

September 6, 2018  
No. 34

# STATE OF NEW HAMPSHIRE

Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)



**Second Year of the 165<sup>th</sup> Session of the  
New Hampshire General Court**

## SENATE CALENDAR

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**THE SENATE WILL MEET IN SESSION FOR VETO DAY ON  
THURSDAY, SEPTEMBER 13, 2018 AT 11:00 A.M. IN ROOMS 210-211, LOB**

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## VETO MESSAGES

June 19, 2018

### Governor's Veto Message Regarding Senate Bill 365 and Senate Bill 446

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 19th, 2018, I have vetoed Senate Bill 365, relative to the use of renewable generation to provide fuel diversity and Senate Bill 446, relative to net energy metering limits for customer-generators.

Senate Bills 365 and 446 combined would cost New Hampshire electric ratepayers approximately \$100 million over the next three years. New Hampshire has some of the highest electric rates in the country, placing financial strain on the elderly, those on fixed incomes and the business community. These bills send our state in exactly the wrong direction. We need to be taking steps to lower electric rates, not passing legislation that would cause massive increases.

Senate Bill 365 creates another immense subsidy for New Hampshire's six independent biomass plants. It would cost New Hampshire ratepayers approximately \$25 million a year over the next 3 years, on top of the subsidy for these plants that already became law last year through Senate Bill 129. Furthermore, Senate Bill 365 doesn't even guarantee solvency of these facilities and in fact, those who supply the wood product have confirmed that the maximum impact to their revenue would be a mere 3.5%. It harms our most vulnerable ratepayers and our job creators for the benefit of a select few.

While I agree that expanding net metering could be a benefit to our state, Senate Bill 446 would cost ratepayers at least \$5 to 10 million annually and is a handout to large scale energy developers. These immense projects should use incentives already available and compete on their own merits. The businesses and working families of our state should not have to provide additional unjust taxation through higher electric bills. We should take the time necessary to study the effects of the recent Public Utilities Commission order on net metering before massively increasing the scale of projects that rely on ratepayer subsidies.

Consistent with our state's 10 Year Energy Strategy, I am committed to working to encourage and advance renewable energy generation and fuel diversity without unjustly burdening the ratepayers of New Hampshire.

For the reasons stated above, I have vetoed Senate Bill 365 and Senate Bill 466.

Respectfully submitted,

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Christopher T. Sununu  
Governor

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June 21, 2018

### Governor's Veto Message Regarding Senate Bill 593

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 21st, 2018, I have vetoed Senate Bill 593, relative to the penalty for capital murder.

Senate Bill 593 would abolish the death penalty in New Hampshire. While I respect the arguments made by proponents of Senate Bill 593, I stand with crime victims, members of the law enforcement community, and advocates for justice in opposing this bill. New Hampshire does not take the death penalty lightly, and we use it only sparingly. No one has been executed in New Hampshire since 1939, and we currently have only one person on death row.

In the most heinous cases where the death penalty may be imposed, New Hampshire is second to none when it comes to protecting defendants' rights and ensuring a fair process. While opponents of the death penalty cite cases from other states where individuals were either wrongfully convicted or did not receive an

adequate defense, such cases have not occurred in this State. Our public defender program is among the best in the country. In addition, a defendant cannot receive the death penalty unless a jury of twelve citizens, in a separate sentencing phase, unanimously votes to recommend a sentence of death. I have confidence in the judgement of our citizens and in our criminal justice system, and believe that New Hampshire can continue to apply the death penalty in a sparing, fair and just manner.

During the past thirty years, governors of both parties have either opposed the repeal of the death penalty or expanded its scope. In 2000, Governor Jeanne Shaheen vetoed a death penalty repeal bill, stating “I believe that there are some murders that are so brutal and heinous that the death penalty is the only appropriate penalty.” In 2011, Governor John Lynch signed a bill expanding the application of the death penalty to home invasions. This expansion came in the wake of one of the most heinous crimes ever committed in our State, the Cates murder. This crime was a home invasion that resulted in the murder of a mother and the severe injury of her daughter. Kimberly Cates was stabbed 32 times and her twelve year old daughter was stabbed 18 times. David Cates, Kimberly’s husband, testified in favor of expanding the death penalty in 2011. To repeal the death penalty in its entirety today would deprive the Cates’ and other crime victims of the justice they deserve.

