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No. 1

# STATE OF NEW HAMPSHIRE

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**Second Year of the 164<sup>th</sup> Session of the  
New Hampshire General Court**

## SENATE CALENDAR

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**THE SENATE WILL MEET IN SESSION ON THURSDAY, JANUARY 14, 2016  
AT 10:00 A.M.**

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## **CONSENT CALENDAR REPORTS**

### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 210-FN**, relative to regulation of septic system evaluators.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

This legislation as amended creates the Board of Septic System Evaluators.

## **REGULAR CALENDAR REPORTS**

### **COMMERCE**

**SB 131-FN**, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies.

Inexpedient to Legislate, Vote 4-1.

Senator Prescott for the committee.

**HB 353**, relative to the governance of condominium unit owners' associations.

Ought to Pass with Amendment, Vote 4-1.

Senator Bradley for the committee.

### **EDUCATION**

**SB 152**, requiring the state police to disclose the results of a criminal records check to school officials.

Ought to Pass with Amendment, Vote 4-0.

Senator Kelly for the committee.

### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

Ought to Pass with Amendment, Vote 3-2.

Senator Reagan for the committee.

**SB 237-FN**, establishing a reporting requirement for gubernatorial inauguration contributions.

Ought to Pass with Amendment, Vote 4-1.

Senator Carson for the committee.

**HB 606-FN-L**, relative to costs for public records filed electronically.

Ought to Pass with Amendment, Vote 4-0.

Senator Carson for the committee.

### **FINANCE**

**SB 27-FN**, relative to the department of corrections industries inventory account.

Inexpedient to Legislate, Vote 3-2.

Senator Little for the committee.

**SB 61-FN-A**, relative to funding for the New Hampshire agricultural lands program.

Inexpedient to Legislate, Vote 4-1.

Senator Reagan for the committee.

**SB 138-FN**, relative to claims arising from clinical services provided to the department of corrections.

Inexpedient to Legislate, Vote 3-2.

Senator Little for the committee.

**SB 256-FN**, authorizing certain expenditures by the department of transportation.

Inexpedient to Legislate, Vote 5-0.

Senator D'Allesandro for the committee.

**HB 216-FN**, relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board.

Ought to Pass, Vote 3-2.

Senator Little for the committee.

**HB 521**, relative to the size of the pool of the workers' compensation appeals board.

Inexpedient to Legislate, Vote 4-1.

Senator D'Allesandro for the committee.

## **PUBLIC AND MUNICIPAL AFFAIRS**

**HB 502**, relative to petitions for verification of checklists.

Ought to Pass, Vote 4-1.

Senator Stiles for the committee.

# **AMENDMENTS**

Senate Executive Departments and Administration

January 6, 2016

2015-3067s

10/06

## **Amendment to SB 129-FN**

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Retirement System; Optional Allowances; Termination. Amend RSA 100-A:13, II by inserting after subparagraph (b) the following new subparagraph:

(c) Any retired member who has elected option 2, 3, or 4, and has designated a single, non-spouse beneficiary, may at any time prior to the death of the beneficiary terminate such elected option without the consent of the beneficiary by signing and filing with the board a form designated by the board. Upon termination, the allowance received under the elected option shall be converted to the retirement allowance that would have been payable in the absence of such election. Any supplemental allowance, or COLAs, granted to the retiree and effective before the date of termination of the option shall continue in effect and shall not be adjusted as a result of the termination. Such termination shall become effective, and payment of the converted allowance shall commence, on the first day of the month following receipt of such form by the board. If the retiree dies after giving notice of such termination but before the effective date, the notice shall be deemed valid, the previously elected option shall terminate as of the date of the retiree's death, and no survivor annuity shall be paid pursuant to the previously elected option.

2015-3067s

## **AMENDED ANALYSIS**

This bill allows a retired member of the retirement system to terminate the designation of a single, non-spouse beneficiary to receive an optional allowance.

Senate Education

September 22, 2015

2015-2412s

04/03

## **Amendment to SB 152**

Amend RSA 189:13-a, III as inserted by section 1 of the bill by replacing it with the following:

III. The school administrative unit, school district, chartered public school, or public academy shall submit the criminal history records release form to the New Hampshire state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. ~~The state police shall examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of volunteer services in that school administrative unit, school district, chartered public school, or public academy, and shall report the presence or absence of any such crime to the school administrative unit, school district, chartered public school, or public academy. Under no circumstances shall the criminal records be released to the school administrative unit, school district, chartered public school, or public acad-~~

~~emy.] Upon completion of the criminal records check, the division of state police shall release a copy of the records check to the school administrative unit, school district, chartered public school, or public academy.~~ The school administrative unit, school district, chartered public school, or public academy shall maintain the confidentiality of all criminal history records information received ~~[pursuant to this paragraph]~~. If the criminal history records information indicates no criminal record, the school administrative unit, school district, chartered public school, or public academy shall destroy the information received immediately following its review of the information. If ~~[the criminal history records information indicates that]~~ the applicant has been convicted of a ~~[felony or has been charged pending disposition for or convicted of a]~~ crime listed in paragraph V, the school administrative unit, school district, chartered public school, or public academy shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such charges pending disposition or convictions. The school administrative unit, school district, chartered public school, or public academy shall destroy any criminal history record information that indicates a criminal record within 30 days of receiving such information.

Senate Executive Departments and Administration  
January 6, 2016  
2015-3066s  
10/06

### **Amendment to SB 210-FN**

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Office of Professional Licensure and Certification; Board of Septic System Evaluators. Amend RSA 310-A:1-a, I by inserting after subparagraph (q) the following new subparagraph:

(r) Septic system evaluators under RSA 310-A:206.

Amend RSA 310-A:206, I as inserted by section 2 of the bill by replacing it with the following:

I. A board of septic system evaluators is established to administer the provisions of this subdivision. The board shall consist of 5 persons, as follows:

(a) One member shall be a sewage disposal system designer permitted under RSA 485-A:35, appointed by the governor and council. The system designer member shall hold a current and valid New Hampshire septic system evaluator license and shall have actively practiced septic system evaluations for a minimum of 3 years prior to appointment.

(b) One member shall be a sewage disposal system installer permitted under RSA 485-A:36, appointed by the governor and council. The system installer member shall hold a current and valid New Hampshire septic system evaluator license and shall have actively practiced septic system evaluations for a minimum of 3 years prior to appointment.

(c) One member shall be a septage hauler permitted under RSA 485-A:4, XVI-a, appointed by the governor and council. The septage hauler member shall hold a current and valid New Hampshire septic system evaluator license and shall have actively practiced septic system evaluations for a minimum of 3 years prior to appointment.

(d) One public member, appointed by the governor and council. The public member of the board shall be a person who is not, and never was, a septic system evaluator or the spouse of any such person, and who does not have, and never has had, a material financial interest in the provision of septic system design, installation, or evaluation services.

