

**March 17, 2016
No. 11**

STATE OF NEW HAMPSHIRE

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



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

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON
THURSDAY, MARCH 24, 2016 AT 10:00 A.M.**

LAI D ON THE TABLE

SB 27-FN, relative to the department of corrections industries inventory account. **01/14/2016, No pending motion, Finance, SJ 2, pg. 55**

SB 131-FN, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies. **02/04/2016, pending motion, Ought to Pass, Commerce, SJ 4, pg. 102**

SB 304, prohibiting corporate advertising and marketing on school property. **02/18/2016, pending motion, Committee Amendment 0489s, Commerce, SJ 6, pg. 152**

SB 346-FN-L, relative to hours of polling. **03/10/2016, pending motion, Ought to Pass, Public and Municipal Affairs, SJ 8**

SB 351, establishing a commission to study the feasibility of implementing a clearinghouse model for political expenditures and contributions. **03/10/2016, No pending motion, Public and Municipal Affairs, SJ 8**

SB 413, relative to employment rights of persons with criminal records. **03/17/2016, pending motion, Sen. Feltes Floor Amendment 1084s, Commerce, SJ 9**

SB 445-FN-L, suspending the registration fee for the sale of municipal bonds in New Hampshire for 2 years. **03/03/2016, pending motion, Ought to Pass, Ways and Means, SJ 7**

SB 455-FN, relative to immunity for injuries from the possession or use of a firearm by an employee or official of a political subdivision. **03/03/2016, pending motion, Committee Amendment 0397s, Public and Municipal Affairs, SJ 7**

SB 463-FN, suspending the imposition of the death penalty. **03/03/2016, pending motion, Ought to Pass, Judiciary, SJ 7**

SB 470, relative to eligibility of school district employees for Family and Medical Leave Act coverage. **03/17/2016, pending motion, Sen. Soucy Floor Amendment 1094s, Education, SJ 9**

SB 473-FN-A-L, repealing the cap on adequate education grant payments and making an appropriation therefor. **03/03/2016, pending motion, Ought to Pass, Education, SJ 7**

SB 476-FN, relative to the certification of school nurses. **03/10/2016, pending motion, Ought to Pass, Executive Departments and Administration, SJ 8**

SB 504-FN, relative to hunting and fishing licenses for disabled veterans. **02/18/2016, pending motion, Interim Study, Energy and Natural Resources, SJ 6, pg. 154**

SB 531-FN, extending the New Hampshire health protection act. **03/10/2016, pending motion, Inexpedient to Legislate, Health and Human Services, SJ 8**

SB 542-FN, relative to criminal interference with health services. **03/03/2016, No pending motion, Health and Human Services, SJ 7**

SB 551-FN-A-L, establishing video lottery and table gaming at one location. **03/17/2016, pending motion, Committee Amendment 0961s, Finance, SJ 9**

CONSENT CALENDAR REPORTS

JUDICIARY

SB 337, regarding the immunity of court-appointed special advocates.
Ought to Pass with Amendment, Vote 5-0.
Senator Daniels for the committee.

This bill seeks to establish immunity for the CASA organization as per the NH Supreme Court's ruling in the Surprenant decision. The Judiciary Committee unanimously feels it would be more prudent to create a study committee to look at immunity for all those practicing as Guardians ad Litem in our State, as well as CASA as an organization.

SB 341, establishing a committee to study private guardianship in New Hampshire.
Ought to Pass with Amendment, Vote 5-0.
Senator Carson for the committee.

This bill establishes a committee to look at guardianships in NH. The amendment merely removes “private” so that all guardianships will be reviewed.

SB 379, relative to additional tests to determine alcohol concentration.
Ought to Pass with Amendment, Vote 5-0.
Senator Pierce for the committee.

This bill seeks to protect the due process rights of those accused of driving under the influence of alcohol. The NH Supreme Court raised the issue addressed in this bill when it found that the breathalyzer technology used by NH law enforcement is woefully inaccurate, virtually obsolete and the few machines that are still operating are failing with no replacement parts being manufactured. The bill would protect the accused’s due process rights by affording him or her a reasonable opportunity to have a blood sample drawn and tested so he or she could present the blood test results as exculpatory evidence at trial.

SB 382, relative to the authority of a federal law enforcement officer to make arrests in New Hampshire.
Interim Study, Vote 5-0.
Senator Lasky for the committee.

This bill sought to enable US Border Patrol officers to respond with immunity to emergency situations that occur in our State. While this is a situation that occurs primarily in Coos and parts of Grafton County where fewer law enforcement officers are available and the land mass is much larger, the bill enables this for the entire state.

SB 387, relative to the disposition of ward accounts.
Ought to Pass with Amendment, Vote 5-0.
Senator Lasky for the committee.

This bill deals with the disposition of ward accounts and reflects agreements made among those practicing in estate planning and guardianships. The enactment of this helps residual moneys in small estates to be disbursed more quickly.

SB 506, clarifying who may adopt.
Ought to Pass with Amendment, Vote 5-0.
Senator Pierce for the committee.

This bill seeks to align our adoption statutes regarding who may file a petition to adopt a child with the 2009 marriage equality law and the US Supreme Court decision from last summer recognizing the limit on government power to deny gay and lesbian couples the equal right to marry. The committee amendment clarifies that the adoption of “another person” in the bill as introduced means the adoption of a “natural person.”

SB 544, establishing a committee to study funding options for the Internet crimes against children task force.
Ought to Pass, Vote 5-0.
Senator Pierce for the committee.

This legislation creates a study to search for means of funding for the Internet Crimes Against Children committee. This committee currently serves 90 affiliated agencies across our state and the Judiciary Committee felt it an appropriate use of resources to study the issue to find ways to ensure that it continues to be funded.

PUBLIC AND MUNICIPAL AFFAIRS

SB 415, relative to the standard of care for dogs outside.
Ought to Pass with Amendment, Vote 5-0.
Senator Stiles for the committee.

This bill will require that appropriate hydration be made available to domestic animals and creates a committee to study harmful weather conditions in relation to the care of dogs. The intent of this legislation is to ensure that the appropriate care for our domestic animals is met and to assist our municipalities in methods of addressing instances of abuse.

SB 547, relative to the National Guard force protection policy.
Ought to Pass with Amendment, Vote 5-0.
Senator Birdsell for the committee.

This bill establishes a study commission to examine if the current force protection measures provide adequate safeguards for New Hampshire National Guard personnel, facilities, and equipment. The committee amended the bill in order to have the senate appointed member call the first meeting.

REGULAR CALENDAR REPORTS

COMMERCE

SB 488-FN-L, requiring reasonable accommodations for pregnant workers.
Ought to Pass with Amendment, Vote 5-0.
Senator Soucy for the committee.

ENERGY AND NATURAL RESOURCES

SB 311, relative to standards for radon in water.
Interim Study, Vote 4-0.
Senator Sanborn for the committee.

SB 365, relative to traffic control measures.
Inexpedient to Legislate, Vote 2-2.
Senator Feltes for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 324, eliminating the land use board, establishing an advisory board, and requiring approval of federal land acquisitions by the governor, executive council, and general court.
Ought to Pass with Amendment, Vote 4-0.
Senator Reagan for the committee.

SB 462-FN, allowing part-time circuit court judges to retire and elect senior active status.
Inexpedient to Legislate, Vote 3-0.
Senator Soucy for the committee.

HB 377, establishing a state geographic information system committee.
Ought to Pass with Amendment, Vote 4-0.
Senator Soucy for the committee.

HB 661-FN, relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals.
Inexpedient to Legislate, Vote 4-0.
Senator Cataldo for the committee.

FINANCE

CACR 27, relating to the operating budget. Providing that the state shall not spend more in any year than it receives in revenue.
Ought to Pass with Amendment, Vote 3-2.
Senator Reagan for the committee.

SB 326, relative to the membership of the community college system of New Hampshire board of trustees.
Ought to Pass with Amendment, Vote 6-0.
Senator Reagan for the committee.

SB 376-FN, relative to wildlife corridors.
Ought to Pass with Amendment, Vote 6-0.
Senator D'Allesandro for the committee.

SB 408-FN-A, relative to funding for the children's savings account program.
Inexpedient to Legislate, Vote 4-2.
Senator Reagan for the committee.

SB 414-FN-A, relative to the health care premium contribution for retired state employees over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Interim Study, Vote 4-0.

Senator Hosmer for the committee.

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case.

Ought to Pass, Vote 4-0.

Senator D'Allesandro for the committee.

SB 481-FN, relative to a special health care service license and establishing a fund.

Ought to Pass, Vote 5-1.

Senator Hosmer for the committee.

SB 491-FN, relative to Medicaid home health care services.

Ought to Pass with Amendment, Vote 6-0.

Senator Hosmer for the committee.

SB 492-FN, relative to expenditures from the energy efficiency fund.

Ought to Pass, Vote 4-2.

Senator Reagan for the committee.

SB 495-FN-A, relative to state retiree health plan costs and funding.

Ought to Pass with Amendment, Vote 6-0.

Senator D'Allesandro for the committee.

SB 496-FN, relative to personal care attendant services.

Ought to Pass, Vote 5-0.

Senator Reagan for the committee.

SB 503-FN-A, relative to pre-kindergarten education using "pay for success" financing.

Ought to Pass with Amendment, Vote 4-2.

Senator D'Allesandro for the committee.

SB 507-FN, authorizing online voter registration.

Inexpedient to Legislate, Vote 4-2.

Senator Little for the committee.

SB 509-FN, relative to voter registration forms and relative to voter identity verification.

Ought to Pass, Vote 3-2.

Senator Reagan for the committee.

SB 513-FN, relative to the Sununu Youth Service Center.

Interim Study, Vote 4-0.

Senator Hosmer for the committee.

SB 514, relative to the appropriation for Medicaid managed care.

Inexpedient to Legislate, Vote 5-0.

Senator Reagan for the committee.

SB 515-FN, relative to child neglect and other changes to the child protection act.

Ought to Pass, Vote 6-0.

Senator Reagan for the committee.

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club.

Ought to Pass, Vote 5-0.

Senator D'Allesandro for the committee.

SB 527-FN-A, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making an appropriation to the department of safety for the purchase of state police cruisers.

Ought to Pass with Amendment, Vote 5-0.

Senator D'Allesandro for the committee.

SB 528-FN-A, making an appropriation for supportive housing for persons with substance use disorders.
Interim Study, Vote 5-0.
Senator Reagan for the committee.

SB 532-FN, relative to prior authorization for substance abuse treatment.
Ought to Pass with Amendment, Vote 6-0.
Senator Reagan for the committee.

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services.
Ought to Pass with Amendment, Vote 3-1.
Senator Forrester for the committee.

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education.
Ought to Pass, Vote 5-0.
Senator Forrester for the committee.

SB 546-FN, relative to petitions for verification of checklists.
Ought to Pass, Vote 5-0.
Senator D'Allesandro for the committee.

SB 552-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.
Ought to Pass, Vote 5-1.
Senator Little for the committee.

HEALTH AND HUMAN SERVICES

SB 417, relative to employment contract restrictions upon physicians.
Ought to Pass with Amendment, Vote 3-0.
Senator Sanborn for the committee.

SB 430, establishing a commission to study long-term peer-to-peer recovery services in New Hampshire.
Ought to Pass with Amendment, Vote 3-0.
Senator Sanborn for the committee.

SB 431, relative to the comprehensive health care information system.
Interim Study, Vote 3-0.
Senator Avard for the committee.

SB 432, relative to itemized bills for medical services.
Ought to Pass with Amendment, Vote 2-1.
Senator Avard for the committee.

SB 439, establishing a commission to study the shortage of nurses for pediatric home health services.
Ought to Pass with Amendment, Vote 3-0.
Senator Kelly for the committee.

SB 539, relative to access to records under the child protection act.
Ought to Pass with Amendment, Vote 3-0.
Senator Sanborn for the committee.

SB 541, establishing a commission to study provider rates.
Ought to Pass with Amendment, Vote 3-0.
Senator Kelly for the committee.

SB 553, relative to implementation of the Medicaid managed care program.
Ought to Pass, Vote 3-0.
Senator Sanborn for the committee.

JUDICIARY

SB 336, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver.
Ought to Pass with Amendment, Vote 5-0.
Senator Cataldo for the committee.

SB 338, relative to the right of crime victims to make statements to the parole board.
Ought to Pass with Amendment, Vote 4-1.
Senator Pierce for the committee.

