

August 27, 2015
No. 33

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



**First Year of the 164th Session of the
New Hampshire General Court**

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON
WEDNESDAY, SEPTEMBER 16, 2015 AT 1:00 P.M.**

EXECUTIVE SESSIONS

THURSDAY, SEPTEMBER 10, 2015

WAYS AND MEANS, Room 100, SH

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

10:00 a.m.

EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILLS

SB 89, relative to the revenue of cigar bars.

SB 121, relative to definitions used for purposes of current use taxation.

SB 239, relative to application of the Internal Revenue Code to provisions of the business profits tax.

WEDNESDAY, SEPTEMBER 16, 2015

CAPITAL BUDGET, Room 100, SH

Sen. Daniels (C), Sen. Boutin (VC), Sen. Forrester, Sen. D'Allesandro, Sen. Kelly

11:00 a.m.

EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILLS

SB 206-FN-A, making a capital appropriation for a facility in Milford for a circuit court and a division of motor vehicles office.

SB 224-FN-A, making a capital appropriation for the Valley Regional Hospital in Claremont to construct an involuntary commitment mental health facility.

ENERGY AND NATURAL RESOURCES, Room 100, SH

Sen. Bradley (C), Sen. Little (VC), Sen. Sanborn, Sen. Fuller Clark, Sen. Feltes

3:00 p.m.

EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILLS

SB 26-FN, relative to the electric renewable portfolio standard.

SB 260-FN, relative to the authority of the public utilities commission to regulate telecommunications service providers.

Please Note: The committee will meet at 3:00 p.m. or immediately following Senate Session.

MEETINGS

FRIDAY, AUGUST 28, 2015

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

9:30 a.m.

Rooms 301-303, LOB

Regular Meeting

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

9:30 a.m.

Room 204, LOB

Regular Meeting

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

10:00 a.m.

NH Hospital
Bachelder Conference Room
36 Clinton Street
Concord, NH

Regular Meeting

COMMISSION TO STUDY MENTAL HEALTH IMPLEMENTATION IN NEW HAMPSHIRE (RSA 135-C:63-b)

1:00 p.m.

Room 205, LOB

Regular Meeting

MONDAY, AUGUST 31, 2015

CONTINUING RESOLUTION WORK GROUP: SUNUNU YOUTH SERVICES CENTER TRANSFORMATION PLAN

1:00 p.m.

Room 100, SH

Work Session

TUESDAY, SEPTEMBER 1, 2015

COMMITTEE TO STUDY METHODS OF ADOPTING OF A FINAL BUDGET IN TOWNS THAT HAVE ADOPTED OFFICIAL BALLOT VOTING (SB 242, Chapter 182:1, Laws of 2015)

9:00 a.m.

Room 306, LOB

Regular Meeting

COMMITTEE TO STUDY POWDERED OR CRYSTALLINE ALCOHOL (SB 99, Chapter 276:6, Laws of 2015)

10:00 a.m.

Room 302, LOB

Organizational Meeting

GAMES FOR CHARITY STUDY COMMISSION (RSA 284:6-b)

10:00 a.m.

Walker Building, Room 100
21 Fruit Street
Concord, NH

Regular Meeting

COMMITTEE TO STUDY THE USE OF ABANDONED RAILROAD BEDS FOR RECREATIONAL PURPOSES (SB 80, Chapter 116:1, Laws of 2015)

2:30 p.m.

Room 103, LOB

Regular Meeting

WEDNESDAY, SEPTEMBER 2, 2015

COMMISSION TO STUDY ISSUES RELATING TO STUDENTS RECEIVING SPECIAL EDUCATION SERVICES WHILE ATTENDING A CHARTERED PUBLIC SCHOOL (RSA 186-C:30)

9:30 a.m.

Room 207, LOB

Regular Meeting

COMMITTEE TO STUDY ISSUES CONCERNING PARKING FOR THOSE WITH WALKING DISABILITIES (SB 171, Chapter 155:1, Laws of 2015)

10:00 a.m.

