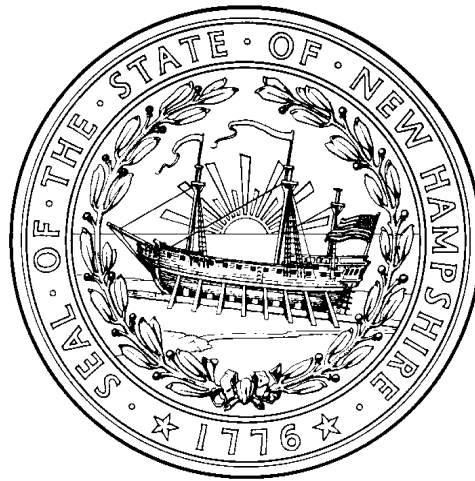


May 5, 2016  
No. 18

# STATE OF NEW HAMPSHIRE

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

## SENATE CALENDAR

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**THE SENATE WILL MEET IN SESSION ON  
THURSDAY, MAY 12, 2016 AT 10:00 A.M.**

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**LAI D ON THE TABLE**

**HB 629-FN**, relative to induced termination of pregnancy statistics. **05/05/2016, No pending motion, Health and Human Services, SJ 16**

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

**HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders. **05/05/2016, pending motion, Inexpedient to Legislate, Judiciary, SJ 16**

**HB 1231**, relative to school district policy regarding objectionable course material. **04/21/2016, No pending motion, Education SJ 14, pg. 435**

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

**HB 1252**, permitting employers to pay wages to employees weekly or biweekly. **05/05/2016, No pending motion, Commerce, SJ 16**

**HB 1570-FN**, repealing the law governing access to reproductive health care facilities. **05/05/2016, No pending motion, Health and Human Services, SJ 16**

**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

### HEALTH AND HUMAN SERVICES

**HB 1453**, relative to qualifying medical conditions for purposes of therapeutic cannabis. Ought to Pass, Vote 5-0.  
Senator Avarad for the committee.

This bill adds ulcerative colitis to the list of qualifying medical conditions for purposes of therapeutic cannabis. Compelling medical testimony was heard for reasons to include this chronic disease in the therapeutic cannabis legislation to the benefit of New Hampshire patients. The bill leaves intact all the controls in place to restrict cannabis use to those patients where traditional medicine has failed to provide relief and continues to require a long term relationship with a physician.

**HB 1605-FN**, prohibiting the use of latex gloves and utensils in the food service industry. Inexpedient to Legislate, Vote 5-0.  
Senator Carson for the committee.

This bill would have prohibited licensed food service establishments from using latex gloves and utensils in food preparation. Failure to abide by this prohibition would be a violation-level offense of not less than \$250 or more than \$500 for food service industry employees. It would result in an increased workload for the Department of Health and Human Services and have a fiscal impact on the Judicial Branch. The committee found that a violation of this magnitude is excessive and, as with other potential allergens, believes the industry does a great job at self-regulation.

### PUBLIC AND MUNICIPAL AFFAIRS

**HB 1203**, relative to voting on variances. Inexpedient to Legislate, Vote 5-0.  
Senator Birdsell for the committee.

This bill would establish requirements for zoning boards of adjustment voting on variances. The committee determined that it would be more appropriate to retain local control on these voting procedures and therefore, does not recommend this bill for passage.

**HB 1395**, relative to municipal electronic records. Ought to Pass with Amendment, Vote 5-0.  
Senator Birdsell for the committee.

This bill will permit certain municipal electronic records to be transferred to portable document files and allow the municipal offices to move to a more contemporary and efficient procedure. The committee amended the bill to clarify the language and to identify the most appropriate technological format.

**HB 1482**, relative to the Interstate Voter Registration Crosscheck Program.

Interim Study, Vote 5-0.

Senator Birdsell for the committee.

This bill would authorize the Secretary of State to enter into an agreement to share voter information and data through the Interstate Voter Registration Crosscheck Program. The committee felt that it would be more appropriate to take the time to examine all crosscheck programs before moving forward.

**HB 1508**, allowing public libraries to run certain privacy software.

Interim Study, Vote 5-0.

Senator Birdsell for the committee.

This bill would allow public libraries to run certain privacy software. The committee heard no testimony from librarians regarding a need for this legislation and concerns were also brought forward regarding how this would affect criminal investigations. For those reasons, the committee supports moving this bill to further study.

## **TRANSPORTATION**

**HB 1305**, relative to the use of an ignition interlock device.

Ought to Pass, Vote 5-0.

Senator Birdsell for the committee.

This bill requires a person receiving a limited privilege license to be subject to the ignition interlock program for one year after restoration of driving privileges. This bill also establishes an exemption from the prohibition on the use of mobile electronic devices while driving for actions required by an ignition interlock device.

# **REGULAR CALENDAR REPORTS**

## **ENERGY AND NATURAL RESOURCES**

**HB 297**, protecting individual customer data from disclosure by a public utility.

Ought to Pass with Amendment, Vote 4-0.

Senator Feltes for the committee.

**HB 1354**, establishing a committee to study livestock and meat inspection.

Ought to Pass, Vote 4-0.

Senator Fuller Clark for the committee.

**HB 1461**, relative to the definition of and criteria for protection instream flow.

Ought to Pass with Amendment, Vote 4-0.

Senator Feltes for the committee.

**HB 1595-FN**, relative to the rivers management and protection program.

Ought to Pass with Amendment, Vote 4-0.

Senator Fuller Clark for the committee.

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 1322**, relative to reports to the public employee labor relations board.

Inexpedient to Legislate, Vote 4-1.

Senator Soucy for the committee.

## **FINANCE**

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

Ought to Pass with Amendment, Vote 5-1.

Senator Hosmer for the committee.

**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, Vote 5-0.

Senator Little for the committee.

**HB 602-FN**, relative to the use of drones.  
Ought to Pass with Amendment, Vote 5-0.  
Senator D'Allesandro for the committee.

**HB 636-FN**, relative to forfeiture of property.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Hosmer for the committee.

**HB 668-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax.  
Ought to Pass, Vote 5-1.  
Senator Hosmer for the committee.

**HB 1182-FN**, relative to liquor commission revenue shortfalls.  
Inexpedient to Legislate, Vote 5-0.  
Senator D'Allesandro for the committee.

**HB 1428-FN-A-L**, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program.  
Ought to Pass with Amendment, Vote 5-0.  
Senator D'Allesandro for the committee.

**HB 1590-FN-A-L**, relative to the regulation and taxation of short-term rental businesses.  
Ought to Pass with Amendment, Vote 4-2.  
Senator Little for the committee.

**HB 1591-FN-A**, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.  
Ought to Pass with Amendment, Vote 4-2.  
Senator Little for the committee.

**HB 1608-FN**, relative to uniform prior authorization forms.  
Ought to Pass, Vote 6-0.  
Senator Reagan for the committee.

**HB 1680-FN**, relative to prior authorization plans for medications used to treat certain mental illnesses under the Medicaid managed care program.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Hosmer for the committee.

**HB 1695-FN**, relative to a health system public data resource for New Hampshire and relative to cost effectiveness of programs implemented within state agencies.  
Ought to Pass with Amendment, Vote 4-2.  
Senator D'Allesandro for the committee.

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

#### **HEALTH AND HUMAN SERVICES**

**HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation.  
Ought to Pass with Amendment, Vote 3-2.  
Senator Sanborn for the committee.

#### **JUDICIARY**

**HB 512**, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency.  
Ought to Pass with Amendment, Vote 3-1.  
Senator Cataldo for the committee.

## **PUBLIC AND MUNICIPAL AFFAIRS**

**HB 1144-L**, relative to notice for sessions of correction of the check list.

Ought to Pass with Amendment, Vote 4-1.

Senator Lasky for the committee.

**HB 1293**, relative to the procedure for charter amendments.

Ought to Pass, Vote 3-2.

Senator Boutin for the committee.

**HB 1356**, relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.”

Inexpedient to Legislate, Vote 3-2.

Senator Kelly for the committee.

**HB 1375**, relative to charter commissions for budgets in official ballot jurisdictions.

Ought to Pass with Amendment, Vote 3-2.

Senator Stiles for the committee.

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

Inexpedient to Legislate, Vote 5-0.

Senator Kelly for the committee.

**HB 1455**, relative to the application of the municipal budget law to village districts wholly within a town.

Inexpedient to Legislate, Vote 3-2.

Senator Boutin for the committee.

**HB 1468**, relative to sessions for correction of the checklist.

Interim Study, Vote 4-1.

Senator Lasky for the committee.

**HB 1503**, relative to distributing campaign materials at the polling place.

Ought to Pass with Amendment, Vote 5-0.

Senator Stiles for the committee.

**HB 1534**, relative to reports of death of voters.

Ought to Pass with Amendment, Vote 4-1.

Senator Boutin for the committee.

## **TRANSPORTATION**

**HB 504**, relative to online driver education.

Inexpedient to Legislate, Vote 3-1.

Senator Feltes for the committee.

**HB 1132**, relative to carrying a loaded rifle or loaded shotgun in certain vehicles.

Inexpedient to Legislate, Vote 3-1.

Senator Feltes for the committee.

**HB 1212**, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton.

Ought to Pass, Vote 5-0.

Senator Stiles for the committee.

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

Ought to Pass with Amendment, Vote 3-2.

Senator Daniels for the committee.

**HB 1396**, relative to OHRV operation on certain highways in Grafton County.

Ought to Pass with Amendment, Vote 3-2.

Senator Watters for the committee.

**HB 1477**, relative to the grace period for motor vehicle inspections.

Interim Study, Vote 4-0.

Senator Daniels for the committee.

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

Ought to Pass with Amendment, Vote 5-0.

Senator Stiles for the committee.

# AMENDMENTS

Senate Finance  
May 4, 2016  
2016-1825s  
03/05

## Amendment to HB 197-FN

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

AN ACT establishing a commission to study the licensing of off-site tasting rooms.

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

1 New Section; Commission to Study the Licensing of Off-Site Tasting Rooms. Amend RSA 175 by inserting after section 10 the following new section:

175:11 Commission to Study the Licensing of Off-Site Tasting Rooms.

I. There is established a commission to study the licensing of additional off-site tasting rooms separate and apart from a wine manufacturer's manufacturing facility.

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

- (a) One member of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The liquor commissioner, or designee.
- (d) A representative of a large wine manufacturer that produces more than 18,000 gallons per year, appointed by the president of the senate.
- (e) A representative of a small wine manufacturer that produces less than 18,000 gallons per year, appointed by the speaker of the house of representatives.
- (f) Two representatives of alcoholic beverage distributors, one of whom shall be appointed by the president of the senate and one of whom shall be appointed by the governor.
- (g) Two representatives of alcoholic beverage retailers, one of whom shall be appointed by the speaker of the house of representatives and one of whom shall be appointed by the governor.

