

April 26, 2018
No. 19

STATE OF NEW HAMPSHIRE

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



**Second Year of the 165th Session of the
New Hampshire General Court**

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON WEDNESDAY,
MAY 2, 2018 AT 1:00 P.M. AND THURSDAY, MAY 3, 2018 AT 10:00 A.M.**

LAID ON THE TABLE

SB 331, prohibiting Medicaid from paying for sex reassignment drug or hormone therapy or surgery. **03/15/2018, No Pending Motion, Finance, SJ 8**

SB 337, relative to the human rights commission. **02/22/2018, Pending Motion Interim Study, Judiciary, SJ 5**

SB 344-FN, authorizing New England Donor Services, Inc. to issue decals for multi-use decal number plates. **01/18/2018, Pending Motion OT3rdg, Transportation, SJ 2**

SB 353-FN, relative to direct shippers of alcohol. **02/15/2018, Pending Motion Inexpedient to Legislate, Commerce, SJ 4**

SB 355-FN, relative to the names of the colleges in the community college system and making an appropriation therefor. **02/01/2018, Pending Motion Refer to Finance Rule 4-5, Education, SJ 3**

SB 361, relative to dual and concurrent enrollment agreements between high schools and colleges and universities. **02/22/2018, Pending Motion Inexpedient to Legislate, Finance, SJ 5**

SB 371, establishing the Meldrim Thomson, Jr. Memorial Commission. **02/01/2018, Pending Motion Committee Amendment # 2018-0106s, Executive Departments and Administration, SJ 3**

SB 375, requiring gross expenditures and funding in the state operating budget. **01/18/2018, Pending Motion OT3rdg, Finance, SJ 2**

SB 397-FN, authorizing the university system of New Hampshire to issue decals for multi-use decal plates. **01/18/2018, Pending Motion OT3rdg, Transportation, SJ 2**

SB 404-FN-A, phasing out the tax on interest and dividends. **03/15/2018, No Pending Motion, Finance, SJ 8**

SB 405, enabling municipalities to adopt a separate exemption against the statewide property tax for certain long-term residents. **03/15/2018, Pending Motion Sen. Giuda Floor Amendment # 2018-1094s, Ways and Means, SJ 8**

SB 419, relative to votes by condominium unit owners. **02/15/2018, Pending Motion Inexpedient to Legislate, Commerce, SJ 4**

SB 422, relative to advance notice of work schedules. **03/08/2018, Pending Motion Ought to Pass, Commerce, SJ 6**

SB 454, relative to ambient water quality standards and maximum contaminant levels for certain perfluorinated chemicals. **03/21/2018, Pending Motion Interim Study, Energy and Natural Resources, SJ 9**

SB 465-FN, relative to documentation requirements for the department of labor. **02/01/2018, Pending Motion Inexpedient to Legislate, Executive Departments and Administration, SJ 3**

SB 472, establishing a committee to study the creation of an economic improvement fund. **02/01/2018, Pending Motion Inexpedient to Legislate, Finance, SJ 3**

SB 521-FN, authorizing Sophia's Fund to issue decals for multi-use decal plates. **02/01/2018, Pending Motion OT3rdg, Transportation, SJ 3**

SB 526-FN, relative to school food and nutrition programs. **03/22/2018, Pending Motion Inexpedient to Legislate, Finance, SJ 10**

SB 545-FN, increasing the age for sales and possession of tobacco products. **02/15/2018, Pending Motion Ought to Pass, Health and Human Services, SJ 4**

SB 568-FN, relative to criminal history record checks for school employees and certain volunteers. **03/14/2018, Pending Motion Ought to Pass, Education, SJ 7**

SB 585-FN, authorizing the New Hampshire Breast Cancer Coalition to issue decals for multi-use decal plates. **03/08/2018, Pending Motion OT3rdg, Transportation, SJ 6**

SB 586-FN-A-LOCAL, relative to casino gambling. **04/05/2018, No Pending Motion, Ways and Means, SJ 11**

HB 134-FN, relative to causes for divorce.**04/19/2018, Pending Motion Ought to Pass, Judiciary, SJ 13**

HB 485, relative to standards for emerging contaminants in drinking water, and relative to standards for perfluorochemicals in drinking water, ambient groundwater, and surface water.**04/26/2018, Pending Motion Refer to Finance Rule 4-5, Energy and Natural Resources, SJ 14**

HB 1477-FN, relative to annulment of arrests or convictions for possession of 3/4 of an ounce of marijuana, or less.**04/19/2018, Pending Motion Ought to Pass, Judiciary, SJ 13**

HB 1509-FN, authorizing Granite Pathways to issue decals for multi-use decal number plates.**04/12/2018, Pending Motion Ought to Pass, Transportation, SJ 12**

HB 1513-FN, authorizing the New Hampshire Law Enforcement Officers Memorial Association to issue decals for multi-use decal plates.**04/12/2018, Pending Motion Ought to Pass, Transportation, SJ 12**

HB 1538-FN, authorizing Friends of the Hampton Falls Bandstand, Inc. to issue decals for multi-use decal plates.**04/12/2018, Pending Motion Ought to Pass, Transportation, SJ 12**

HB 1546-FN, authorizing Seacoast Youth Services to issue decals for multi-use decal plates.**04/12/2018, Pending Motion Ought to Pass, Transportation, SJ 12**

HB 1672-FN, prohibiting release of certain information relative to users of therapeutic cannabis to federal agencies.**04/19/2018, Pending Motion Ought to Pass, Judiciary, SJ 13**

HB 1725-FN, relative to wine samples and samples for consumption on the premises of a beverage manufacturer.**04/19/2018, Pending Motion Ought to Pass, Commerce, SJ 13**

HB 1741, relative to a definition of “contracted copayment” for purposes of the managed care law.**04/05/2018, Pending Motion Ought to Pass, Health and Human Services, SJ 11**

HB 1786-LOCAL, prohibiting costs for inspection of governmental records under the right-to-know law.**04/26/2018, Pending Motion Inexpedient to Legislate, Public and Municipal Affairs, SJ 14**

HB 1788-FN-LOCAL, relative to costs charged under the right-to-know law.**04/19/2018, Pending Motion Committee Amendment # 2018-1406s, Judiciary, SJ 13**

CACR 20, relating to the retirement age of judges. Providing that the retirement age of judges be increased.**01/18/2018, No Pending Motion, Judiciary, SJ 2**

CONSENT CALENDAR REPORTS

ENERGY AND NATURAL RESOURCES

HB 1238, relative to animal cruelty involving an equine colt.
Ought to Pass, Vote 5-0.
Senator Bradley for the committee.

This bill is a housecleaning bill that eliminates certain outdated animal cruelty statutes. It also moves colt cruelty provisions under the Criminal Code, making its enforcement and penalties consistent with other sorts of negligent cruelty.

HB 1309, relative to transferring dogs, cats, and ferrets by animal shelter facilities.
Ought to Pass, Vote 5-0.
Senator Bradley for the committee.

This bill is a housekeeping measure to correct an omission that occurred during the re-write of RSA 437 (Sale of Pets and Disposition of Unclaimed Animals) during the 2017-2018 budget process. This bill adds back the requirement that all shelter facilities have a microchip scanner on site and shall maintain a list of recognized pet retrieval agencies.

HB 1488, establishing a committee to study the public utilities commission’s role and scope of duties in a deregulated environment.
Interim Study, Vote 5-0.
Senator Fuller Clark for the committee.

This bill establishes a committee to study the Public Utilities Commission’s role and scope of duties in a deregulated environment. The committee believed it best to blend the duties of the proposed study committee into HB 1796, which renames and restructures the duties of the current Legislative Oversight Committee on Electric Utility Restructuring.

HB 1515, relative to an exemption from the combustion ban on construction and demolition debris. Ought to Pass with Amendment, Vote 5-0.
Senator Avard for the committee.

This bill is enabling legislation that removes regulatory barriers that prevent the use of clean wood extracted from construction and demolition debris in the manufacturing of bio-fuel. This legislation will allow a solid waste to be converted into a fuel that can be distributed and used in New Hampshire, creating jobs and reducing the amount of waste placed in landfills. The debris from these sites will be processed in a manner no less stringent than EPA requirements, ensuring contaminants like lead are removed to prevent a public health hazard.

HB 1550, requiring electric bills to include the cost of compliance with renewable energy standards. Interim Study, Vote 5-0.
Senator Innis for the committee.

This bill requires the cost of compliance with the state's Renewable Portfolio Standard to be included on customers' December bills along with a link to information about the state's Renewable Portfolio Standard. The bill also allows a utility to recover the costs of providing such information through a reduction in their purchase of renewable energy credits (RECs) or in making alternative compliance payments (ACPs). The bill raised some unintended consequences and those effects should be reviewed more thoroughly.

HB 1796, relative to the legislative oversight committee on electric utility restructuring. Ought to Pass with Amendment, Vote 5-0.
Senator Fuller Clark for the committee.

This bill renames and redefines the goals of the Legislative Oversight Committee on Electric Utility Restructuring. This committee has met regularly since its inception to review the progress of New Hampshire's effort to restructure its electricity industry. The bill maintains the existing committee and alters its duties to ensure oversight of the transformations expected from grid modernization. This amendment further expands its duties to examine the Public Utilities Commission's role in a deregulated market.

HEALTH AND HUMAN SERVICES

HB 1261, relative to record management of abuse and neglect reports. Ought to Pass, Vote 5-0.
Senator Hennessey for the committee.

This bill revises the retention requirements for founded, unfounded, unfounded but with reasonable concern, and screened-out reports of abuse and neglect. Under this bill, screened-out reports would be held for 4 years, unfounded held for 10 years, unfounded but with reasonable concern held indefinitely and founded held indefinitely. This bill is similar to Senate Bill 63, which the Senate already has passed. This will be another step forward in ensuring we do what is best for New Hampshire families.

JUDICIARY

HB 1313, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile. Interim Study, Vote 5-0.
Senator Carson for the committee.

This bill would repeal the prohibitions on carrying a loaded firearm on an OHRV or a snowmobile. The Committee believed that the language needs further clarity and examination before it can move forward.

HB 1373, relative to an individual's property right in his or her DNA. Interim Study, Vote 5-0.
Senator Carson for the committee.

This bill would declare that an individual's genetic information and DNA sample are the property of the individual. This is an important issue to address, however the language is confusing and there is potential that this will lead to negative unintended consequences regarding law enforcement investigations.

HB 1377, relative to emancipation by marriage and establishing a committee to study the emancipation of minors. Ought to Pass with Amendment, Vote 5-0.
Senator Hennessey for the committee.

The bill as amended establishes a committee to study the emancipation of minors. The Committee amended the bill to remove the automatic emancipation of minors by marriage, as the issue of emancipation needs to be examined as whole.

HB 1404, relative to the competing harms defense.

Inexpedient to Legislate, Vote 5-0.

Senator Lasky for the committee.

This bill would amend the statute regarding the defense of competing harms, which allows the defense the ability to argue that not acting would be worse than following the law. This is currently allowed in rare cases at the judge's discretion, but this bill would unnecessarily broaden the scope of the statute to any case. Therefore, the Committee supports the motion of Inexpedient to Legislate.

HB 1467, relative to the penalty for driving after revocation or suspension.