Room 103, LOB

Regular Meeting

COMMITTEE TO STUDY NON-ACADEMIC SURVEYS OR QUESTIONNAIRES ADMINISTERED BY A PUBLIC SCHOOL TO ITS STUDENTS (HB 206, Chapter 161:1, Laws of 2015)

11:00 a.m.

Room 102, LOB

Organizational Meeting

THURSDAY, SEPTEMBER 3, 2015

COMMITTEE TO STUDY PUBLIC ACCESS TO POLITICAL CAMPAIGN INFORMATION

(SB 92, Chapter 151:1, Laws of 2015 and HB 304, Chapter 66:1, Laws of 2015)

9:30 a.m.

Room 100, SH

Organizational Meeting

COMMISSION TO STUDY REVENUE ALTERNATIVES TO THE ROAD TOLL FOR ELECTRIC-POWERED AND HYBRID VEHICLES FOR THE FUNDING OF IMPROVEMENTS TO THE STATE'S HIGHWAYS AND BRIDGES (RSA 21-J:48)

10:00 a.m.

Room 201, LOB

Organizational Meeting

COMMITTEE TO STUDY THE FORMULA FOR DISTRIBUTION OF MEALS AND ROOMS TAX REVENUES (SB 213, Chapter 181:1, Laws of 2015)

1:00 p.m.

Room 103, LOB

Regular Meeting

TUESDAY, SEPTEMBER 8, 2015

COMMISSION ON USE OF POLICE PERSONNEL FILES (RSA 105:13-c)

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

COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k)

10:00 a.m. Room 102, LOB Organizational Meeting

COMMITTEE TO STUDY THE CREATION OF A SPECIAL VILLAGE DISTRICT IN DANBURY (HB 486, Chapter 240:3, Laws of 2015)

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

COMMISSION TO STUDY THE STANDARDS FOR COLLABORATIVE PHARMACY PRACTICE (RSA 318:16-c)

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

COMMISSION TO STUDY THE EXPANSION OF RIGHTS OF DEFENSE AND INDEMNIFICATION UNDER RSA 99-D TO PROCEEDINGS AGAINST STATE EMPLOYEES BEFORE PROFESSIONAL LICENSING BOARDS (RSA 99-D:10)

10:30 a.m. Room 100, SH Organizational Meeting

COMMISSION TO STUDY OVERSIGHT, REGULATION, AND REPORTING OF PATIENT SAFETY AND INFECTIOUS DISEASE PREVENTION AND CONTROL ISSUES IN HEALTH CARE SETTINGS (RSA 126-A:68)

11:00 a.m. Room 201, LOB Organizational Meeting

COMMITTEE TO STUDY GOVERNMENT IMMUNITY FROM SUIT AND ACCOUNTABILITY BY ITS CITIZENS (SB 41, Chapter 175:1, Laws of 2015)

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

COMMISSION TO STUDY THE ECONOMIC IMPACT OF THE ARTS AND CULTURE IN NEW HAMPSHIRE (RSA 19-A:14)

3:00 p.m. Room 302, LOB Regular Meeting

THURSDAY, SEPTEMBER 10, 2015

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

9:30 a.m. Room 305, LOB ASB Subcommittee on
HB 547, 2015 Session

CONTINUING RESOLUTION WORK GROUP: HEALTH AND HUMAN SERVICES

12:30 p.m. Room 100, SH Regular Meeting

CONTINUING RESOLUTION WORK GROUP: CITIES AND TOWNS

1:30 p.m. Room 103, SH Work Session

FRIDAY, SEPTEMBER 11, 2015

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

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

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

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

COMMISSION TO STUDY PATHWAYS TO ORAL HEALTH CARE IN NEW HAMPSHIRE (RSA 317-A:21-f)

