlock device for the purpose of providing an operable motor vehicle to a person who **he or she knows** is restricted by law to drive only a motor vehicle so equipped. The provisions of this section do not apply if the starting of a motor vehicle, or the request to start a motor vehicle equipped with an ignition interlock device, is done for the purpose of safety or mechanical repair of the device or the vehicle, and the person subject to the court order **or order of the commissioner** does not drive the vehicle.

IV. A person shall not knowingly provide a motor vehicle not equipped with a functioning ignition interlock device to another person whom the provider of the vehicle knows was sentenced **or subject to a valid order** to drive only a motor vehicle equipped with an ignition interlock device.

V. Any person who violates the provisions of this section shall be guilty of a class A misdemeanor, be fined not less than \$500, **and if he or she is the person subject to the interlock order**, be ordered to install an enhanced technology ignition interlock device, and have the period of required ignition interlock device installation extended for 2 years.

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

**Senate Transportation
January 29, 2013
2013-0110s
08/10**

Amendment to SB 22

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

AN ACT exempting small trailers from inspection requirements; allowing qualified dealers to inspect trailers; and deleting a reference to highway enforcement officers.

Amend the bill by replacing section 2 with the following:

2 New Section; Inspection of Trailers; Exemptions. Amend RSA 266 by inserting after section 1-a the following new section:

266:1-b Inspection of Trailers, Exemptions.

I. Notwithstanding any law or rule to the contrary, trailers of 10,000 pounds or less gross vehicle weight rating not used in interstate commerce shall be exempt from periodic vehicle inspection requirements, but shall be subject as other vehicles are to periodic roadside inspection by law enforcement officers to determine that they have the proper required and fully functional safety equipment.

II. The director may authorize properly qualified dealers holding utility dealer registrations to inspect trailers of more than 10,000 pounds gross vehicle weight, to determine whether they are fit to be driven, and to issue inspection stickers, under rules adopted for this purpose pursuant to RSA 541-A. This section shall not apply to full trailers as defined in RSA 259:37-a or semi-trailers as defined in RSA 259:98, and shall not prohibit other official inspection stations from inspecting trailers.

2013-0110s

AMENDED ANALYSIS

This bill:

- I. Deletes a reference to highway enforcement officers.
- II. Exempts small trailers from inspection requirements.
- III. Allows qualified dealers to inspect trailers.

Senate Finance
February 6, 2013
2013-0220s
06/01

Amendment to SB 28

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

AN ACT relative to the department of transportation inventory fund and relative to the effective date of the transfer of the electricians' board to the joint board for licensure and certification.

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

1 Administration of Transportation Laws; Inventory Fund. Amend RSA 228:24 to read as follows:

228:24 Inventory Fund. There is hereby established a [~~public works and highway~~] **department of transportation** inventory fund not to exceed [~~\$1,000,000~~] **\$2,000,000**, which sum is hereby not otherwise appropriated. The commissioner of transportation may purchase, through the division of property and plant management, such operating materials and supplies as may be necessary for the operation of the department which shall be a charge against said fund. Materials or supplies requisitioned therefrom by a division of the department or by other state departments shall upon delivery be a charge against the funds of such division or other state department. All sales of materials and supplies from the inventory shall be credited to the inventory fund and are hereby appropriated to and made available for expenditures from the inventory fund. The commissioner shall transfer from the inventory fund to the highway fund the total amount paid by divisions of his department or other state departments into said fund in excess of the cost of any materials or supplies purchased therefrom.

2 Application of Receipts. Amend RSA 6:12, I(b)(194) to read as follows:

(194) Moneys deposited in the [~~public works and highway~~] **department of transportation** inventory fund under RSA 228:24.

3 Transfer of Electricians' Board; Provisions of SB 226 of 2012 Amended. 2012, 237:2 is repealed and reenacted to read as follows:

237:2 Electricians' Board; Administration. RSA 319-C:4, IV is repealed and reenacted to read as follows:

IV. All administrative, clerical, and business processing functions, and personnel and equipment of the board shall be transferred to the joint board of licensure and certification, established in RSA 310-A:1. For the remainder of fiscal year 2013, the fees collected by the joint board shall be deposited in the fire standards and training and emergency medical services fund, established in RSA 21-P:12-d, and used for the purposes of operating expenses of the electricians' board.