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

IV.(a) The commission shall study if the liquor commission should be allowed to license additional off-site tasting rooms separate and apart from a wine manufacturer's manufacturing facility. Specifically, the commission shall:

- (1) Review the potential costs to the liquor commission and impact on liquor commission revenues.
- (2) Review the impact such a policy would have on the separation that exists between producers, distributors, and retailers, commonly referred to as the "3-tier system."
- (b) The commission shall solicit information from any person or entity the commission deems relevant to its study.

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 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.

VI. 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 175:11, relative to the commission to study licensing of off-site tasting rooms, 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.

2016-1825s

## AMENDED ANALYSIS

This bill establishes a commission to study the licensing of off-site tasting rooms.

Energy and Natural Resources

May 4, 2016

2016-1841s

06/04

**Amendment to HB 297**

Amend RSA 363:37, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Implementing demand response, customer assistance, energy management, or energy efficiency programs.

Amend RSA 363:38, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Provide an incentive or discount to the customer for accessing individual customer data, provided, however, that nothing shall prevent a service provider from providing consideration to a customer for reducing demand as part of a demand response, energy management, or energy efficiency program in which customer usage data is required to measure or verify such reduction.

Amend RSA 363:38, V(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Nothing in this section shall preclude a service provider from disclosing a customer's individual data to a third party for system, grid, or operational needs, or the implementation of demand response, customer assistance, energy management, or energy efficiency programs, provided that the service provider for contracts entered into after January 1, 2017, has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, use, destruction, modification, or disclosure, and prohibit the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the express consent of the customer.

Amend RSA 363:39 as inserted by section 1 of the bill by replacing it with the following:

363:39 Complaints to the Commission. When complaints to the public utilities commission are initiated by residential customers, the commission shall provide to the consumer advocate access to the complaint, by paper or electronically, with the customer name blocked out, at the same time as the commission forwards the complaint to the utility in compliance with commission rules.

Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.

Senate Judiciary

May 3, 2016

2016-1785s

04/09

**Amendment to HB 512**

Amend the bill by replacing section 1 with the following:

1 Taking of Private Property; Compensation and Use. Amend RSA 4:46, I-a to read as follows:

I-a.(a) Under no circumstances shall this section be construed to authorize the taking, confiscation, or seizure of firearms, **firearms accessories**, ammunition, or ammunition components.

**(b) In addition to the remedies set forth in paragraphs III and IV, an individual who has any firearm, firearm accessory, ammunition, or ammunition components confiscated in violation of this paragraph may bring a civil action in a court having the appropriate jurisdiction:**

**(1) For money damages against a person who violates this paragraph;**

**(2) For a civil penalty, in the amount of \$5,000 per violation, against a person who violates this paragraph; and**

**(3) For return of the confiscated firearm, firearm accessories, ammunition, or ammunition components.**



*(c)(1) A law enforcement officer shall not be subject to disciplinary action or retaliation for refusing to confiscate a firearm, firearm accessory, ammunition, or ammunition component under this section if:*

*(2) Ordered or directed to do so by a superior officer; and*

*(3) By obeying the order or direction, the law enforcement officer would be committing a violation of this section.*

*(d) Disciplinary action may include:*

*(1) Dismissal, suspension, or demotion;*

*(2) Loss of or decrease in benefits, pay, privileges, or conditions of employment; and*

*(3) Any type of written or electronic indication, permanent or temporary, on the officer's personnel record of the officer's refusal to obey the unlawful order.*

*(e)(1) For the purposes of this paragraph, "law enforcement officer" includes, but is not limited to, state, local, and county officials, members of the National Guard, and private security persons.*

Senate Finance  
May 4, 2016  
2016-1816s  
04/01

#### **Amendment to HB 602-FN**

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

AN ACT relative to the use of drones and establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

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

3 New Subdivision; Substance Abuse Enforcement Program. Amend RSA 21-P by inserting after section 65 the following new subdivision:

#### **Substance Abuse Enforcement Program**

##### **21-P:66 Substance Abuse Enforcement Program.**

I. The commissioner of safety shall establish a substance abuse enforcement program which shall make grants available to county, local, and appropriate state law enforcement agencies to increase visible police presence on streets and highways and in public spaces, promote the sharing of information, and support enhanced drug investigative procedures, with particular emphasis on interdicting and disrupting the flow of illicit drugs being transported into and through the state for eventual sale and illegal use.

II. The commissioner shall establish protocols and conditions for increased state police patrols and conditions for eligibility for grants to local, county, and state law enforcement agencies. The protocols and conditions shall be based on the principles of intelligence-driven, problem-oriented policing, using statistics and information to place additional police patrol and investigative presence at the locations, times, and places where there have been a significant convergence of motor vehicle crashes, crimes, and drug use, or in corridors known to be used by drug dealers for shipments of illegal drugs into the state. The protocols and conditions shall:

(a) Require dedicated patrol units relieved of taking calls for service absent an emergency.

(b) Insure that the officers assigned to such patrol units have been trained in the concept of data-driven policing and have an appropriate knowledge of the requirements of the state and federal constitutions.

(c) Include an emphasis on gaining the respect and approval of the public for the work of the police.

III. The program shall include periodic reporting to ensure that measurable results are being obtained.

##### **21-P:67 Substance Abuse Enforcement Fund.**

I. There is hereby established the substance abuse enforcement fund. This fund shall be used for the purposes of the substance abuse enforcement program to support coordinated law enforcement activities, including but not limited to:

(a) New Hampshire state police personnel, equipment, and other costs when working in conjunction with county and local law enforcement in localities experiencing a high volume of substance abuse related activities;

(b) Department of safety personnel, equipment, and other costs to increase the capacity and efficiency of the state crime laboratory in processing evidence in opioid-related cases; and

(c) Grants to county and local law enforcement for overtime personnel costs in localities experiencing a high volume of substance abuse related activities.

II. The substance abuse enforcement fund shall be a nonlapsing fund administered by the commissioner of the department of safety. The fund shall consist of an initial appropriation of \$1,500,000, and the commissioner may also accept and expend gifts, grants, and donations from any state or federal source for deposit into the fund. The fund shall be continually appropriated and expended at the discretion of the commissioner of the department of safety, in furtherance of the purposes of the fund. The commissioner shall create an accounting unit and expenditure classes for the fund as the commissioner deems necessary and appropriate to effectuate the purposes of the fund. Notwithstanding the provisions of RSA 9:16-a and the provisions of 2015, 276:198, the commissioner is authorized to transfer funds within and among the expenditure classes in furtherance of the purposes of the fund.

21-P:68 Rulemaking. The commissioner of safety shall adopt rules to implement this subdivision. Notwithstanding any other provisions of law, such rules shall be exempt from the provisions of RSA 541-A.

4 New Subparagraph; Administrative Procedures Act; Exceptions. Amend RSA 541-A:21, I by inserting after subparagraph (hh) the following new subparagraph:

(ii) RSA 21-P:68, relative to the substance abuse enforcement fund.

5 New Subparagraph; Special Fund; Substance Abuse Enforcement Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:

(332) Moneys deposited in the substance abuse enforcement fund established under RSA 21-P:67.

6 Appropriation; Department of Safety. The sum of \$1,500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of safety, for the purpose of funding the substance abuse enforcement program and fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

7 Effective Date.

I. Sections 1 and 2 of this act shall take effect January 1, 2017.

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

2016-1816s

#### 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 and prohibits, with certain exceptions, a person from flying a drone above a state or county correctional facility.

This bill also requires the commissioner of the department of safety to establish a state grant program within the division of state police to assist state and local law enforcement agencies in addressing the opioid crisis, and establishes a special fund and makes an appropriation for purposes of this program.

Senate Finance

May 4, 2016

2016-1823s

05/10

#### Amendment to HB 636-FN

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

AN ACT relative to forfeiture of property; relative to the sale of premixed synthetic urine; and establishing a grant program for high schools for heroin and opiate prevention education.

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

1 New Section; Property Subject to Forfeiture. Amend RSA 617 by inserting after section 1 the following new section:

617:1-a Criminal Forfeiture; Property Subject to Forfeiture.

I. Subsequent to a criminal conviction pursuant to a statute that authorizes forfeiture, including but not limited to RSA 318-B:17-b, the court may order the person convicted to forfeit:

- (a) Property the person derived from the commission of the crime;
- (b) Property directly traceable to property derived from the commission of the crime; and
- (c) Instrumentalities the person used in the commission of the crime.

II. When a conviction or agreement of the parties is not possible due to the person's death, incompetence, unavailability, or not being within the jurisdiction of the court, or the person to be charged cannot be identified, forfeiture proceedings may be commenced.

III. Property may be forfeited if the state establishes that the property is forfeitable by clear and convincing evidence.

IV. Nothing in this section shall prevent property from being forfeited by plea agreement approved by the presiding criminal court or other agreement of the parties.

V. At the request of any party, the civil portion of the forfeiture proceeding may be stayed by the court.

2 New Section; Forfeiture; Innocent Owner. Amend RSA 617 by inserting after section 4 the following new section:

617:4-a Innocent Owner. In addition to any other remedy provided by law, any person claiming to be an innocent owner of property seized for purposes of forfeiture may petition the court, after 10 days from the date of seizure, for return of the property. No item or property interest shall be subject to forfeiture unless the alleged innocent owner thereof was a consenting party to the crime. This provision shall not apply to property seized as evidence in a pending criminal investigation or prosecution.

3 New Section; Disposition of Unclaimed Property and Proceeds. Amend RSA 617 by inserting after section 10 the following new section:

617:11 Disposition of Property and Proceeds.

I. Notwithstanding any other provision of law, at any time when unclaimed property or contraband held for evidentiary purposes is no longer needed for that purpose, the court may order the state to deliver any unclaimed property, other than currency, to the commissioner of the department of administrative services, to deliver any currency to the state treasurer, and to destroy any contraband within 30 days.

II. If the forfeiture is granted, the court may order the state to deliver any currency to the state treasurer and any other property to the commissioner of the department of administrative services within 30 days. The commissioner of the department of administrative services shall dispose of the forfeited property at public auction.

III. Upon motion, the court may order that a portion of the currency seized or proceeds from public auction be used to pay reasonable non-personnel expenses of the seizure, storage, and maintenance of custody of any forfeited items.

IV. The auction proceeds and forfeited currency shall be forwarded to the state treasurer and shall be used first to pay all outstanding recorded liens on the forfeited property, then to comply with an order of the court to pay reasonable non-personnel expenses, with all remaining funds to be deposited into the drug forfeiture fund.

4 Forfeiture of Items Used in Connection with Drug Offense. Amend RSA 318-B:17-b, II(e) to read as follows:

(e) The department of justice shall, within 60 days of the seizure, ~~[either]~~ file a petition in the superior court having jurisdiction under this section ~~[or seek administrative forfeiture pursuant to RSA 318-B:17-d]~~. If no such petition is filed ~~[or administrative procedure initiated]~~ within 60 days, the items or property interest seized shall be released or returned to the owners.