Inexpedient to Legislate, Vote 5-0.

Senator Hennessey for the committee.

This bill would modify the penalty for driving after revocation or suspension. Due to the seriousness of a DWI conviction and the subsequent revocation or suspension of a license, it is essential to maintain this penalty within the statute in recognition of the significance of the charge.

HB 1537, relative to a second opinion on health care matters for state or county prisoners.

Interim Study, Vote 5-0.

Senator Carson for the committee.

This bill would permit state and county prisoners to have a second medical opinion from a licensed health care provider. The Committee had significant concerns regarding the inequity this would create due to prisoners' different financial capabilities and the day-to-day application of the law. Therefore, moving this bill interim study will allow those concerns to be examined.

HB 1586, relative to judicial review for underage marriage.

Ought to Pass, Vote 5-0.

Senator Lasky for the committee.

This bill prohibits the court from granting permission for a marriage involving a minor if the other party, except for the marriage, would be guilty of sexual assault. Essentially, this will enshrine in law that if sexual contact between two parties seeking to be married would otherwise be sexual assault, the marriage will not be granted.

HB 1587, relative to the minimum age for marriage.

Ought to Pass, Vote 5-0.

Senator Gannon for the committee.

This bill requires a person to be at least 16 years of age to marry. Currently, NH treats men, women, and same-sex couples all differently in terms of marriage age laws. This establishes one age for all marriages and reinforces the gravity of the decision to marry in regards to our younger citizens.

HB 1774, relative to parenting plans and relocation of a child's residence.

Ought to Pass, Vote 5-0.

Senator French for the committee.

This bill requires parenting plans to include a detailed parenting schedule, revises factors for determining the best interests of the children, and revises the statutory criteria governing relocation. These added requirements will add clarity to these proceedings and help to eliminate contention in these potentially emotionally charged situations.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1294, relative to religious societies.

Ought to Pass with Amendment, Vote 5-0.

Senator Gray for the committee.

This bill repeals certain obsolete statutes relative to the powers and authority of religious societies. The bill also repeals the majority of RSA 307, relative to pew ownership and the sale and repair of meetinghouses.

HB 1392, relative to tallies of votes on budget items or warrant articles.

Ought to Pass with Amendment, Vote 5-0.

Senator Kahn for the committee.

This bill permits the elected municipal budget committee or the elected advisory budget committee to require that the numerical tally of all votes be printed on the affected warrant unless the legislative body has voted otherwise.

REGULAR CALENDAR REPORTS

COMMERCE

HB 1100, establishing a commission to review and evaluate workforce and job training in New Hampshire. Interim Study, Vote 5-0.

Senator Sanborn for the committee.

HB 1285, relative to dancers and entertainers in premises serving alcoholic beverages.

Ought to Pass, Vote 4-0.

Senator Innis for the committee.

HB 1382, repealing the requirement that restaurants provide separate bathrooms for each sex.

Ought to Pass, Vote 3-2.

Senator Innis for the committee.

HB 1487, relative to banks and credit unions.

Ought to Pass, Vote 4-1.

Senator Soucy for the committee.

HB 1519, relative to the conduct of condominium unit owners' associations votes without a meeting.

Ought to Pass, Vote 5-0.

Senator Lasky for the committee.

HB 1521, relative to the definition of an emergency for a special assessment in a condominium.

Ought to Pass, Vote 5-0.

Senator French for the committee.

HB 1578, relative to samples from nano breweries.

Interim Study, Vote 4-1.

Senator Lasky for the committee.

HB 1601, relative to a declarant's options for condominium expansion.

Ought to Pass, Vote 3-2.

Senator Innis for the committee.

HB 1605, relative to reinsurance.

Ought to Pass, Vote 5-0.

Senator French for the committee.

HB 1654, relative to automobile medical payments.

Ought to Pass, Vote 4-1.

Senator French for the committee.

HB 1682-FN, establishing a committee to study the pervasiveness of foreclosure practices that violate state or federal law.

Inexpedient to Legislate, Vote 4-1.

Senator Innis for the committee.

HB 1687, relative to banking and consumer credit.

Ought to Pass, Vote 5-0.

Senator Soucy for the committee.

HB 1690-FN, relative to liquor licenses.

Ought to Pass, Vote 4-0.

Senator French for the committee.

HB 1740, relative to costs of blood testing orders.

Ought to Pass with Amendment, Vote 5-0.

Senator French for the committee.

HB 1781, relative to condominiums with 10 or fewer residential units.

Interim Study, Vote 4-1.

Senator Innis for the committee.

EDUCATION

HB 1498, relative to alternate certification pathways for career and technical education instructors.

Ought to Pass, Vote 4-0.

Senator Kahn for the committee.

HB 1636, establishing a committee to study teacher preparation and education programs.

Ought to Pass with Amendment, Vote 3-1.

Senator Giuda for the committee.

ELECTION LAW AND INTERNAL AFFAIRS

HB 1264, relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.”
Ought to Pass, Vote 3-2.
Senator Birdsell for the committee.

ENERGY AND NATURAL RESOURCES

HB 114, relative to minimum electric renewable portfolio standards.
Interim Study, Vote 4-1.
Senator Bradley for the committee.

HB 317, relative to changes in the system benefits charge.
Ought to Pass with Amendment, Vote 4-0.
Senator Bradley for the committee.

HB 1233, preempting local regulation of seeds and fertilizer.
Ought to Pass, Vote 3-2.
Senator Bradley for the committee.

HB 1402, relative to ordinances regarding forestry activities.
Ought to Pass, Vote 5-0.
Senator Avarad for the committee.

HB 1458, relative to exempting certain rules governing marine species from the administrative procedures act.
Ought to Pass, Vote 4-1.
Senator Fuller Clark for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1254, establishing a committee to study the procedures for adoption of national codes by the state of New Hampshire.
Ought to Pass with Amendment, Vote 4-0.
Senator Reagan for the committee.

HB 1310, establishing a committee to study all non-regulatory boards and commissions.
Inexpedient to Legislate, Vote 3-1.
Senator Reagan for the committee.

HB 1327, relative to apprentice electricians.
Ought to Pass with Amendment, Vote 4-0.
Senator Gannon for the committee.

HB 1472, relative to the state building code provisions for energy conservation in new building construction.
Ought to Pass, Vote 4-0.
Senator Cavanaugh for the committee.

HB 1530, requiring criminal history records checks for applicants for allied health professional licensure or certification.
Ought to Pass with Amendment, Vote 4-0.
Senator Cavanaugh for the committee.

HB 1545, relative to the statewide interoperability executive committee.
Ought to Pass with Amendment, Vote 4-0.
Senator Gannon for the committee.

HB 1603, relative to employee representation on the independent investment committee in the New Hampshire retirement system.
Inexpedient to Legislate, Vote 3-1.
Senator Reagan for the committee.

HB 1805, establishing a committee to study level dollar amortization of retirement system unfunded accrued liability and relative to the retirement system board of trustees.
Ought to Pass, Vote 4-0.
Senator Gannon for the committee.

FINANCE

HB 1104-FN, relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; and relative to online filing with the secretary of state’s office.
Ought to Pass, Vote 6-0.
Senator Daniels for the committee.

HB 1316-FN, relative to revenue collected from concealed carry licenses.
Inexpedient to Legislate, Vote 4-2.
Senator Giuda for the committee.

HB 1356, relative to data sharing between the department of environmental services and the department of health and human services and making an appropriation to the department of business and economic affairs for relocation costs.

Ought to Pass, Vote 5-1.

Senator D'Allesandro for the committee.

HB 1427-FN, relative to the reduction in the calculation of state retirement system annuities at age 65.

Inexpedient to Legislate, Vote 4-2.

Senator Daniels for the committee.

HB 1468, establishing a commission to study legislative oversight activities related to the department of health and human services.

Ought to Pass with Amendment, Vote 5-1.

Senator D'Allesandro for the committee.

HB 1592-FN, requiring the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water.

Inexpedient to Legislate, Vote 3-2.

Senator Reagan for the committee.

HB 1626-FN, requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs.

Ought to Pass with Amendment, Vote 4-2.

Senator Giuda for the committee.

HB 1743-FN, relative to funding for the Sununu Youth Services Center, and unfunded positions in the department of health and human services.

Ought to Pass with Amendment, Vote 6-0.

Senator Reagan for the committee.

HEALTH AND HUMAN SERVICES

HB 1476, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

Interim Study, Vote 3-2.

Senator Avar for the committee.

HB 1562-FN, relative to the role of foster parents.

Ought to Pass with Amendment, Vote 5-0.

Senator Avar for the committee.

HB 1791-FN, allowing pharmacists to disclose information relative to lower cost drugs under the managed care law.

Ought to Pass with Amendment, Vote 5-0.

Senator Avar for the committee.

HB 1809-FN, relative to balance billing under the managed care law.

Ought to Pass with Amendment, Vote 5-0.

Senator Bradley for the committee.

HB 1816-FN, relative to Medicaid managed care.

Ought to Pass with Amendment, Vote 5-0.

Senator Avar for the committee.

HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order.

Ought to Pass, Vote 4-0.

Senator Hennessey for the committee.

JUDICIARY

HB 135, relative to the submission of evidence prior to hearings in divorce cases.

Inexpedient to Legislate, Vote 3-1.

Senator Carson for the committee.

HB 476, relative to the duties of registers of probate.

Interim Study, Vote 3-1.

Senator Carson for the committee.

HB 1295, relative to persons held in civil contempt.

Inexpedient to Legislate, Vote 3-1.

Senator Carson for the committee.

HB 1319, prohibiting discrimination based on gender identity.

Interim Study, Vote 3-2.

Senator French for the committee.

HB 1347, relative to information to be included in the minutes under the right-to-know law.
Ought to Pass with Amendment, Vote 4-1.
Senator Gannon for the committee.

HB 1372, prohibiting the implanting of subcutaneous identification devices in individuals.
Ought to Pass with Amendment, Vote 4-1.
Senator French for the committee.

HB 1443, relative to a jury's determination as to the applicability of a law.
Inexpedient to Legislate, Vote 4-1.
Senator Lasky for the committee.

HB 1627-FN, prohibiting the transmission of images or sounds of another person who is on private property or to conduct surveillance activity.
Interim Study, Vote 2-1.
Senator Carson for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1307, relative to the presentation of a default budget.
Inexpedient to Legislate, Vote 5-0.
Senator Birdsell for the committee.

RULES AND ENROLLED BILLS

CACR 15, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.
Ought to Pass, Vote 3-0.
Senator Avar for the committee.

CACR 16, Relating to privacy. Providing that an individual's right to live free of governmental intrusion is natural, essential, and inherent.
Ought to Pass, Vote 3-0.
Senator Fuller Clark for the committee.

HB 1243, relative to exemptions from property attachments.
Interim Study, Vote 3-0.
Senator Daniels for the committee.

TRANSPORTATION

HB 314, relative to autonomous vehicles.
Ought to Pass with Amendment, Vote 5-0.
Senator Birdsell for the committee.

HB 500, relative to organizations that are authorized to issue decals.
Inexpedient to Legislate, Vote 5-0.
Senator Birdsell for the committee.

HB 1549, relative to the availability of vehicle accident reports.
Ought to Pass, Vote 5-0.
Senator Watters for the committee.

