

April 21, 2016
No. 16

STATE OF NEW HAMPSHIRE

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

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON
THURSDAY, APRIL 28, 2016 AT 10:00 A.M.**

LAID ON THE TABLE

HB 1156, relative to interference with traffic devices. **04/14/2016, pending motion, Ought to Pass, Transportation, SJ 13, pg. 413**

HB 1231, relative to school district policy regarding objectionable course material. **04/21/2016, No pending motion, Education SJ 14**

HB 1247, relative to poker in private residences. **04/14/2016, pending motion, Inexpedient to Legislate, Ways and Means, SJ 13, pg. 416**

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, pg. 368**

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, pg. 299**

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, pg. 379**

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, pg. 303**

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, pg. 357**

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, pg. 354**

CONSENT CALENDAR REPORTS

COMMERCE

HB 1227, repealing provisions of law regulating Sunday business activities.

Ought to Pass, Vote 5-0.

Senator Cataldo for the committee.

This bill repeals the law prohibiting Sunday business activities and removes differing Sunday hours for bingo and games of chance. The committee felt this bill modernized the statutes to better reflect the current business atmosphere in the state.

HB 1633-FN, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation. Interim Study, Vote 5-0.

Senator Soucy for the committee.

This bill would create a new section of law requiring an employer to notify an employee, in writing, about the benefits and adverse effects of signing an application for, time off under the Family and Medical Leave Act as a result of a workers' compensation injury. The committee was concerned that this bill would contradict federal notification laws that already exist and create confusion for employers and employees.

ENERGY AND NATURAL RESOURCES

HB 1286, relative to days when fishing without a license is permitted.

Ought to Pass, Vote 5-0.

Senator Little for the committee.

This bill allows the Fish and Game Department to establish 2 days per year for fishing without a license, but requires persons in fishing tournaments to have a license on those days.

PUBLIC AND MUNICIPAL AFFAIRS

HB 659-FN-L, relative to eligibility for an absentee ballot.

Ought to Pass, Vote 5-0.

Senator Kelly for the committee.

This bill modifies what constitutes as an employment obligation for the purposes of absentee voting to include individuals who care for children or infirmed adults, with or without compensation. These individuals are unable to get to the polls on Election Day and this bill will afford them the opportunity to vote by absentee ballot.

HB 1141, defining "agritourism."

Interim Study, Vote 5-0.

Senator Boutin for the committee.

This bill would include "agritourism" in the definition of farming. The Senate and the House have already passed legislation on this matter and therefore, it is appropriate to move this bill Interim Study.

TRANSPORTATION

HB 1170, relative to special permits for OHRV operation in Jericho Mountain State Park.

Ought to Pass, Vote 5-0.

Senator Birdsell for the committee.

This bill re-establishes the authority of the bureau of trails to permit larger OHRVs at Jericho Mountain state park at specific times and on specific trails, originally permitted by HB 349 (2013). The committee believes that this legislation will further encourage the OHRV industry and their use in the state.

REGULAR CALENDAR REPORTS

CAPITAL BUDGET

HB 1349-FN, relative to the location of the Merrimack county superior court.
Ought to Pass, Vote 5-0.
Senator Daniels for the committee.

COMMERCE

HB 1266-FN, legalizing firecrackers.
Inexpedient to Legislate, Vote 3-2.
Senator Pierce for the committee.

HB 1381-FN, relative to the sale of smoke bombs.
Inexpedient to Legislate, Vote 4-1.
Senator Cataldo for the committee.

HB 1490, relative to collaborative practice between pharmacists and health care practitioners.
Ought to Pass with Amendment, Vote 5-0.
Senator Bradley for the committee.

HB 1540-FN, relative to direct shipments of beer.
Inexpedient to Legislate, Vote 4-1.
Senator Bradley for the committee.

HB 1685-FN, relative to mortgage bankers, brokers, and servicers.
Ought to Pass with Amendment, Vote 5-0.
Senator Soucy for the committee.

EDUCATION

HB 1637-FN, relative to school attendance in towns with no public schools.
Interim Study, Vote 5-0.
Senator Stiles for the committee.

ENERGY AND NATURAL RESOURCES

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.
Ought to Pass with Amendment, Vote 5-0.
Senator Fuller Clark for the committee.

HB 1148, relative to pipeline capacity contracts.
Ought to Pass with Amendment, Vote 5-0.
Senator Fuller Clark for the committee.

HB 1589-FN, prohibiting the transport of aquatic plants and aquatic weeds.
Ought to Pass with Amendment, Vote 5-0.
Senator Fuller Clark for the committee.

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.
Ought to Pass with Amendment, Vote 4-1.
Senator Sanborn for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1264, relative to carnival or amusement ride inspections.
Ought to Pass, Vote 4-0.
Senator Cataldo for the committee.

HB 1294, relative to exemptions from licensure as a massage therapist.
Ought to Pass, Vote 4-0.
Senator Reagan for the committee.

HB 1301, relative to the issuance of youth employment certificates.
Ought to Pass with Amendment, Vote 4-0.
Senator Reagan for the committee.

HB 1423-FN, relative to rulemaking for prescribing controlled drugs.
Ought to Pass with Amendment, Vote 3-1.
Senator Carson for the committee.

HB 1588, repealing certain prohibitions on employment of state employees.
Ought to Pass, Vote 4-0.
Senator Soucy for the committee.

HEALTH AND HUMAN SERVICES

HB 1608-FN, relative to uniform prior authorization forms.
Ought to Pass with Amendment, Vote 5-0.
Senator Sanborn for the committee.

HB 1626-FN, relative to drug take-back programs.
Inexpedient to Legislate, Vote 4-0.
Senator Kelly for the committee.

HB 1680-FN, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness.
Interim Study, Vote 4-0.
Senator Kelly for the committee.

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.
Ought to Pass with Amendment, Vote 3-2.
Senator Sanborn for the committee.

JUDICIARY

HB 513, relative to complaint investigation procedures of the guardian ad litem board.
Inexpedient to Legislate, Vote 3-0.
Senator Carson for the committee.

HB 602-FN, relative to the use of drones.
Ought to Pass with Amendment, Vote 5-0.
Senator Cataldo 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 636-FN, relative to forfeiture of property.
Ought to Pass, Vote 3-0.
Senator Daniels for the committee.

HB 1584-FN, relative to the discharge of a person committed for nonpayment of a fine.
Ought to Pass with Amendment, Vote 3-0.
Senator Carson for the committee.

HB 1586-FN, prohibiting the impersonation of an emergency medical technician or firefighter.
Interim Study, Vote 3-0.
Senator Carson for the committee.

HB 1654-FN, relative to flying a drone above a correctional facility.
Inexpedient to Legislate, Vote 4-0.
Senator Carson for the committee.

HB 1681-FN, relative to hypodermic syringes and needles containing residual amounts of controlled drugs.
Ought to Pass with Amendment, Vote 4-0.
Senator Carson for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

HB 430, relative to extending the veterans' property tax credit to all honorably discharged veterans.
Ought to Pass with Amendment, Vote 4-0.
Senator Stiles for the committee.

HB 1377, relative to receipt of absentee ballots.
Ought to Pass with Amendment, Vote 4-0.
Senator Birdsell for the committee.

TRANSPORTATION

HB 280-FN, authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans.
Ought to Pass with Amendment, Vote 5-0.
Senator Watters for the committee.

HB 1445-FN, relative to tinted windows on motor vehicles.
Inexpedient to Legislate, Vote 3-2.
Senator Watters for the committee.

HB 1697-FN, relative to the operation and insurance of transportation network companies.
Ought to Pass with Amendment, Vote 5-0.
Senator Daniels for the committee.

WAYS AND MEANS

HB 594-FN-A, establishing keno.
Inexpedient to Legislate, Vote 4-1.
Senator D'Allesandro for the committee.

HB 1198-FN-L, relative to the valuation of poles and conduits owned by telephone utilities.
Ought to Pass with Amendment, Vote 4-1.
Senator Sanborn for the committee.

HB 1385-FN-A, relative to the sale or exchange of an interest in a business organization under the business profits tax.
Ought to Pass with Amendment, Vote 5-0.
Senator Sanborn for the committee.

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 1656-FN, relative to exceptions to the real estate transfer tax.
Ought to Pass with Amendment, Vote 5-0.
Senator Sanborn for the committee.

AMENDMENTS

Senate Transportation
April 19, 2016
2016-1489s
03/06

Amendment to HB 280-FN

Amend the introductory paragraph of RSA 261-B:3, I as inserted by section 1 of the bill by replacing it with the following:

I. Organizations that have statutory authority to issue decals (i) shall have been granted and continue to hold tax exempt status under 26 U.S.C. section 501(c)(3) to participate in the multi-use decal number plate program, (ii) shall have a New Hampshire address registered with the department of justice, and (iii) shall not be named for, or associated with, a political issue or a person who seeks, holds, or has held a public office. To issue decals under this chapter, an organization shall file an annual report with the director of motor vehicles, in a format and time established by the director, containing the following:

2016-1489s

AMENDED ANALYSIS

This bill authorizes multi-use decal number plates which may bear decals issued by certain tax-exempt organizations authorized by statute.

This bill authorizes multi-use veterans decal number plates and the issuance of the decals by the state office of veterans services.

This bill allows a person who is eligible for a special number plate for disabled veterans to be issued an additional special number plate for a motorcycle.

Public and Municipal Affairs
April 20, 2016
2016-1508s
10/06

Amendment to HB 430

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

AN ACT relative to allowing towns and cities to adopt a property tax credit which extends the current veterans' property tax credit to all honorably discharged veterans.

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

1 New Section; Property Taxation; All Veterans' Property Tax Credit. Amend RSA 72 by inserting after section 28-a the following new section:

72:28-b All Veterans' Tax Credit.

I. A town or city may adopt or rescind the all veterans' property tax credit granted under this section by the procedure in RSA 72:27-a.

II. The credit granted under this section shall be the same as the amount of the standard or optional veterans' tax credit in effect in the town or city under RSA 72:28.

III. The all veterans' tax credit shall be subtracted each year from the property tax on the veteran's residential property.

IV. A person shall qualify for the all veterans' tax credit if the person is a resident of this state who served not less than 90 days on active service in the armed forces of the United States and was honorably discharged or an officer honorably separated from service; or the spouse or surviving spouse of such resident, provided that Title 10 training for active duty by a member of a national guard or reserve shall be included as service under this paragraph; provided however that the person is not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35.

2 All Veteran's Property Tax Credit; Adoption Procedure; Reference Added. Amend the introductory paragraph of RSA 72:27-a, I to read as follows:

I. Any town or city may adopt the provisions of RSA 72:28, **RSA 72:28-b**, RSA 72:29-a, RSA 72:35, RSA 72:37, RSA 72:37-b, RSA 72:38-b, RSA 72:39-a, RSA 72:62, RSA 72:66, RSA 72:70, or RSA 72:76 in the following manner:

3 Definition of Resident; Reference Added. Amend RSA 72:29, I to read as follows:

I. The word "resident" as used in RSA 72:28 **and RSA 72:28-b** shall mean a person who has resided in this state for at least one year preceding April 1, in the year in which the tax credit is claimed.

