

April 7, 2016
No. 14

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, APRIL 14, 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 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, pg. 228**

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, pg. 228**

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, pg. 217**

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, pg. 219**

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

ENERGY AND NATURAL RESOURCES

HB 1267, relative to the family hike safe card for fish and game search and recovery expenses.

Ought to Pass with Amendment, Vote 5-0.

Senator Fuller Clark for the committee.

This bill adds individuals under a family guardianship to the definition of family for the voluntary hike safe card issued by the fish and game department for search and recovery response expenses. The committee believes that this bill is important in order to allow individuals, such as adult children who are still under the guardianship of their parents, to receive the family pricing of the hike safe card.

HB 1268, relative to liability for payment of expenses of search and rescue recovery by the fish and game department.

Ought to Pass with Amendment, Vote 5-0.

Senator Sanborn for the committee.

This bill clarifies the liability of persons requiring search and rescue response from the fish and game department for certain negligent, criminal, or reckless actions. The committee believes that this legislation is important in order to ensure that individuals are being as responsible as possible in their outdoor activities across the state.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1357-FN, relative to the duties of the department of cultural resources.

Ought to Pass, Vote 5-0.

Senator Reagan for the committee.

This bill establishes the division of film and digital media in the department of cultural resources in order to stay up to date with technological developments. This bill also reclassifies a current position.

HB 1553-FN, transferring the administration of the telecommunications accounting unit.

Ought to Pass, Vote 5-0.

Senator Soucy for the committee.

This bill transfers the statewide telecommunications accounting unit from the Department of Safety to the Department of Information Technology. This bill will also transfer positions from the Department of Safety to the Department of Information Technology, will abolish two positions in the Department of Safety, and establish one new full-time position within the Department of Information Technology.

HB 1594-FN, relative to emergency medical services.

Ought to Pass, Vote 5-0.

Senator Reagan for the committee.

This legislation makes various changes to laws regarding emergency medical services, including the requirement of a fingerprint criminal history records check for provider licensure for certain personnel licensed to provide emergency medical services. This bill also establishes a penalty for false reports concerning investigations.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1164, relative to contributions by a city to the county or state.

Ought to Pass with Amendment, Vote 5-0.

Senator Stiles for the committee.

This bill permits cities to voluntarily contribute funds or resources to county or state projects. The bill was introduced to only allow cities to do this, but the committee amended it to also allow towns.

HB 1181, relative to designating an alternate cemetery trustee.

Ought to Pass, Vote 5-0.

Senator Kelly for the committee.

This bill simply permits the board of cemetery trustees to appoint alternate cemetery trustees, in order to ensure that if a vacancy arises, an alternate can seamlessly transition into the position.

HB 1220, relative to disqualification of election officers.

Ought to Pass, Vote 5-0.

Senator Stiles for the committee.

This bill clarifies the implications of the disqualification of an election officer by removing a sentence that no longer applies to anything in the statute.

HB 1244-L, relative to municipal cemeteries.

Ought to Pass, Vote 5-0.

Senator Stiles for the committee.

This bill permits towns to enter into agreements with other entities to provide for cemeteries. This is a cost efficiency measure to aid municipalities who do not have the space to meet their cemetery duties.

TRANSPORTATION

HB 466-FN, relative to farm tractor plates for certain specialized vehicles.

Ought to Pass, Vote 5-0.

Senator Birdsell for the committee.

This bill allows certain specialized vehicles used for agricultural purposes to qualify for farm tractor plates. Some equipment, such as backhoes, is required to be registered as construction equipment, costing farmers hundreds of dollars. This bill is important in order to allow those individuals to register this type of equipment as farming equipment in order to pay a more suitable registration fee. Farmers must sign a statement stating that they will not use the equipment for any purpose other than farming.

HB 535-FN, relative to signs advising motorists approaching highway emergencies.

Ought to Pass, Vote 5-0.

Senator Watters for the committee.

