

February 22, 2018
No. 9

STATE OF NEW HAMPSHIRE

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

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON
THURSDAY, MARCH 8, 2018 AT 10:00 A.M.**

LAI D ON THE TABLE

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

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

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

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

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

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

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

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

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

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 520-FN, authorizing New Hampshire Catholic Charities to issue decals for multi-use decal plates to benefit the New Hampshire Food Bank.**02/22/2018, Pending Motion OT3rdg, Transportation, SJ 5**

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

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

SB 576-FN, deleting the suspension of home health services rate setting.**02/22/2018, Pending Motion Inexpedient to Legislate, Finance, SJ 5**

SB 586-FN-A-LOCAL, relative to casino gambling.**02/22/2018, Pending Motion Interim Study, Ways and Means, SJ 5**

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

EDUCATION

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

Inexpedient to Legislate, Vote 5-0.

Senator Watters for the committee.

This bill would prohibit the university system and community college system from distributing state-funded financial assistance to any student who is not a legal resident of the United States. The bill would also limit the availability of adult education programs funded by state or local sources to legal residents of the state of New Hampshire. This legislation fails to recognize lawful noncitizens, such as green card holders and asylum seekers, who must wait a certain period of time in order to gain legal resident status. The Committee believes that it is unfair and unnecessary to deprive these adults of educational services while they seek to achieve legal resident status.

PUBLIC AND MUNICIPAL AFFAIRS

SB 340, relative to department of revenue administration guidelines for municipal audits.

Ought to Pass with Amendment, Vote 5-0.

Senator Gray for the committee.

This bill as amended limits an audit of municipal accounts to events and transactions that occurred subsequent to the last completed audit. It also will categorize compliance into three separate sections of the final audit report. The first will categorize findings testing current assessing practices, the second will examine the permanent records and the third section will summarize compliance in a single conclusion statement.

TRANSPORTATION

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

Ought to Pass with Amendment, Vote 5-0.

Senator Birdsell for the committee.

As amended, this bill requires that all ignition interlock devices required to be installed after the effective date of the legislation be enhanced technology interlock devices. This bill also eliminates the authority of the department of safety to order installation of an ignition interlock device in DWI cases not involving alcohol. Further, the bill requires that the interlock device, equipped with a camera, will transmit data as events occur. This bill is important in order to ensure that these devices are being used properly and by those for whom they were intended.

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

Ought to Pass with Amendment, Vote 5-0.

Senator Birdsell for the committee.

This bill requires an owner of land that abuts a road that is not maintained by a municipality to repair and maintain his or her share of such road. The committee amended the bill in order to use similar language from the state of Vermont, to add a residential-only provision, and to make an exemption for class VI roads.

SB 522, relative to alteration of speed limits.

Ought to Pass with Amendment, Vote 5-0.

Senator Cavanaugh for the committee.

This bill eliminates certain restrictions on local authorities' power to decrease speed limits. The committee amended the bill to modify the authorization for local authorities to alter these speed limits, at the request of the prime sponsor. As other modes of transportation, such a bicycling, become more common, it is appropriate to allow municipalities to control the speed limits to be able to lower them to lesser limits as they deem appropriate in certain areas.

REGULAR CALENDAR REPORTS

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.

ELECTION LAW AND INTERNAL AFFAIRS

SB 438, relative to the postponement of local elections.

Ought to Pass with Amendment, Vote 4-0.

Senator Birdsell for the committee.

SB 527-FN-L, relative to absentee voting.

Ought to Pass with Amendment, Vote 2-0.

Senator Birdsell for the committee.

ENERGY AND NATURAL RESOURCES

SB 443, relative to the jurisdiction of counties concerning retail electric supply.

Ought to Pass, Vote 4-0.

Senator Feltes for the committee.

SB 451, relative to wildlife trafficking.

Ought to Pass with Amendment, Vote 4-0.

Senator Feltes for the committee.

SB 569-FN, relative to animal cruelty.

Ought to Pass with Amendment, Vote 4-0.

Senator Bradley for the committee.

SB 577, requiring the public utilities commission to consider its order affecting the Burgess BioPower plant in Berlin.

Ought to Pass with Amendment, Vote 4-0.

Senator Bradley for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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.

PUBLIC AND MUNICIPAL AFFAIRS

SB 506, limiting amendments to warrant articles.

Ought to Pass with Amendment, Vote 4-1.

Senator Woodburn for the committee.

TRANSPORTATION

SB 400, relative to traveler information signs on highways.

Ought to Pass with Amendment, Vote 5-0.

Senator Watters for the committee.

SB 464, relative to the procedure for driveway permits.

Ought to Pass with Amendment, Vote 5-0.

Senator Watters for the committee.

SB 559-FN-A, making an appropriation for a sound barrier on the Everett Turnpike in Bedford.

Ought to Pass with Amendment, Vote 5-0.

Senator Birdsell for the committee.

SB 562-FN, allowing the waiver of fees for reinstatement of a driver's license and registration in cases of demonstrated financial hardship.

Inexpedient to Legislate, Vote 4-0.

Senator Birdsell for the committee.

SB 585-FN, authorizing the New Hampshire Breast Cancer Coalition to issue decals for multi-use decal plates.

Ought to Pass, Vote 4-0.

Senator Ward for the committee.

WAYS AND MEANS

SB 563-FN, establishing a recovery friendly workplace initiatives tax credit against business taxes administered by the community development finance authority.

Ought to Pass with Amendment, Vote 4-0.

Senator Sanborn for the committee.

SB 587-L, relative to the collection of fees for public parking facilities.

Inexpedient to Legislate, Vote 3-1.

Senator Sanborn for the committee.

AMENDMENTS

Public and Municipal Affairs

February 21, 2018

2018-0803s

03/05

Amendment to SB 340

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

AN ACT relative to the commissioner of revenue administration's assessment report.

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

1 New Paragraph; Revenue Administration; Assessment Report. Amend RSA 21-J:11-a by inserting after paragraph III the following new paragraph:

IV. The report shall separately categorize compliance with findings that test current assessing practices since the year of the prior assessment report, examine permanent records, and summarize compliance in a single conclusion statement.

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

2018-0803s

AMENDED ANALYSIS

This bill establishes additional requirements for the commissioner of revenue administration's assessment report.

