

**March 31, 2016  
No. 13**

# **STATE OF NEW HAMPSHIRE**

**Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)**



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

## **SENATE CALENDAR**

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**THE SENATE WILL MEET IN SESSION ON  
THURSDAY, APRIL 7, 2016 AT 10:00 A.M.**

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**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 338**, relative to the right of crime victims to make statements to the parole board. 03/24/2016, pending motion, Committee Amendment 1032s, Judiciary, SJ 10

**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 365**, relative to traffic control measures. 03/24/2016, pending motion, Inexpedient to Legislate, Energy and Natural Resources, SJ 10

**SB 382**, relative to the authority of a federal law enforcement officer to make arrests in New Hampshire. 03/24/2016, pending motion, Sen. Pierce Floor Amendment 1163s, Judiciary, SJ 10

**SB 408-FN-A**, relative to funding for the children's savings account program. 03/24/2016, pending motion, Inexpedient to Legislate, Finance, SJ 10

**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, pg. 195

**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, pg. 191

**SB 463-FN**, suspending the imposition of the death penalty. 03/03/2016, pending motion, Ought to Pass, Judiciary, SJ 7, pg. 171

**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, pg. 175

**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 520-FN**, relative to the form of drivers' licenses and identification cards. 03/24/2016, pending motion, Interim Study, Transportation, SJ 10

**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, pg. 180

**SB 551-FN-A-L**, establishing video lottery and table gaming at one location. 03/24/2016, No pending motion, Finance, SJ 10

## CONSENT CALENDAR REPORTS

### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

Ought to Pass, Vote 5-0.

Senator Reagan for the committee.

This bill clarifies rules and regulations regarding the adoption of administrative rules. This bill allows documents prepared by a group or association to be incorporated by reference if an agency is a member of the association. The bill also extends the amount of time allowed for the adoption of such documents.

There has been problems with groups who only meet once a month to respond in the time required.

**HB 1665-FN**, adopting the interstate medical licensure compact.

Ought to Pass, Vote 5-0.

Senator Reagan for the committee.

This bill adopts the interstate medical licensure compact which would provide for shortened application time for physicians who wish to practice in New Hampshire that hold a license in another state that is a member of the medical licensure compact. This bill will shorten application process time and increase requirements. This bill allows New Hampshire to be competitive in licensing physicians in the state.

## REGULAR CALENDAR REPORTS

### COMMERCE

**HB 1105**, establishing a committee to study third party mortgage processors.

Ought to Pass with Amendment, Vote 5-0.

Senator Bradley for the committee.

### EDUCATION

**HB 1121**, relative to the academic areas that comprise the statewide assessment.

Ought to Pass with Amendment, Vote 3-0.

Senator Watters for the committee.

**HB 1225**, permitting high school students who are members of the armed forces to wear their uniforms at graduation.

Ought to Pass, Vote 4-0.

Senator Reagan for the committee.

**HB 1283**, relative to school notification of a change in placement.

Ought to Pass, Vote 4-0.

Senator Stiles for the committee.

### ENERGY AND NATURAL RESOURCES

**HB 1116-FN**, relative to net metering.

Ought to Pass, Vote 5-0.

Senator Bradley for the committee.

**HB 1332**, adding a member to the aquatic resources compensatory mitigation site selection committee.

Ought to Pass, Vote 3-0.

Senator Fuller Clark for the committee.

### FINANCE

**HB 1197**, relative to conservation number plate funds.

Ought to Pass, Vote 5-0.

Senator D'Allesandro for the committee.

### HEALTH AND HUMAN SERVICES

**HB 1165**, changing "incapacitated" to "vulnerable" in the adult protective services laws.

Ought to Pass, Vote 3-0.

Senator Kelly for the committee.

**HB 1285**, relative to the donation of food that has passed its expiration date.

Ought to Pass, Vote 4-0.

Senator Carson for the committee.

### **WAYS AND MEANS**

**HB 1208-FN**, relative to administration of the tobacco tax.

Ought to Pass, Vote 4-0.

Senator Feltes for the committee.

**HB 1219-FN-L**, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.

Ought to Pass, Vote 4-0.

Senator D'Allesandro for the committee.