5 Disposition of Funds Obtained by the Attorney General; Reference to Administrative Forfeiture Removed. Amend RSA 7:6-e, III to read as follows:

III. This section shall not apply to fines received by the attorney general in criminal cases, penalty assessment funds, drug forfeiture funds as provided in RSA 318-B:17-b ~~[through RSA 318-B:17-d]~~ **and RSA 318-B:17-c**, fines or civil penalties authorized by state law as a result of enforcement actions taken by state agencies or the attorney general, and money received on behalf of a victim or the state as restitution.

6 Repeal. RSA 318-B:17-d, relative to administrative forfeiture of items used in connection with drug offenses, is repealed.

7 New Subdivision; Sale of Synthetic Drugs; Premixed Synthetic Urine. Amend RSA 359-O by inserting after section 7 the following new subdivision:

Premixed Synthetic Urine

359-O:8 Sale or Use of Premixed Synthetic Urine Prohibited.

I. No person shall:

(a) Manufacture, sell, distribute, or market premixed synthetic urine with the intent that it be used to defraud a drug or alcohol screening test.

(b) Attempt to defeat a drug or alcohol screening test by using premixed synthetic urine.

II. In this section, “drug or alcohol screening test” means an analysis of a sample of bodily fluid collected from a person for the purpose of detecting the presence of alcohol or drugs in the bodily fluid of the person.

III. Any person who violates this subdivision shall be subject to the penalty in RSA 359-O:5, I.

8 Heroin and Opiate Prevention and Education Grant Program.

I. There is hereby established a heroin and opiate prevention education grant program (HOPE) which shall be jointly administered by the TIGER program at Plymouth state university and Communities for Alcohol- and Drug-free Youth (CADY), a nonprofit organization which serves as the state’s regional prevention network for central New Hampshire.

II. Grants shall be available to public high schools, including chartered public high schools, to cover the cost of the HOPE program presentation. Grant applications shall be submitted to the TIGER program on a form to be developed by the TIGER program. The TIGER program shall distribute HOPE grants to high schools and chartered public high schools to the extent of available funds. A high school or chartered public high school shall be eligible for one HOPE grant per school year.

III. A high school or chartered public high school in which 40 percent or more of the average daily membership in attendance in the determination year are eligible for the federal free and reduced-price meal program shall be eligible for a grant in the amount of 100 percent of the cost of the HOPE program. All other high schools and chartered public high schools shall be eligible for a grant in the amount of 50 percent of the cost of the HOPE program.

IV. Recipients of a HOPE grant shall, within 30 days of the conclusion of the program at the school, submit a report to the governor’s commission on alcohol and drug abuse prevention, treatment, and recovery established in RSA 12-J and to CADY summarizing the student’s reaction to the program. Any school that does not comply with this paragraph shall not be eligible to receive a HOPE grant in any subsequent year of the program.

V. “Average daily membership in attendance” and “determination year” shall have the same meaning as in RSA 198:38.

9 Appropriation. The sum of \$51,520 for the biennium ending June 30, 2017 is hereby appropriated to the university system of New Hampshire for the purpose of making grants as provided in section 5 of this act to the TIGER program at Plymouth state university. For the purposes of funding the appropriation made in this section, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, RSA 9:17-a, and RSA 9:17-c.

10 Repeal. Section 8 of this act, establishing a heroin and opiate prevention education grant program, is repealed.

11 Effective Date.

I. Sections 1-7 of this act shall take effect January 1, 2017.

II. Section 10 of this act shall take effect July 1, 2017.

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

2016-1823s

## AMENDED ANALYSIS

This bill:

I. Limits forfeiture to cases in which the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime and requires the state to deposit proceeds from forfeited property in the general fund.

II. Prohibits the use or sale of premixed synthetic urine to defeat a drug or alcohol screening test.

III. Establishes a one-year grant program for high schools for heroin and opiate prevention education.

Public and Municipal Affairs

May 4, 2016

2016-1847s

03/10

**Amendment to HB 1144-LOCAL**

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

1 Correction of Checklist; Notice. Amend RSA 654:27 to read as follows:

654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on the Saturday 10 days prior to the election and upon which all hearings shall be finally closed; provided that if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted ***in 2 appropriate places one of which shall be the city or town's Internet website, if such exists, or*** ~~and~~ shall be published in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.

2 Verification of Checklist; Notice. Amend RSA 654:38, I to read as follows:

I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall ~~advertise~~ ***post*** notice of their sessions ***in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and published*** at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his ***or her*** party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

3 Verification of Checklist; Notice. Amend RSA 654:39, II to read as follows:

II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall ~~advertise and~~ post notice of their sessions ***in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and published*** at least twice in a newspaper of general circulation ~~[and at the office of the town or city clerk or at the town hall]~~ and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his ***or her*** party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

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

Senate Transportation

May 3, 2016

2016-1783s

03/04

**Amendment to HB 1271**

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

AN ACT making certain length and width exemptions concerning commercial vehicles and relative to registration of semi-trailers.

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

3 New Paragraph; Expiration of Registration. Amend RSA 261:62 by inserting after paragraph III the following new paragraph:

IV. Multiyear registrations may be issued for semi-trailers in accordance with RSA 261:74-u. Multiyear registrations shall expire in the anniversary month otherwise applicable under this section in the final year of the registration.

4 New Subdivision; Registrations by Nongovernmental Registering Trailer Agents. Amend RSA 261 by inserting after section 74-s the following new subdivision:

Registrations by Nongovernmental Registering Trailer Agents

261:74-t Registrations by Nongovernmental Registering Trailer Agents.

I. Semi-trailer registrations by nonresidents may be issued, renewed, or transferred through nongovernmental registering trailer agents appointed in accordance with this subdivision. Trailer agents shall be residents of and have a verified business address in this state. The director is authorized to limit the number of nongovernmental registering trailer agents appointed under this subdivision based on resource limitations, provided that at least 3 trailer agents are appointed and provided that any limitation established shall not be the basis for revoking any appointment previously made.

II.(a) Each applicant for appointment as a trailer agent shall furnish the following to the department:

- (1) Whether the application is an original, renewal, or change of location;
- (2) Corporate or business name;
- (3) Trade name, if applicable;
- (4) Legal address;
- (5) Mailing address;
- (6) Telephone number;
- (7) Business hours;
- (8) Name, address, and date of birth of at least one owner, partner, or officer, and title, if applicable;
- (9) Name of the person who will be responsible for filing monthly reports;
- (10) An agreement to notify the department of any change of ownership, address, or corporate or trade name; and
- (11) Signature and title of the person identified in subparagraph (8) and date signed.

(b)(1) Upon submission of an application that is incomplete or might indicate lack of fitness or qualification for appointment as a trailer agent, the director or his or her designee shall require an applicant to appear for an interview.

(2) The director or his or her designee shall inform the applicant in writing of the interview. The written notice shall include the date, time, and location of the interview.

(3) At the interview, the director or his or her designee shall:

- (A) Explain any discrepancy or concerns to the applicant.
- (B) Answer any questions that the applicant may have about the process.
- (C) Allow the applicant to make corrections to the application or address any concerns expressed.

(4) If an applicant refuses or neglects to appear for a scheduled interview, the director shall deny his or her application.

(5) If an applicant fails to explain any discrepancy or concerns at the interview, the director shall deny his or her application.

(c) In order to be appointed as a trailer agent by the director, each applicant shall:

- (1) Complete the application.

- (2) Complete the training requirements.
- (3) Complete an interview if applicable.
- (4) Obtain a surety bond.
- (5) Agree to allow the director or his or her designee to enter the agent's premises during business hours for the purposes of auditing or verifying compliance with the terms and conditions of this section.
- (6) Agree to keep current with forms and software as determined by the department.
- (d) Trailer agents:
  - (1) Shall furnish registration information concerning vehicle information as the director may require.
  - (2) Collect fees.
  - (3) Issue registrations.
  - (4) Submit monthly reports to the department by the manner and in the form as the director may prescribe.
- (e)(1) Each trailer agent shall maintain a record of all trailer registration certificates issued by him or her, including:
  - (A) Date of registration.
  - (B) Full name of the registrant.
  - (C) Identifying number.
  - (D) Address and phone number of record.
- (2) The trailer agent shall maintain all records for a period of 15 years.
- (f)(1) Prior to being appointed as a trailer agent, each applicant shall complete a training program conducted at the division of motor vehicles, or such other location as the department shall determine.
- (2) The training program shall include the following instruction:
  - (A) Completing a trailer registration using either online equipment furnished by the department or offline equipment including forms and tables furnished by the department.
  - (B) Filing monthly reports.
  - (C) Collecting trailer registration and municipal permit fees.
  - (D) Maintaining records.
  - (E) Retaining the agent fee.
  - (F) Posting office hours.
- (g)(1) If a trailer agent is deficient in any area, the department shall request the trailer agent to undergo retraining.
- (2) Depending upon the areas of deficiency, retraining shall consist of one or more of the following:
  - (A) Repeat the training program.
  - (B) Repeat any portion of the training program.
  - (C) Undergo further training, the substance of which shall be determined by the department.
- (h) Before any appointment shall become effective, each trailer agent shall file a surety bond with the department, pursuant to RSA 41:6.
- (i)(1) Each trailer agent shall mail a monthly report of nonresident registrations to the department containing:
  - (A) The physical address and telephone number where the trailer agent is located;
  - (B) Period the report begins and ends;

- (C) Number of trailers registered; and
- (D) Amount of registration fee collected.

(2) The monthly reports shall be submitted along with all fees due to the department in the form of a check or money order.

(j) Whenever a trailer agent's office is closed or unattended, all decals, stamps, and other registration materials shall be placed in a locked file cabinet or other secure container.

II. A nonresident may register a semi-trailer in this state through a nongovernmental registering trailer agent, even if the trailer is not garaged exclusively in this state in accordance with RSA 261:46. Registrations of nonresidents for semi-trailers that are not garaged exclusively in this state shall bear the address of the owner's residence and the address of the nongovernmental registering trailer agent.

#### 261:74-u Fees; Multiyear Registrations.

I. A nongovernmental registering trailer agent may collect and retain a fee for each registration processed as compensation for processing the registration.

II. The nongovernmental registering trailer agent shall collect and remit to the department the registration fee established in RSA 261:141, III(j) or the multiyear fee established in paragraph III. Semi-trailers owned by nonresidents of New Hampshire registered under this subdivision shall not require a municipal permit for registration and shall not be subject to any municipal fees.

III.(a) Nonresidents may register semi-trailers through a trailer agent using either an 8-year, a 12-year, a 20-year or a 25-year registration program. All registrations shall incur a one-time, initial plate fee of \$4 per plate. Fees for the first 3 years of a registration may not be refunded. Fees for the fourth and subsequent years may be refunded prior to the start of the registration year provided that the registration plate and certificate are returned to the department.

(b) Persons applying for a minimum of 1,000 semi-trailer registrations in a registration year may apply for number plates which may be issued for periods of 8, 12, or 20 years. The fee for each registration is \$11 per year. The director shall establish a procedure to bill each registrant using 20-year semi-trailer registrations once annually, except the initial billing at the time of purchase for a 20-year registration shall be for a minimum of a 3-year period. Fees for the first 3 years are nonrefundable. If any registrant fails to remit the payment in a timely manner, the director shall suspend all registrations issued to that registrant.