Abolishing the death penalty in New Hampshire would send the wrong message to those who commit the most heinous offenses within our State’s borders, namely that New Hampshire is a place where a person who commits an unthinkable crime is guaranteed leniency. New Hampshire is not and will never be a safe haven for those who would murder a police officer, cause a death during the commission of an aggravated sexual assault or home invasion, or commit any other capital offense. If a person chooses to commit such an unspeakable act in our State, that person should know that a jury of their peers may elect to impose the ultimate justice.

The arguments made by the proponents of this bill must give way to our obligation to support our law enforcement community, deliver justice for crime victims, and protect New Hampshire’s citizens by preserving the death penalty as the ultimate legal deterrent to the commission of heinous crimes.

For the reasons stated above, I have vetoed Senate Bill 593.

Respectfully submitted,

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Christopher T. Sununu  
Governor

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## LAI D 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 1313**, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile.**05/03/2018, Pending Motion Ought to Pass, Judiciary, SJ 16**

**HB 1382**, repealing the requirement that restaurants provide separate bathrooms for each sex.**05/02/2018, Pending Motion Ought to Pass, Commerce, SJ 15**

**HB 1427-FN**, relative to the reduction in the calculation of state retirement system annuities at age 65.**05/03/2018, No Pending Motion, Finance, SJ 16**

**HB 1477-FN**, relative to annulment of arrests or convictions for possession of 3/4 of an ounce of marijuana, or less.**05/03/2018, 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 1549**, relative to the availability of vehicle accident reports.**05/02/2018, Pending Motion Ought to Pass, Transportation, SJ 15**

**HB 1554-FN**, increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes.**05/02/2018, Pending Motion Ought to Pass, Ways and Means, SJ 15**

**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**

## MEETINGS

### *MONDAY, SEPTEMBER 10, 2018*

#### **COASTAL MARINE NATURAL RESOURCES AND ENVIRONMENT COMMISSION (RSA 485-G:1)**

9:00 a.m.	NHDES Regional Offices Pease International Tradeport 222 International Drive, Suite 175 Portsmouth, NH	Regular Meeting
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#### **COMMITTEE TO STUDY EMANCIPATION OF MINORS (RSA 21-B:3)**

9:30 a.m.	Room 206, LOB	Organizational Meeting
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#### **COMMISSION TO STUDY AND EVALUATE THE IMPACT OF THE DISCHARGE OF STATE PRISONERS (RSA 622:59)**

10:00 a.m.	Room 100, SH	Organizational Meeting
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#### **COMMISSION TO STUDY THE LEGALIZATION, REGULATION, AND TAXATION OF MARIJUANA (RSA 318-B:46)**

10:00 a.m.	Room 202, LOB	Regular Meeting
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#### **NH COURT ACCREDITATION COMMISSION (RSA 490:5-a)**

1:00 p.m.	NH Supreme Court 1 Charles Doe Drive Concord, NH	Regular Meeting
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#### **COMMITTEE TO STUDY THE FEASIBILITY OF USING HEMP IN AGRICULTURAL AND INDUSTRIAL PROCESSES AND TO FURTHER STUDY THE LICENSING, REGISTRATION, AND PERMITTING OF INDUSTRIAL HEMP GROWERS (HB 151, Chapter 17:1, Laws of 2018)**

1:30 p.m.	Room 204, LOB	Organizational Meeting
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#### **NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q)**

1:30 p.m.	Room 205, LOB	Regular Meeting
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#### **NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2)**

2:00 p.m.	Brain Injury Association of NH 52 Pleasant Street Concord, NH	Regular Meeting
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**INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2)**

2:30 p.m.

Room 104, LOB

Subcommittee Meeting

***WEDNESDAY, SEPTEMBER 12, 2018*****COMMISSION TO STUDY UTILITY PROPERTY VALUATION AND RECOMMEND LEGISLATION TO REFORM THE CURRENT SYSTEM OF TAXING UTILITY PROPERTY IN NEW HAMPSHIRE (RSA 72:12-e)**

8:30 a.m.

Room 202, LOB

Regular Meeting

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

9:00 a.m.

New Futures, Conference Room  
Ferry Street  
Concord, NH

Regular Meeting

**COMMITTEE TO STUDY THE RELATIONSHIP BETWEEN CONCIERGE MEDICINE AND THE PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2009 (SB 485, Chapter 146:1, Laws of 2018)**

10:00 a.m.

