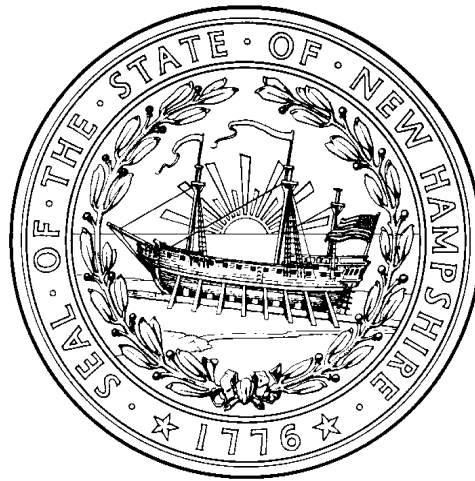


June 16, 2016
No. 24

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



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

SENATE CALENDAR

VETO MESSAGES

June 6, 2016

Governor's Veto Message Regarding Senate Bill 381

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 6, 2016, I have vetoed Senate Bill 381, relative to the combustion of the wood component of construction and demolition debris.

Ensuring that all of our residents and visitors have access to clean air, clean water, and a healthy environment is critical to public health and a strong economy, and we must continue to work to protect our air, our water and our environment from harmful pollution. By removing the existing ban on the combustion of the wood component of construction and demolition debris at regulated facilities without stringent protections, this bill raises a number of serious environmental concerns that are not adequately addressed in the bill as written.

While the bill places some limitations on the combustion of the wood component of construction and demolition debris, it does not set or outline a procedure to set fuel standards for this material or for testing requirements. Without standards and testing requirements, it will be difficult to ensure that construction and demolition wood used for combustion does not include contaminants that could be harmful if emitted.

Moms Clean Air Force, New Hampshire Sierra Club, New Hampshire Citizen Alliance, Working on Waste, ACTS Now, REACH, and many other advocacy groups and citizen advocates have expressed concerns with the combustion of construction and demolition debris and opposition to the bill, and I share many of their concerns.

At a time when we are experiencing a number of serious environmental contamination issues across the state, I have grave concerns about reopening the existing ban on the combustion of construction and demolition debris without strong regulatory controls in place. Because of these concerns, I have vetoed Senate Bill 381 and worked to develop appropriate language in House Bill 1428, including stronger controls, which will soon be at my desk for signature.

Respectfully submitted,

Margaret Wood Hassan
Governor

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June 7, 2016

Governor's Veto Message Regarding Senate Bill 403

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 7, 2016, I have vetoed Senate Bill 403, relative to the sale of gift certificates with expiration dates.

Senate Bill 403 is a technically flawed bill with inconsistencies that will confuse both consumers and businesses alike. Originally a request of the New Hampshire Lodging and Restaurant Association, this bill's original intent was to raise the threshold for expiration dates and abandoned property laws relative to gift cards.

The final version of the bill only raised the threshold for expiration dates, an inconsistency that may create difficulties for both consumers and merchants, and as a result, the New Hampshire Lodging and Restaurant Association has requested a veto and for the next legislature to pass the original legislation.

This bill seeks to increase the threshold above which merchants can sell gift cards with expiration dates from \$100 to \$250. While well-intentioned, this bill does not fully improve convenience for the consumer as it failed to consider the necessary counterpart change to the State's abandoned property laws. This issue was noted late in the legislative process, but ultimately not fixed.

Increasing the threshold at which a gift certificate is allowed to expire is a change that is beneficial to consumers, but because of a technical flaw in the bill, consumers will not always be able to redeem gift cards

with the merchant. Without the accompanying increase to the threshold at which merchants are required to report a gift card as abandoned property from \$100 to \$250, a consumer would have to redeem the card with the State Treasurer because after five years of non-use, any card sold with a value of more than \$100 will be reported as abandoned property.