(c) A person registering 30,000 or more semi-trailers may be issued 25-year registrations. The fee for each registration is \$75. The fee is nonrefundable. The registrant may transfer an unexpired registration to a semi-trailer not previously registered to the registrant in this state. The transfer fee is \$20.

#### 261:74-v Revocation of Agency Status.

I. If the director determines that a trailer agent has not continued to fulfill the requirements of RSA 261:74-t or has violated any of the rules adopted pursuant to RSA 261:74-w, the director shall commence the procedure established in paragraph II.

II. Any trailer agent whose appointment is sought to be revoked shall be afforded the opportunity of a hearing before the director or designee prior to such revocation. Following the hearing, the director may revoke the appointment as a trailer agent upon satisfactory evidence that the provisions of this subdivision have been violated and that the revocation is in the best interest of the state. A written statement outlining the evidence and violations shall accompany the revocation.

III. Upon the revocation of such agency, the person shall surrender to the department or its authorized agent all materials issued by the state under the provisions of this subdivision and all records pertaining to all matters authorized by this subdivision.

IV. Whenever an authorized auditor of the department, with the approval of the commissioner, determines that the public interest requires immediate action, the director may issue a temporary order suspending the authority of a nongovernmental registering trailer agent to issue, renew, or transfer registrations, pending a hearing.

261:74-w Rulemaking. The director shall adopt rules pursuant to RSA 541-A relative to application forms for appointment as a nongovernmental registering trailer agent.

#### 5 Inspection of Trailers; Exemptions. Amend RSA 266:1-b, II to read as follows:



II. The director may authorize properly qualified dealers holding utility dealer registrations to inspect trailers of more than 10,000 pounds gross vehicle weight, to determine whether they are fit to be driven, and to issue inspection stickers, under rules adopted for this purpose pursuant to RSA 541-A. This ~~[section]~~ **paragraph** shall not apply to full trailers as defined in RSA 259:37-a or semi-trailers as defined in RSA 259:98, and shall not prohibit other official inspection stations from inspecting trailers.

***III. A semi-trailer displaying a valid certificate of inspection from another state or a federally approved commercial vehicle inspection program is exempt from the requirements of RSA 266:1 until the normal expiration of its certificate of inspection.***

6 Surety Bonds. Amend the introductory paragraph of RSA 41:6, I to read as follows:

I. Town treasurers, trustees as provided in RSA 31:22 and ~~[23]~~ ***RSA 31:23***, trustees as provided in RSA 53-B:8-a, I, library trustees including alternate library trustees, if any, town clerks, tax collectors and their deputies, agents authorized to collect the boat fee, ***nongovernmental registering trailer agents appointed under RSA 261:74-t***, and persons delegated treasury functions under RSA 41:29, VI shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:

7 Effective Date.

I. Sections 3-6 of this act shall take effect July 1, 2016.

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

2016-1783s

#### AMENDED ANALYSIS

This bill:

I. Establishes additional length and width exemptions for commercial motor vehicles.

II. Allows registrations through nongovernmental agents by nonresidents for semi-trailers not garaged exclusively in this state.

III. Authorizes multiyear registrations through those agents.

IV. Provides discounts on fees for multiyear registrations.

Public and Municipal Affairs

May 4, 2016

2016-1848s

06/10

#### Amendment to HB 1375

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

AN ACT relative to deliberative sessions in political subdivisions that have adopted official ballot voting.

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

1 Official Ballot Referendum Town Meeting; Elimination of or Limitation on First Session. Amend RSA 40:13, II-IV to read as follows:

II. The warrant for any annual meeting shall prescribe the place, day and hour for each of 2 separate sessions of the meeting, and notice shall be given as otherwise provided in this section. Final budgets and ballot questions shall be printed in the annual report made available to the legislative body at least one week before the date of the second session of the annual meeting. ***If the local political subdivision has voted to eliminate the first session of the annual meeting under RSA 40:14, XII, the meeting shall consist of a single session to elect officers and to vote by official ballot on all warrant articles, and all references in this section to the "second session" shall be deemed to refer to that single session.***

II-a. Notwithstanding any other provision of law, ***and subject to paragraph II-e***, all local political subdivisions which adopt this subdivision, who have not adopted an April or May election date under RSA 40:14, X, shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting:

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the second Tuesday in January.

(b) The “budget submission date” as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in January, provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be held on or before the third Tuesday in January. One or more supplemental budget hearings may be held at any time before the first session of the annual meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. In a political subdivision that has adopted a municipal budget committee pursuant to RSA 32:14, the last day for the budget committee to deliver copies of the final budget and recommendations to the governing body pursuant to RSA 32:16, IV shall be the Thursday before the last Monday in January.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in January.

II-b. Notwithstanding any other provision of law, ***and subject to paragraph II-e***, all political subdivisions which hold their annual meetings in April shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting.

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the second Tuesday in February.

(b) The “budget submission date” as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in February, provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be held on or before the third Tuesday in February. One or more supplemental budget hearings may be held at any time before the first session of the annual meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. In a political subdivision that has adopted a municipal budget committee pursuant to RSA 32:14, the last day for the budget committee to deliver copies of the final budget and recommendations to the governing body pursuant to RSA 32:16, IV shall be the Thursday before the last Monday in February.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in February.

II-c. Notwithstanding any other provision of law, ***and subject to paragraph II-e***, all political subdivisions which hold their annual meetings in May shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting:

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the second Tuesday in March.

(b) The “budget submission date” as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in March, provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be held on or before the third Tuesday in March. One or more supplemental budget hearings may be held at any time before the first session of the annual meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. In a political subdivision that has adopted a municipal budget committee pursuant to RSA 32:14, the last day for the budget committee to deliver copies of the final budget and recommendations to the governing body pursuant to RSA 32:16, IV shall be the Thursday before the last Monday in March.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in March.

II-d. The voter checklist shall be updated in accordance with RSA 669:5 for each session of the annual meeting.

***II-e. Paragraphs II-a, II-b, and II-c shall not apply in a local political subdivision that has voted to eliminate the first session of the annual meeting under RSA 40:14, XII.***

III. The first session of the annual meeting, which shall be for the transaction of all business other than voting by official ballot, shall be held between the first and second Saturdays following the last Monday in January, inclusive of those Saturdays; between the first and second Saturdays following the last Monday in February, inclusive of those Saturdays; or between the first and second Saturdays following the last Monday in March, inclusive of those Saturdays at a time prescribed by the local political subdivision's governing body. ***This paragraph and paragraph IV shall not apply in a local political subdivision that has voted to eliminate the first session of the annual meeting under RSA 40:14, XII.***

IV. The first session of the meeting, governed by the provisions of RSA 40:4, 40:4-a, 40:4-b, 40:4-f, and 40:6-40:10, shall consist of explanation, discussion, and debate of each warrant article. A vote to restrict reconsideration shall be deemed to prohibit any further action on the restricted article until the second session, and RSA 40:10, II shall not apply. Warrant articles may be amended at the first session, subject to the following limitations:

- (a) Warrant articles whose wording is prescribed by law shall not be amended.
- (b) Warrant articles that are amended shall be placed on the official ballot for a final vote on the main motion, as amended.
- (c) No warrant article shall be amended to eliminate the subject matter of the article. An amendment that changes the dollar amount of an appropriation in a warrant article shall not be deemed to violate this subparagraph.
- (d) The operating budget, as defined in paragraph IX, shall not be amended if the local political subdivision has voted to prohibit amendment of the operating budget under RSA 40:14, XII.***

2 New Paragraph; Official Ballot Referendum Town Meeting; Elimination of or Limitation on First Session. Amend RSA 40:13 by inserting after paragraph VI the following new paragraph:

VI-a. If the local political subdivision has voted to eliminate the first session of the annual meeting under RSA 40:14, XII, the governing body shall hold a hearing on all warrant articles that are not the subject of a required hearing under other provisions of applicable law. The hearing shall be held not later than 25 days before the date prescribed for voting in paragraph VII. Notice of the hearing shall be posted in 2 public places at least 7 days before the hearing.

3 Official Ballot Referendum Town Meeting; Elimination of or Limitation on First Session. Amend RSA 40:13, X, to read as follows:

X. If no operating budget article is adopted, the local political subdivision either shall be deemed to have approved the default budget or the governing body may hold a special meeting pursuant to paragraph [XVI] ***XVI-a*** to take up the issue of a revised operating budget only; provided that RSA 31:5 and RSA 197:3 shall not apply to such a special meeting. If no operating budget article is adopted the estimated revenues shall nevertheless be deemed to have been approved.

4 Official Ballot Referendum Town Meeting; Elimination of or Limitation on First Session. Amend RSA 40:13, XVI to read as follows:

***XVI. Except as provided in paragraph XVI-a,*** the warrant for any special meeting shall prescribe the date, place and hour for both a first and second session. The second session shall be warned for a date not fewer than 28 days nor more than 60 days following the first session. The first and second sessions shall conform to the provisions of this subdivision pertaining to the first and second sessions of annual meetings. Special meetings shall be subject to RSA 31:5, 39:3, 195:13, 197:2, and 197:3, provided that no more than one special meeting may be held to raise and appropriate money for the same question or issue in any one calendar year or fiscal year, whichever applies, and further provided that any special meeting held pursuant to paragraphs X and XI shall not be subject to RSA 31:5 and RSA 197:3 and shall not be counted toward the number of special meetings which may be held in a given calendar or fiscal year.

***XVI-a. If the governing body elects to hold a special meeting to take up the issue of a revised operating budget as provided in paragraph X, the special meeting shall not be conducted in the manner provided in this section, but shall consist of a single open session conducted in the manner of a special meeting under other provisions of law applicable to such meetings.***

5 New Paragraphs; Official Ballot Referendum Town Meeting; Local Option Procedure to Eliminate or Limit First Session. Amend RSA 40:14 by inserting after paragraph XI the following new paragraphs:

XII. Any local political subdivision that has adopted RSA 40:13 may vote either to prohibit amendment of the operating budget at the first session of the annual meeting or to eliminate the first session of the annual meeting and conduct all business of the annual meeting by official ballot under RSA 40:13, VII, subject in either case to the following:

(a) The question shall be placed on the warrant of the annual meeting and voted on as provided in paragraph III, and subject to the provisions of paragraph IV.

(b) The wording of the question shall be either of the following, as applicable:

(1) "Shall we prohibit amendment of the operating budget at the first (deliberative) session of the annual meeting?"; or

(2) "Shall we eliminate the first (deliberative) session of the annual meeting and conduct all business of the annual meeting by official ballot?"

(c) A 3/5 majority of those voting on the question shall be required to approve the question. Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority.

(d) If the question is approved, the change shall take effect within the local political subdivision at the next annual meeting.