Room 100, SH

Regular Meeting

**COMMITTEE TO STUDY THE USE OF LIQUID DE-ICERS AND SOLID SALT ON ROADS (HB 1651, Chapter 84:1, Laws of 2018)**

10:00 a.m.

Room 203, LOB

Organizational Meeting

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

10:00 a.m.

Room 204, LOB

Subcommittee Meeting -  
Data Collection**COMMITTEE TO STUDY THE REMOVAL OF THE TOLLS AT EXIT 10 AND 11 ON THE F.E. EVERETT TURNPIKE IN THE TOWN OF MERRIMACK (HB 2018, Chapter 358:20, Laws of 2018)**

11:00 a.m.

Room 103, SH

Organizational Meeting

**COMMISSION TO REVIEW AND EVALUATE WORKFORCE AND JOB TRAINING IN NEW HAMPSHIRE (RSA 273:28)**

1:00 p.m.

Room 307, LOB

Regular Meeting

***THURSDAY, SEPTEMBER 13, 2018*****INFORMATION TECHNOLOGY COUNCIL (RSA 21-R:6)**

1:00 p.m.

Department of Transportation  
Granite State Conference Room 114  
7 Hazen Drive  
Concord, NH

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)**

1:30 p.m.

Room 209, LOB

Regular Meeting

**COMMITTEE TO STUDY LEVEL DOLLAR AMORTIZATION OF RETIREMENT SYSTEM UNFUNDED ACCRUED LIABILITY (HB 1805, Chapter 203:1, Laws of 2018)**

3:00 p.m.

Room 301, LOB

Regular Meeting

***FRIDAY, SEPTEMBER 14, 2018*****WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62)**

9:00 a.m.

Room 307, LOB

Regular Meeting

**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 - Suicide Reporting

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

1:00 p.m.	The Office of the Child Advocate The Philbrook Building 121 South Fruit Street Concord, NH	Regular Meeting
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**COMMITTEE TO STUDY THE PROCEDURES FOR ADOPTION OF NATIONAL CODES BY THE STATE OF NEW HAMPSHIRE (HB 1254, Chapter 294:1, Laws of 2018)**

1:15 p.m.	Room 306, LOB	Regular Meeting
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**NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R:1)**

1:30 p.m.	Room 307, LOB	Regular Meeting
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***SUNDAY, SEPTEMBER 16, 2018*****LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1)**

1:00 p.m.	NH Technical Institute Sweeney Crocker Building Room 225 Concord, NH	Regular Meeting
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***MONDAY, SEPTEMBER 17, 2018*****COMMISSION TO STUDY ENHANCING THE PROGRAM OF DONATING, ACCEPTING, AND REDISPENSING UNUSED DRUGS (RSA 318:58-a)**

9:00 a.m.	Room 303, LOB	Organizational Meeting
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**NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a)**

9:00 a.m.	NH Veterans Home Tarr South Conference Room 139 Winter Street Tilton, NH	Regular Meeting
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**COMMISSION ON PRETRIAL DETENTION, PRETRIAL SCHEDULING, AND PRETRIAL SERVICES (RSA 597:43)**

10:00 a.m.	Room 303, LOB	Organizational Meeting
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**COMMITTEE TO STUDY THE LAWS RELATING TO CONDOMINIUM AND HOMEOWNERS' ASSOCIATIONS (RSA 356-B:70)**

1:30 p.m.	Room 202, LOB	Regular Meeting
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**INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2)**

1:30 p.m.	Room 204, LOB	Regular Meeting
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**ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

2:00 p.m.	NH DRA Conference Room 334 109 Pleasant Street Concord, NH	Subcommittee Meeting - Assessing Reference Manual
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**CHILDHOOD LEAD POISONING PREVENTION AND SCREENING COMMISSION (RSA 130-A:19)**

2:00 p.m.	Room 303, LOB	Regular Meeting
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**SEACOAST COMMISSION ON LONG TERM GOALS AND REQUIREMENTS FOR DRINKING WATER**  
(RSA 485-F:5)

2:00 p.m.	NHDES Regional Office, Room A Pease International Tradeport 222 International Drive, Suite 175 Portsmouth, NH	Regular Meeting
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**THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD** (RSA 170-G:6-a)

2:00 p.m.	Room 206, LOB	Regular Meeting
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***TUESDAY, SEPTEMBER 18, 2018***