4 References Added; Proration of Tax Credit; Husband and Wife; Allied Forces. Amend RSA 72:30 - 72:32 to read as follows:

72:30 Proration of Tax Credit. If any entitled person or persons shall own a fractional interest in residential real estate, each such entitled person shall be granted a tax credit in proportion to his or her interest therein with other persons so entitled, but in no case shall the total tax credit exceed the tax credit allowed under RSA 72:28, I or II, **or RSA 72:28-b**, except as provided in RSA 72:31.

72:31 Husband and Wife. A husband and wife, each qualifying for a tax credit, shall each be granted a tax credit upon their residential real estate as provided under RSA 72:28, I or II, **or RSA 72:28-b**.

72:32 Veterans of Allied Forces. Any person otherwise entitled under the provisions of RSA 72:28, **28-b**, 30 and 31 who being a citizen of the United States, or being a resident of New Hampshire, at the time of his **or her** entry therein, served on active duty in the armed forces of any of the governments associated with the United States in the wars, conflicts, or armed conflicts set forth in RSA 72:28, shall be entitled to the tax credit authorized by RSA 72:28 **or RSA 72:28-b**.

5 Definitions; References Added. Amend RSA 72:29, VI to read as follows:

VI. For purposes of RSA 72:28, **28-b**, 29-a, 30, 31, 32, 33, 35, 36-a, 37, 37-a, 37-b, 38-a, 39-a, 62, 66, and 70, the ownership of real estate, as expressed by such words as “owner,” “owned” or “own,” shall include those who have placed their property in a grantor/revocable trust or who have equitable title or the beneficial interest for life in the subject property.

6 Property Taxation; Application Procedure; Reference Added. Amend the introductory paragraph of RSA 72:33, I to read as follows:

I. No person shall be entitled to the exemptions or tax credits provided by RSA 72:28, **28-b**, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-b, 39-b, 62, 66, and 70 unless the person has filed with the selectmen or assessors, by April 15 preceding the setting of the tax rate, a permanent application therefor, signed under penalty of perjury, on a form approved and provided by the commissioner of revenue administration, showing that the applicant is the true and lawful owner of the property on which the exemption or tax credit is claimed and that the applicant was duly qualified upon April 1 of the year in which the exemption or tax credit is first claimed, or, in the case of financial qualifications, that the applicant is duly qualified at the time of application. The form shall include the following and such other information deemed necessary by the commissioner:

7 Appeals; Reference Added. Amend RSA 72:34-a to read as follows:

72:34-a Appeal From Refusal to Grant Exemption, Deferral, or Tax Credit. Whenever the selectmen or assessors refuse to grant an applicant an exemption, deferral, or tax credit to which the applicant may be entitled under the provisions of RSA 72:23, 23-d, 23-e, 23-f, 23-g, 23-h, 23-i, 23-j, 23-k, 28, **28-b**, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-a, 38-b, 39-a, 39-b, 41, 42, 62, 66, or 70 the applicant may appeal in writing, on or before September 1 following the date of notice of tax under RSA 72:1-d, to the board of tax and land appeals or the superior court, which may order an exemption, deferral, or tax credit, or an abatement if a tax has been assessed.

8 Interpretation by Commissioner of Revenue Administration. Amend RSA 72:36, I to read as follows:

I. The commissioner’s interpretation of RSA 72:28, **72:28-b**, 72:29, 72:29-a, 72:30, 72:31, 72:32, 72:33, 72:34, 72:34-a, 72:35, 72:36-a, 72:37, 72:37-a, 72:37-b, 72:38-a, 72:38-b, 72:39-a, 72:39-b, 72:41, 72:62, 72:66, and 72:70; and

9 Standard and Optional Veterans’ Credit; Active Service. Amend RSA 72:28, IV(a) to read as follows:

(a) Every resident of this state who served not less than 90 days **on active service** in the armed forces of the United States in any qualifying war or armed conflict listed in this section and was honorably discharged or an officer honorably separated from service; or the spouse or surviving spouse of such resident, provided that Title 10 training for active duty by a member of a national guard or reserve shall be included as service under this subparagraph;

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

2016-1508s

AMENDED ANALYSIS

This bill enables towns and cities to adopt an additional veterans’ property tax credit for honorably discharged veterans who are not eligible for the current veterans’ property tax credit or the tax credit for service-connected total disability by extending the current tax credit amount to all such veterans.

Senate Judiciary

April 19, 2016

2016-1484s

04/09

Amendment to HB 602-FN

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

1 New Chapter; Aeronautics; Drones. Amend RSA by inserting after chapter 422-C the following new chapter:

CHAPTER 422-D DRONES

422-D:1 Definitions. In this chapter:

I. “Airspace” means the space above the ground in New Hampshire.

II. “Automated surveillance” means surveillance employing a mechanical or electronic device, computer or software, including but not limited to facial recognition technology, that functions continuously without continuous input from a human operator.

III. “Commercial purpose” means to exchange for money, goods or services or to exchange with the intention of directly or indirectly benefiting any business or other undertaking intended for profit.

IV. “Critical infrastructure” means a petroleum or chemical production, transportation, storage or processing facility; a chemical manufacturing facility; a pipeline and any appurtenance thereto; a wastewater treatment facility; a water treatment facility; a power generating station, plant or substation and any appurtenance thereto; a telecommunications central switching office; a flood control, hydroelectric power generation or water supply dam or reservoir; a county, city, or town jail or detention facility, police station or fire station; and any prison, facility, or institution under the control of the department of corrections. The term shall not include any facility or infrastructure of a utility that is located underground.

V. “Drone” means a powered, aerial vehicle, excluding a geosynchronous satellite, that:

- (a) Does not carry a human operator;
- (b) Uses aerodynamic forces to provide vehicle lift;
- (c) Can fly autonomously or be piloted remotely; and
- (d) May be expendable or recoverable.

VI. “Government” means the federal government, the state government and any political subdivisions thereof, and state and municipal agencies and departments, including employees and agents.

VII. “Image” means a record, including a photograph, of thermal, infrared, ultraviolet, visible light, or other electromagnetic waves; sound waves; odors; or other physical phenomena which captures conditions existing on or about real property or an individual located on that property.

VIII. “Imaging device” means a mechanical, digital, or electronic viewing device; still camera; camcorder; motion picture camera; or any other instrument, equipment, or format capable of recording, storing, or transmitting an image.

IX. “Individual” means a living human being.

X. “Information” means any evidence, images, sounds, or data gathered by a drone.

XI. “Law enforcement agency” means a lawfully established state, county, or municipal agency that is responsible for the prevention and detection of crime, local government code enforcement, and the enforcement of the criminal laws.

XII. “Law enforcement officer” means a duly sworn employee of a law enforcement agency who is invested with the power of arrest or the detection of crime.

XIII. “Person” means individuals, partnerships, limited liability companies, corporations and any other organizations, including for-profit and not-for-profit entities, but excluding government.

XIV. “Surveillance” means the willful act of tracking or following, while photographing, taking images of, listening to, or making a recording of: (a) a recognizable individual or a group of individuals, including their movements, activities or communications, or (b) motor vehicles identifiable by their license plates. The term does not include such activities on real estate in which a person has a legal interest.

422-D:2 Government Use of Drones Limited; Exceptions.

I. Except as provided in paragraph II:

(a) No government shall use a drone, or obtain, receive, use, or retain information acquired by or through a drone, to engage in surveillance, to acquire evidence, or to enforce laws;

(b) No government shall use a drone equipped with an imaging device to record an image of an identifiable individual on privately-owned real property in violation of such individual’s reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (i) is within an enclosed structure or (ii) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air; and

(c) No government shall operate a drone at a height of less than 250 feet over privately-owned real property unless it has the consent of its owner.

II.(a) Notwithstanding the provisions of paragraph I, a government may use a drone, or obtain, receive, use or retain information acquired by or through a drone, for law enforcement purposes under the following conditions only:

(1) If surveillance is undertaken, with the prior consent of the person who is the subject of surveillance and the owner or lessee of the property which is the subject of the surveillance.

(2) If a government first obtains a search warrant signed by a judge and based on probable cause or the use of a drone is pursuant to a legally-recognized exception to the warrant requirement. A search warrant authorizing the use of a drone shall specify the period for which operation of the drone is authorized, which period shall not exceed 10 days unless subsequently renewed by a judge.

(3) If a government possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life or serious damage to property, or to forestall the imminent escape of a suspect, or the destruction of evidence, or to assist in locating missing, abducted or lost individuals, hunters or hikers, or to rescue persons in natural disasters, injured persons or persons in need of medical assistance.

(4) To counter a high risk of a terrorist attack or incident by a specific individual or organization which the United States Department of Homeland Security determines that credible intelligence indicates that there is such a risk.

(5) To increase situational awareness in understanding the nature, scale, and scope of an incident which has occurred and for planning and coordinating an effective and legal response, provided the incident is limited geographically and in time.

(6) To support the tactical deployment of law enforcement personnel and equipment in emergency situations.

(7) To document a specific crime scene, traffic crash scene or other major incident scene, such as a disaster caused by natural or human activity, provided such documentation is conducted in a geographically confined and time-limited manner.

(8) For purposes of training law enforcement officers or others in the proper, safe, and legal use of drones.

(b) A government which uses a drone, or obtains, receives, uses or retains information acquired by or through a drone, pursuant to paragraph II may do so only if (i) specifically authorized by the chief law enforcement officer of a law enforcement agency, or a supervisor designated by the chief law enforcement officer, (ii) is not operated in an unsafe manner and (iii) is not operated in violation of United States Federal Aviation Administration regulations.

(c) The use of a drone by a government under subparagraphs II(a)(4) shall be limited to a period of 48 hours of its initial use after which a search warrant or other court order signed by a judge shall be required. The use of a drone by a government under subparagraphs II(a)(5)-(8) shall be limited to a period of 48 hours of its initial use after which reauthorization shall be required

(d) Within 5 business days of the initiation of the use of a drone under paragraph II(a), the government shall report in writing the use of a drone to the attorney general who shall annually post such reports on the department of justice website in a searchable format.

III. Unless the fact of a violation is being disputed, information obtained by a government in violation of paragraphs I and II shall, within 12 hours after the discovery of the violation, be permanently and irretrievably destroyed, shall not be transferred to another government or person, shall not be admissible in any judicial or administrative proceeding and shall not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed.

IV. Images of identifiable individuals obtained by a government pursuant to paragraphs I or II shall be blurred, deleted or otherwise de-identified as soon as practicable but in any case within 30 days after being obtained unless such images may be evidence in a criminal investigation.

V. No government shall own, use, or exercise control over a drone that is equipped with any kind of lethal or non-lethal weapon.

VI. A government that owns, uses, or exercises control over a drone that causes injury to a person or a person's property shall be liable for such injury if caused by the government's negligent or intentionally wrongful use of a drone pursuant to this chapter. Claims against governmental units as defined in RSA 507-B:1, I, and their officials and employees, shall be subject to the provisions of RSA 507-B and any other applicable immunities. Drones shall be considered motor vehicles solely for the purpose of bringing an action under RSA 507-B:2.

