

State of New Hampshire

HOUSE RECORD

Second Year of the 160th General Court Calendar and Journal of the 2008 Session

Vol. 30	Concord, NH	Friday, April 18, 2008	No. 30
Contains: Hearings, Meetings, Notices, Proposed Amendments to Ethics Guidelines, Reports and Amendments for April 23.			

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet at 10:00 a.m. on Wednesday, **April 23rd**.

Members should hold open Wednesdays through **May 14th** as likely session days.

Terie Norelli, Speaker

NOTICE

Chairs and Vice-Chairs will meet on Tuesday, **April 22nd**, from 8:30-9:45 a.m. in Rooms 210-211 of the LOB.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on Wednesday, **April 23** at **9:00 a.m.** in Representatives Hall.
Rep. Mary Jane Wallner, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **April 23** at **9:00 a.m.** in Rooms 305-307, LOB.
Rep. David W. Hess, Deputy Republican Leader

NOTICE

Please note that the Calendar closes at 1:00 p.m. on Wednesdays for scheduling and notices. It closes at 1:00 p.m. on Thursdays for Committee Reports. Members and staff who need to schedule meetings should make arrangements with the Clerk's Office for room availability/assignment and publication of meeting notices.

Karen O. Wadsworth, Clerk of the House

NOTICE
LEGISLATIVE ETHICS COMMITTEE
Proposed Amendments to Ethics Guidelines

At its meeting on March 31, 2008, the Committee unanimously voted to amend the Ethics Guidelines, subject to approval by the General Court in accordance with RSA 14-B:3, II. The amendments, in their entirety, are printed below.

Representative Janet G. Wall, Vice Chairman
Representative Eric Anderson

NOTICE
LEGISLATIVE ETHICS COMMITTEE
Proposed Amendments to the Ethics Guidelines

At its meeting on March 31, 2008, the Legislative Ethics Committee unanimously voted to propose the following amendments to the Ethics Guidelines. These proposed amendments are necessitated by the legislative changes made by Senate Bill 206, which was enacted as Chapter 21 of the New Hampshire Laws of 2006, and House Bill 828, which was enacted as Chapter 354 of the New Hampshire Laws of 2007. The two laws created in RSA 15-B new standards for the acceptance of gifts, honoraria, and expense reimbursements for members, officers, and employees. The amendment incorporates relevant provisions of RSA 15-B into the guidelines in order to make the guidelines consistent with that statute. The Committee respectfully requests favorable action on these proposed amendments to the Ethics Guidelines in order to create consistency between the guidelines and the law to provide guidance for the ethical conduct of members, officers, and employees.

Legislative Ethics Committee

Explanation: Matter added to the current guidelines appears in ***bold italics***.
Matter removed from the current guidelines appears [~~in brackets and struckthrough.~~]

ETHICS GUIDELINES

2 DEFINITIONS.

- I. "Anything Of Value" includes but is not limited to the following:
 - (a) A pecuniary item, including money, or a bank bill or note;
 - (b) A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment of money;
 - (c) A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
 - (d) A stock, bond, note, or other investment interest in an entity;
 - (e) A receipt given for the payment of money or other property;
 - (f) A cause of action;
 - (g) A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
 - (h) A loan or forgiveness of indebtedness;
 - (i) A work of art, antique, or collectible;
 - (j) An automobile or other means of personal transportation;
 - (k) Real property or an interest in real property, including title to realty, a fee simple or partial interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial interest in realty;
 - (l) A promise of employment or continued employment;

- (m) A rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person's status as a public official or public employee, or the sale or trade of something for reasonable compensation that would ordinarily not be available to a member of the public.
- II. "Conflict Of Interest" is the condition in which a legislator has a financial interest in any official activity.
- III. *"Expense Reimbursement" shall mean any price, charge, fee, expense, or other cost which is waived, forgiven, reduced, prepaid, or reimbursed in any form for the reasonable expenses of attendance, registration, travel, meals, or lodging related to a bona fide conference, meeting, seminar or educational or informational program, when the source of such reimbursement is other than the state, a county, or the United States of America.*
- IV. *"Family Member" shall mean any person related to and living in the same domicile as a legislator, legislative officer, or legislative employee who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.*
- ~~III.~~ V. "Financial Interest" is a reasonably foreseeable direct material financial effect ~~to be distinguished from its effect on the public generally, on the legislator or his or her spouse~~ arising from a change in law, a change in administrative rule, a decision whether or not to award a contract, grant a license or permit, discipline a licensee or permittee, or other decision by government affecting a business, profession, occupation, group, or matter enumerated in RSA 15-A:5, I(d) that results in a greater financial effect on you or a family member than it would on the general public.
- VI. (a) "Gift" shall mean:
- (1) Money in any amount, whether in the form of cash, check or any other negotiable or non-negotiable instrumentality for the transfer of money.
 - (2) Any other tangible thing, intangible thing, service, or the use thereof having more than insignificant economic value. Any such item with a value of less than \$25 is presumed to be of insignificant economic value.
- (b) Notwithstanding subparagraph (a), "gift" shall not mean:
- (1) A political contribution as defined in RSA 664.
 - (2) A commercially reasonable loan, made in the ordinary course of business.
 - (3) Repayment to an elected official, public official, public employee, constitutional official, or legislative employee of a bona fide loan made by such a person.
 - (4) A ceremonial plaque, award, or other commemorative object, which is personally inscribed to the recipient and which has inconsequential economic value. A ceremonial object or award with a value of \$150 or less is presumed to be of inconsequential economic value.
 - (5) Objects which primarily serve an informational purpose provided in the ordinary course of business, such as reports, books, maps, or charts.
 - (6) Money in any form, an object, or any tangible or intangible thing of economic value, where the donor's act of giving is purely private and personal in nature and the money, object, or thing of economic value would have been given and received even if the person were not an elected official, public official, public employee, constitutional official, or legislative employee.

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

(8) Wages, salary, benefits, mileage, or payment for expenses paid to the person by the state, a county, or the United States of America related to performance of official duties.

(9) Tickets or free admission to a charitable, ceremonial, or political event provided that:

(A) The proceeds of the event are subject to the political contributions and expenditure reporting law, RSA 664; or

(B) The event is sponsored by a charitable organization that is registered with the division of charitable trusts, department of justice, or which is a charitable organization pursuant to section 501(c)(3) of the federal tax code; or

(C) The event is published as an event open for attendance by any member of the general court in the calendar of the senate or the house.

(10) Meals, beverages, lodging, or transportation associated with attendance at:

(A) Any event for which the primary significance is ceremonial or celebratory, provided the event is public or, if by invitation only, is planned to have an attendance greater than 50 people; or

(B) Any event where the person is attending in an official capacity representing the state and/or the senate, house, or the agency of which the person is a member.

(11) Expense reimbursement or an honorarium.

(12) Meals and beverages consumed at a meeting or event, the purpose of which is official business.

VII. "Honorarium" means a payment in any form to a legislator, legislative officer, or legislative employee for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities . Honorarium does not include a payment for such activities for which the person is being compensated by the state, a county, the United States of America, or by any other employer or client, where the activity giving rise to the honorarium is not related to or associated with any public office or government employment.

~~[IV.]~~ **VIII. "Immediate Family" includes a spouse, guardian, parent, sibling, child or dependent.**

~~[V.]~~ **IX. "Legislation" is a bill, resolution or constitutional amendment.**

~~[VI.]~~ **X. "Official Activities" is the conduct of activities which relate to official responsibilities including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.**

XI. "Official Business" means, for legislators, legislative officers, and legislative employees, the discussion or transaction of legislative business, namely, any official action or non-action with regard to any potential pending or existing bill, resolution, amendment, report, or study, any other matter pending or proposed in a committee or in either house of the general court, or an issue of public policy which is or may be the subject of legislative attention, or any other matter which is within the official jurisdiction or cognizance of the general court.

3 LEGISLATOR'S FINANCIAL DISCLOSURE FORM.

Every representative, senator, and officer of the House and Senate, shall file with the Legislative

Ethics Committee the following financial disclosure form on or before January 31 of each year.

FINANCIAL DISCLOSURE FORM

FOR STATE SENATORS, STATE REPRESENTATIVES AND OFFICERS OF THE GENERAL COURT

Required by the Legislative Ethics Committee (RSA 14-B)

Name of Legislator/Officer _____
(print name)

Address _____
street town/city zip code

Office _____ County/District _____ Telephone Number _____

I. Sources of Income

Identify below the name, address, and type of any professional, business, or other organization (including any unit of government) in which you ***or your spouse*** are or were an ***employee***, officer, director, associate, partner, proprietor, ~~employee,~~ or member, or served in any ***professional or*** advisory capacity, from which you ***or your spouse*** derived any income (including retirement benefits other than federal retirement and/or disability benefits) in excess of \$10,000 during the preceding calendar year.

- 1) a) Name of organization _____
b) Address of organization _____
c) Type of organization _____

- 2) a) Name of organization _____
b) Address of organization _____
c) Type of organization _____

- 3) a) Name of organization _____
b) Address of organization _____
c) Type of organization _____

(attach additional sheets if necessary)

~~[Please note: every State Senator, State Representative, and Officer of the General Court is required to file this form.]~~ If you feel that your income during the preceding calendar year does not qualify for disclosure according to the criteria stated above, signify by ~~[checking]~~ ***writing your initials*** on the line below.

My income does not qualify _____

~~[COMPLETION OF THIS SECTION IS OPTIONAL.]~~

~~[Disclosure and description below of your financial interest may eliminate the need to follow the conflict of interest procedure established in Section 5 of the Ethics Guidelines. If your participation in an official activity creates a conflict of interest not disclosed by the information on this form, you must complete and file a Declaration of Intent Form in accordance with Section 5 of the Ethics Guidelines. See Section 5 of the Ethics Guidelines for information regarding particular conflicts of interest that you may have.]~~

II. Disclosure of Financial Interests

IDENTIFY AND DESCRIBE BELOW ANY FINANCIAL INTEREST YOU OR YOUR SPOUSE MAY HAVE. FOR THIS SECTION, "FINANCIAL INTEREST" MEANS THAT A CHANGE IN [THE] LAW, A CHANGE IN ADMINISTRATIVE RULE, A DECISION WHETHER OR NOT TO AWARD A

CONTRACT, GRANT A LICENSE OR PERMIT, DISCIPLINE A LICENSEE OR PERMITTEE, OR OTHER DECISION BY GOVERNMENT AFFECTING THE BUSINESS, PROFESSION, OCCUPATION, GROUP, OR MATTER ~~[DEALING WITH ANY OF THESE SUBJECTS]~~ LISTED BELOW WOULD POTENTIALLY HAVE A GREATER FINANCIAL EFFECT ON YOU OR YOUR SPOUSE THAN IT WOULD ON THE GENERAL PUBLIC.

Do you or your spouse have a financial interest, as defined above, in any of the following businesses, professions, occupations, groups, or matters? Check any of the following which apply and describe the nature of your or your spouse's financial interest:

- ☐ (a) any profession, occupation, or business licensed or certified by the State of New Hampshire

- ☐ (b) health care

- ☐ (c) insurance

- ☐ (d) real estate, including brokers, agents, developers, and landlords

- ☐ (e) banking or financial services

- ☐ (f) State of New Hampshire, county or municipal employment

- ☐ (g) the New Hampshire Retirement System

- ☐ (h) the current use land assessment program

- ☐ (i) restaurants and lodging

- ☐ (j) the sale and distribution of alcoholic beverages

- ☐ (k) the practice of law

- ☐ (l) any business regulated by the Public Utilities Commission

- ☐ (m) horse or dog racing, or other legal forms of gambling

- ☐ (n) education

- ☐ (o) water resources

- ☐ (p) agriculture

- ☐ (q) New Hampshire taxes: ☐ Business Profits Tax, ☐ Business Enterprise Tax,

☐ Interest and Dividends Tax

☐ (r) other

I hereby swear or affirm that [T]the foregoing information is true ***and complete*** to the best of my knowledge and belief.

Signature of Legislator/Officer

Complete and return to the Legislative Ethics Committee no later than January 31, ____.

