

February 8, 2018  
No. 7

# 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 ON  
THURSDAY, FEBRUARY 15, 2018 AT 10:00 A.M.**

**THE SENATE WILL MEET IN JOINT CONVENTION WITH THE HOUSE  
OF REPRESENTATIVES FOR THE GOVERNOR'S STATE OF THE STATE  
ADDRESS ON THURSDAY, FEBRUARY 15, 2018 AT 10:00 A.M.**

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## LAID ON THE TABLE

**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 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 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 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**

**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

### COMMERCE

**SB 311**, clarifying rules of construction under the New Hampshire Trust Code.

Ought to Pass, Vote 5-0.

Senator French for the committee.

The current wills chapter provides that children and their descendants who were inadvertently omitted from a will would receive the same share of the estate as if there had never been a will. This bill would amend the wills chapter to make it clear it was never intended to apply to trusts. Wills that are intended to disinherit children are carefully drafted with specific language to avoid any question of inadvertent omission. This clarifies the statute which has been practice for many years.

**SB 353-FN**, relative to direct shippers of alcohol.

Inexpedient to Legislate, Vote 5-0.

Senator Sanborn for the committee.

This bill would remove the ability for alcohol retailers to apply for a direct shipper license in the state of NH. Although we are a control state, the committee felt this bill was overreaching and does not allow for free market competition which is the reason the commerce committee voted this bill inexpedient to legislate.

**SB 414-FN**, establishing a condominium dispute resolution board.

Interim Study, Vote 5-0.

Senator Innis for the committee.

This legislation would give condo owners and sometimes condo boards a chance to have their grievances heard without the cost of going to court. Although this bill is needed in a few cases, the committee felt that this bill needs further consideration and refinement and in its current form it may cause unintended consequences with the condo boards that are running smoothly.

**SB 415**, relative to condominium unit owners' special meetings.

Ought to Pass with Amendment, Vote 5-0.

Senator Sanborn for the committee.

Currently 50% of ownership of a condo association is required to call for an informational meeting. This bill lowers that to 33% and allows the condo owners to request a special meeting. If a special meeting is held, the members can only change the membership of the board which would be stated on the notice of the special meeting.

**SB 417**, relative to days of rest for employees of recreation camps and youth skill camps.

Ought to Pass, Vote 5-0.

Senator Innis for the committee.

This bill exempts employees of a recreation camp from the laws prohibiting Sunday work. Currently, the only way to work on Sunday is to apply for a waiver and this bill would allow these employees to work Sundays if they wish to do so. This is a small technical change to help our camp industry all across the state of NH.

## **EDUCATION**

**SB 357**, relative to safe school zones.

Ought to Pass with Amendment, Vote 5-0.

Senator Giuda for the committee.

At the request of the Department of Education, this bill requires school employees to report crimes that would prevent a person from being hired as a teacher. At the request of the New Hampshire Hospital Association, the Committee included in the legislation a provision to allow a school district superintendent to have a syringe service program operating in school zones.

**SB 359**, relative to notice to school districts of out-of-home placements.

Ought to Pass with Amendment, Vote 5-0.

Senator Kahn for the committee.

As amended, this bill requires the department of health and human services to notify a school district of a child's Out-of-Home Placement recommended by the department through an administrative process or initiated by the department through a juvenile court proceeding. Out-of-home placements includes instances of child protection, child delinquency or children in need of services cases. The department will notify the child's school district as soon as possible of development of a transition plan and will work with the school district on a change in placement that is consistent with the best interest of the child and assures the child's educational stability. Transition plans will reflect the objective of having the least disruption to the child's education. This amendment was developed by the department and reflects a consensus of stakeholders who provided testimony to the Committee.

**SB 432-FN-L**, relative to an elective course in SAT preparation.

Inexpedient to Legislate, Vote 5-0.

Senator Watters for the committee.

This bill would require school boards to offer an elective course in SAT preparation in each high school throughout New Hampshire. Although this bill is well-intended to provide credits for students in taking a class that will further prepare them to take the SAT, the financial burden of this legislation will fall on local taxpayers. Further, there are other options through which students can take an SAT preparation course.

**SB 433**, relative to the annual filing of statistical reports to the department of education.

Ought to Pass, Vote 5-0.

Senator Kahn for the committee.

This bill permits public education agencies to submit annual statistical reports to the Department of Education electronically. Currently, a written signature is required to submit such reports. Electronic submission would be an option available to public education agencies.

**SB 434**, relative to school nurse certification.

Ought to Pass with Amendment, Vote 5-0.

Senator Watters for the committee.

This bill makes certain requirements for school nurse certifications and sets out a process for the selection of school nurses. Largely, this bill corrects a drafting error from a policy adoption last session in order to give clarity to current law. The committee amended the legislation to make a further clarification, recommended by the department of education, in order to accommodate those who cannot meet the requirements for certification who have already been working in the field.

**SB 435**, relative to alternative programs for granting credit leading to graduation.

Ought to Pass with Amendment, Vote 5-0.

Senator Ward for the committee.

This bill requires the state board of education to adopt rules for approving alternative programs for granting credits leading to graduation. This legislation will help to ensure that students who are participating in a program, such as a sport or musical activity, outside of class, may be able to receive credits towards graduation for participating in such programs.

**SB 437**, relative to the robotics education development program.

Ought to Pass with Amendment, Vote 5-0.

Senator Giuda for the committee.

This bill adds eligibility criteria for grants to schools from the robotics education fund and also provides for additional grants in the event that funds remain in the fund after all initial requests have been met. The committee amended the bill to ensure that the program that the school seeks to participate in has demonstrated gains in students' STEM outcomes, as decided by the department of education.

**SB 441**, relative to final grades in schools.

Ought to Pass, Vote 5-0.

Senator Ward for the committee.

This bill provides that the state board of education shall require school districts to adopt a policy that a student's grade, as determined by his or her teacher, is final. This bill seeks to remedy situations in which a student's grade has been changed without informing the teacher on record.

**SB 442**, relative to surety indemnification requirements for private postsecondary career schools.

Ought to Pass, Vote 5-0.

Senator Kahn for the committee.

This bill amends the surety bond required of private, postsecondary, career schools and establishes a procedure for license suspension. The current surety bond of 10 percent of gross tuition or a minimum of \$10,000 is not sufficient to the range in of courses or programs offered at postsecondary career schools. Amending this law to an amount sufficient to reimburse the tuition of any student contract which cannot be fulfilled and a minimum of \$10,000 strikes a balance between student protection and not creating undue hurdles for businesses that choose to operate in New Hampshire.

## **ELECTION LAW AND INTERNAL AFFAIRS**

**SB 320**, relative to checklists used at elections.

Ought to Pass, Vote 5-0.

Senator Gray for the committee.

This is a housekeeping bill to correct changes in the language of RSA 659:98 and 669:25 that referred to paragraphs no longer in existence. The bill also clarifies language in RSA 654:25 which had been misinterpreted.

## **ENERGY AND NATURAL RESOURCES**

**SB 366**, relative to members of the site evaluation committee.

Ought to Pass with Amendment, Vote 5-0.

Senator Bradley for the committee.

This bill changes certain requirements concerning membership on the Site Evaluation Committee and comes at the request of the Public Utilities Commission. SB 366 is meant to facilitate the workings of the SEC to adequately address its responsibilities, given the submission of complex applications and required hearings to get input from the general public. Currently, the SEC operates with a limited pool of public members to serve on the full committee and subcommittees. SB 366 will allow for a greater pool of public members to fill positions on committees.

**SB 529-FN**, authorizing river maintenance in the town of Warren.

Ought to Pass with Amendment, Vote 5-0.

Senator Innis for the committee.

This bill, as amended, requires the Department of Environmental Services to conduct a study to determine options and costs for a solution to the perennial damage caused by the Baker River in the town of Warren and makes an appropriation for such study. The bill allocates \$1.00 to DES to conduct the study. This allocation is meant to be a placeholder until DES comes up with a cost estimate for the study and design.

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 327**, relative to the medical review subcommittee of the board of medicine and time limits for allegations of professional misconduct before the board.

Ought to Pass, Vote 5-0.

Senator Cavanaugh for the committee.

The bill removes the requirement that a member of the medical review subcommittee be from the board of medicine and will reduce the time limitation for allegations of professional misconduct enforced by the board of medicine. The 5-year limitation period is in line with all boards under the Office of Professional Licensure and Certification.

**SB 329**, relative to inspections of county correctional facilities.

Inexpedient to Legislate, Vote 5-0.

Senator Soucy for the committee.

This bill removes the requirement that the county commissioners make a written report to the attorney general after inspection of a county correctional facility. At the request of the prime sponsor this bill was Inexpedient to Legislate.

**SB 374**, relative to adoption of emergency medical and trauma services protocols.

Ought to Pass, Vote 5-0.

Senator Gannon for the committee.

This bill exempts the adoption of emergency medical and trauma services protocols from the rulemaking process under RSA 541-A. This will assist in streamlining the protocol adoption process, while maintaining public and stakeholder input in the process, both informal and formal.

**SB 456**, relative to the appointment of the state medical director for emergency medical services.

Ought to Pass with Amendment, Vote 5-0.

Senator Soucy for the committee.

This legislation as amended, requires the Commissioner of the Department of Safety to appoint, following consultation with the Emergency Medical Services Control Board, the state medical director for Emergency Medical Services. The legislation will allow the Bureau of Emergency Medical Services to explore alternatives to the volunteer state medical director position, which has been unchanged since the beginning of the Emergency Medical Services in New Hampshire, despite significant advancement and increasing demands pertaining to this role.

**SB 538-FN**, including police officers of the capital area police unit in group II of the retirement system.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

The legislation clarifies the status of police officers of the Capital Area Police Unit and will include these officers in Group II of the New Hampshire Retirement System. These officers have the same responsibilities as other police officers. Their main focus is at the state office complex. The amendment was brought forward to clarify where their positions are located and was a request of the local police department.

## **HEALTH AND HUMAN SERVICES**

**SB 332**, relative to medication synchronization.

Ought to Pass with Amendment, Vote 5-0.

Senator Gray for the committee.

This bill would require insurance companies to offer prescription synchronization for the management of chronic conditions. Health care outcomes improve when patients are able to take their medication as prescribed and not miss doses. Allowing patients to synchronize their prescription refills will remove a large burden for patients, especially for patients with complex medical or mobility issues. The committee amendment clears up any concerns the insurance carriers had about how payment would be processed for the synchronization.

**SB 379**, relative to retroactive denials of previously paid claims.

Ought to Pass with Amendment, Vote 5-0.