VII. A government that owns, uses, or exercises control over one or more drones shall annually on July 1 submit a written or electronic report to the attorney general containing information on the number of such drones, the number of times each such drone was used during the prior year and, in general terms, the purpose of each such use. The attorney general shall annually post such reports on the department of justice website in a searchable format.

422-D:3 Non-government Use of Drones Limited; Exceptions.

I. No person shall use a drone to engage in automated surveillance.

II. No person shall use a drone to engage in surveillance for commercial purposes without the prior consent of each affected person and each owner or possessor of affecting buildings or structures or parts thereof. It shall not be a defense to a charge of violating this chapter that the buildings or structures were not marked with a no-trespassing sign or similar notice.

III. No person shall use a drone equipped with an imaging device to record an image of an identifiable individual on privately-owned real property in which the person does not have a legally-recognized interest in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (i) is within an enclosed structure or (ii) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.

IV. No person shall:

(a) Operate a drone or use a drone to photograph or electronically record critical infrastructure within a horizontal distance of 1,000 feet or a vertical distance of 400 feet from such critical infrastructure without the written consent of the owner of the critical infrastructure;

(b) Allow a drone to make contact with critical infrastructure facility, including any individual or object on the premises of or within the critical infrastructure; or

(c) Allow a drone to come within a distance of a critical infrastructure facility that is close enough to interfere with the operations of or cause a disturbance to the facility or its occupants.

V. No person shall own, use, or exercise control over a drone that is equipped with any kind of lethal or non-lethal weapon. This prohibition shall not apply to a person who is a federal government military contractor using or exercising control over a drone which is equipped with a non-lethal weapon and which is flying over real property in which the person has a legal interest.

VI. Any person that owns, uses, or exercises control over a drone in this state that causes injury to a person or a person's property shall be liable for the injury.

VII. No person shall use a drone to harass or stalk another person.

VIII. No person shall operate a drone at a height of less than 250 feet over privately-owned real property unless the person has the consent of its owner.

IX. This chapter shall not apply to a business entity doing business lawfully in this state, using drones for legitimate business purposes, and operating the drone in a manner consistent with applicable Federal Aviation Administration rules, licenses, or exceptions.

422-D:4 Airport Prohibition. No government or person shall operate a drone within 5 miles of any airport in this state in a manner that does not comply with relevant federal law and Federal Aviation Administration regulations and guidelines in effect at the time.

422-D:5 Identification. Each owner of a drone shall identify the drone with the owner's name, address and telephone number in permanent ink and otherwise in a manner consistent with applicable Federal Aviation Administration rules, licenses, and exceptions.

422-D:6 General Prohibition. Except as otherwise provided in this chapter, no government shall use an imaging device to record an image of an identifiable individual on privately-owned real property in violation of such individual's reasonable expectation of privacy without his or her consent, nor shall any person use an imaging device to record an image of an identifiable individual on privately-owned real property in which the person does not have a legally-recognized interest in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (i) is within an enclosed structure or (ii) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.

422-D:7 Federal Preemption. If federal law preempts any provision of this chapter, that provision shall not apply.

422-D:8 Applicability. The provisions of this chapter shall not apply to the New Hampshire national guard in the conduct of its official duties.

422-D:9 Construction. This chapter shall be construed to provide the greatest possible protection of the privacy of the people of this state. Nothing in this chapter shall be construed to impose liability in connection with news gathering activity.

422-D:10 Penalties.

I. A government employee or agent who knowingly violates RSA 422-D:2, other than the reporting requirements in 422-D:2, II(c) and 422-D:2, VII, shall be guilty of a misdemeanor. A government employee or agent who violates the reporting requirements in RSA 422-D:2, II(c) or 422-D:2, VII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent offense.

II. A government which violates RSA 422-D:2 may be subject to a civil penalty of up to \$10,000 which shall be deposited in the general fund of the state.

III. A person who suffers damages or injury caused by a government's negligent or intentionally wrongful use of a drone pursuant to this chapter may bring a civil action to recover actual damages which shall be limited to medical expenses, treatment, and rehabilitation, property damage, permanent physical impairment, court costs, and reasonable attorney's fees from the government. No claim for pain and suffering, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, services, or consortium, or other non-pecuniary losses shall be compensable under this chapter. This paragraph shall not be construed as a waiver of the sovereign immunity of the state. Claims against governmental units, as defined in RSA 507-B:1, I, and their officials and employees, shall be subject to the provisions of RSA 507-B and any other applicable immunities. Drones shall be considered motor vehicles solely for the purpose of bringing an action under RSA 507-B:2.

IV. A person who violates RSA 422-D:3, I-VII shall be guilty of a misdemeanor.

V. Any person who suffers injury caused by a drone operated in violation of this chapter shall be entitled to damages from the person who committed the violation of not less than \$1,000 and an award of reasonable attorney fees.

VI. In addition to any other remedies allowed by law, a person who willfully gains unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less than \$1,000 and an award of reasonable attorney fees.

2 New Section; Obstructing Governmental Operations; Flying a Drone Over a Correctional Facility. Amend RSA 642 by inserting after section 7 the following new section:

642:7-a Flying a Drone Over a Correctional Facility.

I. Except as otherwise provided in this section, no person shall fly a drone in the airspace above a state or county correctional facility, unless such person is acting on behalf of a business entity doing business lawfully in this state, using drones for legitimate business purposes, and operating the drone in a manner consistent with applicable Federal Aviation Administration rules, licenses, or exceptions.

II.(a) Any state, county, or municipal correctional authority may fly a drone above a correctional facility over which it has control for security purposes.

(b) A state, county, or municipal correctional authority may authorize a request by a person to fly a drone above a correctional facility over which they have control, provided the person:

- (1) Requests permission from the appropriate correctional authority;
- (2) Is authorized by the Federal Aviation Administration to operate a drone for commercial purposes; and
- (3) Operates the drone in a manner that complies with the authorization.

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

IV. In this section:

- (a) "Airspace" means the space above the ground on which a state or county correctional facility or municipal jail is sited.
- (b) "Drone" means a powered, aerial vehicle, excluding a geosynchronous satellite, that:
 - (1) Does not carry a human operator;
 - (2) Uses aerodynamic forces to provide vehicle lift;
 - (3) Can fly autonomously or be piloted remotely; and
 - (4) May be expendable or recoverable.
- (c) "Person" means an individual, corporation, organization, and for-profit or not-for-profit entities.

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

2016-1484s

AMENDED ANALYSIS

This bill regulates the use of drones by government agencies and individuals and establishes criminal penalties and civil remedies for violations of the law. This bill also prohibits, with certain exceptions, a person from flying a drone above a state or county correctional facility or a municipal jail.

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 ~~[shall]~~ **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, ~~[shall]~~ **may** be fined not more than \$1,000, and ~~[shall]~~ **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.]~~

Energy and Natural Resources
 April 20, 2016
 2016-1506s
 09/03

Amendment to HB 626-FN-A

Amend the bill by replacing section 1 with the following:

1 Statement of Purpose. The legislature recognizes that high and volatile energy costs increasingly threaten the competitiveness of New Hampshire's businesses and industries and the financial resources of its electric ratepayers, and that new low-cost sources of energy are needed in order to stabilize and lower wholesale and retail electric rates in New Hampshire and New England. At the same time, as the state's citizens have become more aware of the value, to themselves and others, of New Hampshire's scenic natural landscapes, clean air, and unspoiled environment, it has become increasingly difficult to site and develop large-scale above-ground energy transmission lines from lower-cost neighboring regions. Such projects often face unacceptably high development costs, regulatory delays, and public opposition resulting from their potential adverse impacts on the state's most scenic natural landscapes, the value of adjoining and nearby private properties, and the comfort, health, and safety of adjacent homeowners. The general court therefore finds that it may be in the public interest for the state to designate certain "energy infrastructure corridors" along, within, and under major state-owned transportation routes, for the underground collocation of major energy transmission lines necessary to promote balanced economic growth, reduce or mitigate high energy prices, and contribute to a cleaner and more natural environment, while providing the state highway fund with market-based revenues from private energy transmission companies in return for the use of such designated energy infrastructure corridors. The general court intends that the energy infrastructure corridors designated under this act are simply options for the siting of energy infrastructure and nothing in this act shall be construed as limiting the historic accommodation of utilities in all public rights of way.

Energy and Natural Resources

April 21, 2016

2016-1543s

09/06

Amendment to HB 1148

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

AN ACT establishing a committee to review potential statutory revisions to constrain possible stranded costs associated with pipeline capacity contracts.

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

1 Committee Established. There is established a committee to review potential statutory revisions to constrain possible stranded costs associated with pipeline capacity contracts.

2 Membership and Compensation.

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

(a) Two members of the senate, appointed by the president of the senate.

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

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

3 Duties. The committee shall review recent and ongoing public utility commission dockets, relevant New Hampshire supreme court cases, and other relevant authorities to determine whether there is a need to revise statutes to constrain stranded costs associated with pipeline capacity contracts.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2017.

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

2016-1543s

AMENDED ANALYSIS

This bill establishes a committee to review potential statutory revisions to constrain possible stranded costs associated with pipeline capacity contracts.

Senate Ways and Means
 April 19, 2016
 2016-1463s
 10/09

Amendment to HB 1198-FN-LOCAL

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

1 Reference Change. Amend RSA 72:8-a to read as follows:

72:8-a Telecommunications Poles and Conduits. ~~[Except as provided in RSA 72:8-b,]~~ All structures, poles, towers, and conduits employed in the transmission of telecommunication, cable, or commercial mobile radio services shall be taxed as real estate in the town in which such property or any part of it is situated. ***Except as provided in RSA 72:8-c***, the valuation of such property shall be based on its value as real estate. Other devices and equipment, including wires, fiber optics, and switching equipment employed in the transmission of telecommunication, cable, or commercial mobile radio services shall not be taxable as real estate.

2 New Section; Property Taxation; Valuation of Poles and Conduits Owned by Telephone Utilities; Rule-making. Amend RSA 72 by inserting after section 8-b the following new section:

72:8-c Valuation of Telecommunications Poles and Conduits; Rulemaking.

I. The value of wooden poles or conduits employed in the transmission of telecommunications owned in whole or in part by telephone utilities, as described in RSA 362:7, or providers of Voice over Internet Protocol ("VoIP") service or IP-enabled service, each as defined in RSA 362:7, or commercial mobile radio services, for purposes of tax assessment against said entity, shall be determined by the following formula: the Replacement Cost New (RCN) of the telecommunications pole or conduit, less depreciation calculated on a straight-line basis for a period of 40 years with a residual value of 20 percent.

II. On or before July 1 of the tax year, the department of revenue administration shall provide to every municipality a schedule of telecommunications pole and conduit RCN, using national published telecommunications standard cost data guides calculated annually using a 5-year rolling average.

III. The commissioner of the department of revenue administration shall adopt rules pursuant to RSA 541-A relative to how telecommunications pole and conduit RCN shall be established, including a process for receiving public input prior to such establishment.