SB 340, relative to sentencing violations of probation.
Interim Study, Vote 3-1.
Senator Lasky for the committee.

SB 391, relative to annulment of certain misdemeanor offenses.
Ought to Pass, Vote 4-0.
Senator Carson for the committee.

SB 394, relative to criminal history record checks of nursing home administrators.
Ought to Pass, Vote 4-0.
Senator Lasky for the committee.

SB 402, relative to procedures related to the disclosure of exculpatory evidence by police officers.
Ought to Pass with Amendment, Vote 4-0.
Senator Carson for the committee.

SB 435, relative to the reporting of the unauthorized diversion of controlled drugs.
Interim Study, Vote 4-0.
Senator Carson for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

SB 347, enabling the state and municipalities to adopt laws and ordinances regulating attire on state and municipal property.
Ought to Pass with Amendment, Vote 3-2.
Senator Stiles for the committee.

SB 421, relative to liability of governmental units.
Ought to Pass with Amendment, Vote 4-0.
Senator Birdsell for the committee.

SB 423, relating to the right of 17-year olds to register to vote.
Ought to Pass with Amendment, Vote 4-0.
Senator Birdsell for the committee.

RULES, ENROLLED BILLS AND INTERNAL AFFAIRS

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.
Ought to Pass with Amendment, Vote 2-1.
Senator Bradley for the committee.

SCR 4, applying to 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.
Ought to Pass with Amendment, Vote 3-0.
Senator Bradley for the committee.

TRANSPORTATION

SB 362, requiring notice to planning boards of placement of signs on scenic byways.
Ought to Pass with Amendment, Vote 3-0.
Senator Feltes for the committee.

SB 519, relative to highway signs.
Ought to Pass with Amendment, Vote 2-1.
Senator Birdsell for the committee.

SB 520-FN, relative to the form of drivers' licenses and identification cards.
Interim Study, Vote 2-1.
Senator Stiles for the committee.

HB 351, exempting historically significant vehicles from emission control requirements.
Ought to Pass, Vote 3-0.
Senator Feltes for the committee.

HB 1438-FN-L, relative to the registration of antique trailers.

Ought to Pass, Vote 4-0.

Senator Birdsell for the committee.

WAYS AND MEANS

SB 342-FN, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

Ought to Pass with Amendment, Vote 5-0.

Senator D'Allesandro for the committee.

HB 668-FN, relative to expense deductions under the business profits tax.

Ought to Pass with Amendment, Vote 3-2.

Senator Sanborn for the committee.

AMENDMENTS

Senate Finance

March 16, 2016

2016-1059s

06/09

Amendment to CACR 27

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

RELATING TO: the operating budget.

PROVIDING THAT: the state shall not spend more from any fund than such fund receives in revenue, nor use the proceeds of any bond to fund its annual operating expenditures.

Amend the resolution by replacing paragraph I with the following:

I. That the second part of the constitution be amended by inserting after article 6-b the following new article:

[Art.] 6-c [Balanced Budget.] The state shall not, without an affirmative vote of two-thirds of the total number of representatives apportioned under part 2, article 9 and of the total number of senators allocated by part 2, article 25, either spend from the general fund or any other fund capable of producing a surplus more in any biennial budget period than that fund receives in revenues, plus any surplus in that fund from the previous biennium and any amounts held in a revenue stabilization, reserve, or contingency account to the extent such account was funded by the general court before that budget period, or use the proceeds of any bond or other instrument of indebtedness to fund, directly or indirectly, its annual operating expenditures.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending the second part of the constitution by inserting after article 6-b a new article to read as follows:

[Art.] 6-c [Balanced Budget.] The state shall not, without an affirmative vote of two-thirds of the total number of representatives apportioned under part 2, article 9 and of the total number of senators allocated by part 2, article 25, either spend from the general fund or any other fund capable of producing a surplus more in any biennial budget period than that fund receives in revenues, plus any surplus in that fund from the previous biennium and any amounts held in a revenue stabilization, reserve, or contingency account to the extent such account was funded by the general court before that budget period, or use the proceeds of any bond or other instrument of indebtedness to fund, directly or indirectly, its annual operating expenditures.”

2016-1059s

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that the state may not, in any biennial budget period, spend more from any fund than that fund receives in revenue, or use the proceeds of any bond to fund annual operating expenses.

Senate Executive Departments and Administration
 March 16, 2016
 2016-1072s
 08/04

Amendment to SB 324

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

AN ACT eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

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

1 Notification of Acquisition. RSA 121:2 is repealed and reenacted to read as follows:

121:2 Notification of Acquisition. Prior to any lands being acquired by the federal government under this chapter, notice shall be provided in writing by the federal agency acquiring such land to the commissioner of the department of resources and economic development.

2 Approval of Acquisition. Amend RSA 121:3 to read as follows:

121:3 Approval of Acquisition. No land shall be acquired pursuant to this chapter ***unless such acquisition meets all criteria under this chapter. This information shall be provided to the governor and executive council by the department of resources and economic development, and then approved by the governor and executive council*** ~~[until the acquisition shall have been recommended by the land use board and approved by the governor and council]~~; but the provisions of this chapter shall not apply to the acquisition by the United States of sites for post offices, custom houses, or other public buildings or effect an amendment or repeal of RSA 123 or RSA 272.

3 Land Use Board Removed; Procedures. RSA 121:4 is repealed and reenacted to read as follows:

121:4 Procedure. Within 30 days after the department of resources and economic development receives written notice of a proposed acquisition of land in any town, city, or unincorporated place, the department shall, by letter addressed to the governing body, advise it of the proposed acquisition. Within 21 days of notification by the department of resources and economic development, the governing body where the purchase of such land is contemplated shall hold a public hearing in such town, city, or unincorporated place, or at some other convenient place.

4 Land Use Board Removed; Procedures. Amend RSA 121:5 to read as follows:

121:5 Approval by Governor and ***Executive Council. Upon notification by the department of resources and economic development that an acquisition meets all criteria under this chapter, and approval by the governor and executive council, the governor and executive council*** ~~[upon recommendation of the land use board,]~~ are authorized on behalf of the state: (a) To accept leases or enter into other agreements with the United States, or a duly authorized agency thereof, for the administration and maintenance of any such lands, with or without improvements, upon such terms and conditions as they may consider proper ~~[Net income derived from any of such lands which may be designated for administration by the state forestry department shall be disposed of by the governor and council in the same manner as other income received from state forests and forestry reservations; and all income from other such lands shall be covered]~~ ***conveyed into the general funds of the state***; (b) To accept deeds from the United States, of any such lands, upon such terms and conditions as they may consider proper.

5 Limitations on Right to Acquire; Land Use Board Removed. Amend RSA 121:6 to read as follows:

121:6 Limitations on Right to Acquire. Lands which may be acquired under this chapter shall be such as by reason of quality, location, or condition are better adapted to public conservation, forestry, recreation, experimental, and demonstration purposes than for continued private ownership and development. Such acquisition shall be limited in total within the state to 2 percent of the total land area of the state. ***Such acquisition*** ~~[and]~~ shall be further limited in each town, ~~[or]~~ city, ***or unincorporated place*** to an amount of land, the assessed valuation of which ***shall not result in total lands held by the federal government to exceed 5 percent of the total assessed valuation of all the real estate in such town, city, or unincorporated place at the time of acquisition and shall be approved by a vote of the governing body after complying with RSA 121:4. The assessed value shall be at the highest and best use at the time of acquisition as determined by an assessor certified under RSA 21-J:14-f and possessing either the***

property assessor or property assessor supervisor certification level. A town, city, or unincorporated place may allow a land acquisition to exceed the 5 percent assessed valuation limit by a vote of the legislative body. ~~[on April 1 of the preceding year was 5 percent of the total assessed valuation on such date of all the real estate in such town or city. The provisions of this chapter shall not limit the authority of the United States to acquire lands for the White Mountain National Forest within the boundaries established by proclamation of the president of the United States, dated October 26, 1929; and the limitations as to area and valuation contained in this section shall not apply to acquisitions within the boundaries of the existing White Mountain National Forest Purchase Unit, or any new national forest purchase units that may be recommended by the land use board and approved by the governor and council; nor shall such acquisitions be included in computing such limitations.]~~

6 New Sections; Federal Land Acquisition; Certificate of Compliance; Recordkeeping. Amend RSA 121 by inserting after section 3 the following new sections:

121:3-a Certificate of Compliance. Prior to the sale or transfer of any property or easement to any federal agency, such property or easement owner shall apply to the department of resources and economic development for review and approval in accordance with this chapter. Upon determination that the proposed transaction complies with this chapter, the commissioner of the department of resources and economic development shall issue a certificate of compliance to the applicant for that specific parcel and transaction. The commissioner shall adopt rules under RSA 541-A relative to the form and content of such certificate of compliance.

121:3-b Register of Deeds. No deed involving the transfer or sale of any property or easement to any federal agency shall be recorded without a certificate of compliance issued by the commissioner of the department of resources and economic development under RSA 121:3-a.

7 New Subparagraph; Rulemaking Authority; Certificate of Compliance. Amend RSA 12-A:2-c, II by inserting after subparagraph (f) the following new subparagraph:

(g) The form and content of a certificate of compliance to be issued prior to the sale or transfer of any property or easement to any federal agency under RSA 121.

8 New Paragraph; Compliance. Amend RSA 477:4-h by inserting after paragraph I the following new paragraph:

I-a. Sale or transfer of any property or easement to any federal agency shall require compliance with RSA 121.

9 Applicability. This act shall not apply to any transfer or sale of land to a federal agency in which a purchase and sales agreement has been executed on or before August 1, 2016.

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

2016-1072s

AMENDED ANALYSIS

This bill eliminates the land use board, requires approval of federal land acquisitions by the governor and executive council, and requires the commissioner of the department of resources and economic development to issue a certificate of compliance with the approval process before land may be sold or transferred to the federal government.

Senate Finance

March 16, 2016

2016-1057s

08/04

Amendment to SB 326

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

1 New Subparagraph; Board of Trustees; Community College System of New Hampshire. Amend RSA 188-F:4, II by inserting after subparagraph (k) the following new subparagraph:

(l) One member shall be an employee of the community college system of New Hampshire, appointed by the governor. Such trustee position shall rotate among the institutions within the community college system of New Hampshire, proceeding in alphabetical order beginning with the college that is first alphabetically. The institutions within the community college system of New Hampshire, through an all-college/institutional

forum, shall nominate a panel of 3 employees whose names shall be forwarded to the governor who shall choose one for the appointment. The employee trustee shall serve a 2-year term. In the event the employee trustee is unable for any reason to serve the entire term, the chairman of the board of trustees shall declare a vacancy in that employee trustee position. Upon expiration or vacancy of such term, the next institution in order shall nominate a panel of 3 employees whose names shall be forwarded to the governor for consideration.

2 Board of Trustees; Community College System of New Hampshire. Amend RSA 188-F:4, III(a) to read as follows:

(a) The terms of office for appointed and elected members, except for the student *and employee* members, shall be 4 years unless otherwise specified in this section, and shall end on June 30, except for the student *and employee* members.

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

2016-1057s

AMENDED ANALYSIS

This bill adds a member to the community college system of New Hampshire board of trustees who is also an employee of the community college system of New Hampshire.

Senate Judiciary

March 16, 2016

2016-1046s

04/06

Amendment to SB 336

Amend the bill by replacing section 1 with the following:

1 Pistols and Revolvers; License to Carry. Amend RSA 159:6, I to read as follows:

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than ~~[4]~~ **5** years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, ~~[and that the applicant is a suitable person to be licensed]~~ **unless the applicant is prohibited from possessing a firearm by state or federal statute**. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for ~~[4]~~ **5** years. When required, license renewal shall take place within the month of the ~~[fourth]~~ **fifth** anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted to out-of-state residents shall be \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

2016-1046s

AMENDED ANALYSIS

This bill amends the requirements for obtaining a concealed carry license by removing the requirement that the applicant be "suitable" and inserting a requirement that the applicant not be prohibited from possessing a firearm by state or federal statute.

Senate Judiciary
 March 15, 2016
 2016-1042s
 05/10

Amendment to SB 337

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

AN ACT establishing a committee to study the immunity of court-appointed special advocates.