**COMMITTEE TO STUDY THE IMPACT OF PHARMACY BENEFIT MANAGER OPERATIONS ON COST, ADMINISTRATION, AND DISTRIBUTION OF PRESCRIPTION DRUGS** (SB 481, Chapter 143:2, Laws of 2018)

9:00 a.m.	Rooms 301-303, LOB	Regular Meeting
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**COMMISSION TO REVIEW THE STRUCTURE OF MOTOR VEHICLE LAWS** (RSA 260:77)

10:00 a.m.	Room 203, LOB	Regular Meeting
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**COMMISSION TO STUDY GREATER TRANSPARENCY IN PHARMACEUTICAL COSTS AND DRUG REBATE PROGRAMS** (RSA 126-A:76)

10:00 a.m.	Rooms 301-303, LOB	Regular Meeting
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**COMMISSION TO STUDY THE EFFICIENCY AND EFFECTIVENESS OF FISH AND GAME DEPARTMENT OPERATIONS** (RSA 206:1-d)

10:00 a.m.	Room 304, LOB	Regular Meeting
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**COMMITTEE TO STUDY THE DEVELOPMENT OF A FAMILY DRUG COURT IN NEW HAMPSHIRE**  
(SB 592, Chapter 337:17, Laws of 2018)

10:00 a.m.	Room 103, SH	Organizational Meeting
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**COMMISSION TO STUDY THE NEW HAMPSHIRE VETERANS CEMETERY** (RSA 110-B:79-a)

10:00 a.m.	Room 201, LOB	Regular Meeting
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**COMMITTEE TO STUDY THE USE AND REGULATION OF BIOMETRIC INFORMATION** (HB 523, Chapter 21:1, Laws of 2018)

10:00 a.m.	Room 302, LOB	Organizational Meeting
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**COMMITTEE TO STUDY RULEMAKING AUTHORITY FOR RECONSTITUTED DRUGS** (SB 581, Chapter 263:2, Laws of 2018)

11:00 a.m.	Room 302, LOB	Organizational Meeting
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**COMMISSION TO STUDY LEGISLATIVE OVERSIGHT ACTIVITIES RELATED TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES** (RSA 126-A:17-a)

1:15 p.m.	Room 205, LOB	Organizational Meeting
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**COMMITTEE TO STUDY THE FEASIBILITY OF ESTABLISHING COMMUNITY-BASED SERVICES PILOT PROGRAMS** (SB 310, Chapter 97:1, Laws of 2018)

2:00 p.m.	Room 101, LOB	Regular Meeting
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***WEDNESDAY, SEPTEMBER 19, 2018***

**COMMITTEE TO STUDY THE PROCEDURES FOR ADOPTION OF NATIONAL CODES BY THE STATE OF NEW HAMPSHIRE** (HB 1254, Chapter 294:1, Laws of 2018)

2:30 p.m.	Room 301, LOB	Regular Meeting
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***THURSDAY, SEPTEMBER 20, 2018***

**ADMINISTRATIVE RULES** (RSA 541-A:2)

9:00 a.m.	Rooms 306-308, LOB	Regular Meeting
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**BALLOT LAW COMMISSION (RSA 665:1)**

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

**COMMISSION TO STUDY THE EFFECTIVENESS OF THE CURRENT STATUTES RELATED TO MANAGEMENT OF NON-TIDAL PUBLIC WATERWAYS AND THE CONSTRUCTION OR PLACEMENT OF STRUCTURES WITHIN THEM (RSA 482-A:35)**

10:00 a.m. Rooms 201-203, LOB Organizational Meeting

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

10:00 a.m. Room 209, LOB Regular Meeting

**COMMITTEE TO STUDY DRIVEWAY PERMITTING (HB 2018, Chapter 358:25, Laws of 2018)**

1:00 p.m. Room 201, LOB Organizational Meeting

**COMMITTEE TO STUDY REINSTITUTING THE UNEMPLOYED PARENT PROGRAM (SB 476, Chapter 142:1, Laws of 2018)**

2:00 p.m. Room 102, LOB Regular Meeting

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

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

***FRIDAY, SEPTEMBER 21, 2018*****FISCAL COMMITTEE (RSA 14:30-a)**

10:00 a.m. Rooms 210-211, LOB 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)**