XIII. Any local political subdivision that has voted to prohibit amendment of the operating budget or to eliminate the first session of the annual meeting under paragraph XII may consider rescinding its action in the manner described in paragraph XII. The wording of the question shall be either of the following, as applicable (i) "Shall we allow amendment of the operating budget at the first (deliberative) session of the annual meeting?" or (ii) "Shall we reinstate the first (deliberative) session of the annual meeting?" A 3/5 majority of those voting on the question shall be required to approve the question. Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority. If the question is approved, the change shall take effect within the local political subdivision at the next annual meeting.

6 New Section; Use of Official Ballot; Contingent Warrant Article. Amend RSA 40 by inserting after section 13 the following new section:

#### 40:13-a Contingent Warrant Article.

I. As an alternative to the provisions of RSA 40:13, X, the legislative body of the local political subdivision may, by a 3/5 majority of those voting on the question, require the default budget to be placed on the ballot at the second session of the annual meeting as a separate contingent warrant article in the event that the operating budget article is not adopted. Under this alternative, if the operating budget is adopted, the votes on the default budget article need not be counted, and the article shall be moot. If the operating budget is not adopted, the votes on the contingent default budget article shall be counted to determine whether the default budget is adopted. If neither the operating budget nor the default budget is adopted, the governing body shall call a special meeting in accordance with RSA 40:13, X and XVI-a to take up the issue of a revised operating budget only.

II. The question of adopting the alternative in this section shall be placed on the official ballot at an annual meeting by the governing body or by petition under RSA 39:3 or 197:6, and shall read substantially as follows:

"Shall (local political subdivision) adopt the provisions of RSA 40:13-a, requiring the default budget to be placed on the ballot as a separate contingent warrant article in the event that no operating budget article is adopted, and providing that the governing body shall call a special meeting to take up a revised operating budget in the event that neither the operating budget nor the default budget is adopted?"

III. If the question is approved by a 3/5 majority of those voting on the question, the alternative shall be in effect beginning with the following year's annual meeting. Only votes on the affirmative or negative shall be included in the calculation of the 3/5 majority. The legislative body may rescind its adoption of this section in the same manner.

IV. In political subdivisions that have adopted this section:

(a) The wording of the second session ballot question concerning the operating budget shall be as follows:

“Shall the (local political subdivision) raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$\_\_\_\_\_?”

(b) The wording of the second session contingent ballot question concerning the default budget shall be as follows:

“Shall the (local political subdivision), if article \_\_\_\_ is defeated, raise and appropriate as the default budget \$ \_\_\_\_\_, which is the same as last year’s operating budget, with certain adjustments required by previous action of the (local political subdivision) or by law? Should this article be defeated, the governing body shall call one special meeting to take up the issue of a revised operating budget only.”

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

2016-1848s

#### AMENDED ANALYSIS

This bill permits political subdivisions that have adopted official ballot voting to prohibit amendments to the operating budget at the deliberative session of the annual meeting, or to eliminate the deliberative session of the annual meeting.

This bill also permits the legislative body to require the default budget to be placed on the ballot at the second session of the annual meeting as a separate contingent warrant article.

Public and Municipal Affairs

May 4, 2016

2016-1846s

06/03

#### Amendment to HB 1395

Amend RSA 33-A:5-a as inserted by section 1 of the bill by replacing it with the following:

33-A:5-a Electronic Records. Electronic records as defined in RSA 5:29, VI and designated on the disposition schedule under RSA 33-A:3-a to be retained for more than 10 years shall be transferred to paper[,] **or** microfilm, or [both] **stored in portable document format/archival (PDF/A) on a medium from which it is readily retrievable**. Electronic records designated on the disposition schedule to be retained for less than 10 years may be retained solely electronically if so approved by the record committee of the municipality responsible for the records. The municipality is responsible for assuring the accessibility of the records for the mandated period.

Senate Transportation

May 4, 2016

2016-1811s

10/01

#### Amendment to HB 1396

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

AN ACT relative to OHRV operation on certain highways in Grafton county and relative to highway surveillance at the New London park and ride.

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

3 New Subparagraph; Highway Surveillance; New London Park and Ride. Amend RSA 236:130, III by inserting after subparagraph (g) the following new subparagraph:

(h) Is performed at the New London park and ride based on safety concerns for park and ride users due to the remote location and lack of a physical terminal at the facility. A live transmission from the New London park and ride facility to the New London police department is permitted in order to monitor for possible criminal activity and provide security of waiting passengers.

2016-1811s

## AMENDED ANALYSIS

This bill allows the operation of off highway recreational vehicles (OHRVs) on certain highways in Grafton county that have been designated open for such use. The bill also excludes surveillance at the New London park and ride from the highway surveillance prohibition.

Senate Finance  
May 4, 2016  
2016-1844s  
06/01

**Amendment to HB 1428-FN-A-LOCAL**

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

AN ACT establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, and relative to liquor commission revenue shortfalls.

Amend the bill by replacing all after section 3 with the following:

4 Police Standards and Training Council; Appropriation.

I. The police standards and training council shall reduce police standard and training council training fund appropriations by \$3,557,141 in the fiscal year ending June 30, 2017.

II. There is hereby appropriated to the police standards and training council the sum of \$3,557,141 for the fiscal year ending June 30, 2017. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. The purpose of this appropriation is to offset the reduction required in paragraph I.

III. Any balance remaining in the police standards and training council training fund as of June 30, 2016 shall be transferred to the general fund.

5 Repeal. The following are repealed:

I. RSA 188-F:30, relative to police standards and training council training fund.

II. RSA 6:12, I(b)(6), relative to police standards and training council training fund.

6 Community College System of New Hampshire; Authority of the Board of Trustees. Amend RSA 188-F:6, VIII to read as follows:

VIII. Receive, expend, allocate, and transfer funds within the community college system of New Hampshire as necessary to fulfill the purposes of the community college system. The trustees shall have no authority over ~~[funds in the police standards and training council training fund established in RSA 188-F:30, or]~~ any ~~[other]~~ funds appropriated to the police standards and training council or to the McAuliffe-Shepard discovery center, which shall not be commingled with any funds of the community college system of New Hampshire.

7 Police Standards and Training Council Training Fund. Amend RSA 188-F:31, IV to read as follows:

IV. The clerk of each court shall collect all penalty assessments and shall transmit the amount collected under paragraphs I-III to the state treasurer for deposit in the following funds. The state treasurer shall deposit 66.66 percent of the amount collected in the ~~[police standards and training council training fund]~~ **state general fund**, 16.67 percent of the amount collected in the victims' assistance fund, and 16.67 percent of the amount collected in the judicial branch information technology fund.

8 Police Standards and Training Council. Amend RSA 188-F:32-a, I to read as follows:

I. The council with approval of the board of trustees of the department may set tuition, selection procedures and fees for acceptance of tuition students at its programs and for the use of its facilities. Such fees shall be ~~[deposited to the credit of the police standards and training council training fund or]~~ **credited** with the approval of the department of administrative services, ~~[credited]~~ to the operating accounts of the council to offset additional expenditures necessitated by the acceptance of the additional students.

9 Motor Vehicles; Penalties. Amend RSA 262:44, I to read as follows:

I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled "Notice of Fine, Division of Motor Vehicles" which shall contain the normal fines for violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally shall do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the director of the division of motor vehicles within 30 days of the date of the summons. The director of the division of motor vehicles may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine amount which is credited as agency income and not out of the penalty assessment charged by the district court. The director of the division of motor vehicles shall remit the penalty assessments collected to the ~~[police standards and training council for deposit in the police standards and training council training fund and to the]~~ state treasurer to be credited and continually appropriated to the **state general fund and to the** victims' assistance fund and the judicial branch information technology fund in the percentages and manner prescribed in RSA 188-F:31. Fines shall be paid over to the state treasurer, and shall be credited as agency income by the department of safety within 14 days of their receipt and shall not lapse to the general fund until the second year of each biennium.

10 Supervision Fees; Probationers. Amend RSA 504-A:13, II(a) to read as follows:

(a) \$5 to the ~~[police standards and training council training fund]~~ **state general fund** to defray expenses of providing training to employees of the department of corrections.

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

I. There is hereby appropriated to the department of safety, division of state police, the sum of \$700,000 for the biennium ending June 30, 2017 for the purpose of the acquisition and equipping of new state police cruisers to replace those that have repairs exceeding the value of the vehicle.

II. The source of funds for the appropriation made in paragraph I shall be \$540,050 as a charge against the highway fund and \$159,950 as a charge against the turnpike fund.

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

13 Capital Appropriation; Police Standards and Training Council.

I. For the biennium ending June 30, 2017, the sum of \$900,000 is hereby appropriated to the police standards and training council for the purpose of replacing the tactical center roof and repairing the driving and parking areas.

II. To provide funds for the appropriation made in paragraph I, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$900,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

III. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

14 Legislative Performance Audit and Oversight; Committee Established. Amend RSA 17-N:1, II to read as follows:

II. The committee shall consist of 10 members, 5 of whom shall be members of the house of representatives, 3 appointed by the speaker of the house and 2 appointed by the house minority leader, and 5 of whom shall be senators, 3 appointed by the president of the senate, and 2 appointed by the senate minority leader. Members shall be appointed for their term of office. All members shall be eligible for reappointment so long as they are qualified under this section. Members shall be appointed no later than December 30 of the year of their election to the general court, except that vacancies shall be filled for an unexpired term within 30 days of the creation of such vacancy, and the initial appointments under this section shall be made within 30

days of the effective date of this section. The members shall choose from their number a chairman, provided that the chairmanship shall rotate biennially between the house and senate members. ***Four members of the committee shall constitute a quorum.***

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

16 Effective Date.

I. Sections 1-3 of this act shall take effect July 30, 2016.

II. Sections 5-10 of this act shall take effect July 1, 2016.

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

2016-1844s

#### AMENDED ANALYSIS

This bill:

I. Establishes the CWSRF non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program.

II. Appropriates funds from the general fund to the police standards and training council to replace police standards and training council training funds.

III. Repeals the police standards and training council training fund.

IV. Appropriates funds from the highway fund to the department of safety for the purchase of police cruisers.

V. Makes a capital appropriation to the police standards and training council.

VI. Adds a quorum requirement to the legislative performance audit and oversight committee.

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

Energy and Natural Resources

May 4, 2016

2016-1829s

08/04

#### Amendment to HB 1461

Amend RSA 483:4, XVI as inserted by section 1 of the bill by replacing it with the following:

XVI. "Protected instream flow" means a ~~[constant minimum]~~ stream flow ~~[level]~~ ***pattern which is*** established to maintain water for present and future instream public uses.

Amend RSA 483:9-c as inserted by section 6 of the bill by replacing it with the following:

483:9-c Establishment of Protected Instream Flows.