4 PROHIBITED ACTIVITIES.

- I. Legislators shall not solicit, accept, or agree to accept anything of value from another for themselves or other persons, if the legislator receives such thing of value:
- (a) Knowing or believing the other's purpose to be the influencing of an action, decision, opinion, recommendation, or other official activity.
 - (b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the ~~[giver or another member of the legislature]~~ **legislator or the General Court.**
 - (c) In return for advice or other assistance relating to a legislator's official activities.
 - (d) In return for introducing legislation, testifying before any legislative committee or state agency, voting in committee or in House or Senate session, or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.
 - (e) In return for an endorsement, nomination, appointment, approval or disapproval of any person for a position as, or advancement of, a public servant.
 - (f) In return for having given a decision, opinion, recommendation, nomination, vote, or other official activity.
- (g) In violation of RSA 15-B.**
- II. Legislators shall not:
- (a) Reveal information which the legislator has obtained confidentially in the course of his official activities.
 - (b) Reveal information about state agency operations or decisions which the legislator would not reveal to any member of the general public requesting such information.
 - (c) Threaten reprisals or promise inducements of any kind to influence another so as to obtain special personal benefits for the legislator, the legislator's immediate family, or for certain constituents which would not be available to others under similar conditions.
 - (d) Conduct private negotiations with any governmental agency in an attempt to obtain a decision on a pending matter which would result in special personal benefit to the legislator, to the legislator's immediate family, or to certain constituents which would not be available to others under similar conditions.
- III. Legislators shall not use their public position or office to obtain anything of value for the private benefit of the legislator or the legislator's immediate family.
- IV. Legislators shall not use state-provided services or facilities for private gain.
- V. Legislators shall not become involved in any official activity without complying with the conflict of interest procedure set forth in this document.
- VI. Legislators shall not engage in conduct that constitutes sexual harassment as defined in RSA 14-B:1.
- VII. Nothing in this section on prohibited activities should be construed to prohibit the following:
- ~~[(a) The giving or receiving of campaign contributions made for the purpose of defraying the costs of a political campaign.]~~

- ~~[(b)]~~ **(a)** Assistance to constituents in their dealings with state agencies.
- ~~[(c)]~~ **(b)** Advocacy of a particular outcome on matters pending before a state agency when the legislator believes such a decision would benefit the general public or the legislator's constituents generally.
- ~~[(d)]~~ **(c)** Submission by a legislator of recommendations or references on behalf of a candidate for state employment when the legislator believes the candidate is qualified to be a suitable public employee.
- ~~[(e)]~~ ~~Acceptance of awards, prizes or other honors of a minimal value.~~
- ~~[(f)]~~ **(d)** Acceptance of anything of value the receipt of which would otherwise be a violation of this section where the value is less than \$250.00 in aggregate from any single source during any calendar year.
- ~~[(g)]~~ **(e)** Acceptance of **expense** reimbursement ~~[or underwriting of actual]~~ **for the reasonable** expenses for **attendance**, registration, travel, **meals, and** lodging~~[- and subsistence directly]~~ related to ~~[attendance at]~~ a bona fide **conference, meeting, seminar, or educational or** informational ~~[or educational conference, seminar, or meeting,]~~ **program related to the legislator's office** so long as disclosure of any such reimbursement ~~[or underwriting, including the identity of the primary sponsor or sponsors and including financial contributors,]~~ is made ~~[within 15 calendar days of the legislator's return from such conference (if expenses are underwritten) or, within 15 calendar days of reimbursement]~~ **no later than the last day of the month following the month during which the expense reimbursement was received.** This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B. ***This provision shall not be construed to require reporting of an expense reimbursement made by an organization to which the general court pays dues, when the prepayment, underwriting or reimbursement is provided because of the dues paid.***
- (f)** *Acceptance of honoraria so long as disclosure is made no later than the last day of the month following the month during which the expense reimbursement was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.*
- (g)** *Acceptance of meals or beverages with a value of greater than \$25 consumed at a meeting or event pertaining to official business so long as disclosure is made no later than ten (10) days following the meeting or event at which the meals or beverages were consumed. This disclosure shall be filed in a report in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.*
- ~~[(h)]~~ ~~Acceptance of anything permitted under RSA 15-B.~~

5 CONFLICT OF INTEREST PROCEDURE.

- I. No declaration shall be required if no benefit or detriment could reasonably be expected to accrue to the legislator as a member of a business, profession, occupation, or other group, to any greater extent than to any other member of such business, profession, occupation, or other group, provided that disclosure of the legislator's membership is made in the Financial Disclosure Form pursuant to section 3 of the Ethics Guidelines. For purposes of these guidelines, groups shall be limited to ones generally recognized and of a substantial size.
- II. When a legislator becomes aware that a conflict of interest exists or may exist and the conditions set forth in paragraph I are not met, the legislator shall proceed in accordance with either subparagraph (a) or (b):
 - (a) Declare that the legislator will not participate in any official activity associated with the issue.
 - (b) Declare that the legislator intends to participate in the official activity and will provide a description the conflict of interest including:
 - * names of all entities, both public and private, which might be affected;

- * the nature of any benefit which may accrue to the legislator;
- * the nature of any financial interest in the issue;
- * the nature of any relationship which existed, exists or may exist between the legislator and any person or entity which might be affected;
- * and understanding of the nature and extent of the conflict.

III. The declaration required in subparagraphs II (a) and (b) of this procedure shall be publicly announced prior to the legislator's initial participation in the official activity. The information required in subparagraph (b) shall be filed with the clerk of the member's respective body within 24 hours of the time of the official activity and be made available for public inspection during normal business hours.

6 LEGISLATIVE EMPLOYEE CODE OF CONDUCT.

I. General Principles of Conduct.

- (a) A legislative employee or officer should view his or her work for the General Court as a public service and should strive to promote the common good of the citizens of the State of New Hampshire through the devotion of his or her professional talents and energies to the support of the General Court in its mission as the representative of the citizens of this state.
- (b) A legislative employee or officer should act in a way that makes him or her worthy of the trust the General Court places in staff members and officers.
- (c) A legislative employee or officer should provide objective advice, information, and alternatives to legislators, independent of the employee's or officer's personal beliefs or interests or the interests of third parties. A legislative employee or officer should avoid activities that conflict with this objectivity or give the appearance of conflict.
- (d) A legislative employee or officer should treat all legislators with dignity and respect, and provide services of equal quality to the employee's or officer's appropriate legislative clientele.

II. Definitions.

- (a) "Legislative Employee" includes all house, senate, and joint staff whether employed on a part-time, full-time, permanent or temporary basis.
- (b) "Legislative Officer" includes those employees of the House and Senate who are elected by members of the General Court.

III. Prohibited Activities.

(a) A legislative employee or officer shall not violate the provisions of RSA 15-B.

- ~~(a)~~ (b) A legislative employee or officer shall not accept any gift from givers who wish to influence the work activities of the employee or officer.
- (c) A legislative employee or officer shall not accept any employment or serve in any position, in addition to legislative employment, which would impair the employee's or officer's independence of judgment.
- (d) Except within the scope of employment, a legislative employee or officer shall not provide any service to a lobbyist or any other person with a direct personal interest in any matter or action pending before the General Court.
- (e) Nothing in this paragraph should be construed to prohibit the following:
 - (1) Acceptance of awards, prizes, honors, or gifts of a minimal value.
 - (2) Acceptance of informational material relevant to the employee's or officer's official function, such as books, pamphlets, reports, documents, periodicals, or other information that is recorded in a written, audio, or visual format.
 - (3) Acceptance of **expense** reimbursement ~~[or underwriting of actual]~~ **for the reasonable** expenses for **attendance**, registration, travel, **meals, and** lodging, ~~and subsistence directly~~ related to ~~[attendance at]~~ a bona fide **conference, meeting, seminar, or educational or** informational ~~[or educational conference, seminar, or meeting.]~~ **program related to the legislative employee's or**

officer's employment so long as disclosure of any such reimbursement [~~or underwriting, including the identity of the primary sponsor or sponsors and including financial contributors,~~] is made [~~to the joint committee on legislative facilities or the fiscal committee of the general court as appropriate within 15 calendar days of the employee's or officer's return from such conference (if expenses are underwritten) or within 15 calendar days of reimbursement~~] ***no later than the last day of the month following the month during which the expense reimbursement was received.*** This disclosure shall be ***filed in the Office of the Secretary of State and shall be*** in a form prescribed [~~by the above cited committees and shall be made available to the public upon request~~] ***in RSA 15-B. This provision shall not be construed to require reporting of an expense reimbursement made by an organization to which the general court pays dues, when the prepayment, underwriting or reimbursement is provided because of the dues paid.***

- (4) ***Acceptance of honoraria so long as disclosure is made no later than the last day of the month following the month during which the expense reimbursement was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.***
- (5) ***Acceptance of meals or beverages with a value of greater than \$25 consumed at a meeting or event pertaining to official business so long as disclosure is made no later than ten (10) days following the meeting or event at which the meals or beverages were consumed. This disclosure shall be filed in a report in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.***

~~***Acceptance of anything permitted under RSA 15-B.***~~

~~(b)~~ (f) A legislative employee or officer shall not use or attempt to use the employee's or officer's official position to (a) personally obtain any privilege, exemption, special treatment or any other thing of value, or (b) obtain any such benefit for others except as required to perform duties within the scope of employment.

~~(e)~~ (g) A legislative employee or officer shall not accept or solicit anything of value for the private benefit of the employee or officer or the employee's or officer's immediate family under circumstances in which it can be reasonably inferred that the legislative employee's or officer's independence of judgment is impaired or is intended as a reward for any official action.

~~(d)~~ (h) A legislative employee or officer shall not use state-provided services or facilities for private gain.

~~(e)~~ (i) A legislative employee or officer shall not disclose confidential information acquired by reason of the employee's or officer's official position to any person or group not entitled to receive such information, nor shall the employee or officer use such information for personal gain or benefit or for the benefit of others.

~~(f)~~ (j) A legislative employee or officer shall not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the employee's or officer's supervisory officer.

- IV. Disclosure Procedure. When a legislative employee or officer becomes aware that his or her participation in a particular activity presents a conflict of interest or conflicts with his or her objectivity or gives the appearance of a conflict, the employee or officer shall immediately make disclosure of this fact to his or her supervisory officer. All such reports shall be forwarded to the Chief of Staff of the House, the Chief of Staff of the Senate, the Director of the Office of Legislative Services, or Legislative Budget Assistant, as appropriate.

WEDNESDAY, APRIL 23

CONSENT CALENDAR

COMMERCE

SB 319-FN, relative to third party liability and state recovery of public assistance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen T DeStefano for Commerce: This bill makes certain changes relative to third party liability and state recovery of public assistance to help ensure that Medicaid is the payor of last resort when another insurer has the responsibility to pay for medical costs incurred by a Medicaid-eligible individual as required by the federal Deficit Reduction Act of 2005. As introduced, this bill also sought to make certain changes relative to Medicaid fraud and false claims. Because the federal standard may undergo further change, the amendment offered removes the Medicaid fraud and false claims sections of the bill. **Vote 15-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 318-FN, establishing a commission to study the creation of a large animal care worker classification. **OUGHT TO PASS WITH AMENDMENT.**

Rep. A Laurie Harding for Executive Departments and Administration: This bill establishes a commission to study the creation of a new animal care worker classification. There are 811 licensed veterinarians in New Hampshire. Less than 10% care for sheep, pigs, cows and goats. In Coos County, where there are 6,000 large animals, there are only three veterinarians willing to make visits. There also is an increasing shortage of small animal veterinarians. SB 318 creates an eleven person commission to study other categories of animal care workers who will be able to perform the basic care for animals under the direct or indirect supervision of a licensed veterinarian. **Vote 17-0.**

SB 326-FN, relative to salaries for certain unclassified positions. **OUGHT TO PASS.**

Rep. Ken Hawkins for Executive Departments and Administration: The bill reflects changes in the organizational structure of the department of safety and department of transportation that were passed last session. The positions were evaluated per RSA 14:14-c, and then approved by the employee pay classification committee. **Vote 17-0.**

SB 347, establishing a commission to study making changes to the New Hampshire accountancy act. **OUGHT TO PASS.**

Rep. James F Headd for Executive Departments and Administration: The bill seeks to establish a commission to study making changes to the New Hampshire accounting act, RSA 309-B. The purpose is to bring New Hampshire standards in line with nationally accepted practices. The bill is supported by the New Hampshire society of certified public accountants. **Vote 16-0.**

SB 349, allowing continuation of judicial retirement plan benefits for judges called to full-time active military duty. **OUGHT TO PASS.**

Rep. Carl G Robertson for Executive Departments and Administration: This bill will allow the continuation of judicial retirement plan benefits for judges called to full time active military duty. This bill will give judges retirement plan benefits the same benefits as given to other state employee who are called to full military duty. This bill also brings us into compliance with federal regulations. **Vote 15-2.**