2:00 p.m. Room 101, LOB Regular Meeting

MONDAY, SEPTEMBER 14, 2015

NH COURT ACCREDITATION COMMISSION (RSA 490:5-a)

1:00 p.m.	NH Supreme Court One Charles Doe Drive Concord, NH	Regular Meeting
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TASK FORCE ON WORK AND FAMILY (RSA 276-B:2, I)

1:15 p.m.	Room 207, LOB	Regular Meeting
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NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2)

2:00 p.m.	Walker Building, Room 330 21 South Fruit St. Concord, NH	Regular Meeting
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ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21)

3:00 p.m.	Room 100, SH	Regular Meeting
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TUESDAY, SEPTEMBER 15, 2015

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2, I)

9:00 a.m.	NH Fish & Game 11 Hazen Drive Concord, NH	Field Trip
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COMMITTEE TO STUDY IMPROVING THE EFFICIENCY OF THE FINANCIAL APPROVAL PROCESS FOR HOUSING SUBDIVISIONS USED BY THE DEPARTMENT OF JUSTICE (HB 175, Chapter 8:1, Laws of 2015)

9:30 a.m.	Room 307, LOB	Organizational Meeting
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COMMITTEE TO STUDY STATE PROCUREMENT (HB 1331, Chapter 221:4, Laws of 2014)

10:00 a.m.	Room 103, SH	Regular Meeting
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COMMISSION ON RURAL AFFAIRS (RSA 9-A:5)

10:30 a.m.	Rooms 303, LOB	Regular Meeting
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COMMITTEE TO STUDY THE DEFINITION OF "EMPLOYEE" AND THE APPLICATION OF THAT DEFINITION TO PERSONS WHO WORK EXCLUSIVELY AT HOME VIA THE INTERNET FOR ONLINE BUSINESS ACTIVITIES (HB 361, Chapter 138:2, Laws of 2015)

11:00 a.m.	Room 307, LOB	Organizational Meeting
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EMERGENCY MANAGEMENT SYSTEM JOINT LEGISLATIVE OVERSIGHT COMMITTEE (RSA 21-P:51)

11:00 a.m.	Room 205, LOB	Regular Meeting
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COMMITTEE TO STUDY THE FORMULA FOR DISTRIBUTION OF MEALS AND ROOMS TAX REVENUES (SB 213, Chapter 181:1, Laws of 2015)

12:30 p.m.	Room 103, LOB	Regular Meeting
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COMMITTEE TO STUDY THE LAWS RELATING TO CONDOMINIUM AND HOMEOWNERS' ASSOCIATIONS (RSA 356-B:70)

1:00 p.m.	Room 205, LOB	Organizational Meeting
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COMMITTEE TO STUDY THE USE OF ABANDONED RAILROAD BEDS FOR RECREATIONAL PURPOSES (SB 80, Chapter 116:1, Laws of 2015)

2:30 p.m.	Room 103, LOB	Regular Meeting
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COUNCIL FOR YOUTHS WITH CHRONIC CONDITIONS (RSA 126-J:1)

6:00 p.m.	Upham-Walker House 18 Park Street Concord, NH	Regular Meeting
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THURSDAY, SEPTEMBER 17, 2015

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

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

COMMISSION ON POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D)

2:30 p.m. Rooms 206-208, LOB Regular Meeting

FRIDAY, SEPTEMBER 18, 2015

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a)

9:00 a.m. PUC Office Regular Meeting
21 South Fruit Street
Concord, NH

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

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

MOUNT WASHINGTON COMMISSION (RSA 227-B:3)

10:00 a.m. Tip Top House Regular Meeting
Mount Washington State Park
Auto Road
Jackson, NH

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

10:30 a.m. Room 101, LOB Adjudicatory Hearing
1:00 p.m. Room 101, LOB Full Board Meeting
(Time Permitting)