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

1 Committee Established. There is established a committee to study the immunity of court-appointed special advocates.

2 Membership and Compensation.

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

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

(b) Two members of the house of representatives, one from the judiciary committee and one from the children and family law committee, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. No member appointed under paragraph I shall be a court-appointed special advocate or a private, certified guardian ad litem.

3 Duties. The committee shall study the immunity of court appointed special advocates.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Two members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2016.

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

2016-1042s

AMENDED ANALYSIS

This bill establishes a committee to study the immunity of court-appointed special advocates.

Senate Judiciary
 March 15, 2016
 2016-1032s
 09/01

Amendment to SB 338

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

1 Rights of Crime Victims. Amend RSA 21-M:8-k, II(t) to read as follows:

(t)(1) The right to address or submit a **confidential** written statement for consideration by the parole board on the defendant's release and to be notified of the decision of the board, when requested by the victim through the victim advocate. ***Upon request of the victim, his or her written statement shall be considered confidential and shall not be disclosed to the inmate or the inmate's attorney, but only if the parole board finds that:***

(A) The privacy and safety interests of the victim outweigh the interests or welfare of the inmate; and

(B) Confidentiality would not substantially prejudice or prevent the parole board from carrying out its functions.

(2) If the victim requests that the written statement be provided confidentially, the parole board shall give prompt written notice to the inmate and the inmate's attorney of such request.

2 New Subparagraph; Adult Parole Board; Establishment; Procedures. Amend RSA 651-A:4, III by inserting after subparagraph (e) the following new subparagraph:

(f) Criteria for determining whether written victim impact statements may be submitted confidentially.

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

2016-1032s

AMENDED ANALYSIS

This bill grants crime victims the right to make confidential written statements for consideration by the parole board on a defendant's release.

Senate Judiciary
March 15, 2016
2016-1041s
05/10

Amendment to SB 341

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

AN ACT establishing a committee to study guardianship in New Hampshire.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study guardianship in New Hampshire.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study guardianship in New Hampshire to determine:

I. Should guardians be registered and licensed by the state?

II. Who should have jurisdiction over guardians?

III. How many guardians are working in New Hampshire and how does the work of a private guardian differ from that of a public, court appointed guardian?

IV. What are the requirements, if any, for someone to become a guardian?

2016-1041s

AMENDED ANALYSIS

This bill establishes a committee to study guardianship in New Hampshire.

Senate Ways and Means
March 15, 2016
2016-1021s
09/03

Amendment to SB 342-FN

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

1 Business Profits Tax; Addition to Gross Business Profits. RSA 77-A:4, XIV is repealed and reenacted to read as follows:

XIV. In the case of a business organization where an ownership interest in the business organization is sold or exchanged and the transaction, for federal income tax purposes, results in an increase in the basis of the assets for one or more of the parties to the transaction, the business organization shall:

(a) Add to the gross business profits of the business organization, for each taxable period, an amount equal to the annual depreciation or amortization attributable to the increase in the basis of the assets recognized by the parties to the transaction for federal income tax purposes; and

(b) Calculate the gain or loss on the sale or other disposition of the assets without regard to the basis increase recognized by any party to the transaction, for federal income tax purposes, from the sale or exchange of the ownership interest in the business organization.

2 Applicability. Section 1 of this act shall take effect for sales or exchanges of ownership interests in business organizations that occur on and after January 1, 2016.

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

Public and Municipal Affairs

March 17, 2016

2016-1095s

06/01

Amendment to SB 347

Amend the bill by replacing sections 1-3 with the following:

1 New Subparagraph; Powers and Duties of Towns; Power to Make Bylaws. Amend RSA 31:39, I by inserting after subparagraph (p) the following new subparagraph:

(q) Regulating the times and places of bathing, sunbathing, and swimming in municipal parks, beaches, pools, or other municipal properties, and the clothing to be worn by users. Nothing in this subparagraph shall authorize a town to prohibit breastfeeding in such town properties.

2 Powers of City Councils; Bylaws and Ordinances; Power to Make Bylaws. Amend RSA 47:17, XIII to read as follows:

XIII. Vagrants, Obscene Conduct. To restrain and punish vagrants, mendicants, street beggars, strolling musicians, and common prostitutes, and all kinds of immoral and obscene conduct, and to regulate the times and places of bathing, ***sunbathing***, and swimming in the canals, rivers and other waters of the city, ***or other city properties***, and the clothing to be worn by ~~bathers and swimmers~~ ***users***. ***Nothing in this paragraph shall authorize a city to prohibit breastfeeding in such city properties.***

3 New Subparagraph; Department of Resources and Economic Development; Rulemaking. Amend RSA 12-A:2-c, II by inserting after subparagraph (f) the following new subparagraph:

(g) The times and places of bathing, sunbathing, and swimming in state waters or in state parks, forests, or other state recreational areas, and the clothing to be worn by users. Nothing in this subparagraph shall prohibit breastfeeding in such state recreational areas.

Senate Transportation

March 15, 2016

2016-1038s

06/04

Amendment to SB 362

Amend RSA 238:25, I as inserted by section 1 of the bill by replacing it with the following:

I. The commissioner of the department of transportation shall file with the planning board of a town a plan for any new traffic or directional sign to be placed on a scenic or cultural byway within such town with no additional cost to the department.

Senate Finance

March 16, 2016

2016-1061s

04/09

Amendment to SB 376-FN

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

I. Because of the importance of wildlife corridors to assist in adapting to warming temperatures and shifting habitats, create habitat strongholds, and in order to protect ecosystem health and biodiversity and improve the resiliency of wildlife and their habitats to such existing and potential changes, the fish and game department, in collaboration with the department of environmental services and the department of transportation, shall identify existing and needed wildlife corridors, including riparian corridors, and including potential crossings of transportation arteries, such as a possible crossing in the Jefferson-Randolph section of Route 2. Prior to entrance onto private property for purposes described in this paragraph, the fish and game department, the department of environmental services, and the department of transportation shall obtain

landowner permission. The executive director of fish and game, the commissioner of the department of transportation, and the commissioner of the department of environmental services shall direct their departments to research voluntary mechanisms such as easements and cooperative management agreements that affect wildlife corridors and shall make, after receiving public comment, recommendations concerning any potential changes.

Senate Judiciary
March 15, 2016
2016-1036s
03/08

Amendment to SB 379

Amend RSA 265-A:7, III as inserted by section 1 of the bill by replacing it with the following:

~~[H-] III. [The] A sample [or samples] of breath taken pursuant to [RSA 265-A:4]~~ **paragraph I** shall be ~~[captured in an appropriate medium approved]~~ **analyzed in accordance with rules adopted** by the commissioner of the department of safety pursuant to RSA 265-A:5, V[, and shall be sufficient to allow an equivalent additional test for each breath sample taken pursuant to 265-A:4. The captured sample or samples shall be given to the respondent in a manner determined by the commissioner of the department of safety]. **A subject who submits to an infrared molecular absorption test at the request of a law enforcement officer shall have the right at his or her own expense to have a blood sample drawn and a blood test made by a person of his or her own choosing who is competent to conduct the tests, as determined by the commissioner of the department of safety under RSA 265-A:5. The person shall be so informed by the law enforcement officer at the same time as the person is requested to permit a test under the provisions of RSA 265-A:4. At that same time the person shall also be provided contact information for individuals and facilities that make themselves available to draw and test blood. The failure or inability of an arrested person to obtain an additional test shall not preclude the admission of any test taken at the direction of a law enforcement officer, authorized agent, or peace officer. Nothing in this paragraph shall require the release from custody of the arrested person for the purpose of having such additional test taken, however, an arrested person who remains in custody shall be permitted to have his or her blood drawn by a person who has been determined to be competent by the commissioner of the department of safety under RSA 265-A:5.**

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Administration of Alcohol Concentration Tests. Amend RSA 265-A:5, I to read as follows:

I. Only a duly licensed physician, registered nurse, certified physician's assistant, phlebotomist, or qualified medical technician or medical technologist acting at the request of a law enforcement officer, authorized agent, ~~[or]~~ peace officer, **or individual seeking a test of his or her own blood** may withdraw blood for the purpose of a test required by RSA 265-A:4. Such licensed physician, registered nurse, certified physician's assistant, phlebotomist, or qualified medical technician or medical technologist shall not be liable for damages or otherwise to the person from whom blood is withdrawn for any act performed in connection with such withdrawal provided the physician, registered nurse, physician's assistant, phlebotomist, or qualified medical technician or medical technologist acts with ordinary care.

Senate Judiciary
March 15, 2016
2016-1040s
05/03

Amendment to SB 387

Amend RSA 464-A:40, V(b)-(d) as inserted by section 1 of the bill by replacing it with the following:

(b) If the ward died testate and if the guardian has the will or a copy of the will, the guardian shall file the will or copy of the will and a death certificate with the probate court having jurisdiction where the ward resided at the time of the ward's death pursuant to RSA 552:2. A copy of the will also shall be filed in the probate court having jurisdiction over the guardianship.

(c) If the deceased ward has known debts, the probate court may order the guardian to pay such debts to those creditors in the order of priority pursuant to RSA 554:19. If all known debts of the deceased have been paid and a balance remains in the designated accounts for the ward after the filing required under subpara-

graph (a), the probate court may order the guardian to pay the balance to the ward's beneficiaries pursuant to the terms of the ward's will, or if the ward had no will, to those heirs who would inherit pursuant to RSA 561:1. The probate court may also order the guardian to pay the balance to the state treasurer to be held as abandoned property pursuant to RSA 471-C.

(d) Any guardian, or any organization providing guardianship or other fiduciary services to any individual under the public guardianship and protection program pursuant to RSA 547-B may petition the probate court to dispose of any non-guardianship accounts, to include but not limited to social security representative payee accounts, and the probate court may authorize the release and distribution of such funds pursuant to the terms of this paragraph.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Applicability. RSA 464-A:40, V, as inserted by section 1 of this act, shall apply to any petition filed after the effective date of this act, regardless of the date of the ward's death.

Senate Judiciary
March 15, 2016
2016-1035s
08/04

Amendment to SB 402

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

1 New Section; Police Officers; Limitation on Termination. Amend RSA 105 by inserting after section 1 the following new section:

105:1-a Police Officers; Limitation on Termination. No police officer shall have his or her employment terminated based solely on a determination that the officer has information in his or her personnel file that is potentially exculpatory and may need to be disclosed to a criminal defendant. Nothing in this section shall prohibit the employing authority from terminating the employment of a police officer for the conduct that is the subject of the potentially exculpatory information.

2 New Section; Disclosure of Potentially Exculpatory Information; Police Officers. Amend RSA 105 by inserting after section 13-c the following new section:

105:13-d Disclosure of Potentially Exculpatory Information.

I. In this section, "exculpatory evidence" means any information required to be disclosed to the defendant in a criminal case under the state or federal constitutions.

II. Notwithstanding RSA 105:13-b, the attorney general, county attorney, or designee, shall have access to the personnel file of any police officer who may be a witness for either party in any criminal case, solely for the purpose of determining the existence of potentially exculpatory evidence. No attorney general, county attorney, or designee, who reviews a personnel file shall disclose any information obtained as a result of the review, except to the extent necessary to comply with the state or federal constitutions.

III. When the head of a law enforcement agency or designee determines that a police officer's personnel file contains potentially exculpatory evidence, such police officer shall be notified that the attorney general, county attorney, or designee shall be conducting a review of the file.

IV. Prior to any determination that conduct shall be disclosed as potentially exculpatory evidence, the police officer shall have an opportunity to submit a statement in writing to the attorney general, county attorney or designee, concerning whether the facts shall be disclosed to the defendant under the state or federal constitutions.

V. Pursuant to RSA 491:22, a police officer who has been found to have committed an act which could be required to be disclosed to the defense in a criminal case may bring a declaratory judgment action in the superior court to determine whether the act he or she was found to have committed constitutes potentially exculpatory evidence in a future case that is required to be disclosed to the defense. No such action shall be brought until the police officer has exhausted all administrative remedies provided for in statute, administrative rule, or in any employment contract. In ruling on the petition, the superior court shall accept as true, all facts found by the final fact finder provided for in statute, administrative rule, or employment contract, unless against the manifest weight of the evidence. The superior court determination shall be limited to determining

whether a future case may exist where the facts rise to the level of potentially exculpatory evidence under the state and federal constitutions. If the court finds that the facts could constitute exculpatory evidence in a future case, the prosecutor shall remain responsible for determining when potentially exculpatory evidence shall be disclosed to the defense under the state and federal constitutions.