(e) The commissioner of the department of environmental services, or designee.

Amend RSA 310-A:206, VII as inserted by section 2 of the bill by replacing it with the following:

VII. The board shall hold at least 3 regular meetings each year and special meetings at such times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-chairperson, and secretary. Three members shall constitute a quorum.

Amend RSA 310-A:207, I(f) as inserted by section 2 of the bill by replacing it with the following:

(f) Professional standards required to be met by each holder of a license under this subdivision and how disciplinary actions by the board shall be implemented for violations of these standards.

Amend RSA 310-A:207, III as inserted by section 2 of the bill by replacing it with the following:

III. At least 40 days prior to any hearing to be held pursuant to RSA 541-A:11, the board shall furnish a copy of any proposed rules or amendments thereto, to all affected professionals licensed by the board and the commissioner of the department of environmental services.

Amend RSA 310-A:210 as inserted by section 2 of the bill by replacing it with the following:

310-A:210 Eligibility Requirements for Licensure as a Septic System Evaluator.

I. Each applicant for licensure as a septic system evaluator shall meet the following minimum requirements:

- (a) Completion of classroom and field training at a board-approved evaluator course.
- (b) Proof of passing the board-adopted examination required for licensure.
- (c) Be at least 18 years of age.

(d) Submit to the board a notarized criminal history records release form as provided by the New Hampshire state police, which authorizes the release of the applicant's criminal records, if any. The applicant shall bear the cost of the criminal records check.

II. A person who currently holds a current Granite State Septic System Certified Evaluator designation or other recognized designation determined to be acceptable by the board shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An applicant under this paragraph shall be issued a license by providing evidence satisfactory to the board of such designation.

III. A person who was actively engaged in the business of septic system evaluation in this state as a means of his or her livelihood for at least 5 years and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An applicant under this paragraph shall be issued a license by providing evidence satisfactory to the board of the knowledge and experience equivalent to the requirements of subparagraphs I(a) and I(b).

IV. A person who currently holds a New Hampshire septic designer permit and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An applicant under this paragraph shall be issued a license by providing evidence satisfactory to the board of the knowledge and experience equivalent to the requirements of subparagraphs I(a) and I(b).

V. All applicants shall meet the requirements of subparagraphs I(c) and (d), pay an initial fee, and fulfill all other license application requirements.

VI. The board shall approve all education programs under subparagraph I(a) of organizations or education institutions providing acceptable education and training.

VII. The board shall have the discretion to reject an applicant who is not of good professional character, as evidenced by:

- (a) Conviction for commission of a felony;
- (b) Misstatement of facts by the applicant in connection with the application;
- (c) Violation of any of the standards of practice or code of ethics as they are set forth in this subdivision or in rules adopted by the board; or
- (d) Practicing septic system evaluations without being licensed in violation of laws of the jurisdiction in which the practice took place.

Amend RSA 310-A:212 as inserted by section 2 of the bill by replacing it with the following:

310-A:212 Continuing Education. For renewal of a license issued under this subdivision, each licensee shall participate in a program of continuing education to insure continuing professional competence. Licensees shall complete in each 2-year renewal period a minimum of 6 continuing education units in approved evaluator courses for license renewal. The requirements established by the board shall specify any reasonable approach to meeting this requirement, including but not limited to, the setting of hours, the setting of fees, and the conducting of random audits of licensees.

Amend RSA 310-A:221 as inserted by section 2 of the bill by replacing it with the following:

310-A:221 Exemptions. Nothing in this subdivision shall be construed to prevent or affect a person who is employed by a governmental entity from evaluating septic systems if the inspection is within official duties and responsibilities.

Senate Executive Departments and Administration  
January 6, 2016  
2015-3064s  
05/09

#### **Amendment to SB 237-FN**

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

1 New Subdivision; Reports by Governor-Elect. Amend RSA 664 by inserting after section 13 the following new subdivision:

#### **Reports by Governor-Elect**

664:13-a Inaugural Treasurer; Reporting Requirement.

I. Before receiving any contribution or making any expenditure for a gubernatorial inauguration, the governor-elect shall appoint an inaugural treasurer, who shall manage the funds of the inaugural committee. The name and address of such treasurer shall be reported to the secretary of state by the governor-elect not later than 2 days after the appointment.

II. No person shall make any expenditure or make or receive any contribution or receipt, in kind or otherwise, for a gubernatorial inauguration except by or through the inaugural treasurer.

III. The inaugural treasurer shall keep detailed accounts of all contributions and other receipts received, in kind or otherwise, and all expenditures made by, a gubernatorial inaugural committee. Reports of the treasurer may be inspected at the office of the secretary of state and shall be held in original form for 6 years from the inauguration for which they are filed, after which time they may be destroyed. No contribution or other receipt received by the inaugural treasurer shall be comingled with personal funds of the governor-elect or inaugural treasurer.

IV. The inaugural treasurer shall file an itemized statement of receipts and expenditures with the secretary of state in like manner and detail as prescribed in RSA 664:6 on March 10 and July 10 following the inauguration. The report filed on March 10 shall be for the period ending on February 28 and the report filed on July 10 shall be for the period beginning on March 1 and ending on June 30. After the July 10 filing, reports shall continue to be filed every 6 months under RSA 664:6, V on the same dates required for state elections until a zero balance is achieved. If a report is sent by certified mail on or before the day it is due, the mailing shall constitute receipt by the secretary of state.

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

Commerce  
October 27, 2015  
2015-2540s  
05/04

#### **Amendment to HB 353**

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

1 Contents of Bylaws. RSA 356-B:35 is repealed and reenacted to read as follows:

356-B:35 Contents of the Bylaws.

I. There shall be recorded simultaneously with the declaration a set of bylaws providing for the self-government of the condominium by an association of all the unit owners. The unit owners' association may be incorporated.

II. The bylaws shall provide the means by which the association shall elect a board of directors. The bylaws shall specify the powers and responsibilities of the same and the number and terms of its members. The bylaws may delegate to such board, among other things, any of the powers and responsibilities assigned

by this chapter to the unit owners' association. The bylaws shall also specify which, if any, of its powers and responsibilities the unit owners' association or its board may delegate to a managing agent. The board of directors shall have a fiduciary relationship to members of the unit owners' association.

III. The bylaws shall provide for election by the board of directors or, if the declaration requires, by the association members, of a president, treasurer, secretary, and any other officers of the association the bylaws specify.

IV. The bylaws shall specify the qualifications, powers and duties, terms of office, and manner of electing and removing board members and officers and filling vacancies.

V. The bylaws shall specify the officers who may prepare, execute, certify, and record amendments to the declaration on behalf of the association.

VI. The bylaws shall specify a method for the association members to amend the bylaws.

VII. The bylaws shall provide that the unit owners' association shall act on behalf of each unit owner in condemnation proceedings against the common areas of the condominium.

VIII. The bylaws shall contain any provision necessary to satisfy requirements of this chapter or the declaration concerning meetings, voting, quorums, and other activities of the association.