3 New Section; Taxable Property; Inventory; Telecommunications Poles and Conduits. Amend RSA 74 by inserting after section 18 the following new section:

74:19 Inventories of Telecommunications Poles and Conduits.

I. In order to properly determine the value of property under RSA 72:8-c, an inventory of telecommunications poles and conduits shall be filed with the department of revenue administration and with the municipality where the property is located by each owner of telecommunications poles and conduits. Each form may include the following information:

- (a) Name and address of a contact person if the owner is a trust or corporation.
- (b) Detailed description of the telecommunication poles using most recent readily available information held by the owner.
- (c) Description of conduits using most recent readily available information held by the owner.
- (d) The filer's dated signature certifying that the information indicated on the form is true.

II. The inventory of telecommunications poles and conduits required by this section shall be filed with the department of revenue administration and with the municipality where the property is located by the owner of telecommunications poles and conduits no later than July 1. Persons required to file the inventory of telecommunications poles and conduits who willfully fail to file or willfully make false statements on the forms shall be guilty of a violation.

III. Any person or corporation required to file an inventory of telecommunications poles and conduits shall be subject to the provisions of RSA 74:12.

4 Reference Change. Amend RSA 75:1 to read as follows:

75:1 How Appraised. The selectmen shall appraise open space land pursuant to RSA 79-A:5, open space land with conservation restrictions pursuant to RSA 79-B:3, land with discretionary easements pursuant to RSA 79-C:7, residences on commercial or industrial zoned land pursuant to RSA 75:11, earth and excavations pursuant to RSA 72-B, land classified as land under qualifying farm structures pursuant to RSA 79-F, buildings and land appraised under RSA 79-G as qualifying historic buildings, qualifying chartered public school property appraised under RSA 79-H, residential rental property subject to a housing covenant under the low-income housing tax credit program pursuant to RSA 75:1-a, renewable generation facility property subject to a voluntary payment in lieu of taxes agreement under RSA 72:74 as determined under said agreement, **telecommunications poles and conduits pursuant to RSA 72:8-c**, and all other taxable property at its market value. Market value means the property's full and true value as the same would be appraised in payment of a just debt due from a solvent debtor. The selectmen shall receive and consider all evidence that may be submitted to them relative to the value of property, the value of which cannot be determined by personal examination.

5 Effective Date. This act shall take effect September 1, 2016.

2016-1463s

AMENDED ANALYSIS

This bill establishes the valuation for purposes of the property tax assessment of wooden poles and conduits employed in the transmission of telecommunication owned in whole or in part by telephone utilities.

Senate Executive Departments and Administration

April 20, 2016

2016-1511s

06/03

Amendment to HB 1301

Amend RSA 276-A:5, II as inserted by section 1 of the bill by replacing it with the following:

II. Certificates shall in all cases include a signature line for the parent or legal guardian of the youth and shall show proof of (1) age and (2) adequate health.

Public and Municipal Affairs

April 20, 2016

2016-1513s

06/09

Amendment to HB 1377

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Absentee Voting; Procedure for Refusal to Certify. Amend RSA 657:16 to read as follows:

657:16 Refusal to Certify; Procedure. If he or she refuses to certify the application, the town or city clerk shall notify the applicant in writing within 7 days to that effect. The town or city clerk shall provide the applicant with an absentee ballot and a notice that the ballot will not be counted unless the applicant submits the documents necessary to complete an absentee registration. The applicant shall be advised in writing what documents, if any, have been received in proper form and which the applicant must submit in the outer envelope that contains the absentee ballot envelope. The town or city clerk shall mark the absentee ballot application, the absentee ballot affidavit, and the outer envelope with the words "Not Registered." Upon receipt of an outer envelope marked "Not Registered," the clerk shall open the outer envelope. If the applicant returns the required documents [~~in proper form~~] with the absentee ballot [~~and if the applicant is found to be qualified~~] **by the date set for correcting the checklist under RSA 654:27 and RSA 654:28**, the town or city clerk, shall forward the registration forms to the supervisors of the checklist and **if the applicant is found to be qualified**, the applicant shall be registered and his or her absentee ballot shall be processed in the same manner as the absentee ballot of a previously registered voter. If the ballot is returned without the required documents in proper form, the ballot shall be marked in the manner set forth by law for successfully challenged absentee ballots and preserved in accordance with RSA 33-A:3-a. The clerk shall preserve the application of any applicant who is not registered as a voter until the time set by law for the destruction of the ballots after the election at which time the application shall be destroyed. Any justice of the superior court has jurisdiction in equity upon such notice as he or she may order to require that the name of the person making application for an absentee ballot be placed upon the checklist or registered as a member of any party and be sent an absentee ballot.

3 Absentee Voting; Sending Absentee Ballots. Amend RSA 657:15 to read as follows:

I. When the verification required by RSA 657:12 or 657:13 has been made, the clerk shall retain the application and, without delay, personally deliver, email, or mail to the applicant the appropriate ballot and materials as described in RSA 657:7 through 657:8 or designate an assistant to deliver such materials to the applicant. The clerk's option to email an absentee ballot to a voter shall apply only to absentee ballot applications from UOCAVA voters. The clerk shall send absentee ballots in response to verified absentee ballot requests until 5:00 p.m. on the day before the election. The clerk may not designate as an assistant any person who is a candidate for nomination or office or who is working for such a candidate. Any ballots sent pursuant to the provisions of this section shall be mailed or delivered only by officials from the city or town clerk's office and delivered only to the applicant. If the address to which the absent voter's ballot is sent is outside the United States or Canada, such papers shall be sent by air mail. Said clerks shall keep lists of the names and addresses, arranged by voting places, of all applicants to whom official absentee ballots have been sent, and shall identify those official absentee ballots which have been returned to the clerk and shall record the absentee voter applicant information in the statewide centralized voter registration database. ~~[Candidates whose names appear on the ballot and persons bearing notarized requests or copies of notarized requests from candidates whose names appear on the ballot may obtain a list of absentee voter applicants, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B;]~~ The lists shall not be available for public inspection at any time without a court order.

II. *Candidates whose names appear on the ballot and persons bearing notarized requests or copies of notarized requests from candidates whose names appear on the ballot may obtain a list of absentee voter applicants from the clerk, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B.*

III. *Candidates whose names appear on the ballot for statewide office and persons bearing a notarized request from candidates whose names appear on the ballot for statewide office may obtain a statewide list of absentee voter applicants, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B from the secretary of state. Information on the statewide absentee voter list shall be limited to voter name, voter ID number, and the date the absentee ballot was requested.*

IV. *The subscription fee for providing a statewide list of absentee voters by the secretary of state under this section shall be \$2,000 per election, all of which shall be deposited in the election fund under RSA 5:6-d. The secretary of state shall update the original list of absentee voters on a regular basis.*

2016-1513s

AMENDED ANALYSIS

This bill:

I. Requires absentee ballots to be received by the town, city, or ward clerk no later than 5 p.m. on the day of the election.

II. Modifies the procedure for refusal to certify an application for an absentee ballot.

III. Permits candidates for state office to obtain a statewide list of absentee voter applicants from the secretary of state.

Senate Ways and Means

April 19, 2016

2016-1465s

09/10

Amendment to HB 1385-FN-A

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

AN ACT making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

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

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

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

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

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

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

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

2016-1465s

AMENDED ANALYSIS

This bill makes certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

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 20, 2016

2016-1502s

01/09

Amendment to HB 1423-FN

Amend RSA 318-B:41, III as inserted by section 1 of the bill by replacing it with the following:

III. Before September 1, 2016, the board of veterinary medicine shall submit to the joint legislative committee on administrative rules final proposed rules for prescribing schedule II, III, and IV opioids by veterinarians for the management or treatment of pain. For the practice components set forth in paragraph IV, the term “patient” refers to the animal being prescribed opioids for the management or treatment of pain, and the term “owner” refers to the owner of the animal with whom the veterinarian client patient relationship (VCPR) has been established.

Amend the introductory paragraph of RSA 318-B:41, IV(a)(4)(A) as inserted by section 1 of the bill by replacing it with the following:

(4)(A) Querying the program database when writing an initial schedule II, III, or IV opioid prescription for the management or treatment of a patient's pain and then periodically, at least twice a year. The program shall be queried for the patient and its owner. Exceptions to this requirement shall be limited to situations in which:

Amend RSA 318-B:41, IV(a)(5) as inserted by section 1 of the bill by replacing it with the following:

(5) Establishing procedures for informed consent outlining the risks and benefits of opioid use and for the requirements regarding querying the program database pursuant to subparagraph (4)(A).

Amend the bill by replacing all after section 9 with the following:

10 Contingency. RSA 318-B:41, II(a)(4), RSA 318-B:41, IV(a)(4), and section 9 of this act shall take effect 90 days after the director of the controlled drug prescription health and safety program, established under RSA 318-B:32, hereinafter "program", posts a notice on the home page of the program's Internet website that the necessary upgrades to the program have been completed, tested, and deemed operational. This posting shall occur no later than October 3, 2016. The October 3, 2016 deadline for posting may be extended by the governor, with the advice of the council, to a date certain, upon receipt of notice from the director of the program that the necessary upgrades cannot be completed, tested, and deemed operational in sufficient time to meet the October 3, 2016 posting deadline. The director of the program shall post the new deadline on the home page of the program's Internet website including the later notice of completion, testing, and operational status of the program.

11 Effective Date.

I. RSA 318-B:41, II(a)(4), RSA 318-B:41, IV(a)(4), and section 9 of this act shall take effect as provided in section 10 of this act.

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

Commerce
April 20, 2016
2016-1499s
01/09

Amendment to HB 1490

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

AN ACT relative to collaborative practice between pharmacists and health care practitioners and relative to certain drug take-back programs.

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

2 New Paragraph; Pharmaceutical Drug Take-Back Programs. Amend RSA 318-E:1 by inserting after paragraph I the following new paragraph:

I-a. A registered pharmacy may establish a controlled and non-controlled pharmaceutical drug take-back program provided it complies with the United States Drug Enforcement Administration regulations, 21 C.F.R. Part 1300 et seq.

3 Hazardous Waste Management; Definitions. Amend RSA 147-A:2, VII(b) to read as follows:

(b) Or which has been identified as a hazardous waste by the department using the criteria established under RSA 147-A:3, I or as listed under RSA 147-A:3, II. Such wastes include, but are not limited to, those which are reactive, toxic, corrosive, ignitable, irritants, strong sensitizers or which generate pressure through decomposition, heat or other means. Such wastes do not include radioactive substances that are regulated by the Atomic Energy Act of 1954, as amended, **or household pharmaceutical wastes collected pursuant to RSA 318-E.**

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

2016-1499s

AMENDED ANALYSIS

This bill revises the requirements for the qualifications, standards, and supervision of collaborative pharmacy practice agreements between pharmacists and health care practitioners. This bill also authorizes retail pharmacies to establish pharmaceutical drug take-back programs if their programs meet certain federal requirements. This bill also exempts household pharmaceutical wastes collected pursuant to RSA 318-E from the definition of hazardous waste.

Senate Judiciary
 April 12, 2016
 2016-1366s
 04/10

Amendment to HB 1584-FN

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

AN ACT relative to body-worn cameras for law enforcement officers.