**HB 1689**, relative to operator requirements under the meals and rooms tax.

Interim Study, Vote 4-0.

Senator Feltes for the committee.

## **AMENDMENTS**

Commerce

March 30, 2016

2016-1219s

08/09

### **Amendment to HB 1105**

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

AN ACT establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors.

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

1 Committee Established. There is established a committee to study third party mortgage processors.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study third party mortgage processors.

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 first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

5 Report. The committee shall report its findings and any recommendations for proposed legislation 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.

6 Youth Employment Law; Prohibitions. Amend RSA 276-A:4, VII to read as follows:

VII. No youth 16 or 17 years of age who is duly enrolled in school shall work for more than 6 consecutive days or 48 hours in any one week during school vacations, including summer vacation. For purposes of this paragraph, "summer vacation" means June 1 through Labor Day. ***This prohibition shall not apply to youths 17 years of age who reside and work at a summer camp for minors.***

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

2016-1219s

### **AMENDED ANALYSIS**

This bill establishes a committee to study third party mortgage processors.

This bill also provides an exemption from certain youth employment laws for 17 year olds who reside and work at summer camps for minors.

Senate Education  
March 29, 2016  
2016-1200s  
04/01

### Amendment to HB 1121

Amend RSA 193-C:5 as inserted by section 1 of the bill by replacing it with the following:

193-C:5 Areas of Assessment. The *statewide* academic areas to be assessed shall include~~[-but not be limited to:]~~ reading and language arts, mathematics, *and* science~~[-history, geography, civics, and economics]~~. *History, geography, civics, and economics remain required critical areas of study. Therefore, assessment of these subjects remains within the purview of the local school board.* The statewide assessment program shall only measure student understanding of key content-specific concepts, skills, and knowledge applied within or across academic content domains.

## HEARINGS

***TUESDAY, APRIL 5, 2016***

### COMMERCE, Room 100, SH

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

- 1:00 p.m. **HB 1188**, relative to the brew pub license.
  - 1:15 p.m. **HB 1211**, relative to requirements for certain alcoholic beverage licenses.
  - 1:30 p.m. **HB 1182-FN**, establishing a committee to study fees for sales of wine by manufacturers.
  - 1:45 p.m. **HB 1329**, relative to transportation of alcoholic beverages.
  - 2:00 p.m. **HB 1540-FN**, relative to direct shipments of beer.
- EXECUTIVE SESSION MAY FOLLOW**

### EDUCATION, Room 103, LOB

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

- 9:00 a.m. **HB 1300**, relative to the content of patriotic exercises in public schools.
  - 9:15 a.m. **HB 1497**, relative to the limits on disclosure of information used on college entrance exams.
  - 9:35 a.m. **HB 1231**, relative to school district policy regarding objectionable course material.
  - 9:55 a.m. **HB 1232**, relative to visits to schools by non-academic government or private organizations.
- EXECUTIVE SESSION MAY FOLLOW**

### FINANCE, Room 103, SH

Sen. Forrester (C), Sen. Little (VC), Sen. Morse, Sen. Reagan, Sen. D'Allesandro, Sen. Hosmer

- 1:00 p.m. Agency Update: Department of Resources and Economic Development
  - 1:30 p.m. **HB 1172**, relative to corrective action implementation of audit findings concerning Cannon Mountain.
  - 1:45 p.m. **HB 1428-FN-A-L**, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program.
- EXECUTIVE SESSION MAY FOLLOW**

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

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

- 1:00 p.m. **HB 1664-FN**, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.

- 1:30 p.m. **HB 1608-FN**, relative to uniform prior authorization forms.  
 2:00 p.m. **HB 1570-FN**, repealing the law governing access to reproductive health care facilities.  
 2:30 p.m. **HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation.

**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 1631-FN**, relative to penalties for possession of marijuana.  
 10:00 a.m. **HB 1681-FN**, relative to hypodermic syringes and needles containing residual amounts of controlled drugs.