Senator Avaré for the committee.

This bill would reduce the amount of time an insurance company can retroactively deny claims already paid to providers from 18 months to 12 months. Small provider offices struggle when insurance companies retroactively deny claims already paid and then ask for repayment or reduce payment on another



claim. The committee recognized the need for insurance companies to have this ability but because of the increased need for providers, especially mental health and substance use treatment, a compromise was needed on the ability to retroactively deny claims and the ability for providers to be able to practice.

**SB 474**, establishing a committee to study group home rate parity.

Ought to Pass, Vote 5-0.

Senator Fuller Clark for the committee.

This bill seeks to establish a committee to study group home rate parity. Group Homes play a vital part in taking care of some of our most vulnerable residents. The reimbursement rates for group homes are often different for different group homes even though they are providing the same services. In times of increasing financial pressure on these facilities it is important to make sure group homes are receiving the needed resource to take care of their residents. The committee will be able to study how rates are set and why certain facilities are receiving different rates.

**SB 476**, establishing a committee to study reinstituting the unemployed parent program.

Ought to Pass with Amendment, Vote 5-0.

Senator Fuller Clark for the committee.

This bill establishes a committee to study reinstating the unemployed parent program that provides access to the HHS division of family assistance work program, which is the only TANIF program available to two parent families that have suffered loss of income as a result of unemployment. This program was very successful before it was ended in 2011. Putting families back to work is essential in reducing the number of children in New Hampshire going to bed every night hungry. This bill was a recommendation from the commission to study childhood hunger.

**SB 481**, establishing a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs.

Ought to Pass with Amendment, Vote 5-0.

Senator Hennessey for the committee.

This bill establishes a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs. The role of the pharmacy benefit manager has evolved considerably since first appearing. It is important to make sure that the intended goals of PBMs are being met and that the industry is continuing to act in the best interest of the consumer.

**SB 486**, establishing a commission to study enhancing the prescription drug donation program.

Ought to Pass with Amendment, Vote 5-0.

Senator Fuller Clark for the committee.

This bill establishes a commission to study enhancing the program of donating, accepting, and dispensing unused drugs established in RSA 318:58. The commission will convene all relevant stakeholders to determine how best to strengthen and expand this program. The board of pharmacy testified that they are ready to support the commission in providing whatever information they may need.

**SB 550-FN**, relative to drop in or walk in clinics.

Interim Study, Vote 5-0.

Senator Fuller Clark for the committee.

This bill would have removed the requirement for walk in clinics to receive a facility license from the department of health and human services. The committee agreed that the requirements to obtain a facility license are not onerous and that the facility license plays a part in ensuring safe healthcare delivery for all patients. Interim Study will allow stakeholders an opportunity to try and find a compromise on the issue.

## REGULAR CALENDAR REPORTS

### COMMERCE

**SB 316**, relative to the regulation of online auctions.

Ought to Pass with Amendment, Vote 4-1.

Senator French for the committee.

**SB 352-FN**, relative to examinations of injured employees under workers' compensation law.

Ought to Pass, Vote 3-2.

Senator Soucy for the committee.

**SB 416**, relative to transportation network company drivers.

Ought to Pass, Vote 3-2.

Senator Innis for the committee.

**SB 419**, relative to votes by condominium unit owners.

Inexpedient to Legislate, Vote 3-2.

Senator Sanborn for the committee.

**SB 554-FN**, relative to the minimum hourly rate and employer-sponsored health benefits.

Inexpedient to Legislate, Vote 3-2.

Senator Innis for the committee.

### **EDUCATION**

**SB 431**, relative to non-academic surveys required to be filed by school districts to maintain federal funding.

Inexpedient to Legislate, Vote 3-2.

Senator Reagan for the committee.

**SB 436**, relative to tuition in the community college system.

Ought to Pass with Amendment, Vote 4-1.

Senator Watters for the committee.

### **ELECTION LAW AND INTERNAL AFFAIRS**

**SB 362**, requiring disclosure of federal income tax returns by presidential and vice-presidential candidates.

Inexpedient to Legislate, Vote 3-2.

Senator Birdsell for the committee.

**SB 363**, prohibiting political expenditures by foreign nationals.

Ought to Pass with Amendment, Vote 4-0.

Senator Woodburn for the committee.

**SB 364**, establishing a commission to study the establishment of a searchable database to verify that each vote was properly recorded.

Inexpedient to Legislate, Vote 3-2.

Senator Gray for the committee.

**SB 439**, repealing the authority to share voter information or data with other states.

Inexpedient to Legislate, Vote 3-1.

Senator Sanborn for the committee.

**SB 440-FN**, relative to prohibited political contributions.

Interim Study, Vote 3-1.

Senator Gray for the committee.

### **ENERGY AND NATURAL RESOURCES**

**SB 450-FN-A**, establishing an advisory commission for the department of environmental services relative to the delegation of authority of the National Pollutant Discharge Elimination System Program.

Ought to Pass with Amendment, Vote 5-0.

Senator Bradley for the committee.

### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 533-FN**, relative to the composition and compensation of the personnel appeals board.

Ought to Pass, Vote 4-0.

Senator Carson for the committee.

**SB 535-FN**, relative to licensure for the practice of professional art therapy.

Ought to Pass with Amendment, Vote 5-0.

Senator Reagan for the committee.

**SB 536-FN**, relative to eligibility for death benefits for court security officers.

Ought to Pass, Vote 4-0.

Senator Soucy for the committee.

**SB 570-FN**, relative to the work requirement for the child care scholarship program.

Ought to Pass, Vote 4-1.

Senator Carson for the committee.

**SB 578-FN**, relative to unclassified positions within the department of health and human services.

Ought to Pass, Vote 4-0.

Senator Reagan for the committee.

## **FINANCE**

**CACR 21**, relative to alcohol and drug abuse prevention. Providing that a portion of liquor commission revenue shall be used for alcohol and drug abuse prevention.

Inexpedient to Legislate, Vote 4-2.

Senator Daniels for the committee.

**SB 310-FN**, establishing a pilot program for community-based diversion services.

Ought to Pass with Amendment, Vote 6-0.

Senator Feltes for the committee.

**SB 390-FN**, establishing the office of solicitor general in the department of justice and establishing an unclassified attorney position in the department of justice.

Ought to Pass with Amendment, Vote 5-1.

Senator Reagan for the committee.

**SB 429-FN**, establishing a consumer services program within the insurance department.

Ought to Pass, Vote 6-0.

Senator Feltes for the committee.

**SB 470-FN**, relative to positions within the insurance department.

Ought to Pass, Vote 4-2.

Senator D'Allesandro for the committee.

**SB 531-FN**, relative to the office of professional licensure and certification.

Ought to Pass, Vote 6-0.

Senator Reagan for the committee.

**SB 534-FN**, relative to the classification of certain state employee positions.

Ought to Pass, Vote 6-0.

Senator Reagan for the committee.

**SB 542-FN**, relative to the use of funds in the revenue stabilization reserve account for public health emergencies.

Inexpedient to Legislate, Vote 4-2.

Senator Daniels for the committee.

**SB 579-FN**, relative to penalties for welfare fraud.

Ought to Pass, Vote 6-0.

Senator Feltes for the committee.

**SB 580**, creating class lines within the department of transportation.

Ought to Pass with Amendment, Vote 6-0.

Senator D'Allesandro for the committee.

**HB 561-FN**, relative to part-time employment of a retirement system retiree by a participating employer.

Inexpedient to Legislate, Vote 4-2.

Senator Reagan for the committee.

## **HEALTH AND HUMAN SERVICES**

**SB 381**, deleting immunization/vaccination requirements for Hepatitis B.

Inexpedient to Legislate, Vote 4-1.

Senator Hennessey for the committee.

**SB 473**, relative to employment contract restrictions upon health care providers.

Ought to Pass, Vote 4-1.

Senator Avar for the committee.

**SB 483**, relative to procedures for dispensing controlled drugs.

Ought to Pass with Amendment, Vote 4-0.

Senator Fuller Clark for the committee.

**SB 489**, establishing a committee to study parental alienation in New Hampshire.

Ought to Pass with Amendment, Vote 4-1.

Senator Avar for the committee.

**SB 545-FN**, increasing the age for sales and possession of tobacco products.

Ought to Pass, Vote 3-2.

Senator Hennessey for the committee.

**SB 552-FN**, relative to transportation of trauma victims by first responders.

Interim Study, Vote 5-0.

Senator Bradley for the committee.



**SB 573-FN-A**, relative to the controlled drug prescription health and safety program and making an appropriation therefor.

Ought to Pass with Amendment, Vote 5-0.

Senator Bradley for the committee.

## **PUBLIC AND MUNICIPAL AFFAIRS**

**SB 394**, enabling municipalities to establish term limits for elected officials.

Inexpedient to Legislate, Vote 4-0.

Senator Kahn for the committee.

**SB 503**, relative to increasing the maximum amount of the optional veterans' tax credit.

Inexpedient to Legislate, Vote 4-0.

Senator Gray for the committee.

**SB 504-FN**, relative to sales of tax-deeded property.

Ought to Pass with Amendment, Vote 4-0.

Senator Gray for the committee.

**SB 505**, requiring abutter notice of the construction of a crematory.

Ought to Pass, Vote 4-0.

Senator Ward for the committee.

**SB 508**, establishing a committee to study the prevalence of post-traumatic stress disorder (PTSD) among first responders.

Ought to Pass with Amendment, Vote 4-0.

Senator Ward for the committee.

**SB 509**, allowing municipalities to require income and expense information of business properties for tax appraisals.

Inexpedient to Legislate, Vote 4-0.

Senator Birdsell for the committee.

**SB 510**, relative to municipal notice of leases on tax-exempt property.

Ought to Pass with Amendment, Vote 3-1.

Senator Gray for the committee.

**SB 513**, establishing September as New Hampshire recovery month.

Ought to Pass, Vote 4-0.

Senator Birdsell for the committee.

# **AMENDMENTS**

Senate Finance

February 7, 2018

2018-0504s

05/03

## **Amendment to SB 310-FN**

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

AN ACT establishing a committee to study the feasibility of establishing community-based services pilot programs.

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

1 Committee Established. There is established a committee to study the feasibility of establishing community-based services pilot programs.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall determine if community-based services pilot programs would be effective in preventing children from entering the foster care system by addressing potential issues before they rise to a crisis level that result in children being removed from the home. The committee may solicit information and testimony from any individual or entity the committee deems relevant to its study.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2018.