COMMITTEE TO STUDY PUBLIC-PRIVATE PARTNERSHIPS FOR INTERMODAL TRANSPORTATION (SB 88, Chapter 184:1, Laws of 2015)

1:30 p.m. Room 102, LOB Regular Meeting

MONDAY, SEPTEMBER 21, 2015

COMMITTEE TO STUDY THE FUNDING OF STATE AID GRANTS UNDER RSA 486, RSA 486-A, AND RSA 149-M (HB 511, Chapter 15:1, Laws of 2015)

11:00 a.m. Room 305, LOB Regular Meeting

INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2)

1:30 p.m. Room 204, LOB Regular Meeting

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q)

1:30 p.m. Room 205, LOB Regular Meeting

TUESDAY, SEPTEMBER 22, 2015

JOINT COMMITTEE ON DEDICATED FUNDS (RSA 6:12-i)

1:00 p.m. Room 202, LOB Organizational Meeting

DEPARTMENT OF ENVIRONMENTAL SERVICES; SENATE ENERGY AND NATURAL RESOURCES; HOUSE RESOURCES, RECREATION AND DEVELOPMENT (Joint hearing required by HB 102, Chapter 201:20 (b), Laws of 2009)

4:30 p.m. Milford Police Training Joint Public Hearing on the
and Community Room Implementation of the Protected
19 Garden Street Instream Flow Levels and Water
Milford, NH Management Plans for the
Souhegan River

(Please Note: This Public Hearing will be conducted by DES personnel. If you have any questions please contact Ted Diers of DES at (603) 271-3289 or ted.diers@des.nh.gov)

WEDNESDAY, SEPTEMBER 23, 2015

DEPARTMENT OF ENVIRONMENTAL SERVICES; SENATE ENERGY AND NATURAL RESOURCES; HOUSE RESOURCES, RECREATION AND DEVELOPMENT (Joint hearing required by HB 102, Chapter 201:20 (b), Laws of 2009)

6:30 p.m.	Fish & Game Region 3 Office 225 Main Street Durham, NH Lamprey River	Joint Public Hearing on the Implementation of the Protected Instream Flow Levels and Water Management Plans for the
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(Please Note: This Public Hearing will be conducted by DES personnel. If you have any questions please contact Ted Diers of DES at (603) 271-3289 or ted.diers@des.nh.gov)

THURSDAY, SEPTEMBER 24, 2015

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

9:30 a.m.	Room 305, LOB	ASB Subcommittee on HB 547, 2015 Session
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COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T)

2:00 p.m.	NH Medical Society 7 North State Street Concord, NH	Regular Meeting
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FRIDAY, SEPTEMBER 25, 2015

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

9:30 a.m.	Room 204, LOB	Regular Meeting
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FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)

10:00 a.m.	Rooms 210-211, LOB	Regular Business
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BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m.	Room 307, LOB	Regular Meeting
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THERAPEUTIC USE OF CANNABIS ADVISORY COUNCIL (RSA 126-X:9)

1:00 p.m.	Room 205, LOB	Regular Meeting
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MONDAY, SEPTEMBER 28, 2015

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

9:00 a.m.	Room 305, LOB	Regular Meeting
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TUESDAY, SEPTEMBER 29, 2015

COMMITTEE TO STUDY THE USE OF ABANDONED RAILROAD BEDS FOR RECREATIONAL PURPOSES (SB 80, Chapter 116:1, Laws of 2015)

2:30 p.m.	Room 103, LOB	Regular Meeting
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WEDNESDAY, SEPTEMBER 30, 2015

JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1)

10:00 a.m.	Room 100, SH	Regular Meeting
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THURSDAY, OCTOBER 1, 2015

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

9:00 a.m.	Rooms 305-307, LOB	Continued Meeting
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TUESDAY, OCTOBER 6, 2015

COMMITTEE TO STUDY LIMITING THE SULFUR CONTENT OF LIQUID FUELS (SB 208, Chapter 37:2, Laws of 2015)

9:00 a.m.