SB 371, making various changes to the city of Manchester employees' contributory retirement system. **OUGHT TO PASS.**

Rep. Jean Jeudy for Executive Departments and Administration: This bill allows the aldermen of Manchester to place on the ballot a question for the Manchester voters to decide on the Manchester retirement system. This does not indicate either support or opposition from the New Hampshire legislature but only gives the permission for the question to be asked, in accordance with session law Chapter 218 passed in 1973. **Vote 15-1.**

SB 373, relative to definitions for and the application of the civil unions law to the retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia M McMahon for Executive Departments and Administration: This bill is required to assure that the New Hampshire Retirement System retains its status as a qualified pension plan under Section 401(a) of the Internal Revenue Code. This bill addresses deficiencies in HB 437-FN-L, Chapter 58, 2007 and provides both corrections and clarifications for civil unions regarding post-retirement medical benefits, survivorship annuities, federal taxable benefits and directly transferred distributions by the NHRS to designated beneficiaries in order to be in compliance with federal requirements. **Vote 17-0.**

SB 449, relative to the status of emergency services volunteers. **OUGHT TO PASS.**

Rep. Russell C Day for Executive Departments and Administration: This bill would enable communities to provide worker's compensation coverage to volunteer citizen's groups delivering emergency services to the public. These individuals are presently covered by liability insurance, but not for worker's compensation for injuries sustained in the performance of their duties. This is limited to those duly appointed, trained, and called out by community officials. The committee believes that this is an important addition to present coverage to encourage volunteers, particularly in rural areas. **Vote 16-0.**

JUDICIARY

SB 446, allowing probate court judges and district court justices to sit on either court in certain circumstances. **OUGHT TO PASS.**

Rep. Lucy McV Weber for Judiciary: This bill allows district court judges to sit in probate court and probate judges to sit in district court when a judge of that court is unavailable for a period of time that would cause delay or a burden on the rights of litigants in a particular matter. The judges so serving must be pre-certified as having adequate qualifications to sit in the other court. Further, certain core probate matters must, as a matter of constitutional law, continue to be heard by probate judges. The committee believes this bill will speed the orderly administration of justice, saving both litigants and the court system time and money. **Vote 13-0.**

SB 466, relative to probate court jurisdiction over special needs trust. **OUGHT TO PASS.**

Rep. Gregory M Sorg for Judiciary: This bill amends RSA 547:3, I (c) by extending the jurisdiction of probate courts over trusts to those created by probate court judgment or decree, including special needs trusts created to facilitate payments to or on behalf of Medicaid beneficiaries. **Vote 15-0.**

SB 543, establishing a commission to study court security. **INEXPEDIENT TO LEGISLATE.**

Rep. Philip Preston for Judiciary: The committee agrees that court security is one of the most critical issues facing the judicial branch. That is why legislation was passed in 2005 and 2007 to establish study commissions similar to what is proposed in this bill. In spite of the importance the committee places on court security, it believes that a duplication of work already completed would serve no useful purpose. **Vote 15-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 501-FN, relative to workers' compensation on certain state projects and penalty collection powers of the department of labor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bette R Lasky for Labor, Industrial and Rehabilitative Services: This bill fixes problems that occurred as a result of HB 471, Chapter 323, 2007 passed last year which unintentionally required all independent delivery drivers to be covered by worker's compensation insurance on state projects. This bill corrects that problem by excluding independent contractors who make deliveries to or removals from a project administered by the state. In addition, this bill forms a study committee to review the guidelines for determining permanent impairment awards under worker's compensation. **Vote 17-1.**

MUNICIPAL AND COUNTY GOVERNMENT

SB 462, limiting liability for overseers of public welfare when acting in the course of their official duties. **OUGHT TO PASS.**

Rep. Eric G Stohl for Municipal and County Government: This bill seeks to limit the liability for overseers of public welfare, also referred to as welfare directors, overseers of the poor, and other titles, when they are acting in the course of their official duties. The bill simply adds the overseers of public welfare to RSA 31:104, which provides the same protection to governing bodies, boards, commissions, and bureaus. This protection limits liability for civil damages for any decision made by the overseer of public welfare while acting in his or her official capacity in good faith and within the scope of his or her authority. **Vote 17-0.**

SB 473, naming the Prisoners of War/Missing in Action Memorial in Hesky Park in the town of Meredith. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert J Elliott for Municipal and County Government: It was the feeling of the entire committee that this is a good bill to honor the memory of our many brave young warriors who are still missing in action or were, at one point, a Prisoner of War.

The amendment changes one small word from “the” memorial to “a” memorial so that other communities may also have “a” memorial in their towns as well, if they so wish. **Vote 16-0.**

SB 524, relative to eligibility for persons to receive the elderly property tax exemption.

INEXPEDIENT TO LEGISLATE.

Rep. Robert J Elliott for Municipal and County Government: The committee was united in believing that the present law is fair. If the husband, wife or partner is 65 years old and dies, his/her spouse or this 62 year old newly married/partner would not qualify for a tax exemption. They would only qualify if they had been married five years before the 65 year old husband/wife or partner died. That is a fair rule. **Vote 17-0.**

RESOURCES, RECREATION AND DEVELOPMENT

SB 158, relative to review of activities affecting surface waters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank A Tupper for Resources, Recreation and Development: This bill makes New Hampshire statutes consistent with section 401 of the federal Clean Water Act. It puts into statute the department of environmental service’s (DES) existing federal responsibilities to certify that activities affecting surface waters will ensure that water quality standards will be maintained. The amendment clarifies the original bill and was developed with affected water suppliers. **Vote 18-0**

SB 486, relative to the duties and responsibilities of special deputy forest rangers. **OUGHT TO PASS.**

Rep. Susan R Kepner for Resources, Recreation and Development: This bill allows part time, non-benefit special duty forest rangers to be employees of the bureau of forests and lands. It will give more time for full time regular rangers to fulfill their higher level of duties like enforcing timber harvesting laws, wetland protection, and forest health. The “auxiliary” or part time rangers can deal with violations like fires without a permit, speeding on park land, vandalism, etc. Funds will come from an already existing forest management and protection fund. **Vote 18-1.**

SB 489, establishing a commission to study erecting a fire tower on Copple Crown mountain in Brookfield. **OUGHT TO PASS.**

Rep. Harry C Merrow for Resources, Recreation and Development: Currently there is a dead spot that prevents triangulation to locate a fire in the Copple Crown area. This commission would determine if it is feasible to erect a tower on Copple Crown Mountain to give full coverage. The commission members are limited to legislators, agency personnel and the owner of the property. **Vote 18-0.**

SB 523, relative to requirements for the estuary alliance for sewage treatment to take and hold land. **OUGHT TO PASS.**

Rep. Chris Christensen for Resources, Recreation and Development: The Estuary Alliance for Sewage Treatment was established under RSA 485-E. EAST allows the various municipalities in the seacoast region to join together to implement regional solutions for sewage. Included in the alliance authority was the power of eminent domain, that might enable solutions such as intercommunity sewage pipelines. SB 523 simply reduces that authority so it can be exercised only in those municipalities that have joined the alliance. **Vote 18-0.**

SCR 10, urging the New Hampshire delegation to actively seek an increase in federal funding for wastewater treatment facility improvements. **OUGHT TO PASS.**

Rep. Suzanne H Gottling for Resources, Recreation and Development: New Hampshire's municipalities are facing one billion dollars in necessary upgrades to their wastewater treatment facilities. Many were built under decades-old funding under the Clean Water Act, funding which has diminished drastically. Not only are these systems aging, but also in need of upgrading to meet stricter federal standards. The committee recommends supporting a nationwide call for funding for these critical facility upgrades. **Vote 18-0.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

SB 525, establishing the first Saturday in May as Emergency Medical Services Provider Recognition Day. **OUGHT TO PASS.**

Rep. Doreen Howard for State-Federal Relations and Veterans Affairs: The majority of the committee agrees with the federal observance set aside for Emergency Medical Providers. Unlike the federal observance of the last week and weekend of May, this bill designates the first Saturday in May as "Emergency Medical Providers Recognition Day." All past, present and deceased providers will be recognized for their dedication and service to the citizens of the state of New Hampshire. **Vote 11-0.**

WEDNESDAY, APRIL 23

SPECIAL ORDER

PUBLIC WORKS AND HIGHWAYS

SB 506, naming the Elm Street bridge in Newport after Specialist Justin A. Rollins. **OUGHT TO PASS.**

Rep. David B Campbell for Public Works and Highways: Specialist Justin A. Rollins, a soldier attached to the 82nd Airborne Division, and a son of Newport, was killed in a bomb attack during combat operations in the Iraqi province of Salahuddin on March 5, 2007. He was 22 years old. Justin Rollins told his father "there is no greater honor than to be buried at Arlington National Cemetery," which is where Specialist Rollins has been laid to rest. Justin Rollins is proudly and fondly remembered by his family and friends, his Town, his State and his Country. It is a fitting tribute that the Elm Street Bridge on Routes 103 & 11, one of the oldest and most traveled bridges in Newport, will forever bear his name. **Vote 15-0.**

WEDNESDAY, APRIL 23

REGULAR CALENDAR

EDUCATION

SB 376, requiring local fire chiefs to annually inspect all school buildings within his or her jurisdiction and report on the condition of all such school buildings. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Judith E Day for the **Majority** of Education: This bill requires that each local fire chief annually inspect all school buildings within his or her jurisdiction and that this inspection be done while school is in session. It further requires that the chief submit a written report on the condition of all such school buildings to the state fire marshal by December 15th each year. The report shall detail any state fire code compliance issues in each school building. The bill states that the report shall be furnished to the school district superintendent and school board members. For the safety of our school children, a bi-partisan majority of the committee felt it was critical to pass this bill. Testimony by the state fire marshal indicated that there would be no fiscal impact. **Vote 14-3.**

Rep. Sharon M Carson for the **Minority** of Education: This bill, while well intentioned, is an unfunded mandate. The accompanying fiscal note states this is a local expenditure and unless the state pays for the associated costs of this program, it violates Part II, Article 28-a of the New Hampshire state constitution.

ELECTION LAW

SB 436, enabling certain persons to vote in primaries prior to turning 18 years of age. **REFER FOR INTERIM STUDY.**

Rep. David M Pierce for Election Law: This bill, which would allow 17 year olds to vote in a primary if they will be 18 years old by the time of the general election, raises some constitutional questions. The committee recommends interim study. However, an immediate motion to table the bill will be made and a committee resolution introduced to request the Supreme Court to resolve the constitutional questions. **Vote 9-6.**

ENVIRONMENT AND AGRICULTURE

SB 518-FN, relative to agricultural restricted covenants. **REFER FOR INTERIM STUDY.**

Rep. Timothy D O'Connell for Environment and Agriculture: In 1985 the agricultural lands preservation program under the New Hampshire department of agriculture, markets, and food was created. Although the program has not been funded for well over a decade, lands originally protected remain and are overseen by the department. SB 518 enables an "agricultural restricted covenant" within the program. This would be a "covenant entered into between landowner and the department for a limited time set by the parties with financial or technical assistance provided by the department in return for guarantees of continued farm use of the property for a minimum specified time period." There is currently a study commission underway dealing with this issue and others to enhance the profitability of New Hampshire agriculture for the long term. The commission is due to issue its report by November 1, 2008. The majority's position reflects this timeline and prudently supports postponing any legislative action at this time. **Vote 13-1.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 385, requiring pharmacies to report an inability to fill prescriptions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James F Headd for the **Majority** of Executive Departments and Administration: The majority of the committee believes that this bill is unnecessary and places an undue burden on local pharmacies. The testimony offered to shed light on this perceived problem was anecdotal at best. Should a problem exist in the pharmaceutical community, the board of pharmacy already has the authority to resolve these issues. **Vote 12-6.**

Rep. Ken Hawkins for the **Minority** of Executive Departments and Administration: This bill would require a pharmacy to report to the pharmacy board each time that they could not dispense prescriptions because there is not a pharmacist on duty, or they did not have the medication available. There have been instances where pharmacies advertise 24 hour, 7 day a week hours, but they cannot support those hours because of staffing or inventory problems. This can create an extreme hardship for the elderly, especially when they go from the doctor's office to the pharmacy and are told they have to come at a future time. There is no way of knowing how often this is happening, and this bill would give us that information. The pharmacy could report by phone, email, filing in a form over the web, or by mail each instance and how long it lasted. Lastly, the bill would sunset after two years to give enough time to study the problem.

