

State of New Hampshire

HOUSE RECORD

Second Year of the 161st General Court Calendar and Journal of the 2010 Session

Vol. 32	Concord, N.H.	Friday, April 30, 2010	No. 34
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Contains: Reports and Amendments for May 5, Governor's Veto Message on HB 276-FN, Committee of Conference Procedures, House Bills Amended by the Senate, Hearings, Meetings, and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be held at 10:00 a.m. on **Wednesday, May 5th**. We will begin with the Committee on Health, Human Services and Elderly Affairs. The House will also meet on **Wednesday, May 12th, Thursday, May 13th and Wednesday, May 19th**. On May 19th, the House will take final action on House Bills amended by the Senate. Members might wish to review the Committee of Conference Procedures which are printed elsewhere in this Calendar.

A photograph of the House membership will be taken on Wednesday, **May 19th**, at the lunch break. We will take one photo inside the House chamber, and if the weather cooperates, one in front of the State House as well. Members will be provided with information on how to obtain copies of the photo(s).

The Speaker's Annual Ice Cream Social for members and staff will also take place on Wednesday, **May 19th**, in the driveway of the Upham-Walker House, or in case of inclement weather, in the LOB.

On April 27th the State Supreme Court issued an Opinion of the Justices regarding HB1146, "An Act eliminating requirements for additional breath tests for blood alcohol content." The decision may be found online at <http://www.courts.state.nh.us/supreme/opinions/2010/2010037opini.pdf>.

Terie Norelli, Speaker

NOTICE

There will be a meeting of committee Chairmen and Vice Chairmen on Tuesday, **May 4**, at **8:30 a.m.** in Rooms 301-303, LOB.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on Wednesday, **May 5** at **9:00 a.m.** in Representatives Hall.

Rep. Mary Jane Wallner, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **May 5 at 9:00 a.m.** in Rooms 305-307, LOB.
Rep. Sherman A. Packard, Republican Leader

NOTICE

The Calendar closes at 3:00 p.m. on Wednesdays for scheduling and notices. It closes at noon 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

HOUSE DEADLINES

Thursday, May 6, 2010	Last day to report all Senate Bills
Thursday, May 13, 2010	Last day to act on Senate Bills
Thursday, May 20, 2010	Last day to form Committees of Conference
Thursday, May 27, 2010	Last day to sign Committee of Conference reports
Wednesday, June 2, 2010	Last day to act on Committee of Conference reports

GOVERNOR'S VETO MESSAGE ON HB 276-FN

By the authority vested in me, pursuant to Part II, Article 44 of the New Hampshire Constitution, on February 12, 2010, I vetoed HB 276-FN, an act relative to challenges of voters.

This legislation was passed by the House of Representatives on April 8, 2009 and was sent to the Senate. The Senate first heard and then re-referred the bill to the Senate Election Law and Veteran's Affairs Committee. The bill was brought forward this year and approved by the Senate on January 21, 2010. In passing the bill, the Senate should have amended the effective date to provide for prospective application of the voter challenge law. For this reason, I am vetoing HB 276-FN.

I appreciate the sponsor's efforts to clarify the procedures for voter challenges in state elections. I believe that any legislation governing voter challenges must continue to allow our state elections to proceed in an efficient manner while protecting the rights of all voters.

Respectfully submitted,
John H. Lynch
Governor
Dated: February 12, 2010

CONSENT CALENDAR

WEDNESDAY, MAY 5

COMMERCE AND CONSUMER AFFAIRS

SB 308, relative to the price for filling prescriptions. **OUGHT TO PASS.**

Rep. Jill Shaffer Hammond for Commerce and Consumer Affairs: This bill will prevent the lowering of the amount of reimbursement for a claim for filling a prescription from a pharmacy

benefits manager (PBM) or insurer to a contracted pharmacy, once the amount of that claim has been settled. It seems that past practices of some PBMs and insurers has been to retroactively cut the rate of reimbursement, and subtract the "overpayment" from current or future payments.

Vote 14-0.

SB 319, relative to purchases by on-premises alcoholic beverages licensees and relative to liquor licenses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris F Nevins for Commerce and Consumer Affairs: This bill was brought forward to correct a limitation of an "on-premise" liquor licensee from purchasing supplies of liquor and wine from an agency store. With the approval of the liquor commission such an on-premise licensee will be able to do so, which is of benefit to the state. Additionally, a new section on "Temporary Licenses" was added to RSA 178 so that an approved licensee may commence sales while awaiting their permanent license. Finally, the director of licensing shall now review each license application and submit to the commission a written recommendation on whether the license should be granted or denied and issue written findings for the decision. A final related amendment will allow people between the ages of 18 and 21 years of age to enter a cigar bar to purchase tobacco products (Of course people over 21 already can enter such businesses.) This bill was supported by the liquor commission, as well as the NH Lodging and Restaurant Association, NH Grocers Association, the Cigar Association of NH as well as several vendors. **Vote 15-0.**

SB 352, relative to student insurance. **OUGHT TO PASS.**

Rep. Chris F Nevins for Commerce and Consumer Affairs: This bill was requested by the insurance department and seeks to clarify the definition of "blanket accident and health insurance." It also amends RSA 415 by inserting a new section that more properly assigns and defines student insurance policies as large group coverage. This will allow the same form of major medical expense coverage as in large groups and would not include a pre-existing condition exclusion period. Since rule making is already set for this coverage, this can now be coordinated with federal rules. The bill is also supported by the insurance carriers as it will clarify and simplify their interface with the departments regarding student coverage. **Vote 16-0.**

SB 390-FN, relative to health insurance premium only cafeteria plans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jill Shaffer Hammond for Commerce and Consumer Affairs: This bill allows small employers with 2 or more employees who do not offer employer-sponsored health insurance coverage, or who have part-time employees who do not qualify for such coverage, to establish and maintain a health coverage premium-only cafeteria plan which satisfies requirements under 26 U.S.C. section 125. The employer would maintain an account into which would be put pre-tax funds deducted from the wages or salaries of eligible employees, to be used to buy policies in the small group market. Insurance companies shall make small group coverage available to such plans during limited open enrollment periods, using their rating factor for a small group of one. **Vote 13-0.**

SB 421, relative to the laws regulating trusts and trust companies in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David J Palfrey for Commerce and Consumer Affairs: This bill continues the long-standing legislative initiative to establish New Hampshire as a leading jurisdiction in the national market for financial, trust and fiduciary services and to attract financial service jobs of that marketplace to New Hampshire. SB 421 makes changes to the statutes governing family trust companies that are regulated by the New Hampshire banking department that will continue to maintain New Hampshire's competitiveness among states in this growing economic sector. The committee amendment improves incentives to achieve the best examination results and makes several minor editing and technical corrections to the bill as it passed the Senate. **Vote 16-0.**

SB 423, relative to health insurance coverage for licensed athletic trainer services. **REFER FOR INTERIM STUDY.**

Rep. Donna L Schlachman for Commerce and Consumer Affairs: Last session, a study committee on medical insurance reimbursement for physician-prescribed rehabilitative services provided by athletic trainer professionals voted 2-2 on recommending further legislation. In the course of two

years and two bills on reimbursement for athletic trainers, their scope of practice, professional credentials, impact on the field of therapeutic rehabilitation and impact on service access have been fully discussed by all concerned parties. The purpose of this Interim Study is to bring NH's insurance carriers and the Association of Athletic Trainers together to develop the necessary agreements for reimbursement. Currently, none of the other rehabilitative therapies that enjoy insurance reimbursement (physical, occupational, speech and respiratory therapies) do so under state jurisdiction. The intent of the study is to ensure that service delivery related specifically to doctor-prescribed medically necessary rehabilitation within the scope of the athletic trainer profession be recognized and reimbursed by carriers, preferably without enacting legislation.