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

2016-1035s

AMENDED ANALYSIS

This bill requires a determination of whether information in a police officer's personnel file constitutes exculpatory evidence and allows a police officer who has information determined to be exculpatory evidence in his or her personnel file to have an opportunity to submit a statement to the prosecutorial body requesting the information in the file as exculpatory evidence.

This bill is a request of the commission to study the use of police personnel files as they relate to the Laurie List established in 2015, 150:1.

Public and Municipal Affairs

March 16, 2016

2016-1088s

08/03

Amendment to SB 415

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

AN ACT requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs.

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

1 Animal Cruelty; Access to Water. Amend RSA 644:8, III(a) to read as follows:

(a) Without lawful authority negligently deprives or causes to be deprived any animal in his **or her** possession or custody necessary care, sustenance, or shelter, ***including appropriate hydration***;

2 Committee Established. There is established a committee to study harmful weather conditions for dogs.

3 Membership and Compensation.

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

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

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

4 Duties. The committee shall review the publication entitled, "Animal Cruelty Investigation and Prosecution: A User Manual for New Hampshire Law Enforcement" from the governor's commission on the humane treatment of animals in order to identify if research dictates temperatures above or below which dogs should be brought inside or any other weather conditions which could be harmful to dogs. The committee may solicit the advice or testimony of any organization with information or expertise relevant to its study.

5 Chairperson. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, the chairperson of the senate public and municipal affairs committee, the chairperson of the house environment and agriculture committee, and the state library on or before August 1, 2016.

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

2016-1088s

AMENDED ANALYSIS

This bill makes it a crime to withhold appropriate hydration from certain animals.

This bill also establishes a committee to study harmful weather conditions for dogs.

Health and Human Services

March 16, 2016

2016-1062s

04/09

Amendment to SB 417

Amend RSA 329:31-a as inserted by section 1 of the bill by replacing it with the following:

329:31-a Certain Contract Restrictions upon Physicians Unenforceable. Any contract or agreement which creates or established the terms of a partnership, employment, or any other form of professional relationship with a physician licensed by the board to practice in this state, which includes any restriction to the right of such physician to also practice medicine in any geographic area for any period of time after the termination of such partnership, employment, or professional relationship shall be void and unenforceable with respect to said restriction; provided however, that nothing herein shall render void or unenforceable the remaining provision of any such contract or agreement. The requirements of this section shall apply to new contracts or renewals of contracts entered into on or after the effective date of this section.

Public and Municipal Affairs

March 16, 2016

2016-1081s

06/09

Amendment to SB 421

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

1 New Paragraph; Bodily Injury Actions Against Governmental Units; Definitions. Amend RSA 507-B:1 by inserting after paragraph I the following new paragraph:

I-a. "Employee or official of a governmental unit" means any member or officer of its governing board, administrative staff, or agencies, including but not limited to selectmen, school board members, chartered public school trustees, city councilors and aldermen, town councilors, town and city managers, mayors, regional planning commissioners, town and city health officials, police officers, overseers of public welfare, superintendents of schools, and all other employees and officials whether elected or appointed, and whether paid or unpaid, provided he or she is acting within the scope of his or her official duties.

2 Bodily Injury Actions Against Governmental Units; Definitions. Amend RSA 507-B:1, III and IV to read as follows:

III. "Personal injury" means:

(a) Any injury to the feelings or reputation of a natural person, including but not limited to, false arrest, detention or imprisonment, malicious prosecution, libel, slander, or the publication or utterance of other defamatory or disparaging material, invasion of an individual's right of privacy, invasion of the right of private occupancy, wrongful entry or eviction, mental injury, mental anguish, shock, and, except when against the public policy or the laws of New Hampshire, or both, discrimination; and

(b) Any injury to intangible property sustained by any ~~[organization]~~ **person** as a result of false eviction, malicious prosecution, libel, slander, or defamation. The term "personal injury" shall not include "bodily injury" or "property damage."

IV. "Property damage" means a loss through injury to, or destruction of, tangible property **or real estate**.

3 Bodily Injury Actions Against Governmental Units; Snow, Ice, and Other Weather Hazards. Amend RSA 507-B:2-b to read as follows:

507-B:2-b Snow, Ice, and Other Weather Hazards. Notwithstanding RSA 507-B:2, a ~~[municipality or school district]~~ **governmental unit** shall not be liable for damage arising from insufficiencies or hazards on any premises owned, occupied, maintained, or operated by it, even if it has actual notice of them, when such haz-

ards are caused solely by snow, ice, or other inclement weather, and the ~~[municipality's or school district's]~~ **governmental unit's** failure or delay in removing or mitigating such hazards is the result of its implementation, absent gross negligence or reckless disregard of the hazard, of a winter or inclement weather maintenance policy or set of priorities with respect to such premises, adopted in good faith by the official responsible for such policy. All ~~[municipal or school district employees]~~ **governmental units**, officials, and agents shall be presumed to be acting pursuant to such a policy or set of priorities in the absence of proof to the contrary.

4 Bodily Injury Actions Against Governmental Units; Limit of Liability. Amend RSA 507-B:4 to read as follows:

507-B:4 Limit of Liability.

I. Liability of a governmental unit for bodily injury, personal injury or property damage sustained by any one person in actions brought under this chapter is limited to ~~[\$275,000]~~ **\$325,000**. Such limit applies in the aggregate to any and all actions to recover for bodily injury, personal injury or property damage ~~[arising out of bodily injury, personal injury or property damage]~~ sustained by one person in a single incident or occurrence. Liability of a governmental unit for bodily injury, personal injury or property damage sustained by any number of persons in a single incident or occurrence is limited to ~~[\$925,000]~~ **\$1,000,000**. The limits applicable to any action shall be the limits in effect at the time of the judgment or stipulated settlement.

II. The court shall award no punitive damages against a governmental unit for bodily injury, personal injury or property damage.

III. The jury shall not be informed of the limits in paragraph I but the court shall abate any verdict to the extent it exceeds the limits prescribed in this section. In actions consolidated under RSA 507-B:3, in the event the verdicts exceed the limits prescribed in this section, the verdicts shall be abated pro rata. Interest and costs may be recovered as in any civil action, in addition to the limits prescribed in this section.

IV. If any claim is made or any civil action is commenced against a present or former employee, trustee, or official of a ~~[municipality or chartered public school]~~ **governmental unit** seeking equitable relief or claiming damages, the liability of said employee or official shall be governed by the same principles and provisions of law and shall be subject to the same limits as those which govern ~~[municipal]~~ **governmental unit** liability, so long as said employee or official was acting within the scope of his **or her** office and ~~[in good faith]~~ **reasonably believed in the legality of his or her actions**.

5 Bodily Injury Actions Against Governmental Units; Policies Procured by Governmental Agency. Amend RSA 507-B:7-a to read as follows:

507-B:7-a ~~[Insurance]~~ Policies Procured by Governmental Agency.

I. It shall be lawful for ~~[the state or]~~ any ~~[municipal subdivision thereof, including any county, city, town, school district, school administrative unit or other district,]~~ **governmental unit** to procure the policies of insurance described in RSA 412 **or programs for pooled risks under RSA 5-B**.

II. In any action against ~~[the state or any municipal subdivision thereof]~~ **a governmental unit covered by a policy of insurance described in RSA 412** to enforce liability on account of a risk so insured against, the insuring ~~[company]~~ **entity** or ~~[state or municipal subdivision thereof]~~ **governmental unit** shall not be allowed to plead as a defense immunity from liability for damages resulting from the performance of governmental functions, and its liability shall be determined as in the case of a private corporation except when a standard of care differing from that of a private corporation is set forth by statute.

III. **If covered by a policy of insurance described in RSA 412, the liability of a governmental unit in connection with any claim filed under this chapter**~~[- provided, however, that liability in any such case]~~ shall not exceed the limits of coverage specified in the policy of insurance ~~[or as to governmental units defined in RSA 507-B, liability shall not exceed the policy limit]~~ **or** specified in RSA 507-B:4, ~~[if applicable,]~~ whichever is higher, and the court shall abate any verdict in any such action to the extent that it exceeds such ~~[limit]~~ **limits**.

6 New Section; Limitation of Actions; State as Plaintiff. Amend RSA 508 by inserting after section 4-g the following new section:

508:4-h State as Plaintiff. Except as otherwise provided by law, all personal actions or civil enforcement actions in which the state is a plaintiff may be brought only within 3 years of the date when the plaintiff agency, department, authority, or official possessed actual knowledge of the act, omission, or violation com-

plained of, provided the defendant demonstrates that the delay was unreasonable and prejudicial and that the detriment to the defendant caused by the delay outweighs the detriment to the public that would be caused by dismissal of the action. Such limitation shall not apply to any violation or wrong that is ongoing or has otherwise not been corrected.

7 Defense and Indemnification of State Officers and Employees. Amend RSA 99-D:3 to read as follows:

99-D:3 Insurance. The state, or any department or agency thereof, shall self-insure against all such damages, losses and expenses except to the extent that insurance coverage is obtained under the authority of RSA [507-B] 9:27. The fiscal committee of the general court shall study alternative means to self-insurance by the state and shall report its findings to the general court not later than January 31, 1979. The fiscal committee shall be free to seek the assistance of the insurance department, the attorney general's office, and any other resource individuals.

8 Claims Against the State. Amend RSA 541-B:14, I to read as follows:

I. All claims arising out of any single incident against any agency for damages in tort actions shall be limited to an award not to exceed \$475,000 per claimant and \$3,750,000 per any single incident, or the proceeds from any insurance policy procured pursuant to RSA [507-B] 9:27, whichever amount is greater; except that no claim for punitive damages may be awarded under this chapter. The limits applicable to any action shall be the limits in effect at the time of the judgment or stipulated settlement.

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

Public and Municipal Affairs
March 16, 2016
2016-1086s
06/03

Amendment to SB 423

Amend the bill by replacing section 1 with the following:

1 Voter Registration. Amend RSA 654:7, I(a) to read as follows:

(a) At least 18 years of age on the day of the *next* election; and

Health and Human Services
March 16, 2016
2016-1074s
04/01

Amendment to SB 430

Amend RSA 126-A:69, I(d) as inserted by section 1 of the bill by replacing it with the following:

(d) Two members from the governor's commission on alcohol and drug abuse prevention, treatment, and recovery established in RSA 12-J, one of whom shall be appointed by the chairperson of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery established in RSA 12-J, and one of whom shall be appointed by the chairperson of the recovery task force of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery.

Amend RSA 126-A:69, I as inserted by section 1 of the bill by inserting after subparagraph (q) the following new subparagraph:

(r) One member representing NH Vet to Vet, appointed by the senate president.

Amend RSA 126-A:69, V as inserted by section 1 of the bill by replacing it with the following:

V. The commission shall submit an initial report of its findings and any recommendations for proposed legislation no later than October 15, 2016 to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library. The commission shall submit a final report of its findings and any recommendations for proposed legislation no later than December 15, 2016 to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

Amend paragraph I of section 3 of the bill by replacing it with the following:

I. Section 2 of this act shall take effect January 15, 2017.

Health and Human Services
 March 16, 2016
 2016-1091s
 01/09

Amendment to SB 432

Amend the bill by replacing section 1 with the following:

1 Itemized Bills for Medical Services. Amend RSA 151:12-a, I to read as follows:

I. Any provider of medical services, including physicians, facilities licensed under this chapter, and nursing homes as defined in RSA 151-A:1, IV, who is to receive payment from a third party shall ~~provide the person receiving such services and the third party with an itemized statement within 30 days of such service.]~~ ***inquire at the time of the appointment for the person receiving services whether the person would like the statement required under this paragraph by e-mail or regular mail.*** The statement shall contain a list of services rendered ***referenced by the ICD-10-CM or most current revision of the International Classification of Diseases and a textual description which shall include CPT codes for replacement,*** the dates on which such services were rendered, and the ~~costs of~~ ***amount billed for*** those services~~]; provided, however, that a nonitemized bill may be rendered if it includes in large, easily readable print the following: "An itemized bill will be gladly submitted free of charge on request"]~~ ***along with a prominent notice on the top of each page in a font no less than 18 point stating "DO NOT PAY: This is the amount billed to your payer. The actual amount may vary based on negotiated discounts."***

2016-1091s

AMENDED ANALYSIS

This bill clarifies the law relative to itemized statements containing amounts billed for medical services.