Senate Transportation
February 20, 2018
2018-0739s
03/04

Amendment to SB 346

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

1 Words and Phrases Defined; Enhanced Technology Interlock Device. Amend RSA 259:28-b to read as follows:

259:28-b Enhanced Technology Ignition Interlock Device. "Enhanced technology ignition interlock device" shall mean an ignition interlock device equipped with a camera and which ~~is capable of transmitting data as events occur~~ **will transmit data as events occur and is capable of capturing and encoding as events occur a digital or photographic image of the vehicle driver including the time, date, and breath alcohol level of all breath attempts. Images and data shall be stored by the manufacturer for 3 years.**

2 New Paragraph; Alcohol Ignition Interlock Program. Amend RSA 265-A:36 by inserting after paragraph IV the following new paragraph:

IV-a. Wherever the term "alcohol ignition interlock device" or "ignition interlock device" is referred to in this chapter or in department administrative rules, it shall mean an enhanced technology ignition interlock device, as defined in RSA 259:28-b. A device installed on or before January 1, 2019 that is not an enhanced technology ignition interlock device may, if it is recalibrated within 30 days of installation and every 60 days thereafter, continue to be operated in the vehicle in which it was installed until January 1, 2022 or such time as the vehicle is replaced with a different vehicle, whichever occurs first, at which time it shall be replaced with an enhanced technology ignition interlock device.

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

4 Alcohol Ignition Interlock Device; Recalibration. RSA 265-A:36, VI(a) is repealed and reenacted to read as follows:

(a) Provide recalibration of each enhanced technology ignition interlock device no less frequently than every 180 days unless otherwise ordered by the court;

5 Alcohol Ignition Interlock Device; Recalibration. Amend RSA 265-A:36, VI(g) to read as follows:

(g) Provide reports to the department when data specified in department rules becomes available. **The reports shall be provided no less frequently than every 60 days.** The department shall make data from the reports available to the director of the division of motor vehicles, appropriate prosecutor, prosecuting agency, treatment provider, probation officer, and defense attorney by means of authorizing the interlock provider to provide these entities with secure electronic access to the data via the interlock provider's web-based portal.

6 Effective Date.

I. Section 4 of this act shall take effect January 1, 2022.

II. The remainder of this act shall take effect January 1, 2019.

2018-0739s

AMENDED ANALYSIS

This bill requires that all ignition interlock devices required to be installed after the effective date of the bill be enhanced technology ignition interlock devices. This bill also eliminates the authority of the department of safety to order installation of an ignition interlock device in DWI cases not involving alcohol.

Senate Transportation
February 21, 2018
2018-0755s
01/04

Amendment to SB 400

Amend RSA 230:52, III as inserted by section 1 of the bill by replacing it with the following:

III. The fee charged under paragraph II to a registered nonprofit organization that maintains a museum or heritage tourism site which is open to the public and listed in the National Register of Historic Places or the New Hampshire register of historic places under RSA 227-C:33, shall be limited to the cost of the initial creation and placement of the sign, or its replacement.

2018-0755s

AMENDED ANALYSIS

This bill provides that the fee charged to certain nonprofit organizations for advertising space on a limited access highway shall be limited to the initial cost of the sign or its replacement.

Senate Transportation
February 21, 2018
2018-0810s
03/06

Amendment to SB 401

Amend RSA 231:89-a, II as inserted by section 1 of the bill by replacing it with the following:

II. In the absence of an express agreement or requirement governing maintenance of a private road, when more than one residential owner enjoys a common benefit from a private road, each residential owner shall contribute rateably to the cost of maintaining the private road, and shall have the right to bring a civil action to enforce the requirement of this paragraph. This paragraph shall not apply to any highway defined in RSA 229:5.

Election Law and Internal Affairs
February 13, 2018
2018-0591s
06/03

Amendment to SB 438

Amend RSA 669:1, V(b)(1) as inserted by section 2 of the bill by replacing it with the following:

(b)(1) The moderator, or if the moderator is unavailable, the clerk, notifies the secretary of state that an extreme weather emergency or an imminent serious threat to public health or safety makes conducting the election when and where scheduled impossible. Prior to deciding to notify the secretary of state, to the extent practical, the moderator shall consult, with the jurisdiction's governing body, clerk, and as appropriate for the circumstances the fire chief, police chief, and emergency management director. If the consultation with the governing body includes a quorum of that body, the consultation shall be exempt from the notice and public meeting requirements of RSA 91-A.

Amend RSA 669:1, VI(b) as inserted by section 2 of the bill by replacing it with the following:

(b) All other statutory provisions associated with a postponed election under this section shall also be extended the same 2 weeks, except that supervisors of the checklist shall not be required to meet again until the postponed town election day. If the election is postponed to a date that follows the date of the business meeting, the end of the term of the moderator established in RSA 40:1 shall be extended through

the completion of all election day duties or until the qualification of a successor, whichever is later. Any school district election coordinated with a town under RSA 671:26-a or otherwise held in conjunction with the town election shall also be subject to the provisions of this section.

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

4 New Section; Town Meetings; Elections; Definitions. Amend RSA 39 by inserting after section 1-c the following new section:

39:1-d Definitions. Notwithstanding any other provision of law, for the purposes of all statutes pertaining to annual and special meetings of towns, school districts, and village districts:

I. "Election" means the choosing of officers by official ballot and in towns, school districts, and village districts that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13, voting on warrant articles by use of official ballot. "Election" shall include any voting where a voter has a right to vote by absentee ballot as established by part I, article 11 of the New Hampshire constitution and RSA 669, RSA 670, and RSA 671. Elections are governed by RSA 669, RSA 670, and RSA 671 and the election provisions of RSA 40:13.

II. "Meeting" means the discussion of business of the towns, school districts, or village districts and voting on warrant articles only by voice, division, or secret "yes-no" ballot vote. Meeting shall include the deliberative session of an annual meeting in towns, school districts, and village districts that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13. Meetings are governed by RSA 39 and RSA 40.

5 New Section; Town Elections and Meetings; Definitions. Amend RSA 669 by inserting after section 1 the following new section:

669:1-a Definitions. Notwithstanding any other provision of law, for the purposes of all statutes pertaining to town elections:

I. "Election" means the choosing of officers by official ballot and in towns that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13, voting on warrant articles by use of official ballot. "Election" shall include any voting where a voter has a right to vote by absentee ballot as established by part I, article 11 of the New Hampshire constitution and RSA 669. Town elections are governed by RSA 669 and the election provisions of RSA 40:13.

II. "Meeting" means the discussion of business of the town and voting on warrant articles only by voice, division, or secret "yes-no" ballot vote. "Meeting" shall include the deliberative session of an annual meeting in towns that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13. Meetings are governed by RSA 39 and RSA 40.

6 New Sections; Elections and Meetings; Definitions; Emergency Postponement. Amend RSA 670 by inserting after section 1 the following new sections:

670:1-a Definitions. Notwithstanding any other provision of law, for the purposes of all statutes pertaining to village district elections:

I. "Election" means the choosing of officers by official ballot and in village districts that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13, voting on warrant articles by use of official ballot. "Election" shall include any voting where a voter has a right to vote by absentee ballot as established by part I, article 11 of the New Hampshire constitution and RSA 670. Elections are governed by RSA 670 and the election provisions of RSA 40:13.