Vote 16-0.

SB 436, relative to health insurance open enrollment periods and establishing a commission relative to children's health insurance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donna L Schlachman for Commerce and Consumer Affairs: New Hampshire's healthy kids program is a successful private-public partnership currently serving over 80,000 children who would not otherwise have access to health care. This statutory commission will study how best to take advantage of and implement additional options available to states through the federal Children's Health Insurance Program Reauthorization Act of 2009. These include expanded coverage for eligible pregnant women and newborns as well as a dental-only program for children with private health insurance but no dental coverage. The department of health and human services testified programs, a lack of funding for the state match and staff to manage and implement new programs make it impossible to do so. The committee believes this is a good time to consider and plan for new approaches to services, to realize cost-savings, and to prioritize program components under this program so NH can be in a position to take advantage of federal funds when our economy recovers. Interim report to be made in November 2010 with final report and repeal of the commission by the end of 2011. In addition, this bill changes the healthy kids enrollment eligibility period from 30 to 60 days for children who lose coverage under another health plan. **Vote 15-0.**

SB 459, relative to medical payments coverage. **INEXPEDIENT TO LEGISLATE.**

Rep. Donna L Schlachman for Commerce and Consumer Affairs: New Hampshire is one of the few states that mandates "med pay" coverage be issued with all its motor vehicle liability policies. Such coverage is "no-fault" and is to be used solely for the purpose of assisting policy holders with medical expenses related to an automobile accident. Presently, patients submit claims to their insurance company and are reimbursed up to the limit of their policy coverage. This bill would have regulated the ways in which those providing medical services are reimbursed, rather than leaving it up to the individual to prioritize and handle their own bills. The committee felt that while some individuals may abuse the intent of "med pay" by not using this money to pay their medical bills, the present system works well in most cases and further regulation is not desirable. **Vote 15-1.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 443, relative to rulemaking authority of the electricians' board. **OUGHT TO PASS.**

Rep. Carol M McGuire for Executive Departments and Administration: When the electricians' board was consolidated into the department of safety, there were conflicts over its rulemaking authority. SB 443 amends RSA 319-G:6-a to clarify that both the board and the commissioner must approve all rules. **Vote 18-0.**

SB 478, relative to the appointments to the board of home inspectors, the administrative attachment of the plumbers' board, and retired status for licensed architects. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald F Ryder for Executive Departments and Administration: This bill, as amended, by the house, makes three changes in RSA 310-A:186. The first change allows an appointee to the board of home inspectors to serve less than half of the five year term and still be eligible to serve two consecutive full five year terms. Part two, RSA 329-A:3,III, will transfer the plumbers' board to the department of safety but allows the board to retain rule making authority. Part three of the bill affects retired architects. This section is unchanged from the senate version. **Vote 16-1.**

SB 514, relative to commercial weighing or measuring devices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Calvin D Pratt for Executive Departments and Administration: This bill changes “registered serviceman” to “registered service technician.” The registered service technician is an individual who holds a valid certificate of registration from the department of agriculture, markets, and food, who, for hire, installs, services, repairs, reconditions, tests or calibrates a commercial weighing or measuring device. It also repeals RSA 438:8, I(j) relative to the general rule making authority of the commissioner of agriculture. The committee deems this language is too broad.

Vote 18-0.

FINANCE

SB 402-FN, relative to state-owned vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert A Foose for Finance: This bill establishes a plan to manage the use of state owned vehicles under the direction of the department of administrative services. It establishes targets for the reduction of vehicle use over a three year period while recognizing the particular challenges of the departments of safety and transportation. It also establishes guidelines for the disposal of vehicles based on non-business use. **Vote 16-1.**

JUDICIARY

SB 329, relative to the bonds of county officers, and relative to the form of constitutional questions on the ballot. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy M. Weber for JUDICIARY: Performance bonds of sheriffs are currently approved by the presiding judge of the superior court for the county. As amended, the bill transfers the responsibility for approval of the sheriff's bonds to the county commissioners, as the superior courts are no longer county institutions. The amendment also removed an unrelated portion of the bill which would have allowed constitutional amendments solely to change the terms of the Constitution to gender neutral terms to be presented to the voters in summarized form, rather than in full. **Vote 18-0.**

LOCAL AND REGULATED REVENUES

SB 325, relative to loitering by intoxicated persons. **OUGHT TO PASS.**

Rep. Timothy Butterworth for Local and Regulated Revenues: The majority of the committee believes this bill provides for a practical, optional solution for liquor licensees to a problem with our regulations. We put a lot of effort into making sure intoxicated people are not served any more alcohol. The law now states they must not loiter on the premises. But it would be inhumane, dangerous, and a possible liability if inebriated people were thrown out on the street, perhaps to drive or injure themselves and others. A much better solution is to have inebriated, non-disorderly people wait or “loiter” in any area away from the other drinkers, at the discretion of the management, until a ride is available. **Vote 11-2.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

SB 517-FN-A, establishing a veterans’ legal aid advocacy project. **OUGHT TO PASS.**

Rep. Alfred P Baldasaro for State-Federal Relations and Veterans Affairs: This bill takes the extra step in taking care of our veterans when it comes to legal matters, especially issues pertaining to our homeless veterans and veterans coming home from the war who confront legal issues that pertain to the protections within the soldiers and sailors civil act. The purpose of this bill is to address the unmet, dire civil legal needs of New Hampshire’s veterans, and to advocate for and safeguard veterans’ benefits or preferences to which they may be entitled under any state or federal laws or regulations, particularly in the areas of housing, employment and unemployment, and veterans’ disability and pension claims. There are hundreds of veterans that seek help from the veterans’ service organizations in the state of New Hampshire each month, on issues ranging from housing foreclosures, evictions, utility disconnections, property taxes, disability and veterans administration related claims, and social security administration cases. The veterans’ service organizations have a limited amount of money to help veterans, and no

network of attorneys to refer veterans to for help. Many states have set up a veterans legal aid advocacy project to assist veterans and have worked with the federal government on grants and donations to support the project. Funding for the veterans legal advocacy project established by this bill shall be contingent upon the receipt of grants or federal funds for such purpose. The veteran's legal advocacy project shall report on the availability and acquisition of federal appropriations and grants to the governor and the general court. **Vote 12-0.**