HB 1595, relative to the use of the left lane of a multilane roadway.
Ought to Pass, Vote 5-0.
Senator Ward for the committee.

HB 2018, relative to the state 10-year transportation improvement program.
Ought to Pass with Amendment, Vote 5-0.
Senator Birdsell for the committee.

WAYS AND MEANS

HB 263, relative to facilities licenses for charitable gaming.
Ought to Pass with Amendment, Vote 3-2.
Senator Giuda for the committee.

HB 324, establishing a commission to study utility property valuation and recommend legislation to reform the current system of taxing utility property in New Hampshire.
Ought to Pass with Amendment, Vote 5-0.
Senator Feltes for the committee.

HB 1251, relative to indicia for payment of taxes on the transfer of real property.
Ought to Pass with Amendment, Vote 4-1.
Senator Feltes for the committee.

HB 1260, relative to the payout value of bingo games at private campgrounds and hotels.
Ought to Pass with Amendment, Vote 3-2.
Senator Giuda for the committee.

HB 1276, adding an exemption for certain raffles conducted by charitable organizations.
Ought to Pass with Amendment, Vote 5-0.
Senator Daniels for the committee.

HB 1501-FN, relative to regulation of consultants for games of bingo and lucky 7.
Ought to Pass with Amendment, Vote 3-2.
Senator Giuda for the committee.

HB 1502, adding the utility property tax exclusion for exempt water and air pollution control facilities to tax expenditure review.

Inexpedient to Legislate, Vote 3-2.
Senator Daniels for the committee.

HB 1554-FN, increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes.
Ought to Pass with Amendment, Vote 3-2.
Senator Sanborn for the committee.

HB 1819-FN, relative to administration of the education tax credit.
Ought to Pass, Vote 4-0.
Senator Feltes for the committee.

AMENDMENTS

Senate Ways and Means
April 25, 2018
2018-1784s
08/04

Amendment to HB 263

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

AN ACT relative to facilities licenses for charitable gaming and relative to security requirements for games of chance.

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

2 New Subparagraph; Games of Chance; Surveillance Requirements; Additional Security. Amend RSA 287-D:15, III by inserting after subparagraph (f) the following new subparagraph:

(g) No additional security requirements shall be imposed by any local or state agency without the approval of the commission.

2018-1784s

AMENDED ANALYSIS

This bill:

- I. Allows the leasee of a building to apply for a facilities license.
- II. Removes the requirement of a certificate of good standing from the department of revenue administration.
- III. Removes the limit on facilities licenses that may be issued annually.
- IV. Requires lottery commission approval for additional security requirements for games of chance imposed by a local or state agency.

Senate Transportation
April 18, 2018
2018-1646s
03/10

Amendment to HB 314

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

AN ACT establishing an automated and connected vehicle testing and deployment commission.

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

1 New Subdivision; Automated and Connected Vehicle Testing and Deployment Commission. Amend RSA 265 by inserting after section 161 the following new subdivision:

Automated and Connected Vehicle Testing and Deployment Commission

265:162 Automated and Connected Vehicle Testing and Deployment Commission.

I. There is established an automated and connected vehicle testing and deployment commission.

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

- (a) The director of the office of strategic initiatives, or designee.
- (b) The commissioner of the department of transportation, or designee.
- (c) The commissioner of the department of safety, or designee.
- (d) The commissioner of the insurance department, or designee.
- (e) The director of the division of economic development, or designee.
- (f) The director of the division of state police, or designee.
- (g) The director of the division of motor vehicles, or designee.
- (h) Three members of the house of representatives, one of whom shall be a member of the minority party, appointed by of the speaker of the house of representatives.
- (i) One member of the senate, appointed by the president of the senate.

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

IV. To prepare the state for the use of automated vehicle technologies on public roadways, the commission shall:

- (a) Follow developments in the testing and deployment of automated and connected vehicle technology, including both federal and state laws, regulations, and guidance on the subject.
- (b) Identify all agencies with pertinent jurisdiction to support the testing and deployment of automated and connected vehicles.
- (c) Consider avenues to encourage the development of automated and connected vehicles technologies and their component hardware and software in New Hampshire, and to that end, shall work with both universities and companies in the sector to support innovation and development.
- (d) Examine ways to educate residents on the benefits of automated and connected vehicle technologies, including enhanced mobility, increased safety, more efficient land use, expanded roadway capacity, and reduced environmental impact.
- (e) Review existing state statutes and administrative rules and identify existing statutes or rules that impede the testing and deployment of automated and connected vehicles; such review shall include, but not be limited to, existing laws pertaining to vehicle registration and titling, vehicle insurance requirements, drivers' licenses, and general rules of the road.
- (f) Solicit input from representatives of:
 - (1) New Hampshire colleges and universities.
 - (2) Disabled communities.
 - (3) Elder communities.
 - (4) Public transportation providers.
 - (5) Automated and connected vehicle manufacturers.
 - (6) Automated and connected vehicle technology suppliers.

(7) Automobile dealers.

(8) The trucking industry.

(9) Urban planning professionals.

(10) Any other relevant actors with expertise or interest in the area of automated and connected vehicle technologies.

V. The commission shall be chaired by the director of the office of strategic initiatives, or his or her designee. The first meeting of the commission shall be called by the chairperson and 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 initial findings and any recommendations to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before December 1, 2018, and provide annual reports thereafter every December 1. Such annual reports shall include a summary of commission activities during the period, and may include recommendations for legislative and regulatory consideration.

2 Repeal. RSA 265:162, relative to the automated and connected vehicle testing and deployment commission, is repealed.

3 Effective Date.

I. Section 2 of the act shall take effect December 2, 2022.

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

2018-1646s

AMENDED ANALYSIS

This bill establishes an automated and connected vehicle testing and deployment commission.

Energy and Natural Resources

April 17, 2018

2018-1594s

06/10

Amendment to HB 317

Amend RSA 374-F:3, VI as inserted by section 1 of the bill by replacing it with the following:

VI. Benefits for All Consumers. Restructuring of the electric utility industry should be implemented in a manner that benefits all consumers equitably and does not benefit one customer class to the detriment of another. Costs should not be shifted unfairly among customers. A nonbypassable and competitively neutral system benefits charge applied to the use of the distribution system may be used to fund public benefits related to the provision of electricity. Such benefits, as approved by regulators, may include, but not necessarily be limited to, programs for low-income customers, energy efficiency programs, funding for the electric utility industry's share of commission expenses pursuant to RSA 363-A, support for research and development, and investments in commercialization strategies for new and beneficial technologies. ***Legislative approval of the New Hampshire general court shall be required to increase the system benefits charge. This requirement of prior approval of the New Hampshire general court shall not apply to the full implementation of Order No. 25,932 issued by the commission, dated August 2, 2016.***

2018-1594s

AMENDED ANALYSIS

This bill requires legislative approval for increases in the system benefits charge.

Senate Ways and Means

April 18, 2018

2018-1620s

10/04

Amendment to HB 324

Amend RSA 72:12-e as inserted by section 1 of the bill by deleting paragraph VI and renumbering the original paragraph VII to read as paragraph VI.

Senate Ways and Means
 April 18, 2018
 2018-1622s
 10/04

Amendment to HB 1251

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

AN ACT relative to indicia for payment of taxes on the transfer of real property, and temporarily reducing the real estate transfer tax for first-time home buyers.

Amend the bill by replacing all after section 7 with the following:

8 Tax on Transfer of Real Property; Rate; Exception Added. Amend RSA 78-B:1, I(b) to read as follows:

(b) ***Except as provided in RSA 78-B:1-b***, the rate of the tax is \$.75 per \$100, or fractional part thereof, of the price or consideration for such sale, grant, or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of \$20. The tax imposed shall be computed to the nearest whole dollar.

9 New Section; Rate of Transfer Tax for First-time Home Buyers. Amend RSA 78-B by inserting after section 1-a the following new section:

78-B:1-b Rate of Transfer Tax for First Time Home Buyers. Notwithstanding RSA 78-B:1, I(b), beginning January 1, 2018 the rate of the tax is \$.50 per \$100, or fractional part thereof, of the price or consideration for such sale, grant, or transfer applicable to the buyer for the purchase of a qualifying first home, as follows:

I. The rate of tax provided for in this section shall be applied to the amount of tax owed by and actually paid by the buyer pursuant to RSA 78-B:1 and shall not apply to any amounts paid by the buyer on behalf of the seller.

II. For purposes of this section, the term:

(a) "Qualifying first home" shall mean:

(1) The purchase of residential real estate, the price of which does not exceed \$300,000;

(2) That will be utilized as the buyer's principal residence as defined in Internal Revenue Code Section 121 and related Treasury Regulations; and

(3) That is the buyer's first purchase of residential real estate.

(b) "Buyer" shall mean the purchaser, grantee, assignee, or transferee of any real estate or any interest in real estate.

10 Applicability Date. RSA 78-B:1-b, as inserted by section 9 of this act, shall apply to transfers occurring on and after January 1, 2018.

11 Payment of Tax; Exception Added. Amend RSA 78-B:4, III to read as follows:

III. ***Except as provided in RSA 78-B:1-b***, the rate of tax established in RSA 78-B:1 shall apply to both the purchaser, grantee, assignee, or transferee and the seller, grantor, assignor, or transferor.

12 Prospective Repeal. RSA 78-B:1-b, relative to a transfer tax rate for first-time home buyers, is repealed.

13 Exception Deleted. Amend RSA 78-B:1, I(b) to read as follows:

(b) ~~[Except as provided in RSA 78-B:1-b,]~~ The rate of the tax is \$.75 per \$100, or fractional part thereof, of the price or consideration for such sale, grant, or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of \$20. The tax imposed shall be computed to the nearest whole dollar.

14 Exception Deleted. Amend RSA 78-B:4, III to read as follows:

III. ~~[Except as provided in RSA 78-B:1-b,]~~ The rate of tax established in RSA 78-B:1 shall apply to both the purchaser, grantee, assignee, or transferee and the seller, grantor, assignor, or transferor.

15 Report Required; Department of Revenue Administration. On or before January 1, 2019 and on or before January 1, 2020, the commissioner of revenue administration shall report to the speaker of the house of representatives, the senate president, and the governor on the number of first-time home buyers using the lower transfer tax rate provided in RSA 78-B:1-b and the department's assessment of whether the number of first-time home buyers increased or decreased as a result of the reduced tax rate.

16 Effective Date.

I. Sections 12-14 of this act shall take effect January 1, 2020.

II. Sections 1-7 of this act shall take effect July 1, 2018.

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

2018-1622s

AMENDED ANALYSIS

This bill removes references to stamps to indicate payment of the tax on transfers of real property and certain fees for recording deeds. This bill reduces, for a 2-year period, the rate of the tax on the transfer of real property for first time home buyers, provided the purchase price does not exceed \$300,000. The bill also requires the department of revenue administration to report on the usage of the reduced rate.

Senate Executive Departments and Administration

April 25, 2018

2018-1776s

05/10

Amendment to HB 1254

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

AN ACT establishing a committee to study the procedures for adoption of national codes by the state of New Hampshire and repealing the joint legislative oversight committee on the emergency management system.

Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 7:

6 Repeal. RSA 21-P:51, relative to the joint legislative committee on the emergency management system, is repealed.

2018-1776s

AMENDED ANALYSIS

This bill establishes a committee to study the procedures for adoption of national codes as part of the state building code and state fire code. The bill also repeals the joint legislative committee on the emergency management system.

Senate Ways and Means

April 25, 2018

2018-1785s

08/04

Amendment to HB 1260

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

AN ACT relative to the payout value of bingo games at private campgrounds and hotels, the hours of operation of Keno, and the sale of Lucky 7 tickets during bingo games.

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

2 Keno; Hours of Operation. Amend RSA 284:47, I to read as follows:

I. A licensee may operate keno games at its business between the hours of 11 a.m. and ~~[11 p.m.]~~ **1 a.m.**

3 Lucky 7 Tickets; Sales During Bingo. Amend RSA 287-E:21, II(a)-(b) to read as follows:

(a) The regular meeting place of or a facility owned, leased or utilized by the charitable organization for its activities; ~~[or]~~

(b) Any other location where the sale of lucky 7 tickets is conducted in conjunction with and at the same time as an event sponsored or co-sponsored by the charitable organization, to be held once a year, and will be held for no more than 4 consecutive days; **or**

(c) Lucky 7 tickets sold in conjunction with bingo games may be sold between the hours of 12 p.m. and 1 a.m. on any licensed game date.

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

2018-1785s

AMENDED ANALYSIS

This bill:

- I. Raises the maximum payout value for bingo games at private campgrounds and hotels.
- II. Extends the hours a licensee may operate Keno games.
- III. Allows the sale of Lucky 7 tickets during certain hours of a bingo licensed game date.

Senate Ways and Means

April 18, 2018

2018-1629s

08/05

Amendment to HB 1276

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

AN ACT adding an exemption for certain raffles conducted by charitable organizations and relative to charitable gaming licenses.

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

3 Charitable Gaming Licenses; Expiration Date. Amend RSA 287-D:6, IV and V to read as follows:

IV. Only one license shall be issued to each applicant [~~per year~~] ***in any 12 month period*** to operate games of chance for 10 days, which 10 days need not be consecutive.

V. Licenses shall expire [~~on December 31 of each year~~] ***12 months from the date of issue or after the completion of the tenth game date, whichever comes first.***

2018-1629s

AMENDED ANALYSIS

This bill allows certain raffles to be conducted by charitable organizations without a permit or printed tickets.

This bill also changes the license period for charitable organization licenses for charitable gaming.

Public and Municipal Affairs

April 25, 2018

2018-1775s

05/08

Amendment to HB 1294

Amend the bill by replacing section 6 with the following:

6 Repeal. The following are repealed:

- I. RSA 306:2, relative to taxes raised by religious societies.
- II. RSA 306:3, relative to donations to religious societies.
- III. RSA 306:5, relative to joint donees.
- IV. RSA 306:6, relative to parsonage land.
- V. RSA 306:10, relative to limitations on donations as church income.
- VI. RSA 307:1-6 and RSA 307:8-9, relative to the sale of meetinghouses.
- VII. RSA 307:10-20, relative to the repair, alteration, and removal of meetinghouses.

Senate Executive Departments and Administration
 April 25, 2018
 2018-1780s
 10/05

Amendment to HB 1327

Amend the bill by replacing sections 2 and 3 with the following:

2 New Section; Supervision of Apprentice Electricians. Amend RSA 319-C by inserting after section 2 the following new section:

319-C:2-a Supervision of Apprentice Electricians.

I. A journeyman electrician may have 2 apprentice electricians under his or her direct supervision beginning on the first anniversary of the journeyman electrician's initial date of licensure.

II. Each journeyman electrician on a work site may have 2 apprentice electricians working under his or her direct supervision, to a maximum of 3 journeyman electricians per work site. Each additional journeyman electrician may have one apprentice electrician under his or her direct supervision.

III. Each master electrician on a work site may have 2 apprentice electricians working under his or her direct supervision, to a maximum of 6 master electricians per work site. Each additional master electrician may have one apprentice electrician under his or her direct supervision.

IV. The maximum number of licensed electricians with 2 apprentice electricians working under their direct supervision on a work site shall not exceed 6.

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

Senate Judiciary
 April 24, 2018
 2018-1720s
 01/05

Amendment to HB 1347

Amend RSA 91-A:2, II as inserted by section 1 of the bill by replacing it with the following:

II. Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means of telephone or electronic communication, or in any other manner, shall be open to the public. Except for town meetings, school district meetings, and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not limited to, tape recorders, cameras, and videotape equipment, at such meetings. Minutes of all such meetings, including nonpublic sessions, shall include the names of members, persons appearing before the public bodies, and a brief description of the subject matter discussed and final decisions. ***The names of the members who made or seconded each motion shall be recorded in the minutes.*** Subject to the provisions of RSA 91-A:3, minutes shall be promptly recorded and open to public inspection not more than 5 business days after the meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any public body, or any subordinate body thereof, without exception. Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places one of which may be the public body's Internet website, if such exists, or shall be printed in a newspaper of general circulation in the city or town at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the public body, who shall post a notice of the time and place of such meeting as soon as practicable, and shall employ whatever further means are reasonably available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting of a legislative committee is held, publication made pursuant to the rules of the house of representatives or the senate, whichever rules are appropriate, shall be sufficient notice. If the charter of any city or town or guidelines or rules of order of any public body require a broader public access to official meetings and records than herein described, such charter provisions or guidelines or rules of order shall take precedence over the requirements of this chapter. For the purposes of this paragraph, a business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.

Senate Judiciary
 April 24, 2018
 2018-1734s
 08/10

Amendment to HB 1372

Amend RSA 644:22, I(g) as inserted by section 1 of the bill by replacing it with the following:

(g) "Subcutaneous" means existing or introduced under the skin. For purposes of this section, subcutaneous shall not include information temporarily attached to the skin by means of an adhesive strip or bracelet upon which or within which personal information is maintained or stored.

Senate Judiciary
 April 9, 2018
 2018-1404s
 05/06

Amendment to HB 1377

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

AN ACT establishing a committee to study the emancipation of minors.

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

Amend the bill by replacing section 2 with the following:

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

2018-1404s

AMENDED ANALYSIS

This bill establishes a committee to study emancipation of minors.

Public and Municipal Affairs
 April 26, 2018
 2018-1802s
 06/03

Amendment to HB 1392

Amend RSA 32:5, V-a as inserted by section 1 of the bill by replacing it with the following:

V-a. The legislative body of any town, school district, or village district may vote to require that all votes by an advisory budget committee, a town, school district, or village district budget committee, and the governing body or, in towns, school districts, or village districts without a budget committee, all votes of the governing body relative to budget items or any warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town, school district, or village district warrant next to the affected warrant article. Unless the legislative body has voted otherwise, if a town or school district has not voted to require such tallies to be printed in the town or school district warrant next to the affected warrant article, the governing body, *the elected budget committee, or the budget committee adopted under RSA 32:14* may, [do so] on its own initiative, *require that the tallies of its votes be printed next to the affected article.*

2018-1802s

AMENDED ANALYSIS

This bill permits the budget committee to require that the numerical tally of all votes be printed on the affected warrant unless the legislative body has voted otherwise.

Senate Finance
 April 25, 2018
 2018-1782s
 01/03

Amendment to HB 1468

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

AN ACT establishing a commission to study legislative oversight activities related to the department of health and human services and relative to the nursing home bed moratorium.

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

3 Residential Care and Health Facility Licensing; License or Registration Required. RSA 151:2, VI is repealed and reenacted to read as follows:

(a) No new license shall be issued for, and there shall be no increase in licensed capacity of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat individuals for substance use disorder or mental health issues.

(b) This moratorium shall not prohibit the relocation or transfer of beds to a nursing home, skilled nursing facility, or intermediate care facility; provided that the beds to be transferred or relocated were in existence as of July 1, 2016, that the receiving facility is located in the same county as the facility where those beds were located as of July 1, 2016, and that the action shall not reduce the number of Medicaid beds located in that county. This restriction on transfers shall not apply to any beds transferred from one entity to another before the effective date of this paragraph.

(c) This moratorium shall not prohibit the relocation or transfer of beds to a rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services; provided that the beds to be transferred or relocated were licensed on July 1, 2016. This restriction on transfers shall not apply to any beds transferred from one entity to another before the effective date of this paragraph.

2018-1782s

AMENDED ANALYSIS

This bill establishes a commission to study legislative oversight activities related to the department of health and human services.

This bill also establishes a moratorium on licenses for new health care facilities and increases in licensed capacity in existing facilities, except for rehabilitation facilities whose sole purpose is to treat individuals for substance use disorder or mental health issues.

Senate Ways and Means

April 18, 2018

2018-1631s

08/04

Amendment to HB 1501-FN

Amend RSA 287-E:1, VI-b as inserted by section 1 of the bill by replacing it with the following:

VI-b. "Gaming consultant" means any individual or business entity who is hired by or otherwise receives compensation from a charitable organization to provide gaming related services including consultation, management, assistance with the operation of the bingo games or the sale of lucky 7 tickets, record keeping, filing forms with the commission, advertising, or security and who handles, manages, oversees, or disburses any of the funds derived from the operation of the charitable games.

Energy and Natural Resources

April 25, 2018

2018-1799s

10/01

Amendment to HB 1515

Amend the bill by replacing section 2 with the following:

2 Solid Waste Management; Permit Required. Amend RSA 149-M:9, XIV to read as follows:

XIV. ~~[Notwithstanding any provision of law or rule to the contrary,]~~ The department shall not certify as a waste-derived product the wood component of construction and demolition debris, or any mixture of or derivation therefrom, to be combusted in any manner, except ~~[that]~~:

(a) Methane gas collected from the decomposition of waste at a facility authorized pursuant to this chapter as a landfill for the disposal of solid waste may be certified as a waste-derived product for distribution and use as a fuel, provided that it meets market fuel standards;

(b) As allowed under RSA 125-C:10-c, II(d).

Senate Executive Departments and Administration
April 25, 2018
2018-1778s
10/05

Amendment to HB 1530

Amend RSA 328-F:18-a, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) A criminal history record release form, as provided by the New Hampshire division of state police which authorizes the release of his or her criminal history record, if any, to the office of licensed allied health professionals.

Amend RSA 328-F:18-a, V as inserted by section 1 of the bill by replacing it with the following:

V. Pending the results of a criminal history record check, an applicant for licensure may be employed in a profession of the allied health field on a conditional basis for up to 90 calendar days before the office of licensed allied health professionals receives the results of a criminal history record check required for licensure, if the conditional employee:

- (a) Is under the direct supervision of a licensee;
- (b) Has provided a written attestation to the employer and the board that no disqualifying criminal history exists; and
- (c) The allied health governing board is not a member of an interstate licensure compact.

Senate Executive Departments and Administration
April 25, 2018
2018-1777s
05/10

Amendment to HB 1545

Amend RSA 21-P:48, IV(gg) as inserted by section 1 of the bill by replacing it with the following:

(gg) The director of fire standards and training and emergency medical services, or designee.