10:00 a.m. Rooms 205-207, LOB Regular Meeting and Subcommittee Meeting on Foster Care

**COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k)**

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

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

2:00 p.m. Room 103, SH Regular Meeting

***MONDAY, SEPTEMBER 24, 2018*****OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)**

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

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

10:00 a.m. Room 202, LOB Regular Meeting

***TUESDAY, SEPTEMBER 25, 2018*****COMMISSION TO STUDY UTILITY PROPERTY VALUATION AND RECOMMEND LEGISLATION TO REFORM THE CURRENT SYSTEM OF TAXING UTILITY PROPERTY IN NEW HAMPSHIRE (RSA 72:12-e)**

8:30 a.m. Room 201, LOB Regular Meeting

**JOINT COMMITTEE ON DEDICATED FUNDS (RSA 6:12-i)**

10:00 a.m. Room 202, LOB 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)**

10:00 a.m. Rooms 205-207, LOB Regular Meeting and Subcommittee on Foster Care

**COMMITTEE TO STUDY MENTAL HEALTH AND SOCIAL SERVICE BUSINESS PROCESS ALIGNMENT AND INFORMATION SYSTEM INTEROPERABILITY (SB 147, Chapter 116:1, Laws of 2017)**

1:00 p.m. Room 101, LOB Regular Meeting

***THURSDAY, SEPTEMBER 27, 2018***

**COMMISSION TO STUDY CREATING A BOAT SAFE CARD (RSA 270-D:21)**

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

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

10:00 a.m. Room 100, SH Regular Meeting

**COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T)**

2:00 p.m. NH Medical Society Regular Meeting  
7 North State Street  
Concord, NH

***FRIDAY, SEPTEMBER 28, 2018***

**ELECTRIC VEHICLE CHARGING STATIONS INFRASTRUCTURE COMMISSION (RSA 4-G:1)**

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

**COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73)**

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

***MONDAY, OCTOBER 1, 2018***

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

10:00 a.m. Room 206, LOB Regular Meeting

**NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4)**

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

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

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

***TUESDAY, OCTOBER 2, 2018***

**COMMISSION TO STUDY GREATER TRANSPARENCY IN PHARMACEUTICAL COSTS AND DRUG REBATE PROGRAMS (RSA 126-A:76)**

9:00 a.m. Rooms 301-303, LOB Regular Meeting

(PLEASE NOTE: RSA 126-A:76 & SB 481, Chapter 143:2, Laws of 2018 will be meeting jointly)

**COMMITTEE TO STUDY THE IMPACT OF PHARMACY BENEFIT MANAGER OPERATIONS ON COST, ADMINISTRATION, AND DISTRIBUTION OF PRESCRIPTION DRUGS (SB 481, Chapter 143:2, Laws of 2018)**

9:00 a.m. Rooms 301-303, LOB Regular Meeting

(PLEASE NOTE: RSA 126-A:76 & SB 481, Chapter 143:2, Laws of 2018 will be meeting jointly)

***WEDNESDAY, OCTOBER 3, 2018***

**COMMISSION TO STUDY THE SCHOOL BUS DRIVER SHORTAGE (RSA 189:6-d)**

10:00 a.m. Room 100, SH Regular Meeting

## ***THURSDAY, OCTOBER 4, 2018***

### **ADMINISTRATIVE RULES (RSA 541-A:2)**

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

### **COMMITTEE TO STUDY PARENTAL ALIENATION IN NEW HAMPSHIRE (SB 489, Chapter 229:1, Laws of 2018)**

9:30 a.m.                      Room 103, SH                      Regular Meeting

## ***MONDAY, OCTOBER 8, 2018***

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

10:00 a.m.                      Room 202, LOB                      Regular Meeting

## ***TUESDAY, OCTOBER 9, 2018***

### **COMMISSION TO STUDY UTILITY PROPERTY VALUATION AND RECOMMEND LEGISLATION TO REFORM THE CURRENT SYSTEM OF TAXING UTILITY PROPERTY IN NEW HAMPSHIRE (RSA 72:12-e)**

8:30 a.m.                      Room 202, LOB                      Regular Meeting

### **COMMISSION TO STUDY CREATING A BOAT SAFE CARD (RSA 270-D:21)**

10:00 a.m.                      Room 100, SH                      Regular Meeting