IX. The bylaws shall provide for any matter required by laws of this state other than this chapter to appear in the bylaws of organizations of the same type as the association.

X. Subject to the declaration and this chapter, the bylaws may provide for any other necessary or appropriate matters, including matters that may be adopted as rules.

XI. In any case where an amendment to the declaration is required by RSA 356-B:18, II, III, or IV, the person or persons required to execute the same shall also prepare and execute, and record simultaneously with such amendment, an amendment to the bylaws. The amendment to the bylaws shall allocate votes in the unit owners' association to new units on the same basis as was used for the allocation of such votes to the units depicted on site plans and floor plans recorded pursuant to RSA 356-B:20, I and II, or shall abolish the votes appertaining to former units, as the case may be. The amendment to the bylaws shall also reallocate rights to future common profits, and liabilities for future common expenses not specially assessed, in proportion to relative voting strengths as reflected by the said amendment.

2 Meetings, Voting Procedures, Executive Board Members and Officers. RSA 356-B:37 through 40 are repealed and reenacted to read as follows:

#### 356-B:37 Meetings.

I. Meetings of the unit owners' association shall be held in accordance with the provisions of the condominium instruments at least once each year after the formation of the association. The bylaws shall specify an officer who shall, at least 21 days in advance of any annual or regularly scheduled meeting, and at least 7 days in advance of any other meeting, provide to each unit owner notice of the time, place, and purpose or purposes of such meeting in conformity with RSA 356-B:37-a. The minimum time to give notice may be reduced or waived for a meeting called to deal with an emergency. Purposes of the meeting shall include any budget changes or proposal to remove an officer or member of the board of directors. The secretary or other duly authorized officer of the unit owners' association, who shall also be a member of the board of directors of the unit owners' association, shall prepare an affidavit which shall be accompanied by a list of the addresses of all unit owners currently on file with the association and shall attest that notice of the association meeting was provided to all unit owners on that list in a manner conforming to RSA 356-B:37-a. A copy of the affidavit and unit owners list shall be available at the noticed meeting for inspection by all owners then in attendance and shall be retained with the minutes of that meeting. The affidavit required in this section shall be available for inspection by unit owners for at least 3 years after the date of the subject meeting.

II. An association shall hold a special meeting of unit owners to address any matter affecting the unit owners or the association if its president, a majority of the board of directors, or unit owners having at least 33 percent, or any lower percentage specified in the bylaws, of the votes in the association request that the secretary call the meeting. If the association does not notify unit owners of a special meeting within 30 days after the requisite number or percentage of unit owners request the secretary to do so, the requesting members may directly notify all the unit owners of an informational meeting, the purpose of which shall be to present the issue to fellow residents and unit owners. Only matters described in the meeting notice required by RSA 356-B:37-a may be considered at a special meeting.

III. Except as otherwise provided in the bylaws, meetings of the association shall be conducted in accordance with the most recent edition of Roberts' Rules of Order Newly Revised.

IV. Unit owners shall be given a reasonable opportunity at any meeting to comment regarding any matter affecting the association.

V. The declaration or bylaws may allow for meetings of unit owners to be conducted by telephonic, video, or other conferencing process, as provided in RSA 356-B:37-b.

VI. The board of directors shall make copies of the minutes of all meetings available to the unit owners within 60 days of the meeting or 15 days of the date such minutes are approved by the board, whichever occurs first. The association may opt to provide the minutes electronically or publish them on the association website, in which case the owners shall be informed of the web address.

356-B:37-a Notice to Unit Owners. An association shall deliver any notice required to be given by the association under this chapter to any mailing or electronic mail address a unit owner designates. If the unit owner does not designate an address, the association shall deliver notices by hand delivery, United States mail postage paid, or commercially reasonable delivery service to the mailing address of each unit.

356-B:37-b Meetings by Telephonic, Video, or Other Conferencing Process. When the declaration or bylaws provides, the association, committees thereof, and the board of directors may meet by telephonic, video, or other conferencing process, provided that the requirements of RSA 356B:37-c are also met.

356-B:37-c Meetings of the Board of Directors and Committees of the Association. The following requirements apply to meetings of the board of directors and committees of the association authorized to act for the association:

I. For purposes of this section, a gathering of board members at which the board members do not conduct association business is not a meeting of the board of directors. The board of directors and its members may not use incidental or social gatherings of board members or any other method to evade the open meeting requirements of this section.

II. Not less than once each quarter, and at such additional times as may be specified in the condominium bylaws, the board of directors shall hold an open meeting during which unit owners shall be afforded a reasonable opportunity to comment on any matter affecting the association.

III. Unless the meeting is included in a schedule given to the unit owners or the meeting is called to deal with an emergency, the secretary or other officer specified in the bylaws shall give notice of each meeting of the board of directors to each board member and to the unit owners. The notice shall be given at least 10 days before the meeting and shall state the time, date, place, and agenda of the meeting.

IV. If any materials are distributed to the board of directors before the meeting, the board of directors at the same time shall make copies of those materials reasonably available to unit owners, except that the board of directors need not make available copies of unapproved minutes or matters that are to be considered in executive session.

V. In the case of self-managed community associations, meetings of the board of directors or committees expressly for purposes of implementation of decisions made in open meetings shall be exempt from the requirements of RSA 356-B:37, 356-B:37-a, and this section.

356-B:37-d Executive Session. The board of directors and association committees may hold an executive session only during a regular or special meeting of the board or a committee. No final vote or action may be taken during an executive session. An executive session may be held only to:

I. Consult with the association's attorney.

II. Discuss existing or potential litigation or mediation, arbitration, or administrative proceedings.

III. Discuss labor or personnel matters.

IV. Discuss contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated, including the review of bids or proposals, if premature general knowledge of those matters would place the association at a disadvantage or prevent public knowledge of the matter to be discussed if the board of directors or a committee determines that public knowledge would violate the privacy of any person.



### 356-B:38 Quorums.

I. Unless the condominium instruments otherwise provide, a quorum shall be deemed to be present throughout any meeting of the unit owners' association until adjourned if persons entitled to cast more than 33 1/3 percent of the votes are present at the beginning of such meeting. The bylaws may provide for a smaller percentage, not less than 25 percent, or for a larger percentage for associations having fewer than 25 units.

II. Unless the condominium instruments specify a larger majority, a quorum shall be deemed to be present throughout any meeting of the board of directors if persons entitled to cast more than 1/2 of the votes in that body are present at the beginning of such meeting.

III. If a quorum is not met for an annual meeting, the board shall reschedule the meeting within 60 days and provide proper notice and proxies.

### 356-B:39 Voting.

I. The bylaws may allocate to each unit depicted on site plans and floor plans that comply with RSA 356-B:20, I and II, a number of votes in the unit owners' association proportionate to the undivided interest in the common areas appertaining to each such unit.