**EXECUTIVE SESSION MAY FOLLOW**

**TRANSPORTATION**, Room 103, LOB

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

- 1:00 p.m. **HB 466-FN**, relative to farm tractor plates for certain specialized vehicles.  
 1:15 p.m. **HB 1154-FN**, authorizing and regulating the use of license plate scanning devices.  
 1:30 p.m. **HB 1302**, relative to driver's license requirements for operation of a mixed use school bus.  
 1:45 p.m. **HB 1186**, repealing the law prohibiting coasting of vehicles.  
 2:00 p.m. **HB 1156**, relative to interference with traffic devices.

**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 1289**, making technical corrections to certain tax laws.  
 9:45 a.m. **HB 1290**, relative to filing dates for business taxes.  
 10:00 a.m. **HB 1590-FN-A-L**, relative to the regulation and taxation of short-term rental businesses.

**EXECUTIVE SESSION MAY FOLLOW**

**WEDNESDAY, APRIL 6, 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 1267**, relative to the family hike safe card for fish and game search and recovery expenses.  
 9:15 a.m. **HB 1268**, relative to liability for payment of expenses of search and rescue recovery by the fish and game department.  
 9:30 a.m. **HB 297**, protecting individual customer data from disclosure by a public utility.  
 9:45 a.m. **HB 1589-FN**, prohibiting the transport of aquatic plants and aquatic weeds.

**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 1404-FN**, relative to certain director positions in the insurance department.  
 9:20 a.m. **HB 1423-FN**, relative to rulemaking for prescribing controlled drugs.  
 9:40 a.m. **HB 1553-FN**, transferring the administration of the telecommunications accounting unit.  
 10:00 a.m. **HB 1594-FN**, relative to emergency medical services.

**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 1114**, relative to the number of inspectors of election.
- 9:15 a.m. **HB 1220**, relative to disqualification of election officers.
- 9:30 a.m. **HB 1223**, relative to changes of address on election day.
- 9:45 a.m. **HB 1377**, relative to receipt of absentee ballots.
- 10:00 a.m. **HB 1181**, relative to designating an alternate cemetery trustee.
- 10:15 a.m. **HB 1202**, relative to applications submitted to a planning board.
- 10:30 a.m. **HB 1482**, relative to the Interstate Voter Registration Crosscheck Program.
- EXECUTIVE SESSION MAY FOLLOW**

***THURSDAY, APRIL 7, 2016*****JUDICIARY, Room 100, SH**

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

- 12:00 p.m. or Immediately Following Session if Session goes beyond 12:00 p.m. on the Following Bills
- 12:00 p.m. **HB 1584-FN**, relative to the discharge of a person committed for nonpayment of a fine.
- 12:15 p.m. **HB 602-FN**, relative to the use of drones.
- 12:30 p.m. **HB 636-FN**, relative to forfeiture of property.
- EXECUTIVE SESSION MAY FOLLOW**

**MEETINGS*****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

**CURRENT USE BOARD (RSA 79-A:3)**

1:30 p.m. NH Department of Revenue Administration Regular Meeting  
109 Pleasant Street  
Concord, NH

***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

**STATE COMMITTEE ON AGING (RSA 161-F:7, I)**

10:00 a.m.	DHHS, Brown Building, Room 232 129 Pleasant Street Concord, NH	Regular Meeting
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**TASK FORCE ON WORK AND FAMILY (RSA 276-B:2, I)**

1:15 p.m.	Room 207, LOB	Regular Meeting
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***TUESDAY, APRIL 5, 2016*****JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)**

3:00 p.m.	Room 212, LOB	Regular Business Meeting
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***THURSDAY, APRIL 7, 2016*****JOINT COMMITTEE ON LEGISLATIVE FACILITIES (RSA 17-E:1)**

2:45 p.m.	Room 307, LOB	Regular Meeting
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**SENATE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:1)**

3:00 p.m.	Room 307, LOB	Regular Meeting
(or 5 minutes following JLFC meeting)		

***FRIDAY, APRIL 8, 2016*****STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)**

9:30 a.m.	Room 101, LOB	Regular Meeting
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**FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)**

10:00 a.m.	Rooms 210-211, LOB	Special Meeting Regarding Tabled Item FIS 16-057
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**TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE (RSA 12-A:46)**

10:00 a.m.	NH Department of Resources & Economic Development 172 Pembroke Road Concord, NH	Quarterly Meeting
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**HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