Health and Human Services
 March 16, 2016
 2016-1069s
 01/09

Amendment to SB 439

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

AN ACT establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services.

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

1 New Subdivision; Commission to Study the Shortage of Nurses and Other Skilled Health Care Workers for Home Health Care Services. Amend RSA 161-I by inserting after section 7 the following new subdivision:

Commission to Study the Shortage of Nurses
 and Other Skilled Health Care Workers for Home Health Care Services.

161-I:8 Commission to Study the Shortage of Nurses and Other Skilled Health Care Workers for Home Health Care Services Established; Membership; Duties.

I.(a) There is established a commission to study the shortage of nurses and other skilled health care workers for home health care services. The members of the commission shall be as follows:

- (1) One member of the senate, appointed by the president of the senate.
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (3) The commissioner of the department of health and human services, or designee.
- (4) The director of the division of higher education, department of education, or designee.
- (5) A representative of the New Hampshire board of nursing, appointed by the board.
- (6) A pediatrician that provides treatment to medically fragile children, appointed by New Hampshire Pediatric Society.

(7) An individual with experience in palliative care, appointed by the Foundation for Healthy Communities.

(8) A representative of a New Hampshire health agency, appointed by the governor.

(9) A parent of a child with disabilities who utilizes pediatric home health care services, appointed by the governor.

(10) A representative of the New Hampshire workforce development entity, appointed by the commissioner of the department of health and human services.

(11) Two department deans or chairs of nursing programs from New Hampshire universities or colleges, appointed by the chancellor of the university system of New Hampshire.

(12) The department dean or chair of the nursing program from New Hampshire Technical Institute.

(13) The executive director, or designee, from the New Hampshire Home Care Association.

(14) An adult who utilizes home health services and/or private duty nursing, appointed by the governor.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

II.(a) The commission's study shall include, but not be limited to:

(1) Finding solutions to the shortage of nurses and other skilled health care workers for home health care services, including a comprehensive examination and review of the overall delivery system for home health care services throughout the state of New Hampshire.

(2) Developing an effective strategy for workforce development, recruitment, and retention of nurses and other skilled home health care workers.

(3) Identifying workforce demands to keep pace with New Hampshire's integrated health care delivery based on population trends and projected utilization of home health services.

(4) Training and professional development for specific intensive medical needs, palliative care, coverage in schools, and coverage by not only registered nurses and licensed practical nurses, but also licensed nursing assistants and other skilled health care workers.

(b) The commission may solicit information from any person or entity the commission deems relevant to its study.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Nine members of the commission shall constitute a quorum.

IV. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2016.

2 Repeal. RSA 161-I:8, relative to the commission to study the shortage of nurses and other skilled health care workers for home health care services, is repealed.

2016-1069s

AMENDED ANALYSIS

This bill establishes a commission to study the shortage of nurses and other skilled health care workers for home health care services.

Commerce

March 2, 2016

2016-0864s

01/09

Amendment to SB 488-FN-LOCAL

Amend the bill by deleting section 1 and renumbering the original sections 2-5 to read as 1-4, respectively.

Amend the introductory paragraph of RSA 354-A:2, XIV-c as inserted by section 1 of the bill by replacing it with the following:

XIV-c. “Reasonable accommodation,” for the purposes of RSA 354-A:7, VIII shall include, but not be limited to: more frequent or longer breaks, time off to recover from childbirth, acquisition or modification of equipment, seating, temporary transfer to a less strenuous or hazardous position, job restructuring, light duty, necessary break time and private, sanitary, non-bathroom space for expressing breast milk, assistance with manual labor, or modified work schedules; provided that:

Amend RSA 354-A:2, XIV-f as inserted by section 1 of the bill by replacing it with the following:

~~[XIV-d.]~~ **XIV-f.** “Undue hardship” means an action requiring significant difficulty or expense, when considered in light of the factors set forth in this paragraph. In determining whether an accommodation would impose an undue hardship on an employer, factors to be considered include:

- (a) The nature and cost of the accommodation needed under this chapter.
- (b) The overall financial resources of the facility involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility.
- (c) The overall financial resources of the employer; the overall size of the business of an employer with respect to the number of its employees; and the number, type, and location of its facilities.
- (d) The type of operation or operations of the employer, including the composition, structure, and functions of the workforce of such employer; the geographic separateness, administrative, or fiscal relationship of the facility in question to the employer.

Amend RSA 354-A:7, VIII (c) as inserted by section 3 of the bill by replacing it with the following:

(c)(1) An employer shall provide written notice of the right to be free from discrimination in relation to pregnancy, childbirth, or a related medical condition, including the right to reasonable accommodations for any condition of an employee related to pregnancy, childbirth, or a related medical condition, pursuant to this paragraph to:

- (A) New employees at the commencement of employment.
- (B) Existing employees within 120 days after the effective date of this paragraph.
- (C) Any employee who notifies the employer of her pregnancy within 10 days of such notification.

(2) Such notice shall be conspicuously posted at an employer’s place of business in an area accessible to employees.

(3) The commission may develop courses of instruction and conduct ongoing public education efforts as necessary to inform employers, employees, employment agencies, and job applicants about their rights and responsibilities under this paragraph.

(d) Nothing in this paragraph shall be construed to preempt, limit, diminish, or otherwise affect any other provision of law relating to sex discrimination or pregnancy, or in any way to diminish the coverage for pregnancy, childbirth, or a condition related to pregnancy or childbirth under any other provision of this chapter, including RSA 354-A:7, VI(b) and (c).

Senate Finance
March 16, 2016
2016-1067s
01/09

Amendment to SB 491-FN

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

AN ACT relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants.

Amend RSA 161-N:2, II as inserted by section 1 of the bill by replacing it with the following:

II. “Home health care services” means care provided by a home health care agency licensed under RSA 151, when that care is provided at the residence of the recipient or in a non-institutional setting where nor-

mal life activities take place. The residence of the recipient shall not include a hospital, a nursing facility, or an intermediate care facility for individuals with intellectual disabilities, except for home health care services in an intermediate care facility for individuals with intellectual disabilities that are not required to be provided by the facility.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Licensed Nursing Assistant; Scope of Practice. Amend RSA 326-B:14, III(c) to read as follows:

(c) Assist individuals to attain and maintain functional independence ~~[in a home or health care facility]~~.

2016-1067s

AMENDED ANALYSIS

This bill requires Medicaid coverage of medically-necessary home health care services to be provided to older adults and persons with disabilities at their residences and in the community. This bill also clarifies the scope of practice of licensed nursing assistants.

Senate Finance
March 16, 2016
2016-1063s
04/09

Amendment to SB 495-FN-A

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

1 Appropriation and Charges; Department of Administrative Services; Risk Management; Health Plan Costs. In addition to any other sums appropriated, the sum of \$700,000 is appropriated to the department of administrative services, risk management unit, for the biennium ending June 30, 2017 for state retiree health plan costs under RSA 21-I:30. Said appropriations shall be a charge against the following accounts:

<u>Accounting Unit</u>	<u>Class</u>	<u>Class Name</u>	<u>FY 2016</u>	<u>FY 2017</u>
01-14-14-1415-2950	023	Heat-Electricity-Water	(\$50,000)	(\$100,000)
02-10-10-1000-1880	049	Transfer to Other State Agencies	(\$180,000)	(\$180,000)
02-46-46-4680-8250	023	Heat-Electricity-Water	(\$90,000)	(\$100,000)

2 Contingent Appropriation; Department of Administrative Services; Retiree Health Plan Costs. For the biennium ending June 30, 2017, in the event expenditures are greater than amounts appropriated to the department of administrative services for retiree health insurance under account 01-14-14-143510-2903, the commissioner of the department of administrative services may request, with prior approval of the fiscal committee of the general court and the governor and council, additional funding from available general funds. Such approved sum is hereby appropriated. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2016-1063s

AMENDED ANALYSIS

This bill provides the department of administrative services, risk management unit with funding for state retiree health plan costs for the biennium ending June 30, 2017.

Senate Finance
March 16, 2016
2016-1060s
04/08

Amendment to SB 503-FN-A

Amend RSA 21-I:96 as inserted by section 2 of the bill by deleting paragraph II and renumbering the original paragraph III to read as II.

2016-1060s

AMENDED ANALYSIS

This bill establishes a commission to extend a request for proposals to provide pre-kindergarten education services to 4 year olds in New Hampshire by creating a “pay for success” partnership between providers of pre-kindergarten education services, investors, independent evaluators of the effectiveness of the education services, and payers who agree to repay the investors if the pre-kindergarten education services resulted in improved third grade reading or reduced need for special education remediation services, or both. The bill authorizes the commissioner of the department of administrative services to enter into pay for success contracts.

Senate Judiciary
March 15, 2016
2016-1039s
05/03

Amendment to SB 506

Amend RSA 170-B:4 as inserted by section 1 of the bill by replacing it with the following:

170-B:4 Who May Adopt. In this chapter, any adult or 2 adults together may adopt a natural person for the purpose of creating a relationship of parent and child between them.

Senate Transportation
March 15, 2016
2016-1034s
06/04

Amendment to SB 519

Amend RSA 230:49, I as inserted by section 1 of the bill by replacing it with the following:

I. The location of essential motorist services, including food, fuel, lodging, camping, and attractions, on connecting service roads within 3 miles of the intersection with the limited access highway, within 5 miles for a campground, within 20 miles for an attraction, or within one mile of the intersection in urban compact areas, may be indicated to users of the limited access facility by appropriate signs, the specifications of which shall be determined by the commissioner of transportation. The distance specified shall be measured by computing the travel length from the terminal of an exit ramp to the nearest point along the public highway where the nearest existing driveway entrance to the service is reached. ~~[Motorist service signs indicating the location of an attraction, but not food, fuel, lodging, or camping, may be placed in advance of intersections on limited access highways.]~~ ***Additional motorist service signs may be placed in advance of intersections on limited access highways from the Massachusetts border to Concord and additional attraction signs may be placed north of Concord on I-93 and I-89.***

Senate Finance
March 15, 2016
2016-1033s
06/10

Amendment to SB 527-FN-A

Amend the bill by replacing section 8 with the following:

8 Appropriation; Department of Safety, Division of State Police.

I. There is hereby appropriated to the department of safety, division of state police, accounting unit 02-23-23-234015-4003, class 030, in addition to any other funds appropriated to the department of safety, the sum of \$1,200,000 for the biennium ending June 30, 2017 for the purpose of the acquisition and equipping of new state police cruisers to replace those that have repairs exceeding the value of the vehicle.

II. The source of funds for the appropriation under paragraph I shall be \$612,900 as a charge against the highway fund and \$587,100 as a charge against the turnpike fund.

Amend the bill by inserting after section 8 the following and renumbering the original section 9 to read as 10:

9 Police Standards and Training Council. For the fiscal year ending June 30, 2016, police standards and training council accounting units 06-87-87-870510-8980, 06-87-87-871010-8999, 06-87-87-871510-8310, and 06-87-87-872010-8139 shall be exempt from budget footnote I contained in 2015, 275:1.08.

Senate Finance
March 16, 2016
2016-1065s
01/09

Amendment to SB 532-FN

Amend the introductory paragraph of RSA 415-A:7, I as inserted by section 3 of the bill by replacing it with the following:

I. All policies issued or renewed after December 31, 2016 shall either:

Amend paragraph I of section 5 of the bill by replacing it with the following:

I. Section 4 of this act shall take effect December 31, 2018.

Senate Finance
March 16, 2016
2016-1055s
09/01

Amendment to SB 533-FN-A-LOCAL

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

1 Commission Established. Amend the introductory paragraph of RSA 12-J:1 to read as follows:

12-J:1 Commission Established; Membership; Terms. There is hereby established a commission which shall serve in an advisory capacity to the governor *and the general court* regarding the delivery of effective and coordinated alcohol and drug abuse prevention, treatment, and recovery services throughout the state. The commission shall consist of the following members:

2 Commission Membership. RSA 12-J:1, I is repealed and reenacted to read as follows:

I. Seven public members, 2 of whom shall be professionals knowledgeable about alcohol and drug abuse prevention, one of whom shall be appointed by the governor and one of whom shall be appointed by the senate president; 2 of whom shall be professionals knowledgeable about alcohol and drug abuse treatment, one of whom shall be appointed by the governor and one of whom shall be appointed by the speaker of the house of representatives; 2 of whom shall be public members who are not professionals within the alcohol and drug addiction prevention and treatment system, one of whom shall be appointed by the senate president and one of whom shall be appointed by the speaker of the house of representatives; and one member in long-term recovery, appointed by the governor.

