

April 14, 2016
No. 15

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 21, 2016 AT 10:00 A.M.**

LAI D ON THE TABLE

HB 1156, relative to interference with traffic devices. **04/14/2016, pending motion, Ought to Pass, Transportation, SJ 13**

HB 1247, relative to poker in private residences. **04/14/2016, pending motion, Inexpedient to Legislate, Ways and Means, SJ 13**

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, pg. 247**

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, pg. 248**

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

EDUCATION

HB 1130, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.

Ought to Pass, Vote 5-0.

Senator Avaré for the committee.

This bill permits, with the approval of the school board or by an approved warrant article at the annual school district meeting, the placement of a memorial or a memorial plaque on school property to honor alumni who have died honorably during active duty. This will simply serve to ensure that there is a consistent process in place for the approval of these memorials across the state.

HB 1372, permitting a child with a disability to use audio or video recording devices in the classroom.

Ought to Pass, Vote 5-0.

Senator Stiles for the committee.

This bill permits a child with a disability to use audio or video recording devices in the classroom. The ability to utilize these devices is vital for these students and the language simply clarifies the intent of this statute and addresses student/teacher privacy issues.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1124, relative to the membership of the occupational therapy governing board.

Ought to Pass, Vote 5-0.

Senator Soucy for the committee.

This bill removes the requirement that a physician be appointed to the occupational therapy governing board. The board has had difficulty filling the physician member on the board and does not see the necessity to have a physician serving on the occupational therapy governing board since physicians and occupational therapists do not regularly work closely together.

HB 1226, relative to administration of pharmaceutical agents by optometrists.

Ought to Pass, Vote 5-0.

Senator Reagan for the committee.

This bill allows the board of optometry to review and approve certain pharmaceutical agents for use by optometrists. This bill also changes the name of the joint pharmaceutical formulary and credentialing committee to the joint credentialing committee.

HB 1246-FN, relative to speech-language assistants.

Ought to Pass with Amendment, Vote 5-0.

Senator Woodburn for the committee.

This bill clarifies who can be titled a "speech language assistant" and imposes supervision by a certified speech language pathologist for non-licensed persons working in a speech language service provision setting.

HB 1292, relative to the use of abandoned agricultural property.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

This bill changes language in the statute to clarify when local approval is required for new or re-established agricultural use after abandonment.

HB 1331, relative to the membership of the compensation appeals board.

Ought to Pass, Vote 5-0.

Senator Soucy for the committee.

This bill expands the pool of potential applicants who can serve as members of the compensation appeals board.

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

This bill requires the retirement system board of trustees to give employers notice and an opportunity to explain their situation before alleged noncompliance can be assessed by the board of trustees.

HB 1404-FN, relative to certain director positions in the insurance department.

Ought to Pass with Amendment, Vote 5-0.

Senator Reagan for the committee.

This bill converts existing classified positions to unclassified positions within the Department of Insurance. The Department of Administrative Services advised these positions are more accurately described as unclassified.

HB 1531, permitting the legislature to open the state house on weekends.

Ought to Pass with Amendment, Vote 5-0.

Senator Reagan for the committee.

This bill permits the legislature to enter into a memorandum of understanding with a private entity to implement a program allowing the state house to be opened to the public on weekend days as part of a public private partnership.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1114, relative to the number of inspectors of election.

Interim Study, Vote 5-0.

Senator Birdsell for the committee.

This bill would eliminate the authorization to appoint additional inspectors of election. The committee believes it is important to wait on eliminating these appointments, as the appointment process was changed last year and has not had the opportunity to go into effect.

HB 1288, relative to the National Guard force protection policy.

Inexpedient to Legislate, Vote 5-0.

Senator Birdsell for the committee.

This bill would provide that any National Guard force protection policy shall permit members of the Guard to carry concealed weapons at National Guard facilities, in accordance with their rules. The Senate has already passed a bill turning this matter into a study commission and therefore, feels that that commission should examine the issue fully before moving forward with legislation.

HB 1467, relative to notice of village district elections.

Ought to Pass, Vote 5-0.

Senator Boutin for the committee.