4 Change to Effective Date of SB 226 Of 2012; Electricians' Board Transfer. Amend 2012, 237:10 to read as follows:

237:10 Effective Date.

I. Section 6 of this act shall take effect January 1, 2014.

II. Sections 8 and 9 of this act shall take effect July 1, 2012.

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

IV. The remainder of this act shall take effect [~~July 1, 2013~~] **upon its passage.**

5 Purpose; Change to Transfer of Electricians' Board Provisions. The purpose of sections 3 and 4 of this act is to allow the joint board for licensure and certification to administer RSA 319-C and the revenues and disbursements related to the electricians' board for the remainder of fiscal year 2013 utilizing the current accounting practices until funding is provided to the joint board in the 2014-2015 state operating budget.

6 Effective Date.

I. Sections 1 and 2 of this act shall take effect 60 days after its passage.

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

2013-0220s

AMENDED ANALYSIS

This bill:

I. Changes the public works and highway department inventory fund to the department of transportation inventory fund.

II. This bill also changes the effective date of the transfer of the electricians' board to the joint board for licensure and certification under 2012, 237 (SB 226).

Senate Transportation

February 6, 2013

2013-0218s

06/03

Amendment to SB 29

Amend the bill by replacing section 1 with the following:

1 Motorist Service Signing Program. RSA 230:49, II is repealed and reenacted to read as follows:

II. The sign program permitted under paragraph I is controlled by federal regulations and is therefore exempt from rulemaking. The signs may be rented for a fee established by the commissioner of transportation or rented through third party contractors. If the commissioner sets the fee, rulemaking is required for the fee setting process.

2013-0218s

AMENDED ANALYSIS

This bill:

I. Exempts the motorist service signing program from rulemaking since the program is controlled by federal regulations.

II. Requires rulemaking for the rental fee setting process if the commissioner of transportation sets the fee.

Senate Ways and Means

January 30, 2013

2013-0120s

09/01

Amendment to SB 30

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

1 Confidentiality of Department Records; Information Sharing With Federal Agencies. Amend RSA 21-J:14, V(b) to read as follows:

(b) Disclosure of department records, files, or returns to the United States [~~Internal Revenue Service~~] **Department of Treasury and United States Food and Drug Administration** in accordance with compacts for the exchange of information between the department and the [~~Internal Revenue Service~~] **bureaus within the Department of Treasury and the Food and Drug Administration**, but only for the purpose of, and to the extent necessary in, the administration of federal tax laws, and related statutes.

2 Confidentiality of Department Records; Disclosure Violations. RSA 21-J:14, VIII is repealed and reenacted to read as follows:

VIII. It shall be unlawful for any officer or employee of the state or an officer or employee of a vendor which has entered into a contractual agreement with the department under RSA 21-J:3, XX, or has entered into a contractual agreement with the state and is authorized by law to receive information made confidential and privileged by this section, willfully to disclose to any person, except as authorized in this section, any records or files of the department. The term "willfully," as used in this paragraph, shall have the same meaning as provided in RSA 626:2, IV. Any violation of this section shall be a class A misdemeanor punishable upon conviction by a fine or imprisonment or both under RSA 651:2 and shall in addition to any other punishment be dismissed from office or discharged from employment upon conviction for such offense.

3 Business Profits Tax; Corrections; Notice. Amend RSA 77-A:10 to read as follows:

77-A:10 Corrections. Each taxpayer shall report to the commissioner of revenue administration any change in the amount of its gross business profits as finally determined by the United States Internal Revenue Service with respect to any previous year for which the taxpayer has made a return under this chapter. Such a report shall be made not later than 6 months after the taxpayer has received notice *from the United States Internal Revenue Service* that such change has finally been determined. Notwithstanding any other provision of law, a taxpayer reporting a correction pursuant to this section shall be given notice by the department [~~of any adjustment to the tax due with respect to such correction~~] within 6 months of the filing of the report *that the return is being reviewed*.