This bill establishes a fund in the department of transportation, funded by payments from public-private agreements, for the sole purpose of posting signs advising motorists to give one lane of clearance to emergency vehicles in the breakdown lane. The bill also specifies locations for those signs. The committee believes that this legislation is important in order to protect police officers and emergency vehicles from further danger by giving notice to the public of the state's "move over" law.

HB 1430-FN, relative to registration of compact utility tractors.

Ought to Pass with Amendment, Vote 5-0.

Senator Birdsell for the committee.

This bill establishes registration, operation, and equipment requirements for compact utility tractors. The committee amended the bill in order to correct language that was accidentally omitted by the Office of Legislative Services from the introduced version of the bill. The committee believes this bill is important in order to allow residential homeowners to register their compact utility tractors for non-commercial use on secondary roadways.

REGULAR CALENDAR REPORTS

EDUCATION

HB 1239, relative to certain terminology in the education statutes.

Ought to Pass, Vote 4-0.

Senator Stiles for the committee.

HB 1300, relative to the content of patriotic exercises in public schools.

Ought to Pass, Vote 3-1.

Senator Avard for the committee.

HB 1303, establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.

Ought to Pass with Amendment, Vote 4-0.

Senator Avard for the committee.

HB 1497, relative to the limits on disclosure of information used on college entrance exams.

Ought to Pass, Vote 4-0.

Senator Watters for the committee.

HEALTH AND HUMAN SERVICES

HB 1664-FN, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.

Ought to Pass, Vote 3-0.

Senator Avard for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1313-FN, relative to eligibility to vote and relative to availability of voter information.
Inexpedient to Legislate, Vote 5-0.
Senator Lasky for the committee.

HB 1529-FN, relative to reporting of felony convictions for voter checklist updates.
Inexpedient to Legislate, Vote 4-1.
Senator Kelly for the committee.

HB 1624-FN, relative to electioneering by public employees.
Ought to Pass, Vote 5-0.
Senator Birdsell for the committee.

TRANSPORTATION

HB 1156, relative to interference with traffic devices.
Ought to Pass, Vote 4-0.
Senator Feltes for the committee.

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law.
Ought to Pass with Amendment, Vote 4-1.
Senator Stiles for the committee.

WAYS AND MEANS

HB 1247, relative to poker in private residences.
Inexpedient to Legislate, Vote 3-0.
Senator D'Allesandro for the committee.

HB 1289, making technical corrections to certain tax laws.
Ought to Pass, Vote 3-0.
Senator Sanborn for the committee.

HB 1290, relative to filing dates for business taxes.
Ought to Pass, Vote 3-0.
Senator D'Allesandro for the committee.

HB 1590-FN-A-L, relative to the regulation and taxation of short-term rental businesses.
Interim Study, Vote 3-0.
Senator D'Allesandro for the committee.

AMENDMENTS

Public and Municipal Affairs
April 6, 2016
2016-1293s
06/04

Amendment to HB 1164

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

AN ACT relative to contributions by a city or town to the county or state.

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

2 New Section; Towns; Contributions to County or State. Amend RSA 31 by inserting after section 103 the following new section:

31:103-a Contributions to County or State. A town may, by vote of the legislative body, voluntarily contribute funds, services, property, or other resources toward any county or state project, program, or plan. Any contribution involving the expenditure of funds under this section shall be subject to the requirements of RSA 32.

2016-1293s

AMENDED ANALYSIS

This bill permits cities and towns to voluntarily contribute funds or resources to county or state projects.

Energy and Natural Resources

April 6, 2016

2016-1287s

10/06

Amendment to HB 1267

Amend the bill by replacing section 2 with the following:

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

Energy and Natural Resources

April 6, 2016

2016-1288s

10/06

Amendment to HB 1268

Amend the bill by replacing section 3 with the following:

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

Senate Education

April 6, 2016

2016-1296s

04/10

Amendment to HB 1303

Amend RSA 195:32, I as inserted by section 1 of the bill by replacing all after subparagraph (i) with the following:

(j) One member of the public who has experience with the process of withdrawing from a cooperative school district, appointed by the chairperson of the house education committee.