This bill requires commissioners to give notice of village district elections to supervisors of the checklist, which will simply ensure that supervisors of the checklist are able to meet their statutory obligations.

HB 1587, relative to limitations on capital reserve funds of counties.

Ought to Pass, Vote 5-0.

Senator Boutin for the committee.

This bill nominally increases the amount that can be appropriated annually by a county to a capital reserve fund. The committee supports the concept of ensuring fiscally appropriate reserve funds are met in relation to capital improvement projects within our counties.

TRANSPORTATION

HB 1655-FN, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

Ought to Pass, Vote 5-0.

Senator Daniels for the committee.

This bill modifies municipal registration fees relative to agriculture/industrial utility vehicles used exclusively for farming or agriculture. Because of an omission in SB 231 (2014), the vehicles are being captured at the regular registration rate, which is significantly higher than the provisional rate of \$5. This bill changes that so that the vehicles will instead be charged the provisional rate.

REGULAR CALENDAR REPORTS

COMMERCE

HB 197-FN, relative to sales and samples provided by wine manufacturers.

Inexpedient to Legislate, Vote 3-0.

Senator Bradley for the committee.

HB 334, establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

Interim Study, Vote 3-0.

Senator Soucy for the committee.

HB 356, establishing a commission to study cryptocurrency regulation.

Ought to Pass with Amendment, Vote 3-0.

Senator Bradley for the committee.

HB 601-FN, relative to cash dispensing machine requirements.

Ought to Pass, Vote 3-0.

Senator Soucy for the committee.

HB 1182-FN, establishing a committee to study fees for sales of wine by manufacturers.

Ought to Pass with Amendment, Vote 3-0.

Senator Bradley for the committee.

HB 1195, relative to prepayment contracts for petroleum products.

Ought to Pass, Vote 3-0.

Senator Soucy for the committee.

HB 1329, relative to transportation of alcoholic beverages.

Ought to Pass, Vote 3-0.

Senator Cataldo for the committee.

HB 1339, relative to the corporate governance annual disclosure act.

Ought to Pass with Amendment, Vote 3-0.

Senator Bradley for the committee.

HB 1340, relative to producer licensing.

Ought to Pass, Vote 3-0.

Senator Cataldo for the committee.

HB 1409, relative to life, accident, and health insurance.

Ought to Pass, Vote 3-0.

Senator Cataldo for the committee.

HB 1410, relative to motor vehicle coverage.

Ought to Pass, Vote 3-0.

Senator Bradley for the committee.

HB 1450, relative to risk-based capital for insurers.

Ought to Pass, Vote 3-0.

Senator Bradley for the committee.

HB 1459, relative to commercial coverage.

Ought to Pass, Vote 3-0.

Senator Cataldo for the committee.

HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission.

Ought to Pass, Vote 3-0.

Senator Bradley for the committee.

HB 1618, relative to debt adjustment services.

Ought to Pass, Vote 3-0.

Senator Soucy for the committee.

EDUCATION

HB 1231, relative to school district policy regarding objectionable course material.

Inexpedient to Legislate, Vote 4-1.

Senator Kelly for the committee.

HB 1232, relative to visits to schools by non-academic government or private organizations.

Inexpedient to Legislate, Vote 3-1.

Senator Watters for the committee.

HB 1644-FN, relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education.

Ought to Pass, Vote 5-0.

Senator Reagan for the committee.

JUDICIARY

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver.

Ought to Pass, Vote 3-1.

Senator Daniels for the committee.

HB 605-FN, relative to mandatory minimum sentences.

Ought to Pass with Amendment, Vote 4-0.

Senator Lasky for the committee.

HB 617-FN-A, requiring state police to wear a camera when interacting with the public.

Inexpedient to Legislate, Vote 4-0.

Senator Carson for the committee.

HB 1175-FN, relative to post-judgment real estate liens.

Ought to Pass, Vote 4-0.

Senator Cataldo for the committee.

HB 1426-FN, relative to earned time credits for prisoners participating in educational programming.

Ought to Pass with Amendment, Vote 4-0.

Senator Daniels for the committee.

HB 1434-FN, relative to out-of-home placements under the child protection act.

Inexpedient to Legislate, Vote 2-2.