II. Otherwise, the bylaws shall allocate to each such unit an equal number of votes in the unit owners' association, subject to the following exception: each convertible space so depicted shall be allocated a number of votes in the unit owners' association proportionate to the size of each such space, vis-a-vis the aggregate size of all units so depicted, while the remaining votes in the unit owners' association shall be allocated equally to the other units so depicted.

III. Since a unit owner may be more than one person, if only one of such persons is present at a meeting of the unit owners' association, that person shall be entitled to cast the votes appertaining to that unit. But if more than one of such persons is present, the vote appertaining to that unit shall be cast only in accordance with agreement of a majority in interest of the owners unless the condominium instruments expressly provide otherwise, and such consent shall be conclusively presumed if any one of them purports to cast the votes appertaining to that unit without protest being made forthwith by any of the others to the person presiding over the meeting. Since a person need not be a natural person, the word "person" shall be deemed for the purposes of this paragraph to include, without limitation, any natural person having authority to execute deeds on behalf of any person, excluding natural persons, which is, either alone or in conjunction with another person or persons, a unit owner.

IV.(a) The votes appertaining to any unit may be cast pursuant to a proxy or proxies duly executed by or on behalf of the unit owner, or, in cases where the unit owner is more than one person, by or on behalf of all such persons. The proxy or proxies shall list the name of the person who is to vote. No such proxy shall be revocable except by actual notice to the person presiding over the meeting, by the unit owner or by any of such persons, that it be revoked. Any proxy shall be void if it is not dated or if it purports to be revocable without the required notice. The proxy of any person shall be void if not signed by a person having authority, at the time of the execution thereof, to execute deeds on behalf of that person. Any proxy shall terminate automatically upon the adjournment of the first meeting held on or after the date of that proxy. The board of directors shall deliver to the unit owners, together with their notice of meeting and agenda, proxy forms bearing a control number which the board of directors shall correlate to the list of all unit owners then entitled to vote. At the noticed meeting, the board of directors shall recover all proxies and compare them to the control list maintained for that purpose. Any proxies which are on a form other than that provided by the board of directors or which do not correlate with the control list maintained by the board of directors shall be disregarded for purposes of determining whether a quorum was present at the meeting and for purposes of casting any vote at that meeting.

(b) The board of directors shall retain all proxies delivered to the board of directors and all independent written confirmation of any such proxies for inspection by the unit owners for a period of not less than 3 years from the date of the unit owners' association meeting.

V. If 50 percent or more of the votes in the unit owners' association appertain to 25 percent or less of the units, then in any case where a majority vote is required by the condominium instruments or by this chapter, the requirement for such a majority shall be deemed to include, in addition to the specified majority of the votes, assent by the unit owners of a like majority of the units.

VI. If more than 50 percent of the votes are acquired by a single person after developer control is terminated, a 2/3 majority shall be required to change bylaws, budgets, and any contracted property management.

356-B:39-a Voting Without a Meeting. Unless prohibited or limited by the declaration or bylaws, an association may conduct a vote without a meeting. In that event, the following requirements apply:

I. The association shall notify the unit owners that the vote will be taken by ballot in the manner prescribed by RSA 356-B:37-a, and deliver a paper or electronic ballot to every unit owner entitled to vote on the matter.

II. The ballot shall:

- (a) Set forth each proposed action and provide an opportunity to vote for or against the action.
- (b) Indicate the number of responses needed to meet the quorum requirements.
- (c) State the percent of votes necessary to approve each matter other than election of directors.

(d) Specify the time and date by which a ballot must be delivered to the association to be counted, which time and date may not be fewer than 10 days after the date the association delivers the ballot.

(e) Describe the time, date, and manner by which unit owners wishing to deliver information to all unit owners regarding the subject of the vote may do so.

III. Except as otherwise provided in the declaration or bylaws, a ballot is not revoked after delivery to the association by death or disability or attempted revocation by the person that cast that vote.

IV. Approval by ballot pursuant to this section is valid only if the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action.

356-B:40 Members of the Board of Directors and Officers.

I. Except as provided in the declaration, the bylaws, paragraph II, or other provisions of this chapter, the board of directors acts on behalf of the association. In the performance of their duties, officers and members of the board of directors appointed by the declarant shall exercise the degree of care and loyalty to the association required of a trustee. Officers and members of the board of directors not appointed by the declarant shall exercise the degree of care and loyalty to the association required of an officer or director of a corporation organized under RSA 292, and are subject to the conflict of interest rules governing directors and officers under RSA 292. The standards of care and loyalty described in this paragraph apply regardless of the form in which the association is organized.

II. The board of directors shall not:

- (a) Amend the declaration except as otherwise provided in this chapter.
- (b) Amend the bylaws.
- (c) Terminate the unit owners' association.

(d) Elect members of the board of directors but may fill vacancies in its membership for the unexpired portion of any term or, if earlier, until the next regularly scheduled election of executive board members.

(e) Determine the qualifications, powers, and duties, or terms of office of members of the board of directors.

II-a. An officer shall not directly receive any salary or compensation from the association for the performance of duties as an officer or board member and shall not in any other way benefit financially from service to the association.

II-b. If annually approved by a 2/3 majority of the voting interests present at a properly called meeting of the association, the association may waive the requirements of paragraph II-a.

III. The board of directors shall adopt budgets as provided in RSA 356-B:40-c.

IV. Subject to the provisions of paragraph V, the declaration may provide for a period of declarant control of the association, during which a declarant, or persons designated by the declarant, may appoint and remove the officers and members of the board of directors. A declarant may voluntarily surrender the right to appoint and remove officers and members of the board of directors before the period ends. In that event, the declarant may require during the remainder of the period that specified actions of the association or board of directors, as described in a recorded instrument executed by the declarant, be approved by the declarant before they become effective. Regardless of the period provided in the declaration, and except as provided in RSA 356-B:36, a period of declarant control terminates no later than the earliest of:

- (a) Sixty days after conveyance of 60 percent of the units that may be created to unit owners other than a declarant;
- (b) Two years after all declarants have ceased to offer units for sale in the ordinary course of business;
- (c) Two years after any right to add new units was last exercised; or
- (d) The date the declarant, after giving notice in a record to unit owners, records an instrument voluntarily surrendering all rights to control activities of the association.

V. Not later than 60 days after conveyance of 1/4 of the units that may be created to unit owners other than a declarant, at least one member and not less than 25 percent of the members of the board of directors shall be elected by unit owners other than the declarant. Not later than 60 days after conveyance of 1/2 of the units that may be created to unit owners other than a declarant, not less than 1/2 of the members of the board of directors shall be elected by unit owners other than the declarant.

VI. Not later than the termination of any period of declarant control, the unit owners shall elect a board of directors with at least 3 members, a majority of whom shall be unit owners. Unless the declaration provides for the election of officers by the unit owners, the board of directors shall elect the officers. The members of the board of directors and officers shall take office upon election or appointment.