(k) One member of the public who has experience with the process of withdrawing from a cooperative school district, appointed by the chairperson of the senate education committee.

Amend RSA 195:32, V as inserted by section 1 of the bill by replacing it with the following:

V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

Senate Transportation

April 5, 2016

2016-1278s

03/05

Amendment to HB 1430-FN

Amend the bill by replacing section 1 with the following:

1 Words and Phrases; Compact Utility Trailer Added. Amend RSA 259:13-a to read as follows:

259:13-a ***Compact Utility Tractor. "Compact utility tractor" shall mean any self-propelled 4-wheel vehicle utilizing diesel fuel, with a rated horsepower not to exceed 28 horsepower, that is capable of carrying not more than one occupant, is equipped by the manufacturer with at least one PTO (power take-off) in addition to any PTO installed for the purpose of an under-tractor mower deck, and has no provision for carrying a load other than attached implements such as snowplows, tool boxes, or bucket loaders.***

259:13-aa Consigned. "Consigned," as used in RSA 261:104, shall mean entrusted by a notarized written statement to a dealer as consignee, whereby the dealer has agreed to hold a vehicle for the consignor for the purpose of selling it.

Senate Transportation
 April 5, 2016
 2016-1279s
 03/05

Amendment to HB 1616-FN

Amend the bill by replacing section 15 with the following:

15 Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a to read as follows:

260:14-a Provision for Federal Identification Database Prohibited.

I. Except as provided in this section, the department shall not provide [a complete, or substantially complete or mirrored, extract of motor vehicle records that contain] any personally identifiable information from any file or database to the federal or any state government or to any agent or agency of, or contractor engaged by, the federal or any state government [for] with knowledge that the request has the purpose or reasonably likely effect of creating or enhancing a federal identification database.

II. Notwithstanding any law to the contrary, the department is authorized to participate in the National Driver Register (NDR) and Problem Driver Pointer System (PDPS), to achieve the state's compliance with the provisions of the National Driver Register Act of 1982, as amended, and its implementing regulations, and to facilitate the state's compliance with the provisions of the driver license compact authorized by RSA 263:77.

III. Notwithstanding any law to the contrary, the department is authorized to participate in the Commercial Driver's License Information System (CDLIS), to achieve the state's compliance with the provisions of the Federal Commercial Motor Vehicle Safety Act 1986, as amended, and its implementing regulations.

IV. Notwithstanding any law to the contrary, the department is authorized to participate in the National Law Enforcement Telecommunications System (NLETS).

V. Notwithstanding any law to the contrary, the department is authorized to participate in the National Motor Vehicle Title Information System (NMVTIS), to achieve the state's compliance with the provisions of the Federal Anti Car Theft Act of 1992, as amended, and its implementing regulations.

VI. Notwithstanding any law to the contrary, the department is authorized to participate in a pointer based state-to-state driver verification system with information from applicants for drivers' licenses and identification cards pursuant to RSA 263:14-b, RSA 263:14-c, RSA 260:21-a, and RSA 260:21-b.

Amend the bill by inserting after section 15 the following and renumbering the original sections 16-17 to read as 17-18, respectively:

16 Records and Certification. Amend RSA 260:14, III to read as follows:

III. Motor vehicle records may be made available pursuant to a court order or in response to a request from a state, a political subdivision of a state, the federal government, or a law enforcement agency for use in official business. The request shall be on a case-by-case basis. Any records received pursuant to this paragraph shall not be further transferred or otherwise made available to any other person or listed entity not authorized under this paragraph. Any records received pursuant to this paragraph shall not be used, further transferred, or otherwise made available to any other person or entity for the purpose of creating or enhancing a federal identification database.