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

1 New Chapter; Body-Worn Cameras. Amend RSA by inserting after chapter 105-C the following new chapter:

CHAPTER 105-D BODY-WORN CAMERAS

105-D:1 Definitions. In this chapter:

I. "Body-worn camera" or "BWC" means an electronic camera system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings that may be worn about the person of a law enforcement officer.

II. "Community caretaking function" means a task undertaken by a law enforcement officer in which the officer is performing an articulable act unrelated to the investigation of a crime. It includes, but is not limited to, participating in town halls or other community outreach, helping a child find his or her parents, providing death notifications, dealing with individuals asking for directions or other assistance, and performing in-home or hospital well-being checks on the sick, elderly, or persons presumed missing.

III. "In uniform" means a law enforcement officer who is wearing any officially authorized uniform designated by a law enforcement agency, or a law enforcement officer who is visibly wearing articles of clothing, a badge, tactical gear, gun belt, a patch, or other insignia that he or she is a law enforcement officer acting in the course of his or her duties.

IV. "Law enforcement officer" or "officer" means any person employed by a law enforcement agency.

V. "Law enforcement agency" or "agency" means a state, county, municipality, special district, security service or police of the community college system of New Hampshire or the university system of New Hampshire, security service of the legislative or judicial branch, unit of local government police department, or any other entity authorized by law to employ law enforcement officers or exercise police authority.

VI. "Law enforcement-related encounters or activities" include, but are not limited to, traffic stops, pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd control, traffic control, non-community caretaking interactions with an individual while on patrol, or any other instance in which the officer is enforcing the laws of the municipality, county, or state. The term shall not include:

(a) Activities when the officer is completing paperwork alone or is in the presence of another law enforcement officer; or

(b) Community caretaking functions.

VII. "Recording" means the process of capturing data or information stored on a recording medium.

VIII. "Recording medium" means any recording medium for the retention and playback of recorded audio and video including, but not limited to, VHS, DVD, hard drive, cloud storage, solid state, digital, flash memory technology, or any other electronic medium.

IX. "Subject of the recording" means any law enforcement officer or any suspect, victim, detainee, conversant, injured party, witness, or other similarly situated person who appears on the recording, and shall not include people who only incidentally appear on the recording.

105-D:2 Use of Body-Worn Cameras.

I. This chapter shall apply to any law enforcement agency that elects to equip its law enforcement officers with body-worn cameras. All BWCs shall be operated in a manner consistent with the provisions of this chapter. Every law enforcement agency that elects to equip its officers with BWCs shall adopt policies and procedures relating to the use of BWCs and the retention and destruction of data consistent with this chapter.

II. Officers shall only use BWCs issued by their respective law enforcement agencies. BWC equipment and all data, images, and video captured, recorded, or otherwise produced by the equipment are the property of the officer's law enforcement agency and shall be subject to the restrictions in this chapter.

III. Officers who are assigned BWCs shall successfully complete an agency-approved training program to ensure proper use and operations.

IV. Officers shall only use BWCs while in uniform.

V. Officers shall activate the video and audio components of BWCs and start recording upon arrival on scene of a call for service, upon activation of lights and sirens, or when engaged in any law enforcement-related encounter or activity; provided, however, that in those cases set forth in subparagraphs VII(d), (e), and (h) and paragraph IX in which an individual has a right not to be recorded, officers shall inform an individual of this option. If a citizen then declines to be recorded, the officer shall deactivate the audio and video functions. The officer shall document the reason why the camera was not activated in the associated police report. If exigent circumstances exist which prevent the BWC from being activated as set forth above, the device must be turned on as soon as practicable.

VI. Recordings shall be specific to an incident. Officers shall not indiscriminately record entire duties or patrols.

VII. A BWC shall not be used to record any of the following:

(a) Communications with other police personnel except to the extent such communications are incidental to a permissible recording.

(b) Encounters with police personnel or individuals whom the officer knows are acting in an undercover capacity or as confidential informants respectively, unless expressly directed to be included as part of the investigation.

(c) Intimate searches, when otherwise permitted by the agency's strip-and-body-cavity search policy.

(d) An interview with a crime victim unless his or her express consent has been obtained before the recording is made. Any recording obtained shall be consistent with the New Hampshire attorney general's model protocol for response to adult sexual assault cases, the New Hampshire attorney general's domestic violence protocol for law enforcement, the New Hampshire attorney general's stalking protocol for law enforcement, and the New Hampshire attorney general's child abuse and neglect protocol, as applicable. This subparagraph may be waived upon approval of the head of the law enforcement agency or his or her designee when the parent or legal guardian is the subject of the investigation to which a juvenile is a victim or witness.

(e) Interactions with a person seeking to report a crime anonymously. In such an instance, the law enforcement officer shall, as soon as practicable, ask the person seeking to remain anonymous if the person wants the officer to use the officer's BWC. If the person responds negatively, the law enforcement officer shall deactivate the audio and video functions.

(f) While on the grounds of any public, private, or parochial elementary or secondary school, except when responding to an imminent threat to life or health or a call for service.

(g) When on break or otherwise engaged in personal activities.

(h) In a sensitive location where an individual has a reasonable expectation of privacy, such as a restroom or a locker room, except in exigent circumstances.

(i) In any instance when it is believed that an explosive device may be present and electrostatic interference from the BWC may trigger the device.

VIII. Officers shall inform an individual that he or she is being recorded as soon as practicable. When notification is not made, the recording officer shall note the reason for non-notification within the associated report.

IX. In locations where an individual has a reasonable expectation of privacy, such as a residence, a citizen may decline to be recorded unless the recording is being made while executing an arrest warrant, or a warrant issued by a court, or the officer is in the location pursuant to a judicially-recognized exception to the warrant requirement. Officers shall inform an individual of this option. If a citizen then declines to be recorded, the officer shall deactivate the audio and video functions. The officer shall document the reason why the camera was not activated in the associated police report.

X. Once activated, the BWC shall remain activated until the event is completed in order to ensure the integrity of the recording.

XI. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, or if the BWC malfunctions, the officer shall document why a recording was not made, was interrupted, or was terminated as part of the associated police report.

XII. Except as authorized in this section, no person, including without limitation officers and their supervisors, shall edit, alter, erase, delete, duplicate, copy, subject to automated analysis or analytics of any kind, including but not limited to facial recognition technology, share, display, or otherwise distribute in any manner any BWC recordings or portions thereof. This paragraph shall not apply to the sharing of a still image captured by the BWC to help identify an individual or vehicle suspected of being involved in a crime.

XIII. Recorded images and sound made from an agency-issued BWC shall be for law enforcement purposes only. All access to this data shall be audited to ensure that authorized users only are accessing the data for law enforcement purposes only. All access to BWC data shall be authorized by the head of the law enforcement agency and only for the purposes set forth in this chapter.

XIV. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other use of deadly force, the agency may limit or restrict an officer from viewing the video file.

XV. All recordings shall be securely and regularly stored in conformity to the most recent security policy of the Criminal Justice Information Services (CJIS) of the criminal justice information services division of the Federal Bureau of Investigation of the United States Department of Justice. Recordings shall not be divulged or used by a law enforcement agency for any commercial or other non-law enforcement purpose. Where a law enforcement agency authorizes a third party to act as its agent in storing recordings, the agent shall not independently access, view, or alter any recording, except to delete videos as required by law or agency retention policies. Neither the agency nor its agent shall subject any recording to analysis or analytics of any kind, including without limitation facial recognition technology and data mining.

XVI. Recordings made by a BWC shall be permanently destroyed by overwriting or otherwise not less than 90 days and not more than 180 days from the date of the recording, except that such recordings shall be retained by the law enforcement agency that employs the officer whose BWC made the recording, or an authorized agent thereof, for a minimum of 3 years if:

(a) The recording captures images involving any of the following:

(1) Any action by a law enforcement officer that involves the use of deadly force or restraint.

(2) The discharge of a firearm, unless the discharge was for firearms training or for the destruction of an animal.

(3) Death or serious bodily injury.

(4) An encounter that results in an arrest for a felony-level offense.

(5) An encounter about which a complaint has been filed with the police department within 90 days after the encounter.

(b) The recording is being retained by the law enforcement agency as evidence in a civil or criminal case or as part of an internal affairs investigation or as part of an employee disciplinary investigation.

XVII. Notwithstanding the provisions of paragraph XVI:

(a) If there is any other legal requirement for retaining the recording, including but not limited to litigation, a pending criminal case, or a valid court order, then the recording shall be retained only as long as is legally required; and

(b) The chief law enforcement officer of the agency or his or her designee may designate the recording as a training tool. A recording so designated and prepared may be viewed solely by officers for training purposes only.

XVIII. Any recording deemed to have been undertaken in violation of this chapter or any other applicable law shall not be admissible as evidence in any criminal or civil legal or administrative proceeding, except in a proceeding against an officer for allegedly engaging in misuse of a BWC.

2 New Subparagraph; Wiretapping and Eavesdropping; Exceptions. Amend RSA 570-A:2, II by inserting after subparagraph (l) the following new subparagraph:

(m) A law enforcement officer to make a body-worn recording pursuant to RSA 105-D.

3 New Paragraph; Access to Governmental Records, Exemptions. Amend RSA 91-A:5 by inserting after paragraph IX the following new paragraph:

X. Video and audio recordings made by a law enforcement officer using a body-worn camera pursuant to RSA 105-D, except where such recordings depict any of the following:

(a) Any restraint or use of force by a law enforcement officer; provided, however, that this exemption shall not include those portions of recordings which constitute an invasion of privacy of any person or which are otherwise exempt from disclosure.

(b) The discharge of a firearm.

(c) An encounter that results in an arrest for a felony-level offense, provided, however, that this exemption shall not apply to recordings or portions thereof that constitute an invasion of privacy or which are otherwise exempt from disclosure.

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

2016-1366s

AMENDED ANALYSIS

This bill:

I. Regulates a law enforcement agency's use of body-worn cameras.

II. Exempts such recordings from the wiretapping and eavesdropping statute and, under certain circumstances, from the right-to-know law.

Energy and Natural Resources

April 20, 2016

2016-1505s

09/04

Amendment to HB 1589-FN

Amend RSA 487:16-b as inserted by section 3 of the bill by replacing it with the following:

487:16-b Exotic Aquatic Weed Penalties. It shall be unlawful to [~~knowingly, recklessly, or purposely~~] offer for sale, distribute, sell, import, purchase, propagate, **negligently transport**, or introduce exotic aquatic weeds into New Hampshire waterbodies. Notwithstanding RSA 487:7, any person engaging in such an activity shall be guilty of a violation.

Amend RSA 487:16-c as inserted by section 4 of the bill by replacing it with the following:

487:16-c Transport of Aquatic Plants or Exotic Aquatic Weeds On Outside of Boats, Vehicles, and Equipment. No person shall negligently transport any aquatic plants or plant parts or exotic aquatic weed or weed parts to or from any New Hampshire waters on the outside of a vehicle, boat, ski craft as defined in RSA 270:73, trailer, or other equipment.