The change to the abandoned property threshold would have allowed consumers to redeem the cards at the merchant in perpetuity, whereas the inconsistency created by only increasing the threshold for the expiration date places an unintended burden on both consumers and businesses for gift cards ranging from \$100 to \$250. The House considered an amendment that would have made the bill beneficial to both consumers and merchants, however, that amendment failed because it did not include an important provision for telecommunications cards.

The Legislature should reconsider this legislation next year in order to maximize the benefit to both consumers and merchants by that ensuring all sections of law are in sync. Because this bill only affects one section of the law, without accomplishing the stated intent, I am vetoing Senate Bill 403, relative to the sale of gift certificates with expiration dates.

Respectfully submitted,

Margaret Wood Hassan
Governor

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May 3, 2016

Governor's Veto Message Regarding Senate Bill 446

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 3, 2016, I have vetoed Senate Bill 446, relative to requirements of the state building code.

Ensuring that buildings are safe is critical to public safety and our economy, and we must always work to ensure that our families and businesses have the safe environment necessary for them to grow and thrive. By placing an arbitrary restriction on the rules that can be adopted by the State Building Code Review Board and limiting the ability of building inspectors to request relevant information prior to issuing permits, this bill could lead to less safe buildings and is a potential threat to public safety.

Senate Bill 446 unnecessarily ties the hands of local officials, limiting their ability to gather the information necessary to determine the scope of work, what code needs to be applied and the cost of the permit. As a result, it will be more difficult for building inspectors to properly vet projects and ensure that applicants meet the necessary requirements to keep the public safe. Furthermore, the proposed legislation would have set a vague and ambiguous standard, which could lead to an increase in litigation.

The New Hampshire Association of Fire Chiefs and the New Hampshire Planners Association oppose Senate Bill 446, and these changes were not recommended by the State Building Code Review Board, which is composed of a broad cross-section of people involved in planning and development, including home builders, engineers, electricians, plumbers, fire chiefs and municipal officials. No evidence was presented during hearings on this legislation that suggest there is currently an unnecessary burden on applicants, or that this bill would represent a solution as opposed to creating new problems.

This bill makes it more difficult for local officials to effectively do their jobs and ensure that buildings meet the uniform standard necessary to ensure public safety, and it is opposed by many of New Hampshire's foremost experts on building safety. Therefore, I have vetoed Senate Bill 446.

Respectfully submitted,

Margaret Wood Hassan
Governor

MEETINGS

FRIDAY, JUNE 17, 2016

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

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

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

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

MONDAY, JUNE 20, 2016

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

9:00 a.m. NH Veterans Home Regular Meeting
Tarr South Conference Room
139 Winter Street
Tilton, NH

JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)

10:00 a.m. Room 212, LOB Regular Business Meeting

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

1:15 p.m. Room 207, LOB Regular Meeting

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

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

TUESDAY, JUNE 21, 2016

NH ECONOMIC DEVELOPMENT FUND REVIEW COMMITTEE (RSA 12-A:2-f)

11:30 a.m. Room 103, SH Regular Meeting

SENATE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:1)

12:50 p.m. Room 103, SH Regular Meeting

JOINT COMMITTEE ON LEGISLATIVE FACILITIES (RSA 17-E:1)

1:00 p.m. Room 100, SH Regular Meeting

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

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

WEDNESDAY, JUNE 22, 2016

COMMISSION TO STUDY ISSUES RELATING TO STUDENTS RECEIVING SPECIAL EDUCATION SERVICES WHILE ATTENDING A CHARTERED PUBLIC SCHOOL (RSA 186-C:30)

10:00 a.m. 25 Triangle Park Drive Subcommittee Work Session Meeting
Concord, NH

THURSDAY, JUNE 23, 2016

BALLOT LAW COMMISSION (RSA 665:1)