FINANCE

SB 442-FN, requiring that the proceeds of fees for motions to appear in court pro hac vice be paid into the law library revolving fund. **OUGHT TO PASS.**

Rep. David L Smith for Finance: The judicial system established a \$225 fee for out-of-state attorneys who appear in our courts on a pro hac vice basis effective the first of 2008. These funds will be used to help defendants pro se who may require greater access to legal material so as to advance their own cases. The expansion of the programs will be adjusted to the funds received. It is expected that in the first year, perhaps \$50,000 will be realized, and in subsequent years perhaps \$100,000. The first objective will be to increase the hours our law libraries are open so as to include working man hours (evenings). As the program continues, it is hoped that more hours will be added at more facilities. The objective will be to have the courts run more effectively, court time per case may be reduced, and defendants pro se will be better prepared. There are some who feel that this program and funding for same are outside the policy of responsible budgetary processes. There is some validity to this argument. However, there is another stronger argument that the citizens of New Hampshire, as citizens in a democratic republic, should be equal both before and under the law, and they are due a speedy trial as soon as possible. This bill will promote this most basic right. **Vote 17-8.**

JUDICIARY

SB 370, relative to emergency powers of the supreme court. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy McV Weber for Judiciary: This bill is similar to SB 109 which passed the Senate and House last year but was vetoed by the governor. The bill allows the chief justice to suspend or toll time deadlines imposed in the courts by statute or rule for a period of up to 21 days. It provides for a succession of other judges to act if the chief justice is unavailable. The bill differs from last year's bill in that the chief justice may act only in a declared state of emergency. The General Court retains the right to terminate the judicial action as to any statutory time limitations by concurrent resolution. **Vote 16-0.**

SB 444, relative to settlements on behalf of minors and judgments and decrees in favor of minors. **OUGHT TO PASS.**

Rep. Gail C Morrison for Judiciary: This housekeeping bill moves the section that establishes a protective role for the courts over awards of \$10,000 or more to minors into RSA Chapter 463, Guardianship of Minors and Estates of Minors. It also fleshes out and clarifies certain definitions. The bill was introduced at the request of the Judicial Branch. **Vote 16-0.**

SB 447, eliminating obsolete provisions regarding pleas by mail and noncomputerized courts. **OUGHT TO PASS.**

Rep. Philip Preston for Judiciary: This bill nullifies all amendments to RSA 502-A:19-b which apply to courts not computerized in coordination with the division of motor vehicles. Since there are no longer any non-computerized courts, the supreme court requests this housekeeping change, and the committee concurs. **Vote 15-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 537, relative to allowing the commissioner of the department of employment security to participate in a joint local employment dynamics program with the United States Census Bureau and the Bureau of Labor Statistics. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Franklin C Bishop for the **Majority** of Labor, Industrial and Rehabilitative Services: This bill allows the commissioner of employment security to participate in a joint local employment dynamics program with the United States Census Bureau and the Bureau of Labor Statistics. This bill is supported unanimously by the advisory council. **Vote 11-5.**

Rep. Gary L Daniels for the **Minority** of Labor, Industrial and Rehabilitative Services: This bill would enable the department of employment security to send certain information to the United States Census Bureau. The minority is concerned that this information includes your name and

social security number. As hard as it is to protect our information, breaches do happen at the federal level (i.e. the recent breach of VA personal information). The minority is concerned with the potential of identity theft and feels people are best protected when their information is not spread to various places.

MUNICIPAL AND COUNTY GOVERNMENT

SB 542, relative to a mediated settlement dispute in the town of Rye. **OUGHT TO PASS.**

Rep. Christopher F Nevins for Municipal and County Government: This bill is the result of a court mediated land dispute between the Town of Rye and abutters of a parcel of land deeded to the town under public trust of former RSA 221-A:11, now RSA 162-C:10. The town's land was obtained under the public land trust provisions of a state statute and the court granted a continuance so that the legislature could address the issue of allowing the Town of Rye to release .23 acres out of the 58.7 acres to the abutter. The court mediation found that both the town and the abutter had a valid dispute concerning the ownership of the disputed parcel. The court recommended that the legislature could end the pending litigation by allowing the town to release the deminimus piece of land to the abutter. If the legislature fails to act on this issue, the litigation will resume in the trial court to determine the ownership of the parcel. The town could lose more than the .23 acres if the court finds against it. If a party is also dissatisfied with the decision, that party can appeal the decision to the supreme court and it may end up before this body in the future. This committee supports the mediated solution as it allows the majority of the trust land to stay intact by releasing only .23 acres. Allowing the deminimus portion to be released will not affect the purpose and use of the remaining parcel by the land trust commission under the statute. This will prevent a long and costly litigation that mostly likely will not result in a meritorious solution as the one provided here. **Vote 14-2.**

PUBLIC WORKS AND HIGHWAYS

SB 396, relative to the establishment of a statewide transportation policy. **REFER FOR INTERIM STUDY.**

Rep. David B Campbell for Public Works and Highways: The purpose of this bill is to integrate land use considerations and public transportation alternatives into a statewide transportation policy. The majority of the committee is in complete agreement with the intent and purpose of the bill. However, the committee unanimously voiced concern that the bill, as written, could give standing in state courts for individuals or groups to challenge "capital investment decisions, transportation planning decisions and project decisions of the department of transportation," which is not the stated intent of the sponsors. Therefore, the committee asks the House to refer this bill to Interim Study so that the committee can tighten up the language and establish a state transportation policy that includes: land use and planning, multiple means of transportation, energy and economic efficiency and environmental considerations. **Vote 14-0.**

SB 452, relative to transportation planning. **INEXPEDIENT TO LEGISLATE.**

Rep. David B Campbell for Public Works and Highways: This bill sets legislative policy for transportation planning by relying heavily on the comprehensive state development plan, a document, which has not been updated in years and which is currently scheduled for release sometime this summer. Further, the comprehensive state development plan is a planning instrument prepared by the office of energy and planning and is not subject to legislative review or approval. The committee also heard testimony by the director of the office of energy and planning, who voiced concern over the difficulties of integrating the timing and the substance of local, regional and planning documents and efforts as contemplated in this bill. So, while the intent of SB 452 is good, the committee saw no alternative other than to recommend that it be inexpedient to legislate. Some of the concepts of this bill can and will be studied by the committee in the context of SB 396, should the full House refer that bill to interim study. **Vote 14-0.**

RESOURCES, RECREATION AND DEVELOPMENT

SB 384, relative to the repair of septic systems prior to the sale of waterfront property.

MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Marcia G Moody for the **Majority** of Resources, Recreation and Development: Under current law, septic systems on water front properties that are being sold must be inspected. This bill merely requires that if the system is in failure, the local health officer and the department of environmental services (DES) must be notified. The terms “developed waterfront property” and “septic system failure” are also clarified. The criteria for determining failure of a system are so simple that little special training should be necessary for installer/designers, beyond that specified in the bill. **Vote 13-6.**

Rep. Chris Christensen for the **Minority** of Resources, Recreation and Development: The minority supports the goals of protecting our water resources. We support the variety of reporting requirements relative to septic systems that are already in place. These existing statutes certainly reduce the urgency of passing HB 384. The inspection requirements raise some questions that we believe could be easily addressed with further study, thus allowing a more comprehensive bill to be passed. At present, there are no specified criteria to be met to call oneself a qualified septic inspector. Thus, who will inspect and what is the value of that inspection? The department of environmental services assured the committee such criteria could be developed in a few months and ready for fall. Next, while sale cannot be delayed based on the inspection results, failure to inspect could prevent a sale. There is no provision for an inspection in winter when the ground is snow-covered, or the property is inaccessible, as in the case of island locations, or areas where roads are closed seasonally. In other instances, a planned upgrade of the system would require a new design to be filed with the department of environmental services (DES). The value of the inspection in that case is nil, but the owner must still pay the inspection fee. Mortgage companies routinely require certification that a septic system is properly functioning, so a simple notification to DES that a property without an approved design has sold might easily satisfy the inspection intent of this bill.

SCIENCE, TECHNOLOGY AND ENERGY

SB 177, relative to orders of reparation by the public utilities commission and penalties against public utilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael A Kaelin for Science, Technology and Energy: This bill allows the public utilities commission (PUC) to provide credits to customers when it imposes a penalty against a utility for violating a statute, rule or PUC order. The bill also increases the maximum penalty against a utility from \$25,000 to \$250,000, and against a utility agent who willfully violates from \$10,000 per day to a maximum of \$100,000. The penalty changes reflect that twenty years have passed since the amounts were last changed in 1988. In cases where it is determined that the credits would be insignificant on a per-customer basis with administrative costs exceeding the amount credited, the penalty money may instead be distributed to a low income program. The committee amendment made two small changes to the language, to clarify when the 2-year time limit starts, and to change “low income account” to “low income programs.” **Vote 8-3.**

TRANSPORTATION

SB 303-FN, relative to special number plates. **OUGHT TO PASS.**

Rep. Carole J Estes for Transportation: This bill has two purposes: (1) to issue, without fees, license plates identifying armed forces members as being on active duty status, and (2) eliminate license plate fees for Gold Star Mothers. The department of safety approves the bill and estimates 15,000 pairs of plates will be issued to NH armed forces members. There was concern regarding those who might be discharged from the service prior to the expiration date of the plates, but the committee believes that is of small consequence and can be addressed when the plates are renewed. The department of safety estimates that any negative impact on fees will be addressed by its contingency fund. **Vote 13-3.**

HOUSE DEADLINES

Thursday, April 17, 2008	Last day to act on Senate bills going to a second committee
Thursday, May 8, 2008	Last day to report all Senate bills
Thursday, May 15, 2008	Last day to act on Senate bills
Wednesday, May 21, 2008	Last day to form Committees of Conference
Friday, May 30, 2008	Last day to sign Committee of Conference reports
Thursday, June 5, 2008	Last day to act on Committee of Conference reports

LAID ON TABLE

HB 76-FN, creating an environmental policy for New Hampshire. (Pending question is Ought to Pass.)

HB 174-FN, relative to regulating residential building and remodeling contractors. (Pending question is Ought to Pass.)

HB 585-FN, requiring all animal shelter facilities, pet shops and commercial kennels to collect a neutering deposit when placing a cat or dog that has not been neutered. (Pending question is the committee report of Inexpedient to Legislate.)

HB 620-FN, repealing the statutory provisions regarding small loans, title loans, and payday loans and establishing a general statutory usury rate. (Pending question is Recommit.)

HB 799-FN, establishing a criminal usury rate for interest rates. (Pending question is Ought to Pass.)

HB 1139, relative to party access to voter information. (Pending question is the majority committee amendment.)

HB 1391-FN, prohibiting the investment of state funds in the energy sectors of countries that have been identified by the United States Department of State as state sponsors of terrorism.

HB 1483, requiring instruction in Internet safety. (Pending question is Ought to Pass with Amendment.)

HB 1593-FN-A-L, establishing a flat rate education income tax and relative to the statewide enhanced education tax and certain other taxes. (Pending question is the majority committee report of Inexpedient to Legislate.)

HB 1612-FN-L, relative to county and state obligations for costs for nursing care and services, and for court orders for children services. (Pending question is the committee report of Inexpedient to legislate.)

HR 24, petitioning Congress to commence impeachment procedures. (Pending question is the adoption of the majority committee report of Inexpedient to Legislate.)

HOUSE BILLS AMENDED BY THE SENATE

HB 267, relative to certain small loans. (SJ 2/14/08)

HB 295, relative to fuel quality standards and testing requirements for combustion of biomass and biomass fuel. (SJ 4/10/08)

HB 315, relative to criminal background checks of prospective municipal employees through the division of state police. (SJ 4/10/08)

HB 351, clarifying that the definition of “overseas business organization” includes all foreign incorporated business organizations and all 80/20 business organizations, and redefining “business activity” for purposes of the business profits tax. (House Concurred 1/30/08)

HB 678-FN, establishing a committee to study issues related to cochlear implants. (SJ 4/10/08)

HB 754-FN, repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority.