11:00 a.m.	Room 104, LOB	Regular Meeting
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***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
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**ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA 188-E:10-b)**

10:00 a.m.	Room 101, LOB	Regular Meeting
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**JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1)**

1:30 p.m.	Room 100, SH	Regular Meeting
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**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
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***FRIDAY, APRIL 15, 2016*****JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.	Rooms 306-308, LOB	Regular Meeting
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**FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)**

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

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

10:00 a.m. Room 305, 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

**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

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

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

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

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

***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 WILD-LIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30)**

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

***THURSDAY, APRIL 28, 2016*****COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T)**

2:30 p.m. NH Medical Society Regular Meeting  
7 North State Street  
Concord, NH

***MONDAY, MAY 2, 2016*****STATE COMMITTEE ON AGING (RSA 161-F:7, I)**

10:00 a.m. DHHS, Brown Building, Room 232 Regular Meeting  
129 Pleasant Street  
Concord, NH

***FRIDAY, MAY 6, 2016***

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

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

***TUESDAY, MAY 10, 2016***

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

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

***FRIDAY, MAY 13, 2016***

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

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

***THURSDAY, MAY 19, 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, MAY 20, 2016***

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

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

***THURSDAY, MAY 26, 2016***

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

2:30 p.m.                      NH Medical Society                      Regular Meeting  
7 North State Street  
Concord, NH

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**FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 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, 464, 465, 467, 468, 482, 483, 485, 494, 503, 510, 521, 522, 523, 530, 532, 540, 549, 551, 552**

**HOUSE BILLS: 216, 353, 380, 466, 521, 535, 593, 628, 661, 668, 1116, 1175, 1198, 1219, 1245, 1266, 1272, 1349, 1357, 1381, 1385, 1423, 1426, 1428, 1430, 1547, 1568, 1586, 1595, 1599, 1654, 1696**

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

**SENATE BILLS: 110, 144, 146, 238, 265, 380, 576**

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# NOTICES

## WEDNESDAY, APRIL 6, 2016

The New Hampshire Business Incubator Network (NHBIN) is hosting a Legislative Breakfast on Wednesday, April 6<sup>th</sup> 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

## WEDNESDAY, APRIL 6, 2016

The Department of Health and Human Services will offer a presentation on the Section 1115 Medicaid Transformation Waiver to all Senators and Staff from 2:00 p.m. to 3:00 p.m. in Room 100 of the State House.

Senator Chuck W. Morse, Senate President

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## WEDNESDAY, APRIL 13, 2016

Legislators are invited to join Housing Action NH for a Home Matters in NH Week Awards breakfast Wednesday, April 13<sup>th</sup>, 8:30 a.m. to 9:30 a.m. in the State House Cafeteria. NH does better when more Granite Staters have a place to call home. Home Matters in NH Week celebrates achievements and assesses remaining barriers to reaching that goal. Home Matters in NH Awards honor legislators, advocates and media who have helped further understanding and advanced policy solutions to housing affordability challenges we face in NH. Senators David Boutin and Dan Feltes and Representatives Marjorie Porter and James Belanger will be recognized for outstanding work in the legislative category. The group will also present awards to Families in Transition President Maureen Beauregard in the advocacy category, and Valley News reporter Nora Doyle-Burr and photographer James Patterson in the media category. Please RSVP to [laurel@housingactionnh.org](mailto:laurel@housingactionnh.org) or call 603-425-3855.

Senator Jeb Bradley, Senate Majority Leader  
Senator Martha Fuller Clark

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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 20<sup>th</sup> 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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## WEDNESDAY, MAY 4, 2016

The members of the NH Snowmobile Association cordially invite all Legislators and staff to a reception in the State House cafeteria on Wednesday, May 4<sup>th</sup>, from 7:30 a.m. to 9:30 a.m. where a breakfast will be served. We look forward to seeing you there.