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

2018-0504s

#### AMENDED ANALYSIS

This bill establishes a committee to study the feasibility of establishing community-based services pilot programs.

Commerce  
February 7, 2018  
2018-0507s  
05/03

#### Amendment to SB 316

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Auctioneers; Exceptions; Internet Auctions. Amend RSA 311-B:13 by inserting after paragraph V the following new paragraph:

VI. Any auction conducted over the Internet shall be exempt from the requirements of this chapter.

2018-0507s

#### AMENDED ANALYSIS

This bill exempts auctions conducted over the Internet from the requirements of RSA 311-B.

Health and Human Services  
January 31, 2018  
2018-0418s  
01/04

#### Amendment to SB 332

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

1 New Section; Medication Synchronization. Amend RSA 415 by inserting after section 26 the following new section:

415:27 Medication Synchronization.

I. An individual or group health insurance plan or policy providing prescription drug coverage in New Hampshire, shall permit and apply a prorated, daily cost-sharing rate to covered prescriptions for a chronic condition that are dispensed by an in-network pharmacy for less than a 30-day supply if the prescriber and pharmacist determine the fill or refill to be in the best interest of the patient for the management or treatment of a chronic, long-term care condition and the patient requests or agrees to less than a 30-day supply for the purpose of synchronizing the patient's medications. For the purposes of this paragraph, the insured's or enrollee's maintenance prescription drugs to be synchronized shall meet all of the following requirements:

(a) They are covered by the policy, certificate, or contract described in this chapter.

(b) They are used for the management and treatment of a chronic, long-term care condition and have authorized refills that remain available to the insured or enrollee.

(c) Except as otherwise provided in this paragraph, they are not a controlled substance included in schedules II-V.

(d) They meet all utilization management requirements specific to the maintenance-prescription drugs at the time of the request to synchronize the insured's or enrollee's multiple, maintenance-prescription drugs.

(e) They are of a formulation that can be effectively split over required short-fill periods to achieve synchronization.

(f) They do not have quantity limits or dose-optimization criteria or requirements that will be violated when synchronizing the insured's or enrollee's multiple, maintenance-prescription drugs.

II. The plan or policy described in paragraph I shall apply a prorated, daily cost-sharing rate for maintenance-prescription drugs that are dispensed by an in-network pharmacy for the purpose of synchronizing the insured's or enrollee's multiple, maintenance-prescription drugs.

III. The plan or policy described in paragraph I shall not reimburse or pay any dispensing fee that is prorated. The insurer shall only pay or reimburse a dispensing fee that is based on each maintenance-prescription drug dispensed.

IV. A synchronization shall only occur once per year per maintenance-prescription drug.

2 New Section; Medication Synchronization; Managed Care Plan. Amend RSA 420-J by inserting after section 18 the following new section:

#### 420-J:19 Medication Synchronization.

I. An individual or group health insurance plan or policy providing prescription drug coverage in New Hampshire, shall permit and apply a prorated, daily cost-sharing rate to covered prescriptions for a chronic condition that are dispensed by an in-network pharmacy for less than a 30-day supply if the prescriber and pharmacist determine the fill or refill to be in the best interest of the patient for the management or treatment of a chronic, long-term care condition and the patient requests or agrees to less than a 30-day supply for the purpose of synchronizing the patient's medications. For the purposes of this paragraph, the insured's or enrollee's maintenance prescription drugs to be synchronized shall meet all of the following requirements:

(a) They are covered by the policy, certificate, or contract described in this chapter.

(b) They are used for the management and treatment of a chronic, long-term care condition and have authorized refills that remain available to the insured or enrollee.

(c) Except as otherwise provided in this paragraph, they are not a controlled substance included in schedules II-V.

(d) They meet all utilization management requirements specific to the maintenance-prescription drugs at the time of the request to synchronize the insured's or enrollee's multiple, maintenance-prescription drugs.

(e) They are of a formulation that can be effectively split over required short-fill periods to achieve synchronization.

(f) They do not have quantity limits or dose-optimization criteria or requirements that will be violated when synchronizing the insured's or enrollee's multiple, maintenance-prescription drugs.

II. The plan or policy described in paragraph I shall apply a prorated, daily cost-sharing rate for maintenance-prescription drugs that are dispensed by an in-network pharmacy for the purpose of synchronizing the insured's or enrollee's multiple, maintenance-prescription drugs.

III. The plan or policy described in paragraph I shall not reimburse or pay any dispensing fee that is prorated. The insurer shall only pay or reimburse a dispensing fee that is based on each maintenance-prescription drug dispensed.

IV. A synchronization shall only occur once per year per maintenance-prescription drug.

3 Effective Date. This act shall take effect January 1, 2019.

2018-0418s

## AMENDED ANALYSIS

This bill requires insurers offering health insurance policies with prescription drug coverage to allow covered persons to synchronize the dispensing dates of their prescription drugs.

Senate Education  
January 30, 2018  
2018-0369s  
06/01

## Amendment to SB 357

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

AN ACT relative to safe school zones and relative to syringe service programs.

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

2 Syringe Service Programs in Drug-Free School Zones Prohibited; Exceptions. Amend RSA 318-B:45 to read as follows:

318-B:45 Syringe Service Programs in Drug-Free School Zones Prohibited. No syringe service program shall be located within a drug-free school zone as defined in RSA 193-B:1, II. *Exceptions to this prohibition may be granted by the applicable school district superintendent when a request is initiated by a syringe service program administrator.*

2018-0369s

## AMENDED ANALYSIS

This bill:

I. Requires school employees to report crimes that would prevent a person from being hired as a teacher.

II. Permits school district superintendents to grant certain exceptions to the prohibition on locating syringe service programs in a drug-free zone.

Senate Education  
February 6, 2018  
2018-0487s  
05/10

## Amendment to SB 359

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

1 Child Protection Act; Notice to School District of Out-of-Home Placement; Development of Transition Plan. Amend RSA 169-C:20-a to read as follows:

169-C:20-a Notice to School District of Out-of-Home Placement; ***Development of*** Transition Plan [Required].

I. If the department of health and human services recommends or initiates an out-of-home placement or a change in placement [~~that will result in a change of school assignment~~], whether within or out of the district, the department shall notify the school district as soon as possible ***of the change in placement and shall work with the school district to determine how, consistent with the best interest of the child, to assure the child's educational stability*** [to allow the school district to participate in the facilitation of a successful transition of the child from one school to the next].

II. ***When necessary to transition the child to a different school or school district***, the department and school district shall develop a transition plan for the child. The objective of the plan shall be to minimize the number of placements for the child and to facilitate any change in placement or school assignment with the least [~~emotional and mental impact to the child~~] ***disruption to the child's education***. To the extent appropriate, the child may be involved in the formation of the plan.

2 New Section; Delinquent Children; Notice to School District of Out-of-Home Placement; Development of Transition Plan. Amend RSA 169-B by inserting after section 22 the following new section:

169-B:22-a Notice to School District of Out-of-Home Placement; Development of Transition Plan.

I. If the department of health and human services recommends or initiates an out-of-home placement or a change in placement, whether within or out of the district, the department shall notify the school district as soon as possible of the change in placement and shall work with the school district to determine how, consistent with the best interest of the child, to assure the child's educational stability.

II. When necessary to transition the child to a different school or school district, the department and school district shall develop a transition plan for the child. The objective of the plan shall be to minimize the number of placements for the child and to facilitate any change in placement or school assignment with the least disruption to the child's education. To the extent appropriate, the child may be involved in the formation of the plan.

3 New Section; Children in Need of Services; Notice to School District of Out-of-Home Placement; Development of Transition Plan. Amend RSA 169-D by inserting after section 18-a the following new section:

169-D:18-b Notice to School District of Out-of-Home Placement; Development of Transition Plan.

I. If the department of health and human services recommends or initiates an out-of-home placement or a change in placement, whether within or out of the district, the department shall notify the school district as soon as possible of the change in placement and shall work with the school district to determine how, consistent with the best interest of the child, to assure the child's educational stability.

II. When necessary to transition the child to a different school or school district, the department and school district shall develop a transition plan for the child. The objective of the plan shall be to minimize the number of placements for the child and to facilitate any change in placement or school assignment with the least disruption to the child's education. To the extent appropriate, the child may be involved in the formation of the plan.

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

2018-0487s

#### AMENDED ANALYSIS

This bill requires the department of health and human services to notify the child's school district of an out-of-home placement recommended or initiated by the department in a juvenile court proceeding.

Election Law and Internal Affairs

February 6, 2018

2018-0480s

03/06

#### Amendment to SB 363

Amend the bill by replacing section 2 with the following:

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

Energy and Natural Resources

January 30, 2018

2018-0379s

10/08

#### Amendment to SB 366

Amend RSA 162-H:3, V as inserted by section 2 of the bill by replacing it with the following:

V. Seven members of the committee shall constitute a quorum for the purpose of conducting the committee's business.

Amend RSA 162-H:4-a, II as inserted by section 5 of the bill by replacing it with the following:

II. When considering the issuance of a certificate or a petition of jurisdiction, a subcommittee shall have no fewer than 7 members. ~~[The 2]~~ **Two** public members shall serve on each subcommittee with the remaining 5 or more members selected by the chairperson from among the state agency members of the committee. Each selected member may designate a senior administrative employee or staff attorney from his or her respective agency to sit in his or her place on the subcommittee. The chairperson shall designate one member or designee to be the presiding officer who shall be an attorney whenever possible. Five members of the subcommittee shall constitute a quorum for the purpose of conducting the subcommittee's business.



Health and Human Services  
January 31, 2018  
2018-0416s  
01/05

Amendment to SB 379

Amend the bill by replacing sections 1 and 2 with the following:

1 Accident and Health Insurance; Retroactive Denials. Amend the introductory paragraph of RSA 415:6-i, II(b) to read as follows:

(b) The time which has elapsed since the date of payment of the challenged claim does not exceed [18] **12** months. The retroactive denial of a previously paid claim may be permitted beyond [18] **12** months from the date of payment only for the following reasons:

2 Managed Care Law; Retroactive Denials. Amend the introductory paragraph of RSA 420-J:8-b, II(b) to read as follows:

(b) The time which has elapsed since the date of payment of the challenged claim does not exceed [18] **12** months. The retroactive denial of a previously paid claim may be permitted beyond [18] **12** months from the date of payment only for the following reasons:

Senate Finance  
February 7, 2018  
2018-0505s  
04/05

Amendment to SB 390-FN

Amend the bill by replacing section 6 with the following:

6 Effective Date. This act shall take effect July 1, 2019.

Commerce  
February 7, 2018  
2018-0510s  
10/05

Amendment to SB 415

Amend RSA 356-B:37, II as inserted by section 1 of the bill by replacing it with the following:

II. An association shall hold a special meeting of unit owners to address any matter affecting the unit owners or the association if its president, a majority of the board of directors, or unit owners having at least 33 percent, or any lower percentage specified in the bylaws, of the votes in the association request that the secretary call the meeting. If the association does not notify unit owners of a special meeting within 30 days after the requisite number or percentage of unit owners request the secretary to do so, the requesting members may directly notify all the unit owners of ~~[an informational]~~ **the special** meeting, the purpose of which shall be to present the issue to fellow residents and unit owners **and to vote on the removal or replacement of one or more members of the board of directors as set forth in the meeting notice**. Only matters described in the meeting notice required by RSA 356-B:37-a may be considered at a special meeting.