(House Concurred 1/30/08)

HB 1141, establishing a committee to study parking for wheelchair-lift vans. (SJ 4/10/08)

HB 1151, relative to reporting dates for the instream flow pilot program. (SJ 3/27/08)

HB 1220, establishing a commission to study the taxation of alternative fuel and electric power motor vehicles for the purposes of funding improvements to the state's highways and bridges. (SJ 4/10/08)

HB 1235, relative to motorist duties when approaching highway emergencies. (SJ 4/10/08)

HB 1295, establishing a commission to study issues relating to stormwater. (House Concurred 4/16/08))

HB 1584-FN-A, creating a commission to study the recycling and disposal of electronic waste. (House Concurred 4/16/08)

HB 1607-FN, relative to firefighter services leave for state employees. (SJ 4/10/08)

COMMITTEE MEETINGS

MONDAY, APRIL 21

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691-FN-L, Chapter 175:15, Laws of 2005), Room 205, LOB

10:00 a.m. Subcommittee work session on corrections.

FINANCE, Rooms 210-211, LOB

10:00 a.m. **SB 530-FN-A-L**, relative to kindergarten aid.

10:45 a.m. **SB 539-FN-L**, relative to the cost of an adequate education and provision of fiscal capacity disparity aid.

TASK FORCE TO DEVELOP LEGISLATION FOR EXPANDING ACCESS TO AFFORDABLE HEALTH INSURANCE FOR THE 2008 AND 2009 LEGISLATIVE SESSION (HB 305, Chapter 248:1, Laws of 2007), Room 302, LOB

1:00 p.m. Regular meeting.

TUESDAY, APRIL 22

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Executive session on **SB 464**, relative to the number of children in a licensed foster home, **SB 483**, establishing a committee to study in-home intervention and counseling services for families and children charged with a crime or designated in need of services by the juvenile court, **SB 389**, relative to privileged communications between health care providers and minor children.

COMMERCE, Room 302, LOB

10:00 a.m. Subcommittee work session on **SB 468**, relative to the reinsurance pool and the New Hampshire vaccine association.

11:30 a.m. Subcommittee work session on **SB 369**, relative to the towing and storage of motor vehicles.

2:00 p.m. Full committee work session on issues relative to employee leasing companies and workers' compensation.

COMMISSION TO STUDY METHODS AND COSTS OF SEWAGE, SLUDGE, AND SEPTAGE DISPOSAL (HB 699, Chapter 253:1, Laws of 2007), Room 303, LOB

1:00 p.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:30 a.m. Executive session on ***SB 323-FN***, repealing a provision relative to the calculation of multiple concurrent or consecutive sentences of imprisonment, ***SB 400***, relative to the authority of bail commissioners, ***SB 433***, relative to confidential communications between a physician and a patient, ***SB 484***, establishing a commission to investigate alternatives to incarceration for nonviolent offenders and cost savings related to such alternatives, ***SB 495-FN***, prohibiting Internet solicitation and exploitation of children.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Subcommittee work session on solid waste and recycling.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. Subcommittee work session on ***SB 210-FN***, relative to making various changes to the regulation of plumbers and water treatment technicians by the board of licensing and regulation of plumbers.

FINANCE, Rooms 210-211, LOB

10:00 a.m. Full committee work session on ***SB 530-FN-A-L***, relative to kindergarten aid and ***SB 539-FN-L***, relative to the cost of an adequate education and provision of fiscal capacity disparity aid.

FINANCE – (DIVISION I), Room 212, LOB

1:00 p.m. Work session on ***SB 327-FN***, relative to compensation for state employees injured in the line of duty and ***SB 507-FN***, relative to extended terms of imprisonment for criminal street gang members.

FINANCE – (DIVISION II), Rooms 210-211, LOB

1:00 p.m. Work session on ***SB 338***, relative to the Hampton Beach capital improvement fund and ***SB 516-FN-L***, relative to aid for county bridges.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

10:00 a.m. Subcommittee work session on ***SB 509-FN***, requiring tobacco cessation therapy under the state Medicaid program.

10:30 a.m. Subcommittee work session on ***SB 541***, relative to an expedited process for certificate of need review and membership of the health services planning and review board.

**Bureau of Elderly and Adult Services, Department of Health and Human Services
Concord District Office, 40 Terrill Park Drive, Concord**

12:30 p.m. Tour of the Bureau of Elderly and Adult Services.

JUDICIARY, Room 208, LOB

10:30 a.m. Executive session on ***SB 460***, relative to the definition of surviving issue, ***SB 470***, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch, ***SB 487***, clarifying the law regarding bail pending appeal, ***SB 264***, relative to creating liens on personal and real property to recover uncollected small claims judgments, ***SB 350-FN***, extending the surcharge on probate court entry fees to judicial branch family division cases which would previously have been brought in probate court, ***SB 378***, authorizing the supreme court to establish a business and commercial dispute docket in the superior court.

3:00 p.m. ***SB 465***, relative to the laws regulating trusts and trust companies in New Hampshire.

LONG-RANGE CAPITAL PLANNING AND UTILIZATION (RSA 17-M), Room 201, LOB

3:00 p.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:15 a.m. **SB 341**, prohibiting digital advertising devices on certain highways.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. Subcommittee work session on **SB 358**, relative to mooring permits.

1:00 p.m. Executive session on **SB 352-FN**, relative to shoreland protection.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

11:00 a.m. Executive session on **SB 259**, establishing state appliance and equipment energy efficiency standards and **SB 386**, relative to service territories served by several telephone utilities.

1:00 p.m. Continued executive session on **SB 412**, establishing the office of technology development and telecommunications planning and the position of director of telecommunications in the department of resources and economic development.

TRANSPORTATION, Room 203, LOB

10:00 a.m. Rescheduled executive session on **SB 429**, relative to driver education courses in other states.

WAYS AND MEANS, Room 202, LOB

9:00 a.m. Subcommittee work session on **SB 308-FN-A**, preventing potential double taxation on the identical gross business profits of business organizations.

10:00 a.m. Executive session on **SB 497-FN**, relative to the security of bonds or notes issued to the New Hampshire Municipal Bond Bank, **SB 515-FN-A**, relative to the combat veteran business tax credit, **SB 308-FN-A**, preventing potential double taxation on the identical gross business profits of business organizations.

11:00 a.m. **SB 310-FN**, relative to changes to games of chance.

1:00 p.m. **SB 317-FN**, relative to the retail sale of tobacco products.

1:30 p.m. **SB 439**, relative to money transmitters and mortgage servicing companies.

2:00 p.m. **SB 532**, relative to administrative fines under the indoor smoking act.

2:30 p.m. **SB 519-FN**, imposing a per diem fine on dam owners and operators for failure to repair damage.

3:00 p.m. **SB 413**, authorizing the department of resources and economic development to retain the administrative fee for certain disposals of state lands.

3:30 p.m. **SB 522-FN**, relative to licensing requirements for small quantity biodiesel producers and distributors and prohibiting the sale or delivery of biodiesel not meeting the state ASTM standard.

THURSDAY, APRIL 24

COMMERCE, Room 302, LOB

11:00 a.m. Subcommittee work session on **SB 472**, relative to consumer protection from certain practices of payday loan, small loan, and title loan lenders and establishing a commission to study access to consumer credit for people in New Hampshire.

1:00 p.m. Subcommittee work session on **SB 540-FN**, relative to New Hampshire HealthFirst, an affordable, wellness-based health insurance plan for small employers.

2:00 p.m. Subcommittee work session on **SB 312-FN**, relative to insurance coverage for obesity and morbid obesity.

2:30 p.m. Subcommittee work session on **SB 301-FN**, requiring insurers to cover prescriptions for durable medical equipment filled near the patient's residence.

COMMISSION TO RECOMMEND A COMPREHENSIVE PROGRAM FOR INCREASING THE USE OF PASSENGER RESTRAINTS IN NEW HAMPSHIRE IN ORDER TO REDUCE MOTOR VEHICLE FATALITIES AND SERIOUS INJURIES AND THE RESULTING COSTS (HB 533, Chapter 326:4, Laws of 2007), Room 302, LOB

9:00 a.m. Regular meeting.

FISH AND GAME, Room 303, LOB (Please note room change.)

10:00 a.m. Executive session on **SB 467**, relative to taking lobsters and crabs, **SB 480**, repealing a requirement that the fish and game department publish certain hunting season information in newspapers in each county.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 301, LOB (Please note room change.)

10:00 a.m. Executive session on **SCR 7**, urging the United States Department of Defense and Congress to restore full services to the Manchester Veterans Administration Hospital and **HR 25**, urging Congress to fully implement the Secure Fence Act of 2006.

FRIDAY, APRIL 25

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration, 57 Regional Drive, Concord

9:30 a.m. Regular meeting.

JOINT COMMITTEE ON ADDRESS, Rooms 206-208, LOB

9:00 a.m. Public hearing on **HA 1**, for the removal of Patricia C. Coffey, superior court justice, from office.

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3), Room 205, LOB

9:00 a.m. Rescheduled regular meeting.

STATE PARK SYSTEM ADVISORY COUNCIL (RSA 216-A:3-k), New Hampshire Charitable Foundation, 37 Pleasant Street, Concord

9:00 a.m. Regular meeting.

MONDAY, APRIL 28

COMMISSION ON THE USE OF RADIO FREQUENCY TECHNOLOGY (HB 203-FN, Chapter 165:1, Laws of 2006), Room 303, LOB

10:00 a.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

1:00 p.m. Full committee work session on **SB 530-FN-A-L**, relative to kindergarten aid and **SB 539-FN-L**, relative to the cost of an adequate education and provision of fiscal

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c), Room 100, State House

9:00 a.m. Regular meeting.

OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB

9:00 a.m. Regular meeting.

TUESDAY, APRIL 29

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Informational meeting with the Division of Children, Youth and Families (DCYF).

COMMERCE, Room 302, LOB

10:00 a.m. Executive session on **SB 301-FN**, requiring insurers to cover prescriptions for durable medical equipment filled near the patient's residence, **SB 312-FN**, relative to insurance coverage for obesity and morbid obesity, **SB 369**, relative to the towing and storage of motor vehicles, **SB 394**, establishing an economic development advisory council, **SB 408**, establishing a committee to study reverse mortgages, **SB 426**, establishing a committee to study the current definition of the term "community

benefit" applicable to nonprofit health care providers, **SB 468**, relative to the reinsurance pool and the New Hampshire vaccine association, **SB 472**, relative to consumer protection from certain practices of payday loan, small loan, and title loan lenders and establishing a commission to study access to consumer credit for people in New Hampshire, **SB 475**, relative to the definition of advance fees in the real estate practice act, **SB 540-FN**, relative to New Hampshire HealthFirst, an affordable, wellness-based health insurance plan for small employers.

COMMISSION TO STUDY ISSUES RELATIVE TO THE PRACTICE OF LEASING STATE-OWNED REAL ESTATE ON THE SHORES OF PUBLIC WATERS (HB 710, Chapter 254:1, Laws of 2007), Room 203, LOB

1:00 p.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

1:00 p.m. Executive session on **SB 530-FN-A-L**, relative to kindergarten aid and **SB 539-FN-L**, relative to the cost of an adequate education and provision of fiscal capacity disparity aid.

FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB

9:00 a.m. Regular business.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

9:30 a.m. Subcommittee work session on **SB 496**, establishing a commission to study incentives for providers of home and community-based care.

10:00 a.m. Executive session on **SJR 1**, prohibiting the department of health and human services from adopting proposed administrative rule He-P 1906.02, **SCR 6**, urging the federal government to create a simplified process for short-term admissions to nursing homes for the purpose of respite care, **SCR 11**, supporting the application of Taiwan for observer status at the World Health Organization, **SB 395**, establishing a commission to review New Hampshire's statutes on human immunodeficiency virus education, prevention, and control, **SB 450**, requiring the New Hampshire Citizens Health Initiative to provide an annual summary to the general court, **SB 509-FN**, requiring tobacco cessation therapy under the state Medicaid program.

JUDICIARY, Room 208, LOB

10:00 a.m. Executive session on **SB 465**, relative to the laws regulating trusts and trust companies in New Hampshire.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

10:00 a.m. Interim study full committee work session on **HB 1364-FN**, relative to public employee collective bargaining negotiations under the public employee labor relations act and **HB 1469**, relative to the definition of public employee terms and conditions of employment.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

1:00 p.m. Continued public hearing on **SB 508-FN-L**, relative to municipal deposits

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:15 a.m. Executive session on **SB 341**, prohibiting digital advertising devices on certain highways.

THURSDAY, MAY 1

FINANCE, Rooms 210-211, LOB

10:00 a.m. Full committee work session on **CACR 34**, relating to funding of public education. Providing that the general court shall define an adequate education and distribute state funds for public education in a manner that alleviates local disparities.