II. "Meeting" means the discussion of business of the village district and voting on warrant articles only by voice, division, or secret "yes-no" ballot vote. "Meeting" shall include the deliberative session of an annual meeting in village districts that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13. Meetings are governed by RSA 39 and RSA 40.

670:1-b Postponing a Village District Election When There is a State of Emergency. A village district election that is held in conjunction with a town election shall be postponed when the town election is postponed as authorized by RSA 669:1, V. A village district election that is not held in conjunction with town elections, may be postponed in the same manner as provided for a town election in RSA 669:1, V and VI.

7 New Sections; Definitions; Emergency Postponement. Amend RSA 671 by inserting after section 1 the following new sections:

671:1-a Elections and Meetings; Definitions. Notwithstanding any other provision of law, for the purposes of all statutes pertaining to school district elections:

I. "Election" means the choosing of officers by official ballot and in school districts that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13, voting on warrant articles by use of official ballot. "Election" shall include any voting where a voter has a right to vote by absentee ballot as established by part I, article 11 of the New Hampshire constitution and RSA 671. School district elections are governed by RSA 671 and the election provisions of RSA 40:13.

II. "Meeting" means the discussion of business of the school district and voting on warrant articles only by voice, division, or secret "yes-no" ballot vote. "Meeting" shall include the deliberative session of an annual meeting in school districts that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13. Meetings are governed by RSA 39 and RSA 40.

671:1-b Postponing a School District Election When There is a State of Emergency. A school district election that is held in conjunction with a town election shall be postponed when the town election is postponed as authorized by RSA 669:1, V. A school district election that is not held in conjunction with town elections, may be postponed in the same manner as provided for a town election in RSA 669:1, V and VI.

8 Town Meeting; Moderator; Duties. Amend RSA 40:4, II to read as follows:

II. In the event a weather emergency occurs on or before the date of a deliberative session or [~~voting day of a~~] meeting in a town, which the moderator reasonably believes may cause the roads to be hazardous or unsafe, the moderator may, up to 2 hours, **but not more than 24 hours**, prior to the scheduled session, postpone and reschedule the deliberative session [~~or voting day of the~~] meeting to another reasonable date, place, and time certain. The date originally scheduled shall continue to be deemed the **date of the** deliberative session or [~~voting day of the~~] meeting for purposes of satisfying statutory meeting date requirements; provided, that in towns or districts that have adopted RSA 40:13, the postponement shall not delay the deliberative session more than 72 hours. The moderator shall employ whatever means are available to inform citizens of the postponement and the rescheduled deliberative session or [~~voting day~~] **meeting**.

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

Energy and Natural Resources

February 20, 2018

2018-0718s

04/10

Amendment to SB 451

Amend RSA 212-C:1, I as inserted by section 1 of the bill by replacing it with the following:

I. "Covered animal species" means any species of:

- (a) Elephant (superfamily Elephantidae).
- (b) Rhinoceros (family Rhinocerotidae).
- (c) Tiger (species *Panthera tigris*).
- (d) Lion (species *Panthera leo*).
- (e) Leopard (species *Panthera pardus*).
- (f) Cheetah (species *Acinonyx jubatus*).
- (g) Jaguar (species *Panthera onca*).
- (h) Pangolin (family Manidae).

(i) Endangered shark, as listed by the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

(j) Endangered ray, as listed by the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

(k) Endangered sea turtle, as listed by the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

(l) Endangered whale, as listed by the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Amend RSA 212-C:2, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) When the activity, and any sport-hunted item that is legally obtained in accordance with federal law, are authorized by federal law.

Amend RSA 212-C:2, III as inserted by section 1 of the bill by replacing it with the following:

III. There is a presumption of possession with intent to sell a covered animal species part or product when the part or product is possessed by a retail or wholesale establishment or other forum engaged in the business of buying or selling of similar items, and a finding of intent to sell is supported by any other evidence which independently establishes such intent.

Amend RSA 212-C:2, IV-VI as inserted by section 1 of the bill by replacing them with the following:

IV. A person who violates this section shall be guilty of a violation and may be fined not more than \$1,000, or an amount equal to 2 times the total value of the covered animal species part or product that is the subject of the violation, whichever is greater. The circuit court and the superior court shall have concurrent jurisdiction to hear matters brought under this chapter. If the appraised value of the covered animal species part or product exceeds \$25,000 or if the prosecuting entity seeks relief unavailable in the circuit court, the matter shall be transferred to the superior court for adjudication.

V. Any covered animal species part or product that has been seized by a law enforcement officer pursuant to this chapter shall be appraised to determine its value. During the pendency of any criminal matter, the court shall provide an opportunity for a hearing to determine who shall maintain custody of the items, how the items shall be preserved, liability for any costs incurred to preserve the items, and such other matters as may be required to protect the property until a final dispositional order has been entered.

VI. If the owner of the covered animal species part or product is found not guilty, the property shall be returned to the owner. If the owner is found guilty, the covered items shall be forfeited to the fish and game department. Any fines assessed by the court shall be used first to reimburse the entity ordered to preserve the property prior to adjudication, and thereafter, to the fish and game department to reimburse for any costs incurred in final disposition of the items, and finally to the entity which successfully prosecuted the matter.

VII. The executive director of the fish and game department may adopt rules pursuant to RSA 541-A relative to:

(a) The purchase, sale, offer for sale, or possession with intent to sell, of parts or products of any animal species that so closely resemble in appearance parts or products of a covered animal species that law enforcement personnel would have substantial difficulty in attempting to differentiate between the species.

(b) The method and manner to be used in appraising the value of any covered animal species part or product seized by law enforcement or abandoned into the care or custody of the department.

(c) A prohibition against commercial sale of any covered animal species part or product in its custody or ownership.

(d) The method and manner used to determine ownership of any covered animal species part or product abandoned to its care or custody other than by order of a court of competent jurisdiction.

(e) The noncommercial disposition of covered animal species parts or products to:

(1) A legal beneficiary of an estate, trust, or other inheritance;

(2) A bona fide scientific or educational institution for scientific or educational purposes; or

(3) Any enrolled member of a federally-recognized Indian tribe.

(f) The destruction of covered animal species parts or products not otherwise disposed of in accordance with this chapter.

Senate Transportation
February 21, 2018
2018-0758s
01/10

Amendment to SB 464

Amend RSA 236:13-a, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Extend the time for rendering a decision on the application for good cause.