4 Checks Tendered in Payment of Taxes. Amend RSA 80:52-b to read as follows:

80:52-b Checks Tendered in Payment of Taxes.

I. If any person tenders a check for the payment of any taxes levied by the tax collector and the check is returned to the tax collector as uncollectible for any reason, such taxes shall be deemed not paid and the person tendering such check shall be subject to applicable tax delinquency penalties, protest and collection charges.

II. If any person tenders a check for the payment of any taxes levied by the tax collector and the check is drawn on a foreign bank, the person tendering such check shall be subject to all applicable foreign check bank fees.

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

2013-0120s

AMENDED ANALYSIS

This bill makes technical corrections to tax laws.

Senate Executive Departments and Administration

January 30, 2013

2013-0115s

10/04

Amendment to SB 33

Amend the bill by replacing section 3 with the following:

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

Public and Municipal Affairs

February 7, 2013

2013-0240s

03/10

Amendment to SB 49

Amend RSA 677:15, I-a(a) as inserted by section 1 of the bill by replacing it with the following:

I-a.(a) If an aggrieved party desires to appeal a decision of the planning board, and if any of the matters to be appealed are appealable to the board of adjustment under RSA 676:5, III, such matters shall be appealed to the board of adjustment before any appeal is taken to the superior court under this section. If any party appeals any part of the planning board's decision to the superior court before all matters appealed to the board of adjustment have been resolved, the court shall stay the appeal until resolution of such matters. After the final resolution of all such matters appealed to the board of adjustment, any aggrieved party may appeal to the superior court, by petition, any or all matters concerning the subdivision or site plan decided by the planning board or the board of adjustment. The petition shall be presented to the superior court within 30 days after the board of adjustment's denial of a motion for rehearing under RSA 677:3, subject to the provisions of paragraph I.

Public and Municipal Affairs

February 7, 2013

2013-0238s

03/05

Amendment to SB 50

Amend the bill by replacing sections 1 and 2 with the following:

1 New Paragraph; Zoning Variance; Expiration. Amend RSA 674:33 by inserting after paragraph I the following new paragraph:

I-a. Variances authorized under paragraph I shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance.

2 Powers of Zoning Board of Adjustment; Special Exceptions. Amend RSA 674:33, IV to read as follows:

IV. A local zoning ordinance may provide that the zoning board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance. All special exceptions shall be made in harmony with the general purpose and intent of the zoning ordinance and shall be in accordance with the general or specific rules contained in the ordinance. ***Special exceptions authorized under this paragraph shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such special exception shall expire within 6 months after the resolution of a planning application filed in reliance upon the special exception.***

Public and Municipal Affairs

February 7, 2013

2013-0239s

03/10

Amendment to SB 57

Amend RSA 205:4-d, IV as inserted by section 2 of the bill by replacing it with the following:

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the 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.

Commerce

February 5, 2013

2013-0205s

01/04

Amendment to SB 60

Amend the bill by replacing sections 3 and 4 with the following:

3 Assisted Living Facilities; Actions Against Tenants. Amend RSA 540:1-a, IV(c) to read as follows:

(c) Rooms in student dormitories, nursing homes, hospitals ***and any other facilities licensed under RSA 151 or certified under RSA 126-A***, convents, monasteries, asylums, or group homes.

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

Public and Municipal Affairs
January 30, 2013
2013-0126s
06/01

Amendment to SB 62

Amend the bill by replacing section 1 with the following:

1 Town of Danbury; Placement of Commercial Sign Outside Commercially Zoned Area Permitted. Notwithstanding RSA 236:73, Ragged Mountain Pacific, LLC may erect and maintain one sign on its property on the north side of the junction of Route 104 and Ragged Mountain Road provided that Ragged Mountain Pacific, LLC receives a special exception from the town of Danbury.

Energy and Natural Resources
February 7, 2013
2013-0253s
06/01

Amendment to SB 64

Amend the bill by replacing section 1 with the following:

1 Erection and Inspection of Dams. Amend RSA 482:13 to read as follows:

482:13 Public Informational Meeting Required.