1:00 p.m. Full committee work session on **SB 321**, relative to construction or renovation of regional vocational centers, transferring certain positions from the pari-mutuel commission to the department of safety, and requiring certain operating budget reductions.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Executive session on **SB 199**, relative to the assessment of property subject to a housing subsidy restriction, **SB 342-FN-L**, establishing a mechanism for expediting relief from municipal actions which deny, impede, or delay qualified proposals for workforce housing., **SB 421-L**, relative to workforce housing, **SB 508-FN-L**, relative to municipal deposits.

FRIDAY, MAY 2

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Continued regular meeting.

MONDAY, MAY 5

COMMISSION TO STUDY THE TRAFFICKING OF PERSONS ACROSS BORDERS FOR SEXUAL AND LABOR EXPLOITATION (SB 194, Chapter 122:1, Laws of 2007), Room 304, LOB

2:00 p.m. Regular meeting.

DEVELOPMENTAL DISABILITY WAITLIST OVERSIGHT COMMITTEE (RSA 171-A:1-c), Room 103, State House

10:00 a.m. Regular meeting.

STATE COMMITTEE ON AGING (RSA 161-F:7, I), Department of Health and Human Services, Brown Building Room 232, 129 Pleasant Street, Concord

10:00 a.m. Regular meeting.

TASK FORCE ON WORK AND FAMILY (HB 306, Chapter 373:2, Laws of 2007), Room 206, LOB

1:15 p.m. Regular meeting.

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), Room 201, LOB

10:00 a.m. Subcommittee work session.

TUESDAY, MAY 6

FINANCE, Rooms 210-211, LOB

10:00 a.m. Full committee work session on **CACR 34**, relating to funding of public education. Providing that the general court shall define an adequate education and distribute state funds for public education in a manner that alleviates local disparities and **SB 321**, relative to construction or renovation of regional vocational centers, transferring certain positions from the pari-mutuel commission to the department of safety, and requiring certain operating budget reductions.

FINANCE – (DIVISION I), Room 212, LOB

1:00 p.m. Work session on **SB 327-FN**, relative to compensation for state employees injured in the line of duty and **SB 507-FN**, relative to extended terms of imprisonment for criminal street gang members.

FINANCE – (DIVISION II), Rooms 210-211, LOB

1:00 p.m. Work session on **SB 338**, relative to the Hampton Beach capital improvement fund

and **SB 516-FN-L**, relative to aid for county bridges.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

10:00 a.m. Executive session on **SB 425**, relative to the data collection practices of health care providers and relative to the development of a comprehensive uninsured health care database, **SB 428**, establishing a commission to study the funding of vaccines for children who are not covered by private health insurance, **SB 454**, relative to certain changes to the controlled drug act, **SB 496**, establishing a commission to study incentives for providers of home and community-based care, **SB 512-FN**, relative to emergency management powers, **SB 541**, relative to an expedited process for certificate of need review and membership of the health services planning and review board.

THURSDAY, MAY 8

FINANCE, Rooms 210-211, LOB

10:00 a.m. Executive session on **SB 327-FN**, relative to compensation for state employees injured in the line of duty, **SB 507-FN**, relative to extended terms of imprisonment for criminal street gang members, **SB 338**, relative to the Hampton Beach capital improvement fund, **SB 516-FN-L**, relative to aid for county bridges, **SB 321**, relative to construction or renovation of regional vocational centers, transferring certain positions from the pari-mutuel commission to the department of safety, and requiring certain operating budget reductions, **CACR 34**, relating to funding of public education. Providing that the general court shall define an adequate education and distribute state funds for public education in a manner that alleviates local disparities.

FRIDAY, MAY 9

COMMISSION TO STUDY CHILDHOOD LEAD POISONING PREVENTION LAWS, POLICIES AND STANDARDS IN NEW HAMPSHIRE (SB 176, Chapter 293:10, Laws of 2007), Room 100, State House

9:30 a.m. Regular meeting.

GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 102, LOB

1:00 p.m. Regular meeting.

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q), Room 205, LOB

1:30 p.m. Regular meeting.

MONDAY, MAY 12

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 201, LOB

1:00 p.m. Complaint hearings.

EQUALIZATION STANDARDS BOARD (RSA 21-J:14-c), Department of Revenue Administration Training Room, 57 Regional Drive, Concord

1:00 p.m. Regular meeting.

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE, (RSA 126-A:13), Room 103, State House

1:00 p.m. Regular meeting.

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 307, LOB

9:00 a.m. Regular meeting.

THURSDAY, MAY 15

PUBLIC HEALTH IMPROVEMENT SERVICES COUNCIL (HB 491, Chapter 250:2, Laws of 2007), Rooms 110-112, 29 Hazen Drive, Concord

2:00 p.m. Regular meeting.

FRIDAY, MAY 16

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular meeting.

MONDAY, MAY 19

ELDERLY AFFAIRS (RSA 17-H:2), Room 205, LOB

1:00 p.m. Regular meeting.

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c), Room 100, State House

9:00 a.m. Regular meeting.

TASK FORCE TO DEVELOP LEGISLATION FOR EXPANDING ACCESS TO AFFORDABLE HEALTH INSURANCE FOR THE 2008 AND 2009 LEGISLATIVE SESSION (HB 305, Chapter 248:1, Laws of 2007), Room 302, LOB

1:00 p.m. Regular meeting.

TUESDAY, MAY 20

CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2), Room 201, LOB

2:00 p.m. Regular meeting.

FRIDAY, MAY 23

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration Training Room, 57 Regional Drive, Concord

9:30 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Hillsborough County Executive Committee will meet on Friday, **April 25** at 9:00 a.m. at the Hillsborough County Complex, Bouchard Building, Goffstown. If you cannot attend please call the office at 627-5631.

Rep. David Essex, Chairman
Hillsborough County Executive Committee

When the House Clerk's Office is aware of House Members who are hospitalized or homebound by serious illness, we will publish a list of names and addresses as requested.

Rep. Peter R. Cote, 68 Bowers Street, Nashua, New Hampshire 03060-3927.

Colleagues who so desire may send cards and greetings to the address listed above.

Karen O. Wadsworth, Clerk of the House

REVISED FISCAL NOTES

The following House and Senate Bills have revised fiscal notes: **HBs.** 91, 172, 173, 185, 211, 285, 315, 352, 359, 369, 399, 415, 432, 436, 502, 523, 563, 584, 594, 666, 678, 679, 690, 692, 754, 765, 766, 794, 837, 841, 877, 901, 1152, 1168, 1293, 1298, 1307, 1341, 1343, 1348, 1394, 1396, 1405, 1436, 1457, 1459, 1472, 1502, 1505, 1508, 1509, 1545, 1579, 1580, 1584, 1587, 1590, 1594, 1598, 1599, 1601, 1602, 1603, 1604, 1605, 1607, 1608, 1614, 1615, 1616, 1619, 1620, 1621, 1622, 1623, 1624, 1626, 1631, 1633, 1635, 1639, 1640, 1642, 1645, 1647, 1648, 1649, 1652. **SBs** 94, 146, 173, 212, 301, 303, 312, 317, 318, 321, 324, 325, 329, 331, 337, 356, 376, 378, 410, 437, 439, 490, 500, 501, 507, 508, 509, 515, 516, 522, 530.

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

Want something new to read? Have a book that you're done with? Head over to the basement of the LOB and help the Order of Women Legislators (OWL's) Scholarship Program. You are sure to find something that appeals to you. Donations accepted.

Rep. Julie Brown

Each year, Rep. Beaulieu, a member of the Environment and Agriculture Committee holds a press conference in celebration of Earth Day. Earth Day this year will be celebrated on **April 22**. The Press Conference will be held at 10:00 a.m. in the Lobby of the Legislative Office Building. The 2008 Earth Day message is land stewardship, environmental awareness and taking action. Kids for a Cooler Planet will be present to talk about their shopping bag initiative. The Young Farmer's with the Farm Federation will talk about their land stewardship efforts through innovative agriculture. Mary Tebo, UNH-Cooperative Extension, Division of Forest and Lands, will present her new publication on Natural Landscaping. Other speakers will talk about rail trail efforts and walking. Charles Martin, author of the newly released book NH Rail Trails will be on hand for a book signing. The Division of Parks will be promoting their "Great Park Pursuit", an event promoting outside activity in our NH Parks. Members of the House and Senate will be invited to speak on clean air, recycling and clean energy legislation.

Rep. Jane Beaulieu

The NH Commission on the Status of Women and the NH Women's Policy Institute cordially invite members of the General Court to a policy luncheon titled: Economic Security for Older Women and the Implications for Public Policy in NH on Tuesday, **April 22** at 11:30 a.m. at St. Paul's Church. Please RSVP to the Commission at 271-2660 or to nancy.normand@nh.gov.

Rep. A. Laurie Harding

We will be collecting used cell phones, laptops and Ipods in the ante room during session days **4/23, 4/30** and the first session day in May. We recycle the devices and sell the parts. The monies received are then used to buy phone cards for soldiers stationed overseas. So far we have purchased over 60,000 minutes.

Rep. Ken Hawkins

Health Services invites you to attend the health fair on Thursday, **April 24** from 9:00 a.m. to 1:00 p.m. in the Legislative Office Building. There will be some screening available, programs and much more. We look forward to seeing you there.

Reps. Mary Jane Wallner and David W. Hess

Bring the whole family and join us on the grounds of the NH Fish and Game Department Headquarters, 11 Hazen Drive in Concord on Saturday, **April 26** from 10:00 a.m. to 3:00 p.m. for Discover WILD New Hampshire Day. This 19th annual community conservation education event is being sponsored in conjunction with the NH Department of Environmental Services. It's a free fun-filled day of activities for the whole family, with lots to see – and even more to do. Try your hand at archery, learn to cast a fishing line, or find your way with a map and compass. Build a duck box, tie a fly, do a wildlife craft activity, take a nature walk or learn how to landscape for wildlife, the list is endless. New this year, and on view for the first time south of the notches, "The Ways of the Woods Traveling Museum" offering a look at the rich culture and history of our Northern Forest. More than 35 exhibitors from an array of nature, environmental and conservation organizations will be on hand, rain or shine, to help you learn about NH's wildlife, habitat and natural resources. For more information call 271-3211 or visit www.WildNH.com

Rep. Robert J. L'Heureux

The National Heritage Center for Constitutional Studies is offering a seminar on the origin and meaning of the Bill of Rights of the Constitution for the United States. The Seminar will be held on Saturday, **April 26**, 2008 at Southern New Hampshire University in Webster Hall, Mara Hall. The cost is \$45.00 and a limited number of scholarships are available for those running for the Legislature. Call 679-2444 to register.

Rep. Daniel C. Itse

This April, during Sexual Assault Awareness Month, the New Hampshire Coalition Against Domestic and Sexual Violence, will launch the first annual statewide White Ribbon Day Campaign to call upon men to stand up and speak out about violence against women. The international White Ribbon Campaign was launched in Canada two years after the Montreal Massacre in which 14 female students were killed and 13 other students wounded by a gunman. The campaign has collected well over 5 million men's signatures in 47 countries. All legislators are welcome to join us on Tuesday, **April 29th** at noon in the Governor's Office for a special press conference kicking off this campaign.

Rep. Stephen J. Shurtleff

Lunch and Report Release on Transportation Solutions for NH.

Bonnie CLAC is a statewide nonprofit that helps individuals to negotiate and buy cars; guaranteeing loans to access very low interest rates, while providing individual budget counseling and a Financial Literacy course with the highest graduations rates of any nonprofit Financial Literacy program in NH. Bonnie CLAC has received national attention in Time and Yankee magazines, The Wall Street Journal, Forbes, The Washington Post, CNN, National Public Television and National Public Radio. Join us to learn about this unique transportation solution and key economic and social benefits for Bonnie CLAC clients documented in a new report by the Carsey Institute at UNH. Speakers will include Bonnie CLAC President Robert Chambers who has been the recipient of numerous prizes, including the Manhattan Institute Award for Social Entrepreneurship and the Civic Ventures 2006 Purpose Prize for Social Innovation and Sally Ward, Senior Fellow of the Carsey Institute who conducted the research. The report will be released on **April 29th** at noon at St. Paul's Church, 21 Centre Street, Concord from 12:00 to 12:45 p.m. Luncheon will be provided. Please RSVP by April 23 to Rachel Sorlien rachelsorlien@bonnieclac.org or 727-7006.