Room 101, LOB

Regular Meeting

COMMITTEE TO STUDY CERTAIN ISSUES RELATIVE TO THE CONTROLLED DRUG PRESCRIPTION HEALTH AND SAFETY PROGRAM (SB 31, Chapter 48:10, Laws of 2015)

10:00 a.m.

Room 101, LOB

Regular Meeting

COMMITTEE TO STUDY THE USE OF LAW ENFORCEMENT DETAILS AND FLAGGERS FOR TRAFFIC CONTROL ON MUNICIPALLY MAINTAINED ROADS (SB 234, Chapter 81:1, Laws of 2015)

11:00 a.m.

Room 101, LOB

Regular Meeting

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2015 PENDING VETO MESSAGES:

SENATE BILLS: 101, 116, 169, 179

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2015 BILLS REREFERRED TO COMMITTEE:

SENATE BILLS: 3, 4, 18, 25, 26, 27, 59, 61, 66, 89, 100, 109, 121, 127, 128, 129, 131, 138, 140, 147, 150, 152, 158, 165, 175, 177, 184, 193, 197, 198, 206, 210, 224, 226, 237, 239, 246, 256, 257, 260, 263

HOUSE BILLS: 141, 192, 195, 216, 285, 331, 346, 353, 380, 383, 427, 458, 463, 502, 521, 529, 555, 560, 593, 606, 613, 628, 645, 689

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2015 BILLS REMAINING ON THE TABLE:

SENATE BILLS: 1, 2, 6, 34, 37, 42, 79, 87, 95, 107, 130, 156, 185, 196, 201, 205, 212, 215, 217, 220, 228, 229, 233, 253

HOUSE BILLS: 227, 276, 403, 411, 563, 618, 658

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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 2015 BILLS:

SENATE BILLS: 1, 2, 8, 20, 25, 29, 30, 34, 39, 40, 84, 93, 104, 106, 108, 112, 113, 114, 115, 116, 117, 120, 125, 132, 133, 135, 138, 151, 157, 169, 186, 188, 190, 191, 192, 195, 202, 203, 205, 210, 211, 213, 214, 216, 217, 221, 227, 228, 229, 230, 238, 239, 256, 258, 259, 260, 261, 265

HOUSE BILLS: 25, 108, 109, 177, 200, 206, 216, 255, 258, 305, 364, 380, 391, 422, 450, 455, 476, 521, 550, 553, 554, 564, 572, 577, 584, 593, 597, 614, 616, 618, 628, 648, 681

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ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2015 BILLS:

SENATE BILLS: 11, 14, 20, 29, 38, 46, 55, 56, 60, 80, 86, 99, 104, 106, 111, 112, 116, 119, 124, 125, 132, 134, 161, 170, 171, 179, 187, 188, 190, 191, 192, 194, 202, 221, 232, 244, 266, SCR 1

HOUSE BILLS: 1, 2, 25, 119, 126, 130, 142, 153, 158, 175, 190, 212, 219, 225, 275, 279, 292, 310, 333, 336, 358, 361, 391, 407, 408, 422, 425, 455, 460, 464, 467, 468, 484, 486, 506, 508, 520, 522, 550, 572, 577, 584, 599, 607, 662, 664, 666

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NOTICES

WEDNESDAY, SEPTEMBER 9, 2015

The New Hampshire Fiscal Policy Institute will be hosting a presentation “Kansas Tax Cuts: Lessons for New Hampshire” on Wednesday, September 9th, from 12:00 p.m. to 1:30 p.m. at St. Paul’s Episcopal Church - Ordway Hall, 21 Centre Street, Concord, NH 03301. A light lunch will be provided. The presentation will outline the wide-reaching impact tax cuts are having on Kansas’s ability to attract and grow businesses and provide essential services, and the challenges facing the state in the years ahead. Presenters include Duane Goossen, former seven-term member of the Kansas House of Representatives and Kansas state budget director from 1998 to 2010, and Annie McKay, executive director of the Kansas Center for Economic Growth. Space is limited. To reserve your seat, please RSVP by 5:00 p.m. Friday, September 4th to events@nhfpi.org. If you have questions about the event or if you prefer to RSVP by phone, contact Kathrine Mansfield at 603-856-8963.