Amend RSA 21-P:48, IV(ii)-(kk) as inserted by section 1 of the bill by replacing them with the following:

- (ii) The commissioner of the department of information technology, or designee.
- (jj) The commissioner of the department of corrections, or designee.
- (kk) Not more than 2 representatives of private, broadband technology-related businesses, appointed by the executive management group.
- (ll) Not more than 2 representatives of the university of New Hampshire broadband technology-related business, appointed by the executive management group of the SIEC.
- (mm) Not more than 7 subject matter experts, based on the identified need of the SIEC, appointed by the executive management group.

Senate Ways and Means
April 18, 2018
2018-1621s
10/04

Amendment to HB 1554-FN

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

AN ACT phasing out the tax on interest and dividends.

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

1 Rate; 2020. Amend RSA 77:1 to read as follows:

77:1 Rate. The annual tax upon incomes shall be levied at the rate of [5] **4** percent.

2 Rate; 2021. Amend RSA 77:1 to read as follows:

77:1 Rate. The annual tax upon incomes shall be levied at the rate of [4] **3** percent.

3 Rate; 2022. Amend RSA 77:1 to read as follows:

77:1 Rate. The annual tax upon incomes shall be levied at the rate of [3] **2** percent.

4 Rate; 2023. Amend RSA 77:1 to read as follows:

77:1 Rate The annual tax upon incomes shall be levied at the rate of [2] **1** percent.

5 Repeal; 2024. RSA 77, relative the taxations of incomes, is repealed.

6 Reference to Interest and Dividends Tax Deleted. Amend RSA 14-B:8, III(q) to read as follows:

(q) New Hampshire taxes, specifying if business profits tax[;] **or** business enterprise tax[, ~~or interest and dividends tax~~].

7 Reference to Interest and Dividends Tax Deleted. Amend RSA 15-A:5, I(d)(17) to read as follows:

(17) New Hampshire taxes, specifying if business profits tax[;] **or** business enterprise tax[, ~~or interest and dividends tax~~].

8 Reference to Interest and Dividends Tax Deleted. Amend RSA 21-J:31 to read as follows:

21-J:31 Penalty for Failure to File. Any taxpayer who fails to file a return when due, unless an extension has been granted by the department, shall pay a penalty equal to 5 percent of the amount of the tax due or \$10, whichever is greater, for each month or part of a month during which the return remains unfiled. The total amount of any penalty shall not, however, exceed 25 percent of the amount of the tax due or \$50, whichever is greater. This penalty shall not be applied in any case in which a return is filed within the extended filing period as provided in ~~[RSA 77:18-b,]~~ RSA 77-A:9, RSA 77-E:8, RSA 83-C:6, RSA 83-E:5, RSA 84-A:7, or RSA 84-C:7, or the failure to file was due to reasonable cause and not willful neglect of the taxpayer. The amount of the penalty is determined by applying the percentages specified to the net amount of any tax due after crediting any timely payments made through estimating or other means.

9 Reference to Interest and Dividends Tax Deleted. Amend the introductory paragraph of RSA 21-J:33-a, I to read as follows:

I. If there is a substantial understatement of tax imposed under ~~[RSA 77,]~~ RSA 77-A, RSA 77-E, RSA 78-A, RSA 78-C, RSA 82-A, RSA 83-C, RSA 83-E, or RSA 84-A for any taxable period, there shall be added to the tax an amount equal to 25 percent of the amount of any underpayment attributable to such understatement.

10 Reference to Interest and Dividends Tax Deleted. Amend RSA 21-J:46, III to read as follows:

III. This section shall apply only to tax returns and associated payments under ~~[RSA 77,]~~ RSA 77-A[;] and RSA 77-E.

11 References to Interest and Dividends Tax Deleted; Tax Expenditure Report. Amend RSA 71-C:4, I and II to read as follows:

I. On or before December 15 of every fiscal year the commissioner of the department of revenue administration shall certify in a report to the general court and the governor an analysis of each of the past fiscal year's tax expenditures as identified in RSA 71-C:2, and other credits allowed under ~~[RSA 77,]~~ RSA 77-A, RSA 77-E, RSA 77-G, RSA 78, RSA 78-A, 78-B, RSA 82-A, RSA 83-E, RSA 84-A, RSA 84-C, and RSA 400-A.

II. The report shall be divided into the following parts:

(a) Tax expenditures as determined by the joint committee on tax expenditure review under RSA 71-C:3;

(b) Potential liabilities against the state's revenues, specifically:

(1) Other credits allowed under ~~[RSA 77,]~~ RSA 77-A, RSA 77-E, RSA 77-G, RSA 78, RSA 78-A, RSA 78-B, RSA 82, RSA 82-A, RSA 83-E, RSA 84-A, RSA 84-C, and RSA 400-A against the business profits tax imposed by RSA 77-A; and

(2) Credit carryovers from overpaid taxes.

12 Returns for Interest and Dividends Taxes. All persons who are liable for a tax under RSA 77 as of December 31, 2023, who thereafter are no longer liable for a tax under RSA 77 because of the passage of this act shall make a return of such taxes due the commissioner of revenue administration in such manner and on such forms as the commissioner shall prescribe in rules adopted under RSA 541-A. The administrative provisions of RSA 77 shall remain in effect to permit the collection of taxes upon income taxable under RSA 77 which is received by persons subject to taxation under that chapter through December 31, 2023, and to permit the distribution of that revenue. Persons who are liable for a tax under RSA 77 who do not report the payment of federal income taxes on a calendar year basis are entitled to such proportion of the exemptions allowed in RSA 77 as the reporting period bears to their taxable year.

13 Repeals. The following are repealed:

I. RSA 21-J:45, I(c), relative to reports on status of requested interest and dividends tax refunds.

II. RSA 77-A:4-c, II(c), relative to the duty of a committee to study the taxation of distributions received by investment organizations under the interest and dividends tax.

III. RSA 77, relative to taxation of incomes.

IV. RSA 77-A:4, I, relative to an adjustment to the business profits tax for taxes under RSA 77.

V. RSA 195-H:10, relative to exemption from RSA 77 for income and distributions from qualified tuition programs.

VI. RSA 195-K:4, relative to the exemption from RSA 77 for the achieving a better life experience program.

VII. RSA 261:52-a relative to notice that the interest and dividends tax may be due.

VIII. RSA 391:3 relative to the taxation of common trust funds under RSA 77.

14 Effective Date.

I. Section 1 of this act shall take effect January 1, 2020, and shall apply to tax years ending on or after December 31, 2020.

II. Section 2 of this act shall take effect January 1, 2021 and shall apply to tax years ending on or after December 31, 2021.

III. Section 3 of this act shall take effect January 1, 2022, and shall apply to tax years ending on or after December 31, 2022.

IV. Section 4 of this act shall take effect January 1, 2023, and shall apply to tax years ending on or after December 31, 2023.

V. The remainder of this act shall take effect January 1, 2024.

2018-1621s

AMENDED ANALYSIS

This bill phases out the interest and dividends tax over a 5-year period and repeals the tax on January 1, 2024.

Health and Human Services

April 25, 2018

2018-1772s

05/10

Amendment to HB 1562

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

AN ACT relative to collaboration between the department of health and human services and foster parents and relative to the disposition of interests in condominium units.

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

1 New Subdivision; Foster Parents. Amend RSA 170-E by inserting after section 50 the following new subdivision:

Foster Parents

170-E:51 Collaboration Between the Department of Health and Human Services and Foster Parents. The general court finds that foster parents providing care for children who are in the custody of the department of health and human services play an integral, indispensable, and vital role in the department's effort to care for dependent children displaced from their homes. The general court further finds that it is in the best interest of the department of health and human services to acknowledge foster parents as active and participating members of this system and to support them through the following foster parent rights, as primary caregivers for children in the care and custody of the state of New Hampshire.

170-E:52 Foster Parents. When a child is placed in a foster home pursuant to a juvenile court order:

I. The foster parent shall be treated with consideration and respect.

II. The department of health and human services shall consult with the foster parent prior to the release of the foster parent's address, phone number, or other personally identifying information to the child's parent or guardian.

III. The department of health and human services shall make a representative of the department available 24 hours a day, 7 days a week, for the purpose of aiding the foster parent in caring for the acute needs of the foster child.

IV. The foster parent shall be given timely notice of scheduled meetings and appointments involving the foster child. The foster parent shall:

(a) Be provided with a written copy of information pertinent to the care of the child.

(b) Receive reasonable notice of any changes to the case plan.

(c) Be apprised of the number of times the child has moved from one foster home to another and, as appropriate, the reasons therefor.

(d) Have the ability to request a team meeting to address concerns specific to the child, including participation in development of the child's permanency plan.

V. The foster parent shall be given reasonable notice of any plan to remove a child from the foster home. The notice shall include the reason for the change or termination in placement, provided there is no concern for the safety and welfare of the child.

VI. Pursuant to RSA 169-C:14, the foster parent shall receive notice of all court proceedings, may submit written reports, and, at the court's discretion, may attend such hearings and provide oral reports of the child's behavior, progress, and developmental, educational, and healthcare needs.

2 New Paragraph; Condominium Act; Limitations on Dispositions of Units. Amend RSA 356-B:50 by inserting after paragraph IV the following new paragraph:

V. No unit owner, or owner of a time sharing interest as defined in RSA 356-B:3, XXVIII, shall convey his or her interest in a condominium unit to the condominium unit owners' association without the acceptance of the deed by the condominium board of directors or its managing agent prior to the recordation thereof in the county registry of deeds.

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

2018-1772s

AMENDED ANALYSIS

This bill provides for collaboration between the department of health and human services and foster parents, requires the department to provide foster parents with certain information, and enables foster parents to participate in meetings and court hearings for a child in their care.

The bill also requires the acceptance by the condominium board of directors or its managing agent prior to the conveying and recording of a deed transferring a condominium interest to the unit owners' association.

Senate Finance
 April 25, 2018
 2018-1779s
 01/03

Amendment to HB 1626-FN

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

AN ACT requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs and making an appropriation therefor, and relative to liquor commission shortfalls.

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

4 Appropriation; Department of Health and Human Services. The sum of \$300,000 for the biennium ending June 30, 2019 is hereby appropriated to the department of health and human services for the purposes of sections 1-3 of this act. This appropriation is in addition to any other funds appropriated to the department of health and human services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

5 Revenue Shortfalls; Suspension. RSA 176:16-a, relative to liquor commission revenue shortfalls, is suspended for the biennium ending June 30, 2019.

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

2018-1779s

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services, in conjunction with the governor's commission on alcohol and drug abuse prevention, treatment and recovery, to make an annual report relative to the cost effectiveness and outcomes of programs funded in whole or in part by the governor's commission.

This bill also suspends the law regarding liquor commission shortfalls for the biennium ending June 30, 2019.

Senate Education
 April 10, 2018
 2018-1427s
 04/06

Amendment to HB 1636

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

AN ACT establishing a committee to study teacher preparation and education programs and relative to chartered public school use of unused school district facilities.

Amend section 2 of the bill by replacing paragraph I with the following:

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

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

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

Amend the bill by replacing section 4 with the following:

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

Amend the bill by replacing all after section 5 with the following:

6 New Subdivision; Chartered Public School Use of Unused District Facilities. Amend RSA 194 by inserting after section 60 the following new subdivision:

Chartered Public School Use of Unused District Facilities

194:61 Unused District Facilities.