WAYS AND MEANS

SB 342-FN, repealing the \$5,000 surety bond requirement for meals and rentals operators. **OUGHT TO PASS.**

Rep. William A Hatch for Ways and Means: This bill repeals the \$5,000 surety bond requirement for rooms and meals operators. A surety bond was put in place to resolve the unpaid balance that was created by rooms and meals operators not paying the state the taxes their customers paid for the state. A new director of the department of revenue administration's collection function put different policies and procedures in place that reduced the taxes owed enough so that the bond is no longer necessary; thus the repeal. This repeal is of no cost to state revenues. **Vote 15-1.**

SB 346-FN-L, relative to sheriffs' fees for service of civil process. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jordan G Ulery for Ways and Means: Civil service of process is a service provided by the sheriff's departments. This bill reduces the county budget by increasing the fees paid by private parties who prevail in a law suit. Without this fee increase, all county tax payers will continue to support private parties using the sheriff to enforce court orders. The fee increases, long overdue, are below the national averages. Simply, the current fees are increased \$10.00. Mileage is fixed to the prevailing federal rate. There is a \$25.00 surcharge to cover the costs of person-to-person or "in-hand" service when required by court rule or order. The amendment clarifies that a capias (civil arrest) takes place after due process and that a surcharge for such arrest applies only with cause. A fee is charged because it costs extra for such an arrest. **Vote 14-2.**

SB 441, relative to the lakes management and protection program. **OUGHT TO PASS.**

Rep. William A Hatch for Ways and Means: The rivers and lakes programs exist side by side in the department of environmental services, and share a general fund budget. The rivers program has a dedicated fund and the ability to accept grants and gifts; lakes did not. This bill, among other small changes made by the policy committee, allows lakes to solicit grants and gifts and place them in a joint fund with rivers, overseen by the commissioner. The committee agreed with the arrangement. **Vote 17-0.**

SB 442, relative to the grant program to administer exotic aquatic plant prevention. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan W Almy for Ways and Means: Last year the milfoil and other exotic aquatic plant prevention program received an increase in funds stemming from the boat registration fee to be used to combat the growing scourge of milfoil on our lakes. The intent was to use this for prevention work, but the existing law restricted this to 2/3 of the total sum, leaving 1/3 for on-going research into milfoil eradication methods. The research does not need this amount, whereas the prevention does. The bill was amended to make it clear that the amount meant for the research program was not being cut, while allowing the larger sum to go to prevention. **Vote 17-0.**

SB 457-FN, authorizing identifying decals for custom vehicles. **OUGHT TO PASS.**

Rep. Joe Osgood for Ways and Means: The bill provides for decals for customized motor vehicles 30 years of age and older, and charges \$15 for the decal's cost. The committee found this reasonable. **Vote 16-1.**

SB 501-FN, relative to worksharing benefits under the unemployment compensation law, and relative to training grants. **OUGHT TO PASS.**

Rep. Susan W Almy for Ways and Means: NH Working includes this work-sharing program, which is a win-win situation for the state, employers and workers, keeping businesses open and employees working in a recession, and reducing costs to the unemployment trust fund. The

committee believes the bill and department have established procedures that will avert gaming the system, which could increase costs to the fund. The bill also contains a doubling in the amount of the administrative assessment paid by all employers that is used for worker training, to start a new program of assessment and training of the unemployed in basic job skills employers have requested. This increase is possible because the administrative assessment itself is a function of the unemployment insurance tax, which has been increased by surcharges until the unemployment trust fund reaches stability again a few years hence. The business and industry association spoke in favor of this use of the money. **Vote 16-1.**

SB 509, establishing the New Hampshire medal of honor fund and repealing the New Hampshire service award. **OUGHT TO PASS.**

Rep. David J Bettencourt for Ways and Means: Currently there is only \$10,000 in an existing fund that was intended to pay for an ambitious medals program that cost approximately \$100,000. This legislation transfers those funds to reimburse a program initiated by the Adjutant General to provide medals to the families of fallen soldiers, as well as open the fund to accept donations. The committee unanimously agreed that this was a suitable disposition of the existing unused funds. **Vote 17-0.**

REGULAR CALENDAR

WEDNESDAY, MAY 5

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 322, allowing the director of the division of state police to place an employee on administrative leave in extraordinary circumstances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B Schmidt for Executive Departments and Administration: This bill is the result of a request from the department of safety to enable the director of the division of state police to better manage the aftermath of situations in which, in the line of duty, division personnel have been placed under great stress, such as shooting incidents, motor vehicle accidents involving fatalities, or the death of a child. It is generally recognized that such incidents can alter or diminish a person's judgment, a critical capacity for law enforcement personnel, and that this is neither in the best interest of the public nor the officer(s) involved. Currently, there is no option to place such personnel on administrative leave, only to suspend them, which may result in an inference, by the public, that some misconduct is involved. **Vote 15-3.**

SB 348, establishing a committee to study issues relative to the regulation of opticians in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte Houde-Quimby for Executive Departments and Administration: This bill originally began as an effort to create a licensing board for opticians, complete with requirements defining the scope of work, the requisite education, clinical practice, licensing examinations, and rule making authority. When received in the House, it established a committee to study the issues relative to regulation of opticians. Similar legislation has been considered several times in the last 20 years in NH. The previous bills failed over an inability to show evidence of harm to consumers that rose to the level of requiring licensure. The regulatory mechanisms that govern the work of opticians (RSA 327-A: 1), ophthalmic dispensing, is defined as "the design, verification, and delivery to the intended wearer of lenses, frames, and other specially fabricated optical devices upon prescription." They do not write prescriptions for eyewear; rather they measure the appropriate lenses and frames and prepare the glasses for technicians who actually grind the lens. Opticians may not alter the prescriptions nor fit for contact lenses. Opticians are registered with the department of health as required by RSA 541-A and are expected to take eight continuing education credits every two years from any source approved by the commissioner from any national, regional, or state optical company, trade, or professional group authorized to

sponsor continuing education programs approved by the American Board of Opticianry, the National Contact Lens Examiners, or the commissioner. Mechanisms for reporting harm are articulated in current legislation, but conversations with the department of health and the attorney general's office reveal but one complaint in the last ten years and that was for a billing error. Regulation should exist when it has been determined that the public's health, safety and welfare would be harmed if the occupation is not properly practiced. There are four levels of regulation in this state: 1.) No Regulation because no perceived threat to public health, safety, and welfare exists; 2.) Voluntary Certification, when it is determined that a public need exists to identify practitioners with specific levels of competence; 3.) Mandatory Registration, when it has been determined that an adverse occupational function could present minimal threat to public health, safety, and welfare, and providers are required to register their name with a designated agency. The marketplace then dictates performance standards; and 4.) Mandatory licensure, when performance in an occupation will require demonstrated knowledge and skills related to the occupation prior to performing such functions. The framework under which opticians practice currently in the state is level 3, mandatory registration. It is the belief of this committee that this meets the requirements for public safety for opticians. **Vote 16-2.**

FINANCE

SB 465-FN-L, relative to the transition period for implementing the adequacy aid formula.

MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Robert A Foose for the **Majority** of Finance: This bill establishes a committee to study the sustainability of the existing state programs for funding K-12 education and made recommendations regarding appropriate modifications. Membership would include four members of the House of Representatives with at least one from both the education and finance committees and three members from the Senate. The majority of the committee believes that the work of the study committee should precede any action to modify the formula that was developed through a careful, three year long, deliberative process that has resulted in the approval of the court and an absence of lawsuits in recent biennia. The committee did not agree to the Senate's extension of transition funding (the collar) beyond the July, 2011 deadline. An amendment to extend the collar for three years and modify the calculation of payments for the free and reduced lunch students was also defeated. The committee believes that districts were given two years to prepare for the end of the collar. Those districts that are slated to receive additional funds have waited patiently with the expectation that those receiving more than the formula allows should have spent the time preparing for the change. Nonetheless, recognizing the difficulty in adjusting to change the bill also enables school districts to carry forward unreserved fund balances from the 2010 and 2011 fiscal years to the 2012 fiscal year in order to smooth the transition. **Vote 11-8.**

Rep. William S Belvin for the **Minority** of Finance: As passed by the Senate, SB 465 would extend the so-called "collar" by one year. The effect would be to hold state education funding at current levels. The minority amendment expands the Senate approach by phasing out the collar over three years, easing the transition by increasing or decreasing the projected distribution for each school district by one-third each year. The adequacy formula would be fully implemented, with no collar, by 2014. The minority amendment would also change the disparity aid part of the education funding formula so that the count of students eligible for free and reduced lunch is based only on qualified students and not on the entire student population. The fiscal impact is to reduce the education trust fund spending by an estimated \$21.7 million in FY 2012 and by \$43.4 million in FY 2013 for a total saving of \$65.1 million over the next biennium. This amendment follows guidance given the committee with respect to constitutionality. As it applies to the next biennium, there are no ARRA (federal stimulus) restrictions. Why do this? When the formula was established, no one could have anticipated the ensuing financial crisis, with the sharp drop in state and local revenue and the increase in unemployment. In addition, as a result of proposed reductions in state building and catastrophic aid, school districts face greater uncertainty than usual. The minority believes that school districts truly need the certainty in education grants

that this amendment provides in order to better plan how to deliver educational services to New Hampshire's students.

LOCAL AND REGULATED REVENUES

SB 367, relative to games of chance. **OUGHT TO PASS.**

Rep. David H Kidder for Local and Regulated Revenues: This is a housekeeping bill requested by the racing and charitable gaming commission. It clears up several areas of confusion that have risen with the increased popularity of charitable gaming. It also clears up some issues which came up following the closing of the Hinsdale dog track. Some of the issues addressed by the bill are that it: 1) Ensures that bond money given to the state by licensed tracks covers unpaid tickets and "account wagers"; 2) Removes the requirement that the commission obtain social security numbers from charitable organization members, and 3) modifies requirements for operating charitable games. **Vote 14-0.**

SB 371, relative to warning statements concerning drinking alcoholic beverages during pregnancy. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peyton B Hinkle for the **Majority** of Local and Regulated Revenues: This bill addressed the font size on warnings posted in establishments selling alcoholic beverages. It was the opinion of the majority that this bill is not necessary since the liquor commission already has the authority to increase the font size when it prints new warnings. While the committee agreed that it is important that women be warned of the risks involved in drinking alcohol during pregnancy, it was felt that there are already many such warnings in the public domain. The liquor commission has already agreed to change the font size on new posters and this legislation is not necessary.

Vote 9-5.

Rep. Andrew R Peterson for the **Minority** of Local and Regulated Revenues: This simple bill merely requires that the warning statement which currently appears on posters displayed at liquor stores and liquor licensees regarding the dangers of drinking during pregnancy be printed in a larger type so that it may be more easily read. The liquor commission has stated they agree and will likely do this, understanding the dangers of fetal alcohol syndrome. The minority believes that by overturning the committee recommendation and passing this bill, the legislature would affirm that we feel the same, and require the commission to increase the warning type size as soon as the supply of existing posters is exhausted.

SB 391-L, relative to the payment of certain amounts from the water fund to the town general fund by the town of Hanover. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Butterworth for the **Majority** of Local and Regulated Revenues: The town of Hanover is in a unique situation – it is part owner of a private water company. Unlike municipal water systems, the water precinct pays property taxes. All parties agree that the system would be better managed as a public utility, allowing it to have a capital reserve fund and to eliminate the cost of cases at the public utilities commission. This was approved by the town meeting of 2009. The warrant article includes a payment in lieu of taxes by the current co-owner, Dartmouth College. This co-ownership is unique. The majority is confident it does not set a precedent for any other water district. **Vote 11-4.**

Rep. Eric G Stohl for the **Minority** of Local and Regulated Revenues: The minority is concerned that passage of this bill as written may set a precedent where municipalities will be paying taxes to themselves. This bill as written does not suggest paying the tax itself but rather a PILOT (Payment In Lieu of Taxes) for the exact same amount as the property tax. The second issue with the bill as written is that the water utility is already paying to the town of Hanover \$81,158 per year for administrative expenditures which include public works department supervision, administrative services support, dispatch services, software support, fleet maintenance, etc. When the Hanover town manager was questioned by a committee member about these administrative funds paid to the general fund, her reply was that all of Hanover's municipal departments pay these administrative fees. The minority of the committee feels that it is unfair

for one enterprise fund to pay property taxes, or a PILOT for the same amount as the property taxes would be, and no other Hanover enterprise fund pays these taxes.

SCIENCE, TECHNOLOGY AND ENERGY

SB 334, establishing a committee to study methods of encouraging the installation and use of small scale renewable energy resources by homeowners and businesses and relative to investments in photovoltaic renewable energy projects. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. James M Garrity for the **Majority** of Science, Technology and Energy: This bill would have provided an up to \$5,000,000 subsidy related to the state's Renewable Energy Fund to Public Service of New Hampshire (PSNH) to pursue the building of a 1 MW (megawatt) solar power generation project in Manchester. The bi-partisan majority of the committee believes this bill should be rejected for the following reasons: 1) The Politics: this bill began as a simple study bill, but had a non-germane amendment attached in the Senate to create a publicly subsidized project benefiting a single corporation (PSNH); 2) The process is being compromised. RSA 374-G, which we passed in 2008, allows regulated public utilities to invest in distributed energy resources, "including clean and renewable generation." Project proposals, such as the one in this bill, are filed with the Public Utilities Commission (PUC) through a rate-filing docket. They are judged according to the criteria set forth by the legislature in 374-G. PSNH should use the existing process, not try to short cut it by means of special legislation; 3) Policy vs. Projects: Legislators are not public utilities commissioners, yet in this bill we were asked to virtually pre-approve a project as though we were. The committee establishes energy policy; the PUC reviews projects. Legislators set the direction; the PUC studies the details. Legislators do not have the expertise to study the economics, engineering, rate-structures, tariffs, rate of return rules, site requirements, etc. That is why the PUC was created by the legislature in the first place, and that is what the PUC commissioners and professional staff do full-time; 4) Precedent: if we approved this project, we would be flooded with requests from other corporations to approve their "legislative specials" and the result could be legislative, legal and regulatory chaos. **Vote 12-4.**