Senator Carson for the committee.

HB 1451-FN, relative to the annulment of certain criminal offenses.

Ought to Pass, Vote 4-0.

Senator Cataldo for the committee.

HB 1547-FN, prohibiting bestiality.

Ought to Pass with Amendment, Vote 4-0.

Senator Carson for the committee.

HB 1569-FN, relative to volunteers under the department of resources and economic development.

Inexpedient to Legislate, Vote 4-0.

Senator Daniels for the committee.

HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person.

Ought to Pass, Vote 4-0.

Senator Cataldo for the committee.

HB 1628-FN, relative to human trafficking involving persons under 18 years of age.

Ought to Pass with Amendment, Vote 4-0.

Senator Lasky for the committee.

HB 1631-FN, relative to penalties for possession of marijuana.

Inexpedient to Legislate, Vote 4-0.

Senator Daniels for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1202, relative to applications submitted to a planning board.

Ought to Pass, Vote 4-1.

Senator Boutin for the committee.

HB 1223, relative to changes of address on election day.

Ought to Pass, Vote 3-2.

Senator Stiles for the committee.

HB 1378, relative to disabled voters requiring assistance.

Ought to Pass, Vote 5-0.

Senator Kelly for the committee.

HB 1515, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising.

Ought to Pass, Vote 5-0.

Senator Lasky for the committee.

TRANSPORTATION

HB 1154-FN, authorizing and regulating the use of license plate scanning devices.

Ought to Pass, Vote 4-1.

Senator Watters for the committee.

HB 1161, relative to the traffic safety commission.

Ought to Pass with Amendment, Vote 4-0.

Senator Stiles for the committee.

WAYS AND MEANS

HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.

Ought to Pass with Amendment, Vote 4-0.

Senator Sanborn 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

Commerce

April 13, 2016

2016-1396s

08/04

Amendment to HB 356

Amend RSA 399-G:25, II as inserted by section 1 of the bill by replacing it with the following:

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

(a) Three members of the house of representatives, appointed as follows: one member appointed by the speaker of the house of representatives, one member from the commerce committee appointed by the chairperson of the commerce committee, and one member of the ways and means committee, appointed by the chairperson of the ways and means committee.

(b) The banking commissioner, or designee.

(c) The director of the bureau of New Hampshire securities, or designee.

(d) One representative of the cryptocurrency industry, appointed by the governor.

Senate Judiciary

April 12, 2016

2016-1379s

04/10

Amendment to HB 605-FN

Amend RSA 263:64, IV as inserted by section 3 of the bill by replacing it with the following:

IV. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265:79 or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265-A:2, I, RSA 265-A:3, RSA 630:3, II, RSA 265:82, or RSA 265:82-a or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor and [shah] *may* be sentenced to imprisonment for a period not less than 7 consecutive 24-hour periods to be served within 6 months of the conviction, [shah] *may* be fined not more than \$1,000, and [shah] *may* have his or her license or privilege revoked for an additional year. ~~[No portion of the minimum mandatory sentence of imprisonment shall be suspended by the court.]~~ No case brought to enforce this paragraph shall be continued for sentencing for longer than 35 days. ~~[No person serving the minimum mandatory sentence under this paragraph shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19, or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by title LXII or any other provision of law.]~~

Senate Transportation
 April 13, 2016
 2016-1393s
 06/10

Amendment to HB 1161

Amend the bill by replacing section 1 with the following:

1 Traffic Safety Commission. RSA 21-P:64 is repealed and reenacted to read as follows:

21-P:64 Traffic Safety Commission Established.

I. There is hereby established a traffic safety commission consisting of the following members:

(a) Representatives of the following organizations nominated by their respective organizations and appointed by the commissioner of the department of safety. Initial appointments shall be: 4 members for one year, 5 members for 2 years, and 5 members for 3 years. After the initial term, members shall each serve for terms of 3 years and until a successor is duly qualified and recommended by their respective organizations. Vacancies shall be filled for the unexpired terms in the same manner as the original appointment.