Senator Jeff Woodburn, Senate Minority Leader

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FRIDAY, SEPTEMBER 11, 2015

The 41st Annual Bill White & Junie Blaisdell Ceremonial & Memorial Legislative Golf Tournament for the benefit of Veterans Count, the philanthropic arm of Easter Seals NH Military & Veterans Services, is scheduled for Friday, September 11th at Beaver Meadow Golf Club located in Concord, NH. The entry fee for this annual tournament is \$80 per legislator and legislative staff and \$100 for all others. Entry fees must be received by Friday, September 4th.

Registration begins at 7:15 a.m. and the shotgun start is scheduled for 8:30 a.m. The format is a “Scramble”.

Sign-up as a foursome or sign-up by yourself in order to be placed in a foursome (subject to availability of open slots).

Please return your completed entry form and payment no later than Friday, September 4th. (Please note that, for planning purposes, payment must be made no later than Friday, September 4th. All entry forms received after Friday, September 4th will be assessed a \$25 late admittance fee per player. Cancellation must occur two weeks prior to the tournament date to receive a refund).

Checks should be made payable to: NH Legislative Golf Committee.

Mailed to: Bob Blaisdell, Demers & Blaisdell, Inc., 72 North Main Street, Suite 301, Concord, NH 03301.

41st Annual Bill White & Junie Blaisdell Ceremonial & Memorial Legislative Golf Tournament Beaver Meadow Golf Course, Concord, NH

Names of Players:

1. _____
2. _____
3. _____
4. _____

Telephone: _____ Amount Enclosed: _____

Senator Chuck W. Morse, Senate President

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THURSDAY, SEPTEMBER 17, 2015 AND FRIDAY, SEPTEMBER 18, 2015

Health Services is inviting you to be refreshed or trained in CPR for adult, child and infant; use of automatic external defibrillator (AED) for adult and child; and basic first aid. Classes will be held in Room 308 of the LOB on Thursday, September 17th and Friday, September 18th with two sessions available each day, one at 8:30 a.m. to 12:00 p.m. and one at 1:00 p.m. to 4:30 p.m. One small class in CPR/AED can save a life. Please contact the Health Services Office at 271-2757 to reserve a spot.

Senator Nancy F. Stiles

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LEGISLATIVE ETHICS COMMITTEE

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

**Advisory Opinion 2015-2
Response to a Request for an Advisory Opinion
from Senator Jeb Bradley
(August 7, 2015)**

Senator Jeb Bradley has requested an Advisory Opinion about whether, consistent with applicable statutes and the Ethics Guidelines, he and other members of the General Court may accept complimentary meals, beverages, and lodging, associated with attendance at a proposed “Legislative Leadership Summit,” organized and sponsored by the Business and Industry Association of New Hampshire (BIA).

According to information provided to the Committee by Senator Bradley, the Summit would be held on an annual or biennial basis and would involve state legislators, the governor and some state agency heads, and members of the business community. About 50-60 guests would be invited and the estimated value of the expenses to be underwritten by the BIA would be approximately \$600 per invitee. His request states that the purpose of the Summit would be: “1) to engage in a robust exchange of information and ideas between elected and appointed state public policy leaders and business leaders around several important issues areas affecting businesses, large and small, such as New Hampshire’s tax structure, energy supply and cost, healthcare availability and expense, etc.; and 2) to create an atmosphere where elected and appointed state public policy leaders and business leaders can build friendly, respectful relationships in a less formal, relaxed setting.” Senator Bradley provided an example of an agenda illustrating the public policy subjects that would be discussed.