Amend RSA 487:16-e as inserted by section 4 of the bill by replacing it with the following:

487:16-e Penalties. Notwithstanding RSA 487:7, any person who violates RSA 487:16-c through 487:16-d shall be guilty of a violation punishable by a fine of \$50 for a first offense, \$100 for a second offense, and \$250 for any subsequent offense. The authority to enforce these sections shall extend to all peace officers in the state of New Hampshire.

Health and Human Services

April 20, 2016

2016-1498s

01/09

Amendment to HB 1608-FN

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

AN ACT relative to uniform prior authorization forms and criteria.

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

1 New Paragraph; Utilization Review; Prior Authorization Forms and Criteria. Amend RSA 420-J:6 by inserting after paragraph VI the following new paragraph:

VII. All health insurers, health maintenance organizations, health services corporations, medical services corporations, and preferred provider programs shall, when requiring prior authorization for a prescription drug, use and accept only the prior authorization content and criteria described in this paragraph.

(a) On or before March 1, 2017, the commissioner shall adopt rules, pursuant to RSA 541-A, specifying the contents and format of the uniform prior authorization paper form and the criteria for prescription drug benefits, consistent with the requirements of this paragraph. In developing the content and criteria, the commissioner shall seek input from interested stakeholders, and shall consider standards established by the federal Centers for Medicare and Medicaid Services and any other national standards pertaining to prior authorization.

(b) The prior authorization content and criteria adopted under this paragraph shall not exceed 2 pages in length for the paper authorization form.

(c) If an entity listed in this paragraph fails to use or accept the paper form or electronic criteria permitted for prior authorization, or fails to respond within 2 business days after receiving a completed prior authorization request from a provider, the prior authorization request shall be deemed to have been granted.

(d) Nothing in this paragraph shall prohibit the required use of prior authorization methodology that utilizes an Internet webpage, Internet webpage portal, or similar electronic, Internet, and web-based system in lieu of a paper form when the prescriber has broadband Internet access and the capability to prescribe electronically, provided that the form used is consistent with the rules developed under this paragraph and a secure electronic connection is available at no cost to the prescriber.

(e) Nothing in this paragraph shall prohibit the use of prior authorization for prescription drug benefits.

2 New Section; Licensure of Medical Utilization Review Entities; Uniform Prior Authorization Forms and Criteria for Prescription Drug Benefits. Amend RSA 420-E by inserting after section 4 the following new section:

420-E:4-a Uniform Prior Authorization Forms and Criteria for Prescription Drug Benefits.

I. All licensees under this chapter shall, when requiring prior authorization for a prescription drug, use and accept only the prior authorization paper form or electronic criteria adopted by the commissioner under RSA 420-J:6, VII.

II. If a licensee fails to use or accept the uniform prior authorization form or electronic criteria, or fails to respond within 2 business days after receiving a completed prior authorization request from a provider, the prior authorization request shall be deemed to have been granted.

III. Nothing in this section shall prohibit the required use of prior authorization methodology that utilizes an Internet webpage, Internet webpage portal, or similar electronic, Internet, and web-based system in lieu of a paper form when the prescriber has broadband Internet access and the capability to prescribe electronically, provided that the form used is consistent with the rules developed under RSA 420-J:6, VII and a secure electronic connection is available at no cost to the prescriber.

IV. Nothing in this section shall prohibit the use of prior authorization for prescription drug benefits.

V. This section shall apply to RSA 420-J and shall not apply to the Medicaid managed care program under RSA 126-A:5, XIX.

3 New Paragraph; Managed Care Law; Prescription Drugs. Amend RSA by inserting after paragraph the following new :

IV-c.(a) All licensees under this chapter shall, when requiring prior authorization for a prescription drug, use and accept only the prior authorization paper form or electronic criteria adopted by the commissioner under RSA 420-J:6, VII.

(b) If a licensee fails to use or accept the uniform prior authorization form or electronic criteria, or fails to respond within 2 business days after receiving a completed prior authorization request from a provider, the prior authorization request shall be deemed to have been granted.

(c) Nothing in this section shall prohibit the required use of prior authorization methodology that utilizes an Internet webpage, Internet webpage portal, or similar electronic, Internet, and web-based system

in lieu of a paper form when the prescriber has broadband Internet access and the capability to prescribe electronically, provided that the form used is consistent with the rules developed under RSA 420-J:6, VII and a secure electronic connection is available at no cost to the prescriber.

(d) Nothing in this section shall prohibit the use of prior authorization for prescription drug benefits.

(e) This section shall apply to this chapter and shall not apply to the Medicaid managed care program under RSA 126-A:5, XIX.

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

2016-1498s

AMENDED ANALYSIS

This bill requires health insurers, health maintenance organizations, health services corporations, medical services corporations, and preferred provider programs to use and accept only the uniform prior authorization forms and criteria developed by the commissioner of insurance in accordance with rules adopted pursuant to RSA 541-A.

Senate Ways and Means
April 19, 2016
2016-1466s
09/10

Amendment to HB 1656-FN

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

1 Purpose. The purpose of RSA 78-B:2, XXII as inserted by this act is to implement New Hampshire court decisions.

2 New Paragraphs; Exceptions to Real Estate Transfer Tax. Amend RSA 78-B:2 by inserting after paragraph XX the following new paragraphs:

XXI.(a) To a transfer of title provided that:

(1) The transfer of title is coincidental to a change in the transferor's form of organization to that of the transferee;

(2) As a result of the change in the transferor's form of organization, the assets and liabilities of the transferor immediately preceding the change in form of organization and the assets and liabilities of the transferee immediately following the change in form of organization are the same; and

(3) At the time of the transfer of title, the owner or owners of the transferor and the owner or owners of the transferee, and the respective ownership percentages of each, are identical.

(b) For the purpose of this paragraph, a beneficial interest in a trust shall be considered an ownership interest in such trust.

XXII. To a transfer of title from the owners of an entity to the entity, or from the entity to the owners of the entity; provided that:

(a) No consideration is exchanged for the transfer of the real estate; and

(b) The direct or indirect owners of the parties to the transfer remain the same before and after the transfer of the real estate, the respective ownership percentages of each are identical, and the combined assets and liabilities of the transferor and transferee remain the same except with respect to the real estate.

3 Real Estate Transfer Tax; Definition; Price or Consideration. Amend RSA 78-B:1-a, IV to read as follows:

IV. "Price or consideration", in a contractual transfer, means the amount of money, or other property and services, or property or services valued in money which is given in exchange for real estate, and measured at a time immediately after the transfer of the real estate. The value of such consideration in contractual transfers where the property exchanged includes the surrender of rights or choses-in-action by the transferee, including the surrender of shareholder or beneficial interest holder rights in liquidation of a corporation or other entity, the forgiveness of an obligation owed to the transferee, or the assumption of an obligation by the transferee, shall be no less than the fair market value of the real estate or interest in such real estate as determined by the department pursuant to RSA 78-B:9, III; except that in the case of a deed given in lieu of

a foreclosure, the value of such consideration shall be the amount by which the debt of the obligor secured by the real estate or interest in the real estate is reduced plus the amount of such debt which is assumed by the transferee in exchange for the real estate, if any. ***Transfers made solely to obtain financing or refinancing, as required by a lending institution, and that accomplish no other business purposes shall not be considered sufficient consideration to make a transfer a contractual transfer. The recitation of nominal consideration of \$10 or other valuable consideration for purposes of satisfying the statute of frauds is not consideration for purposes of this chapter.***

4 Applicability. This act shall apply to transfers occurring on and after the effective date of this act.

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

2016-1466s

AMENDED ANALYSIS

This bill establishes exceptions from the real estate transfer tax for certain transfers of title related to changes in form of organization or made between the owners and the entity for no consideration.

Energy and Natural Resources

April 21, 2016

2016-1545s

10/06

Amendment to HB 1660-FN-LOCAL

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

AN ACT relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines, and relative to intervention by the site evaluation committee in such proceedings.

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

1 Eminent Domain by Pipeline Companies; Updated Appraisals. Amend RSA 371:15, IV to read as follows:

IV. In trying any question of damages before said commissioners or by jury, the appraisal for taxation of such real estate, and, in cases where less than the whole interest in real estate is sought to be acquired, the appraisal for taxation of such whole interest, by the selectmen or tax assessors for the tax year in which such application shall have been filed, and for as many preceding years as the commissioners or the court may consider relevant, shall be competent as evidence of value. ***The owner of private real property used for residential purposes may select a licensed appraiser to expeditiously conduct an updated appraisal of the private real estate sought to be acquired, with the reasonable costs of such appraisal, as determined by the agreement of the parties, or by the commissioners or the court, to be borne by or reimbursed by the pipeline company. Any such appraisal submitted to the commissioners or the court shall be considered by the commissioners or the court.*** The damages as determined shall be awarded to the owner or apportioned among the several owners in accordance with their several interests as determined and judgment shall be entered accordingly.

2 Paragraphs; Eminent Domain; Residential Owner Option; Relocation and Expenses. Amend RSA 371:15 by inserting after paragraph VI the following new paragraphs:

VII. When private real property which is used for residential purposes is proposed to be acquired in part, temporarily or permanently, for the construction of a high pressure gas pipeline or appurtenance thereto, the owners of the residential property shall have the option to require the pipeline company to condemn and take in fee the entire tract of land impacted by the proposed partial taking including all buildings and improvements thereon if all owners, excluding lienholders and mortgagees, of the private real property make such an election and provide the commission and the pipeline company with written notice of their election within 30 days after receipt of the notice under paragraph II. The option under this paragraph shall only apply if the residence is within 250 feet of the boundary of the proposed partial taking.

VIII. In all cases where residential property is taken pursuant to the provisions of this section, a resident owner may also be awarded reasonable relocation, temporary housing, and legal expenses not to exceed 10 percent of the compensation ordered for the taking.

3 Site Evaluation Committee; High Pressure Gas Pipelines. Amend RSA 162-H:10-b, IV to read as follows:

IV. The committee shall ~~consider intervention~~ **file as an intervenor** in Federal Energy Regulatory Commission proceedings involving the siting of high pressure gas pipelines in order to protect the interest of the state of New Hampshire.

4 Severability. If any provision of this act or the application thereof to any person or circumstance is held to be invalid, the invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

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

2016-1545s

AMENDED ANALYSIS

This bill:

I. Allows an owner of residential property to have an updated appraisal completed at the expense of a pipeline company seeking to acquire the property by eminent domain.

II. Allows certain owners of property subject to a partial taking under eminent domain to require a pipeline company to take the entire tract of land.

III. Provides for the awarding of relocation, temporary housing, and legal expenses in gas pipeline eminent domain proceedings.

IV. Requires the site evaluation committee to file as an intervenor in Federal Energy Regulatory Commission proceedings involving siting of high pressure gas pipelines.

Senate Judiciary

April 19, 2016

2016-1487s

01/09

Amendment to HB 1681-FN

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

AN ACT establishing a commission on hypodermic syringes and needles.

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

1 New Section; Commission on Hypodermic Syringes and Needles. Amend RSA 318-B by inserting after section 26-a the following new section:

318-B:26-b Commission on Hypodermic Syringes and Needles.