2018-0510s

AMENDED ANALYSIS

This bill provides that requesting members of a condominium unit owners' association may give notice of a special meeting to vote on a duly noticed proposal, including the removal or replacement of a member of the board of directors.

Senate Education  
February 6, 2018  
2018-0486s  
08/05

Amendment to SB 434

Amend RSA 200:29, IV as inserted by section 2 of the bill by replacing it with the following:

IV.(a) All school nurses hired on or before September 1, 2018 and having applied for certification by March 1, 2019 shall not be subject to the certification requirements listed in paragraph II but shall be required to hold certification pursuant to rules adopted by the state board of education.

(b) All school nurses hired after September 1, 2018 and before July 1, 2022 holding an associates' degree in nursing, and all nurses hired before September 1, 2018 who did not meet the application deadline in subparagraph (a), shall be enrolled in a registered nurse to bachelor of science, nursing program and shall complete such program within 6 years of the date of initial school nurse certification pursuant to rules adopted by the state board of education.

(c) All school nurses hired after the effective date of this paragraph holding a bachelor's degree or higher in nursing shall hold certification pursuant to rules adopted by the state board of education.

(d) All school nurses hired on or after July 1, 2022, shall meet the certification requirements listed in paragraph II pursuant to rules adopted by the state board of education.

Amend the bill by replacing section 3 with the following:

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

Senate Education  
February 6, 2018  
2018-0488s  
06/04

#### Amendment to SB 435

Amend RSA 193-E:2-a, V(a) as inserted by section 1 of the bill by replacing it with the following:

V.(a) The general court requires the state board of education and the department of education to institute procedures for maintaining, updating, improving, and refining the minimum standards for public school approval for each area of education identified in paragraph I. Each school district shall be responsible for maintaining, updating, improving, and refining curriculum. The curriculum shall present educational goals, broad pedagogical approaches and strategies for assisting students in the development of the skills, competencies, and knowledge called for by the minimum standards for public school approval for each area of education identified in paragraph I. It is the responsibility of local teachers, administrators, and school boards to identify and implement approaches best suited for the students in their communities to acquire the skills and knowledge included in the curriculum, to determine the scope, organization, and sequence of course offerings, and to choose the methods of instruction, the activities, and the materials to be used.

Senate Education  
February 6, 2018  
2018-0484s  
04/08

#### Amendment to SB 436

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Community College System of New Hampshire; Tuition Waived. Amend RSA 188-F:15 by inserting after paragraph II the following new paragraph:

III. The board of trustees shall have the authority to allow a tuition discount for less than full-time employees. The board of trustees may establish criteria with respect to length of service, hours worked, percent of discount, and eligible courses.

2018-0484s

#### AMENDED ANALYSIS

This bill authorizes the community college system board of trustees to establish a tuition discount for less than full-time employees.

Senate Education  
February 6, 2018  
2018-0492s  
06/05

#### Amendment to SB 437

Amend RSA 188-E:24-a, II(c) as inserted by section 1 of the bill by replacing it with the following:

***(c) That the program the school seeks to participate in has demonstrated gains in students' STEM outcomes as determined by the department of education.***

Amend RSA 188-E:24-a, IV as inserted by section 1 of the bill by replacing it with the following:

**[V] IV. Subject to the provisions of subparagraph V,** no school shall receive more than one grant every 2 years, however, a school district may receive multiple grant awards.

Amend RSA 188-E:24-a, V(b) as inserted by section 1 of the bill by replacing it with the following:

***(b) In the event that additional funds exist in the fund after all initial grant application requests have been met, the commissioner shall award schools additional grants for additional requested teams in accordance with subparagraph (a). If a school receives a grant for any additional teams, such grant shall be made at the same time as the grant for the initial team. In the event that a school received a grant or grants in the prior year and qualifies for an additional team or teams, such grant shall be made in the usual manner.***

Energy and Natural Resources  
January 31, 2018  
2018-0393s  
08/10

#### Amendment to SB 450-FN-A

Amend RSA 149-Q:2 as inserted by section 1 of the bill by replacing it with the following:

149-Q:2 Membership and Compensation. The members of the commission shall be as follows:

- I. One member of an affected nuclear facility, appointed by the governor.
- II. Two members of the Business and Industry Association, appointed by the association.
- III. One member representing both the New Hampshire Rivers Council and New Hampshire Lakes Association, appointed by those organizations.
- IV. Three geographically dispersed members representing affected water and sewer facilities appointed by the New Hampshire Municipal Association.
- V. One member of the Granite State Hydropower Association, appointed by that association.
- VI. One member of the New Hampshire Association of Realtors, appointed by that association.
- VII. One member of the Associated General Contractors of New Hampshire, appointed by that association.
- VIII. One member of the New Hampshire Water Pollution Control Association, appointed by that association.
- IX. One member representing affected public utilities, appointed by the governor.
- X. One member representing an affected regional planning commission, appointed by the Association of New Hampshire Regional Planning Commissions.
- XI. The commissioner of the department of transportation, or designee.
- XII. One member of an environmental group, appointed by the governor.

Amend RSA 149-Q:4 as inserted by section 1 of the bill by replacing it with the following:

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

Amend the bill by replacing section 2 with the following:

2 Appropriation. The sum of \$350,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the commissioner of the department of environmental services for the purposes of hiring a consultant to assist the department and the NPDES advisory commission in proposing the report required by RSA 149-Q:5. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Senate Executive Departments and Administration  
 February 7, 2018  
 2018-0519s  
 05/04

Amendment to SB 456

Amend RSA 153-A:7, II(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Appoint, following consultation with the emergency medical services medical control board, the state medical director for emergency medical services, who shall be academically and technically qualified to hold the position.

Health and Human Services  
 February 7, 2018  
 2018-0516s  
 05/10

Amendment to SB 476

Amend subparagraph I(b) of section 2 of the bill by replacing it with the following:

(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 senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

Health and Human Services  
 February 7, 2018  
 2018-0511s  
 01/04

Amendment to SB 481

Amend subparagraph I(a) as inserted by section 3 of the bill by replacing it with the following:

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

Amend the bill by replacing paragraph I of section 4 with the following:

4 Duties. The committee shall:

I. Study the role pharmacy benefit managers (PBM) play in the cost, administration, and distribution of prescription drugs. The committee's study shall include, but not be limited to:

(a) The effects of PBMs on the overall costs of health insurers.

(b) PBMs use of "clawbacks" and "gag clauses" and the impact on consumer costs and rebates.

(c) The impact of PBMs with respect to retail pharmacy pricing decisions.

(d) A review of appropriate PBM oversight and the potential for such oversight to aid in lowering drug costs to consumers.

(e) A review of the potential differences in costs for insurers that use PBMs to manage pharmacy benefits and insurers that independently manage this benefit.

(f) Access to pharmacies.

Health and Human Services  
 February 1, 2018  
 2018-0425s  
 10/06

Amendment to SB 483

Amend RSA 318:47-1 as inserted by section 1 of the bill by replacing it with the following:

318:47-1 Procedures for Dispensing Controlled Drugs. Only a patient for whom a prescription was written, the owner of an animal for which a prescription was written, or an authorized representative of the patient or animal owner, as defined in rules adopted by the pharmacy board, after consultation with the commissioner of health and human services, may pick up a prescription for a schedule II, III, or IV controlled substance. Prior to dispensing a prescription for a schedule II, III, or IV controlled substance to a patient not personally known to the pharmacist, the pharmacy technician, or the pharmacy intern, the pharmacist, pharmacy technician, or pharmacy intern shall require the individual receiving the drug to provide a signature and show valid and current government-issued photographic identification as evidence that the individual is the patient for whom the prescription was written, the owner of the animal for which the prescription was written, or the authorized representative of the patient or animal owner.

Health and Human Services  
February 7, 2018  
2018-0513s  
01/06

#### Amendment to SB 486

Amend RSA 318:58-a, I(a) as inserted by section 1 of the bill by replacing it with the following:

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

- (1) One member of the senate, appointed by the president of the senate.
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (3) The commissioner of the department of health and human services, or designee.
- (4) The executive director of the New Hampshire Pharmacists Association, or designee.
- (5) The executive director of the New Hampshire Providers Association, or designee.
- (6) The executive director of AARP New Hampshire, or designee.
- (7) A member of the New Hampshire High Tech Council's BioTech/MedTech Cluster, appointed by the council.
- (8) A public member with experience providing access to affordable prescription drugs in underserved communities, appointed by the governor.

Health and Human Services  
February 7, 2018  
2018-0514s  
05/10

#### Amendment to SB 489

Amend subparagraph I(a) of section 2 of the bill by replacing it with the following:

(a) 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 senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

Public and Municipal Affairs  
February 8, 2018  
2018-0525s  
06/10

#### Amendment to SB 504-FN

Amend RSA 80:80, I-III as inserted by section 1 of the bill by replacing them with the following:



I. No transfer of any tax lien upon real estate acquired by a town or city as a result of the execution of the real estate tax lien by the tax collector for nonpayment of taxes thereon shall be made to any person by the municipality during the 2-year period allowed for redemption, nor shall title to any real estate taken by a town or city in default of redemption be conveyed to any person, unless the town, by majority vote at the annual meeting, or city council by vote, shall authorize the ~~[selectmen or the mayor]~~ **governing body** to transfer such lien or to convey such property by deed.

II. If the ~~[selectmen or mayor are]~~ **governing body is** so authorized to convey such property by deed, either a public auction shall be held, or the property may be sold by advertised sealed bids. The ~~[selectmen or mayor]~~ **governing body** shall have the power to establish a minimum amount for which the property is to be sold and the terms and conditions of the sale.