2016-1279s

AMENDED ANALYSIS

This bill:

I. Allows a person obtaining a driver's license or nondriver's picture identification card to choose whether the license or identification card complies with the Real ID Act of 2005.

II. Authorizes optional enhanced drivers' licenses and optional enhanced nondrivers' picture identification cards which meet the standards of the Western Hemisphere Travel Initiative.

III. Establishes exceptions to the prohibition on state participation in a federal identification database.

HEARINGS

TUESDAY, APRIL 12, 2016

COMMERCE, Room 100, SH

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

- 1:00 p.m. **HB 1195**, relative to prepayment contracts for petroleum products.
 1:15 p.m. **HB 1409**, relative to life, accident, and health insurance.
 1:30 p.m. **HB 1410**, relative to motor vehicle coverage.
 1:45 p.m. **HB 1459**, relative to commercial coverage.
 2:00 p.m. **HB 1618**, relative to debt adjustment services.
 2:15 p.m. **HB 1579**, relative to regulation of the practice of out-of-state brokers by the real estate commission.

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 1130**, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.
 9:10 a.m. **HB 1644-FN**, relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education.
 9:30 a.m. **HB 1372**, permitting a child with a disability to use audio or video recording devices in the classroom.
 10:00 a.m. **HB 1637-FN**, relative to school attendance in towns with no public schools.

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. **HB 1591-FN-A**, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

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 1680-FN**, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness.
 1:30 p.m. **HB 1695-FN**, relative to a health system public data resource plan for New Hampshire and establishing a special fund and relative to cost effectiveness of programs implemented within state agencies.
 2:00 p.m. **HB 1210**, relative to prescriptions for controlled drugs by telemedicine.
 2:30 p.m. **HB 1316**, relative to hospital rates for self-pay patients.
 Hearing on proposed non-germane amendment **#2016-1312s** - *An Act relative to hospital rates for self-pay patients and relative to specialty care in drop-in or walk-in clinics* to **HB 1316**, relative to hospital rates for self-pay patients.

EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 100, SH

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

- 9:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

TRANSPORTATION, Room 103, LOB

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

- 1:00 p.m. **HB 1161**, relative to the traffic safety commission.
- 1:15 p.m. **HB 280-FN**, authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans.
- 1:30 p.m. **HB 1655-FN**, relative to the municipal registration fee for an agricultural/industrial utility vehicle.
- 1:45 p.m. **HB 1697-FN**, relative to the operation and insurance of transportation network companies.

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 1198-FN-L**, relative to the valuation of poles and conduits owned by telephone utilities.

EXECUTIVE SESSION MAY FOLLOW***WEDNESDAY, APRIL 13, 2016*****CAPITAL BUDGET**, Room 100, SH

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

- 3:00 p.m. **HB 1349-FN**, relative to the location of the Merrimack county superior court.

EXECUTIVE SESSION MAY FOLLOW**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 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual.
- 9:30 a.m. **HB 1660-FN-L**, relative to eminent domain for gas pipelines and relative to assessment of the land use change tax for eminent domain takings for energy infrastructure.
- 10:00 a.m. **HB 1148**, relative to pipeline capacity contracts.

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 1292**, relative to the use of abandoned agricultural property.
- 9:15 a.m. **HB 1531**, permitting the legislature to open the state house on weekends.
- 9:30 a.m. **HB 1331**, relative to the membership of the compensation appeals board.
- 9:45 a.m. **HB 1226**, relative to administration of pharmaceutical agents by optometrists.

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 1144-L**, relative to notice for sessions of correction of the check list.
- 9:15 a.m. **HB 1378**, relative to disabled voters requiring assistance.
- 9:30 a.m. **HB 1467**, relative to notice of village district elections.
- 9:45 a.m. **HB 1468**, relative to sessions for correction of the checklist.
- 10:00 a.m. **HB 1515**, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising.
- 10:15 a.m. **HB 1534**, relative to reports of death of voters.