Reps. Mary Jane Wallner and David W. Hess

The Dupont Group invites all legislators to attend a screening and discussion of "Communities and Consequences" on **April 29th** from 4:00 to 6:00 p.m. at Red River Theatres, 11 South Main Street, Concord. This new documentary from the book of the same name co-authored by demographer Peter Francese and State Agriculture Commissioner Lorraine Stuart Merrill. The 60-minute film, produced by Jay Childs, is about the human ecology of New Hampshire and the consequences of demographic imbalance. The film confronts and questions many long held myths that have heavily influenced local development decisions, including those of explosive population growth, the aging of New Hampshire as simply a natural trend, and the belief that families with children will increase property taxes. Msrs. Childs and Francese will be on hand to present the film and answer questions. Light refreshments will be served from 4:00 to 4:30 p.m. and the film and Q&A will be from 4:30 to 6:00 p.m. Please RSVP to Red River Theatres at info@redrivertheatres.org.

Rep. Mary Stuart Gile

Divided We Fail and AARP-NH invites all legislators and staff to a breakfast forum Emerging Trends in Health Care Policy; An Overview of State Legislative Initiatives on Thursday, **May 1**, 2008 from 7:30 a.m. to 8:45 a.m. at St. Paul's Church next to the State House in Concord. Light breakfast will begin at 7:30 a.m. with an overview by Donna Folkemer of the National Conference of State Legislatures beginning at 7:45 a.m. A question and answer period will run till 8:45 a.m. We look forward to hearing from those who are able to attend. Please RSVP to Gergana at 603-621-1002.

Rep. Mary Jane Wallner

All legislators are cordially invited to attend the fifth annual Governor's Council on Physical Activity and Health Outstanding Achievement Awards on Friday, **May 9** from 8:30 to 9:30 a.m. at the New Hampshire Technical Institute Gymnasium, 30 College Drive in Concord. A light breakfast will be served at 8:30 a.m. and the awards ceremony will begin at 9:00 a.m. The ceremony will honor organizations, businesses, schools and individuals for their outstanding achievement in promoting physical activity.

Rep. Elizabeth Hager

Annual Massage Therapy Day has been rescheduled to **May 13**. All members and staff are welcome to free massages from 10:00 a.m. to 2:00 p.m. in Room 209, LOB. Sponsored by the NH Chapter of the National Association of Massage Therapists.

Rep. Benjamin C. Baroody

All legislators and staff are invited to a lunch on **May 15** for a presentation of the report and recommendations of the New Hampshire Commission on Autism Spectrum Disorders established by HB 396, Chapter 171, 2007. The lunch will be at St. Paul's Church at the session break.

Reps. Mary Jane Wallner and David W. Hess

The House Republican Alliance will meet every Tuesday at 8:30 a.m. in the Upham Walker House.

Rep. David J. Bettencourt

The Main Street Republicans will meet every Wednesday at 8:30 a.m. at the Upham Walker House.

Rep. David H. Kidder

NOTICE

The 35th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Legislative Golf Tournament for the benefit of the **American Heart Association** is scheduled for **Friday, June 6, 2008** at the Beaver Meadow Golf Club, Concord, NH. The entry fee for this annual tournament is \$40.00 per legislator and legislative staff & \$100 for all others. A continental breakfast and barbeque lunch will be provided, there are prizes for the top place finishers, and a raffle.

Registration is at 7:00 a.m. and the shotgun start is scheduled for 8:00 a.m. The format is "Captain and Crew".

Sign-up as a foursome or sign-up by yourself in order to be placed in a foursome.

Beaver Meadow Golf Course requires advance notice of the number of participants, the deadline will be strictly enforced for planning purposes. Please note that payment must be made upon registration. There will be no exceptions to this rule! Cancellation must occur two weeks prior to the tournament date to receive a full fee refund.

Return your entry and payment no later than May 16th to Heather Ebbs in Room 307 of the LOB. Checks should be made payable to: **NH Legislative Golf Committee.**

Reps. Tara Reardon and John Hunt

!

35th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Golf
Tournament
Beaver Meadow Golf Course
Concord, NH

Name: 1. _____

2. _____

3. _____

4. _____

Telephone: _____ Amount Enclosed: _____

STATE HOUSE VISITATION SCHEDULE

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in **April & May 2008**. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the remainder of the school year and subject to changes. Please note that if your school is closed or has a delay, that their tour will be rescheduled. Please contact the Visitors' Center concerning school tour booking information. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director
Caitlin A. Daniuk, Public Information Administrator

<u>DATE</u>	<u>TIME</u>	<u>GROUP</u>	<u>Grade/Size</u>
Apr 14	10:00/11:30 SH/HM	Lincoln-Akerman School – Hampton Falls	(3&4)/60
Apr 15	9:30/11:00 SH/HM	Towle Elementary School – Newport	4/90
Apr 15	12:30	St. Patrick's School – Jaffrey	3&4/13
Apr 15	1:00	NH Association of Volunteer Administrators	Adult/15
Apr 16	9:00	Conant Elementary School – Concord	4/28
Apr 16	10:00/11:30 SH/HM	Garrison Elementary School – Dover	4/100
Apr 16	1:00	Scarlet Letters – Dover Red Hat Ladies	Adult/20
Apr 17	9:00	Rochester Chamber of Commerce	Adult/12
Apr 17	9:30	Hillsboro-Deering Elementary School	4/45
Apr 17	11:00	Bartlett Elementary School – Goffstown	4/50
Apr 18	9:30/10:30 SH/HM	DAR	Adult/100
Apr 18	1:00	OLLIE	Adult/25
Apr 21	10:00/11:30 SH/HM	Marston School – Hampton	4/60
Apr 21	12:00	Swasey Central School – Brentwood	4/40

Apr 22	10:00/11:30 SH/HM	Nottingham West Elementary School – Hudson	4/78
Apr 22	12:00	Swasey Central School – Brentwood	4/40
Apr 23	9:30/11:00 SH/F&G	Canaan Elementary School	4/60
Apr 23	12:00	Cornish Elementary School	4/20
Apr 23	12:00	Estabrook School – West Lebanon	(3 rd -8 th)/14
Apr 24	10:00/11:30 SH/HM	Nottingham West Elementary School – Hudson	4/78
Apr 25	10:00	Maple Ave School – Claremont	4/63
Apr 25	11:30	New Franklin School – Portsmouth	4/39
Apr 25	12:30	Phoenix Academy – Dublin	HS/
Apr 28	8:30	Laconia Memorial Middle School	(6-8)/30
Apr 29	9:30/11:00 SH/HM	Hillsboro-Deering School	4/65
Apr 30	10:00	White Birch Community – Henniker	Adult/30
Apr 30	10:00	John Fuller School – Keene	4/50
Apr 30	11:00	St. Joseph's School – Keene	4/50
May 1	9:30/11:00 SH/HM	Ashland Elementary School	(4&6)/40
May 1	11:30/1:00 SH/HM	Epsom Central School	4/60
May 2	9:30/11:00 SH/SC	Candia Moore School	4/50
May 2	10:30/12:00 SH/HM	Seminary Hill Elementary School – West Lebanon	4/64
May 5	9:00	St. Anthony's School – Manchester	4/50
May 5	10:15/11:30 SH/SC	Peterborough Elementary School	4/80
May 6	9:00	John Stark High School – Weare	HS/50
May 6	10:00/11:30 SH/HM	William T. Barron School – Salem	4/80
May 6	12:00	Ellis School – Fremont	7/49
May 7	9:30	Campton Elementary School	4/38
May 7	11:00	Bridgewater-Hebron Elementary School	4/31
May 8	8:45	St. John Regional School – Concord	4/31
May 8	10:00/11:30 SH/HM	Mastway Elementary School – Lee	4/67
May 9	8:45	New Hampton Community School	4/16
May 9	10:00	Hancock Elementary School	4/14
May 9	10:00	Greenfield Elementary School	4/25
May 9	11:30	Antrim Elementary School	4/33
May 9	1:00	Raymond Christian Home School	(3&4)/20
May 12	9:45	Dr. Louis Soule School – Salem	4/56
May 12	10:30/12:30 SH/Planet	Mildred C. Lakeway School – Littleton	4/66
May 13	8:45	Concord Christian Academy	4/20
May 13	9:30/11:00 SH/HM	Gossler Park School – Manchester	4/70
May 14	10:00/11:30 SH/HM	Interlakes Elementary School – Meredith	4/80
May 15	9:15	Jennie Blake School – Hill	4/15

May 15	10:30/12:00 SH/HM	Hampstead Central School	4/88
May 16	9:00/10:30 SH/HM	Maple Street School – Contoocook	4/80
May 16	1:00	Holderness Central School	4/25
May 19	9:45	Salem Christian Academy	4/20
May 19	11:00	Good Shepherd School – Barrington	(3&4)/15
May 19	12:30	Pierce Elementary School – Bennington	4/29
May 19	2:00	NARFE	Adult/25
May 20	9:30/11:00 SH/HM	Green Acres School – Manchester	4/105
May 20	12:30	Effingham Elementary School	4/12
May 21	10:00	Newfields Elementary School	4/33
May 21	11:00	Young Professionals Association – North Conway	Adults/15
May 21	12:00	Presentation of Mary Academy – Hudson	4/36
May 22	10:30	Alstead Primary School	4/20
May 22	10:30	Acworth Elementary School	4/7
May 22	11:30/1:00 SH/HM	DJ Bakie School – Kingston	4/80
May 22	1:00	Seminarians	Adult/25
May 23	10:00	Linwood Elementary School – Lincoln	4/40
May 23	11:30	Salisbury-Webster Elementary School	4/40
May 23	1:00	Bethlehem Elementary School	4/32
May 27	10:00	St. Mary's School – Claremont	4/11
May 27	10:00/11:30 SH/HM	Enfield Village School	4/56
May 28	10:30	Mountain Shadow School – Dublin	6/9
May 28	10:30	Nashua Christian Academy	4/11
May 28	12:00	St. Elizabeth of Seton School - Rochester	4/25
May 29	10:30/12:00 SH/HM	Auburn Village School	4/75
May 30	10:00	Ray School – Hanover	4/40
May 30	11:15	Gilmanton Elementary School	4/46

WEDNESDAY, APRIL 23

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2008-1307h

Amendment to SB 158

Proposed by the Committee on Resources, Recreation and Development - C

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

1 Purpose. This act provides for technical review and certification of proposed activities affecting surface waters to ensure that water quality standards appropriate to the legislative classification of the waters are attained. The act makes New Hampshire statutes consistent with

section 401 of the Clean Water Act for activities requiring federal permits or licenses, and extends the review to activities requiring registration under RSA 488:3.

2 New Paragraphs; Enforcement of Classification. Amend RSA 485-A:12 by inserting after paragraph II the following new paragraphs:

III. No activity, including construction and operation of facilities, that requires certification under section 401 of the Clean Water Act and that may result in a discharge, as that term is applied under section 401 of the Clean Water Act, to surface waters of the state may commence unless the department certifies that any such discharge complies with the state surface water quality standards applicable to the classification for the receiving surface water body. The department shall provide its response to a request for certification to the federal agency or authority responsible for issuing the license, permit, or registration that requires the certification under section 401 of the Clean Water Act. Certification shall include any conditions on, modifications to, or monitoring of the proposed activity necessary to provide assurance that the proposed discharge complies with applicable surface water quality standards. The department may enforce compliance with any such conditions, modifications, or monitoring requirements as provided in RSA 485-A:22.

IV. No activity that involves water withdrawal or diversion of surface water that requires registration under RSA 488:3, that does not otherwise require the certification required under paragraph III, and which was not in active operation as of the effective date of this act, may commence unless the department certifies that the withdrawal or diversion complies with state surface water quality standards applicable to the classification for the surface water body. The certification shall include any conditions on, modifications to, or monitoring of the proposed activity necessary to provide reasonable assurance that the proposed activity complies with applicable surface water quality standards. The department may enforce compliance with any such conditions, modifications, or monitoring requirements as provided in RSA 485-A:22.

2008-1142h

Amendment to SB 177

Proposed by the Committee on Science, Technology and Energy - R

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

1 Reparations. Amend RSA 365:29 to read as follows:

365:29 Orders for Reparation. ~~[Whenever]~~ ***On its own initiative or whenever a petition or*** complaint has been ~~[made to]~~ ***filed with*** the commission covering any rate, fare, charge, or price demanded and collected by any public utility, and the commission has found, after hearing and investigation, that an illegal or unjustly discriminatory rate, fare, charge, or price has been collected for any service, the commission may order the public utility which has collected the same to make due reparation to the person who has paid the same, with interest from the date of the payment. Such order for reparation shall cover only payments made within 2 years before the ***earlier of the*** date of ***the commission's notice of hearing or the filing of*** the petition for reparation.