## ***WEDNESDAY, OCTOBER 10, 2018***

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

9:00 a.m.                      New Futures, Conference Room                      Regular Meeting  
10 Ferry Street  
Concord, NH

### **COMMISSION ON THE SEACOAST CANCER CLUSTER INVESTIGATION (RSA 126-A:74)**

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

## ***FRIDAY, OCTOBER 12, 2018***

### **STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)**

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

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

1:30 p.m.                      Room 307, LOB                      Regular Meeting

## ***MONDAY, OCTOBER 15, 2018***

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

2:00 p.m.                      Room 206, LOB                      Regular Meeting

## ***THURSDAY, OCTOBER 18, 2018***

### **ADMINISTRATIVE RULES (RSA 541-A:2)**

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

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

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

## ***MONDAY, OCTOBER 22, 2018***

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

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

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

10:00 a.m.                      Room 202, LOB                      Regular Meeting

## ***TUESDAY, OCTOBER 23, 2018***

### **COMMISSION TO STUDY UTILITY PROPERTY VALUATION AND RECOMMEND LEGISLATION TO REFORM THE CURRENT SYSTEM OF TAXING UTILITY PROPERTY IN NEW HAMPSHIRE (RSA 72:12-e)**

8:30 a.m.                      Room 202, LOB                      Regular Meeting

## ***THURSDAY, OCTOBER 25, 2018***

### **COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T)**

2:00 p.m.                      NH Medical Society                      Regular Meeting  
7 North State Street  
Concord, NH

## ***TUESDAY, OCTOBER 30, 2018***

### **COMMISSION TO STUDY CREATING A BOAT SAFE CARD (RSA 270-D:21)**

10:00 a.m.                      Room 100, SH                      Regular Meeting

## ***MONDAY, NOVEMBER 5, 2018***

### **NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4)**

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

## ***THURSDAY, NOVEMBER 29, 2018***

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

10:00 a.m.                      Room 103, SH                      Regular Business

### **CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2)**

11:00 a.m.                      Room 103, SH                      Regular Business

\* \* \* \* \*

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

**SENATE BILLS:** 48, 63, 170, 247, 313, 314, 315, 321, 336, 369, 370, 374, 377, 386, 412, 421, 429, 450, 451, 469, 477, 478, 479, 482, 487, 491, 500, 507, 513, 527, 535, 537, 556, 553, 564, 566, 570, 577, 578, 580, 589, 590, 591, 592

**HOUSE BILLS:** CACR 16, 267, 314, 500, 1100, 1101, 1102, 1104, 1238, 1251, 1258, 1261, 1286, 1322, 1329, 1335, 1354, 1356, 1370, 1378, 1389, 1415, 1418, 1453, 1468, 1495, 1496, 1497, 1551, 1565, 1575, 1577, 1564, 1586, 1593, 1601, 1605, 1606, 1665, 1720, 1738, 1739, 1740, 1743, 1756, 1807, 1808, 1809, 1816, 1817, 1819, 1822, 2018

\* \* \* \* \*

# NOTICES

## LEGISLATIVE ETHICS COMMITTEE

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

**Advisory Opinion 2018-1**  
**Response to a Request for an Advisory Opinion**  
**from Representative Gregory Hill**  
**(August 15, 2018)**

Representative Gregory Hill has submitted a request for an Advisory Opinion about whether, consistent with applicable statutes and the Ethics Guidelines, it would be permissible for him to accept employment with the Children's Scholarship Fund (CSF), a scholarship organization, "to fundraise in the business community and create an income by doing so." He described his role with CSF as one involving "travel throughout NH explaining the benefits to individuals and businesses of donating to the NH Education Tax Credit Scholarship Program." He stated that his compensation would come from the CSF "as a percentage of their administrative fee as outlined in the legislation."

Representative Hill, as he stated in his request, was one of the sponsors of the legislation that created the New Hampshire Education Tax Credit Scholarship Program (which allowed the subsequent formation of scholarship organizations such as the Children's Scholarship Fund) and subsequent legislation that affected the program.<sup>1</sup>

The Committee responds as follows:

Representative Hill may accept employment with the CSF under the gift exception for wages in RSA 14-C, IV (b) (7) but he would violate the Ethics Guidelines if he engages in any of the activities listed in Guidelines Section 3, II (c), (d), and (f) on behalf of his employer. He should list his employment on the financial disclosure form or checklist and he should file a conflict of interest declaration of intent and not participate in any way in any official activities affecting his employer.