10:30 a.m. **HB 1587**, relative to limitations on capital reserve funds of counties.
Hearing on proposed non-germane amendment **#2016-1298s** - *An Act relative to limitations on capital reserve funds of counties, and relative to authority for a conservation commission to dispose of certain property interests* to **HB 1587**, relative to limitations on capital reserve funds of counties.
EXECUTIVE SESSION MAY FOLLOW

THURSDAY, APRIL 14, 2016

COMMERCE, Room 100, SH

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

1:00 p.m. **HB 1339**, relative to the corporate governance annual disclosure act.
1:15 p.m. Hearing on proposed non-germane amendment **#2016-1304s** - *An Act relative to the corporate governance annual disclosure act and relative to compensation of ski area employees* to **HB 1339**, relative to the corporate governance annual disclosure act.
1:30 p.m. **HB 1340**, relative to producer licensing.
1:45 p.m. **HB 1685-FN**, relative to mortgage bankers, brokers, and servicers.
2:00 p.m. Hearing on proposed non-germane amendment **#2016-1310s** - *An Act establishing beer specialty licenses and relative to liquor commission revenue shortfalls* to **HB 114**, establishing beer specialty licenses.
EXECUTIVE SESSION MAY FOLLOW

WEDNESDAY, APRIL 20, 2016

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

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

9:00 a.m. **HB 1301**, relative to the issuance of youth employment certificates.
9:15 a.m. **HB 1322**, relative to reports to the public employee labor relations board.
9:30 a.m. **HB 1588**, repealing certain prohibitions on employment of state employees.
9:45 a.m. **HB 1264**, relative to carnival or amusement ride inspections.
10:00 a.m. **HB 1294**, relative to exemptions from licensure as a massage therapist.
EXECUTIVE SESSION MAY FOLLOW

WEDNESDAY, APRIL 27, 2016

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

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

9:00 a.m. **HB 1147**, requiring a report on federal landholdings within the state.
EXECUTIVE SESSION MAY FOLLOW

MEETINGS

FRIDAY, APRIL 8, 2016

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

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

11:00 a.m. Room 104, LOB Regular Meeting

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

PUBLIC AND MUNICIPAL AFFAIRS COMMITTEE

9:00 a.m. Aldermanic Chambers, 3rd Floor Demonstration and Meeting
 Manchester City Hall on Electronic Voter Check-In
 1 City Hall Plaza
 Manchester, NH

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

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

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

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

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

1:30 p.m. Room 100, SH Regular Meeting

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

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

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
 Single Audit of
 Federal Financial
 Assistance Programs
 For The Year Ended
 June 30, 2015
 State of New Hampshire
 Management Letter
 Year Ended June 30, 2015
 State of New Hampshire
 Turnpike System
 Management Letter
 For The Year Ended
 June 30, 2015
 State of New Hampshire
 Liquor Commission
 Management Letter
 For The Year Ended
 June 30, 2015
 State of New Hampshire
 Department of Administrative
 Services
 Back Office Consolidation
 Performance Audit Report
 April 2016

State of New Hampshire
Resources and
Economic Development
Office of Workforce
Opportunity
WorkReadyNH
Performance Audit Report
April 2016

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

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

1:30 p.m. Room 205, 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

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

10:00 a.m. Room 201, 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

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

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

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 7 North State Street Concord, NH	Regular Meeting
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MONDAY, MAY 2, 2016

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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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, MAY 6, 2016

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

9:00 a.m.	Rooms 306-308, LOB	Continued Meeting
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NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2)

10:00 a.m.	Room 203, LOB	Regular Meeting
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WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62)

9:00 a.m.	Room 307, LOB	Regular Meeting
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TUESDAY, MAY 10, 2016

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

6:00 p.m.	Upham-Walker House 18 Park Street Concord, NH	Regular Meeting
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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
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NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R:1)

10:00 a.m.	Room 308, LOB	Regular Meeting
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BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m.	Room 307, LOB	Regular Meeting
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MONDAY, MAY 16, 2016

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

9:00 a.m.	NH Higher Education Assistance Foundation 4 Barrell Court Concord, NH	Investment Committee Meeting
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10:00 a.m.	NH Higher Education Assistance Foundation 4 Barrell Court Concord, NH	Quarterly Meeting
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WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3)

10:00 a.m. Room 205, 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

MONDAY, MAY 23, 2016**OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)**

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

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

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

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

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

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

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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SENATE BILLS AMENDED BY THE HOUSE**EDUCATION**

SB 320, relative to non-academic surveys administered by a public school to its students.