- (1) One member of the New Hampshire Association of Chiefs of Police.
- (2) One member of the New Hampshire Sheriffs Association.
- (3) One county attorney representing the New Hampshire Association of Counties.
- (4) One representative of the New Hampshire Municipal Association.
- (5) One representative of the New Hampshire Automobile Dealers Association.
- (6) One representative of the New Hampshire Motor Transport Association.
- (7) One representative of the New Hampshire School Transportation Association.
- (8) One representative of the American Automobile Association of Northern New England.
- (9) One representative of the New Hampshire branch of AARP.
- (10) One representative of the New Hampshire Driver Education Teachers Association.
- (11) One representative of the New Hampshire Hospital Association.
- (12) One representative of the New Hampshire Association of Fire Chiefs.
- (13) One representative of the Granite State Wheelmen.
- (14) One representative of the Associated General Contractors of New Hampshire.

(b) The following members shall serve while holding their respective offices which qualify them for membership:

- (1) The commissioner of the department of safety, or designee.

- (2) The director of the department of safety, division of motor vehicles, or designee.
- (3) The director of the department of safety, division of state police, or designee.
- (4) The attorney general, or designee.
- (5) The commissioner of the department of health and human services, or designee.
- (6) The chairman of the New Hampshire liquor commission, or designee.
- (7) The commissioner of the department of education, or designee.
- (8) The commissioner of the department of transportation, or designee.
- (9) A member of the judiciary, appointed by the chief justice of the New Hampshire supreme court.

(c) The following members shall serve for 3-year terms. Vacancies in these positions shall be filled by the governor for the unexpired terms.

- (1) A victim advocate, appointed by the governor.
- (2) Three members of the public, appointed by the governor.

II. The commission shall have a chairperson who shall be designated by the governor from the membership, and the commission shall elect a vice-chair. The term of the chair shall be for his or her term of office, not to exceed 3 years. The commission shall meet at least once per quarter and at such other times as may be convened by the call of the chairperson or the commissioner of the department of safety or upon petition of 5 or more members.

III. Members shall receive no compensation or expenses except that the public members shall be entitled to mileage when in the performance of duties of the commission.

Commerce
April 14, 2016
2016-1417s
03/04

Amendment to HB 1182-FN

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

AN ACT relative to liquor commission revenue shortfalls.

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

1 Liquor Commission; Revenue Shortfalls. The provisions of RSA 176:16-a, relative to liquor commission revenue shortfalls, are hereby suspended for period beginning on the effective date of this section and ending on July 1, 2017.

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

2016-1417s

AMENDED ANALYSIS

This bill suspends through July 1, 2017 the statute requiring the liquor commission to reduce budgeted appropriations in the event of a shortfall in revenue transferred to the general fund in the prior fiscal year and requiring a report of any such reductions.

Senate Executive Departments and Administration
March 31, 2016
2016-1228s
10/08

Amendment to HB 1246-FN

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

3 New Paragraph; Speech-Language Pathologists; Rulemaking. Amend RSA 326-F:5 by inserting after paragraph V the following new paragraph:

V-a. The requirements for direction and supervision of persons whose work is exempted from licensure or certification requirements pursuant to RSA 326-F:2.

Commerce
 April 14, 2016
 2016-1418s
 09/04

Amendment to HB 1339

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

AN ACT relative to the corporate governance annual disclosure act and relative to compensation of ski area employees.

Amend the bill by replacing all after section 1 with the following:

2 Payment of Wages; Ski Area Employees. Amend RSA 275:43-a to read as follows:

275:43-a Required Pay. On any day an employee reports to work at an employer's request, he *or she* shall be paid not less than 2 hours' pay at his *or her* regular rate of pay; provided, however, that this section shall not apply to [employers] **employees** of counties or municipalities **or ski and snowboard instructional employees at ski resorts**, and provided further that no employer who makes a good faith effort to notify an employee not to report to work shall be liable to pay wages under this section. However, if the employee reports to work after the employer's attempt to notify him has been unsuccessful or if the employer is prevented from making notification for any reason, the employee shall perform whatever duties are assigned by the employer at the time the employee reports to work.

3 New Paragraph; Minimum Wage Law; Minimum Hourly Rate. Amend RSA 279:21 by inserting after paragraph V the following new paragraph:

V-a. These limitations shall not apply to an employee of a ski area who exclusively performs welcoming and guest relation services at a ski area which are not essential to the functional operations of a ski area.