VII. If the condominium instruments provide that any officer or officers must be unit owners, then any such officer who disposes of all of his or her units in fee or for a term or terms of more than one year shall be deemed disqualified from continuing in office unless the condominium instruments otherwise provide, or unless the officer acquires or contracts to acquire another unit in the condominium under terms giving the officer a right of occupancy thereto effective on or before the termination of the right of occupancy under such disposition or dispositions.

VIII. If the condominium instruments provide that any officer or officers must be unit owners, then notwithstanding the provisions of RSA 356-B:12, I, the term "unit owner" in such context shall, unless the condominium instruments otherwise provide, be deemed to include, without limitation, any director, officer, partner in, or trustee of any person which is, either alone or in conjunction with another person or persons, a unit owner. Any officer who would not be eligible to serve as such were he or she not director, officer, partner in, or trustee of such a person shall be deemed disqualified from continuing in office if the officer ceases to have any such affiliation with that person, or if that person would itself have been deemed to have disqualified itself from continuing in such office under paragraph I were it a natural person holding such office.

IX. Any officer is a suitable person to receive service of process in any proceeding against the association.

X. For the purpose of receipt of notification by a municipality of a local land use board hearing, the officers shall be responsible for serving as agents of the unit owners' association.

#### 356-B:40-a Managing Agent and Contractors; Disclosure of Fees; Qualifications.

I. If the unit owners' association or the board of directors has delegated certain powers and duties to a managing agent, the managing agent shall disclose any referral fees received from contract work performed on behalf of the association to the board of directors prior to the next regularly scheduled board meeting, unless the terms of any referral fees are disclosed in the managing agent's contract with the unit owners' association, in which case disclosure of fees actually received shall not be required.

II. The managing agent also shall disclose to the board of directors the amount and purpose of any fees, other than maintenance fees, received from a unit owner, unless the terms of any such fees are disclosed in the managing agent's contract with the unit owners' association, in which case disclosure of fees actually received shall not be required.

III. Any contractor licensed by the state of New Hampshire who performs work for a unit owner shall disclose on the bill any referral fee charged by the contractor.

IV. Each employee of a managing agent or condominium association shall complete a background check prior to employment. The cost of the background check shall be borne by the managing agent or the association.

#### 356-B:40-b Qualifications of Board Members and Managing Agents; Penalty for Violation.

I. No individual shall serve on the board of a condominium or homeowners association, or act as a property manager, managing agent, or management company owner if the individual has been convicted of a felony, or has had a professional license terminated or has been disbarred from the practice of law for the misappropriation or misapplication of client funds or any other financial malfeasance.

II. Any person who violates this section shall be guilty of a class A misdemeanor.

356-B:40-c Removal of Officers and Directors.

I. Notwithstanding any provision of the declaration or bylaws to the contrary, unit owners present in person or by proxy at any meeting of the unit owners at which a quorum is present, may remove any member of the board of directors and any officer elected by the unit owners, with or without cause, if the number of votes cast in favor of removal exceeds the number of votes cast in opposition to removal, provided that:

(a) A member appointed by the declarant may not be removed by a unit owner vote during the period of declarant control.

(b) The unit owners may not consider whether to remove a member of the board of directors or an officer elected by the unit owners at a meeting of the unit owners unless that subject was listed in the notice of the meeting.

II. At any meeting at which a vote to remove a member of the board of directors or an officer is to be taken, the member or officer being considered for removal shall have a reasonable opportunity to speak before the vote.

356-B:40-d Adoption of Budgets and Special Assessments.

I. The board of directors, at least annually, shall adopt a proposed budget for the unit owners' association for consideration by the unit owners. The budget shall be ratified at the annual meeting unless the bylaws provide that the board of directors may enact the budget without unit owner approval. Not later than 30 days after adoption of a proposed budget, the board of directors shall provide to all the unit owners a summary of the budget, including any reserves, and a statement of the basis on which any reserves are calculated and funded. If the budget requires ratification by the unit owners, unless 2/3 of all unit owners or any larger number specified in the declaration reject the budget, the budget is ratified, whether or not a quorum is present. If a proposed budget is rejected, the budget last ratified by the unit owners continues until the unit owners ratify a subsequent budget.

II. The board of directors, at any time, may propose a special assessment. Except as otherwise provided in paragraph III, the assessment is effective only if the board of directors follows the procedures for ratification of a budget described in paragraph I and the unit owners do not reject the proposed assessment.

III. If the board of directors determines by a 2/3 vote that a special assessment is necessary to respond to an emergency:

(a) The special assessment becomes effective immediately in accordance with the terms of the vote.

(b) Notice of the special assessment shall be provided promptly to all unit owners.

(c) The board of directors may spend the funds paid on account of the special assessment only for the purposes described in the vote.

3 Insurance; Reference Change; Insurance or Bond Required. Amend RSA 356-B:43, II to read as follows:

II. When any policy of insurance has been obtained by or on behalf of the unit owners' association, written notice of the obtainment thereof and of any subsequent changes therein or termination thereof shall be promptly furnished to each unit owner by the officer required to send notices of meetings of the unit owners' association. Such notices shall be sent in accordance with ~~the provisions of the last sentence of RSA 356-B:37~~ **RSA 356-B:37-a.**

4 Applicability.

I. A unit owners association shall have 2 years from the effective date of this act to amend or revise its bylaws and condominium instruments to comply with the requirements of this act. Any bylaws, condominium instruments, or amendments thereto, adopted after January 1, 2016 shall comply with the requirements of this act.

II. A unit owners association may amend or revise the condominium documents to comply with the requirements of RSA 356-B as amended by this act without the need to obtain mortgagee approval if the changes do not affect the mortgagee's equity or security interest in the property.

5 Effective Date. This act shall take effect January 1, 2017.

2015-2540s

## AMENDED ANALYSIS

This bill revises statutes governing the contents of condominium bylaws, meetings of the unit owners' association, and the qualifications and duties of board members.

Senate Executive Departments and Administration

January 6, 2016

2015-3065s

01/09

**Amendment to HB 606-FN-L**

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

1 Right-to-Know Law; Information Filed Electronically. Amend RSA 91-A:4, IV to read as follows:

IV. Each public body or agency shall, upon request for any governmental record reasonably described, make available for inspection and copying any such governmental record within its files when such records are immediately available for such release. If a public body or agency is unable to make a governmental record available for immediate inspection and copying, it shall, within 5 business days of request, make such record available, deny the request in writing with reasons, or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If a computer, photocopying machine, or other device maintained for use by a public body or agency is used by the public body or agency to copy the governmental record requested, the person requesting the copy may be charged the actual cost of providing the copy, which cost may be collected by the public body or agency. ***No fee shall be charged for the inspection, without copying, of governmental records, whether in paper, electronic, or other form. No fee shall be charged for the delivery of governmental records that are stored and delivered in electronic form without copying to or from paper or another separate storage medium.*** Nothing in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of governmental records or documents, but if such fee is established for the copy, no additional costs or fees shall be charged.