3 Organization of Commission. Amend RSA 12-J:2, I to read as follows:

I. The ~~[governor and council]~~ **commission** shall ~~[designate a member of the commission]~~ **elect one of its members** to serve as chairperson. The executive director of the commission shall be the director of the appropriate division responsible for alcohol and drug abuse prevention and recovery, who shall serve without additional compensation. Twelve members of the commission shall constitute a quorum.

4 Organization of Commission. Amend RSA 12-J:2, II-a to read as follows:

II-a. The chairperson shall create a budget task force comprised of the individuals listed in RSA 12-J:1, III(a) **to report biannually on financial expenditures for substance abuse related work throughout state government as detailed in RSA 12-J:4, III and** recommend budget policy priorities to the commission regarding the allocation of funding alcohol and drug prevention, treatment, and recovery services across state agencies and throughout the state.

5 Commission; Duties. Amend RSA 12-J:3 to read as follows:

12-J:3 Duties. The duties of the commission shall be to:

I. Develop and revise, as necessary, a statewide plan for the effective prevention of alcohol and drug abuse, particularly among youth, and a comprehensive system of treatment and recovery services for individuals and families affected by alcohol and drug abuse. The statewide plan shall:

- (a) Identify the causes, the nature and scope, and the impact of alcohol and drug abuse in New Hampshire.
- (b) Identify and prioritize unmet needs for prevention, treatment, and recovery services.
- (c) Recommend initiatives **and policy considerations to the general court** to reduce the incidence of alcohol and drug abuse in New Hampshire.
- (d) Identify and quantify public and private resources available to support alcohol and drug abuse prevention, treatment, and recovery.
- (e) Specify additional resources necessary to address unmet needs for prevention, treatment, and recovery.
- (f) Specify evaluation and monitoring methodology.

II. **Advise the governor and general court on and** promote ~~[collaboration between and among state agencies and communities to foster]~~ the development of effective community-based alcohol and drug abuse prevention ~~[programs]~~ **strategies**.

III. **Advise the governor and the general court on and** promote the development of treatment services to meet the needs of citizens addicted to alcohol or other drugs.

III-a. **Advise the governor and the general court on and** promote the development of recovery services to meet the needs of citizens in recovery from alcohol and other drug misuse.

IV. Identify unmet needs and the resources required to reduce the incidence of alcohol and drug abuse in New Hampshire and to make recommendations to the governor **and general court** regarding legislation and funding to address such needs.

V. Authorize the disbursement of moneys from the alcohol abuse prevention and treatment fund, pursuant to RSA 176-A:1, III.

VI. Make presentations at least once each legislative session to the house and senate finance committees, the senate health and human services committee, the house health, human services and elderly affairs committee, and the joint fiscal committee of the general court.

6 Meetings and Reports. Amend RSA 12-J:4, II to read as follows:

II. The commission shall submit an annual report to the governor, speaker of the house of representatives, ~~[and]~~ president of the senate, **chairpersons of the house and senate finance committees, chairperson of the house health, human services and elderly affairs committee, the chairperson of the senate health and human services committee, and the chairperson of the joint fiscal committee of the general court** by ~~[December]~~ **October** 1 of each year regarding the activities of the commission. ~~[The first annual report shall be due November 1, 2008.]~~ The annual report shall:

- (a) Identify alcohol and drug abuse prevention, treatment, and recovery services and programs provided by state departments and agencies or funded in whole or in part by state or federal funds;
- (b) Indicate the progress made during the prior year toward the implementation of the statewide plan developed by the commission pursuant to RSA 12-J:3, I;
- (c) Recommend any revisions to the statewide plan developed pursuant to RSA 12-J:3, I;
- (d) Identify and prioritize unmet needs for prevention, treatment, and recovery;
- (e) Indicate the progress, or lack thereof, in addressing the unmet needs;
- (f) Recommend initiatives **and/or policy considerations to the governor and the general court** to address the unmet needs;
- (g) Specify the resources and any legislation necessary to support existing programs for prevention, treatment, and recovery and to develop, implement, support, and evaluate the initiatives recommended by the commission; and
- (h) In even-numbered years the report may include specific recommendations for funds to be included in the next state biennial budget to support alcohol and drug abuse prevention, treatment, and recovery services and programs.

7 Meetings and Reports. RSA 12-J:4, III is repealed and reenacted to read as follows:

III.(a) To assist the commission in the timely completion of its annual report, each commission member representing an executive branch department or entity shall provide the information specified in paragraph II for its department or entity to the commission on or before August 1 of each year.

(b) The commission shall submit a mid-year report to the governor, speaker of the house of representatives, president of the senate, chairpersons of the house and senate finance committees, chairperson of the house health, human services and elderly affairs committee, chairperson of the senate health and human services committee, and the chairperson of the joint fiscal committee of the general court by March 1 of each year regarding the current state of drug abuse, prevention, treatment, and recovery. The commission shall include a dashboard of the following, both in the interim and the final report as required in RSA 12-J:4, II, that includes but is not limited to:

- (1) The number of known drug overdoses, broken out by drug involved.
- (2) The number of deaths attributable to overdoses, as reported by the chief medical examiner, broken out by drug involved.
- (3) The number of people known to be in treatment or recovery programs supported by commission funding.
- (4) The accessibility and availability of treatment programs, including waitlists.
- (5) The number of individuals in drug court programs, as reported by the judicial branch.
- (6) The number of individuals in diversion programs, as reported by the judicial branch.
- (7) The number of convictions for drug related offenses, as reported by the judicial branch.
- (8) The number of persons incarcerated for drug related offenses as reported by the department of corrections.
- (9) Funds expended and balances remaining, programs and strategies created or sustained by the funds, and an estimate of the number of individuals served by these funds.
- (10) Barriers to data access and availability, with proposed strategies to develop or enhance data capacity.
- (11) Any other information requested by the governor or general court.

(c) All data required in subparagraph (b) shall be presented in the aggregate to protect the privacy of the individual. The commission shall delete any data required in those paragraphs that enables the personal identification of an individual.

IV. In the reports submitted by the commission to the governor, speaker of the house of representatives, president of the senate, chairpersons of the house and senate finance committees, chairperson of the house health, human services and elderly affairs committee, chairperson of the senate health and human services committee, and the chairperson of the joint fiscal committee of the general court, the report shall include outcome data and/or research citations about the efficacy of funded programs based upon evidence of program results.

8 Reference Change; Commission on Post-Traumatic Stress Disorder and Traumatic Brain Injury; Membership. Amend RSA 115-D:2, I(g) to read as follows:

(g) The chairperson of the governor's commission on alcohol and drug abuse prevention, ~~[intervention, and]~~ treatment, **and recovery** or designee.

9 Contingency. RSA 12-J:1, I, as inserted by section 2 of this act, shall take effect upon the expiration of the terms of the commission members who are serving on the effective date of this act.

10 Department of Health and Human Services; Supplemental Appropriation for Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Supplemental Appropriation for Supportive Housing Projects for Persons with Substance Abuse Disorders.

I. In addition to any other sums appropriated for fiscal year 2017, \$2,500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of health and human services. The commissioner of health and human services shall determine whether such appropriation shall be:

(a) Used by the governor's commission on alcohol and drug abuse prevention, treatment and recovery for the purpose of contracts for program services, within the department of health and human services; or

(b) Transferred to the New Hampshire housing finance authority for the purposes set forth in RSA 204-C:56 through RSA 204-C:62, relative to the affordable housing fund, provided the funds transferred are used for the purpose of funding supportive housing projects for persons with substance abuse disorders.

II. For the purposes of funding the appropriation made in paragraph I, the department of health and human services shall identify excess appropriations from sums appropriated to the department pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

III. The supplemental appropriation made to the department of health and human services in paragraph I shall only be made after the commissioner of health and human services has consulted with the joint fiscal committee of the general court about how the supplemental funds are to be disbursed. The consultation shall take place at the first scheduled meeting of the fiscal committee following the effective date of this section.

11 Department of Justice; Supplemental Appropriation for Attorney Position.

I. In addition to any other sums appropriated for fiscal years 2016 and 2017, the sum of \$20,830 for the fiscal year ending June 30, 2016 and \$104,492 for the fiscal year ending June 30, 2017 are hereby appropriated to the department of justice for the purpose of hiring an assistant attorney general dedicated to prosecuting drug cases. For the purposes of funding said appropriations, the department of justice shall identify excess appropriations from sums appropriated to the department pursuant to 2015, 275 and 276, and shall transfer said sums to the class lines detailed in paragraph II. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

II. Transfer.

02 Administration of Justice and Public Protection

20 Department of Justice

2000 Department of Justice

200510 Division of Public Protection

2610 Criminal Justice

	FY 2016	FY 2017
020 Current Expenses	\$125	\$500
030 Equipment	\$750	\$0
037 Technology Hardware	\$1,000	\$0
038 Technology Software	\$1,200	\$150
039 Telecommunications	\$35	\$70
059 Salary-Full Time Temp	\$12,000	\$70,250
060 Benefits	\$5,170	\$31,022
070 In-State Travel	\$200	\$1
080 Out of State Travel	\$350	\$1,500
TOTAL	\$20,830	\$104,492

12 Department of Health and Human Services; Supplemental Appropriation; Bureau of Drug and Alcohol Services.

I. In addition to any other sums appropriated for fiscal year 2017, the sum of \$500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of health and human services, bureau of drug and alcohol services to support the creation, initiation, expansion and/or operational costs for peer recovery support services. For the purposes of funding said appropriations, the department of health and human services shall identify excess appropriations from sums appropriated to the department pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a and RSA 9:17-c.

II. Existing and proposed peer recovery support services shall be eligible to receive a grant. However, no more than 2 grants shall be awarded per county. All other eligibility criteria shall be determined by the bureau of drug and alcohol services. The bureau shall forward information on selected grant recipients to the governor and council. No grant shall be awarded without the approval of the governor and council.

III. No later than December 31, 2017, the bureau of drug and alcohol services shall report to the fiscal committee of the general court the number of grants awards, which organizations received a grant, and the total number of individuals served as a result of said grants.

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

Health and Human Services

March 16, 2016

2016-1070s

05/09

Amendment to SB 539

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

1 New Section; Child Protection Act; Access to Medical Records. Amend RSA 169-C by inserting after section 25 the following new section:

169-C:25-a Access to Medical Records.

I. A law enforcement agency may request from the court an order compelling the department or a health care provider to disclose a child's medical records for the purpose of the investigation of child abuse or neglect, a child fatality, or any other crime against a child.

(a) The law enforcement agency shall present to the court the following evidence by affidavit or orally under oath, including telephonically if necessary:

(1) A statement of facts establishing probable cause to suspect that a child has been the victim of a crime, and that the child's medical records will contain evidence of that crime;

(2) A representation that the information is unavailable from another source; and

(3) The names and addresses of the child and the custodial parents, non-custodial parents, legal custodians, or other guardians of the child, if known.

(b) Upon a showing of cause by a law enforcement agency why notice would compromise the investigation, put the child at risk of harm, or for other good cause, the court shall prohibit the health care provider and its attorneys, officers, directors, employees, contractors, or any other agent for the provider from notifying the child and the custodial parents, non-custodial parents, legal custodians, or other guardians of the child about the existence or contents of the order or that information has been furnished pursuant to the order. Such a showing shall be based on facts made by affidavit or orally under oath. Upon issuance of the order, the health care provider shall provide the medical records within 12 hours unless otherwise provided by the court or by agreement. The court shall order the law enforcement agency to notify the child's parent or guardian of the ex parte order within 60 days of issuance; provided, however, that upon a showing of good cause, the court may extend the period beyond 60 days, but in no event beyond 180 days.

(c) If the law enforcement agency satisfies the requirements of subparagraph (a) but not subparagraph (b), the court shall order the law enforcement agency to immediately serve a parent or guardian and the health care provider with notice of the request. The parent or guardian and health care provider shall have 5 days from receipt of notice to file an objection. If no objection is made, the court shall order the health care provider to produce the records to the law enforcement agency within 7 days. If an objection is made, the health care provider shall be ordered to provide the records to the trial court within 7 days from the date of the objection by producing the records under seal for in camera review by the court. The court shall issue an order within 30 days of receipt of the records.

(d) The court may issue such order by telephone, facsimile, or email, and shall include written findings.