4 Effective Date.

I. Sections 2-3 of this act shall take effect November 1, 2016.

II. The remainder of this act shall take effect January 1, 2017.

2016-1418s

AMENDED ANALYSIS

This bill establishes the corporate governance annual disclosure act. Under this bill, an insurer shall submit a corporate governance annual disclosure (CGAD) regarding the insurer's corporate structure.

This bill also clarifies the compensation of ski area employees.

Senate Ways and Means
 April 12, 2016
 2016-1380s
 08/10

Amendment to HB 1391

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

AN ACT relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels, and relative to the price of lucky 7 tickets.

Amend the bill by replacing all after section 2 with the following:

3 Lucky 7 Licenses; Price of Lucky 7 Tickets. Amend RSA 287-E:20, II to read as follows:

II. The price of any lucky 7 ticket pack or ticket card shall not exceed [~~\$.50~~] **\$.75**.

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

2016-1380s

AMENDED ANALYSIS

This bill:

I. Raises the limit on the price paid per bingo card at senior bingo.

II. Sets limits on payouts for senior bingo and bingo at private campgrounds and hotels.

III. Raises the maximum price of lucky 7 tickets.

Senate Executive Departments and Administration
 April 13, 2016
 2016-1390s
 01/09

Amendment to HB 1404-FN

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

AN ACT relative to certain positions in the insurance department.

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

1 Insurance Department; Department Positions. Amend RSA 400-A:6, III-a to read as follows:

III-a. There shall be ~~[a director of operations]~~ **an assistant commissioner** who shall be appointed by the commissioner of insurance. He or she shall serve at the pleasure of the commissioner during good behavior. When the offices of the commissioner and deputy commissioner are vacant, or when the commissioner or deputy commissioner is unable to perform his or her duties because of mental or physical disability, the ~~[director of operations]~~ **assistant commissioner** shall be acting commissioner. The ~~[director of operations]~~ **assistant commissioner** shall perform such duties and exercise such powers of the commissioner pursuant to RSA Title XXXVII as the commissioner from time to time may authorize.

2 Insurance Department; Department Positions. Amend RSA 400-A:6, VII to read as follows:

VII. The commissioner shall appoint~~[-]~~ as the commissioner's assistants~~[-]~~:

(a) **A director of financial regulation**, a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, ~~[an assistant]~~ **a property and casualty actuary, a chief property and casualty actuary, a workers' compensation analyst, a chief life, accident and health actuary**, a compliance and enforcement counsel, a chief financial examiner, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The **director of financial regulation**, health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, ~~[assistant]~~ **property and casualty actuary, chief property and casualty actuary, workers' compensation analyst, chief life, accident and health actuary**, compliance and enforcement counsel, chief financial examiner, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

(b) A life, accident and health director who shall serve at the pleasure of the commissioner during good behavior. The life, accident, and health director shall perform such duties and exercise such powers as the commissioner may authorize.

(c) A health policy legal counsel who shall serve at the pleasure of the commissioner during good behavior. The health policy legal counsel shall perform such duties and exercise such powers as the commissioner may authorize.

(d) A property and casualty director who shall serve at the pleasure of the commissioner during good behavior. The property and casualty director shall perform such duties and exercise such powers as the commissioner may authorize.

(e) A communications director who shall serve at the pleasure of the commissioner during good behavior. The communications director shall perform such duties and exercise such powers as the commissioner may authorize.

3 Classified Positions Abolished. The following positions shall be abolished:

I. Salary of Life, Accident, and Health Director. Upon the transfer of funding for position #16733, Insurance Company Examiner IV, to expenditure class 011, within accounting unit 02-24-24-240010-2520, position #16733 shall be abolished.

II. Salary of Health Policy Legal Counsel. Upon the transfer of funding for position #10964, Attorney IV, to expenditure class 011, within accounting unit 02-24-24-240010-2520, position #10964 shall be abolished.

III. Salary of Property and Casualty Director. Upon the transfer of funding for position #19998 Insurance Company Examiner V, to expenditure class 011, within accounting unit 02-24-24-240010-2520, position #19998 shall be abolished.