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

**HEARINGS*****TUESDAY, JANUARY 12, 2016*****COMMERCE**, Room 100, SH

Sen. Prescott (C), Sen. Bradley (VC), Sen. Cataldo, Sen. Soucy, Sen. Pierce

1:00 p.m. **SB 393**, relative to data privacy in the workplace.  
 1:15 p.m. **SB 300**, revising banking, credit union, and trust laws.  
 1:45 p.m. **SB 405**, making changes to the limited liability companies statutes.  
 2:15 p.m. **SB 308**, relative to the definition of small loans.  
 2:45 p.m. **SB 409-FN**, relative to the first responder's critical injury benefit.  
 3:15 p.m. **SB 411**, relative to the merger of lots that are mortgaged.  
 3:30 p.m. **EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILL**  
**SB 100**, relative to home heating fuel deliveries in the winter.  
**EXECUTIVE SESSION MAY FOLLOW**

**HEALTH AND HUMAN SERVICES**, Room 101, LOB

Sen. Sanborn (C), Sen. Kelly (VC), Sen. Avard, Sen. Carson, Sen. Fuller Clark

1:00 p.m. **EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILLS**  
**HB 195**, relative to continuing care communities.  
**HB 380**, relative to investigations of child day care agencies.

**HB 383**, relative to the immunization/vaccination registry.

**HB 593-FN**, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.

**HB 628-FN**, relative to indemnification of health care facilities under certain circumstances.

**SB 109-FN**, relative to receivership of nursing homes and other residential health care facilities.

**SB 127-FN**, relative to special conservatorships for Medicaid.

**SB 226-FN**, requiring certain notice from pharmacy benefit managers.

**JOINT SENATE – HOUSE EDUCATION COMMITTEES**, Rooms 210-211, LOB

Sen. Reagan (C), Sen. Stiles (VC), Sen. Avard, Sen. Kelly, Sen. Watters

9:00 a.m. **SB 369-FN**, requiring public schools to include drug and alcohol education as part of their health education curriculum.

**EXECUTIVE SESSION MAY FOLLOW**

**JOINT SENATE JUDICIARY AND HOUSE CRIMINAL JUSTICE COMMITTEES**, Representatives' Hall, SH

Sen. Carson (C), Sen. Cataldo (VC), Sen. Daniels, Sen. Lasky, Sen. Pierce

9:00 a.m. **SB 576-FN-A**, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the acceptance of general funds by the controlled drug prescription health and safety program, the membership of the board of medicine and prescribers of controlled drugs and making an appropriation therefor.

10:00 a.m. **SB 447-FN**, relative to the controlled drug prescription health and safety program and establishing a commission to study Narcan.

**EXECUTIVE SESSION MAY FOLLOW**

**TRANSPORTATION**, Room 103, LOB

Sen. Stiles (C), Sen. Birdsell (VC), Sen. Daniels, Sen. Watters, Sen. Feltes

1:00 p.m. **SB 364**, establishing a committee to study the feasibility of incorporating complete streets into the 10-year transportation improvement plan.

1:15 p.m. **SB 438**, relative to the aesthetic maintenance of highway intersections.

1:35 p.m. **SB 359**, relative to funding electric vehicle charging stations with municipal registration permits.

1:55 p.m. **SB 356-FN**, relative to agricultural plates for vehicles of commercial fishing operations.

2:05 p.m. **SB 357**, relative to driver's license examinations.

2:15 p.m. **SB 436**, relative to after market automobile parts.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

9:30 a.m. **EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILLS**

**HB 192**, relative to the valuation of utility property.

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

**HEARINGS**

9:45 a.m. **SB 343**, establishing a commission to study apportionment of gross business profits under the business profits tax.

10:00 a.m. **SB 444-FN**, relative to lottery retailer incentive awards.

**EXECUTIVE SESSION MAY FOLLOW**

## ***WEDNESDAY, JANUARY 13, 2016***

### **ENERGY AND NATURAL RESOURCES, Room 100, SH**

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

- 9:00 a.m. **SB 333**, relative to net energy metering.  
 9:30 a.m. **SB 378**, relative to the availability of net metering tariffs.  
 10:00 a.m. **SB 321**, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities.

**EXECUTIVE SESSION MAY FOLLOW**

### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB**

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

- 9:00 a.m. **SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.  
 9:20 a.m. **SB 330-FN**, relative to licensure of medical imaging technologists and radiation therapists.  
 9:45 a.m. **SB 335-FN-A**, transferring administration of the building code review board to the office of professional licensure and certification, and relative to appeals of decisions of the state fire marshal.  
 10:15 a.m. **SB 390-FN**, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits.  
 11:00 a.m. **SB 424-FN**, relative to licensure of alcohol and drug abuse counselors from other jurisdictions.

**EXECUTIVE SESSION MAY FOLLOW**

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

Sen. Birdsell (C), Sen. Boutin (VC), Sen. Stiles, Sen. Lasky, Sen. Kelly

- 9:00 a.m. **SB 4**, relative to domicile for voting purposes.  
 9:45 a.m. **SB 349**, relative to city chief elections officers.  
 10:00 a.m. **SB 418**, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws.  
 10:15 a.m. **SB 346-FN-L**, relative to hours of polling.

**EXECUTIVE SESSION MAY FOLLOW**

## ***THURSDAY, JANUARY 14, 2016***

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

Sen. Carson (C), Sen. Cataldo (VC), Sen. Daniels, Sen. Lasky, Sen. Pierce

- 1:30 p.m. **SB 399**, relative to the medical affidavit required for probate court appointment of a guardian of an incapacitated person.  
 1:45 p.m. **SB 394**, relative to criminal history record checks of nursing home administrators.  
 2:00 p.m. **SB 379**, relative to additional tests to determine alcohol concentration.

**EXECUTIVE SESSION MAY FOLLOW**

### **RULES, ENROLLED BILLS AND INTERNAL AFFAIRS, Room 103, SH**

Sen. Prescott (C), Sen. Avard (VC), Sen. Bradley, Sen. Soucy, Sen. Fuller Clark

- 1:00 p.m. **HB 458**, revising the legislative ethics laws and the guidelines of the legislative ethics committee.  
 1:10 p.m. **SCR 4**, applying for an Article V convention to propose amendments to the Constitution of the United States that impose fiscal restraints and limit the power and jurisdiction of the federal government.

- 1:25 p.m. **SCR 3**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing a free and fair elections amendment to the United States Constitution.
- 1:40 p.m. **SB 429**, changing statutory references from the “Workforce Investment Act” to the “Workforce Innovation and Opportunity Act.”
- 1:55 p.m. **SB 425**, establishing an independent redistricting commission.
- 2:10 p.m. **SB 354**, requiring the commissioner and deputy commissioner of the department of education to be confirmed by a joint session of the general court.
- 2:20 p.m. **SB 355**, requiring the members of the state board of education to be elected by a joint session of the general court.
- 2:35 p.m. **CACR 26**, relating to the appointment of the attorney general. Providing that the attorney general shall be appointed by a vote of the general court.