II-a. If the ~~[selectmen or mayor are]~~ **governing body is** authorized to transfer such liens during the 2-year redemption period, either a public auction shall be held, or the liens may be sold by advertised sealed bids. The ~~[selectmen or mayor]~~ **governing body** may establish minimum bids, and may set the terms and conditions of the sale. Such liens may be sold singly or in combination, but no fractional interest in any lien shall be sold. Such transfer shall not affect the right of the owner or others with a legal interest in the land to redeem the tax lien pursuant to RSA 80:69, or make partial payments in redemption pursuant to RSA 80:71, but the transferee shall become the lienholder for purposes of RSA 80:72 and 80:76.

III. The ~~[selectmen]~~ **governing body** may, by a specific article in the town warrant, or ~~[the mayor may,]~~ by ordinance, ~~[may]~~ be authorized to dispose of ~~[a lien]~~ **liens** or tax deeded ~~[property]~~ **properties** in a manner **other** than ~~[otherwise]~~ **as** provided in this section, as justice may require. ***Before proceeding under this provision, the governing body shall make an affirmative finding that disposal by a method other than sealed bid or public auction is in the public interest.***

Amend RSA 80:80, VI as inserted by section 1 of the bill by replacing it with the following:

VI. For purposes of this section, the authority to dispose of the property “as justice may require” shall include the power of the ~~[selectmen or mayor]~~ **governing body** to:

***(a) Engage a real estate agent or broker to list and sell the property, including a sale conditional on the buyer’s obtaining development approvals;***

***(b) Sell undeveloped parcels to abutters for consolidation into adjoining lots for the purpose of affordable housing development, preserving open space, or reducing development density; or***

***(c) Convey the property to a former owner, or to a third party for benefit of a former owner, upon such reasonable terms as may be agreed to in writing, including the authority of the municipality to retain a mortgage interest in the property, or to reimpose its tax lien, contingent upon an agreed payment schedule, which need not necessarily reflect any prior redemption amount. Any such agreement shall be recorded in the registry of deeds. This paragraph shall not be construed to obligate any municipality to make any such conveyance or agreement.***

2018-0525s

#### AMENDED ANALYSIS

This bill permits the governing body to dispose of liens or tax deeded property other than by sealed bid or public auction if it is in the public interest.

Public and Municipal Affairs

February 8, 2018

2018-0535s

08/04

#### Amendment to SB 508

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

AN ACT establishing a committee to study the prevalence of post-traumatic stress disorder (PTSD) and other related disorders among first responders.

Amend the bill by replacing section 1-3 with the following:

1 Committee Established. There is established a committee to study the prevalence of post-traumatic stress disorder (PTSD) and other related disorders among first responders.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study the prevalence of post-traumatic stress disorder and other related disorders among first responders, including police officers, fire persons, and emergency medical service providers, and consider how to mitigate cases of PTSD and other related disorders in those fields.

2018-0535s

AMENDED ANALYSIS

This bill establishes a committee to study the prevalence of post-traumatic stress disorder and other related disorders among first responders.

Public and Municipal Affairs  
February 8, 2018  
2018-0523s  
05/04

Amendment to SB 510

Amend RSA 72:23, I(b)(1)(B) as inserted by section 1 of the bill by replacing it with the following:

***(B) The lessors of all leases and other agreements, the terms of which provide for the use or occupation by others of real or personal property owned by the state or a county, city, town, school district, or village district, including those properties identified under subparagraph (d), shall notify the municipality of the lease and other agreement by April 15 of each year.***

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 2019.

2018-0523s

AMENDED ANALYSIS

This bill requires lessors of tax-exempt public property to annually notify the municipality of the lease or any similar use or occupancy agreement.

Energy and Natural Resources  
January 31, 2018  
2018-0391s  
08/04

Amendment to SB 529-FN

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

AN ACT requiring the department of environmental services to conduct a study regarding the Baker River in the town of Warren and making an appropriation for such study.

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

1 Department of Environmental Services; Baker River Study. The department of environmental services shall conduct a study to determine options and costs for a permanent solution to the perennial damage caused by the Baker River in the town of Warren. The department of environmental services shall consult with the department of transportation, the fish and game department, and the department of natural and cultural resources on the design of such permanent solution.

2 Appropriation. The sum of \$1 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of environmental services for the purpose of the study required in section 1 of this act. This appropriation is in addition to any other funds appropriated to the department of environmental services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2018-0391s

#### AMENDED ANALYSIS

This bill requires the department of environmental services to conduct a study to determine options and costs for a solution to the perennial damage caused by the Baker River in the town of Warren and makes an appropriation for such study.

Senate Executive Departments and Administration

February 7, 2018

2018-0522s

10/01

#### Amendment to SB 535-FN

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

AN ACT relative to licensure for the practice of professional art therapy and establishing an advisory council on alternative mental health therapies, and relative to certain revenues from the sale of commemorative liquor bottles of historic significance.

Amend the introductory paragraph of RSA 326-L:6 as inserted by section 1 of the bill by replacing it with the following:

326-L:6 Rulemaking. The executive director, with the advice of the advisory council on alternative mental health therapies under RSA 330-D, shall adopt rules for the following:

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

3 New Chapter; Advisory Council on Alternative Mental Health Therapies. Amend RSA by inserting after chapter 330-C the following new chapter:

#### CHAPTER 330-D

##### ADVISORY COUNCIL ON ALTERNATIVE MENTAL HEALTH THERAPIES

330-D:1 Advisory Council on Alternative Mental Health Therapies. The executive director shall establish the advisory council on alternative mental health therapies. The council shall consist of 3 persons who are licensees or certificate holders in the state of New Hampshire in an alternative mental health therapy. Each member shall be appointed to a term of 3 years, provided that initial terms may be staggered. No member shall serve more than 2 consecutive full terms. Each member of the advisory council shall receive as compensation the sum of \$45 for each day actually devoted to the work of the advisory council and shall be reimbursed for necessary traveling expenses incurred in the discharge of such duty. The advisory council shall:

I. Review the educational and experience requirements of applicants for licensure or certification of an alternative mental health therapy.

II. Review the continuing education requirements for renewing licensure or certification of an alternative mental health therapy.

III. Advise the executive director regarding the implementation of requirements for licensure or certification of an alternative mental health therapy and the adoption of necessary rules.

4 New Paragraph; Historical Fund; Sale of Commemorative Bottles; Transfer of Revenues. Amend RSA 177:8 by inserting after paragraph II the following new paragraph:

III. Notwithstanding provisions of paragraph II, revenue from commemorative bottles sold under this section between July 1, 2018 and December 31, 2019 shall be credited to the New Hampshire state house bicentennial education and commemoration fund in RSA 17-R:3.

2018-0522s

## AMENDED ANALYSIS

This bill regulates persons engaged in the practice of professional art therapy and establishes an advisory council on alternative mental health therapies. The bill also credits revenue from the sales of commemorative liquor bottles until December 31, 2019 to the New Hampshire state house bicentennial education and commemoration fund.

Senate Executive Departments and Administration

February 7, 2018

2018-0521s

10/05

## Amendment to SB 538-FN

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

AN ACT including police officers of the state office complex police force in group II of the retirement system.

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

1 Department of Safety; Duties of Commissioner; State Office Complex Police Force. Amend RSA 21-P:4, XI to read as follows:

XI. Have the discretion to grant to [security] **police** officers of the [New Hampshire hospital security force] **state office complex police force** such titles, ranks, and police powers as the commissioner deems necessary [up to and including that of ex-officio constables] including the power of arrest for violations of the criminal and motor vehicle laws and the power to serve criminal process, and may limit such powers as deemed necessary. They shall have general police powers on the state office campus and New Hampshire hospital grounds and when [in hot pursuit of] **attempting to apprehend** a person who has committed a crime on the campus or escaped from the hospital, and when acting to transport a patient to or from the hospital, the court, or another mental health facility, **or when acting to transport to or from a police station or correctional facility**.

2 State Office Complex Police Force. Amend RSA 21-P:7-b to read as follows:

21-P:7-b [New Hampshire Hospital Security Force] **State Office Complex Police Force**. The commissioner of safety is authorized to organize a [hospital security force] **state office complex police force** for the purpose of patrolling the New Hampshire hospital's buildings, roads, and grounds of the campus of the state office park south and providing for general security on the campus. The [hospital security force] **state office complex police force** shall be under the immediate control of and responsible to the commissioner of safety or his or her designee.

3 Department of Safety; Memorandum of Understanding; State Office Complex Police Force. Amend RSA 21-P:7-c to read as follows:

21-P:7-c Authority of [Hospital Security Force] **State Office Complex Police Force** Officers; Memorandum of Understanding; Funding.

I. All [security] **police** officers of the [hospital security force] **state office complex police force** shall possess such police powers as are granted to them by the commissioner of safety pursuant to RSA 21-P:4, XI[-]. All officers of the hospital security force hired after the effective date of this paragraph shall be required to meet the training standards required generally of **and shall be fully certified as** police [offers] **officers** by the police standards and training council pursuant to RSA 106-L [and]. In addition **they** shall receive additional training in dealing with persons with mental illness as specified by the commissioner of safety after consultation with the chief executive officer of the New Hampshire hospital.

II. The commissioner of the department of health and human services shall enter into a memorandum of understanding with the commissioner of safety for the purposes of delineating the functions, duties, and responsibilities of the department of safety in regard to the provision of security and dispatch services to the New Hampshire hospital. The memorandum of understanding shall include, but not be limited to: responding to emergencies within New Hampshire hospital, maintaining the security of the hospital buildings, insuring the safety of patients, staff, and visitors, apprehending involuntarily committed persons who leave the hospital without authorization, accepting custody of involuntary admissions, transporting patients for medical,

legal, and other purposes, investigating cases of abuse, neglect, sexual assault, and other criminal conduct, providing training, and conducting searches and seizures of contraband. In addition, the department of safety shall provide dispatch services including, but not limited to: monitoring hospital access between 8 p.m. and 8 a.m., operating and monitoring video security systems, receiving incoming communications, assessing the priority of the call and dispatching appropriate assistance, coordinating emergency preparedness procedures, receiving incoming fire calls and alarms, and operating the switchboard between 8 p.m. and 8 a.m. and at other times as needed.

III. Within the limits of funds budgeted for ~~[hospital security force]~~ **state office complex police force** positions, the department of health and human services shall maintain the funding for the ~~[hospital security force]~~ **state office complex police force** and pay the department of safety for providing these services.