I. The commissioner, in consultation with the advisory committee, shall adopt rules under RSA 541-A specifying the standards, criteria, and procedures by which [a] protected instream [flow] ***flows*** shall be established and enforced for each designated river or segment. ***The department shall determine the protected instream flow criteria based on the requirement of flow-dependent instream public uses.*** Each protected instream flow shall be established and enforced to maintain water for instream public uses and to protect ~~[outstanding]~~ characteristics, including recreational, fisheries, wildlife, environmental, hydropower, cultural, historical, archaeological, scientific, ecological, aesthetic, community significance, agricultural, public water supply, ***riparian rights***, and the resources for which the river or segment is designated~~[-and shall respect riparian interests on each designated river or segment consistent with the purposes of this chapter. Instream public uses shall include the state's interests in surface waters, including, but not limited to, navigation; recreation; fishing; storage; conservation; maintenance and enhancement of aquatic and fish life; fish and wildlife habitat; wildlife; the protection of water quality and public health; pollution abatement; aesthetic beauty; and hydroelectric energy production].~~ ***The department shall determine the protected instream flow criteria based on the requirements of flow-dependent, instream public uses.***



***II. No less than 60 days prior to commencing a protected instream flow study on any designated river, the department shall hold a public hearing jointly with the senate committee with jurisdiction over river management issues and the house committee with jurisdiction over river management issues and provide a public comment period of 30 days. The department shall consider the public comments received before commencing the study.***

***III.*** One public hearing shall be held in at least one municipality along the designated river or segment to receive public comment on the establishment of a proposed protected instream flow.

***IV. One public hearing shall be held in at least one municipality along the designated river or segment to receive public comment on the establishment of a proposed water management plan intended to implement the protected instream flow.***

~~[HH:] V.~~ The procedure adopted under this section shall include an assessment of the effect of a protected instream flow upon existing hydroelectric power generation, water supply, flood control, and other riparian users. ~~[For any portion of a designated river or segment where a protected instream flow would affect the operation of an existing hydroelectric power facility within or upstream from the designated river or segment, the commissioner shall request the assistance of the public utilities commission in order to assess the effect of a protected instream flow upon such facility.]~~

***VI. Water management plans implementing instream flow protections shall be effective and enforceable upon adoption. The department shall allow a period of up to 5 years for any party subject to the instream flow program to implement the provisions of their water management plan. The department shall adopt rules, pursuant to RSA 541-A, to allow for one 5-year extension for any party who files ongoing progress reports for and is working in good faith on their water management plan but is unable to implement the provisions of their water management plan due to financial or other hardship.***

***VII. The department shall adopt rules, pursuant to RSA 541-A, to allow for waivers from the provisions of a water management plan. Such rules shall specify the waiver criteria based on negative impacts to public health or safety or an undue financial hardship on a party subject to a water management plan. Should a party meet the criteria for a waiver, and notwithstanding RSA 483:9-c, VI, the department shall waive, in whole or in part, the enforceability of those components of the party's water management plan until the department amends such plan to alleviate the negative impacts to public health or safety or undue financial hardship.***

~~[IV:] VIII.~~ The protected instream flow ~~[levels]~~ ***flows*** established under this section shall be maintained at all times, except when inflow is less than the protected instream flow level as a result of natural causes or when the commissioner determines that a public water supply emergency exists which affects public health and safety.

~~[V:] IX. [The maintenance of protected instream flows shall constitute a condition of any permit]~~ ***Only those permits*** issued by the department ***that affect stream flow*** ~~[for any project or activity]~~ within a designated river ***shall be required to meet protected instream flows*** ~~[or segment and corridor].~~

~~[VI:] X.~~ Any party who is aggrieved by a determination establishing such protected instream flows may petition the commissioner for a hearing to review such determination within 30 days of the date the determination is issued. The filing of such petition shall stay the implementation of the determination until a final decision has been rendered on the petition or an appeal taken pursuant to RSA 541.

Public and Municipal Affairs

May 4, 2016

2016-1850s

03/06

### **Amendment to HB 1503**

Amend RSA 659:43, I as inserted by section 1 of the bill by replacing it with the following:

I. No person ~~[who is a candidate for office or who is representing or working for a candidate]~~ shall distribute, ***wear***, or post at a polling place any campaign material in the form of a poster, card, handbill, placard, picture, ***pin, sticker***, or circular ***or articles of clothing*** which is intended to influence the action of the voter within the building where the election is being held.

Public and Municipal Affairs  
 May 4, 2016  
 2016-1849s  
 03/10

### **Amendment to HB 1534**

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

AN ACT relative to reports of death of voters and authorizing an electronic poll book trial program.

Amend RSA 5-C:4, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The secretary of state shall compare information contained on each death record received by the division of vital records with information contained in the statewide centralized voter registration database and submit to the state registrar a list of every city or town that has a registered voter matching the decedent's information.

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

#### **3 Electronic Poll Book Trial Program.**

I. The city of Manchester and towns of Hooksett and Durham are hereby authorized to conduct a trial of electronic poll book devices for voter registration and check-in for the 2016 state primary and general elections. The trial shall be compliant with all statutes directly or indirectly related to voter checklists and maintenance of the statewide centralized voter registration database including the processes related to voter registration and check-in, the processing of absentee ballots, the collection of all fields of data required for registration or check-in, and the delivery of that data to the secretary of state in a format compatible with the statewide centralized voter registration database. The secretary of state may waive statutory provisions related to manual entries on a paper checklist to accommodate an electronic poll book provided the same information required of the voter is obtained and recorded by the electronic poll book. In addition, as required in statute, nonpublic data related to individual voters shall remain confidential, and no voter data shall be used by an electronic poll book vendor, its agents, or individuals or entities from which the electronic poll book vendor obtains services for any purpose other than conducting a trial program under this section. Notwithstanding statutes relative to the privacy of voter information in the statewide database, year-of-birth information may be discreetly used by electronic poll books to help identify voters. Adequate back-up systems shall be in place during the trial as determined by the secretary of state. The city and towns shall assume all costs associated with the electronic poll book trial. The secretary of state shall prepare a memorandum of understanding that outlines specific conditions that must be met for compliance with this section. No electronic poll book trial may proceed unless the memorandum of understanding is signed by the secretary of state and the mayor or governing body of the town by June 15, 2016.

II. Within one month after the 2016 state primary election, and again, within one month after the 2016 general election, the city and towns shall submit a report to the secretary of state, who shall review such reports and forward them to the speaker of the house of representatives, the president of the senate, the chairperson of the house election law committee, and the chairperson of the senate public and municipal affairs committee. Each report shall describe the outcome of the trial program, addressing voter experiences, wait times, voter throughput times, personnel costs, hardware and software costs, and the completeness and accuracy of the data recorded, reported, and submitted for import to the statewide centralized voter registration database.

#### **4 Effective Date.**

I. Sections 1-2 of this act shall take effect July 1, 2017.

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

2016-1849s

### **AMENDED ANALYSIS**

This bill requires the state registrar to notify the city or town clerk upon receipt of a death record and requires the supervisors of the checklist to remove the name from the checklist. This bill also authorizes a trial of electronic poll book devices for voter registration and check-in for the 2016 state primary and general elections.

Senate Finance  
May 3, 2016  
2016-1802s  
09/05

### **Amendment to HB 1590-FN-A-LOCAL**

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

AN ACT relative of taxation of short-term rentals.

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

1 New Paragraph; Meals and Rooms Tax; Definition of Short-Term Rental. Amend RSA 78-A:3 by inserting after paragraph XIX the following new paragraph:

XX. "Short-term rental" means the rental of one or more rooms in a residential unit for occupancy for tourist or transient use for less than 185 consecutive days.

2 New Section; Meals and Rooms Tax; Advertisements of Short-Term Rentals. Amend RSA 78-A by inserting after section 4 the following new section:

78-A:4-a Advertisements of Short-Term Rentals. Any advertisement for a short-term rental by print, display, publication, distribution, or online listing offering a short-term rental shall include the meals and rooms license number of the operator, as defined in RSA 78-A:3, IV. Violation of the provisions of this section may result in a warning from the department of revenue administration that the operator's license may be revoked, suspended, or denied. The warning shall include notification to the operator of his or her obligation to obtain a meals and rooms license and pay the meals and rooms tax under this chapter. Subsequent violations of the provisions of this section may constitute sufficient cause for revocation, suspension, or denial of license. Nothing in this section shall be construed to change or alter the nature of the use of a property for the purpose of determining compliance with a local zoning ordinance.

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

2016-1802s

### **AMENDED ANALYSIS**

This bill requires advertisements of short-term rentals to display the meals and rooms license number of the operator.

Senate Finance  
May 4, 2016  
2016-1810s  
10/09

### **Amendment to HB 1591-FN-A**

Amend the bill by replacing all after section 6 with the following:

7 New Section; State Employees Group Insurance; State Retiree Health Benefits Cost-Sharing Waiver. Amend RSA 21-I by inserting after section 30-e the following new section:

21-I:30-f State Retiree Health Benefits Cost-Sharing Waiver.

I. A retired state employee receiving medical and surgical benefits under this subdivision may be granted a waiver by the commissioner for payment of any increases in premium contribution percentage, co-payments, deductibles, or other cost-sharing mechanisms. A waiver shall be effective on the date the waiver is issued to the state retiree.

II. To be eligible to apply for a waiver, a state retiree shall:

(a) Be receiving a retirement allowance under RSA 100-A that is less than 80 percent of the mean New Hampshire per capita income as shown by the American Community Survey's 1-year Estimate (inflation adjusted), produced by the United States Census Bureau in the most recent year data is available; and

(b) Have at least 20 years of service as a state employee.

III. An eligible state retiree may apply to the commissioner for a waiver under this section on a form prescribed by the commissioner in rules adopted under RSA 541-A. Such application shall require the applicant to provide the number of years of service with the state, his or her annual retirement allowance, and a disclosure form allowing the New Hampshire retirement system to provide the department of administrative services with verification of his or her eligibility.

IV. If a waiver is granted, the department shall exempt the retiree from payment of any future increases in premium contribution percentage, co-payments, deductibles, and any other employee cost sharing mechanisms over the amount of such cost sharing paid by the retiree prior to the date of the waiver. Retirees granted a waiver shall be grandfathered into the cost sharing structure of the plan as of the date of the issuing of the waiver. Nothing in this section shall prevent a retiree granted a waiver from having his or her costs for medical and surgical benefits under this subdivision decreased.

V. Every 2 years, beginning on July 1, 2019, the department of administrative services shall recalculate the retirement allowance needed for eligibility for the waiver, using the latest per capita income data for New Hampshire available from the United States Census Bureau. In the event the biennial recalculation of per capita income would disqualify a retiree who had already been granted a waiver, the waiver shall remain in effect for that retiree.

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

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

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

10 New Paragraph; Legislative Budget Assistant; Fiscal Committee; Retiree Health Advisory Council. Amend RSA 14:30-a by inserting after paragraph VI the following new paragraph:

VII. The committee shall establish a retiree health advisory council as a subcommittee to the committee. The advisory council shall convene public meetings as needed to review options under consideration for changes to the retiree health plan if additional changes are needed after the new retiree health benefits plan is established. The advisory council shall also receive testimony from retirees and other interested members of the public.