**EXECUTIVE SESSION MAY FOLLOW**

***TUESDAY, JANUARY 19, 2016***

**EDUCATION**, Room 103, LOB

Sen. Reagan (C), Sen. Stiles (VC), Sen. Avard, Sen. Kelly, Sen. Watters

- 9:00 a.m. **SB 322**, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools.
- 9:20 a.m. **SB 312**, relative to epinephrine administration in independent schools.
- 9:40 a.m. **SB 314**, relative to the membership of the higher education commission.
- 10:00 a.m. **SB 326**, relative to the membership of the community college system of New Hampshire board of trustees.
- 10:20 a.m. **SB 371**, relative to school lunch meal payment policies.
- 10:40 a.m. **SB 372**, establishing a fund to provide financial assistance to school districts for school lunch programs.

**EXECUTIVE SESSION MAY FOLLOW**

**JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Cataldo (VC), Sen. Daniels, Sen. Lasky, Sen. Pierce

- 9:00 a.m. **SB 339-FN**, relative to required DNA analysis for certain offenses.
- 9:20 a.m. **SB 385-FN-L**, requiring a full-time circuit court judge in Coos county.
- 9:35 a.m. **SB 435**, relative to the reporting of the unauthorized diversion of controlled drugs.
- 10:05 a.m. **SB 387**, relative to the disposition of ward accounts.
- 10:15 a.m. **SB 389-FN**, relative to the penalty for possession of multiple firearms.

**EXECUTIVE SESSION MAY FOLLOW**

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

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

- 9:00 a.m. **SB 440-FN**, repealing the repeal of certain fees in the shoreland protection act.
- 9:15 a.m. **SB 441-FN**, relative to discounts and admission without charge at state parks.
- 9:30 a.m. **SB 442-FN-L**, relative to property taxation of public real estate used or occupied by a private person.
- 9:45 a.m. **SB 443**, relative to taxation of qualifying historic residential structures.
- 10:00 a.m. **SB 445-FN-L**, suspending the registration fee for the sale of municipal bonds in New Hampshire for 2 years.

**EXECUTIVE SESSION MAY FOLLOW**



# MEETINGS

## ***FRIDAY, JANUARY 8, 2016***

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

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

### **TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE** (RSA 12-A:46)

10:00 a.m.                      NH Department of Resources &                      Quarterly Meeting  
Economic Development  
172 Pembroke Road  
Concord, NH

## ***MONDAY, JANUARY 11, 2016***

### **ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION** (RSA 188-E:10-b)

10:00 a.m.                      Room 100, SH                      Regular Meeting

### **CHILDREN'S SAVINGS ACCOUNT PROGRAM COMMISSION** (RSA 195-J:1)

10:00 a.m.                      Room 207, LOB                      Regular Meeting

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

1:00 p.m.                      NH Supreme Court                      Regular Meeting  
One Charles Doe Drive  
Concord, NH

### **TASK FORCE ON WORK AND FAMILY** (RSA 276-B:2, I)

1:15 p.m.                      Room 207, LOB                      Work Session

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

2:00 p.m.                      Room 303, LOB                      Regular Meeting

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

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

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

3:00 p.m.                      Concord Women's Club                      Annual Meeting  
44 Pleasant Street  
Concord, NH

## ***TUESDAY, JANUARY 12, 2016***

### **COMMISSION ON HISTORIC BURYING GROUNDS** (RSA 227-C:12-a)

10:00 a.m.                      Room 101, LOB                      Organizational Meeting

### **COUNCIL FOR YOUTHS WITH CHRONIC CONDITIONS** (RSA 126-J:1)

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

## ***THURSDAY, JANUARY 14, 2016***

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

9:00 a.m.                      Room 207, LOB                      Regular Meeting

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

1:00 p.m.                      Room 104, LOB                      Subcommittee on Food Services  
Performance Audit Review Committee

### ***FRIDAY, JANUARY 15, 2016***

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

9:00 a.m. Room 102, LOB Subcommittee Meeting

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

9:00 a.m. Rooms 306-308, LOB Regular Meeting

#### **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

#### **COMMISSION ON RURAL AFFAIRS (RSA 9-A:5)**

1:00 p.m. Rooms 303, LOB Regular Meeting

### ***FRIDAY, JANUARY 22, 2016***

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

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

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

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

### ***MONDAY, JANUARY 25, 2016***

#### **COMMISSION TO STUDY THE REGULATION OF PAWNBROKERS, SECONDHAND DEALERS, AND JUNK OR SCRAP METAL DEALERS (RSA 322-A:1)**

10:00 a.m. Room 306, LOB Regular Meeting

#### **CHILDREN'S SAVINGS ACCOUNT PROGRAM COMMISSION (RSA 195-J:1)**

10:00 a.m. Room 207, LOB Regular Meeting

#### **COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILDLIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30)**

11:00 a.m. Room 307, LOB Regular Meeting

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

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

#### **CHILDHOOD LEAD POISONING PREVENTION AND SCREENING COMMISSION (RSA 130-A:19)**

3:00 p.m. Room 206, LOB Regular Meeting

### ***FRIDAY, JANUARY 29, 2016***

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

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

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

9:30 a.m. Room 304, LOB Regular Meeting

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

9:30 a.m. Room 102, LOB Regular Meeting

1:00 p.m. Room 102, LOB Subcommittee Meeting

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#### **2015 REREFERRED BILLS IN COMMITTEE:**

**SENATE BILLS: 4, 59, 100, 109, 127, 140, 147, 184, 193, 197, 226, 239, 257, 263**

**HOUSE BILLS: 141, 192, 195, 285, 380, 383, 458, 560, 593, 613, 628, 645**

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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: 138, 157, 203, 210, 227, 238, 239, 256, 265**

**HOUSE BILLS: 216, 380, 521, 593, 628**

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## **NOTICES**

**WEDNESDAY, JANUARY 13, 2016**

All Senators and Senate staff are cordially invited to attend a "Welcome Back Legislators" reception hosted by the Business and Industry Association, New Hampshire's statewide chamber of commerce. The reception will take place at the Holiday Inn, 172 North Main Street in Concord, from 4:00 p.m. to 6:00 p.m., on Wednesday, January 13<sup>th</sup>. The reception is complimentary to Senate members and staff, but the BIA is requesting advance registration to assist in planning for the event. You can RSVP online at **[www.BIAofNH.com](http://www.BIAofNH.com)**. Click on the events calendar for January 13<sup>th</sup>. You may also call the BIA at 224-5388, ext. 100.