4 New Subparagraph; Retirement System; Group II Permanent Policeman; State Office Complex Police Force Added. Amend RSA 100-A:1, VII by inserting after subparagraph (f) the following new subparagraph:

(g) A police officer of the state office complex police force who:

(1) Has the responsibilities granted by the commissioner of safety under RSA 21-P:4, XI;

(2) Has full general arrest powers;

(3) As a job requirement is fully certified as a full-time police officer by the New Hampshire police standards and training council; and

(4) As a job requirement meets all physical, mental, educational, and other qualifications for continuing certification as a full-time police officer as established by the police standards and training council.

5 Retirement System; Group II; Exclusion of Security Officers Deleted. Amend RSA 100-A:1, VII-a (b) to read as follows:

(b) Any bingo or lucky 7 inspector, ~~[security officer appointed pursuant to RSA 21-P:7-b,]~~ any juvenile probation and parole officer, or any person employed in the bureau of trails of the department of natural and cultural resources; or

6 Effective Date. This act shall take effect July 1, 2019.

2018-0521s

#### AMENDED ANALYSIS

This bill clarifies the status of police officers of the state office complex police force and includes such officers in group II of the New Hampshire retirement system.

Health and Human Services

February 1, 2018

2018-0426s

01/10

#### Amendment to SB 573-FN-A

Amend RSA 318-B:33, II-b as inserted by section 1 of the bill by replacing it with the following:

II-b. The chief medical examiner and delegates may register and access the program.

Amend the introductory paragraph of RSA 318-B:35, I(a) as inserted by section 2 of the bill by replacing it with the following:

(a) By electronic or written request to prescribers ~~[and]~~, dispensers, **and the chief medical examiner and delegates** within the state who are registered with the program:

2018-0426s

#### AMENDED ANALYSIS

This bill allows the chief medical examiner and delegates to register and access the controlled drug prescription health and safety program.

This bill also makes an appropriation to the controlled drug prescription health and safety program.

This bill is a request of the controlled drug prescription health and safety program, established in RSA 318-B:32.



Senate Finance  
 February 7, 2018  
 2018-0506s  
 06/08

# Amendment to SB 580

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

AN ACT relative to the creation of new class lines within the department of transportation and the department of health and human services, and amending a capital budget appropriation to allow for door replacements at the New Hampshire hospital.

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

1 Transfers Authorized. Amend RSA 9:16-a, I and II to read as follows:

I. Notwithstanding any other provision of law, every department as defined in RSA 9:1 is hereby authorized to transfer funds within and among all accounting units within said department, provided that any transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council, and provided that no funds may be transferred in violation of the provisions of RSA 9:17-a, 9:17-b, or 9:17-c or in violation of any restrictions otherwise provided by law or to or from any account[, ~~except accounts in the department of health and human services and the department of transportation,~~] which is not composed of the same funding source mix.

II. Notwithstanding any other provision of law except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and the governor and council, the commissioner of the department of administrative services, ***the commissioner of the department of health and human services, and the commissioner of the department of transportation*** [is] ***are*** hereby authorized to transfer funds within and among all accounting units and/or class codes within the department, and is further authorized to create new class codes within the department into which funds may be transferred or placed, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided that if a transfer does not include new class codes, only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court and the governor and council.

2 New Paragraph; Appropriations; Department of Transportation; Transfers Authorized. Amend RSA 9:16-a by inserting after paragraph II the following new paragraph:

II-a. Notwithstanding any other provision of law, the commissioner of the department of transportation is hereby authorized to transfer funds from any funding source mix within and among all accounting units and establish new accounting units and/or expenditures classes within the department, provided that if a transfer does not include new accounting units or expenditure classes, only transfers of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council, and provided that no funds may be transferred in violation of the provisions of RSA 9:17-a, RSA 9:17-b, or RSA 9:17-c or in violation of any restrictions otherwise provided by law.

II-b. Notwithstanding any other provision of law, the commissioner of the department of health and human services is hereby authorized to transfer funds from any funding source mix within and among all accounting units and establish new accounting units and/or expenditures classes within the department, provided that if a transfer does not include new accounting units or expenditure classes, only transfers of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council.

3 Appropriations; Department of Transportation; Transfers Authorized. Amend RSA 9:16-a, III to read as follows:

III. The \$75,000 threshold under paragraphs [I-II] ***I-II-b*** shall be applied at the accounting unit level on a cumulative basis within the fiscal year. Once the threshold has been reached, the approval of the fiscal committee of the general court and the governor and council shall be required for subsequent transfers within the fiscal year.

4 Department of Health and Human Services; Capital Budget; Appropriation; Purpose Amended. Amend 2011, 253:1, VII, D, extended by 2013, 195:47, 60, amended by 2014, 121:3, extended by 2015, 220:23, 61, extended by 2017, 228:22, 82, to read as follows:

D. APS Repairs/Renovations-Roof, Windows and Curtain Wall *and* 3,675,000  
***Door Replacements or Other Related Upgrades***

5 Effective Date.

I. Sections 1-3 of this act shall take effect July 1, 2018.

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

2018-0506s

#### AMENDED ANALYSIS

This bill:

I. Creates class lines within the department of transportation.

II. Creates class lines within the department of health and human services.

III. Amends the capital budget to allow for door replacements at the New Hampshire hospital.

## HEARINGS

***TUESDAY, FEBRUARY 13, 2018***

### **COMMERCE**, Room 100, SH

Sen. Innis (C), Sen. French (VC), Sen. Sanborn, Sen. Soucy, Sen. Lasky

1:00 p.m. **SB 351**, relative to managed care programs under workers' compensation.

1:15 p.m. **SB 424**, relative to property and casualty insurance.

1:30 p.m. **SB 425**, relative to limited liability companies.

1:45 p.m. **SB 354**, relative to pharmacy claim fees and copayments.

**EXECUTIVE SESSION MAY FOLLOW**

### **EDUCATION**, Room 103, LOB

Sen. Reagan (C), Sen. Giuda (VC), Sen. Ward, Sen. Watters, Sen. Kahn

9:00 a.m. **SB 523-FN**, requiring public school students to receive training in cardiopulmonary resuscitation and the use of an automated external defibrillator device.

9:05 a.m. **SB 524-FN**, relative to head injury policies for the community college system of New Hampshire and the university system of New Hampshire.

9:15 a.m. **SB 525-FN**, prohibiting the distribution of higher education and adult education financial assistance to any student who is not a legal resident.

9:25 a.m. **SB 526-FN**, relative to school breakfast programs.

9:30 a.m. **SB 568-FN**, relative to criminal history record checks for school employees and certain volunteers.

**EXECUTIVE SESSION MAY FOLLOW**

### **ELECTION LAW AND INTERNAL AFFAIRS**, Room 102, LOB

Sen. Birdsell (C), Sen. Gray (VC), Sen. Sanborn, Sen. Soucy, Sen. Woodburn

10:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

### **ENERGY AND NATURAL RESOURCES**, Room 103, SH

Sen. Avarad (C), Sen. Bradley (VC), Sen. Innis, Sen. Fuller Clark, Sen. Feltes

9:15 a.m. **SB 569-FN**, relative to animal cruelty.

NOTE: Hearing on SB 569-FN was recessed on Tuesday, February 6th.

9:45 a.m. **SB 530-FN**, relative to high voltage electric transmission lines in highway rights-of-ways.

**EXECUTIVE SESSION MAY FOLLOW**

**FINANCE**, Room 103, SH

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

1:00 p.m.

**EXECUTIVE SESSION ON PENDING LEGISLATION****HEALTH AND HUMAN SERVICES**, Room 101, LOB

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

1:00 p.m.

**SB 484**, reestablishing the commission to address child hunger in New Hampshire.

1:15 p.m.

**SB 485**, establishing a committee to study the relationship between concierge medicine and the Affordable Care Act.

1:30 p.m.

**SB 480**, limiting the use of electroconvulsive therapy.

1:45 p.m.

**SB 479**, relative to the oversight commission on children's services.

2:00 p.m.

**SB 478**, establishing an advisory council on lactation.**EXECUTIVE SESSION MAY FOLLOW****JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Lasky (VC), Sen. French, Sen. Gannon, Sen. Hennessey

9:00 a.m.

**SB 500**, amending references to firearms terminology.**EXECUTIVE SESSION MAY FOLLOW****TRANSPORTATION**, Room 103, LOB

Sen. Birdsell (C), Sen. Gannon (VC), Sen. Ward, Sen. Watters, Sen. Cavanaugh

1:00 p.m.

**SB 346**, relative to requiring enhanced technology ignition interlock devices.

1:20 p.m.

Hearing on proposed amendment 2018-0503s to SB 561-FN, relative to the installation of a traffic light or beacon.

1:40 p.m.

**SB 401**, relative to repair of roads not maintained by a municipality.

2:00 p.m.

**SB 464**, relative to the procedure for driveway permits.**EXECUTIVE SESSION MAY FOLLOW*****WEDNESDAY, FEBRUARY 14, 2018*****EXECUTIVE DEPARTMENTS AND ADMINISTRATION**, Room 101, LOB

Sen. Carson (C), Sen. Reagan (VC), Sen. Gannon, Sen. Soucy, Sen. Cavanaugh

9:00 a.m.

**SB 537**, establishing the granite state finance authority and relative to the powers of the New Hampshire health and education facilities authority and the New Hampshire housing finance authority.

9:20 a.m.

**SB 466**, relative to political activities of commissioners of state agencies.

9:40 a.m.

**SB 459**, relative to reciprocity for licensure as a real estate broker or salesperson.

10:00 a.m.

**SB 455**, relative to state employees injured in the line of duty.

10:20 a.m.

**SB 458**, authorizing the purchase of retirement system creditable service by a certain surviving spouse.**EXECUTIVE SESSION MAY FOLLOW****PUBLIC AND MUNICIPAL AFFAIRS**, Room 102, LOB

Sen. Gray (C), Sen. Ward (VC), Sen. Birdsell, Sen. Kahn, Sen. Woodburn

10:00 a.m.

**EXECUTIVE SESSION ON PENDING LEGISLATION****WAYS AND MEANS**, Room 100, SH

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

10:00 a.m.