I. No owner shall breach any dam, lower any water body for the repair of any dam, or cause any significant lowering of the water level in a pond or lake without first notifying the local governing body in the cities or towns where said dam or water body is located **and the department** at least 30 days prior to any action specified above. The provisions of this section shall not apply to dams impounding bodies of water less than 10 acres or to the normal scheduled lowering of water levels each fall, the normal lowering of a water body by the exercise of water rights, the lowering of water levels by the department of environmental services to protect instream flows under RSA 483:9-c, or the lowering of water levels in any emergency situation.

II. The ~~[local governing body of each of the cities or towns]~~ **dam owner, in cooperation with the local governing body of each of the cities or towns**, shall hold a public informational meeting ~~[within]~~ **at least** 15 days [of receipt of the notice from the dam owner] **prior to any action under paragraph I**. The ~~[local governing body]~~ **dam owner** shall publish a notice of the public informational meeting in a newspaper of general circulation in the county in which the action shall occur at least 7 days before the time set for said meeting. The public notice and informational meeting required by this section shall be in addition to and not in place of other provisions of law pertaining to dams.

Commerce
February 5, 2013
2013-0203s
01/04

Amendment to SB 71

Amend paragraph I of section 2 of the bill by replacing it with the following:

I. The members of the committee shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the extent of misuse and abuse of opiates and other commonly abused prescription medications by injured workers and the direct and indirect social and economic costs of such misuse. The committee shall evaluate the effectiveness of laws in other states and consider possible enhancement of the controlled drug prescription health and safety program, possible establishment of a closed formulary, promulgating establishment of interagency opioid dosing guidelines and pain treatment guidelines governing utilization, and such other areas of inquiry the committee deems relevant to its purpose.

Energy and Natural Resources
February 7, 2013
2013-0254s
06/01

Amendment to SB 74

Amend the bill by replacing section 1 with the following:

1 New Section; Hot Water Companies; When Public Utilities. Amend RSA 362 by inserting after section 4-c the following new section:

362:4-d Hot Water Companies; When Public Utilities. The term “public utility” shall not include any corporation, company, association, joint stock association, partnership, and person, their lessee, trustee, or receiver appointed by any court, or assignee, engaged in the manufacture, furnishing, or sale of hot water through a district energy system that makes use in whole or in part of the waste heat from one or more of the persons or entities being served by such system. However, any such entity that uses steam as a cogenerator shall be deemed to be a public utility.

Public and Municipal Affairs
January 30, 2013
2013-0122s
03/10

Amendment to SB 76

Amend the bill by replacing section 1 with the following:

1 Disqualification of Candidate; Disability. Amend RSA 655:38 to read as follows:

655:38 Disqualification of Candidate. If a candidate to be voted for at the general election shall make oath between the date of the candidate’s nomination and the day of the election that he or she does not qualify for the public office which he or she seeks because of age, domicile, or incapacitating physical disability acquired subsequent to the primary, the secretary of state may remove said person’s name from the ballot. ***Any such oath citing an incapacitating physical disability shall be accompanied by a letter from a licensed physician confirming such a condition.*** A new candidate may be substituted by the appropriate party committee by submitting the name of the new candidate to the secretary of state within 3 days of the notice of disqualification. The name of the substitute candidate shall be placed on the ballots as provided in RSA 656:21.

Senate Transportation
February 5, 2013
2013-0201s
03/05

Amendment to SB 84

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

AN ACT relative to road toll administration, relative to motor vehicles carrying property for hire, and relative to administration of the international registration plan.

Amend the bill by inserting after section 10 the following and renumbering the original section 11 to read as 13:

11 Division of Administration. Amend RSA 21-P:6, VIII to read as follows:

VIII. Collection of fuel taxes and administration of road tolls, the international fuel tax agreement, and the ***audit functions of the*** international registration plan under RSA 260.