SB 460, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

ENERGY AND NATURAL RESOURCES

SB 378, relative to the availability of net metering tariffs.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

SB 313, relative to requirements for licensed estheticians.

SB 400, relative to executive branch ethics.

JUDICIARY

SB 467, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms.

PUBLIC AND MUNICIPAL AFFAIRS

SB 545, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention Day, and August as Cure all Cancer month.

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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, 342, 344, 356, 369, 376, 389, 401, 406, 447, 452, 461, 464, 465, 467, 468, 481, 482, 483, 485, 494, 503, 510, 521, 522, 523, 527, 530, 532, 534, 535, 540, 549, 550, 551, 552

HOUSE BILLS: 216, 353, 380, 466, 521, 535, 593, 628, 661, 668, 1116, 1154, 1175, 1198, 1219, 1245, 1246, 1266, 1272, 1349, 1357, 1381, 1385, 1423, 1426, 1428, 1430, 1547, 1568, 1586, 1589, 1591, 1595, 1599, 1608, 1616, 1637, 1654, 1661, 1664, 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

HOUSE BILL: 1696

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NOTICES

TUESDAY, APRIL 12, 2016

Members of the General Court and staff are invited to a free chair massage on Tuesday, April 12th from 9:00 a.m. to 2:00 p.m. in room 212, LOB. This annual event is sponsored by the NH chapter of the National Association of Massage Therapists.

Senator Jeb Bradley, Senate Majority Leader
Senator Donna M. Soucy

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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 13th, 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 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 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

WEDNESDAY, APRIL 20, 2016

The New Hampshire Coastal Risk and Hazards Commission invites all legislators and staff to attend a presentation on Wednesday, April 20th from 12:00 p.m. to 1:00 p.m. in the Upham Walker House. The presentation will be on the Commission's draft report and recommendations, Preparing New Hampshire for Projected Storm Surge, Sea-Level Rise, and Extreme Precipitation, which was recently released for public review and comment. Please refer to the link for the full draft report. <http://nhcrhc.stormsmart.org/draft-for-comment/>. A brown bag lunch will be provided.

Senator Nancy F. Stiles
 Senator David Watters

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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 4th, 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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THURSDAY, MAY 5, 2016

The University of New Hampshire will be hosting the first annual University Day on the State House lawn on Thursday, May 5th from 11:00 a.m. to 1:00 p.m. Join UNH students and researchers to learn more about the university's robust educational offerings as well as the array of research, programs and activities that benefit the state. Lunch will be served by UNH's award winning dining staff. Please visit: www.unhconnect.unh.edu/udayconcord to register. Registration is required for lunch.

Senator Lou D'Allesandro

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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 11th 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. See you there!

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

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WEDNESDAY, MAY 18, 2016

All Senators and staff are invited to the Biennial Legislative Health Screening Day presented by Health Services. This event will be held on Wednesday, May 18th on the 3rd floor of the LOB from 9:00 a.m. to 1:00 p.m. There will be screenings for blood pressure, blood sugar, glaucoma and fall prevention balance. Chair massages, nutritional counseling and many more organizations will be available. Got questions? Bring them to our participating professionals including dentist, pharmacists and optometrist for quick and up to date information. I'm looking forward to seeing all of you and having you obtain knowledge in a relaxed fun way. There will be door prizes and refreshments.

Senator Nancy F. Stiles

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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]

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)