IV. Salary of Communications Director. Upon the transfer of funding for position #10949 Product Marketing Manager, to expenditure class 011, within accounting unit 02-24-24-240010-2520, position #10949 shall be abolished.

4 Repeal. RSA 400-A:6, III-b-III-d, and VI, relative to certain positions in the department, are repealed.

5 Contingent Prospective Repeals. The following shall be repealed:

I. Section 3, paragraph I and RSA 400-A:6, VII(b), if after review in accordance with RSA 14:14-c, the joint committee on employee classification recommends a letter grade allocation for the life, accident and health director the maximum step of which is below the maximum step of the current classified salary for position #16733 insurance company examiner IV.

II. Section 3, paragraph II and RSA 400-A:6, VII(c), if after review in accordance with RSA 14:14-c, the joint committee on employee classification recommends a letter grade allocation for the health policy legal counsel the maximum step of which is below the maximum step of the current classified salary for position #10964 attorney IV.

III. Section 3, paragraph III and RSA 400-A:6, VII(d), if after review in accordance with RSA 14:14-c, the joint committee on employee classification recommends a letter grade allocation for the property and casualty director the maximum step of which is below the maximum step of the current classified salary for position #19998 insurance company examiner V.

IV. Section 3, paragraph IV and RSA 400-A:6, VII(e), if after review in accordance with RSA 14:14-c, the joint committee on employee classification recommends a letter grade allocation for the communications director the maximum step of which is below the maximum step of the current classified salary for position #10949 product marketing manager.

6 Effective Date.

I. Section 3, paragraphs I-IV and RSA 400-A:6, VII(b)-(e) shall be repealed as provided in section 5 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

2016-1390s

AMENDED ANALYSIS

This bill establishes certain positions within the department of insurance. This bill also changes the title of the director of operations to assistant commissioner.

This bill is a request of the insurance department.

Senate Judiciary

April 12, 2016

2016-1377s

04/03

Amendment to HB 1426-FN

Amend RSA 651-A:22-a, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Vocational Programming. A prisoner who successfully completes a vocational program that is authorized and approved by the department or who successfully completes a vocational program that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a **one-time** reduction of ~~up to~~ 60 days in his or her minimum sentence and a **one-time** reduction of ~~up to~~ 60 days in his or her maximum sentence. The commissioner shall establish procedures, which shall be exempt from RSA 541-A, for awarding such reductions.

Senate Executive Departments and Administration

April 13, 2016

2016-1391s

05/04

Amendment to HB 1531

Amend the introductory paragraph of RSA 14:51, I as inserted by section 1 of the bill by replacing it with the following:

I. The legislature may enter into a memorandum of understanding with a private entity to implement a program that will allow the state house to be open to the public. The memorandum of understanding shall consider:
2016-1391s

AMENDED ANALYSIS

This bill permits the general court to enter into a memorandum of understanding with a private entity to open the state house to the public as part of a state house weekend operations program.

Senate Judiciary
April 12, 2016
2016-1376s
04/05

Amendment to HB 1547-FN

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

1 New Section; Breaches of the Peace; Bestiality. Amend RSA 644 by inserting after section 8-f the following new section:

644:8-g Bestiality.

I. A person commits bestiality by knowingly committing any of the following acts:

- (a) Engaging in copulation with an animal.
- (b) Offering or accepting the offer of an animal for consideration with the intent that it be subject to sexual contact or sexual penetration by a human.
- (c) Photographing or filming or distributing such photographs or films, for the purpose of sexual arousal or gratification, of a person engaged in sexual contact or sexual penetration with an animal.

II. Any person convicted of a violation of this section shall be guilty of a class A misdemeanor for a first offense and a class B felony for a second or subsequent offense.

III. In addition to any other penalty imposed for a violation of this section, the court shall order that the convicted person:

- (a) Submit to a psychological assessment and participate in appropriate counseling at the convicted person's own expense.
- (b) Reimburse an animal shelter for any reasonable costs incurred for the care and maintenance of any animal that was taken to the animal shelter as a result of conduct proscribed by this section.
- (c) Shall not own, harbor, exercise control over, or reside in the same household with any animal for a period of time deemed reasonable by the court.