(e) Nothing in this section shall be construed to limit the ability of a health care provider to unilaterally disclose to a law enforcement agency a child's medical records or information about a child's medical condition as otherwise permitted by law, including if the health care provider, in the exercise of its professional judgment, believes the disclosure is necessary to prevent serious harm to the child or other potential victims.

II. Upon notice by a law enforcement agency of a court order permitting access to records for use in the investigation of the abuse or neglect of a child, a child fatality, or any other crime against a child pursuant to RSA 169-C or the criminal code, a health care provider shall permit the law enforcement agency to inspect and copy the medical records, including but not limited to prenatal and birth records, of the child or children involved in the investigation without the consent of the child, or parent or guardian of the child.

III. A health care provider who in good faith discloses medical records for the purpose of an investigation of the abuse or neglect of a child to the law enforcement agency shall not be civilly or criminally liable for the disclosure.

IV. The law enforcement agency in possession of medical records pursuant to this section shall, upon the request of the department or another law enforcement agency, be authorized to re-disclose the medical records to the department or other law enforcement agencies solely for the purpose of conducting investigations of child abuse or neglect, child fatalities, other crimes against a child, and any subsequent actions under this chapter or criminal proceedings. Medical records disclosed under this section shall not be used or further disclosed for any other purpose without a court order. Medical records provided pursuant to this section shall be exempt from disclosure under RSA 91-A.

V. For the purposes of this section, the term “law enforcement agency” shall include the attorney general, a county attorney, a county sheriff, the state police, and any local police department.

2 Confidentiality of Case Records; Disclosure to Law Enforcement. RSA 170-G:8-a, II(a)(9) is repealed and reenacted to read as follows:

(9) Another state’s child welfare agency or other government entity, or any law enforcement agency, including local and out-of-state law enforcement agencies, that requires the information in order to carry out its responsibility under law to protect children from abuse or neglect, including the investigation of child fatalities. For the purposes of this subparagraph, the term “law enforcement agency” shall include the attorney general, a county attorney, a county sheriff, the state police, and any local police department.

3 Repeal. RSA 170-G:8-a, III(c), relative to rules governing access to case records by law enforcement, is repealed.

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

2016-1070s

AMENDED ANALYSIS

This bill establishes the procedure for law enforcement to obtain a court order compelling the department of health and human services or a health care provider to disclose a child’s medical records for the purpose of an investigation of child abuse or neglect, a child fatality, or any other crime against a child.

Health and Human Services

March 16, 2016

2016-1068s

01/09

Amendment to SB 541

Amend RSA 400-A:68, II(g) as inserted by section 1 of the bill by replacing it with the following:

(g) One member representing the private health insurance industry, appointed by the New Hampshire chapter of America’s Health Insurance Plans.

Public and Municipal Affairs

March 16, 2016

2016-1085s

05/04

Amendment to SB 547

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

AN ACT establishing a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment.

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

1 New Section; The Militia; New Hampshire National Guard; Commission to Study Force Protection Measures. Amend RSA 110-B by inserting after section 12 the following new section:

110-B:12-a Commission to Study Force Protection Measures. There is established a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment.

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

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

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

(c) Two members of the New Hampshire national guard who have training in anti-terrorism and force protection, one from the New Hampshire army national guard and one from the New Hampshire air national guard, appointed by the adjutant general.

(d) One civilian member of the adjutant general department who is an anti-terrorism and force protection subject matter expert.

(e) Three members of the New Hampshire national guard, one from the Pease ANG base, one from the New Hampshire national guard recruiting command, and one from a standalone New Hampshire national guard readiness center, appointed by the adjutant general.

III. The committee shall:

(a) Review all laws, regulations, and policies that affect force protection.

(b) Assess force protection procedures.

(c) Formulate recommendations with regard to force protection policies and procedures.

(d) Seek input from the department of safety, division of homeland security and emergency management on assessments and recommendations.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member and shall be held within 30 days of the effective date of this section. Five members of the commission shall constitute a quorum.

V. Due to the sensitive nature of the information that will be reported, the commission shall prepare a full report for limited distribution and a redacted report for a broader audience.

(a) The commission shall report its full findings and any force protection recommendations, including vulnerability assessments, threat assessments, risk analysis, and risk mitigation procedures, to the speaker of the house of representatives, the president of the senate, the governor, and others with a bona fide need to know on or before November 1, 2016.

(b) The commission shall report its redacted findings and any force protection recommendations, including vulnerability assessments, threat assessments, risk analysis, and risk mitigation procedures, to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

2 Repeal. RSA 110-B:12-a, relative to the commission to study force protection measures, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2016.

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

2016-1085s

AMENDED ANALYSIS

This bill establishes a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment.

Rules, Enrolled Bills and Internal Affairs

March 16, 2016

2016-1056s

05/03

Amendment to SCR 3

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

A RESOLUTION applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution.

Amend the resolution by replacing all after the title with the following:

Whereas, Article V of the United States Constitution requires the United States Congress to convene a convention for proposing amendments upon application of 2/3 of the legislatures of the several states; and

Whereas, the state of New Hampshire sees the need for a convention to propose amendments to the constitution; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring:

That the state of New Hampshire, speaking through its legislature and pursuant to Article V of the United States Constitution, hereby petitions the United States Congress to convene a convention to propose amendments to the federal Constitution for the exclusive purpose of election reform that do not abrogate or amend the first amendment to the federal Constitution; and

That the state of New Hampshire intends that this be a continuing application considered together with applications calling for a convention passed in the 2013-2014 Vermont legislature as Joint Resolution Senate No. 27 (160 Congressional Record S4331, POM-284), the 2013-2014 California legislature's Assembly Joint Resolution No. 1 (160 Congressional Record S5507, POM-320), the 2013-2014 Illinois legislature's Senate Joint Resolution No. 42, the 2014-2015 New Jersey State legislature's Senate Concurrent Resolution No. 132, and all other past, pending, and future applications for a convention of similar purpose until at least 2/3 of the several states have applied for and Congress has convened a convention; and

That certified copies of this resolution be transmitted by the senate clerk to the President of the United States, the Vice-President of the United States, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the Majority Leader of the United States Senate, and all members of New Hampshire's Congressional delegation with the respectful request that the full and complete text of this resolution be entered into the Congressional Record as an official memorial to Congress from the legislature of the state of New Hampshire, and to the presiding officers of the legislatures of each of the remaining states that have not yet applied to Congress for such a convention on this subject with the respectful request that they consider the adoption of similar legislation.

2016-1056s

AMENDED ANALYSIS

This senate concurrent resolution requests that the United States Congress convene a convention to propose amendments to the federal Constitution for the exclusive purpose of election reform that do not abrogate or amend the first amendment to the federal Constitution.

Rules, Enrolled Bills and Internal Affairs

March 16, 2016

2016-1064s

05/04

Amendment to SCR 4

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

A RESOLUTION applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government.

Amend the resolution by replacing all after the title with the following:

Be it resolved by the Senate, the House of Representatives concurring:

That, pursuant to Article V of the Constitution of the United States, the general court, as the legislature of the state of New Hampshire, makes application to the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States, for submission to the states for ratification, to impose fiscal restraints on the federal government; and

That, pursuant to Article V of the Constitution of the United States, the New Hampshire general court, as the legislature of the state of New Hampshire, joins in the applications of the states of Georgia (SR 736, 2014), Florida (SM 476, 2014), Alaska (HJR 22, 2014), and Alabama (HJR 112, 2015) for a convention for the specific and exclu-

sive purpose of proposing an amendment to the Constitution of the United States limited to the purposes stated therein; provided, however, that the delegates from New Hampshire to said convention are expressly limited to consideration and support of an amendment that imposes fiscal restraints on the federal government; and

That it is the express intention of the general court that this application shall be aggregated with the subsequent applications of other states limited to the purpose identified in this application and with those applications of the above-mentioned states; and

That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least 2/3 of the several states have made applications for a similar convention under Article V, or the general court acts to withdraw this application; and

That the legislature of the state of New Hampshire adopts this application expressly subject to the following reservations, understandings, and declarations:

I. An application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention;

II. Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from 2/3 of the legislatures of the several states;

III. Congress does not have the power or authority to determine any rules for the governing of an amendment convention of the states called pursuant to Article V of the United States Constitution. Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;

IV. By definition, an amendment convention of the states means that states shall vote on the basis of one state, one vote;

V. An amendment convention of the states convened pursuant to this application shall be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights shall not be authorized for consideration at any stage. This application shall be void if ever used at any stage to consider any change to any provision of the Bill of Rights;

VI. Pursuant to Article V of the United States Constitution, Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The legislature of the state of New Hampshire recommends that Congress select ratification by the legislatures of the several states; and

VII. The legislature of the state of New Hampshire may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided; and

That the senate clerk shall transmit certified copies of this resolution to the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the presiding officer in each house of the legislature in each of the states in the union, and to the members of New Hampshire's congressional delegation requesting their cooperation.

2016-1064s

AMENDED ANALYSIS

This resolution makes an application to Congress for an Article V convention to propose an amendment to the United States Constitution to impose fiscal restraints on the federal government.

Senate Executive Departments and Administration

March 16, 2016

2016-1071s

08/04

Amendment to HB 377

Amend RSA 4-F:1, II as inserted by section 2 of the bill by inserting after subparagraph (c) the following new subparagraph:

(d) A regional planning commissioner, appointed by the New Hampshire Association of Regional Planning Commissions.

Senate Ways and Means
March 15, 2016
2016-1018s
09/10

Amendment to HB 668-FN

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

AN ACT relative to application of the Internal Revenue Code to provisions of the business profits tax.

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

1 New Subparagraph; Business Profits Tax; Definition; United States Internal Revenue Code. Amend RSA 77-A:1, XX by inserting after subparagraph (l) the following new subparagraph:

(m) For all taxable periods beginning on or after January 1, 2016, the United States Internal Revenue Code of 1986, as amended, subject to RSA 77-A:3-a.

2 Business Profits Tax; Adjustments; Internal Revenue Code. RSA 77-A:3-a is repealed and reenacted to read as follows:

77-A:3-a Adjustments; Internal Revenue Code Provisions. In determining gross business profits for any period, before net operating loss and special deductions, a business organization shall apply the provisions of the United States Internal Revenue Code consistent with the provisions of this chapter, with the following adjustments:

I. The United States Internal Revenue Code shall be applied without section 168(k) of such code.

II. The United States Internal Revenue Code shall be applied without section 199 of such code.

3 Applicability.

I. Section 1 of this act shall take effect for taxable periods beginning on or after January 1, 2016.

II. Section 2 of this act shall take effect for property placed in service on or after January 1, 2016.

4 New Paragraph; Duties of the Commissioner of Revenue Administration; Report; Internal Revenue Code Changes. Amend RSA 21-J:3 by inserting after paragraph XXXII the following new paragraph:

XXXIII. File a report at least biennially with the finance committees of the senate and the house of representatives informing the committees of changes to the United States Internal Revenue Code, related Treasury Regulations, and administrative rulings which would impact New Hampshire.

5 Repeal. RSA 77-A:1, X(g), relative to a reference to the Internal Revenue Code, is repealed.

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

2016-1018s

AMENDED ANALYSIS

This bill updates the effective version of the United States Internal Revenue Code of 1986 applicable to the business profits tax, subject to certain adjustments. The bill also requires the commissioner of revenue administration to report biennially on changes to the Internal Revenue Code.

HEARINGS

TUESDAY, MARCH 22, 2016

COMMERCE, Room 100, SH

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

1:00 p.m. **HB 1105**, establishing a committee to study third party mortgage processors.

1:15 p.m. **HB 1152**, relative to the definition of specialty beer.

- 1:30 p.m. **HB 1307**, relative to the procedure for amendment of condominium instruments.
 1:45 p.m. **HB 1403**, relative to reinsurance.
 2:00 p.m. **HB 1450**, relative to risk-based capital for insurers.
EXECUTIVE SESSION MAY FOLLOW

EDUCATION, Room 103, LOB

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

- 9:00 a.m. **HB 1145**, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3.
 9:15 a.m. **HB 1408-FN**, relative to a school building inventory.
 9:35 a.m. **HB 231**, relative to the criteria for evaluating school building aid applications.
 10:05 a.m. **HB 242**, relative to the statewide improvement and assessment program.