### Relevant Provisions of Ethics Guidelines and Law

#### **Ethics Guidelines**

Ethics Guidelines Section 3 -- Prohibited Activities \*\*\*\*\*

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

- (a) Knowing or believing the other's purpose to be the influencing of an action, decision, opinion, recommendation, or other official activity.
- (b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the legislator or the General Court.
- (c) In return for advice or other assistance relating to a legislator's official activities.
- (d) In return for introducing legislation, testifying before any legislative committee or state agency, voting in committee or in House or Senate session, or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation, or any state agency. \*\*\*\*\*
- (f) In return for having given a decision, opinion, recommendation, nomination, vote, or other official activity.

\*\*\*\*\*

III. Legislators shall not: \*\*\*\*\*

- (e) Use their public position or office to obtain anything of value for the private benefit of the legislator, a member of the legislator's immediate family, or a household member.

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<sup>1</sup> Representative Hill was a cosponsor of 2012 SB 372-FN-LOCAL, "An Act establishing an education tax credit," which was enacted as Chapter 287 of the 2012 NH Laws, a cosponsor of 2012 HB 1607-FN-LOCAL, "An Act establishing an education tax credit," and 2017 HB 386-FN, "An Act relative to technical corrections to the education tax credit statute," which was enacted as Chapter 63 of the 2017 NH Laws, and was the prime sponsor of 2018 HB 1686-FN, "AN Act relative to applications for and the use of education tax credits," which was enacted as Chapter 341 of the 2018 NH Laws.

## Ethics Guidelines Section 2 – Definitions.

### I. “Anything of Value” includes but is not limited to:

\*\*\*\*\*

- (1) A promise of employment or continued employment; \*\*\*\*\*

### **RSA 14-C**

RSA 14-C:2, IV(a) “Gift” means:

- (1) Money in any amount, whether in the form of cash, check, or any other negotiable or non-negotiable instrumentality for the transfer of money.\*\*\*\*\*

RSA 14-C:2, IV(b) Notwithstanding subparagraph (a), “gift” shall not include:\*\*\*\*\*

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

RSA 14-C:3 Prohibition on Gifts; Duty to Report. –

\*\*\*\*\*

III. It shall be unlawful for any legislator or legislative employee to solicit or to knowingly accept, directly or indirectly, any gift, as defined in this chapter, or to fail to meet the reporting requirements of this chapter.

IV. Under no circumstances shall the prohibitions in this section be nullified by filing an honorarium or expense reimbursement report pursuant to RSA 14-C:4 or a declaration of intent under the guidelines enforced by the legislative ethics committee.

### Committee Analysis

The issues here are: 1) whether Representative Hill is being offered the job in exchange for sponsoring legislation relating to CSF; 2) would the compensation he would receive from CSF be wages received in his regular course of employment which is unrelated to his legislative position, thus qualifying under the gift exception for wages in RSA 14-C, IV (b) (7); and 3) whether his employment by CSF would bar him from participating in any official activities affecting CSF.

Based on the information before it, the Committee cannot conclude by clear and convincing evidence that Representative Hill knew or believed that CSF’s purpose in wanting to hire him was in exchange for his sponsorship of legislation relating to CSF. He states, “I’ve filed and passed several changes to the program over the past 2 sessions as well as voted and testified in favor. None of these actions were done with the intention of one day becoming a fundraising entity of course.”

The Committee also cannot conclude by clear and convincing evidence that Representative Hill’s prospective compensation from CSF is related to his position as a member of the House, thus it would qualify for exemption from the definition of gift under RSA 14-C:2, IV(b)(7).

However, as a compensated employee of CSF, Representative Hill’s participation in any official activity that would directly affect the interests of CSF would place him in a position in which he could stand in violation of Prohibited Activities II(c), (d), and (f).

### Conclusion

Based on the information provided by Representative Hill about his prospective employment with the Children’s Scholarship Fund, the Committee advises that his acceptance of employment with the organization would not constitute a violation of the prohibition on the acceptance of gifts set forth in RSA 14-C:3.