Public and Municipal Affairs
February 21, 2018
2018-0818s
06/08

Amendment to SB 506

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

1 Town Meetings; Petitioned Warrant Articles. Amend RSA 39:3 to read as follows:

39:3 Articles. Upon the written application of 25 or more registered voters or 2 percent of the registered voters in town, whichever is less, although in no event shall fewer than 10 registered voters be sufficient, presented to the selectmen or one of them not later than the fifth Tuesday before the day prescribed for an annual meeting, the selectmen shall insert in their warrant for such meeting the petitioned article with only such minor textual changes as may be required. ***Such corrections shall not in any way change the intent of the article as presented in the original language of the petition.*** For the purposes of this section, the number of registered voters in a town shall be the number of voters registered prior to the last state general election. The right to have an article inserted in the warrant conferred by this section shall not be invalidated by the provisions of RSA 32. In towns with fewer than 10,000 inhabitants upon the written application of 50 or more voters or 1/4 of the voters in town, whichever is fewer, and in towns with 10,000 or more inhabitants upon the written application of 5 percent of the registered voters in the town, so presented not less than 60 days before the next annual meeting, the selectmen shall warn a special meeting to act upon any question specified in such application. The checklist for an annual or special town meeting shall be corrected by the supervisors of the checklist as provided in RSA 654:25-31. Those persons qualified to vote whose names are on the corrected checklist shall be entitled to vote at the meeting. The same checklist used at a recessed town meeting shall be used at any reconvened session of the same town meeting. In no event shall a special town meeting be held on the biennial election day.

2 School Meetings; Warrant and Articles. Amend RSA 197:6 to read as follows:

197:6 Warrant and Articles. Upon the written application of 25 or more voters or 2 percent of the voters of the school district, whichever is less, although in no event shall fewer than 10 registered voters be sufficient, presented to the school board or one of them not later than 30 days before the date prescribed for the school district meeting or the second Tuesday in March, whichever is earlier, the school board shall insert in the school district warrant for such meeting the petitioned article with only such minor textual changes as may be required. No article may be inserted after posting of said warrant. ***Petitioned articles shall not be amended except for minor textual corrections. Such corrections shall not in any way change the intent of the article as presented in the original petition.*** The right to have an article inserted in the warrant conferred by this section shall not be invalidated by the provisions of RSA 32.

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

2018-0818s

AMENDED ANALYSIS

This bill limits amendments to petitioned warrant articles to minor textual corrections.

Senate Transportation
February 21, 2018
2018-0759s
03/08

Amendment to SB 522

Amend the bill by replacing section 1 with the following:

1 Alteration of Speed Limits. RSA 265:63 is repealed and reenacted to read as follows:

265:63 Alteration of Limits.

I. Notwithstanding the provisions of RSA 265:60, or any other law to the contrary, whenever local authorities in their respective jurisdictions determine on the basis of an engineering or traffic investigation that the prima facie speed permitted under this chapter is greater or less than is reasonable and safe under the conditions found to exist upon any way or part of a way, the local authority may determine and declare a reasonable and safe prima facie limit thereon which:

(a) Decreases the limit within any city or within any business or urban residence district or compact section of any city or town.

(b) Decreases the limit within a rural residential district.

(c) Increases the limit within an urban district but not to more than 60 miles per hour.

(d) Decreases the limit at intersections.

II. Local authorities in their respective jurisdictions shall determine by an engineering or traffic investigation the proper prima facie speed for all streets and shall declare a reasonable and safe prima facie limit thereon.

III. Local authorities shall not be required to hire outside consultants to determine the proper prima facie speed limits as provided in paragraphs I and II if the local community has sufficient staff to conduct the required engineering or traffic investigation.

IV. Local authorities shall not be required to conduct any additional investigation or study of a limit that, prior to the effective date of this paragraph, has been determined to be a reasonable and safe prima facie limit and appropriate signs giving notice thereof have been erected.

V. Any altered limit established as hereinabove authorized shall be effective at all times or during hours of darkness or at other times as may be determined when appropriate signs giving notice thereof are erected upon such street or way.

VI. Except for any way located in a compact section of any city or town designated pursuant to RSA 229:5, V, any alteration of limits on state highways or extensions thereof in a municipality by local authorities shall not be effective until such alteration has been approved by the commissioner of transportation.

VII. Notwithstanding the other provisions of this section, local authorities shall modify the speed limits authorized herein so that said speed limits shall not exceed the temporary prima facie speed limits established for the state highway system under RSA 265:62, II, so long as the same are in effect.

2018-0759s

AMENDED ANALYSIS

This bill modifies the authorization for local authorities to alter speed limits.

Election Law and Internal Affairs

February 20, 2018

2018-0717s

03/05

Amendment to SB 527-FN-LOCAL

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

1 Absentee Voting Application Form. Amend RSA 657:4, I to read as follows:

I. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance, and Disability:

I hereby declare that (check one):

☐ I am a duly qualified voter who is currently registered to vote in this town/ward.

☐ I am absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability, and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

I will be entitled to vote by absentee ballot because (check one):

☐ I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.

☐ I am requesting a ballot for the presidential primary election and I may be absent on the day of the election from the city, town, or unincorporated place where I am domiciled, but the date of the election has not been announced. I understand that I may only make such a request 14 days after the filing period for candidates has closed, and that if I will not be absent on the date of the election I am not eligible to vote by absentee ballot.

☐ I cannot appear in public on election day because of observance of a religious commitment.

☐ I am unable to vote in person due to a disability.

☐ I cannot appear at any time during polling hours at my polling place because of an employment obligation. For the purposes of this application, the term "employment shall include the care of children and infirm adults, with or without compensation.

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an official absentee ballot for the following election (check one):

☐ Presidential Primary to be held on _____
(MM/DD/YYYY)

(The date may appear as blank when the date is not known.)

☐ State Primary to be held on _____
(MM/DD/YYYY)

☐ General Election

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

☐ Republican Party

☐ Democratic Party

and am requesting a ballot for that party's primary.

Please print:

Applicant's Name:

(Last) (First) (Middle) (Sr., Jr., II., III)

Applicant's Voting Domicile (home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Mail the ballot to me at this address (if different than the home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Applicant's Phone Number [(optional)]: _____

Applicant's Email Address [(optional)]: _____

Applicant's Signature: _____

Date Signed: _____
(MM/DD/YYYY)

I attest that I assisted the applicant in executing this form because he or she has a disability.

Signature _____ *Print Name* _____

If your absentee ballot affidavit envelope does not have the printed name and signature of a person who assisted you with voting, your signature will be compared to your signature on the absentee ballot affidavit to verify your identity. If your signatures do not appear to be made by the same person, your absentee ballot may not be counted.

The applicant must sign this form to receive an absentee ballot. ~~[The signature on this form must match the signature on the affidavit envelope in which the absentee ballot is returned, or the ballot may be rejected.]~~ Any person who **witnesses and** assists a voter with a disability in executing this form shall ~~[make a statement acknowledging the assistance on]~~ **print and sign his or her name in the space provided on** the application form ~~[to assist the moderator when comparing signatures on election day]~~. **The clerk and moderator will not compare the voter's signature on the application with the signature on the absentee ballot affidavit when a person assisting the voter has signed the statement that assistance was provided.**

2 New Section; Verification of In-Person Absentee Voter. Amend RSA 657 by inserting after section 17 the following new section:

657:17-a Verification of In-Person Absentee Voter.