EXECUTIVE SESSION MAY FOLLOW

FINANCE, Rooms 210-211, LOB

Sen. Forrester (C), Sen. Little (VC), Sen. Morse, Sen. Reagan, Sen. D'Allesandro, Sen. Hosmer, Sen. Sanborn, Sen. Kelly, Sen. Avar, Sen. Carson, Sen. Fuller Clark

- 12:00 p.m. **HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 100, SH

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

- 9:00 a.m. **HB 605-FN**, relative to mandatory minimum sentences.
 9:30 a.m. **HB 1434-FN**, relative to out-of-home placements under the child protection act.
 9:45 a.m. **HB 617-FN-A**, requiring state police to wear a camera when interacting with the public.
 10:15 a.m. **HB 1415**, relative to escape from official custody.
 10:30 a.m. **HB 1628-FN**, relative to human trafficking involving persons under 18 years of age.

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. **HB 1199**, allowing adults to play children's bingo at private campgrounds or hotels.
 9:45 a.m. **HB 1391**, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.
 10:00 a.m. **HB 1656-FN**, relative to exceptions to the real estate transfer tax.
 10:15 a.m. **HB 1689**, relative to operator requirements under the meals and rooms tax.

EXECUTIVE SESSION MAY FOLLOW

WEDNESDAY, MARCH 23, 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. **HB 1171**, relative to appeals heard by the waste management council.
 9:15 a.m. **HB 1355**, relative to poultry producers exempted from meat inspection requirements.
 9:30 a.m. **HB 1388-FN**, expanding crossbow use into muzzel loader season.

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. **HB 1397**, establishing a committee to study improvements to the Hannah Duston Memorial.

- 9:15 a.m. **HB 1113**, requiring a performance audit of the sex offender treatment program in the department of corrections.
- 9:30 a.m. **HB 1418-L**, relative to the minutes of nonpublic sessions of public bodies.
- 9:50 a.m. **HB 1419**, relative to voting records in nonpublic sessions of public bodies.
- 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. **HB 295**, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.
- 9:20 a.m. **HB 430**, relative to extending the veterans' property tax credit to all honorably discharged veterans.
- 9:40 a.m. **HB 1164**, relative to contributions by a city to the county or state.
- 10:00 a.m. **HB 1315**, adding mixed-use development to the definition of business and industrial facility.
- EXECUTIVE SESSION MAY FOLLOW**

MEETINGS

FRIDAY, MARCH 18, 2016

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

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

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

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

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

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

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

State of New Hampshire
Public Utilities Commission
Financial Audit Report
For the Nine Months Ended
March 31, 2015

State of New Hampshire
Lottery Commission
Management Letter
For the Fiscal Year Ended
June 30, 2015

MONDAY, MARCH 21, 2016

NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a)

9:00 a.m. NH Veterans Home Regular Meeting
Tarr South Conference Room
139 Winter Street
Tilton, NH

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

1:00 p.m. Room 104, LOB Regular Meeting

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

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

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

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

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

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

FRIDAY, MARCH 25, 2016

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

1:00 p.m. Room 201, LOB Regular Meeting

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

3:00 p.m. Room 102, LOB Subcommittee Meeting

MONDAY, MARCH 28, 2016

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

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

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 Work Group

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

10:30 a.m. Room 102, LOB Regular Meeting

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

11:00 a.m. Room 205, LOB Subcommittee Meeting
on Screening

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

TUESDAY, MARCH 29, 2016

CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2)

1:00 p.m. Room 201, LOB Regular Business

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)

1:30 p.m. Room 201, LOB Regular Business

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

2:30 p.m. Plymouth State University
Heritage Commons
Samuel Read Hall
Highland Street
Plymouth, NH Regular Meeting

THURSDAY, MARCH 31, 2016

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

10:00 a.m. Room 104, LOB Subcommittee Work Session
on Food Services
Performance Audit Review

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

1:00 p.m. Room 207, LOB Regular Meeting

FRIDAY, APRIL 1, 2016**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m. Representatives' Hall, SH Continued Meeting

NEW HAMPSHIRE FILM AND TELEVISION COMMISSION (RSA 21-K:23, III)

10:00 a.m. Department of Cultural Resources Regular Meeting
 19 Pillsbury Street
 Concord, NH

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

1:00 p.m. Room 205, LOB Subcommittee Meeting
 on Prevention

MONDAY, APRIL 4, 2016**COMMISSION ON HISTORIC BURYING GROUNDS (RSA 227-C:12-a)**

9:00 a.m. Room 101, LOB Regular Meeting

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

COMMISSION TO REVIEW AND CONSIDER ALCOHOLIC BEVERAGE MANUFACTURING PROCESSES AND RETAIL SALES AT MANUFACTURING FACILITIES (RSA 175:10)

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

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

1:15 p.m. Room 207, LOB Regular Meeting

FRIDAY, APRIL 8, 2016**OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)**

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

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

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

NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R:1)

10:00 a.m. Room 100, SH 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, APRIL 11, 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

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

FRIDAY, APRIL 15, 2016

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

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

MONDAY, APRIL 18, 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 Work Group

THURSDAY, APRIL 21, 2016

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

2:30 p.m. Walker Building, Room 100 Regular Meeting
21 South Fruit Street
Concord, NH

FRIDAY, APRIL 22, 2016

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)

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

MONDAY, APRIL 25, 2016

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

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SENATE BILLS AMENDED BY THE HOUSE

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 155-FN-A, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

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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 2015-2016 BILLS:

SENATE BILLS: 64, 127, 129, 138, 155, 157, 193, 203, 210, 227, 238, 239, 256, 265, 302, 319, 330, 332, 339, 344, 356, 369, 376, 389, 401, 406, 447, 452, 461, 465, 467, 468, 483, 485, 494, 503, 510, 522, 523, 530, 532, 540, 549, 551, 552

HOUSE BILLS: 216, 353, 380, 521, 593, 628, 661

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ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2016 BILLS:

SENATE BILL: 144, 146, 265, 576

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NOTICES

WEDNESDAY, MARCH 23, 2016

You are cordially invited to a Legislative Breakfast Buffet "Water's Worth It!" on Wednesday, March 23rd between 7:00 a.m. and 8:30 a.m. at the Holiday Inn on Main Street in Concord. The key note speakers will be WMUR TV's Meteorologist Hayley Lapoint, Peter Rice, Director of DPW for Portsmouth and NH DES Commissioner Tom Burack. Please RSVP to Elizabeth Harrington at nhwpca.elizabeth@gmail.com by March 13th.

Senator Martha Fuller Clark

WEDNESDAY, MARCH 23, 2016

The NH Oral Health Coalition invites all legislators to join us for our Annual Legislative Breakfast – "Band-ing Together for NH's Oral Health" on Wednesday, March 23rd 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 or call 603-415-5550.

Senator Jeb Bradley, Senate Majority Leader

WEDNESDAY, MARCH 23, 2016

Walmart State House Day: Please join Walmart for a salute to our New Hampshire suppliers and nonprofits at a luncheon to be held in the State House Cafeteria on Wednesday, March 23rd. Join us anytime between 11:30 a.m. to 1:30 p.m. to learn more about the jobs and products created in New Hampshire, as well as the services provided by the local organizations Walmart supports.

Senator Jeanie L. Forrester

WEDNESDAY, MARCH 23, 2016

The New Hampshire Liberty Alliance cordially invites all Senators and Representatives to attend a buffet-style luncheon Wednesday, March 23rd from 12:00 p.m. to 1:00 p.m. at Tandy's Top Shelf, located at 1 Eagle Sq., just across N. Main St. from the State House, in the back room. The NHLA compiles and distributes the Gold Standard before each session day, as well as publishes annual ratings for each NH State Senator and Representative. Several members of the NHLA Board of Directors will be in attendance. You will have the opportunity to ask questions or make suggestions on how the NHLA can better fulfill its mission of promoting liberty within New Hampshire state government.

Senator Andy Sanborn

WEDNESDAY, MARCH 23, 2016

All legislators and staff are cordially invited to join the New Hampshire Automobile Dealers Association (NHADA) for a Legislative Crossover Reception on Wednesday, March 23rd at 3:30 p.m. (or following the end of the House session day) at the Grappone Conference Center, 70 Constitution Avenue, Concord. NHADA has historically hosted this event which offers legislators a wonderful opportunity to unwind and enjoy the company of fellow legislators and staff in a fun, social gathering.

Senator Nancy F. Stiles
Senator Andrew Hosmer

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WEDNESDAY, MARCH 30, 2016

Breathe New Hampshire invites all legislators and staff to attend a Breakfast Reception on Wednesday, March 30th from 8:00 a.m. to 9:30 a.m. in the State House Cafeteria. Stop by for a light breakfast, take a breathing test, enter a raffle in celebration of our 100th anniversary and meet volunteers who are helping New Hampshire residents breathe better and live longer! Please RSVP to info@breathenh.org or by calling 603-669-2411.

Senator Lou D'Allesandro

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WEDNESDAY, APRIL 6, 2016

The New Hampshire Business Incubator Network (NHBIN) is hosting a Legislative Breakfast on Wednesday, April 6th from 8:00 a.m. to 9:30 a.m. in the State House cafeteria. For nearly two decades, business incubators across the state have provided early stage startups and small businesses with support, education, mentorship, co-working space and connections to resources and a network of entrepreneurs. Today New Hampshire is the proud home of five incubators: Alpha Loft, Dartmouth Regional Technology Center, Enterprise Center at Plymouth, Hannah Grimes Center, and Mt. Washington Valley Tech Village. Please join our incubator directors and member businesses at this reception to learn more about the critical role the NHBIN plays in creating jobs and growing our state's innovation economy. There will be a brief speaking program at 8:30 a.m. and a hot breakfast provided.

Senator Lou D'Allesandro

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WEDNESDAY, APRIL 20, 2016

The members of the National Association of Insurance and Financial Advisors (NAIFA) cordially invite all Senators, Representatives and staff to a reception in the State House cafeteria on Wednesday, April 20th from 7:30 a.m. to 9:30 a.m. where a breakfast will be served. NAIFA members live throughout New Hampshire - they are your local insurance and financial advisors who assist our citizens with life, health, disability, and long-term care insurance as well as investment products. Look forward to seeing you there.

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

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Legislative Ethics Committee

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

INTERPRETIVE RULING 2016-1
(February 18, 2016)

Acceptance by Legislators of Unsolicited Books and Other Informational Material

Questions have arisen about whether legislators may lawfully accept unsolicited books, CDs, DVDs, or similar materials.

Under RSA 15-B:3, "Gifts" to legislators are prohibited, unless specifically exempted by law. Transfers by third persons to legislators of non-monetary items of value are prohibited, unless the item is worth less than \$25.00, or otherwise qualifies for a specific statutory exemption from the definition of "gift." In some instances, an item is not worth what is shown as the list price of the item. Under RSA 15-B:2, XI, an item's value is defined as "the amount at which property or services would change hands between a willing buyer and a willing seller when neither is under any compulsion to buy or sell and both have reasonable knowledge of the relevant facts." This means that if a book, CD, DVD, or similar item is widely available from Internet sources, for example, for a price less than \$25, a legislator can accept it.

Another available exemption allows the acceptance of “(o)bjects or services which primarily serve an informational purpose provided in the ordinary course of business, such as reports, books, maps, or charts.” [RSA 15-B:2, V (b)(5)] Under this exemption, such objects or services may be accepted even when valued at \$25 or more.

The Committee hopes that this interpretation is helpful. In specific cases, if there is doubt about whether an unsolicited gift may be accepted, legislators should request an Advisory Opinion from the Committee.

Honorable 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

Thursday, March 24, 2016

Thursday, April 21, 2016

Thursday, May 12, 2016

Thursday, May 19, 2016

Thursday, May 26, 2016

Monday, May 30, 2016

Thursday, June 02, 2016

Monday, July 04, 2016

Monday, September 05, 2016

Friday, November 11, 2016

Thursday, November 24, 2016

Friday, November 25, 2016

Monday, December 26, 2016

CROSSOVER – Deadline to ACT on all Senate bills.

Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.

Deadline to ACT on all House bills.

Deadline to FORM Committees of Conference.

Deadline to SIGN Committee of Conference Reports.

Memorial Day (State Holiday)

Deadline to ACT on Committee of Conference Reports.

Independence Day (State Holiday)

Labor Day (State Holiday)

Veterans’ Day (State Holiday)

Thanksgiving Day (State Holiday)

Day after Thanksgiving (State Holiday)

Christmas Day (State Holiday)