9:00 a.m. Room 206, LOB Regular Meeting

GOVERNOR'S CAPITAL BUDGET HEARINGS FOR FISCAL YEARS 2018-2019

10:00 a.m. Rooms 305-307, LOB Governor Hassan Opening Remarks

10:20 a.m. Rooms 305-307, LOB University Systems of NH

10:45 a.m.	Rooms 305-307, LOB	Office of Energy & Planning
11:00 a.m.	Rooms 305-307, LOB	Dept. of Information Technology
11:15 a.m.	Rooms 305-307, LOB	Dept. of Administrative Services
		- General Services
		- Courts
		- Bureau of Facilities & Asset Management
		- DAS Statewide
		- DAS Financial Data Management
1:00 p.m.	Rooms 305-307, LOB	Community College System of NH
1:15 p.m.	Rooms 305-307, LOB	Cultural Resources
1:30 p.m.	Rooms 305-307, LOB	Dept. of Resources & Economic Development
2:00 p.m.	Rooms 305-307, LOB	NH Liquor Commission
2:15 p.m.	Rooms 305-307, LOB	Dept. of Safety
2:30 p.m.	Rooms 305-307, LOB	Dept. of Corrections
3:00 p.m.	Rooms 305-307, LOB	Dept. of Health & Human Services

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 24, 2016

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

9:00 a.m.	Rooms 306-308, LOB	Continued Meeting
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GOVERNOR'S CAPITAL BUDGET HEARINGS FOR FISCAL YEARS 2018-2019

9:00 a.m.	Rooms 305-307, LOB	Dept of Environmental Services
9:30 a.m.	Rooms 305-307, LOB	Fish & Game
9:45 a.m.	Rooms 305-307, LOB	NH Veterans Home
10:00 a.m.	Rooms 305-307, LOB	Dept. of Education
10:15 a.m.	Rooms 305-307, LOB	Secretary of State
10:30 a.m.	Rooms 305-307, LOB	Adjutant General - Veteran's Cemetery
10:45 a.m.	Rooms 305-307, LOB	Dept. of Transportation - Air & Rail
11:15 a.m.	Rooms 305-307, LOB	Judicial Branch
11:30 a.m.	Rooms 305-307, LOB	Dept. of Revenue Administration

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1)

9:30 a.m.	Manchester Police Athletic League 409 Beech Street Manchester, NH	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
10:30 a.m.	Rooms 210-211, LOB	Audits
		State of New Hampshire
		State Revolving Fund
		Management Letter
		For the Fiscal Year
		Ended June 30, 2015

THERAPEUTIC USE OF CANNABIS ADVISORY COUNCIL (RSA 126-X:9)

1:00 p.m. Rooms 205-207, LOB Regular Meeting

MONDAY, JUNE 27, 2016**OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)**

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

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

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

TUESDAY, JUNE 28, 2016**ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

9:30 a.m. Room 304, LOB Regular Meeting

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

10:00 a.m. Room 207, LOB Regular Meeting

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

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

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

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

THURSDAY, JULY 21, 2016**JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

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

COMMISSION ON POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D)

2:30 p.m. Walker Building, Room 100 Regular Meeting
21 South Fruit Street
Concord, NH

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

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

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2016 BILLS REMAINING ON THE TABLE:

SENATE BILLS: 27, 131, 304, 338, 346, 351, 365, 382, 408, 413, 445, 455, 463, 470, 473, 476, 504, 520, 531, 542, 551

HOUSE BILLS: 629, 1153, 1156, 1231, 1247, 1252, 1356, 1570

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

SENATE BILLS: 25, 66, 110, 127, 144, 146, 155, 210, 238, 265, 312, 324, 326, 330, 332, 336, 345, 369, 370, 375, 376, 378, 380, 383, 386, 391, 401, 406, 409, 411, 437, 439, 450, 453, 458, 464, 466, 467, 481, 482, 483, 488, 491, 495, 500, 515, 522, 523, 530, 532, 533, 543, 549, 576

HOUSE BILLS: 114, 297, 353, 356, 458, 377, 500, 512, 533, 605, 626, 659, 1105, 1116, 1144, 1165, 1195, 1197, 1204, 1208, 1210, 1227, 1239, 1245, 1264, 1283, 1289, 1293, 1301, 1303, 1307, 1331, 1332, 1339, 1349, 1354, 1357, 1377, 1388, 1391, 1396, 1428, 1430, 1461, 1503, 1531, 1547, 1553, 1588, 1584, 1589, 1590, 1595, 1616, 1618, 1637, 1644, 1664, 1665, 1685, 1696, 2016, HCR 12