11 Repeals; January 1, 2017. The following are repealed:

I. RSA 21-I:30, II(b), relative to continuation of premium contribution amounts for certain retired state employees and spouses who become Medicare eligible.

II. RSA 21-I:30, XIII(b), relative to continuation of premium contribution amounts for certain retired state employees and spouses not receiving a retirement allowance who become Medicare eligible.

III. RSA 100-A:54, III(b), relative to continuation of premium contribution amounts for certain retired state employees and spouses receiving a retirement allowance who become Medicare eligible.

IV. RSA 100-C:11-a, II, relative to continuation of premium contribution amounts for certain retired judges and spouses who become Medicare eligible.

12 Effective Date.

I. Section 11 of this act shall take effect January 1, 2017.

II. Section 7 of this act shall take effect July 1, 2017.

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

2016-1810s

## AMENDED ANALYSIS

This bill requires premium contribution amounts for retiree health benefits for retired state employees who are Medicare eligible and establishes a waiver program for qualifying retirees. The bill continues the premium contributions for retired persons receiving medical and surgical benefits who become Medicare eligible on or after July 1, 2016 until separate rates are approved effective January 1, 2017. The bill makes an appropriation to the department of administrative services for a health care consultant to design a long-term retiree health care funding plan. This bill also provides the department of administrative services, risk management unit with funding for state retiree health plan costs for the biennium ending June 30, 2017.

Energy and Natural Resources

May 4, 2016

2016-1842s

08/03

**Amendment to HB 1595-FN**

Amend RSA 483:2 as inserted by section 1 of the bill by replacing it with the following:

483:2 Program Established; Intent. There is established within the department of environmental services the New Hampshire rivers management and protection program. It is the intent of the legislature that the New Hampshire rivers management and protection program shall complement and reinforce existing state and federal water quality laws, and that in-stream flows are maintained along protected rivers, or segments thereof, in a manner that will enhance or not diminish the enjoyment of outstanding river characteristics pursuant to RSA 483:1. It is also the intent of the legislature that, through said program, the ~~[scenic beauty and recreational potential]~~ **outstanding characteristics including recreational, fisheries, wildlife, environmental, hydropower, cultural, historical, archaeological, scientific, ecological, aesthetic, community significance, agricultural, public water supply, instream public uses, and riparian rights** of such rivers shall be restored, **protected**, and maintained, ~~[that riparian interests shall be respected,]~~ and **notwithstanding the provisions of RSA 483-B**, that nothing in this chapter shall be interpreted to preempt any land and zoning authority granted to municipal bodies under RSA title LXIV.

Amend RSA 483:4, XVI as inserted by section 6 of the bill by replacing it with the following:

XVI. "Protected instream flow" means a ~~[constant minimum]~~ stream flow ~~[level]~~ **pattern which is** established to maintain water for present and future instream public uses.

Health and Human Services

May 3, 2016

2016-1800s

01/09

**Amendment to HB 1661-FN**

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

AN ACT establishing a commission to study conversion therapy.

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

1 New Subdivision; Commission to Study Conversion Therapy. Amend RSA 126-A by inserting after section 69 the following new subdivision:

## Commission to Study Conversion Therapy

126-A:70 Commission Established. There is established a commission to study conversion therapy.

I.(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) A representative of the New Hampshire Medical Society, appointed by the society.
- (4) A representative of the New Hampshire Psychiatric Society, appointed by the society.

(5) A representative of the board of mental health practice, appointed by the board.

(6) A representative of the family mediator certification board, appointed by the board.

(7) A representative of the New Hampshire chapter of the National Center for Lesbian Rights, appointed by the governor.

(8) A representative of GLAD, appointed by the governor.

(9) A representative of Cornerstone Research, appointed by the speaker of the house of representatives.

(10) A representative of the Roman Catholic Diocese of Manchester, appointed by the senate president.

(11) An ordained minister, appointed by the senate president.

(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 the practice of conversion therapy, or treatment that seeks to change an individual's sexual orientation or gender identity. Specifically, the commission shall:

(1) Define conversion therapy and the procedures or services such therapy includes.

(2) Identify any other therapies which are or could be considered as abusive in New Hampshire.

(3) Determine whether conversion therapy is being offered in New Hampshire.

(4) Review the existing policies of state licensing boards providing for guidance and/or licensing for this type of therapy.

(5) Determine whether any of these therapies are paid for by Medicaid.

(6) Determine if licensed therapists are offering conversion therapy, should the service be posted and what, if any disclosures to parents should be considered.

(7) Investigate whether electro-shock therapy is being used as part of conversion therapy.

(8) Consider the circumstances under which parents, councilors, and clergy can participate in discussions with a teen about sexuality and when does it become conversion therapy.

(9) Consider the role of the general court in determining the limits of the First Amendment and religious beliefs and providing services to others concerning conversion therapy.

(10) Consider medical statements by New Hampshire medical boards and associations and how such boards and associations are managing their licensed practitioners.

(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. Seven 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 March 1, 2017.

3 Repeal. RSA 126-A:70, relative to a commission to study conversion therapy, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect March 1, 2017.

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

2016-1800s

#### AMENDED ANALYSIS

This bill establishes a commission to study conversion therapy.

Senate Finance  
May 4, 2016  
2016-1813s  
01/08

#### **Amendment to HB 1680-FN**

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

AN ACT extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness.

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

1 Prior Authorization for Certain Prescription Drugs; Suspension; Repeal. Amend 2015, 199:4, I to read as follows:

I. Section 3 of this act shall take effect June 30, [2016] **2017**.

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

2016-1813s

#### **AMENDED ANALYSIS**

This bill extends the suspension of prior authorization requirement for a community mental health program on drugs used to treat mental illness.

Senate Finance  
May 3, 2016  
2016-1803s  
01/09

#### **Amendment to HB 1695-FN**

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

AN ACT relative to a health system public data resource for New Hampshire and establishing a special fund, relative to cost effectiveness of programs implemented within state agencies, and relative to the use of the lakes region facility property for substance abuse treatment and recovery programs.

Amend section 1 of the bill by inserting after RSA 126-A:70 the following new RSA section:

126-A:71 Health System Public Data Resource Plan Fund; Established. There is established the health system public data resource plan fund, which shall be nonlapsing and continually appropriated to the department and administered by the commissioner for the purposes of this subdivision. Pursuant to the memorandum of understanding under RSA 126-A:70, V, the fund shall be used for costs incurred by the department in carrying out the requirements under this subdivision. All monetary funds, grants, gifts, donations, or interest generated by the fund shall be deposited with the state treasurer in the fund.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 5:

3 New Subparagraph; Application of Receipts; Health System Public Data Resource Plan Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:

(332) Moneys deposited in the health system public data resource plan fund, established in RSA 126-A:71.

4 Request for Proposals: Lease of Lakes Region Facility Property for Provision of Substance Abuse Treatment and Recovery Programs. Notwithstanding any provision of law to the contrary, the commissioner of the department of health and human services in consultation with the commissioner of the department of administrative services shall develop and solicit a request for proposals for the private use of the lakes region facility property in Laconia to provide comprehensive substance abuse treatment and recovery programs. The request for proposals may include, but shall not be limited to, long term lease purchase agreements, ground lease arrangements, or any other arrangements the commissioners deem viable in carrying out the provisions of this section. The commissioners of the department of health and human services and the department of administrative services shall review and consider all proposals and shall negotiate a contract with the highest qualified firm. The long range capital planning and utilization committee shall approve the contract prior to submission to the governor and council. The contract shall receive final approval no later than June 30, 2017.

2016-1803s

### AMENDED ANALYSIS

This bill establishes a health system public data resource for New Hampshire. Under this bill, the commissioner of the department of health and human services, the insurance commissioner, and the attorney general shall enter into a memorandum of understanding to collaborate in the development of publicly available information on health care system patient safety, cost, quality, access, and system performance, and information pertaining to the delivery and financing of the health care system in New Hampshire. The bill establishes a health system public data resource planning council to provide consultation for the development of a public data resource for New Hampshire. The bill establishes a fund for the implementation and administration of the requirements of the plan.

The bill requires the office of the legislative budget assistant to evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs.

This bill also requires the commissioners of health and human services and administrative services to solicit requests for proposals for private use of the lakes region facility property in Laconia to provide substance abuse treatment and recovery programs.

Senate Transportation

May 4, 2016

2016-1832s

06/03

### Amendment to HB 2016

Amend the bill by inserting after section 12 the following and renumbering the original section 13 to read as 22:

13 Department of Transportation; Milford; Northfield-Tilton; East Kingston. The following projects shall be removed from the 10-year transportation improvement plan 2017-2026 and shall be advanced to fiscal year 2016:

I. The project named Milford, project number 13692B, which consists of safety improvements to NH 101.

II. The project named Northfield-Tilton, project number 16147, which consists of bridge rehabilitation on I-93 over the Winnepesaukee River.

III. The project named East Kingston, project number 26942, which consists of bridge deck replacement and rehabilitation on NH 107A over the B&M Railroad.

14 Department of Transportation; Salem-Manchester. The following projects shall be added to the 10-year transportation improvement plan 2017-2026:

I. Salem-Manchester, project number 14633J, pavement of a 4th lane from Salem to Manchester along I-93, shall be funded with federal funds and remaining TIFIA funds, totaling \$11,700,000.

II. Salem-Manchester, project number 13933A, construction of a 4th lane along I-93 at the state border, shall be funded with federal funds totaling \$15,700,000.

15 Department of Transportation; Salem-Manchester. The funding for the project named Salem-Manchester, project number 10418H, for the I-93 exit 3 park and ride in Windham, shall be modified to fully fund the project under the federal Congestion Mitigation Air Quality (CMAQ) improvement program.

16 Department of Transportation; Hampton. The preliminary engineering for the project named Hampton, project number 40797, which consists of improvements to Ocean Boulevard, shall be advanced from the fiscal year ending June 30, 2022 to the fiscal year ending June 30, 2020.

17 Department of Transportation; Portsmouth. The project named Portsmouth, project number 40644, which consists of a railroad crossing upgrade, shall be relocated from Maplewood Avenue to Market Street.

18 Department of Transportation; Salem. The funding for the project named Salem, project number 12334, which consists of reconstruction of an intersection at NH 28 and NH 97, shall be modified to include \$2,900,000 for right of way acquisitions (ROW).

19 Administration of Transportation Laws; Use of Toll Credits. RSA 228:12-a is repealed and reenacted to read as follows:



228:12-a Use of Toll Credits. The department may use toll credits as a match for federal highway funds solely for the funding of highway and road projects, projects concerning the travel of motor vehicles on such highways and roads, or the work of the regional planning commissions under RSA 36. Any other use of toll credits shall require approval of the joint legislative capital budget overview committee, established in RSA 17-J:1, prior to moving the project forward for approval.

20 Department of Transportation; Dixville-Colebrook. The department of transportation shall not expend any funds on the road project named Dixville-Colebrook, project number 40518, until such time as all approvals, including financing, for the Balsams project are secured. The project shall be contingent upon an agreement between the towns and/or county to take ownership prior to construction.