Rep. Nickolas J Levasseur for the **Minority** of Science, Technology and Energy: The RPS penalty fund was created as a means of alternative compliance for the Renewable Energy Compliance (REC) standards. The funds that are accumulated in the penalty fund are intended to assist in the proliferation of renewable electric generation in New Hampshire. All electric customers in the state pay into this penalty fund. The PUC, which is charged with distribution of this fund, is currently limiting its rebates to only small scale installations for non-regulated entities. The minority of the committee believes that these projects, while important, will not achieve the overall RPS goals by themselves. This bill, if amended, would have enabled the PUC to defray the cost of a large scale pilot program: the Manchester landfill photovoltaic project. This pilot program will be the first economically viable, large-scale solar project in the state of New Hampshire. It would serve as a highly visible example of renewable energy generation and will send the message that solar is not only possible in NH, but is practical, available, and affordable. The minority of the committee believes that the PUC must be allowed to leverage RPS penalty fund dollars in order to allow the development of large scale renewable electric generation under state regulatory oversight. Regretfully, this bill was subjected to misinformation, fear mongering, and an abbreviated committee process. Without this legislation, the PUC will be handicapped in the review of large scale solar projects. This will force the PUC to have to choose between the RPS goal and the need to minimize rates. Without these large scale renewable projects, the goals of RPS are unrealistic. The minority is also concerned that relying solely on small scale projects (most of which do not apply for REC inclusion) inevitably creates equity issues for many communities and calls into question the effectiveness and benefits of RPS for those communities.

TRANSPORTATION

SB 464, relative to speed limits on Lake Winnepesaukee and reporting vessel operation violations. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen H Nedeau for the **Majority** of Transportation: This bill eliminates the prospective repeal of provisions establishing speed limits on Lake Winnepesaukee, and would increase the prima facie speed limit for Lake Winnepesaukee. It was a long journey for the supporters of a speed limit bill that started over 3 ½ years ago. This bill would set 30 mph during the period from ½ hour after sunset to ½ hour before sunrise and 45 mph at any other time. It was the feeling of the committee that the lake is of the utmost importance and by having this limit now will retain some order on our beautiful lake, and let the lake become more of a tourist attraction and family friendly. The marine patrol director has stated that with an additional year of study the data won't change. There was considerable testimony that a compromise would be in order, thus the 30 mph night time speed. Area marine patrol supports a speed bill at what ever speed and suggested a compromise of 30 mph with which the committee agreed. By having a speed bill the lake will become more family friendly and thus attract the summer visitors back to Lake Winnepesaukee. **Vote 10-3.**

Rep. John A Hikel for the **Minority** of Transportation: While this bill is well intended, the minority believes that a 2 year study will determine if speed causes an unsafe condition while the department of safety does not take a position on whether it does or not and there are no statistics presented to the committee by either the bill's sponsor or the director of safety. The 2 year study has only been allowed to have input of one year of questionable data and passing the bill is premature based on data presented to the committee.

WAYS AND MEANS

SB 383-FN, relative to net operating loss carryovers under the business profits tax and relative to economic revitalization zone tax credits. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. William G Johnson for the **Majority** of Ways and Means: The original bill proposed to increase the net operating loss (NOL) carryovers under the business profits tax from the existing one million per year to ten million dollars. The majority of the committee, while agreeing with the intent of the bill to bring New Hampshire's tax laws relative to NOLs into conformity with other states, found too many unknowns relative to the impact on state revenues, which could be significant. The cap and carry-forward period were increased during four years starting in 2003 from \$250,000 a year for five years to the current \$1,000,000 a year for ten years, resulting in a loss the Department of Revenue Administration estimates at \$5,000,000 a year. This new measure could affect 110 businesses and allow a deduction of \$100,000,000 in a year from a single business' profits. Instead the committee recommends that the issue be studied by the business tax commission proposed by the amendment to SB 450, that will be studying the state's business tax policy more broadly. The committee amendment also extends the sunset date for tax credits relative to economic revitalization zones from 2011 to 2015, substitutes an index based on median household income for such zones rather than the fixed amount in current law, modifies the process of notifying the department of revenue administration and the taxpayer of the credits, and provides for proportional sharing of the tax credit should requests exceed the annual cap of \$825,000. These measures slightly increase the eligibility for the credit but not enough to penalize the poorest communities that are meant to be the prime beneficiaries of the program.

Vote 11-5.

Rep. Frank V Sapareto for the **Minority** of Ways and Means: This bill originally was very helpful to New Hampshire businesses. It increased the amount of carryover loss to \$10 million. The committee adopted an amendment that removed the increase and changed the median household eligibility requirements with minimal benefit to our businesses. The bill as amended further requires the taxpayer provide certification from the commissioner of resources and economic development no later than March 1 of each year. For the past few years, this legislature has increased taxes and fees on our businesses. If there is one ray of hope we can give our employers, it would be the ability to pull themselves up from a recovering economy and recapture

taxes on their losses so that they can stay in business. Increasing the number of businesses in New Hampshire is vital to our economy, jobs and the future revenue to New Hampshire. Although this bill does little to help our businesses, the minority feels the bill should be restored to the original version.

SB 505-FN-A, establishing the commission on health care cost containment and appropriating a special fund. **OUGHT TO PASS.**

Rep. William G Johnson for Ways and Means: This commission is vitally necessary to begin to lower health care costs in our state. Because of the complexities of the data analysis, the services of a health economist and special consultants are needed if the commission is to do its work. The \$250,000 assessment on all health provider groups (hospitals, ambulatory centers) and health insurers comes to an average of \$5,000 per provider and somewhat more per insurer. The only opposition to the commission comes from parts of the provider community, not because of the assessment, but in worry about possible change that might be recommended in the current way they do business. The department of insurance regards the level of the assessment as the absolute minimum that will allow the job to be done. Relying on voluntary contributions, as was suggested on the floor but not brought to the committee, would most probably lead to the failure of the commission. **Vote 14-3.**

SB 511-FN-A, relative to an exemption from the tax on gambling winnings. **OUGHT TO PASS.**

Rep. Ron J Mack for Ways and Means: This bill exempts the lottery winners that won prior to 1999 from paying the new gambling winnings tax on their annual annuity payments. This was requested because prior to 1999 the large winners were required to receive their winnings in an annuity over a twenty year period. The majority, though very concerned about the close to one million annual loss of revenues, considered the imposition that was placed on a few citizens unfair. **Vote 12-4.**

LAI D ON TABLE

HB 133, requiring employers to report certain information regarding outsourcing to the department of employment security.