12 Division of Motor Vehicles. Amend RSA 21-P:8, III to read as follows:

III. Administration of the motor vehicle laws under RSA 260, except for road toll administration under RSA 260:30 through RSA 260:65-a[,] ***and*** the fuel tax agreement under RSA 260:65-b through RSA 260:65-e, [~~and the international registration plan under RSA 260:73 through RSA 260:75;~~] which shall be administered by the division of administration.

2013-0201s

AMENDED ANALYSIS

This bill clarifies certain provisions relating to licensing under the road toll laws and transfers primary responsibility for administering the international registration plan to the division of motor vehicles. This bill also repeals the chapter regulating motor vehicles carrying property for hire.

This bill was requested by the department of safety.

Energy and Natural Resources**February 7, 2013****2013-0251s****06/01****Amendment to SB 101**

Amend RSA 12-K:2, X as inserted by section 3 of the bill by replacing it with the following:

X. "Collocation" means the placement or installation of new PWSFs on existing towers or mounts, including electrical transmission towers and water towers, as well as existing buildings and other structures capable of structurally supporting the attachment of PWSFs in compliance with applicable codes. "Collocation" does not include a "substantial modification."

Amend RSA 12-K:11, I(j) as inserted by section 8 of the bill by replacing it with the following:

(j) Charge an application fee, consulting fee or other fee associated with the submission, review, processing, and approval of a collocation application or modification application that is not required for similar types of commercial development within the authority's jurisdiction. Fees imposed by an authority or by a third-party entity providing review or technical consultation to the authority must be based on actual, direct, and reasonable administrative costs incurred for the review, processing, and approval of a collocation application or modification application. Notwithstanding the foregoing, in no event shall an authority or any third-party entity include within its charges any travel expenses incurred in a third-party's review of a collocation application or modification application, and in no event shall an applicant be required to pay or reimburse an authority for consultant or other third party fees based on a contingency or result-based arrangement.

HEARINGS***TUESDAY, FEBRUARY 12, 2013*****COMMERCE**, Room 101, LOB

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

- 1:00 p.m. **SB 114**, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas.
- 1:20 p.m. **SB 143-FN**, relative to benefits for unemployed persons who are attempting to establish a business.
- 1:40 p.m. **SB 147-FN**, relative to prescription drugs in workers' compensation cases.
- 2:00 p.m. **SB 95**, relative to choice of pharmacy under workers' compensation.
- 2:20 p.m. **SB 117-FN**, relative to pharmacy benefits managers.

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 190-FN**, relative to admission fees for certain persons at state parks and historical sites.
- 1:15 p.m. **SB 192-FN-L**, establishing a state infrastructure bank.
- 1:35 p.m. **SB 157-FN**, establishing a New Hampshire disaster relief fund.
- 1:50 p.m. **SB 153-FN**, relative to legislative approval of collective bargaining agreements entered into by the state.

EXECUTIVE SESSION MAY FOLLOW

HEALTH, EDUCATION AND HUMAN SERVICES, Room 103, LOB

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

10:00 a.m.

EXECUTIVE SESSION ON PENDING LEGISLATION

11:30 a.m.

SB 162-FN, relative to licensing of postsecondary career schools.**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 81, authorizing phlebotomists and emergency medical technicians to withdraw blood for alcohol concentration tests.

9:15 a.m.

SB 96, relative to vexatious litigants.

9:30 a.m.

SB 105, relative to disclosure of expert testimony in civil cases.

9:45 a.m.

SB 106, relative to confidentiality in adult guardianship cases.

10:00 a.m.

SB 107, relative to probate administration.

10:15 a.m.

SB 108, relative to the liability of landowners who permit use of their land for recreational activities.**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 165, repealing a prohibition relative to auxiliary state troopers, repealing the law governing motor vehicles carrying property for hire.

1:15 p.m.

SB 159, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations.

1:30 p.m.

SB 160-FN-A, relative to turnpikes and electronic toll collection.**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 128-FN-L, relative to fees for vital records.

9:15 a.m.

SB 121-FN-L, relative to the distribution formula for meals and rooms tax revenue.

9:45 a.m.

SB 3-FN, eliminating the ramp tolls on the Everett turnpike in the town of Merrimack.**EXECUTIVE SESSION MAY FOLLOW*****WEDNESDAY, FEBRUARY 13, 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 31, relative to a ban on the incidental combustion of untreated wood at municipal transfer stations.