The Committee also advises that if Representative Hill were employed with the Children’s Scholarship Fund while serving in the House, his participation in certain official activities would constitute violation of the Ethics Guidelines’ Prohibited Activities Paragraph II, Subparagraphs (c), (d), and (f). Specifically, the Committee advises that if he were to provide advice or other assistance to CSF which related to his official activities, or if he were to introduce legislation, testify before any legislative committee or state agency, vote in committee or in House session, or otherwise participate in, influence, or attempt to influence any decision of the legislature, county delegation, or any state agency on matters directly related to the interests of CSF, or if he were to give a decision, opinion, recommendation, nomination, vote, or participate in any other official activity directly related to the interests of CSF, his activities would violate the Ethics Guidelines’ Prohibited Activities Paragraph II, Subparagraphs (c), (d), and (f). Disclosure of his conflict of interest in relation to his employment with CSF would not excuse or absolve his violation of these prohibitions.



The Committee would note the distinction between being directly compensated to advocate for an organization as in Representative Hill's case, and merely being a member or employee of an organization or profession affected by legislation.

We appreciate the opportunity to be of assistance.

Honorable Donna Sytek, Chairman  
 Senator Sharon M. Carson, Vice Chairman  
 Representative Janet G. Wall  
 Senator Martha Fuller Clark  
 Representative David A. Welch  
 Attorney David H. Bradley  
 Honorable David W. Hess (did not participate in the opinion)

For the Committee,  
 Donna Sytek  
 Chairman

*[Vote: 6-0]*

\* \* \* \* \*

#### **THURSDAY, SEPTEMBER 13, 2018**

Please come visit with the New Hampshire Golf Industry Alliance on the front lawn of the State House starting at 9:00 a.m. on Thursday, September 13<sup>th</sup>. The day includes 5 minute lessons from PGA Golf Professionals, information on the golf industry in New Hampshire, along with free coffee, tea, donuts, danish, and cupcakes. We hope you'll stop by to say hello!

Senator Donna Soucy, Senate Minority Leader

\* \* \* \* \*

#### **FRIDAY, SEPTEMBER 14, 2018 – SUNDAY, SEPTEMBER 30, 2018**

The Big E (Eastern States Exposition) opens on September 14<sup>th</sup> in W. Springfield, MA and runs through September 30<sup>th</sup>. All of the New England states operate a state pavilion on the grounds, featuring the arts, tourism, agriculture and small businesses from the state. The New Hampshire's pavilion is managed by the NH Department of Agriculture, Markets & Food and the Department is offering all members of the General Court two tickets (in compliance with the Legislative Ethics Guidelines) to attend the fair. Members interested in obtaining tickets must call the department at 271-2505 or send an email to: bobbette.gosselin@agr.nh.gov. Reserved tickets may then be picked up at the Department's reception desk, 2<sup>nd</sup> floor of the State House Annex (25 Capitol St., across from the State House).

Senator Chuck W. Morse, Senate President

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#### **WEDNESDAY, SEPTEMBER 19, 2018 – THURSDAY, SEPTEMBER 20, 2018**

Health Services is inviting you to be refreshed or trained in American Red Cross CPR for adult, child and infant; use of automated external defibrillator (AED) for adult and child; and basic first aid. Classes will be held in the Upham Walker House on Wednesday, September 19<sup>th</sup> and Thursday, September 20<sup>th</sup> with two sessions available each day, one at 8:30 a.m. – 12:00 p.m. and one at 1:00 p.m. – 4:30 p.m.

One small class in CPR/AED can save a life.

Please contact the office at 271-2757 or email [dianne.bergquist@leg.state.nh.us](mailto:dianne.bergquist@leg.state.nh.us) to reserve a spot.

Senator Jeb Bradley, Senate Majority Leader  
 Senator Donna Soucy, Senate Minority Leader

\* \* \* \* \*

**THURSDAY, OCTOBER 18, 2018**

The NH Insurance Department is holding a public hearing on the new Workers' Compensation Rate Filings on October 18, 2018 at 10:00 am in Conference Room 274 at the Insurance Department, 21 South Fruit Street, Suite 14, Concord, NH. All interested parties are welcome to attend. For more information, or if you have any questions about the workers' compensation filings, please contact Ruju Dave at 271-3905 or his e-mail: [ruju.dave@ins.nh.gov](mailto:ruju.dave@ins.nh.gov)

Senator Donna Soucy, Senate Minority Leader

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**SENATE SCHEDULE**

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)
Wednesday, December 5, 2018	Organization Day
Tuesday, December 25, 2018	Christmas Day (State Holiday)