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

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### WEDNESDAY, MAY 11, 2016

The New Hampshire Beverage Association (formerly the NH Soft Drink Assoc.) cordially invites all House and Senate members and legislative staff to enjoy a hearty luncheon on Wednesday, May 11<sup>th</sup> from 12:00 p.m. to 2:00 p.m. in the State House Cafeteria. Please come to celebrate our new name and see how the beverage industry in New Hampshire is delivering jobs, choice and recycling innovation for the people of New Hampshire. Experts will be on hand to demonstrate how plastic bottles are recycled and reused. It is a great demonstration to see. Please rsvp to [jgrimbilas@biancopa.com](mailto:jgrimbilas@biancopa.com). See 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 revise and reissue the following interpretive ruling, which is printed below in its entirety.

#### INTERPRETIVE RULING 2016-1

{Revised with additional information}

(March 21, 2016)

#### Receipt by Legislators of Unsolicited Books and Other Items

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.

When a legislator receives an unsolicited item that is valued at \$25 or more and does not qualify for a specific statutory exemption from the definition of gift, the legislator can avoid violation of the prohibition on the acceptance of gifts by discarding the item. Legislators may also return the item to the giver (but are not required to incur any cost in doing so) or give the item to another individual who is not a family member or donate it to an entity such as a museum, library, or non-profit organization, provided no benefit accrues to the legislator or the legislator's family member.

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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## **Legislative Ethics Committee**

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

### **INTERPRETIVE RULING 2016-2**

(March 21, 2016)

Questions have arisen about compliance with the financial disclosure and conflict of interest disclosure provisions of the Ethics Guidelines. This interpretive ruling is intended to provide guidance for legislators regarding when a legislator is required to file a Declaration of Intent Form in addition to the Financial Disclosure Form.

A conflict of interest, as defined for legislators in Ethics Guidelines Section 2, exists when a legislator participates in any official activity the outcome of which could have a direct material financial effect on the legislator, or a legislator's family member, which is greater than its financial effect on the general public.

It is the responsibility of legislators to recognize when a conflict of interest exists and to act accordingly through the use of the appropriate disclosure procedure.

### **The Financial Disclosure Form**

RSA 14-B:8 and Ethics Guidelines Section 3, Legislator's Financial Disclosure Form, require every legislator to file a Financial Disclosure Form with the Legislative Ethics Committee annually on or before the third Friday of January. The form consists of two sections. Section 1 requires a legislator to identify sources of income in excess of \$10,000 received by the legislator or a legislator's family member during the preceding calendar year. A "family member" means any person related to and living in the same domicile as a legislator and who shares a common economic interest in the expenses of daily living. Section 2 requires a legislator to disclose and describe any financial interests that the legislator or a legislator's family member may have in certain businesses, professions, occupations, groups, or matters that are listed in the section. Completion of the so-called "checklist" in Section 2 allows a general disclosure of a legislator's financial interests in certain issues likely to come before the General Court and is intended to eliminate the requirement in many circumstances for a legislator to file a specific Declaration of Intent Form, as provided in Ethics Guidelines Section 5, at the time of participation in any official activity in which a legislator has a potential conflict of interest.

### **The Declaration of Intent Form**

Although disclosure of financial interests on the checklist would satisfy the Ethics Guidelines' disclosure requirements in many circumstances, it will not relieve a legislator from the requirement of filing a specific Declaration of Intent Form if a legislator participates in pending legislation or other official activities the outcome of which could reasonably be expected to result in any benefit or detriment that: (1) is limited to the legislator or the legislator's family member or to a group (which includes the legislator or family member) that is not generally recognized or of substantial size; or (2) is of a greater magnitude than would result to other individuals with similar financial interests. In such cases, the legislator must file a Declaration of Intent Form and choose either Option #1 or Option #2 described below.

It is important to remember that a legislator's decision to participate or not participate applies to participation in all matters relating to the official activity. A legislator cannot participate in some activities (for example, introducing a bill or testifying on it before a committee) and then file a declaration opting to not participate in a later activity (such as voting on the same bill on the House or Senate floor).

**Option #1: Filing a Declaration of Intent Form and indicating "I will participate."** When a legislator becomes aware that a conflict of interest exists or may exist as a result of participation in an official activity the outcome of which could reasonably result in any benefit or detriment that is limited to the legislator or the legislator's family member or to a group (which includes the legislator or the legislator's family member) that is small or not generally recognized, or is of a greater magnitude than would result to other individuals with similar financial interests, the legislator must file a Declaration of Intent Form. If a legislator elects to declare an intention to participate in the activity, the legislator is required to detail the nature of the conflict of interest on the form.