I. For the purpose of this section, “unused facility” means a school building owned by a school district in which less than 10 percent of the square footage of the school building is used during a school year for direct student instruction and for which no purchase and sale contract has been executed.

II. The superintendent of each school district shall annually report to the department of education each unused facility owned by the school district. The department shall establish and maintain a list of unused facilities owned by each school district and make such list available on the department’s website. If a school district plans to reuse an unused facility within a 12 month period, the school district may exclude the facility from the annual report to the department. However, a school district may exclude an unused facility from the school district’s annual report only once.

III. Each school district shall make an unused facility available to a chartered public school if the facility has been unused for 2 consecutive school years.

IV. A school district that owns an unused facility shall decide whether to sell or lease the facility or unused part of the facility. Once a school district has decided to lease an unused facility, the chartered public school shall have the right of first refusal. If a chartered public school leases the unused facility, it shall be at fair market value or less for a term of 10 years. The chartered public school may renew the lease for one additional 10 year term. The lease shall include ingress to and egress from the facility, and where a part of a facility is leased, the right to access and use of the common area shared by all tenants and users of the facility. If a chartered public school leases the entire facility, the chartered public school may incur debt to make improvements to the facility, and the school district shall subordinate its interest in the lease to such debt.

V. During the term of a lease, a chartered public school shall be responsible for direct expenses related to the facility or the part of the facility leased, including utilities, insurance, maintenance, property taxes, and repairs. If the chartered public school fails to apply for a property tax exemption, a lien shall not attach to the property.

VI. If a school district decides to sell an unused facility a chartered public school shall have the right of first refusal. A school district shall publicly disclose the amount of debt owed on an unused facility within 7 days of an inquiry from a potential buyer. The chartered public school has 6 months after the date of making an offer in writing to complete the purchase of the facility for a price negotiated with the school district. If a chartered public school acquires an unused facility for an amount that is less than the appraised value of the facility, and resells such facility within 10 years of purchase, any amount exceeding the original purchase price, plus any outstanding debt, real estate commissions, and closing costs shall be paid to the school district.

7 Effective Date.

I. Section 6 of this act shall take effect 60 days after its passage.

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

2018-1427s

AMENDED ANALYSIS

This bill establishes a committee to study teacher preparation and education programs. The bill also makes unused school district facilities available to chartered public schools.

Commerce
April 24, 2018
2018-1760s
08/04

Amendment to HB 1740

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

AN ACT relative to costs of blood testing orders and licensing historic racing.

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

3 Limitation; Application of Chapter to Historic Racing. Amend RSA 284:1 to read as follows:

284:1 Limitation. This chapter shall be construed to apply only to running or harness horse racing, whether live, [or] simulcast, **or historic**, or simulcast dog racing.

4 Racing and Charitable Gaming; Historic Racing. Amend RSA 284:6-a, VI to read as follows:

VI. The lottery commission shall not authorize the use of any electronic gaming device in connection with the acceptance of wagers on running or harness horse racing, whether live, **historic**, or simulcast, or simulcast dog racing, the type of which was not in use prior to January 1, 2011, unless specific authorization for such electronic gaming device is enacted by the general court. Electronic gaming devices shall mean and include all electro-mechanical instruments and devices used for the purposes of gaming, other than wagering on live, **historic**, or simulcast horse racing or simulcast dog racing, whether in physical presence or through the Internet, and such shall include, but not be limited to, video slot machines and other gambling devices which function or are designed to function to emulate a video slot machine~~[-or historic racing machine]~~. This section shall not be interpreted to prohibit licensees under RSA 284 from replacing equipment used in the conduct of wagering on live, **historic**, or simulcast horse racing or simulcast dog racing, which type of equipment was in service prior to January 1, 2011, with updated or new equipment which are the functional equivalent of the machines which are being replaced, provided the equipment is not an electronic gaming device as described in the previous sentence. This section shall not be interpreted as prohibiting licensees from accepting account wagers in compliance with applicable rules and regulations.

VII. Notwithstanding the provisions of RSA 284:6-a, VI, the lottery commission shall authorize wagers on historic horse races, whether on an electronic gaming device or otherwise, so long as such wagers meet the requirements of this chapter.

5 Rulemaking; Historic Horse Racing. Amend RSA 284:12, IV to read as follows:

IV. The sale of pari-mutuel pools as authorized under RSA 284:22, [and] RSA 284:22-a, **and RSA 284:22-b**.

6 Investigation Fees. Amend RSA 284:12-a, I to read as follows:

I. No person, association, corporation, or any other type of entity shall hold any live running or harness race or meet, **shall offer wagers on historic horse races**, or shall conduct any simulcast running or harness horse or dog race or meet, at which pari-mutuel pools are sold without a license from the lottery commission.

7 New Section; Requirements for License to Conduct Historic Horse Race Wagering. Amend RSA 284 by inserting after section 15-d the following new section:

284:15-e Requirements for Conducting Historic Horse Race Wagering.

I. Any person, association, corporation, or other type of entity who holds a license under RSA 284 to accept pari-mutuel wagers may accept wagers on historic horse races.

II. Any person who holds a license under RSA 287-D may accept wagers on historic horse races.

8 New Section; Parimutuel Pools on Historic Horse Racing. Amend RSA 284 by inserting after section 22-a the following new section:

284:22-b Pari-mutuel Pools on Historic Horse Racing.

I. In this section:

(a) "Historic horse race" means:

(1) Any horse race, whether running or harness, that was previously conducted at a licensed pari-mutuel facility;

(2) Concluded with official results; and

(3) Concluded without scratches, disqualifications, or dead-heat finishes.

(b) "Licensee" means:

(1) Any person who, as of December 31, 2017, holds a license under RSA 284; or

(2) Any individual, association, partnership, joint venture, corporation, or other organization or entity which holds a license under RSA 287-D and meets the requirements of RSA 284:15.

II. A licensee under this chapter or RSA 287-D may sell pari-mutuel pools on historic horse races provided such sales are within the enclosure of the facility at which the licensee holds a license.

III. In accordance with the provisions of RSA 284:6-a, wagering on historic horse races may take place on electronic gaming devices provided that:

- (a) All wagers use the pari-mutuel method of wagering;
- (b) A licensee at all times maintains at least 2 terminals offering the same type of wager on historic horse races;
- (c) The terminal makes available true and accurate past performance information on each historic horse race prior to the patron making his or her selections;
- (d) The terminal displays a replay of each race, or a portion thereof, whether digital or by way of a video recording, and the official results of each race. The identity of each race shall be revealed to the patron after the patron has placed his or her wager;
- (e) The terminals have been tested by an independent testing laboratory to ensure integrity and proper working order; and
- (f) Each terminal displays pool amounts that the patron will receive for a winning wager on each pari-mutuel wagering pool.

IV. Racing officials, any employee or owner of the person who provides the totalizator system to the licensee, and any person responsible for the operation of the electronic reproduction equipment which operates the historic horse racing and wagering shall be prohibited from participating in wagering, directly or indirectly, on historic horse races offered at the licensee's facility.

V. The licensee commission on all historic horse race pari-mutuel pools shall be at a rate of not greater than 19 percent. In addition to the above commission, 100 percent of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage," shall be credited to the lottery commission. Each licensee shall pay the tax provided for in RSA 284:23.

VI. Each licensee shall collect an amount equal to the tax provided for in RSA 284:23, I(b). Each game operator employer as defined in RSA 287-D who is licensed to conduct wagering on historic horse racing under this chapter shall distribute 35 percent of the amount collected to charitable organizations with whom the game operator contracts on each licensed game date. The remainder of the total amount collected by the game operator employer under this paragraph shall be credited to the lottery commission for use according to the special fund established in RSA 284:21-j.

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

2018-1760s

AMENDED ANALYSIS

This bill clarifies the provision of law relating to the costs of blood testing orders when certain individuals have been exposed to another person's bodily fluids.

This bill also defines and regulates pari-mutuel pools on historic horse racing.

Senate Finance
April 25, 2018
2018-1781s
08/03

Amendment to HB 1743-FN

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

AN ACT relative to funding for the Sununu youth services center and relative to positions at the department of health and human services.

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

1 Appropriation; Department of Health and Human Services; Sununu Youth Services Center. In addition to any other sums appropriated to accounting unit 05-95-42-421510-7916, the sum of \$3,600,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of health and human services for the purpose of funding rehabilitation programs and other operational costs of the Sununu youth services center. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Department of Health and Human Services; Unfunded Positions. Amend 2017, 156:183 to read as follows:

156:183 Department of Health and Human Services; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of health and human services~~[-with prior approval of the fiscal committee of the general court,]~~ may fill unfunded positions during the biennium ending June 30, 2019, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

3 New Paragraph; Commissioner; Report to Fiscal Committee of the General Court. Amend RSA 621:12 by inserting after paragraph II the following new paragraph:

III. The commissioner shall provide a monthly report to the fiscal committee of the general court the average daily census and the estimated monthly cost per resident at the Sununu youth services center.

4 Repeal. RSA 2017, 156:168, II, relative to emergency funding for the operational costs of the Sununu youth services center, is repealed.

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

2018-1781s

AMENDED ANALYSIS

This bill:

I. Makes an appropriation to the department of health and human services for funding rehabilitation programs and other operational costs of the Sununu youth services center.

II. Allows the department of health and human services to fill certain unfunded positions.

III. Requires the commissioner of the department of health and human services to give a monthly report to the fiscal committee of the general court regarding the census and estimated monthly cost per resident at the Sununu youth services center.

IV. Repeals a provision relative to emergency funding for the operational costs of the Sununu youth services center.

Health and Human Services
April 18, 2018
2018-1637s
01/04

Amendment to HB 1791-FN

Amend RSA 420-J:8, XVI as inserted by section 1 of the bill by replacing it with the following:

XVI. No contract between an insurance carrier or pharmacy benefit manager and a contracted pharmacy shall contain a provision prohibiting divulgence to a covered person or the insurance department relative to monetary matters which would prove beneficial in lowering costs to such covered person.

2018-1637s

AMENDED ANALYSIS

This bill declares that a contract between an insurance carrier or pharmacy benefit manager and a contracted pharmacy shall not contain a provision prohibiting the pharmacist from providing certain information to an insured or the insurance department.

Energy and Natural Resources
April 25, 2018
2018-1798s
06/05

Amendment to HB 1796

Amend RSA 374-F:5, III as inserted by section 1 of the bill by replacing it with the following:

III. The committee shall provide an interim report on or before April 1, and an annual report on or before November 1 to the governor, the speaker of the house, the senate president, the state library, and the public utilities commission on ~~[the status of electric utility restructuring, including the status of core energy efficiency programs monitored under RSA 374-F:6]~~ **activities before the public utilities commission and**

other cognizant state agencies in regard to evolving changes in the provision of electric services to New Hampshire customers, including modernization of the electric grid, development of technologies for electric storage, electrification of transportation, the growth of distributed generation, the commission's role in a deregulated market, and such matters as may arise that may present opportunities to improve the delivery of electric services or to reduce cost.

Health and Human Services

April 18, 2018

2018-1638s

01/03

Amendment to HB 1809-FN

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

AN ACT relative to balance billing under the managed care law and relative to coverage for emergency services.