**EXECUTIVE SESSION ON PENDING LEGISLATION**

## ***TUESDAY, FEBRUARY 20, 2018***

### **COMMERCE**, Room 100, SH

Sen. Innis (C), Sen. French (VC), Sen. Sanborn, Sen. Soucy, Sen. Lasky

- 1:00 p.m. **SB 420**, relative to collective bargaining under the right-to-know law.  
 1:15 p.m. **SB 426**, relative to the commission on primary care workforce issues.  
 1:30 p.m. **SB 427**, limiting the liability of successor corporations for asbestos-related claims.  
 1:45 p.m. **SB 421**, relative to insurance coverage for prescription contraceptives.  
**EXECUTIVE SESSION MAY FOLLOW**

### **ENERGY AND NATURAL RESOURCES**, Room 103, SH

Sen. Avarad (C), Sen. Bradley (VC), Sen. Innis, Sen. Fuller Clark, Sen. Feltes

- 9:15 a.m. **SB 443**, relative to the jurisdiction of counties concerning retail electric supply.  
 9:30 a.m. **SB 449**, relative to the site evaluation committee.  
**EXECUTIVE SESSION MAY FOLLOW**

### **JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Lasky (VC), Sen. French, Sen. Gannon, Sen. Hennessey

- 9:00 a.m. **SB 584-FN**, prohibiting electroconvulsive therapy on children 16 years of age or under.  
**EXECUTIVE SESSION MAY FOLLOW**

## **MEETINGS**

### ***FRIDAY, FEBRUARY 9, 2018***

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

9:00 a.m. Room 303, LOB Regular Meeting

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

9:30 a.m. NH DRA, Training Room Subcommittee Meeting - Utility  
 109 Pleasant Street Valuation  
 Concord, NH

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

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

#### **COMMISSION TO STUDY GRANDFAMILIES IN NEW HAMPSHIRE (RSA 170-G:17)**

10:00 a.m. Rooms 306-308, LOB Regular Meeting

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

10:00 a.m. Room 307, LOB Regular Meeting

#### **GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

1:00 p.m. OPLC, Technical Division Board Room Regular Meeting  
 121 South Fruit Street  
 Concord, NH

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

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

#### **COMMITTEE TO STUDY CERTAIN INVESTMENTS BY MUNICIPALITIES (SB 72, Chapter 37:1, Laws of 2017)**

2:30 p.m. Room 102, LOB Regular Meeting

## ***SUNDAY, FEBRUARY 11, 2018***

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

1:00 p.m.	NHTI Committee College Sweeney Crocker Building Room 235 Concord, NH	Regular Meeting
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## ***MONDAY, FEBRUARY 12, 2018***

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

9:00 a.m.	Room 101, LOB	Regular Meeting
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### **NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a)**

9:00 a.m.	NH Veterans Home Tarr South Conference Room 139 Winter Street Tilton, NH	Regular Meeting
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### **COMMISSION TO STUDY CURRENT MENTAL HEALTH PROCEDURES FOR INVOLUNTARY COMMITMENT (RSA 135-C:63-c)**

1:00 p.m.	Room 206, LOB	Regular Meeting
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### **COMMISSION TO STUDY THE LEGALIZATION, REGULATION, AND TAXATION OF MARIJUANA (RSA 318-B:43)**

1:00 p.m.	Room 202, LOB	Regular Meeting
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### **JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1)**

1:00 p.m.	Room 100, SH	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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### **NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q)**

1:30 p.m.	Room 205, LOB	Regular Meeting
2:30 p.m.	Room 205, LOB	Subcommittee Meeting - Early Learning

### **SEACOAST COMMISSION ON LONG TERM GOALS AND REQUIREMENTS FOR DRINKING WATER (RSA 485-F:5)**

2:00 p.m.	NHDES Portsmouth Regional Office Pease International Tradeport, Suite 175 222 International Drive Portsmouth, NH	Regular Meeting
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## ***WEDNESDAY, FEBRUARY 14, 2018***

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

9:00 a.m.	New Futures Conference Room 10 Ferry Street Concord, NH	Regular Meeting
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## ***THURSDAY, FEBRUARY 15, 2018***

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

2:30 p.m.	Walker Building, Room 100 21 South Fruit Street Concord, NH	Regular Meeting
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## ***FRIDAY, FEBRUARY 16, 2018***

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

8:15 a.m.	Room 100, SH	Regular Meeting
8:30 a.m.	Room 100, SH	Subcommittee Meeting

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

9:00 a.m.	Rooms 306-308, LOB	Regular Meeting
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### **ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

9:00 a.m.	Room 303, LOB	Subcommittee Meeting - Equalization
9:30 a.m.	Room 303, LOB	Regular Meeting
12:00 p.m.	Room 303, LOB	Subcommittee Meeting - Rules

### **FISCAL COMMITTEE (RSA 14:30-a)**

10:00 a.m.	Rooms 210-211, LOB	Regular Meeting
10:30 a.m.	Rooms 210-211, LOB	Audits The Unique College Investing Plan Annual Report September 30, 2017 The Fidelity Advisor 529 Plan Annual Report September 30, 2017 State of New Hampshire Lottery Commission Management Letter For The Fiscal Year Ended June 30, 2017 State of New Hampshire Liquor Commission Management Letter For The Fiscal Year Ended June 30, 2017

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

10:00 a.m.	Room 203, LOB	Regular Meeting
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### **COMMITTEE TO STUDY EDUCATION FUNDING AND THE COST OF AN OPPORTUNITY FOR AN ADEQUATE EDUCATION (HB 356, Chapter 190:1, Laws of 2017)**

1:00 p.m.	Room 209, LOB	Regular Meeting
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### **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
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## ***THURSDAY, FEBRUARY 22, 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
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## ***FRIDAY, FEBRUARY 23, 2018***

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

9:30 a.m.	Rooms 301-303, LOB	Regular Meeting
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**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

**PUBLIC-PRIVATE PARTNERSHIP TRANSPORTATION INFRASTRUCTURE OVERSIGHT COMMISSION (RSA 228:107)**

10:00 a.m. NH DOT, Room 114 Regular Meeting  
7 Hazen Drive  
Concord, NH

***MONDAY, FEBRUARY 26, 2018***

**COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILDLIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30)**

11:00 a.m. Room 307, LOB Regular Meeting

***FRIDAY, MARCH 2, 2018***

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

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

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

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

***MONDAY, MARCH 5, 2018***

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

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

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

11:00 a.m. Rooms 305-307, LOB Regular Meeting

***TUESDAY, MARCH 6, 2018***

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

5:00 p.m. NH National Guard Regional Regular Meeting  
Training Institute  
722 Riverwood Drive  
Pembroke, NH

***THURSDAY, MARCH 8, 2018***

**HOME EDUCATION ADVISORY COUNCIL (RSA 193-A:10)**

3:30 p.m. NH Department of Education Regular Meeting  
101 Pleasant Street  
Concord, NH

***FRIDAY, MARCH 9, 2018***

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

9:30 a.m. Room 303, 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

**COMMITTEE TO STUDY BROADBAND (HB 238, Chapter 163:1, Laws of 2017)**

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

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

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

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

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

***MONDAY, MARCH 12, 2018*****NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4)**

8:30 a.m.                      Rooms 210-211, LOB                      Regular Meeting

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

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

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

2:00 p.m.                      Brain Injury Association of NH                      Regular Meeting  
52 Pleasant Street  
Concord, NH

***THURSDAY, MARCH 15, 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, MARCH 16, 2018*****ADMINISTRATIVE RULES (RSA 541-A:2)**

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

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

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

***THURSDAY, MARCH 22, 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

***MONDAY, MARCH 26, 2018*****COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILDLIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30)**

11:00 a.m.                      Room 307, LOB                      Regular Meeting

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**SENATE BILLS AMENDED BY THE HOUSE**

**SENATE BILLS: 215**

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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, 324, 334, 372, 376, 396, 528, 531, 558, 571**

**HOUSE BILLS: 79, 101, 134, 225, 549, 560, 561, 574**

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

**SENATE BILLS: 48, 247**

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## 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 2017-3  
Response to a Request for an Advisory Opinion  
from Representative Joseph A. Pitre  
(October 30, 2017)**

Representative Pitre has sought an Advisory Opinion about whether acceptance of payment for the costs related to attendance at an event in Las Vegas sponsored by the Specialty Equipment Market Association (SEMA), will qualify for exemption from the prohibition on "Gifts" under RSA 14-C:3, as "Expense Reimbursement" under RSA 14-C:2, IV(b)(10), as defined in RSA 14-C:2, III.

Joining for the majority:

Honorable Donna Sytek, Chairman, Senator Sharon M. Carson, Vice-Chairman, Representative Janet G. Wall, Senator Martha Fuller Clark, Representative David A. Welch, and David H. Bradley, Esq.

According to an agenda submitted by Representative Pitre, it appears that the educational sessions at the 2017 SEMA Show held October 30 through November 3, 2017, are geared toward sales and marketing, employee relations, and social media. While the sessions may be of interest to car aficionados, the conference clearly does not satisfy criteria required to qualify for an expense reimbursement under our ethics law and guidelines. As the Committee held in *Interpretive Ruling 2013-1*:

This exemption allows legislators to accept payment for the costs of travel to and attendance at an event, for example, fares, meals, accommodation, registration or attendance fees. The exemption applies only where the event is a *bona fide* conference, meeting, seminar, or educational or informational program that relates to the legislator's duties. In this context, a "bona fide" event is taken to mean an event that is primarily focused on communicating information relating to matters of legislative concern to New Hampshire legislators, rather than directed at providing opportunity for tourism, entertainment, or recreation. Reimbursement for "junkets" or "see the sites" trips as part of a legislative group doesn't qualify for the exemption — the event must offer, as a genuine and central element, organized learning about subjects that are or may become the focus of legislative activity in New Hampshire. (Emphasis supplied)

The SEMA Show is unlike other events that were the subject of prior advisory opinions. Those events were designed specifically for legislators to learn about an issue, such as a conference sponsored by the Republican Legislative Campaign Committee which focused on topics like U.S. energy policy, Medicaid reform, and cybersecurity (AO 2015-3), or the BIA-sponsored Legislative Leadership Summits for legislators held at the Mt. Washington Hotel which focused on issues such as New Hampshire's tax structure, energy supply and cost, and healthcare availability and expense (AO 2015-2). Those events qualified as exceptions to the gift prohibition.

Based on the information provided by Representative Pitre about the conference's purpose and activities, acceptance of the payment of expenses associated with the event would not qualify for exemption from the prohibition on "Gifts" under RSA 14-C:3, as "Expense Reimbursement" under RSA 14-C:2, IV(b)(10), as defined in RSA 14-C:2, III.

The Honorable David W. Hess, dissenting, filed the following minority report:

I dissent from the Majority Response. I believe the reliance of that Response on *Interpretive Ruling 2013-1* is misplaced and unwarranted. Rather than follow that Ruling and cite it as precedent, I believe the language quoted from that Ruling is totally erroneous, without any basis in the underlying statutory and Ethics Guidelines language, and should be explicitly overturned and reversed. Consequently, I believe acceptance of the reimbursement of expenses associated with this event does qualify under RSA 14-C:2, IV(b)(10) as an exemption from the prohibition on "Gifts" under RSA 14-C:3.