Under RSA 15-B:3, “Gifts” to legislators are generally prohibited, unless specifically exempted by law. Unless specifically exempted, money payments to legislators by third persons are prohibited. Also prohibited are transfers by third persons to legislators of items of value other than money, unless the item is worth less than \$25.00, or otherwise qualifies for a specific statutory exemption from the definition of “gift.” Since the BIA estimates that the value of the complimentary meals, beverages, and lodging would be approximately \$600, the question becomes whether acceptance of the complimentary items would qualify for a specific exemption.

Senator Bradley’s request suggests that acceptance of the complimentary items would qualify for exemption from the definition of “gift” under the specific exemption set forth in RSA 15-B:2,V(b)(10)(B), allowing acceptance of meals, beverages, lodging, or transportation associated with attendance at any event where the legislator is attending in his/her official capacity representing the senate or house.

In the Committee’s previous interpretations of RSA 15-B:2,V(b)(10)(B), we have presumed that the Senate President is representing the Senate when attending an event in an official capacity (Advisory Opinion 2011-3), and we held that the same presumption would apply to the Speaker of the House (Advisory Opinion 2013-3). But as we stated, merely because other legislators might be invited to attend an event in their official capacity does not satisfy the additional requirement that in attending, they would be “representing” the body they belong to, unless they have been granted specific authority to do so. (Advisory Opinion 2013-3). Absent such specific authority, the statutory requirements for the RSA 15-B:2,V(b)(10)(B) exemption would not be met.

However, legislators may accept payment for the cost of travel to and attendance at an event if the payment qualifies as an “expense reimbursement.” This exemption does not require payment directly to the legislator, or that the expenses be prepaid by the legislator. It is also available for costs that are waived, forgiven, reduced, or prepaid by a third party, and can include the costs of attendance, registration, travel, meals, or lodging. The exemption applies only where the event is a *bona fide* conference, meeting, seminar,

or educational or informational program that relates to the legislator's duties. As we have held, the event must offer, as a genuine and central element, organized learning about subjects that are or may become the focus of legislative activity in New Hampshire. See Interpretive Ruling 2013-1.

Based on the information provided by Senator Bradley about the proposed Summit's purpose and activities, the event, as described, would qualify as a *bona fide* conference, meeting, seminar or educational or informational program.

Accordingly, the Committee advises that acceptance by legislators of complimentary meals, beverages, and lodging, associated with attendance at the proposed Summit would qualify for exemption from the prohibition on "Gifts" under RSA 15-B:3, as "Expense Reimbursement" under RSA 15-B:5.

Legislators must report their acceptance of the complimentary items received at the Summit in accordance with RSA 15-B:6.

We appreciate the opportunity to be of assistance.

Donna Sytek, Chairman
 Senator Sharon M. Carson, Vice Chairman
 Representative Janet G. Wall
 Senator Martha Fuller Clark
 Representative David A. Welch
 Honorable John A. Graham
 Attorney David H. Bradley

For the Committee,
 Donna Sytek
 Chairman

[Vote: 7-0]

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SENATE SCHEDULE

Monday, September 07, 2015	Labor Day (State Holiday)
Tuesday, October 13, 2015	First day to file legislation for 2016 Senate Session.
Tuesday, November 03, 2015	Deadline for the Office of Legislative Services to accept drafting of a Senate Bill, Senate Concurrent Resolution, or Senate Joint Resolution with complete information for the 2016 Session.
Wednesday, November 11, 2015	Veterans' Day (State Holiday)
Thursday, November 26, 2015	Thanksgiving Day (State Holiday)
Friday, November 27, 2015	Day after Thanksgiving (State Holiday)
Tuesday, December 01, 2015	Deadline for prime sponsors to sign off on legislation.
Tuesday, December 08, 2015	Deadline for co-sponsors to sign off on legislation.
Friday, December 25, 2015	Christmas Day (State Holiday)