I. There is established a commission on hypodermic syringes and needles.

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

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

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

(c) The commissioner of the department of health and human services, or designee.

(d) The attorney general, or designee.

(e) A pharmacist, appointed by the New Hampshire board of pharmacy.

(f) A physician from the New Hampshire Medical Society, appointed by the society.

(g) A representative from the New Hampshire Infection Control and Epidemiology Professionals, appointed by that organization.

(h) Two public members, at least one of whom shall be an independent office-based health care practitioner, appointed by the governor.

(i) An APRN, appointed by the New Hampshire Nurse Practitioner Association.

(j) The chair of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, or designee.

(k) The director of the division of state police, or designee.

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

IV. The commission's study shall include, but not be limited to, evaluating the effectiveness of a needle exchange program and whether recommendations for guidelines and further legislative action are necessary.

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 member of the house of representatives. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2017.

2 Repeal. RSA 318-B:26-b, relative to the commission on hypodermic syringes and needles, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2017.

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

2016-1487s

AMENDED ANALYSIS

This bill establishes a commission on hypodermic syringes and needles.

Commerce
April 15, 2016
2016-1438s
08/10

Amendment to HB 1685-FN

Amend RSA 397-A:2, I as inserted by section 1 of the bill by deleting subparagraphs (d) and (e).

Amend RSA 397-A:4, V as inserted by section 1 of the bill by replacing it with the following:

V. An owner of real property who, in any consecutive 12-month period, makes no more than 3 mortgage loans to purchasers of the property for all or part of the purchase price of the real estate against which the mortgage is secured. The owner of real property in such transactions shall not be considered to be engaged in the business of mortgage loan origination.

Health and Human Services
April 20, 2016
2016-1497s
01/09

Amendment to HB 1695-FN

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

AN ACT establishing a commission to study uncompensated care.

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

1 New Section; Commission to Study Uncompensated Care. Amend RSA 126-A by inserting after section 5-e the following new section:

126-A:5-f Commission to Study Uncompensated Care.

I. There is hereby established a commission to study uncompensated care.

(a) The members of the commission shall be as follows:

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

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

(3) The commissioner of the department of health and human services, or designee.

(4) The commissioner of the department of insurance, or designee.

(5) A representative of the New Hampshire Hospital Association, appointed by the association.

(6) A representative of a health insurance carrier which sells policies in New Hampshire, appointed by the president of the senate.

(7) A representative of a self-funded plan governed by federal ERISA regulations which operates in New Hampshire, appointed by the speaker of the house of representatives.

(8) Three accountants or financial specialists that have experience in hospital finances, but who are not currently employed by a New Hampshire hospital, one of whom shall be appointed by the governor, one of whom shall be appointed by the president of the senate, and one of whom shall be appointed by the speaker of the house of representatives.

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

II.(a) The commission shall study uncompensated care. Specifically the commission's study shall include, but not be limited to, reviewing the drivers of uncompensated care and its constituent parts, and how each piece is computed on a statewide basis and on a hospital basis.

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

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

IV. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2017.

2 Repeal. RSA 126-A:5-f, relative to the commission to study uncompensated care, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2017.

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

2016-1497s

AMENDED ANALYSIS

This bill establishes a commission to study uncompensated care.

Senate Transportation

April 20, 2016

2016-1510s

06/10

Amendment to HB 1697-FN

Amend the bill by replacing with the following:

1 New Chapter; Transportation Network Company. Amend RSA by inserting after chapter 376 the following new chapter:

CHAPTER 376-A

TRANSPORTATION NETWORK COMPANY

376-A:1 Definitions. In this chapter:

I. "Department" means the department of safety.

II. "Digital network" means any online enabled technology application service, website, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers.

III. “Personal vehicle” means a vehicle that is used by a transportation network company driver to provide a prearranged ride and is:

- (a) Owned, leased, or otherwise authorized for use by the transportation network company driver; and
- (b) Not a motor carrier or taxicab under RSA 376:2.

IV. “Prearranged ride” means the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride does not include transportation provided through any of the following:

- (a) A motor carrier or taxicab as defined in RSA 376:2.
- (b) Shared expense carpool or vanpool arrangements.
- (c) A regional transportation provider.

V. “Transportation network company” (TNC) means a corporation, partnership, sole proprietorship, or other entity, that has a permit issued by the department and is operating in New Hampshire, that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract.

VI. “Transportation network company driver” (TNC driver) means an individual who:

- (a) Receives connections to potential passengers and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and
- (b) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee.

VII. “Transportation network company rider” (rider) means a person who uses a transportation network company’s digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver’s personal vehicle between points chosen by the rider.

376-A:2 Not Other Carriers. No TNC or TNC driver is a motor carrier, nor do they provide taxicab services pursuant to RSA 376:2. No TNC or TNC driver shall be required to:

- I. Apply for a common carrier certificate under RSA 376:4 or a contract carrier permit under RSA 376:7; or
- II. Register personal vehicles under RSA 376:24.

376-A:3 TNC Permit Required. No person shall operate a TNC in New Hampshire without first having obtained a permit from the department, provided that any transportation network company operating in the state before the effective date of this chapter may continue to operate in the state until the department establishes a permit process and provides a reasonable period in which to apply for and obtain a permit. The department shall issue a permit to each applicant that meets the requirements for a TNC under this chapter, and pays an annual permit fee of \$500 to the department. The permit shall be issued annually and shall be effective on the date of issue.

376-A:4 Agent. Every TNC shall appoint an agent for service of process in the state of New Hampshire.

376-A:5 Fare. On behalf of a TNC driver, a TNC may charge a fare for the services provided to riders provided that if a fare is collected from a rider, the TNC shall disclose to the rider the fare or the fare calculation method on its website, within the vehicle, or on the online application service. The TNC shall also provide riders with the applicable rates being charged and the option to receive an estimated fare before the rider enters the TNC driver’s vehicle.

376-A:6 Identification of TNC Vehicles and Drivers. The TNC’s digital network or website shall display a picture of the TNC driver, and the license plate number of the motor vehicle utilized for providing the prearranged ride before the rider enters the TNC driver’s vehicle.

376-A:7 Receipt. Within a reasonable period of time following the completion of a trip, a TNC shall transmit an itemized receipt to the rider on behalf of the TNC driver.

376-A:8 Financial Responsibility of TNCs. On the effective date of this chapter and thereafter:

I. Every TNC driver, or TNC on behalf of the driver, shall maintain primary motor vehicle insurance that recognizes that the driver is a TNC driver or otherwise uses a vehicle to transport passengers for compensation and covers the driver:

- (a) While the driver is logged on to the TNC's digital network; or
- (b) While the driver is engaged in a prearranged ride.

II. The following motor vehicle insurance requirements shall apply while a participating TNC driver is logged on to the TNC's digital network but is not engaged in a prearranged ride:

(a) Primary motor vehicle liability insurance, consistent with RSA 259:61, in the amount of at least \$50,000 for death and bodily injury per person; \$100,000 for death and bodily injury per incident; and \$25,000 for property damage, including the duty to defend.

(b) Coverage consistent with New Hampshire financial responsibility laws.

III. The coverage requirements of paragraph II may be satisfied by any of the following:

- (a) Motor vehicle insurance maintained by the TNC driver;
- (b) Motor vehicle insurance maintained by the TNC; or
- (c) Any combination of subparagraphs (a) and (b).

IV. The following motor vehicle insurance requirements shall apply while a TNC driver is engaged in a prearranged ride:

(a) Primary automobile liability insurance that provides at least \$300,000 for death, bodily injury, and property damage.

(b) Coverage consistent with New Hampshire financial responsibility laws.

V. The coverage requirements of paragraph IV may be satisfied by any of the following:

- (a) Motor vehicle insurance maintained by the TNC driver;
- (b) Motor vehicle insurance maintained by the TNC; or
- (c) Any combination of subparagraphs (a) and (b).

VI. If insurance maintained by the TNC driver in paragraphs II and IV has lapsed or does not provide the required coverage, insurance maintained by the TNC shall provide the coverage required by this section beginning with the first dollar of a claim and shall have the duty to defend and indemnify such claim.

VII. Coverage under a motor vehicle insurance policy maintained by the TNC shall not be dependent on a personal motor vehicle insurer first denying a claim nor shall a personal motor vehicle insurance policy be required to first deny a claim.

VIII. Insurance required by this section shall be placed with an admitted insurer that has the requisite certificate of authority to write motor vehicle insurance pursuant to RSA 401:1. Insurance required under this section may be placed with an unadmitted surplus lines insurer consistent with the provisions of RSA 405:24 through RSA 405:31, that has a credit rating of no less than "A-" from A.M. Best or "A" from Demotech or a similar rating from another rating agency recognized by the insurance department.

IX. Every TNC driver shall carry physical or electronic proof of coverage satisfying paragraphs II and IV with him or her at all times during his or her use of a vehicle in connection with a TNC's digital network. In the event of an accident, a TNC driver shall provide this insurance coverage information to the directly interested parties, automobile insurers, and investigating police officers. Upon request, a TNC driver shall also disclose to directly interested parties, automobile insurers, and investigating police officers, whether he or she was logged on to the TNC's digital network or on a prearranged ride at the time of an accident.

376-A:9 Disclosures. Every TNC shall disclose in writing to the TNC driver the following:

I. The insurance coverage, including the types of coverage and the limits for each coverage, that the TNC provides while the TNC driver uses a personal vehicle in connection with a TNC's digital network.

II. That the TNC driver's own motor vehicle insurance policy might not provide any coverage while the TNC driver is logged on to the TNC's digital network or is engaged in a prearranged ride, depending on its terms.

III. That the TNC driver shall contact the driver's personal vehicle insurer or insurance producer and lienholder to advise the insurer or producer and lienholder that the driver will be providing TNC services.

IV. That if the personal vehicle that the TNC driver uses to provide TNC services has a lien against it, using the personal vehicle for TNC services without physical damage coverage may violate the terms of the contract with the lienholder.

V. That if a TNC's insurer makes a payment for a claim covered under comprehensive coverage or collision coverage, the TNC shall cause its insurer to issue the payment directly to the business repairing the personal vehicle or jointly to the owner of the personal vehicle and the primary lienholder on the covered personal vehicle.

376-A:10 Motor Vehicle Insurance Provisions.

I.(a) Insurers that write motor vehicle insurance in New Hampshire may exclude any and all coverage afforded under the policy issued to an owner or operator of a personal vehicle for any loss or injury that occurs while a TNC driver is logged on to a TNC's digital network or while a driver provides a prearranged ride. The right to exclude all coverage may apply to any coverage included in a motor vehicle insurance policy including, but not limited to:

- (1) Liability coverage for bodily injury and property damage.
- (2) Uninsured and under insured motorist coverage.
- (3) Medical payments coverage.
- (4) Comprehensive physical damage coverage.
- (5) Collision physical damage coverage.