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

1 New Section; Prohibition on Balance Billing; Payment for Reasonable Value of Services. Amend RSA 329 by inserting after section 31-a the following new section:

329:31-b Prohibition on Balance Billing; Payment for Reasonable Value of Services.

I. When a commercially insured patient is covered by a managed care plan as defined under RSA 420-J:3, XXV, a health care provider performing anesthesiology, radiology, emergency medicine, or pathology services shall not balance bill the patient for fees or amounts other than copayments, deductibles, or coinsurance, if the service is performed in a hospital or ambulatory surgical center that is in-network under the patient's health insurance plan. This prohibition shall apply whether or not the health care provider is contracted with the patient's insurance carrier.

II. Pursuant to paragraph I, fees for health care services submitted to an insurance carrier for payment shall be limited to a commercially reasonable value, based on payments for similar services from New Hampshire insurance carriers to New Hampshire health care providers.

III. In the event of a dispute between a provider and an insurance carrier relative to the reasonable value of a service under this section, the insurance commissioner shall have exclusive jurisdiction under RSA 420-J:8-e to determine if the fee is commercially reasonable. The provider and the insurance carrier shall each make best efforts to resolve any dispute prior to applying to the insurance commissioner for resolution, which shall include presenting to the other party evidence supporting its contention that the fee level it is proposing is commercially reasonable. The department of insurance may require the parties to engage in mediation prior to rendering a decision.

2 New Section; Reasonable Value of Health Care Services. Amend RSA 420-J by inserting after section 8-d the following new section:

420-J:8-e Reasonable Value of Health Care Services. In the event of a dispute between a health care provider and an insurance carrier relative to the reasonable value of a service under RSA 329:31-b, the commissioner shall have exclusive jurisdiction to determine if the fee is commercially reasonable. Either the provider or the insurance carrier may petition for a hearing under RSA 400-A:17. The petition shall include the appealing party's evidence and methodology for asserting that the fee is reasonable, and shall detail the efforts made by the parties to resolve the dispute prior to petitioning the commissioner for review. The department may require the parties to engage in mediation prior to rendering a decision.

3 New Subparagraph; Network Adequacy; Rulemaking. Amend RSA 420-J:7, II by inserting after subparagraph (d) the following new subparagraph:

(e) Standards for addressing in-network access to hospital based providers, such as anesthesiologists, radiologists, pathologists, and emergency medicine physicians.

4 New Paragraph; Network Adequacy; Report Required. Amend RSA 420-J:7 by inserting after paragraph IV the following new paragraph:

V. The commissioner shall provide a report annually on the findings associated with network adequacy review to the chairpersons of the house and senate committees having jurisdiction over insurance issues.

5 Coverage for Emergency Services; Definitions. Amend the introductory paragraph of RSA 417-F:1, I to read as follows:

I. "Emergency services" means health care services that are provided to an enrollee, insured, or subscriber in a licensed hospital emergency facility by a provider after the sudden onset of a medical condition that manifests itself by symptoms of sufficient severity ***that a prudent layperson with average knowledge of health and medicine could reasonably expect*** that the absence of immediate medical attention could be expected to result in any of the following:

6 Managed care Law; Emergency Medical Condition. RSA 420-J:3, XV is repealed and reenacted to read as follows:

XV. "Emergency medical condition" means the sudden and, at the time, unexpected onset of a health condition that requires immediate medical attention such that a prudent layperson with average knowledge of health and medicine could reasonably expect that failure to provide medical attention could result in serious impairment to bodily functions or serious dysfunction of a bodily organ or part, or could place the person's health in serious jeopardy.

7 Managed Care Law; Emergency Services. Amend the introductory paragraph of RSA 420-J:3, XVI to read as follows:

XVI. "Emergency services" means health care services that are provided to an enrollee, insured, or subscriber in a licensed hospital emergency facility by a provider after the sudden onset of a medical condition that manifests itself by symptoms of sufficient severity ***that a prudent layperson with average knowledge of health and medicine could reasonably expect*** that the absence of immediate medical attention could ~~[be expected to]~~ result in any of the following:

8 Report. The insurance commissioner shall make a report on or before July 1, 2020 detailing the impact of RSA 329:31-b as inserted by section 1 of this act and RSA 420-J:8-e as inserted by section 2 of the act on health insurance premium rates to the chairpersons of the house and senate committees having jurisdiction over insurance issues.

9 Effective Date. This act shall take effect July 1, 2018.

2018-1638s

AMENDED ANALYSIS

This bill prohibits balance billing under the managed care law.

This bill also clarifies coverage for emergency services.

Health and Human Services

April 25, 2018

2018-1770s

01/04

Amendment to HB 1816-FN

Amend the bill by replacing section 1 with the following:

1 New Subparagraphs; Medicaid Managed Care Program; Waiver; Eligibility; Medical Loss Ratio. Amend RSA 126-A:5, XIX by inserting after subparagraph (g) the following new subparagraphs:

(h) The commissioner shall develop and implement enhanced eligibility screening to stop per member/per month payments to managed care organizations in a timely manner for services for persons who are no longer eligible.

(i) Notwithstanding RSA 126-A:5, XIX(a) and 2017, 258:1, long-term supports and services, including, specifically nursing facility services and services provided under the choices for independence waiver, the developmental disabilities waiver, the in-home supports waiver, and the acquired brain disorder waiver, as those waivers are issued by the Centers for Medicare and Medicaid Services under 42 U.S.C. section 1396(c), shall not be incorporated into the department's care management program for delivery by a managed care organization, as defined in RSA 126-A:5, XIX (c)(3), under contract with the state. The department may develop a plan to offer on a voluntary basis only county or other locally-based Programs of the All Inclusive Care for the Elderly (PACE) or similar accountable care organization (ACO) models to provide on a non-fee-for-service

basis nursing facility and choices for independence home care services for beneficiaries who voluntarily elect to participate. Any such plan for voluntary PACE and/or ACO models shall be approved by the oversight committee on health and human services, established in RSA 126-A:13, and the fiscal committees of the general court prior to implementation.

2018-1770s

AMENDED ANALYSIS

This bill declares that the remaining unimplemented phases of step 2 of the program shall not be incorporated into the department of health and human services' care management program for delivery by a managed care organization. This bill also requires the commissioner of the department of health and human services to implement enhanced eligibility screening.

Senate Transportation

April 26, 2018

2018-1807s

06/01

Amendment to HB 2018

Amend the bill by replacing section 3 with the following:

3 Department of Transportation; Nashua-Manchester-Concord. The project named Nashua-Manchester-Concord, project number 40818, shall be modified to delete the development study for a rail corridor project and the project to design and develop a financial plan for bus service expansion from Concord to Nashua, or other eligible Boston UZA bus services, including parking facilities at existing and new bus terminals.

Amend the bill by replacing section 11 with the following:

11 Project Removed. The project named Hooksett, project number 24862 using 100 percent state aid highway program funds shall be removed from the 10-year transportation improvement plan 2019-2028 based on the elimination of the state aid highway funding.

Amend the bill by inserting after section 18 the following and renumbering the original section 19 to read as 21:

19 Project Restored. The project named Tilton, project number 29753, to reconstruct and re-classify 1.97 miles of Calef Hill Road shall be revised in the 10-year transportation improvement plan with engineering totaling \$256,375 in fiscal year 2020 and construction totaling \$2,336,795 for the biennium ending June 30, 2021, contingent on future funds appropriated by the general court.

20 Department of Transportation; Town of Hudson. The department of transportation is authorized to work with the town of Hudson to plan, engineer, and construct a roadway compatible with turnpike standards within the southern portion of a circumferential highway right-of-way between N.H. Route 3A and N.H. Route 111 in Hudson. Planning, engineering, and construction shall be funded solely with town funds.

2018-1807s

AMENDED ANALYSIS

This bill:

- I. Adopts the 10-year transportation improvement plan for 2019-2028.
- II. Adds a corridor study of Route 114 in the town of Goffstown.
- III. Authorizes the department of transportation to construct and implement all electronic tolling, if feasible.
- IV. Authorizes construction and implementation of all electronic tolling (AET) at Dover and Rochester toll plaza locations and at the Bedford mainline toll plaza.
- V. Requires the department of transportation to make available an optional system of anonymous transponders.
- VI. Provides funding for construction of electronic tolling or open road tolling plazas, consultant services for the public private partnership infrastructure oversight committee, and improvements to central New Hampshire turnpike.
- VII. Moves construction funding for the project named Bedford-Merrimack from 2019 to 2020.

VIII. Removes funding for the project named Conway, project number 40018.

IX. Removes the project named Hooksett from the 10-year transportation improvement plan 2019-2028.

X. Restores and revises the project named Tilton, project number 29753.

XI. Designates \$100,000 of turnpike funds for the use of the public-private partnership infrastructure oversight commission.

XII. Amends the project named Newington-Dover.

XIII. Amends the scope of the project named Walpole-Charlestown and the project named Windham.

XIV. Moves funding for construction of the project named Nashua-Merrimack-Bedford-Manchester from 2022 through 2026 to 2021 through 2025.

XV. Moves funding for construction of the project named Manchester from 2026 to 2025.

XVI. Adds a project named Conway, previously removed from the state 10-year transportation plan, to the plan.

XVII. Authorizes the department of transportation to plan, engineer, and construct a highway in Hudson with town funds.

HEARINGS

MONDAY, APRIL 30, 2018

FINANCE, Room 103, SH

Sen. Daniels (C), Sen. Reagan (VC), Sen. Giuda, Sen. Morse, Sen. D'Allesandro, Sen. Feltes

2:30 p.m. Hearing on proposed Amendment #2018-1517s, relative to the interest charged on late and delinquent property tax payments and relative to prorated assessments for damaged buildings, to HB 1673-FN-LOCAL, relative to the interest charged on late and delinquent property tax payments.

2:45 p.m. Hearing on proposed Amendment #2018-1816s, establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account, to HB 1817-FN, establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; and relative to the inclusion of a demographic analysis as part of the legislative fiscal note process.

EXECUTIVE SESSION ON PENDING LEGISLATION

TUESDAY, MAY 1, 2018

HEALTH AND HUMAN SERVICES, Room 101, LOB

Sen. Bradley (C), Sen. Avarad (VC), Sen. Gray, Sen. Fuller Clark, Sen. Hennessey

1:00 p.m. The committee will meet to discuss Senate bills amended by the House and Committee of Conference requests.

MEETINGS

FRIDAY, APRIL 27, 2018

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

9:00 a.m.

Room 307, LOB

Regular Meeting

NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22)

1:00 p.m.

Room 100, SH

Regular Meeting

MONDAY, APRIL 30, 2018**COMMISSION TO STUDY THE LEGALIZATION, REGULATION, AND TAXATION OF MARIJUANA (RSA 318-B:46)**

10:00 a.m.

Room 202, LOB

Regular Meeting

COMMITTEE TO STUDY EDUCATION FUNDING AND THE COST OF AN OPPORTUNITY FOR AN ADEQUATE EDUCATION (HB 356, Chapter 190:1, Laws of 2017)

10:00 a.m.

Room 209, LOB

Regular Meeting

COMMISSION TO STUDY THE APPORTIONMENT OF GROSS BUSINESS PROFITS UNDER THE BUSINESS PROFITS TAX (RSA 77-A:23)

1:00 p.m.