**Option #2: Filing a Declaration of Intent Form and indicating "I will not participate."** When a legislator becomes aware that a conflict of interest exists or may exist as a result of participation in an official activity the outcome of which could result in any benefit or detriment that is limited to the legislator or the legislator's family member or to a group (which includes the legislator or the legislator's family member) that

is small or not generally recognized, or is of a greater magnitude than would result to other individuals with similar financial interests, the legislator must file a Declaration of Intent Form. The decision to participate or not to participate is solely that of each individual legislator. The greater the perceived financial benefit is to the legislator, however, the more seriously the legislator may want to consider electing not to participate.

### **Types of “official activities”**

Under the Ethics Guidelines, “official activities” is defined to include much more than voting on a bill on the Senate or House floor. The term also includes any activity that relates to a legislator’s official responsibilities, including the introduction of legislation, testifying before a legislative committee or state agency, voting in committee, or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation, or any state agency.

### **Timing of Declaration of Intent filing**

The requirement for filing a declaration of intent is triggered immediately when a legislator becomes aware that a conflict of interest exists or may exist with respect to any “official activity” the legislator is about to undertake. The legislator is required to make a public announcement either prior to or at the time the legislator undertakes the official activity, and the legislator must file the Declaration of Intent Form with the House clerk or Senate clerk within 24 hours of the announcement.

### **Hypothetical examples**

The Committee believes that the following hypothetical examples may be helpful in understanding the conflict of interest disclosure procedure and knowing when filing a Declaration of Intent Form is required.

(1) The legislator and her husband own a restaurant and the legislator has disclosed this financial interest by checking the box in checklist category “(i) Restaurants and lodging” and writing on the line below “My husband and I own a restaurant.” There is a bill before the legislature to raise the Rooms & Meals Tax generally. The legislator is not required to file a specific Declaration of Intent Form before voting on or participating in any official activity relating to the bill because the legislator’s generic disclosure on the checklist adequately covers this legislation which is of a general nature.

(2) The legislator is a lawyer and a partner/owner of a two-person law firm. The legislature is considering a bill that would lower the rate of the Business Enterprise Tax. The legislator has disclosed the financial interest in checklist categories: “(k) Practice of law,” and “(q) New Hampshire Taxes: Business Enterprise Tax.” As in the example above, no filing of a specific Declaration of Intent Form is required because these generic disclosures on the checklist adequately cover this general piece of legislation.

(3) The legislator owns a sports bar and makes disclosure of such in checklist category “(i) Restaurants and lodging.” There is a bill to allow keno gambling in bars. Although the legislator has disclosed ownership in a restaurant, the legislator could reasonably be expected to financially benefit from the bill in a way that most other individuals in the state would not benefit from. The legislator must file a specific Declaration of Intent Form and declare whether the legislator will participate or will not participate.

(4) The legislator is a member or beneficiary of the New Hampshire Retirement System and has disclosed this financial interest in checklist category “(g) New Hampshire Retirement System.” In Advisory Opinion 1992-3, the Committee held that membership in or receiving a benefit from the System constitutes a conflict of interest with respect to any proposed legislation, or other official activity, which would affect the amount or timing of benefits payable by the System to the legislator or the legislator’s family member or the amount or timing of contributions required to be made to the System by the legislator or the legislator’s family member. The legislature is considering a bill to increase the state’s contribution to the System for all members or affected group members or beneficiaries. The legislator stands to derive a direct financial benefit from passage of this legislation, however, this benefit would presumably be no greater than the benefit derived by the many other members of the System throughout the state. Therefore, in this example the legislator’s disclosure of membership in or being a beneficiary of the System on the checklist would satisfy the requirements of the Ethics Guidelines’ disclosure provisions. Although not required, the legislator may elect to file a Declaration of Intent Form and declare an intention to participate or not participate. The greater the perceived financial benefit is to the legislator, the more seriously the legislator may want to consider choosing to file a Declaration of Intent Form.