I. An absentee voter who returns his or her completed absentee ballot to the clerk's office in person shall be treated as a verified voter provided:

(a) The voter voluntarily shows the clerk a photo identification that meets the requirements of RSA 659:13; or

(b) The voter voluntarily completes a challenged voter affidavit in the same manner as is required for an election day voter who does not present a qualified voter identification.

II. The clerk shall mark the absentee ballot affidavit enveloped "voter verified" and note on the clerk's list of absentee voters that the voter has been verified. The verified voter's signatures on the application for an absentee ballot shall not be compared to the voter's signature on the absentee ballot affidavit on election day.

III. A voter who does not present a qualified photo identification and who does not complete a challenged voter affidavit shall not be treated as a verified voter, and his or her signatures on the application for an absentee ballot shall be compared to his or her signature on the absentee ballot affidavit on election day in the same manner as other absentee voters.

3 Announcement by Moderator. Amend RSA 659:50 to read as follows:

659:50 Announcement by Moderator.

I. The moderator shall begin processing absentee ballots by clearly announcing that he or she is about to open the envelopes which were delivered to him or her. The moderator shall then remove the envelope containing the ballots of each absentee voter and, **for those absentee ballots where the absentee voter has not been verified by the clerk as provided in RSA 657:17-a**, shall compare the signature on the affidavit with the signature on the application for the ballot. If:

[F-] (a) The name of the voter is on the checklist; and

[H-] (b) The affidavit appears to be properly executed; and

[HH-] (c) ~~[The signature]~~ **If the affidavit shows that the voter received assistance, the absentee voter shall be processed as verified. Otherwise, the signatures on the affidavit shall be examined to determine if it** appears to be executed by the same person who signed the application~~[-unless the voter received assistance because the voter is blind or has a disability; and].~~

[IV] *II. For the absentee ballots processed in accordance with paragraph I and those where the clerk has previously verified the absentee voter in accordance with RSA 657:17-a, if* the signatures appear to be the signatures of a duly qualified voter who has not voted at the election; then the moderator shall publicly announce the name of the absentee voter, except that with respect to any voter who has been included in the address confidentiality program under RSA 7:43 or who has been granted a protective order under RSA 173-B, the moderator shall identify such voters as “confidential voter number 1” and “confidential voter number 2,” and so forth. If these conditions are not met, the moderator shall follow the procedure provided in RSA 659:53.

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

2018-0717s

AMENDED ANALYSIS

This bill establishes additional procedures for verification of absentee voters.

Senate Transportation

February 21, 2018

2018-0788s

04/05

Amendment to SB 559-FN-A

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

AN ACT establishing a committee to study the construction of sound barriers on type I and type II highways.

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

1 Committee Established. There is established a committee to study the construction of sound barriers on type I and type II highways.

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 construction of sound barriers on type I and type II highways. The committee shall also study:

I. The formula for cost-effectiveness.

II. Type I and type II projects and potential costs for each type.

III. The town's role in determining the costs associated with type I and type II projects.

IV. Alternate methods for funding type I and type II projects.

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.

2018-0788s

AMENDED ANALYSIS

This bill establishes a committee to study the construction of sound barriers on type I and type II highways.

Senate Ways and Means
 February 21, 2018
 2018-0787s
 05/04

Amendment to SB 563-FN

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

1 New Paragraph; Community Development Finance Authority; Recovery Friendly Workplace Initiatives Tax Credit. Amend RSA 162-L:4 by inserting after paragraph I the following new paragraph:

I-a. The authority shall dedicate the contributions received pursuant to RSA 162-L:10, I-a exclusively to investing or lending to nonprofit organizations that deliver recovery friendly workplace programs. Such contributions shall not exceed \$1,000,000 in any state fiscal year. In this section, "recovery friendly workplace programs" means programs that educate employers in evidence-based practices that reduce substance misuse in the workplace and create work environments that are conducive to enabling persons in addiction and mental health recovery to sustain and re-enter the workforce as productive members of society. Such programs shall include the training of all employees, including specialized training for human resources personnel, and shall be consistent with Substance Abuse and Mental Health Services Administration (SAMHSA) standards. The term "recovery friendly workplace programs" also includes the propagation of public awareness and information that supports health and safety for employees, while promoting active community engagement that will assist in reducing the negative impact of unaddressed substance misuse and untreated mental health. On or by September 30, 2020, the authority shall make public on its website and provide a report to the governor, the president of the senate, and the speaker of the house of representatives concerning the effectiveness of the recovery friendly workplace initiatives tax credit, including, but not limited to, how many workers in recovery were attracted to and retained in the workforce.

2 New Paragraph: Community Development Finance Authority; Recovery Friendly Workplace Initiatives Tax Credit. Amend RSA 162-L:10 by inserting after paragraph I the following new paragraph:

I-a. A recovery friendly workplace initiatives tax credit equal to up to 75 percent of the contribution made during the period of July 1, 2018 through June 30, 2020 shall be allowed against any of the following individually or in combination:

- (a) Taxes imposed by RSA 77-A.
- (b) Taxes imposed by RSA 400-A.
- (c) Taxes imposed by RSA 77-E.

3 Community Development Finance Authority; New Investment Tax Credit; Annual Limit. Amend RSA 162-L:10, IV(b) to read as follows:

(b) Contributions received by the authority for which credit is to be taken shall not exceed [~~\$5,000,000~~] **\$6,000,000** in any state fiscal year. Contributions received by the authority in excess of [~~\$5,000,000~~] **\$6,000,000** in any state fiscal year shall not be eligible for credit in such fiscal year but may be carried forward to the next succeeding fiscal year or years and shall be given priority in determining the total contributions eligible for credit in such fiscal year.

4 New Paragraph; Business Profits Tax; Recovery Friendly Workplace Initiatives Tax Credit. Amend RSA 77-A:5 by inserting after paragraph XV the following new paragraph:

XVI. The recovery friendly workplace initiatives tax credit as computed in RSA 162-L:10, I-a.

5 New Section; Business Enterprise Tax; Recovery Friendly Workplace Initiatives Tax Credit. Amend RSA 77-E by inserting after section 3-d the following new section:

77-E:3-e Recovery Friendly Workplace Initiatives Tax Credit. The recovery friendly workplace initiatives tax credit, as computed in RSA 162-L:10, I-a, shall be allowed against the tax due under this chapter.

6 Applicability. The tax credits authorized in this act shall apply to tax years beginning on and after January 1, 2019.

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

2018-0787s

AMENDED ANALYSIS

This bill establishes a credit against the business profits tax and the business enterprise tax for donations made to the community development finance authority for recovery friendly workplace initiatives.

Energy and Natural Resources

February 20, 2018

2018-0720s

08/04

Amendment to SB 569-FN

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

AN ACT relative to animal cruelty and establishing a commission to study certain language applicable to the transfer of animals.