(b) If the coverage has been excluded under this paragraph, and the insurance required to be maintained by the TNC driver under RSA 376-A:8, II and IV has lapsed or does not provide the required coverage, the state financial responsibility requirements in RSA 259:61, I, including costs of defense, shall be satisfied by the TNC's motor vehicle insurance policy, beginning with the first dollar of a claim. Nothing in this section implies or requires that a personal motor vehicle insurance policy provide coverage while the TNC driver is logged on to the TNC's digital network, while the TNC driver is engaged in a prearranged ride, or while the TNC driver otherwise uses a vehicle to transport passengers for compensation. Nothing in this section shall be construed to require an insurer to use any particular policy language or reference to this section in order to exclude any and all coverage for any loss or injury that occurs while a driver is logged on to a TNC's digital network or while a TNC driver provides a prearranged ride. Nothing in this section shall be deemed to preclude an insurer from providing primary or excess coverage for the TNC driver's vehicle, if it chooses to do so by contract or endorsement.

II. No automobile insurer that excludes the coverage described in RSA 376-A:8 shall have a duty to defend or indemnify any claim expressly excluded thereunder. Nothing in this section shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in New Hampshire prior to the enactment of this chapter, that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy, shall have a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of RSA 376-A:8 at the time of loss.

III. In a claims coverage investigation, TNCs shall immediately provide, upon request by 3 directly involved parties or any insurer of the TNC driver if applicable, the precise times that a TNC driver logged on and off of the TNC's digital network in the 12-hour period immediately preceding and in the 12-hour period immediately following the accident. Insurers under RSA 376-A:8 shall disclose, upon request by any other insurer involved in the particular claim, the applicable coverage, exclusions, and limits provided under any automobile insurance maintained under RSA 376-A:8.

376-A:11 Zero Tolerance for Drug or Alcohol Use.

I. The TNC shall implement a zero tolerance policy regarding a TNC driver's activities while accessing the TNC's digital platform. The zero tolerance policy shall address the use of drugs or alcohol while a TNC driver is providing prearranged rides or is logged into the TNC's digital network but is not providing prearranged rides, and the TNC shall provide notice of this policy on its website, as well as procedures to report a complaint about a TNC driver with whom a rider was matched and whom the rider reasonably suspects was under the influence of drugs or alcohol during the course of the trip.

II. Upon receipt of such rider complaint alleging a violation of the zero tolerance policy, the TNC shall suspend such TNC driver's access to the TNC's digital platform as soon as possible, and shall conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.

III. The TNC shall maintain records relevant to the enforcement of this requirement for a period of at least 2 years from the date that a rider complaint is received by the TNC. The suspension shall last the duration of the investigation.

376-A:12 TNC Driver Requirements.

I. Before allowing an individual to accept trip requests through a TNC's digital platform:

(a) The individual shall submit an application to the TNC, which includes information regarding his or her address, age, driver's license, motor vehicle registration, automobile liability insurance, and other information required by the TNC.

(b) The TNC shall conduct, or have a third party conduct, a local and national criminal background check for each applicant that shall include:

(1) Multi-state/multi-jurisdiction criminal records locator or other similar commercial nationwide database with validation (primary source search); and

(2) U.S. Department of Justice National Sex Offender Public Website.

(c) The TNC shall obtain and review, or have a third party obtain and review, a driving history research report from such individual.

II. No individual shall act as a TNC driver on the TNC's digital platform who:

(a) Has had more than 3 moving violations in the prior 3-year period, or one major violation in the prior 3-year period, including, but not limited to, attempting to evade the police, reckless driving, or driving with a suspended or revoked license.

(b) Has been convicted, within the past 7 years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, and/or theft, acts of violence, or acts of terror.

(c) Is a match in the National Sex Offender Registry database.

(d) Does not possess a valid driver's license.

(e) Does not possess proof of registration for the motor vehicle used to provide prearranged rides.

(f) Does not possess proof of automobile liability insurance for the motor vehicle used to provide prearranged rides.

(g) Is not at least 19 years of age.

376-A:13 Vehicle Safety. Prior to permitting a TNC driver to accept trip requests through the TNC's digital platform, the TNC shall ensure that the TNC driver's personal vehicle meets New Hampshire's vehicle safety requirements for private motor vehicles.

378-A:14 Street Hails Prohibited. No TNC driver shall solicit or accept street hails.

376-A:15 Discrimination Prohibited; Accessibility.

I. The TNC shall adopt a policy of nondiscrimination on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity with respect to riders and potential riders and notify TNC drivers of such policy.

II. TNC drivers shall comply with all applicable laws regarding nondiscrimination against riders or potential riders on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.

III. TNC drivers shall comply with all applicable laws relating to accommodation of service animals.

IV. No TNC shall impose additional charges for providing services to persons with physical disabilities because of such disabilities.

V. Every TNC shall provide riders an opportunity to indicate whether they require a wheelchair accessible vehicle. If a TNC cannot arrange a wheelchair accessible prearranged ride in any instance, it shall direct the rider to an alternate provider of wheelchair accessible service, if available.

376-A:16 Records. Every TNC shall maintain the following customer records:

I. Individual trip records for at least one year from the date each trip was provided.

II. TNC driver records at least until the one year anniversary of the date on which a TNC driver's customer relationship with the TNC has ended.

376-A:17 Controlling Authority. Notwithstanding any other provision of law, TNCs and TNC drivers are governed exclusively by this chapter and any rules by the department of safety consistent with this chapter. No municipality or other local entity may impose a tax on, or require a license for, a TNC, a TNC driver, or a vehicle used by a TNC driver where such tax or licenses relates to providing prearranged rides, or subject a TNC to the municipality's or other local entity's rate, entry, operational, or other requirements.

376-A:18 Penalties. The department shall adopt rules pursuant to RSA 541-A for penalties, including:

I. The department may assess an administrative penalty for violations of this chapter in an amount not to exceed \$500 for a first offense and \$1,000 for a subsequent offense. Failure to pay such a penalty shall result in revocation of the TNC permit.

II. The department may suspend or revoke the TNC permit for repeated violations of this chapter.

III. Any person who subverts the intent and purposes of this chapter by filing false, misleading, or substantially inaccurate statements with the department shall be guilty of a violation.

376-A:19 General Duties and Powers of the Commissioner; Rulemaking.

I. The commissioner shall regulate transportation network companies.

II. The commissioner shall administer and enforce RSA 376-A and shall adopt rules, pursuant to RSA 541-A, relative to the administration of RSA 376-A.

III. The commissioner may adopt rules, pursuant to RSA 541-A, relative to:

- (a) Audits for compliance with this chapter and rules relative to the administration of RSA 376-A;
- (b) Procedures for permit application and renewal;
- (c) Account and record systems;
- (d) Preservation of records and accounts; and
- (e) Procedures for investigating and disposing of complaints, including a hearing process.

HEARINGS

TUESDAY, APRIL 26, 2016

COMMERCE, Room 100, SH

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

1:00 p.m.

Hearing on proposed amendment **#2016-1492s** - *An Act relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations* to **HB 1307**, relative to the procedure for amendment of condominium instruments.

EXECUTIVE SESSION MAY FOLLOW

EDUCATION, Room 103, LOB

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

9:00 a.m.

EXECUTIVE SESSION ON PENDING LEGISLATION**FINANCE**, Room 103, SH

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

1:00 p.m.

Hearing on proposed amendment **#2016-1533s** - *An Act authorizing additional part-time positions at the department of administrative services and making an appropriation therefor, and relative to the revenue stabilization reserve account to* **HB 1527-FN-A**, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor.

EXECUTIVE SESSION ON PENDING LEGISLATION**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 1269, extending the New Hampshire health care quality assurance commission and relative to the membership of the commission.

1:20 p.m.

HB 1394, relative to the appropriation for developmental services.

EXECUTIVE SESSION MAY FOLLOW**JUDICIARY**, Room 100, SH

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

8:00 a.m.

HB 1204, relative to payment of rent pending the stay of an eviction proceeding.

8:20 a.m.

HB 1298, relative to damage to private property.

8:40 a.m.

HB 1370, relative to termination of tenancy.

9:10 a.m.

HB 1248, relative to the waiver of counsel in juvenile delinquency proceedings.

9:30 a.m.

HB 1353, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop.

9:45 a.m.

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders.

EXECUTIVE SESSION MAY FOLLOW**TRANSPORTATION**, Room 103, LOB

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

1:00 p.m.

HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials.

1:15 p.m.

HB 1271, making certain length and width exemptions concerning commercial vehicles.

1:30 p.m.

HB 2016, relative to the state 10-year transportation improvement program.

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

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

9:00 a.m.

HB 1382, relative to the referendum procedure for public water systems.

10:00 a.m.

Hearing on proposed amendment **#2016-1514s** - *An Act relative to reports of death of voters and authorizing an electronic poll book trial program to* **HB 1534**, relative to reports of death of voters.

10:30 a.m.

HB 1203, relative to voting on variances.

EXECUTIVE SESSION MAY FOLLOW

FRIDAY, APRIL 29, 2016

JUDICIARY, Room 100, SH

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

- 1:15 p.m. **HB 1117**, establishing a child support maximum under the guidelines based on the parents' combined income.
- 1:30 p.m. **HB 1118**, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility.
- 1:45 p.m. **HB 1236**, relative to hearings on modifications of parental rights and responsibilities.
- 2:00 p.m. **HB 1237**, establishing a committee to study the establishment of a default conflict management and resolution system for parents and children.
- 2:15 p.m. **HB 1279**, relative to grounds for termination of parental rights.
- 2:30 p.m. **HB 1280**, relative to grounds for modification of parental rights and responsibilities.
- 2:45 p.m. **HB 1471**, relative to parental rights.
- 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)

TUESDAY, MAY 3, 2016

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**

MEETINGS

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
11:00 a.m.	Room 102, LOB	Subcommittee 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
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LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

1:00 p.m.	Room 104, LOB	Regular Meeting
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TUESDAY, APRIL 26, 2016

PUBLIC HIGHER EDUCATION STUDY COMMITTEE (RSA 187-A:28-a)

10:00 a.m.	Room 207, LOB	Regular Meeting
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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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TUESDAY, MAY 3, 2016

ELECTRIC UTILITY RESTRUCTURING LEGISLATIVE OVERSIGHT COMMITTEE (RSA 374-F:5)

10:00 a.m.	Room 304, LOB	Regular Meeting
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FRIDAY, MAY 6, 2016

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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MONDAY, MAY 9, 2016

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

1:00 p.m.	NH Supreme Court 1 Charles Doe Drive Concord, NH	Regular Meeting
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JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1)

1:30 p.m.	Room 103, SH	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

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

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

10:00 a.m.	Room 101, LOB	Regular Meeting
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WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3)

10:00 a.m.	Room 205, 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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TUESDAY, MAY 17, 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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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 21 South Fruit Street Concord, NH	Regular Meeting
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FRIDAY, MAY 20, 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

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

11:00 a.m. Room 205, 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

SENATE BILL: 467

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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, 1644, 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: 25, 110, 144, 146, 238, 265, 312, 330, 332, 370, 380, 576

HOUSE BILLS: 1116, 1165, 1197, 1208, 1245, 1283, 1332, 1665, 1696

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NOTICES

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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SENATE SCHEDULE

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)