(5) The legislator’s spouse is a beneficiary of the New Hampshire Retirement System and the legislator has disclosed this financial interest in checklist category “(g) New Hampshire Retirement System.” In this example, there is a bill to provide a cost of living adjustment in benefits only for certain members of group I of the System who retired as teachers prior to 1987. The legislator’s spouse would qualify to receive the cost

of living adjustment provided in the bill. Because the legislator's family member stands to benefit directly from this specific legislation which affects only a small group, or subset, of System beneficiaries, the legislator's generic disclosure on the checklist form is inadequate. The legislator in this example must file a specific Declaration of Intent Form and declare an intention to participate or not participate.

(6) The legislator owns land subject to current use assessment. In Advisory Opinion 1996-1, the Committee held that the current use tax system constitutes a financial interest, and therefore a potential conflict of interest, with respect to any official activity pertaining to the tax. The legislature is considering a bill to change the definition of open space land and the method used to assess it. This bill would potentially affect the financial benefit of current use land ownership for every owner of land in current use. The legislator has disclosed the ownership of land in current use by checking the box in checklist category "(h) Current use land assessment program" and writing on the line below "I own 25 acres in current use." This disclosure would be sufficient in most cases given the large number of individuals in the state owning land subject to current use assessment and the probability that the financial benefit or detriment of the bill would affect all such landowners similarly. As in the example (4), the legislator may elect to file a Declaration of Intent Form and declare an intention to participate or not participate. The greater the perceived financial benefit is to the legislator, the more seriously the legislator may want to consider choosing these options.

(7) The legislator's son is a bail commissioner and lives in the same domicile and shares in the common economic expenses of daily living with the legislator. There is a bill to increase fees for bail commissioners. The legislator has disclosed the son's status as a bail commissioner on the Financial Disclosure Form by checking the box in checklist category "(r) Other" and writing on the line below "My son is a bail commissioner." The legislator in this example is not required to file a specific Declaration of Intent Form. If the legislator had not made the disclosure on the Financial Disclosure Form, the legislator would be required to file a specific Declaration of Intent Form and declare an intention to participate or not participate.

(8) The legislator is a developer and has disclosed this financial interest in checklist category "(d) Real estate, including brokers, agents, developers, and landlords." There is a bill to construct a new exit ramp off of a state highway. The legislator owns a parcel of land the value of which would be directly affected by construction of the exit ramp. Because the legislator stands to benefit directly from this specific legislation, the legislator's generic disclosure on the checklist form is inadequate. The legislator in this example must file a specific Declaration of Intent Form and declare an intention to participate or not participate.

(9) The legislator attends a county delegation meeting where there is a budget proposal to appropriate county funds to a nonprofit agency on which the legislator serves as a board member. In Advisory Opinion 2010-5, the Committee held that a member of a governing board of a nonprofit entity had fiduciary duties to the entity, and even if the legislator had no financial interest in the entity, and therefore no conflict of interest as narrowly defined in the Guidelines, the fiduciary duties may be perceived as potentially affecting the legislator's decision making. In this example, the legislator must file a specific Declaration of Intent Form and declare an intention to participate or not participate in the matter before the county delegation.

In adopting the Ethics Guidelines, the General Court has sought to balance the need of the public to know when a member may have a conflict of interest with the goal of providing a disclosure process that is clear and uncomplicated for members to use. The Committee recognizes that the application of any guideline to individual circumstances may pose questions not easily addressed in an interpretive ruling which is general in nature. The Committee is available to provide advice with respect to specific situations as they arise.

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, April 21, 2016	Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
Thursday, May 12, 2016	Deadline to ACT on all House bills.
Thursday, May 19, 2016	Deadline to FORM Committees of Conference.
Thursday, May 26, 2016	Deadline to SIGN Committee of Conference Reports.
Monday, May 30, 2016	Memorial Day (State Holiday)
Thursday, June 02, 2016	Deadline to ACT on Committee of Conference Reports.
Monday, July 04, 2016	Independence Day (State Holiday)
Monday, September 05, 2016	Labor Day (State Holiday)
Friday, November 11, 2016	Veterans' Day (State Holiday)
Thursday, November 24, 2016	Thanksgiving Day (State Holiday)
Friday, November 25, 2016	Day after Thanksgiving (State Holiday)
Monday, December 26, 2016	Christmas Day (State Holiday)