IV. This section shall not apply to:

- (a) Accepted veterinary medical practices.
- (b) Insemination of animals for the purpose of procreation.
- (c) Accepted animal husbandry practices that provide necessary care for animals.

V. For purposes of this section, "animal" means a nonhuman mammal, bird, reptile, or amphibian, either dead or alive.

2 Registration of Criminal Offenders; Definitions. Amend RSA 651-B:1, X(a) to read as follows:

(a) RSA 630:1, I(e), RSA 630:1-a, I(b)(1), RSA 632-A:2, RSA 632-A:3, III, RSA 632-A:3, IV if the victim was under the age of 13, RSA 633:1; [or] RSA 639:2; **or RSA 644:8-g.**

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

Senate Judiciary
April 11, 2016
2016-1357s
04/08

Amendment to HB 1628-FN

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

2 Registration of Criminal Offenders; Definitions. Amend RSA 651-B:1, IX(a) to read as follows:

(a) RSA 169-B:41, II; RSA 632-A:3, I; RSA 632-A:3, II; RSA 632-A:3, IV if the victim was 13 years of age or older but less than 18 years of age; RSA 633:2; RSA 633:3; ***RSA 633:7***; RSA 639:3, III; RSA 645:1, II; RSA 645:1, III; RSA 645:2; RSA 649-A:3; RSA 649-A:3-a; RSA 649-A:3-b; RSA 649-B:3; RSA 649-B:4; or RSA 650:2, II.

2016-1357s

AMENDED ANALYSIS

This bill makes it a crime for a person to pay to engage in sexual contact with a person under the age of 18. The bill also requires registration on the sex offender registry for persons convicted of trafficking in persons.

HEARINGS

TUESDAY, APRIL 19, 2016

COMMERCE, Room 100, SH

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

- 1:00 p.m. **HB 1490**, relative to collaborative practice between pharmacists and health care practitioners.
- 1:15 p.m. Hearing on proposed non-germane amendment **#2016-1205s** - *An Act relative to collaborative practice between pharmacists and health care practitioners and relative to certain drug take-back programs* to **HB 1490**, relative to collaborative practice between pharmacists and health care practitioners.
- 1:30 p.m. **HB 1227**, repealing provisions of law regulating Sunday business activities.
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 1229**, prohibiting the inclusion of statewide assessment results in a student's transcript without consent.
- 9:30 a.m. **HB 1338**, relative to student exemption from the statewide assessment.
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 1527-FN-A**, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor.
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 1138**, relative to access to investigational drugs, biological products, and devices.
- 1:20 p.m. **HB 1601**, relative to certain continuing care communities.
- 1:50 p.m. **HB 1478**, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments.
- 2:20 p.m. **HB 1453**, relative to qualifying medical conditions for purposes of therapeutic cannabis.
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 513**, relative to complaint investigation procedures of the guardian ad litem board.
- 9:15 a.m. **HB 378**, establishing a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013.
EXECUTIVE SESSION ON ALL HOUSE BILLS WITH A FISCAL NOTE

TRANSPORTATION, Room 103, LOB

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

1:00 p.m. **HB 1170**, relative to special permits for OHRV operation in Jericho Mountain State Park.1:15 p.m. **HB 1396**, relative to OHRV operation on certain highways in Grafton County.1:30 p.m. **HB 1305**, relative to the use of an ignition interlock device.**EXECUTIVE SESSION MAY FOLLOW****WAYS AND MEANS**, Room 103, SH

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

9:30 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION*****WEDNESDAY, APRIL 20, 2016*****CAPITAL BUDGET**, Room 100, SH

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

3:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****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 1286**, relative to days when fishing without a license is permitted.9:15 a.m. **HB 1354**, establishing a committee to study livestock and meat inspection.9:30 a.m. **HB 1461**, relative to the definition of and criteria for protection instream flow.**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 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****PUBLIC AND MUNICIPAL AFFAIRS**, Room 102, LOB