Amend RSA 437:1 as inserted by section 2 of the bill by replacing it with the following:

437:1 Definitions. In this subdivision:

I. "Animal rescue facility" means any non-profit organization which is tax exempt under Section 501(c)(3) of the United States Internal Revenue Code or is licensed or registered as an animal rescue facility or similar entity with a state regulatory agency, and whose mission and practice is, in whole or in significant part, the rescue of homeless or abandoned animals and the placement of those animals in permanent homes. "Animal rescue facility" shall not include any person which is, or is housed on the premises of, a breeder or broker, obtains dogs, cats, or ferrets from a breeder or broker in exchange for payment or compensation, or resells dogs, cats, or ferrets obtained from a breeder or broker and provides payment or compensation to such breeder or broker.

II. "Animal shelter facility" means a facility, including the building and the immediate surrounding area, which is used to house or contain animals and which is owned, operated, and maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals, and also a public pound for the housing of strays or a pound operated by any person, excluding veterinarians, who contracts with a municipality to serve that function.

III. "Breeding female" means an unspayed female dog, 12 months of age or older kept or maintained for the purpose of breeding and selling the dog's offspring.

IV. "Broker" means a person acting as an agent or intermediary in negotiating or transferring dogs, cats, or ferrets when transfer to the final owner occurs in New Hampshire.

V. "Commercial kennel" means a person that keeps, maintains, or owns 7 or more breeding female dogs or transfers 10 or more litters or 50 or more puppies in any 12-month period. "Commercial kennel" includes a person that keeps, maintains, or owns dogs on the same property as another person who also keeps, maintains, or owns dogs and the total number of breeding female dogs on the property is 7 or more. The term "commercial" shall not be taken into consideration for any zoning purposes.

VI. "Commissioner" means the commissioner of the department of agriculture, markets, and food.

VII. "Person" means any person, firm, business, corporation, or other entity.

VIII. "Pet store" means any person licensed to keep, maintain, and transfer certain live animals, birds, and fish at retail to the public.

IX. "Pet vendor" means any person engaged in the business of transferring live animals or birds customarily used as household pets to the public, with or without a fee or donation required, and whether or not a physical facility is owned by the licensee in New Hampshire, when transfer to the final owner occurs within New Hampshire. Pet vendor includes animal rescue facilities, animal shelter facilities, brokers, commercial kennels, and pet stores.

X. "Transfer" means transfer of ownership of live animals or birds from any person to a member of the public.

Amend RSA 437:3 as inserted by section 3 of the bill by replacing it with the following:

437:3 Requirements. No pet vendor shall transfer animals or birds without a license. A pet vendor shall apply to the commissioner for a license giving such information as the commissioner shall require. The application shall include proof that the zoning enforcement official of the municipality wherein any facility is to be maintained has certified that the facility conforms to the municipal zoning regulations. The application shall be accompanied by a non-refundable \$200 fee. ***A license shall be issued if, after inspection, the department or a person appointed by the department finds that all premises, buildings, and other enclosures comply with the requirements of paragraph I. If the premises, buildings, and other enclosures do not comply, the applicant may reapply within 30 days of the initial inspection. If, after a second application and inspection, the premises, buildings, and other enclosures still do not comply with the requirements of paragraph I, no license shall be issued.*** All licenses shall expire on June 30 of each year and be subject to renewal upon submission of a new application. No licenses shall be transferable. ***The department may suspend or revoke a license at any time, if in the judgment of the department the conditions under which the license was issued are not being maintained. Upon receipt of a written complaint from a person or agency alleging violation of this subdivision, the department shall investigate said complaint within a reasonable time.*** A pet vendor licensed under this subdivision shall:

Amend RSA 437:4, I(d) and (e) as inserted by section 4 of the bill by replacing them with the following:

[IV-] (d) The licensee ceased to operate the business for which the license was issued; or

[V-] (e) The applicant or licensee held any similar license issued in another jurisdiction ***or by the United States Department of Agriculture*** which was revoked or suspended by that jurisdiction as a result of engaging in conduct prohibited by RSA 437 during the preceding 5 years.

Amend RSA 644:8, IV-b(d) as inserted by section 10 of the bill by replacing it with the following:

(d) If the court determines by a preponderance of the evidence that the animal or animals has been or is being abused or neglected in violation of paragraph III or III-a or when there is a clear and imminent danger to the animal's health or life and there is not sufficient time to obtain a court order, then the court shall set a renewable bond or other security in an amount sufficient to cover the reasonable costs of providing the confiscated animal with humane care and adequate and necessary veterinary services for a period of 30 days. When determining the reasonable costs of providing humane care, the court shall consider the income of the animal's owner.

Amend RSA 644:8, IV-b(e)(1) as inserted by section 10 of the bill by replacing it with the following:

(e)(1) If the court orders a bond or other security to be posted, then the amount of funds necessary for 30 days of the animal's care, as determined by the court, shall be posted with the municipal or county treasurer. The owner shall be ordered to deposit the same amount every 30 days thereafter until the final disposition of the criminal matter, unless he or she requests a hearing no less than 5 business days prior to the expiration of a 30-day period. If the required funds are not deposited within 5 business days of the issuance of the order setting the amount of funds, or 5 business days after the expiration of a 30-day period, then the animal is forfeited to the petitioner by operation of law. If the owner is unable to pay the bond, the court shall not fine the owner for nonpayment.

Amend the bill by replacing section 11 with the following:

11 Appropriation. In addition to any sums appropriated in the state operating budget, the sum of \$200,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the commissioner of the department of agriculture, markets, and food, to support the increase in oversight and inspections of pet vendors. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Amend the bill by replacing all after section 11 with the following:

12 Group Licenses. Amend RSA 466:6, I to read as follows:

I. The owner or keeper of [5] 7 or more dogs shall annually by April 30 pay the required fee and obtain a license authorizing the owner or keeper to keep the dogs upon the premises described in the license, or off the premises while under such owner's or keeper's control. Such owner or keeper shall not be required to obtain a "commercial kennel" license under RSA 466:4, III unless such person has a commercial kennel as defined under RSA 466:4, III.

13 New Paragraph; Group Licenses. Amend RSA 466:6 by inserting after paragraph V the following new paragraph:

VI. On June 1st of each year, the municipality shall, to the extent practicable, notify the department of agriculture, markets, and food of the number of group licenses issued in the previous year.

14 New Subdivision; Animal Transfer Study Commission. Amend RSA 437 by inserting after section 22 the following new subdivision:

Animal Transfer Study Commission

437:23 Animal Transfer Study Commission.

I. There is established a commission to study RSA 437:1 as it pertains to the definition of “in the business of transferring live animals or birds customarily used as household pets to the public.”