HB 1146, eliminating requirements for additional breath tests for blood alcohol content. (Pending question is Ought to Pass.)

HB 1188, relative to nominating a political organization by nomination papers. (Pending question is the Majority report of Ought to Pass with Amendment.)

HB 1336, relative to health care liability claims. (Pending question is Refer for Interim Study)

HB 1664-FN, making appropriations reductions in the operating budget for fiscal year 2011 and relative to state revenues and expenditures. (Pending question is the adoption of the committee amendment.)

SB 154, naming a certain portion of route 18 in the town of Franconia in honor of Corporal Bruce McKay. (Pending question is the committee report of Inexpedient to Legislate)

HOUSE BILLS AMENDED BY THE SENATE

HB 154, relative to truancy. (House Concurred 4/14/10)

HB 216-FN, relative to fees for legal services rendered to workers' compensation claimants. (House Concurred 4/14/10)

HB 230, relative to the burden of proof for a finding of abuse in domestic violence cases. (House Nonconcurrent; C of C 4/14/10)

HB 478-FN, relative to remotely readable devices and relative to the illegal use of a payment card scanning device or reencoder. (SJ 4/21/10)

HB 561-FN, relative to insurance coverage for persons having deafness and hearing loss. (SJ 4/21/10)

HB 587-FN, establishing an information and analysis center within the department of safety. (House Concurred 4/14/10)

HB 598-FN, relative to the regulation of auctioneers by the state board of auctioneers. (SJ

1/6/10)

HB 615, relative to organization, reorganization, or withdrawal from a school administrative unit. (House Concurred 4/14/10)

HB 621, relative to establishing procedures for identifying criminal defendants who may have mental illness. (House Nonconcurrent; C of C 4/21/10)

HB 629-FN-A, relative to habitual offenders, relative to implements of husbandry, and relative to registration of vehicles under the Unified Carrier Registration Act of 2005. (SJ 4/7/10)

HB 630-FN-A, relative to live racing in New Hampshire. (House Concurred 4/28/10)

HB 651-FN, relative to regulations of private investigative agencies and security services. (SJ 1/21/10)

HB 660-FN, relative to the life settlements act. (SJ 4/21/10)

HB 1149, relative to incorporation by reference and filing of electronic documents in state agency rulemaking. (House Concurred 4/28/10)

HB 1152, naming a bridge in Wolfeboro in honor of Corporal Matthew J. Stanley. (House Concurred 4/14/10)

HB 1155, relative to water district contracts. (House Concurred 4/14/10)

HB 1168, clarifying the definition of gross misconduct for purposes of unemployment compensation. (SJ 4/21/10)

HB 1184, relative to the administration of the unused prescription drug program. (SJ 4/21/10)

HB 1198-L, relative to public hearings on municipal budget preparation. (SJ 4/21/10)

HB 1224, relative to school employee and volunteer background investigations and relative to applicants for driver education certificates and school licenses. (SJ 4/21/10)

HB 1279-FN-A, relative to the licenses of mortgage bankers and mortgage brokers. (SJ 4/21/10)

HB 1280-FN, relative to life and health guaranty limits. (House Concurred 4/14/10)

HB 1293-FN, relative to the oil discharge cleanup fund. (House Concurred 4/28/10)

HB 1314, relative to approval of changes to a capital budget project. (House Nonconcurrent; C of C 4/28/10)

HB 1378-FN, establishing an adopt-a-state park program in the state park system and establishing an adopt-a-forest fire tower program in the division of forests and lands. (House Concurred 4/28/10)

HB 1418, naming a bridge across the Connecticut River from Hinsdale, New Hampshire to Brattleboro, Vermont the Charles Dana Bridge and correcting the naming of a bridge across the Connecticut River in the town of Chesterfield, New Hampshire from the Judge Harlan Fiske Stone Bridge to the Justice Harlan Fiske Stone Bridge. (House Concurred 4/14/10)

HB 1427, relative to the conversion period for quarterly billing for property taxes. (House Concurred 4/21/10)

HB 1448, relative to town audits. (SJ 4/7/10)

HB 1516-FN-A, relative to funding the Claremont, Colebrook, Milford and Keene District Courts in fiscal year 2011. (House Nonconcurrent; C of C 4/14/10)

HB 1518-FN, increasing certain OHRV registration fees and fee for transfer of registration of an OHRV or snowmobile. (SJ 4/7/10)

HB 1561-FN, relative to off highway recreational vehicle registration. (SJ 4/7/10)

HB 1563, naming a bridge in Salem in honor of Corporal Nicholas Arvanitis, Staff Sergeant Edmond L. Lo, and Marine Lance Corporal Robert L. Mosillo. (House Concurred 4/14/10)

HB 1566-FN, requiring financial institutions to disclose certain information regarding recipients of medical assistance for the aged, blind, and disabled through an electronic asset verification system. (SJ 4/21/10)

HB 1569-FN, relative to the salaries of certain unclassified positions. (SJ 4/14/10)

HB 1574-FN, relative to retention of election records. (SJ 4/21/10)

HB 1620-FN-A, establishing state park number plates. (SJ 4/21/10)

HB 1625, relative to eligibility for the New Hampshire veterans' home. (SJ 4/21/10)

HB 1651-FN, requiring that current information and reports relative to the state budget be made available on the state website. (House Concurred 4/14/10)

HB 1667-FN, relative to possession of controlled substances obtained by valid prescription. (SJ 4/21/10)

HB 1680-FN, establishing the crime of aggravated harassment by an inmate. (SJ 4/21/10)

HB 1688, relative to the regulation of the installation and operation of boiler and pressure vessels. (SJ 4/21/10)

COMMITTEES OF CONFERENCE

HB 230, relative to the burden of proof for a finding of abuse in domestic violence cases. (Reps. Chandley, Stevens, Welch and Shurtleff)

HB 621, relative to establishing procedures for identifying criminal defendants who may have mental illness. (Reps. Cushing, Rodd, Swinford and Gagne)

HB 1314, relative to approval of changes to a capital budget project. (Reps. Cloutier, Long, Mann and Graham; Sens. D'Allesandro, Janeway and Bragdon)

HB 1516-FN-A, relative to funding the Claremont, Colebrook, Milford and Keene District Courts in fiscal year 2011. (Reps. Leishman, Anderson, L. Weber and Keans)

2010 HOUSE COMMITTEE OF CONFERENCE PROCEDURES

The Chairmen of the policy committees will receive bills amended by the Senate and should check with their committees to determine whether the committee will recommend that the House concur, non-concur, or non-concur and request a Committee of Conference.

When a committee requests that the bill be sent to a Committee of Conference, the Chairman will recommend members for appointment. If the bill has gone to more than one committee, the members may come from the different committees as determined by the Speaker. Chairmen should recommend only those members from their policy committees. The Speaker shall make the final decision of Conference committee members.