Room 100, SH

Regular Meeting

JOINT LEGISLATIVE COMMITTEE TO EXAMINE THE INDEPENDENT REVIEW OF THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES (HB 517, Chapter 156:244, Laws of 2017)

1:00 p.m.

Room 205, LOB

Regular Meeting

PUBLIC SCHOOL INFRASTRUCTURE COMMISSION (RSA 198:15-z)

1:30 p.m.

Room 209, LOB

Regular Meeting

TUESDAY, MAY 1, 2018**LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)**

1:00 p.m.

Room 104, LOB

Regular Meeting

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2)

5:00 p.m.

NH National Guard Regional
Training Institute
722 Riverwood Drive
Pembroke, NH

Regular Meeting

FRIDAY, MAY 4, 2018**COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k)**

1:00 p.m.

Room 100, SH

Regular Meeting

FRIDAY, MAY 11, 2018**STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)**

9:30 a.m.

Room 101, LOB

Regular Meeting

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

10:00 a.m.

Room 205, LOB

Regular Meeting

1:00 p.m.

Room 205, LOB

Subcommittee Meeting - Foster Care

MONDAY, MAY 14, 2018**COMMISSION TO STUDY CURRENT MENTAL HEALTH PROCEDURES FOR INVOLUNTARY COMMITMENT (RSA 135-C:63-c)**

1:00 p.m.

Room 206, LOB

Regular Meeting

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

1:30 p.m.

Room 205, LOB

Regular Meeting

TUESDAY, MAY 15, 2018

EMERGENCY MANAGEMENT SYSTEM JOINT LEGISLATIVE OVERSIGHT COMMITTEE (RSA 21-P:51)

10:00 a.m. Room 304, LOB Regular Meeting

THURSDAY, MAY 17, 2018

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

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

FRIDAY, MAY 18, 2018

ADMINISTRATIVE RULES (RSA 541-A:2)

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

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a)

9:00 a.m. NH Public Utilities Commission Regular Meeting
Hearing Room A
21 South Fruit Street
Suite 10
Concord, NH

FISCAL COMMITTEE (RSA 14:30-a)

10:00 a.m. Rooms 210-211, LOB Regular Business

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

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

OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 170-G:19)

1:00 p.m. Rooms 305-307, LOB Regular Meeting

SUNDAY, MAY 20, 2018

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1)

1:00 p.m. NH Technical Institute Regular Meeting
Sweeney Crocker Building
Room 225
Concord, NH

MONDAY, MAY 21, 2018

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

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

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)

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

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

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

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

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

THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD (RSA 170-G:6-a)

2:00 p.m.

Room 307, LOB

Regular Meeting

WEDNESDAY, MAY 23, 2018**COUNCIL FOR YOUTHS WITH CHRONIC CONDITIONS (RSA 126-J:1)**

6:00 p.m.

Upham-Walker House
18 Park Street
Concord, NH

Regular Meeting

THURSDAY, MAY 24, 2018**COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T)**

2:00 p.m.

NH Medical Society
7 North State Street
Concord, NH

Regular Meeting

FRIDAY, JUNE 1, 2018**COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73)**

10:00 a.m.

Room 205, LOB

Regular Meeting

FRIDAY, JUNE 15, 2018**NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2)**

10:00 a.m.

Room 203, LOB

Regular Meeting

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SENATE BILLS AMENDED BY THE HOUSE**SENATE BILLS: 84, 300, 336, 339, 342, 351, 374, 385, 393, 411, 433, 443, 456, 489, 491, 493, 496, 498, 500, 506, 507, 510, 544, 553, 556**

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HOUSE BILLS AMENDED BY THE SENATE**HOUSE BILLS: 225, 252, 298, 372, 390, 549, 561, 587, 1215, 1265, 1273, 1286, 1354, 1473, 1495, 1496, 1506, 1577, 1612, 1637, 1661, 1697, 1719, 1738, 1753, 1761**

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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 2017-2018 BILLS:**SENATE BILLS: 2, 7, 63, 88, 128, 132, 164, 165, 172, 193, 197, 205, 215, 224, 240, 247, 301, 309, 310, 324, 332, 334, 365, 370, 372, 376, 390, 391, 396, 408, 410, 411, 429, 432, 446, 450, 468, 471, 496, 497, 498, 504, 520, 525, 526, 527, 528, 529, 531, 533, 534, 535, 538, 539, 541, 544, 546, 548, 553, 555, 556, 557, 558, 559, 560, 561, 563, 564, 565, 566, 569, 571, 573, 574, 575, 576, 577, 582, 590, 592****HOUSE BILLS: 79, 101, 124, 134, 141, 225, 314, 388, 485, 549, 559, 560, 561, 574, 587, 1104, 1252, 1286, 1308, 1352, 1411, 1415, 1416, 1418, 1427, 1428, 1471, 1501, 1506, 1562, 1564, 1565, 1578, 1592, 1626, 1682, 1686, 1690, 1692, 1697, 1715, 1718, 1719, 1720, 1725, 1731, 1743, 1746, 1753, 1769, 1775, 1782, 1809, 1817, 1819, 1822**

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ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2017-2018 BILLS:

SENATE BILLS: 48, 247, 315, 469

HOUSE BILLS: 1258, 1335, 1370, 1378, 1389, 1453, 1551, 1575, 1606, 1665

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NOTICES

The Legislative Youth Advisory Council is looking for recommendations of young people, age 15-22, who would be interested in serving on the council. Created in 2006, LYAC is a statutory committee which serves as a link between young people and New Hampshire government, and advises the legislature on issues of concern to youth. Please forward any recommendations to NHLegislativeYouth@gmail.com by June 20. Thank you.

Senator Jay Kahn

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TUESDAY, MAY 1, 2018

All legislators and staff are invited to try a free acupuncture treatment sponsored by the New England Public Health Acupuncture Network on Tuesday, May 1st from 9:00 a.m. to 4:00 p.m. in Room 104, LOB.

Senator Jeb Bradley, Senate Majority Leader

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TUESDAY, MAY 1, 2018

The New Hampshire Rare Action Network cordially invites all Legislators and staff to attend a reception for Rare Disease Day in the State House cafeteria on Tuesday, May 1st, from 11:00 a.m. to 2:00 p.m. This is a wonderful opportunity to meet some of your constituents living with rare diseases and learn about how legislation affects the rare disease community. Light refreshments will be provided.

Senator Dan Feltes

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WEDNESDAY, MAY 2, 2018

On Wednesday, May 2nd, during the House session lunch break, lunch will be provided at St. Paul's Church. Find out how Family Resource Centers are critical to NH's children and families' future health and prosperity. Presentation by Wellness & Primary Prevention Council members and Spark NH.

Senator Jeff Woodburn, Senate Minority Leader

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WEDNESDAY, MAY 2, 2018

The Consul General of Canada to New England, Mr. David Alward, invites all legislators to a reception with Canada's Minister of Health, The Honourable Ginette Petitpas Taylor at the Concord Holiday Inn on Wednesday, May 2nd from 5:30 p.m. to 7:30 p.m. The Minister will discuss the importance of the Canada-New Hampshire trade relationship and the impact of modernizing NAFTA. Please RSVP to Alexandra.priest@internatioanl.gc.ca or 617-247-5121 by April 29th.

Senator Lou D'Allesandro

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THURSDAY, MAY 3, 2018

It's that time! The NH Oral Health Coalition invites all legislators to join us for our Annual Legislative Breakfast, "Banding Together for NH's Oral Health," on Thursday, May 3 from 7:30 a.m. to 9:00 a.m. in the State House Cafeteria. A hot breakfast will be served by Elizabeth's Kitchen. As always, local community oral health providers will be there with displays and information. RSVP to: info@nhoralhealth.org or call 603-415-5550.

Senator Jeff Woodburn, Senate Minority Leader

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THURSDAY, MAY 3, 2018

The New Hampshire Beverage Association (NHBA) cordially invites all House and Senate members to enjoy lunch on Thursday, May 3rd in the State House Cafeteria. NHBA member companies will be in attendance with samples that demonstrate the options they offer in the marketplace. Please stop by for lunch and to learn more about the beverage industry's efforts to provide choice for consumers. See you there!

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

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THURSDAY, MAY 3, 2018

The University of New Hampshire is hosting the third annual University Day on the State House lawn on Thursday, May 3 from 11 a.m. to 1 p.m. Enjoy a BBQ lunch provided by UNH's award-winning dining services and music by a student band. Explore a wide range of exhibits and interactive demonstrations led by world-renowned researchers, students, faculty and staff at UNH. Learn more about how the education, research, programs and activities at your state flagship university benefit the Granite State.

Senator Lou D'Allesandro

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TUESDAY, MAY 8, 2018

All Senators and staff are invited to the Biennial Legislative Health Screening Day presented by Health Services. This event will be held on Tuesday, May 8th on the 3rd floor of the LOB from 9:00 a.m. to 1:00 p.m. There will be screenings for blood pressure, blood sugar, glaucoma and fall prevention balance. Chair massages, nutritional counseling and many more organizations will be available. Got questions? Bring them to our participating professionals including dentists, pharmacists and optometrists 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 Jeb Bradley, Senate Majority Leader
Senator Jeff Woodburn, Senate Minority Leader

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FRIDAY, MAY 18, 2018

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Association cordially invites you to attend the 26th Annual New Hampshire Law Enforcement Officers Memorial Ceremony, to honor the Law Enforcement Officers throughout the State of New Hampshire who have made the ultimate sacrifice and died in the line of duty while protecting the citizens of the State. The Ceremony will be held Friday, May 18th, beginning promptly at 9:45 a.m., at the Memorial Site in front of the of the Legislative Office Building. The Ceremony will proceed rain or shine. A light luncheon will be served immediately following the Annual Ceremony. Please do not hesitate to contact Colonel Kevin Jordan at the New Hampshire Fish and Game Department at 603-271-3128 if you have any questions.

Senator Chuck W. Morse, Senate President

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THURSDAY, MAY 24, 2018

On Thursday, May 24, 2018 from 7:30 am - 9:30 am, the members of the National Association of Insurance and Financial Advisors (NAIFA) cordially invite all Senators, Representatives and staff to an End of Session reception in the State House cafeteria where an executive continental breakfast will be served. NAIFA members live throughout New Hampshire. They are your local insurance and financial advisors who assist residents with life, health, disability, and long-term care insurance as well as investment products. Please come by to meet NAIFA members and learn more about the services they provide in our state.

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

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SENATE SCHEDULE

Thursday, May 3, 2018	Deadline to ACT on all House bills.
Thursday, May 10, 2018	Deadline to FORM Committees of Conference.
Thursday, May 17, 2018	Deadline to SIGN Committee of Conference Reports.
Thursday, May 24, 2018	Deadline to ACT on Committee of Conference Reports.
Monday, May 28, 2018	Memorial Day (State Holiday)
Wednesday, July 4, 2018	Independence Day (State Holiday)
Monday, September 3, 2018	Labor Day (State Holiday)
Monday, November 12, 2018	Veterans' Day (State Holiday)
Thursday, November 22, 2018	Thanksgiving Day (State Holiday)
Friday, November 23, 2018	Day after Thanksgiving (State Holiday)
Tuesday, December 25, 2018	Christmas Day (State Holiday)