9:15 a.m.

SB 59-FN, prohibiting the cruel confinement of certain farm animals.

9:30 a.m.

SB 66-FN, relative to the regional greenhouse gas initiative cap and trade program.

9:45 a.m.

SB 123-FN-L, relative to the use of proceeds from the regional greenhouse gas initiative program.

10:00 a.m.

SB 131-FN-L, relative to a permitting process for the removal of submerged logs from certain great ponds.**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 135-FN, relative to the regulation of the practice of genetic counseling.

- 9:15 a.m. **SB 155-FN-A**, relative to production of a Civil War commemorative bottle by the state liquor commission.
- 9:30 a.m. **SB 176-FN**, relative to waivers of charitable trust filing fees.
- 9:45 a.m. **SB 178**, establishing a committee to review and make recommendations regarding consolidating all state energy positions throughout state departments.
- 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 172-FN-L**, relative to public funds.
- 9:15 a.m. **SB 102**, relative to the selection of members of the conservation commission.
- 9:30 a.m. **SB 111**, permitting municipalities to establish a capital reserve plan for expenditure of capital reserve funds.
- 9:45 a.m. **SB 88**, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces.
- 10:30 a.m. **SB 120-FN**, relative to political contributions and expenditures and relative to reporting by political committees.
- EXECUTIVE SESSION MAY FOLLOW**

TUESDAY, FEBRUARY 19, 2013

COMMERCE, Room 100, SH

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

- 1:00 p.m. **SB 149-FN**, relative to liquor samples.
- 1:30 p.m. **SB 92**, prohibiting multiple prescription drug failures.
- 1:50 p.m. **SB 94**, relative to portable electronics insurance.
- 2:10 p.m. **SB 126-FN**, relative to business practices between motor vehicle manufacturers, distributors, and dealers.
- EXECUTIVE SESSION MAY FOLLOW**

JOINT SENATE-HOUSE FINANCE COMMITTEES, Rooms 210-211, LOB

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

- 10:00 a.m. The Governor will present her budget to the Senate and House Finance Members.

JUDICIARY, Room 103, SH

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

- 9:00 a.m. **SB 156-FN**, relative to the appointment of a guardian ad litem in certain sexual assault cases.
- 9:20 a.m. **SB 166**, relative to critical incident stress management and crisis intervention services.
- 9:45 a.m. **SB 109**, relative to liability for the use of ethanol-enhanced motor fuel.
- 10:10 a.m. **SB 136**, relative to the rights of the immediate family of crime victims.
- EXECUTIVE SESSION MAY FOLLOW**

WAYS AND MEANS, Room 100, SH

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

- 9:00 a.m. **SB 152-FN-A-L**, relative to video lottery and table gaming.
- EXECUTIVE SESSION MAY FOLLOW**

TUESDAY, MARCH 5, 2013

COMMERCE, Room 101, LOB

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

1:00 p.m. **SB 91**, relative to drug use not approved by the Food and Drug Administration.
 1:20 p.m. **SB 100**, authorizing electronic payment of payroll.
 1:40 p.m. **SB 161**, relative to electronic funds transfers.
 2:00 p.m. **SB 169**, relative to non-covered services under dental insurance plans.
EXECUTIVE SESSION MAY FOLLOW

MEETINGS

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

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

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

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

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

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

TUESDAY, FEBRUARY 12, 2013

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

3:00 p.m. Rooms 302-304, LOB Regular Meeting

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

3:30 p.m. Department of Education Regular Meeting
 Room 12
 101 Pleasant Street
 Concord, NH

WEDNESDAY, FEBRUARY 13, 2013

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

10:00 a.m. Room 103, LOB Non-Public Session of the Complaint
 Review Committee

FRIDAY, FEBRUARY 15, 2013

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

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

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

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

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)