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

9:00 a.m. **HB 1455**, relative to the application of the municipal budget law to village districts wholly within a town.9:15 a.m. **HB 1395**, relative to municipal electronic records.9:30 a.m. **HB 1508**, allowing public libraries to run certain privacy software.9:45 a.m. **HB 1293**, relative to the procedure for charter amendments.10:00 a.m. **HB 1141**, defining "agritourism."**EXECUTIVE SESSION MAY FOLLOW****RULES, ENROLLED BILLS AND INTERNAL AFFAIRS**, Room 103, SH

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

3:00 p.m. **HCR 12**, urging support of the 65/25 initiative in New Hampshire.3:15 p.m. **HB 1486**, relative to membership of the state house bicentennial commission.**EXECUTIVE SESSION MAY FOLLOW**

THURSDAY, APRIL 21, 2016

ENERGY AND NATURAL RESOURCES, Room 100, SH

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

2:00 p.m. or 30 Minutes Following Session if Session goes beyond 2:00 p.m.

2:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

JUDICIARY, Room 100, SH

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

1:30 p.m. or Immediately Following Session if Session goes beyond 1:30 p.m.

1:30 p.m. **HB 1651**, relative to the duties of the commission to review child abuse fatalities.

1:45 p.m. **HB 1493**, relative to ownership of DNA.

2:00 p.m. **HB 1287**, repealing a provision of the harassment statute.

2:15 p.m. **HB 1250**, relative to medical neglect of children.

2:30 p.m. **HB 1127**, relative to qualifications of referees in the superior courts and circuit courts.

2:45 p.m. **HB 1270**, relative to a jury's determination as to the applicability of a law.

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

MONDAY, MAY 2, 2016

JOINT SENATE - HOUSE WAYS AND MEANS COMMITTEES, Rooms 210-211, LOB

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

JOINT ECONOMIC AND FISCAL ORIENTATION:

9:00 a.m. Brude DeMay, Director, Economic and Labor Market Information Bureau, New Hampshire Department of Employment Security (New Hampshire Labor Market)

10:00 a.m. Russ Thibeault, President, Applied Economic Research, Inc. (New Hampshire Real Estate Market)

11:00 a.m. Dr. Kenneth M. Johnson, Professor of Sociology at the University of New Hampshire and Senior Demographer, Carsey School of Public Policy (New Hampshire Demographics)

1:00 p.m. Dr. Robert K. Triest, Director, New England Public Policy Center and Vice President and Economist at the Federal Reserve Bank of Boston (National Economic Conditions)

2:00 p.m. Stephen A. Norton, Executive Director, New Hampshire Center for Public Policy Studies (New Hampshire Economy)

3:00 p.m. Dr. Ross Gittell, Chancellor, Community College System of New Hampshire (New Hampshire /New England Economy)

MEETINGS

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

9:00 a.m.	NH Veterans Home Tarr South Conference Room 139 Winter Street Tilton, NH	Regular Meeting
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OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)

9:00 a.m.	Room 305, LOB	Regular Meeting
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INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2)

1:30 p.m.	Room 204, LOB	Regular Meeting
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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 WILDLIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30)

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

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

1:00 p.m. Room 207, 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

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, MAY 6, 2016**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

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

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

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

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

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

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

10:00 a.m. Room 308, LOB Regular Meeting

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

11:00 a.m. Room 205, LOB Regular Meeting

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m. Room 307, LOB Regular Meeting

MONDAY, MAY 16, 2016**NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2)**

9:00 a.m. NH Higher Education Investment Committee
Assistance Foundation Meeting
4 Barrell Court
Concord, NH

10:00 a.m. NH Higher Education Quarterly Meeting
Assistance Foundation
4 Barrell Court
Concord, NH

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3)

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

TUESDAY, MAY 17, 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

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 WILD-LIFE 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

SENATE BILLS: 378, 467, 545

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HOUSE BILLS AMENDED BY THE SENATE

HOUSE BILLS: 285, 353, 458, 606

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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, 491, 494, 495, 503, 510, 521, 522, 523, 527, 530, 532, 534, 535, 540, 549, 550, 551, 552

HOUSE BILLS: 216, 280, 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, 1655, 1661, 1664, 1695, 1696, 1697

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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

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)