The first named House member shall serve as Chairman of the House Conferees. For House bills in Committee of Conference, the House Conferee Chairman shall set the time and place of the first meeting and shall chair each meeting of the Committee of Conference. **Each meeting shall be posted in the Clerk's Office and outside the committee room at least 24 hours in advance.** [House Rule 43 (c)]. If a Committee of Conference meeting recesses, the reconvening time shall be posted in the Clerk's office and outside the committee room.

The House and Senate Conferees on a bill shall meet jointly but vote separately while in conference.

The Committee of Conference may not change the title of the bill. The Committee also may not add amendments that are not germane to the subject matter of the bill or contain subject matter that has been indefinitely postponed. A non-germane amendment is one in which the subject matter is not contained in either the House or Senate version of the bill. [House Rule 49 (g)]

The sponsor of a bill that is in Committee of Conference shall, upon request, be provided an opportunity to be heard.

A unanimous vote of both the House and Senate Conferees, voting separately, is necessary for an agreed upon report to be sent to the House and Senate.

Reports of all Committees of Conference **must be filed with the Office of Legislative Services by the deadline adopted by the House in Rule 64 (Thursday, May 27, 2010).** All Committee of Conference members must sign their reports in the Office of Legislative Services.

The **first-named House member on all bills in Committee of Conference must prepare an analysis of the report.** This “blurb” should contain a complete explanation of all changes made to the bill since it was passed by the House and must be submitted to the House Clerk for printing in the calendar.

All Committee of Conference reports shall be distributed in seat pockets to be acted on some subsequent day. [House Rule 49 (f)].

See House Rule 49 for more information

COMMITTEE MEETINGS

FRIDAY, APRIL 30

FINANCE, Rooms 210-211, LOB

10:00 a.m. Public hearing on proposed amendments to ***SB 450-FN***, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the Medicaid enhancement tax. Proposed amendments:

1. Rep. Wendelboe (1484h) – New Hampshire medical malpractice joint underwriting association; resolution of matters.
2. Rep. Vaillancourt (1627h) – gaming oversight authority and video lottery.
3. Rep. Kurk (1593h) – establishing new retirement system requirements for members who began service on or after July 1, 2010.
4. Reps. Vachon and Walsh (1655h) – business enterprise tax; filing threshold.
5. Rep. Kurk (1676h) – special assessments; banking; insurance; utilities.
6. Rep. Kurk (1679h) – racing and charitable gaming commission abolished.
7. Reps. Vachon and Walsh (1701h) – insurance premium tax.
8. Rep. Keans (1716h) – documentation of marriages; marriage license fee. Fees for copies, verification, and amendments to vital records.
9. Rep. Baroody (1726h) – renewable energy fund.
10. Rep. Eaton (1729h) – pooled risk management programs; authority of Secretary of State.

Copies of the proposed amendments are available from the Sergeant-at-Arms office and online.

SUNDAY, MAY 2

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K), NH Technical Institute, Concord

1:00 p.m. Regular meeting.

MONDAY, MAY 3

CITIZENS TRADE POLICY COMMISSION (RSA 19-L), Room 307, LOB

9:00 a.m. Regular meeting.

COMMISSION TO STUDY APPOINTING OR CONTRACTING WITH A FLEET MANAGER FOR STATE-OWNED MOTOR VEHICLES (HB 1412, Chapter 218:1, Laws of 2008), Rooms 212, LOB (Please note room change.)

1:00 p.m. Regular meeting.

COMMISSION TO STUDY ISSUES RELATIVE TO GROUNDWATER WITHDRAWALS

(SB 155, Chapter 305:1, Laws of 2003), Room 305, LOB

10:00 a.m. Regular meeting.

COMMITTEE TO STUDY HEALTH CARE SERVICES IN CORRECTIONAL FACILITIES AND THE ISSUE OF ACCESS TO INMATES BY MEDICAL CARE, MENTAL HEALTH CARE, AND SUBSTANCE ABUSE TREATMENT PROVIDERS (HB 214, Chapter 153:1, Laws of 2009), Room 205, LOB

1:00 p.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

10:00 a.m. Full committee work session on **SB 73-FN**, requiring the state government to reduce energy consumption in state buildings, to develop an energy conservation plan, and to make an annual report on the state's energy consumption, **SB 181-FN-A**, repealing the transfer of liquor enforcement to the department of safety and establishing a committee to study the administrative structure and adjudicative process at the liquor commission, **SB 375**, relative to the state park system as a self-supporting entity, **SB 396-FN**, limiting the use of child restraint practices in schools and treatment facilities, **SB 512-FN**, relative to the community college system of New Hampshire, **SB 450-FN**, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the Medicaid enhancement tax.

JOINT COMMITTEE ON ADDRESS, Rooms 206-208, LOB

9:00 a.m. Public hearing on **HA 2**, for the removal of Lucinda Sadler, district court judge, from her said office. Sponsor presentation to be followed by public testimony

STATE COMMITTEE ON AGING (RSA161-F:7), Brown Building, 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 207, LOB (Please note room change.)

1:15 p.m. Regular meeting.

TASK FORCE TO DEVELOP A PERFORMANCE-BASED SCHOOL ACCOUNTABILITY SYSTEM (RSA 193-E:3-c), Department of Education, State Board Room, 101 Pleasant Street, Concord

9:00 a.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

1:00 p.m. Full committee work session on **SB 483-FN-A**, relative to the interpretation of Internal Revenue Code section 1031 as it relates to taxation under the business profits tax.

2:00 p.m. Full committee work session on **SB 382**, relative to the New Hampshire natural plant protection act.

3:00 p.m. Full committee work session on **SB 497-FN-A**, changing the business profits tax deduction for reasonable compensation for partnerships, limited liability companies, and sole proprietorships and modifying the interest and dividends tax statute to follow the definitions of interest and dividends used in the United States Internal Revenue Code.

TUESDAY, MAY 4

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

9:30 a.m. Subcommittee work session on **SB 455-FN**, relative to New Hampshire HealthFirst.

10:00 a.m. Continued executive session on **SB 392-FN**, requiring public hearings concerning

health care cost increases in health care services and relative to hospital billing for services to uninsured patients, **SB 408**, relative to purchasing alliances, **SB 455-FN**, relative to New Hampshire HealthFirst.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 9:30 a.m. Subcommittee work session on **SB 435**, relative to the provision of caller locations in emergency situations.
- 10:00 a.m. Full committee work session on **SB 398-FN**, relative to prohibited sales of alcoholic beverages.
- 10:30 a.m. Full committee work session on **SB 453**, relative to air quality in ice rinks.
- 11:00 a.m. Executive session on **SB 435**, relative to the provision of caller locations in emergency situations, **SB 398-FN**, relative to prohibited sales of alcoholic beverages, **SB 453**, relative to air quality in ice rinks.