21 Department of Transportation; Jefferson-Randolph. The project named Jefferson-Randolph, project number 13602C, shall include the study of a possible location for a wildlife crossing on Route 2.

2016-1832s

### AMENDED ANALYSIS

This bill:

- I. Adopts the 10-year transportation improvement plan for 2017-2026.
- II. Adds purposes for which the state may issue GARVEE bonds.
- III. Modifies funding for projects on the central New Hampshire turnpike and the Spaulding turnpike.
- IV. Authorizes the department of transportation to expend certain funds for the purchase of fleet vehicles, for the state bridge aid program, and for highway bridge and betterment district resurfacing and rehabilitation programs.
- V. Transfers certain funds under the state aid highway program to the Littleton Saranac Street project.
- VI. Deletes the Nashua-Manchester-Concord Capitol Corridor Rail project, project number 40818, from the 10-year transportation improvement plan 2017-2026.
- VII. Advances the Milford safety improvements project, the Northfield-Tilton bridge rehabilitation project, and the East Kingston bridge deck replacement project to the 2016 transportation improvement plan.
- VIII. Adds Salem-Manchester projects to pave a 4th lane along I-93 and to construct a 4th lane on I-93 to the state border to the 10-year transportation improvement plan 2017-2026.
- IX. Modifies funding for the park and ride project in Windham and for the reconstruction of the intersection of NH 28 and NH 97.
- X. Modifies provisions of projects to make improvements to Ocean Boulevard in Hampton, a railroad crossing upgrade in Portsmouth, and a highway intersection in Salem.
- XI. Limits the use of toll credits to certain projects.
- XII. Prohibits the department of transportation from expending any funds on the Dixville-Colebrook road project until all approvals for the Balsams project are complete.
- XIII. Adds the study of a possible location for a wildlife crossing to the Jefferson-Randolph project, project number 13602.

## HEARINGS

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

**FINANCE**, Room 103, SH

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

### **Agency Updates**

1:00 p.m. Department of Corrections  
1:30 p.m. Department of Transportation

2:00 p.m.	Department of Education
2:30 p.m.	Department of Safety
3:00 p.m.	Department of Resources and Economic Development

## MEETINGS

### ***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***

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

10:00 a.m.	Room 205, LOB	Regular Meeting
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#### **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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#### **ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21)**

3:00 p.m.	Room 100, SH	Regular Meeting
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### ***TUESDAY, MAY 10, 2016***

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

10:00 a.m.	Room 201, LOB	Regular Business
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#### **CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2)**

10:30 a.m.	Room 201, LOB	Regular Business
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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***

#### **ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

9:30 a.m.	NH Department of Revenue 109 Pleasant Street Concord, NH	Regular Meeting
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**NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a)**

9:00 a.m.	NH Veterans Home Tarr South Conference Room 139 Winter Street Tilton, NH	Regular Meeting
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**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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**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*****PUBLIC HIGHER EDUCATION STUDY COMMITTEE (RSA 187-A:28-a)**

10:00 a.m.	Room 207, LOB	Regular Meeting
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**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
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**COMMISSION ON HISTORIC BURYING GROUNDS (RSA 227-C:12-a)**

10:00 a.m.	Room 101, LOB	Regular Meeting
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**FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)**

10:00 a.m.	Rooms 210-211, LOB	Regular Business
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***MONDAY, MAY 23, 2016*****COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k)**

9:30 a.m.	Room 102, LOB	Regular Meeting
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***THURSDAY, MAY 26, 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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***FRIDAY, JUNE 3, 2016***

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

9:00 a.m.	Room 203, 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, JUNE 6, 2016***

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

1:15 p.m.	Room 207, LOB	Regular Meeting
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***TUESDAY, JUNE 7, 2016***

**NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2)**

6:00 p.m.	Monadnock Community Hospital 452 Old Street Road Peterborough, NH	Public Hearing
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***FRIDAY, JUNE 10, 2016***

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

10:00 a.m.	Room 308, LOB	Regular Meeting
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**HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

11:00 a.m.	Room 205, LOB	Regular Meeting
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***MONDAY, JUNE 13, 2016***

**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, JUNE 14, 2016***

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

10:00 a.m.	Room 201, LOB	Regular Business
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**CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2)**

10:30 a.m.	Room 201, LOB	Regular Business
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***FRIDAY, JUNE 24, 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
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**MONDAY, JUNE 27, 2016**

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

1:30 p.m.

Room 205, LOB

Regular Meeting

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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, 409, 441, 447, 452, 461, 464, 465, 466, 467, 468, 480, 481, 482, 483, 485, 488, 491, 494, 495, 496, 503, 510, 515, 521, 522, 523, 527, 530, 532, 533, 534, 535, 540, 549, 550, 551, 552**

**HOUSE BILLS: 197, 216, 280, 353, 380, 466, 521, 535, 593, 628, 636, 661, 668, 1116, 1154, 1175, 1182, 1198, 1219, 1245, 1246, 1266, 1272, 1349, 1357, 1381, 1385, 1423, 1426, 1428, 1430, 1547, 1568, 1586, 1589, 1590, 1591, 1595, 1599, 1608, 1616, 1633, 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, 378, 380, 386, 576**

**HOUSE BILLS: 377, 1116, 1165, 1195, 1197, 1208, 1239, 1245, 1283, 1289, 1332, 1616, 1665, 1696**

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## **NOTICES**

**TUESDAY, MAY 10, 2016**

The N.H. Preservation Alliance invites all Legislators and staff to its annual preservation achievement awards celebration on Tuesday, May 10<sup>th</sup> from 4:30 p.m. to 6:30 p.m. at the Concord City Auditorium. Lorraine Merrill, N.H. Commissioner of Agriculture, Markets & Food, Bill Binnie of Binnie Media/NH 1 and Alex Ray of the Common Man Family will help tell stories of outstanding civic engagement, small towns accomplishing big goals, innovation and old farm/small business success. Reception follows program. More information at 224-2281, [projects@nhpreservation.org](mailto:projects@nhpreservation.org) or [www.nhpreservation.org](http://www.nhpreservation.org).

Senator Martha Fuller Clark

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**WEDNESDAY, MAY 11, 2016**

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

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

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**MONDAY, MAY 16, 2016**

All legislators and members of the public are invited to join in the unveiling ceremony for the new portrait of famed suffragist Marilla Ricker on Monday, May 16<sup>th</sup> at 3:30 pm in the corridor near the north rear entrance of the State House. The ceremony will be followed by a simple reception on the State House Plaza sponsored by the NH League of Women Voters and the NH Woman's Bar Association.

Senator Martha Fuller Clark  
 Senator David Watters

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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 18<sup>th</sup> on the 3<sup>rd</sup> 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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**MONDAY, MAY 23, 2016**

Legislators and friends are cordially invited to the New Hampshire Federation of Republican Women's 2016 Lilac Luncheon & State Primary Straw Poll on Monday, May 23<sup>rd</sup> at the Holiday Inn Concord, 172 N. Main, Concord, NH. A VIP reception starts at 11:00 a.m. with the luncheon at noon. The Keynote Speaker is Charlie Arlinghaus, President of the Josiah Bartlett Center for Public Policy. For event and ticket information, contact Representative Jeanine Notter [jeanine.notter@leg.state.nh.us](mailto:jeanine.notter@leg.state.nh.us) Representative Barbara Biggie [barbara.biggie@leg.state.nh.us](mailto:barbara.biggie@leg.state.nh.us) or [www.NHFRW.org](http://www.NHFRW.org).

Senator Sharon M. Carson  
 Senator Jeanie L. Forrester

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**THURSDAY, MAY 26, 2016**

The Propane Gas Association of New England is hosting its annual Outdoor Living Safety Day on the State House lawn on Thursday, May 26<sup>th</sup>, from 9:00 a.m. to 2:00 p.m. 12 NH propane companies will be grilling and discussing propane safety for the summer season. The Governor and State Fire Marshal have been invited. All are welcome to stop by and visit!

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

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### WEDNESDAY, JUNE 1, 2016

The members of the NH Snowmobile Association cordially invite all Legislators and staff to a reception in the State House cafeteria on Wednesday, June 1<sup>st</sup>, from 7:30 a.m. to 9:30 a.m. where a breakfast will be served. The breakfast has been rescheduled from an earlier date. Please be sure to take notice of this change. We look forward to seeing you there.

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

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### Legislative Ethics Committee

The Legislative Ethics Committee, at its April 25, 2016 meeting approved letters of admonishment for Representative Guy Comtois, Representative Bart Fromuth, and Representative Shawn Sweeney for their failure to file a Financial Disclosure Form in a timely manner, as required by RSA 14-B:8. In addition to admonishing the members, the Committee's letters expressed the expectation that the members will be mindful of their responsibilities to comply with the financial disclosure filing requirements as long as they serve in the General Court.

The letters may be viewed by visiting the Committee's website, which can be accessed from the website of the General Court, or directly at: <http://gencourt.state.nh.us/ethics/default.htm>

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### Legislative Ethics Committee

#### Retirement Gifts

Questions have arisen about what limits the ethics gift law (RSA 15-B) places on the giving and accepting of retirement gifts given by legislators to other legislators.

For your information, this notice sets forth the following relevant provisions of applicable law:

**15-B:2 Definitions.** – For the purposes of this chapter: \*\*\*

V. (a) "Gift" means:

(1) Money in any amount, whether in the form of cash, check or any other negotiable or non-negotiable instrumentality for the transfer of money. (2) Any other tangible thing, intangible thing, service, or the use thereof having more than insignificant economic value. Any such item with a value of less than \$25 is presumed to be of insignificant economic value. (b) Notwithstanding subparagraph (a), "gift" shall not include: \*\*\*

(4) A ceremonial plaque, award, or other commemorative object, which is personally inscribed to the recipient and which has inconsequential economic value. A ceremonial object or award with a value of \$150 or less is presumed to be of inconsequential economic value.

**15-B:3 Prohibition on Gifts.** –

I. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or indirectly, to any elected official, public official, public employee, constitutional official, or legislative employee.

II. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or indirectly, to any family member, as defined in this chapter, of any elected official, public official, public employee, constitutional official, or legislative employee, with a purpose of influencing or affecting the official conduct of such official or employee.

III. No elected official, public official, public employee, constitutional official, or legislative employee shall knowingly accept, directly or indirectly, any gift, as defined in this chapter.

What these provisions mean for legislators and staff is that they may give a colleague a gift and the recipient may accept it, provided it has a value of less than \$25. This provision may not be circumvented by giving the gift to a family member of the legislator.

The law provides an exception to the \$25 limit for ceremonial items such as plaques and other objects that are inscribed with the recipient's name and have a value of \$150 or less. Thus, a clock or print or similar memento worth up to \$150 would be permissible if it bears the name of the recipient. However, merely adding personalization does not negate the requirement that the item also be presumed to have inconsequential economic value (not more than \$150). So an engraved pewter mug would be permissible, but an engraved iPad would not.

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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)