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

- (a) One member of the senate, appointed by the president of the senate.
- (b) One member of the house of representatives who is a member of the environment and agriculture committee, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of agriculture, markets, and food, or designee.
- (d) One member representing dog owner and breeder interests, appointed by the governor.
- (e) One member representing a humane organization, appointed by the governor.
- (f) One member representing an animal rescue organization subject to RSA 437:1, appointed by the governor.
- (g) One member representing pet stores, appointed by the governor.
- (h) The attorney general, or designee.
- (i) One member from the New Hampshire Veterinary Medical Association, appointed by that organization.

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

IV. The commission shall study and make clarifying recommendations for the phrase “in the business of transferring animals” as it applies to licensed pet vendors under RSA 437:1.

V. 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 senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the chairperson of the senate energy and natural resources committee, the chairperson of the house environment and agriculture committee, the senate clerk, the house clerk, and the state library on or before November 1, 2018.

15 Repeal. RSA 437:23, relative to the animal transfer study commission, is repealed.

16 Effective Date.

I. Sections 1-13 of this act shall take effect January 1, 2019.

II. Section 15 of this act shall take effect November 1, 2018.

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

2018-0720s

AMENDED ANALYSIS

This bill:

I. Defines “breeding female” for dogs.

II. Requires inspection of premises before issuance of a license to transfer animals or birds.

III. Allows the suspension or revocation of a license to transfer animals or birds if conditions under which the license was issued are not maintained.

IV. Allows for a person caring for an animal confiscated during an animal cruelty trial to petition the town for a bond to cover the cost of animal care.

V. Makes an appropriation to the department of agriculture, markets, and food to increase oversight of pet vendors.

VI. Establishes a commission to study certain language applicable to the transfer of animals.

Energy and Natural Resources

February 20, 2018

2018-0721s

10/08

Amendment to SB 577

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

AN ACT requiring the public utilities commission to consider its order affecting the Burgess BioPower plant in Berlin, prohibiting the import of certain liquid fuels, and relative to the production of useful thermal energy.

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

1 Findings. The general court finds that the continued operation of the Burgess BioPower plant in Berlin is important to the economy of the north country and the city of Berlin, as well as the forest products industry, and important for the attainment of renewable energy portfolio standard goals and the environment, and is therefore in the public interest.

2 Public Utilities Commission; Proceedings. Within 30 days after the effective date of this act, the public utilities commission shall initiate a proceeding in order to consider how it is in the public interest to revise its Order 25,213 (Docket DE 10-195). The commission shall consider whether it is in the public interest to increase the amount of the cap on the level of the cumulative reduction factor, or to make other adjustments or revisions to the order, so that the Burgess BioPower plant can continue to operate. When considering the best way to meet the public interest the commission shall consider the impact the potential closing of, or the reduced capacity at, Burgess BioPower could have upon jobs at the plant and in the forest products industry, property tax and other impacts on the city of Berlin, renewable energy resources in New Hampshire, the impact on Eversource ratepayers, and other such factors the commission deems appropriate.

3 Sulphur Limits; Import Prohibited. Amend RSA 125-C:10-d to read as follows:

125-C:10-d Sulfur Limits of Certain Liquid Fuels.

I. No person shall import into the state any of the following liquid fuels:

(a) No. 2 oil, also referred to as distillate oil, with a sulfur content greater than 0.0015 percent by weight;

(b) No. 4 oil with a sulfur content greater than 0.25 percent by weight; or

(c) Nos. 5 or 6 oil, also referred to as residual oil, with a sulfur content greater than 0.5 percent by weight.

II. Beginning on February 1, 2019 and continuing thereafter, no person shall sell, offer for sale, supply, distribute for sale or use, except for fuel remaining in storage for a device not requiring a permit pursuant to RSA 125-C:11, any of the following liquid fuels:

(a) No. 2 oil, also referred to as distillate oil, with a sulfur content greater than 0.0015 percent by weight;

(b) No. 4 oil with a sulfur content greater than 0.25 percent by weight; or

(c) Nos. 5 or 6 oil, also referred to as residual oil, with a sulfur content greater than 0.5 percent by weight.

[H] ***III.*** The commissioner may temporarily allow the use of non-conforming fuels with respect to paragraph [F] ***II*** if there is a demonstrated need to do so based on an acute shortage of supply.

4 Electric Renewable Energy Classes; Useful Thermal Energy. Amend the introductory paragraph of RSA 362-F:4, I to read as follows:

I. Class I (New) shall include the production of electricity [~~or useful thermal energy~~] from any of the following, provided the source began operation after January 1, 2006, except as noted below, ***or the production of useful thermal energy as noted below***:

5 Electric Renewable Energy Classes; Useful Thermal Energy. Amend RSA 362-F:4, I(e) to read as follows:

(e) Methane gas ***if the methane gas energy output is in the form of useful thermal energy provided that the unit began operation after January 1, 2013.***

6 Effective Date.

I. Section 3 of this act shall take effect 12:01 a.m. July 1, 2018.

II. Sections 4 and 5 of this act shall take effect 60 days after its passage.

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

2018-0721s

AMENDED ANALYSIS

This bill:

I. Requires the public utilities commission to initiate a proceeding to consider changes to its order affecting the Burgess BioPower plant in Berlin.

II. Prohibits the import of certain liquid fuels and prohibits the sale of such fuels in 2019.

III. Changes the inclusion in electric renewable energy class I for methane gas.

HEARINGS

TUESDAY, MARCH 6, 2018

COMMERCE, Room 100, SH

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

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

EDUCATION, Room 103, LOB

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

9:00 a.m. **HB 1370**, relative to a school's emergency management plan.

9:10 a.m. **HB 1551**, relative to the retention of records of individualized education programs.

EXECUTIVE SESSION MAY FOLLOW

ENERGY AND NATURAL RESOURCES, Room 103, SH

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

9:15 a.m. **SB 365**, relative to default service energy diversity and rate relief.

9:30 a.m. **HB 101-FN**, relative to certification for solid waste operators.

EXECUTIVE SESSION MAY FOLLOW

FINANCE, Room 103, SH

Sen. Daniels (C), Sen. Reagan (VC), Sen. Giuda, Sen. Morse, Sen. D'Allesandro, Sen. Feltes, Sen. Bradley, Sen. Avard, Sen. Gray, Sen. Fuller Clark, Sen. Hennessey

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

TRANSPORTATION, Room 103, LOB

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

1:00 p.m. **HB 193**, relative to traffic control measures.