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NOTICE

LEGISLATIVE ETHICS COMMITTEE

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

Advisory Opinion 2016-2

Response to a Request for an Advisory Opinion

from Representative Katherine D. Rogers

(June 3, 2016)

Pursuant to RSA 14-B:3, I (c), Representative Katherine D. Rogers, by letter dated May 12, 2016, has submitted a request for an Advisory Opinion about whether, consistent with applicable statutes and the Ethics Guidelines, she may accept payment to perform legal services for a business and an individual who are involved in lobbying activities before the General Court.

According to the information submitted by Representative Rogers, she has been asked to perform legal services on a fee-for-services basis on behalf of a media consulting group and the business's owner. The legal services for the business would include assistance in creating and submitting a business agreement and drawing up contracts. The legal services for the owner would include creating a will and possibly providing legal guidance regarding transferring property from sole ownership into a trust. In her letter, Representative Rogers stated that the business "has many different 'bureaus' of the business and as such has a Lobbying 'wing' that would not be engaging [her] legal services." While speaking before the Committee, Representative Rogers stated that she would obtain a list of the business's clients and construct a "fire wall" between any legal work she performs for the business and the owner and the lobbying section of the business.

Relevant provisions of applicable law are:

RSA 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:

* * *

(7) Wages, salary, benefits, mileage, or payment for expenses received by the person in his or her regular course of employment or business which is unrelated to the government position held.

RSA 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.

* * *

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.

Ethics Guidelines, Section 4, Prohibited Activities.

I. Legislators shall not solicit, accept, or agree to accept anything of value from another for themselves or other persons, if the legislator receives such thing of value:

* * *

(b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the legislator or the General Court.

* * *

VII. Nothing in this section on prohibited activities should be construed to prohibit the following:

* * *

(h) Acceptance of anything permitted to be accepted pursuant to RSA 15-B * * * *

We advise as follows:

Based on the information provided by Representative Rogers about the nature and scope of the legal services she would perform for both the business and the owner, the Committee advises that acceptance of payment by Representative Rogers for the legal services she described would not constitute violation of RSA 15-B:3 or Ethics Guidelines, Prohibited Activities, Section 4, I (b) because such payment would be received in the regular course of employment and is unrelated to her office, a specific exemption under RSA 15-B:2, V(b) (7). If Representative Rogers were to take part in any official activity that concerns, involves, or would have any financial effect on the business or the owner, she would be required to file a Declaration of Intent Form, pursuant to Ethics Guidelines Section 5, identifying any such matter as it arises, and declaring whether she will participate or not in the official activity associated with the matter.

We appreciate the opportunity to be of assistance.

Honorable Donna Sytek, Chairman
 Senator Sharon M. Carson, Vice Chairman
 Representative Janet G. Wall
 Senator Martha Fuller Clark
 Representative David A. Welch
 Honorable John A. Graham
 Attorney David H. Bradley

For the Committee,
 Honorable Donna Sytek
 Chairman

[Vote: 6-0]

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Senate Calendar Summer Schedule

The Senate Calendar will begin its summer schedule, of being published every two weeks.

The schedule for the Senate Calendar is as follows:

Thursday, June 23, 2016

Thursday, July 7, 2016

Thursday, July 21, 2016

Thursday, August 4, 2016

Thursday, August 18, 2016

Thursday, September 1, 2016

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SENATE SCHEDULE

Monday, July 04, 2016

Monday, September 05, 2016

Friday, November 11, 2016

Thursday, November 24, 2016

Friday, November 25, 2016

Monday, December 26, 2016

Independence Day (State Holiday)

Labor Day (State Holiday)

Veterans' Day (State Holiday)

Thanksgiving Day (State Holiday)

Day after Thanksgiving (State Holiday)

Christmas Day (State Holiday)