*Interpretive Ruling 2013-1* states in pertinent part: "In this context, a 'bona fide' event is taken to mean an event that is primarily focused on communicating information relating to matters of legislative concern to New Hampshire legislators...the event must offer, as a genuine and central element, organized learning about subjects that are or may become the focus of legislative activity in New Hampshire." (emphasis added). The Ruling does not explain why the term "bona fide" "[was] taken to mean" what it then proceeded to baldly assert. The Ruling cites no authority or basis for reaching that conclusion, or for adding such additional criteria or interpretive gloss to the meaning of "bona fide" as that phrase appears in statute and the Ethics Guidelines. RSA 14-C:2, III uses the phrase "bona fide" without any qualifications or further restrictive language. The same is true of Ethics Guideline 4, I(e). In the absence of such language in the governing authorities, I turn to the plain meaning of the phrase as generally understood.

Webster's defines "bona fide" as: "In or with good faith; without fraud or deceit; authentic; genuine, as a bona fide transaction". I believe Ruling 2013-1 came close to correctly interpreting this phrase consistent with this definition when it held that an event was not "bona fide" when it was "directed at providing an opportunity for tourism, entertainment or recreation...[i.e.] for junkets or 'see the sites' trips". (In further clarification, I would add the word "primarily" before the word "directed" to this description.)

There is no question that SEMA is a legitimate organization or that this SEMA Conference was anything but "genuine" or "authentic". The list of seminars - over 110 by my count - runs from 8 A.M. to 5 P.M. for four full days and an additional half-day. Legislation is a topic of some of those seminars, although concededly not the "primary" or "central" topic of the conference. Further, the fact that Representative Pitre is identified as a member of the New Hampshire Chapter of the State Automotive Enthusiast Leadership Caucus is testimony to the fact that attending this conference is related to his office. There is no evidence or allegation that this conference was primarily a junket, or that fraud, deceit, bad faith or other nefarious motive was in any way involved in either the conference or in the proffered reimbursement of Rep. Pitre's expenses to attend this conference.

In short, there is no basis for finding that this proffered reimbursement of expenses is a prohibited "gift" under RSA 14-C:3 except for what I believe to be the totally erroneous interpretive gloss put on the statutory phrase "bona fide" by *Interpretive Ruling 2013-1*.

We appreciate the opportunity to be of assistance.

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

For the Committee,  
 Donna Sytek  
 Chairman

[Vote: 6-1]

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**FRIDAY, FEBRUARY 9, 2018**

The University of New Hampshire invites all legislators and legislative employees to cheer on the UNH Men's Hockey Team as they take on Vermont at the Whittemore Center in Durham on Friday, February 9<sup>th</sup> at 7:00 p.m. To reserve your complimentary ticket, please contact Tom Cronin at [thomas.cronin@unh.edu](mailto:thomas.cronin@unh.edu) or 603-862-0574.

Senator Lou D'Allesandro

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**TUESDAY, FEBRUARY 13, 2018**

All Senators and staff are cordially invited to attend a breakfast reception with the Friends Program on Tuesday, February 13<sup>th</sup> from 7:30 a.m. to 9:30 a.m. in the State House cafeteria. A continental breakfast will be served. The Friends Program strengthens communities by building relationships that empower people, encourage community service and restore faith in the human spirit. Our Foster Grandparent Program and Retired and Senior Volunteer Program (RSVP) have over 600 volunteers in NH volunteering in local schools, child care centers, and non-profit agencies, which are positively impacting close to 45,000 people. Please join senior volunteers who will be available to tell you about their volunteer experiences and answer your questions about the Friends Foster Grandparent and RSVP Programs.

Senator Regina Birdsell  
Senator Lou D'Allesandro

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**WEDNESDAY, FEBRUARY 14, 2018**

The NH Council of Churches will sponsor a Service of the Word on Wednesday, February 14<sup>th</sup> at 7:30 a.m. with Distribution of Ashes at St. Paul's Episcopal Church, 21 Centre Street, Concord. The Bishop and senior clergy from many denominations will participate as well.

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

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**WEDNESDAY, FEBRUARY 14, 2018**

USNH Legislative Member & USNH Legislative Staff Alumni Gathering

Please join us on Wednesday, February 14<sup>th</sup> from 8:30 a.m. to 9:30 a.m. at the Upham Walker House, 118 Park Street. We are proud to say we have 70+ University of New Hampshire, Keene State College, Plymouth State University and Granite State College alumni serving in the state legislature. We welcome you to join us in celebrating your alma maters, hear from some of our newest alums and take part in a group photo to commemorate the occasion. Continental Breakfast to be served. Please RSVP to Pat Waldvogel at (603) 387-1037 [pat.waldvogel@usnh.edu](mailto:pat.waldvogel@usnh.edu). Hope to see you all there!

Senator Lou D'Allesandro

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**WEDNESDAY, FEBRUARY 14, 2018**

Bi-State Primary Care Association invites legislators to a briefing on the services, staff and locations of our 16 community health centers on Wednesday, February 14<sup>th</sup> from 11:30 a.m. to 1:00 p.m. in Rooms 210-211, LOB. Please join us to learn more about the centers, which provide access to high quality, affordable primary and preventive health care for all, regardless of income or insurance coverage. The program will include presentations and Q&A with community health center staff, who will discuss the current state and federal legislation most important to this critical part of the NH healthcare infrastructure. Tickets for a bag lunch at the State House Cafeteria will be provided for legislators after the presentation.

Senator Jeb Bradley, Senate Majority Leader

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### **THURSDAY, FEBRUARY 22, 2018**

Marsy's Law for New Hampshire invites all legislators for lunch at St. Paul's Church, Orday Hall (in the Basement of the Church) on Thursday, February 22<sup>nd</sup> during the session lunch break. There will be a brief program and the opportunity to have questions answered.

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

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### **FRIDAY, FEBRUARY 23, 2018**

The New Hampshire Fiscal Policy Institute's 2018 conference, "Building a Strong Foundation for a Prosperous Economy," will be held Friday, February 23<sup>rd</sup>, from 8:00 a.m. to 12:30 p.m. at the Grappone Conference Center in Concord, NH. Panel discussions will examine key policy concerns in the areas of health, education, housing, and transportation. Presenters will address the potential impact federal policy changes may have on New Hampshire's ability to meet current and future needs, and state efforts to sustain a prosperous economy that benefits all Granite Staters. Registration fees are \$45 through January 31<sup>st</sup> and \$60 starting February 1<sup>st</sup>. Breakfast will be provided. Pre-registration is required by February 16<sup>th</sup>. A limited number of scholarships for complimentary conference registrations are available for current members of the Legislature; please email [info@nhfpi.org](mailto:info@nhfpi.org) for scholarship details. Visit [nhfpi.org/nhfpi-policy-conference](http://nhfpi.org/nhfpi-policy-conference) to learn more and register.

Senator Dan Feltes

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### **WEDNESDAY, MARCH 7, 2018**

Legislative Breakfast – The annual Water's Worth It! legislative breakfast is set for Wednesday, March 7<sup>th</sup> at the Holiday Inn on Main Street in Concord. Check in for the event begins at 7:00 a.m. with a breakfast buffet. Water quality professionals will present information on drinking water and wastewater treatment challenges in New Hampshire. The keynote speaker is Alex Ray, founder of the Common Man Family of Restaurants and Hotels. Assistant Commissioner Clark Freise for NH-DES will also address the audience. All legislators and staff are invited to enjoy a hearty breakfast and learn more about New Hampshire's water infrastructure. This event is free.

Please RSVP to [nhwpca.elizabeth@gmail.com](mailto:nhwpca.elizabeth@gmail.com) by February 28<sup>th</sup> to reserve your seat at this important breakfast. The breakfast is sponsored by the NH Water Pollution Control Association in conjunction with a wide ranging coalition of other local non-profit water organizations. There is no cost for enjoying breakfast with your legislative peers and attending this event.

Senator Jeb Bradley, Senate Majority Leader  
Senator Martha Fuller Clark

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### **WEDNESDAY, MARCH 7, 2018**

The New Hampshire Public Health Association (NHPHA) is hosting a legislative breakfast on Wednesday, March 7<sup>th</sup> from 7:00 a.m. to 10:00 a.m. in the State House cafeteria. A hearty, warm breakfast will be served. Members of the NHPHA Public Policy Committee and Board of Directors will be on hand to discuss their legislative priorities and pending bills.

Senator Ruth Ward

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**WEDNESDAY, MARCH 7, 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 Wednesday, March 7<sup>th</sup>, 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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**TUESDAY, MARCH 13, 2018**

The American Red Cross cordially invites all legislative members and staff to the annual State house Complex Blood Drive. The blood drive will take place on Tuesday, March 13<sup>th</sup> from 9:00 a.m. to 2:00 p.m. The American Red Cross state of the art self – contained coach will be parked out in front of the State House for this event. Give blood and you could help save three lives.

Appointments are strongly encouraged. To schedule an appointment, please call the State House Health services, extension 2757. The Red Cross launched a new tool called RapidPass which allows you to do the 40 appointment questions online @redcrossblood.org/RapidPass and then print it and bring it with you to your appointment.

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

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**WEDNESDAY, MARCH 21, 2018**

All legislators and staff are cordially invited to join the New Hampshire Automobile Dealers Association (NHADA) for a Legislative Crossover Reception on Wednesday, March 21<sup>st</sup> at 3:30 p.m. (or following the end of the session day) at the Holiday Inn, 172 North Main Street, Concord. NHADA has historically hosted this event which offers legislators a wonderful opportunity to unwind and enjoy the company of fellow legislators and staff in a fun, social gathering.

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

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**THURSDAY, APRIL 12, 2018**

NH Snowmobile Association Legislative Breakfast

The members of the NH Snowmobile Association cordially invite all Senate members and staff to a reception in the State House cafeteria on Thursday, April 12<sup>th</sup>, from 7:30 a.m. to 9:30 a.m. where a breakfast will be served. We look forward to seeing you there.

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

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## SENATE SCHEDULE

Monday, February 19, 2018	President's Day (State Holiday)
Monday, February 26, 2018 – Friday, March 02, 2018	SENATE BREAK
Thursday, March 8, 2018	Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
Thursday, March 22, 2018	CROSSOVER – Deadline to ACT on all Senate bills.
Thursday, April 19, 2018	Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
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)