1:15 p.m. **HB 267**, establishing the New Hampshire transportation council.
 1:30 p.m. **HB 1278**, naming the rest area in Colebrook after Frederick W. King, Sr.
 1:45 p.m. **HB 1334**, establishing a commission to review the structure of motor vehicle laws.
 2:00 p.m. **HB 1581**, relative to commencement of an administrative license suspension.
 2:15 p.m. **HB 1651**, establishing a committee to study the use of liquid de-icers on roads.
EXECUTIVE SESSION MAY FOLLOW

WEDNESDAY, MARCH 7, 2018

PUBLIC AND MUNICIPAL AFFAIRS, Room 102, LOB

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

9:30 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**

MEETINGS

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

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

10:00 a.m. Room 205, LOB 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

FRIDAY, MARCH 2, 2018

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

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

MONDAY, MARCH 5, 2018

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

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

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

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

1:00 p.m. Room 205, LOB Subcommittee Meeting - Foster Care

TUESDAY, MARCH 6, 2018

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

5:00 p.m.	NH National Guard Regional Training Institute 722 Riverwood Drive Pembroke, NH	Regular Meeting
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THURSDAY, MARCH 8, 2018

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

3:30 p.m.	NH Department of Education 101 Pleasant Street Concord, NH	Regular Meeting
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FRIDAY, MARCH 9, 2018

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

9:30 a.m.	Room 303, LOB	Regular Meeting
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STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)

9:30 a.m.	Room 101, LOB	Regular Meeting
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COMMISSION ON RURAL AFFAIRS (RSA 9-A:5)

10:00 a.m.	NHTI, 136 MacRury Hall 31 College Drive Concord, NH	Regular Meeting
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COMMITTEE TO STUDY BROADBAND (HB 238, Chapter 163:1, Laws of 2017)

10:00 a.m.	Room 304, LOB	Regular Meeting
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BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m.	Room 307, LOB	Regular Meeting
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NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R:1)

1:00 p.m.	Room 308, LOB	Regular Meeting
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JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)

1:30 p.m.	Room 212, LOB	Regular Meeting
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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
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PUBLIC SCHOOL INFRASTRUCTURE COMMISSION (RSA 198:15-z)

1:00 p.m.	Room 209, 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
3:30 p.m.	Room 205, LOB	Subcommittee Work Session Meeting

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

2:00 p.m.	Brain Injury Association of NH 52 Pleasant Street Concord, NH	Regular Meeting
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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 21 South Fruit Street Concord, NH	Regular Meeting
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FRIDAY, MARCH 16, 2018

ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m.	Rooms 306-308, LOB	Regular Meeting
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FISCAL COMMITTEE (RSA 14:30-a)

10:00 a.m.	Rooms 210-211, LOB	Regular Business
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NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2)

10:00 a.m.	Room 203, LOB	Regular Meeting
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NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22)

1:00 p.m.	Room 100, SH	Regular Meeting
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MONDAY, MARCH 19, 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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INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2)

1:30 p.m.	Room 204, LOB	Regular Meeting
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THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD (RSA 170-G:6-a)

2:00 p.m.	Room 307, LOB	Regular Meeting
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THURSDAY, MARCH 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, MARCH 23, 2018

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

1:00 p.m.	Room 205, LOB	Regular Meeting
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SUNDAY, MARCH 25, 2018

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

1:00 p.m.	NH Technical Institute Sweeney Crocker Building Room 225 Concord, NH	Regular Meeting
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MONDAY, 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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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, 429, 496, 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

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 23rd, 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 31st and \$60 starting February 1st. Breakfast will be provided. Pre-registration is required by February 16th. A limited number of scholarships for complimentary conference registrations are available for current members of the Legislature; please email info@nhfpi.org for scholarship details. Visit nhfpi.org/nhfpi-policy-conference to learn more and register.

Senator Dan Feltes

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TUESDAY, MARCH 6, 2018

The National Caucus of Environmental Legislators invites all legislators to a luncheon on Tuesday, March 6th from 12:00 p.m. to 1:00 p.m. in the State House Cafeteria for an information session on wildlife trafficking. The illegal wildlife trade affects millions of communities around the world, and New Hampshire has the opportunity to address the issue this session. Come learn what it's all about! Lunch will be provided.

Senator David Watters

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WEDNESDAY, MARCH 7, 2018

Legislative Breakfast – The annual Water’s Worth It! legislative breakfast is set for Wednesday, March 7th 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 by February 28th 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 7th 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 7th, 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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MONDAY, MARCH 12, 2018 – THURSDAY, MARCH 15, 2018

You are invited to attend the 2nd Annual NH Energy Week, with events planned around Concord from March 12th to the 15th. On March 13th, from 12:00 p.m. to 1:30 p.m. there will be a free lunch for all Legislators in the State House cafeteria to enjoy good food and energy conversation. On March 15th there will be an Energy Breakfast at the Concord Grappone Center, beginning at 8:00 a.m. Registration is free and a full breakfast will be served, as well as an address from Governor Sununu. On the evening of March 15th join fellow legislators, businesses and sponsors from 5:00 p.m. to 7:00 p.m. at O Steaks and Seafood in Concord to conclude Energy Week with free food, drinks, and an awards ceremony.

For more information please visit www.NHEnergyFuture.org or send us an email to NHEnergyWeek@gmail.com.

Senator Jeb Bradley, Senate Majority Leader
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 13th 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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THURSDAY, MARCH 15, 2018

Breathe New Hampshire invites all legislators and staff to attend a Breakfast Reception on Thursday, March 15th from 8:00 a.m. to 9:30 a.m. in the State House Cafeteria. Stop by for a light breakfast, take a free breathing test, enter a raffle and meet some of our volunteers who are helping New Hampshire residents breathe better and live longer! Please RSVP to info@breathenh.org or by calling 603-669-2411.

Senator Lou D'Allesandro

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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 21st 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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TUESDAY, MARCH 27, 2018

The NH Association of Regional Planning Commissions invites all legislators to their annual legislative breakfast in the State House Cafeteria on March 27th at 8:00 a.m. to 10:00 a.m. (snow date – April 3rd). Come gain a better sense of the work of New Hampshire's regional planning commissions while enjoying a free breakfast.

Senator Jay Kahn

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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 12th, 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 26, 2018 –

Friday, March 02, 2018

Thursday, March 8, 2018

Thursday, March 22, 2018

Thursday, April 19, 2018

Thursday, May 3, 2018

Thursday, May 10, 2018

Thursday, May 17, 2018

Thursday, May 24, 2018

Monday, May 28, 2018

Wednesday, July 4, 2018

Monday, September 3, 2018

Monday, November 12, 2018

Thursday, November 22, 2018

Friday, November 23, 2018

Tuesday, December 25, 2018

SENATE BREAK

Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.

CROSSOVER – Deadline to ACT on all Senate bills.

Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.

Deadline to ACT on all House bills.

Deadline to FORM Committees of Conference.

Deadline to SIGN Committee of Conference Reports.

Deadline to ACT on Committee of Conference Reports.

Memorial Day (State Holiday)

Independence Day (State Holiday)

Labor Day (State Holiday)

Veterans' Day (State Holiday)

Thanksgiving Day (State Holiday)

Day after Thanksgiving (State Holiday)

Christmas Day (State Holiday)