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

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

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

THURSDAY, FEBRUARY 21, 2013

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 22, 2013

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

9:00 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

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

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

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

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

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

1:30 p.m. Room 212, LOB Organizational and Regular Business Meeting

FRIDAY, MARCH 1, 2013

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

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

MONDAY, MARCH 4, 2013

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

9:00 a.m. NH Higher Education
Assistance Foundation
4 Barrell Court
Concord, NH Investment Committee Meeting

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

TUESDAY, MARCH 5, 2013

STATE VETERANS' ADVISORY COMMITTEE (RSA 115-A:2, VI)

5:00 p.m. NH National Guard
Aviation Facility
Regional Drive
Concord, NH Regular Meeting

FRIDAY, MARCH 8, 2013

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)

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

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

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

FRIDAY, MARCH 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

MONDAY, MARCH 18, 2013

NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4)

3:00 p.m. Society for the Protection of NH Forests Quarterly Meeting
54 Portsmouth 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: 3, 26, 39, 40, 46, 56, 63, 117, 123, 125, 129, 131, 133, 134, 138, 139, 141, 145, 146, 147, 148, 158, 177, 189, 190, 192

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NOTICES

FRIDAY, FEBRUARY 8, 2013 AND WEDNESDAY, FEBRUARY 13, 2013

Legislators interested in learning more about the New Hampshire Retirement System are invited to attend a general information session at the NHRS Office, 54 Regional Drive, Concord. These sessions – not to be confused with the benefit information sessions regularly offered for members – are intended to serve as “NHRS 101,” providing a broad, factual overview of the retirement system. The presentation is the same as one that has been given to some House committees in recent weeks. Sessions have been scheduled for Friday, February 8th, at 10:00 a.m., and Wednesday, February 13th, at 4:30 p.m. Both sessions are also open to the general public. The presentations are expected to last between 60 and 75 minutes. Seating is limited, so pre-registration is encouraged. RSVP by contacting Marty Karlon, Public Information Officer, at 410-3594 or marty.karlon@nhrs.org.

Senator Sharon M. Carson

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MONDAY, FEBRUARY 11, 2013

All Legislators are invited to a free forum by Fix the Debt NH and the Concord Coalition, entitled **SOLVING THE DEBT CRISIS: What Must Be Done Now to Save New Hampshire and the United States from Bankruptcy**. New Hampshire native and Honeywell CEO David Cote will be the keynote speaker. He will describe the challenges facing Congress and the action we must take in New Hampshire. State and local members of Fix the Debt will also describe the importance of resolving the debt issue. The forum will be held February 11, 2013 at 11:00 a.m. at the Institute of Politics at Saint Anselm College.

Senator Peter Bragdon, Senate President
Senator Lou D'Allesandro

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WEDNESDAY, FEBRUARY 20, 2013

All legislators and staff are cordially invited to attend the N.H. State Departments Expo at the State Library at 20 Park Street (across from the State House) from 9:00 a.m. to 3:00 p.m. on February 20th. Departments from across state government will have informational displays set up as well as staff and leadership personnel on hand to discuss and answer general questions about the work they do and the constituents they serve.

Senator Sharon M. Carson

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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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WEDNESDAY, MARCH 6, 2013

Water's Worth It! All legislators and staff are invited to enjoy a hearty breakfast and learn more about New Hampshire's water infrastructure on Wednesday, March 6th at 7:00 a.m. at the Holiday Inn, Main Street, Concord. During the breakfast, water quality professionals will present information on drinking water, wastewater treatment, and stormwater management in NH with an emphasis on aging infrastructure, sustainable funding, challenging regulations, and why maintaining high quality water resources in NH is critical to our health and economy.

Senator Jeanie Forrester

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TUESDAY, MARCH 19, 2013

The American Red Cross cordially invites all Legislative members and staff to the Annual State House Complex Blood Drive. The blood drive will take place on Tuesday, March 19th from 9:00 a.m. to 3:00 p.m. The American Red Cross state of the art self-contained coach will be parked out in front of the State House for this event. Give Blood and you could help save three lives. Appointments are strongly encouraged. To schedule an appointment, please call the State House Health Services, ext. 2757.

In the past, the blood drive has had overwhelming support - please help to make this the best year ever!

Senator Nancy F. Stiles

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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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