2 Penalty Against Utility. Amend RSA 365:41 to read as follows:

365:41 Penalty Against Utility. Any public utility which shall violate any provisions of this title, or fails, omits or neglects to obey, observe or comply with any order, direction or requirement of the commission, shall be subject to a civil penalty, as determined by the commission, not to exceed ~~[\$25,000]~~ ***\$250,000 or 2.5 percent of the annual gross revenue that the utility received from sales in the state, which ever is lower. Such penalties shall be applied to the benefit of the utility's ratepayers through a credit to bills, or, if the credit is of an amount determined by the commission to be insignificant on a per customer basis, to programs that benefit low income ratepayers.*** No portion of any fine, nor any costs associated with an administrative or court proceeding which results in a fine pursuant to this section, shall be considered by the commission in fixing any temporary, permanent, or emergency rates or charges of such utility.

3 Penalty Against Agent. Amend RSA 365:42 to read as follows:

365:42 Penalty Against Agent. Every officer and agent of any such public utility who shall wilfully violate, or who procures, aids, or abets any violation of this title, or who wilfully fails to obey, observe, and comply with any order of the commission, or procures, aids or abets any such public

utility in its failure to obey, observe, and comply with any such order or provision, shall be subject to a civil penalty, as determined by the commission, not to exceed ~~[\$10,000]~~ **\$100,000** for each violation, ~~[or for each day of a continuing violation]~~. ***Such penalties shall be distributed to the benefit of the utility's ratepayers through a credit to bills, or, if the credit is of an amount determined by the commission to be insignificant on a per customer basis, to programs that benefit low income ratepayers.***

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

2008-1376h

Amendment to SB 318-FN

Proposed by the Committee on Executive Departments and Administration - C

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

AN ACT establishing a commission to study the creation of an animal care worker classification.

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

1 Commission Established. There is established a commission to study the creation of an animal care worker classification.

2 Membership and Compensation.

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

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

(b) Two members of the house of representatives, one of whom shall be from the house environment and agriculture committee, appointed by the speaker of the house of representatives.

(c) The commissioner of the department of agriculture, or designee.

(d) The director of the Thompson School of Applied Science, university of New Hampshire, or designee.

(e) A representative of the New Hampshire Veterinary Medical Association, appointed by the association.

(f) One representative of the board of veterinary medicine, who may be the board's legal counsel, appointed by the board.

(g) One representative of the New Hampshire Veterinary Technician Association, appointed by the association.

(h) Two representatives of the New Hampshire Farm Bureau Federation, appointed by the association, one of whom shall be a horse breeder or owner; and one member shall be a dairy farmer or breeder of cows or other kine species.

(i) One member of the public, who is a small animal owner, appointed by the governor.

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

3 Duties. The commission shall study the creation of an animal care worker classification to perform the basic care of animals under the direct or indirect supervision of a state licensed veterinarian. The study shall include, but not be limited to, defining the necessary accreditation for this position, consideration and allowance for past experience and employment as an animal care worker, and the scope of the allowable practices for such position. In performing this study and making its recommendations, the commission shall review and consider using as basic standards, accreditation policies, guidelines, and procedures of the American Veterinary Medical Association's Committee on Veterinary Technician Education and Activities.

4 Chairperson; Quorum. The members of the 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. Six members of the commission shall constitute a quorum.

5 Report. The commission 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, 2008.

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

AMENDED ANALYSIS

This bill establishes a commission to study the creation of an animal care worker classification.

2008-1299h

Amendment to SB 319-FN

Proposed by the Committee on Commerce - C

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

- 2 Repeal. RSA 167:4-a, IV, relative to health carrier liability for medial assistance, is repealed.
- 3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill clarifies the definition of health carrier for purposes of third party liability.

2008-1197h

Amendment to SB 370

Proposed by the Committee on Judiciary - R

Amend RSA 490:6-a, I as inserted by section 1 of the bill by replacing it with the following:

I. The chief justice of the supreme court or, if the chief justice is unavailable, the most senior associate justice available, shall have the power, upon the request of the governor, attorney general, or the chief judge or administrative judge of any court, or on his or her own motion, in the event of a declared state of emergency, as defined in RSA 4:45, to enter such order or orders as may be appropriate to suspend, toll, or otherwise grant relief for a period of up to 21 calendar days from time deadlines imposed by otherwise applicable statutes and rules of procedure regarding speedy trial procedures in criminal and juvenile court proceedings, all civil and equitable court process and court proceedings, and all appellate court time limitations. Such order or orders may be renewed by a majority of the justices of the supreme court as justice may require; provided, however, that any such renewal with respect to applicable statutes shall be effective only upon the concurrence of the governor.

2008-1346h

Amendment to SB 373

Proposed by the Committee on Executive Departments and Administration - C

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

AN ACT relative to the application of the civil unions law to the retirement system.

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

1 New Section; Civil Unions. Amend RSA 100-A by inserting after RSA 100-A:2-a, the following new section:

100-A:2-b Civil Unions. RSA 457-A shall not apply to this chapter to the extent that such application will violate the Internal Revenue Code of 1986, as amended, or other federal law.

- 2 Effective Date. This act shall take effect January 1, 2008, at 12:01 a.m.

AMENDED ANALYSIS

This bill clarifies the application of the civil unions law, RSA 457, to the New Hampshire retirement system.

2008-1309h

Amendment to SB 384

Proposed by the Majority of the Committee on Resources, Recreation and Development - R

Amend RSA 485-A:39, VIII as inserted by section 1 of the bill by replacing it with the following:

VIII. If the septic disposal system designer, during the course of a site assessment, discovers evidence that there is sewage discharge on the ground surface or directly into surface waters, the designer shall notify, in writing, the department and the local health officer, and shall include that information in the site assessment report.

Amend RSA 485-A:39 as inserted by section 1 of the bill by deleting paragraph IX.

Amend RSA 485-A:2, IV as inserted by section 2 of the bill by replacing it with the following:

IV. "Failure" means the condition produced when a subsurface sewage or waste disposal system does not properly contain or treat sewage or causes ~~[or threatens to cause]~~ the discharge of sewage on the ground surface or **directly** into ~~[adjacent surface or groundwaters]~~ **surface waters, or the effluent disposal area is located in the seasonal high groundwater table.**

Amend the bill by replacing section 6 with the following:

6 Effective Date. This act shall take effect January 1, 2009.

2008-1241h

**Floor Amendment to SB 385
Proposed by Rep. Hawkins**

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

1 New Paragraph; Rulemaking; Reports of Inadequately Staffed or Unstaffed Pharmacies.

Amend RSA 318:5-a by inserting after paragraph XVIII the following new paragraph:

XIX. Procedures for the reporting of pharmacies unable to fill prescriptions in a timely manner due to inadequate staffing or unavailability of pharmacists under RSA 318:40-a resulting in an early closure of the pharmacy.

2 New Section; Report of Inadequate Staffing. Amend RSA 318 by inserting after section 40 the following new section:

318:40-a Report of Inadequate Staffing.

I. The pharmacist-in-charge or staff pharmacist of a pharmacy shall report to the pharmacy board within 48 hours of:

(a) An early closure of the pharmacy or inability to fill prescriptions during regular business hours due to the unavailability of a pharmacist.

(b) An inability to fill all prescriptions requested in a single day such that customers are asked to return on a subsequent day for their prescription due to an inadequate number of pharmacists available to fill prescriptions.

II. Such report shall include:

(a) The customary and publicly posted hours of operation of the pharmacy;

(b) The date and time of early closure of the pharmacy;

(c) The reason for the inability to fill prescription in a single day; and

(d) Any attempts made to ensure the provision of necessary pharmaceuticals to pharmacy customers during an early closure of the pharmacy or the inability to fill prescriptions in a single day.

3 Repeal. The following are repealed:

I. RSA 318:5-a, XIX, relative to rulemaking for reports of inadequately staffed or unstaffed pharmacies.

II. RSA 318:40-a, relative to reports of inadequate staffing.

4 Effective Date.

I. Section 3 of this act shall take effect July 1, 2010.

II. The remainder of this act shall take effect July 1, 2008.

2008-1367h

Amendment to SB 473

Proposed by the Committee on State-Federal Relations and Veterans Affairs - C

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

AN ACT naming a Prisoners of War/Missing in Action Memorial in Hesky Park in the town of Meredith.

Amend the bill by replacing section 1 with the following:

1 Town of Meredith; Prisoners of War/Missing in Action Memorial Named. The site in Hesky Park in the town of Meredith consisting of a large stone and a flagpole shall be hereby named a Prisoners of War/Missing in Action Memorial in honor of our country's veterans who were prisoners of war or are missing in action. Appropriate signage may be placed at the location of the memorial.

AMENDED ANALYSIS

This bill establishes a Prisoners of War/Missing in Action Memorial in Hesky Park in the town of Meredith.

2008-1313h

Amendment to SB 501-FN

Proposed by the Committee on Labor, Industrial and Rehabilitative Services - C

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

AN ACT relative to workers' compensation on certain state projects, penalty collection powers of the department of labor and permanent impairment awards under workers' compensation.

Amend the introductory paragraph of RSA 228:4-b, I as inserted by section 1 of the bill by replacing it with the following:

I. Prior to any work being done by an individual contractor on any state transportation project carried out under this subdivision, such contractor, including all subcontractors and independent contractors, working on a highway, bridge, or other construction, reconstruction, alteration, or maintenance project, excluding routine maintenance operations conducted utilizing the contract rental agreement process, ~~funded~~ **and excluding deliveries to and removals from a project administered** by the department shall provide to the commissioner of transportation:

Amend the bill by replacing all after section 4 with the following:

5 Major Projects; Workers' Compensation. Amend the introductory paragraph of RSA 21-I:80, VI(a) to read as follows:

VI.(a) Prior to any work being done by an individual contractor on any major project under this section, such contractor, including all subcontractors and independent contractors, **excluding deliveries to and removals from a project administered by the department**, shall provide to the commissioner of administrative services:

6 Workers' Compensation; Scheduled Permanent Impairment Awards. Amend RSA 281-A:32, IX to read as follows:

IX. MORE THAN ONE PERMANENT LOSS. If an injury results in more than one permanent bodily loss specified in paragraphs I-VIII, or if the injury is to the spinal column or the spinal cord, or to the brain, or involves scarring, disfigurement, or other skin impairment resulting from a burn or burns, an award shall be made on the basis of a maximum of 350 weeks with the appropriate number of weeks to be determined in proportion to the maximum in accordance with the percent of the whole person specified for such bodily losses in the ~~most recent~~ **5th** edition of "Guides to the Evaluation of Permanent Impairment" published by the American Medical Association. Injury to spinal column or spinal cord shall not be construed to permit an award under this section as a result of soft tissue injury, nor to permit such an award on the basis of more than one permanent loss, unless such injury results in loss of use of upper or lower extremities. For the purposes of this paragraph "injury to the brain" means cerebral or neurological impairment due to central nervous system injury as described in said American Medical Association Guide.

7 Workers' Compensation; Scheduled Permanent Impairment Awards. Amend RSA 281-A:32, XIV to read as follows:

XIV. RULEMAKING REQUIRED. In order to reduce litigation and establish more certainty and uniformity in the rating of permanent impairment, the commissioner shall adopt rules, under RSA 541-A, incorporating by reference the ~~most recent~~ **5th** edition of the American Medical Association's "Guides to the Evaluation of Permanent Impairment" to determine the degree of permanent impairment and on which to base awards under this chapter.

8 Committee Established. There is established a committee to study issues associated with the most recent edition of "Guides to the Evaluation of Permanent Impairment" published by the American Medical Association and its impact on workers' compensation permanent bodily loss.

9 Membership and Compensation.

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

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

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

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

10 Duties. The committee shall study issues associated with the most recent edition of “Guides to the Evaluation of Permanent Impairment” published by the American Medical Association and determine whether the 6th edition has a detrimental impact on compensation for permanent bodily loss or losses.

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

12 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2008.

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

AMENDED ANALYSIS

This bill:

I. Clarifies certain workers’ compensation procedures relating to state projects.

II. Provides the department of labor with the same penalty collection powers as the department of revenue administration.

III. Changes the edition of “Guides to the Evaluation of Permanent Impairment” which is used to determine permanent impairment awards under workers’ compensation.

IV. Establishes a committee to evaluate issues related to which edition of “Guides to the Evaluation of Permanent Impairment” should be used for purposes of workers’ compensation.