Senator Jeb Bradley, Senate Majority Leader  
Senator Jeff Woodburn, Senate Minority Leader

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**FRIDAY, JANUARY 15, 2016**

Copies of the "2016 Financial Disclosure Form," are being mailed to each member of the Senate. Members may fill out and file the paper form or file electronically with the Financial Disclosure E-Form available at the following link: **[http://gencourt.state.nh.us/ethics/Financial\\_Disclosure/disclosureEForm.aspx](http://gencourt.state.nh.us/ethics/Financial_Disclosure/disclosureEForm.aspx)**, where you will find instructions on how to fill out the form and how to return it. If you choose to use the hard copy, please return your form to Rich Lambert in Room 112 of the State House. All legislators and legislative officers are required to complete and file a hard copy or E-Form with the Legislative Ethics Committee no later than January 15<sup>th</sup>.

Senator Sharon M. Carson

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**THURSDAY, JANUARY 21, 2016**

The New Hampshire Kids Count and the New Hampshire Child Advocacy Network (NH CAN) cordially invite all legislators for lunch and a brief program on Thursday, January 21<sup>st</sup> from 12:00 p.m. to 1:00 p.m. in Rooms 210-211, LOB. The program will release NH CAN's 17<sup>th</sup> annual Priorities for New Hampshire's Children. NH CAN is comprised of numerous Partners (child advocates) and Advisors (legislators and state agency staff). NH CAN seeks to ensure that New Hampshire continues to be one of the best places to raise children. For more information please contact John DeJoie at **[jdejoie@nhkidscount.org](mailto:jdejoie@nhkidscount.org)**.

Senator Jeb Bradley, Senate Majority Leader  
Senator Jeff Woodburn, Senate Minority Leader

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**FRIDAY, JANUARY 22, 2016**

The standard mileage rate for transportation expenses set by the Internal Revenue Service has been modified. The standard mileage rate effective January 1<sup>st</sup> will be 54 cents per mile. The federal mileage reimbursement rate for members of the General Court decreases from fifty-seven and one half cents (\$0.575) per mile to fifty-four cents (\$0.54) per mile for all miles incurred on or after January 1, 2016. Mileage checks dated January 22<sup>nd</sup> are for period 12/25/15 – 1/7/16 and will include both mileage rates. Please contact Legislative Accounting at 271-3162 with any questions about those payments.

Joyce A. Phinney, Manager of Legislative Accounting

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## TUESDAY, JANUARY 26, 2016

During National Eye Health Month, Health Services will once again have a local eye care professional (Kristin Bryant, O.D.) to conduct “brown bag” seminars on eye health. The eye seminars will take place in the State House Annex in room 411 on Tuesday, January 26<sup>th</sup> in three repeat sessions each lasting 30 minutes from 11:30 a.m. to 1:00 p.m. Please RSVP at 271-2757 or email [dianne.bergquist@leg.state.nh.us](mailto:dianne.bergquist@leg.state.nh.us) for each of the three seminars.

Senator Nancy F. Stiles

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## WEDNESDAY, JANUARY 27, 2016

The American Cancer Society Cancer Action Network – NH will be hosting a Legislative Breakfast on Wednesday, January 27<sup>th</sup>, from 8:00 a.m. to 10:00 a.m. at the State House cafeteria. A light continental breakfast will be served. American Cancer Society Cancer Action Network volunteers and staff from New Hampshire will be on hand to discuss pending legislation as well as what services the Society provides to NH residents.

Senator Jeb Bradley, Senate Majority Leader

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## WEDNESDAY, FEBRUARY 3, 2016

The NH Retail Association is celebrating its 50<sup>th</sup> anniversary and want you to celebrate with them by joining association board and members at its Annual Legislative Reception and presentation of the annual “Law Enforcement Partner of the Year,” “Retailer of the Year,” and “Legislator of the Year” awards on Wednesday, February 3<sup>rd</sup> at 4:00 p.m. or at the conclusion of the House session at the Concord Holiday Inn. Please join NH Retail Association members, your colleagues and some invited former colleagues for light fare and conversation.

Senator Jeb Bradley, Senate Majority Leader  
Senator Jeff Woodburn, Senate Minority Leader

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## FRIDAY, FEBRUARY 19, 2016

The New Hampshire Fiscal Policy Institute 2016 conference, *Making Ends Meet: Enhancing Economic Security, Fostering Shared Prosperity*, will be held Friday, February 19<sup>th</sup> at the Grappone Conference Center in Concord, NH. NHFPI's 3<sup>rd</sup> annual policy conference will examine what it really takes to make ends meet in the Granite State and explore some of the key elements of a broader strategy for easing the difficulties facing working families -- a strategy that aims both to boost wages and salaries and to bring the cost of basic necessities within closer reach. General registration fees: \$35 through January 8<sup>th</sup>; \$45 after January 8<sup>th</sup>. Pre-registration is required by Friday, February 5<sup>th</sup>. The event will be held from 8:30 a.m. to 3:00 p.m.; continental breakfast and lunch will be provided. A limited number of scholarships for complimentary conference registrations are available for current members of the NH Legislature; see website for details. Learn more and register: <http://www.nhfpi.org/news-events/policy-conference-2016>.

Senator Jeff Woodburn, Senate Minority Leader

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## WEDNESDAY, MARCH 23, 2016

The NH Oral Health Coalition invites all legislators to join us for our Annual Legislative Breakfast – “Banding Together for NH's Oral Health” on Wednesday, March 23<sup>rd</sup> from 7:30 a.m. to 9:00 a.m. in the NH State House Cafeteria. In addition to a hot breakfast, Coalition members statewide will provide displays and updated information on oral health priorities and access throughout the state. Please RSVP to: [info@nhoralhealth.org](mailto:info@nhoralhealth.org) or call 603-415-5550.

Senator Jeb Bradley, Senate Majority Leader

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## SENATE SCHEDULE

Monday, January 18, 2016	Martin Luther King Jr./Civil Rights Day (State Holiday)
Monday, February 15, 2016	Presidents' Day (State Holiday)
Monday, February 22, 2016 – Friday, February 26, 2016	SENATE BREAK
Thursday, March 03, 2016	Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
Thursday, March 24, 2016	CROSSOVER – Deadline to ACT on all Senate bills.
Thursday, April 21, 2016	Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
Thursday, May 12, 2016	Deadline to ACT on all House bills.
Thursday, May 19, 2016	Deadline to FORM Committees of Conference.
Thursday, May 26, 2016	Deadline to SIGN Committee of Conference Reports.
Monday, May 30, 2016	Memorial Day (State Holiday)
Thursday, June 02, 2016	Deadline to ACT on Committee of Conference Reports.
Monday, July 04, 2016	Independence Day (State Holiday)
Monday, September 05, 2016	Labor Day (State Holiday)
Friday, November 11, 2016	Veterans' Day (State Holiday)
Thursday, November 24, 2016	Thanksgiving Day (State Holiday)
Friday, November 25, 2016	Day after Thanksgiving (State Holiday)
Monday, December 26, 2016	Christmas Day (State Holiday)