EDUCATION, Room 207, LOB

- 10:00 a.m. Executive session on **SB 311**, relative to special education services for persons incarcerated and persons attending Granite State high school, **SB 373**, relative to approval of alternative schools by the state board of education, **SB 503**, relative to unique pupil identification, **SB 520-FN-L**, relative to school district liability for special education costs, **SCR 2**, encouraging New Hampshire schools to adopt environmentally sound practices.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:15 a.m. Executive session on **SB 313**, extending the repeal date of the state park system advisory council and relative to field purchases and transfers of funds for the state park system and the bureau of trails, **SB 339**, excluding certain governmental and nonprofit entities from certain licensing requirements as mortgage bankers, brokers, or services, **SB 414**, relative to the Mount Washington commission, **SB 470-FN**, relative to retirement system service credit for employment as a full-time police officer with the university system of New Hampshire, **SB 493-FN**, relative to the use of best value contracting by state agencies and establishing a best value procurement commission, **SB 495-FN**, establishing a task force on state procurement policies and procedures, **SB 504-FN**, relative to the effective date for the implementation of the retirement system employer assessments for excess benefits and continued executive session on **SB 357-FN**, authorizing the judicial retirement plan to deduct a health insurance premium contribution from allowances.

FINANCE, Rooms 210-211, LOB

- 10:00 a.m. Executive session on **SB 73-FN**, requiring the state government to reduce energy consumption in state buildings, to develop an energy conservation plan, and to make an annual report on the state's energy consumption, **SB 181-FN-A**, repealing the transfer of liquor enforcement to the department of safety and establishing a committee to study the administrative structure and adjudicative process at the liquor commission, **SB 344-FN**, relative to employment and retirement benefits of certain non-judicial court employees, **SB 375**, relative to the state park system as a self-supporting entity, **SB 396-FN**, limiting the use of child restraint practices in schools and treatment facilities, **SB 481**, relative to appropriations for certain turnpike system projects, **SB 512-FN**, relative to the community college system of New Hampshire and continued executive session on **SB 485-FN-A**, relative to ratification of cost items contained in a collective bargaining agreement for court security officers of the judicial branch.
- 1:00 p.m. Full committee work session on **SB 450-FN**, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the

Medicaid enhancement tax.

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

- 9:30 a.m. Subcommittee work session on **SB 518**, relative to membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment.
- 10:00 a.m. Executive session on **SB 320**, relative to occupational exposure to the human immunodeficiency virus, **SB 427**, adding duties to the oversight committee on health and human services, **SB 518**, relative to membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment.

JUDICIARY, Room 208, LOB

- 10:00 a.m. Continued executive session from April 29, if needed.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 9:45 a.m. Continued executive session on **SB 316**, establishing a statewide transportation policy.
- 10:15 a.m. Informational session on Turnpike Audits.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 1:00 p.m. Executive session on **SB 323**, requiring the public utilities commission to study certain energy policy issues, **SB 409**, requiring buildings or structures constructed or renovated using state funding to adhere to certain energy efficiency and building standards, **SB 428**, establishing a committee to study dispatch times within the enhanced 911 system.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. Subcommittee work session on **HR 26**, affirming revenue estimates for fiscal years 2010 and 2011.

WEDNESDAY, MAY 5

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 308, LOB (Please note room change.)

- 9:30 a.m. Subcommittee work session on **SB 358-FN**, relative to whistleblower protection and waste prevention in state government.

THURSDAY, MAY 6

FINANCE, Rooms 210-211, LOB

- 10:00 a.m. Executive session on **SB 450-FN**, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the Medicaid enhancement tax.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 9:30 a.m. Executive session on **SB 358-FN**, relative to whistleblower protection and waste prevention in state government, **SB 416**, relative to the state minimum hourly wage applicable to tipped restaurant employees, **SB 420**, relative to the use of mail-order pharmacies for prescription drug benefits under accident and health insurance policies and plans, and establishing a committee to study pharmacy benefits management for injured workers covered by the workers' compensation law, **SB 513**, relative to incarcerated persons receiving workers' compensation.

WAYS AND MEANS, Room 202, LOB

- 9:00 a.m. Executive session on **SB 382**, relative to the New Hampshire natural plant protection act, **SB 483-FN-A**, relative to the interpretation of Internal Revenue Code section 1031 as it relates to taxation under the business profits tax, **SB 497-**

FN-A, changing the business profits tax deduction for reasonable compensation for partnerships, limited liability companies, and sole proprietorships and modifying the interest and dividends tax statute to follow the definitions of interest and dividends used in the United States Internal Revenue Code.

FRIDAY, MAY 7

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

9:00 a.m. Continued regular meeting.

COMMERCE AND CONSUMER AFFAIRS JOINT WITH SENATE COMMERCE, LABOR AND CONSUMER PROTECTION, Rooms 302-304, LOB

9:00 a.m. Financial Resource Mortgage (FRM) failure.

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

10:00 a.m. Non-public session on the Complaint Review Committee.

1:00 p.m. Regular meeting.

MONDAY, MAY 10

COMMISSION TO STUDY FUTURE SUSTAINABLE REVENUE SOURCES FOR FUNDING IMPROVEMENTS TO STATE AND MUNICIPAL HIGHWAYS AND BRIDGES (HB 2, Chapter 144:291, Laws of 2009), Room 201, LOB

2:00 p.m. Presentation by CSG (Council of State Government).

COMMISSION TO STUDY LAND DEVELOPMENT REGULATIONS AND THE EFFECTS OF LAND DEVELOPMENT WITHIN UPLAND AREAS THAT MAY AFFECT WETLANDS AND SURFACE WATER OF THE STATE (HB 1579, Chapter 294:1, Laws of 2008), Room 305, LOB

10:30 a.m. Subcommittee meeting.

COUNCIL TO STUDY THE RELATIONSHIP BETWEEN PUBLIC HEALTH AND THE ENVIRONMENT (RSA 125-P), Room 205, LOB

9:30 a.m. Regular meeting.

DEVELOPMENTAL DISABILITY AND ACQUIRED BRAIN DISORDER WAITLIST AND SERVICES FUND ALLOCATION OVERSIGHT COMMITTEE (RSA 171-A:1-c), Room 207, LOB

9:30 a.m. Regular meeting.

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE, (RSA 126-A:13), Room 205, LOB

1:00 p.m. Regular meeting.

TUESDAY, MAY 11

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

3:30 p.m. Regular business.

COMMERCE AND CONSUMER AFFAIRS JOINT WITH HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Rooms 205-207, LOB

10:00 a.m. Presentation from Citizen Health Initiatives.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS JOINT WITH COMMERCE AND CONSUMER AFFAIRS, Rooms 205-207, LOB

10:00 a.m. Presentation from Citizen Health Initiatives.

PUBLIC WORKS AND HIGHWAYS

10:15 a.m. Tour of the I-95 Open Road tolling construction project.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

1:30 p.m. Interim study subcommittee work session on **HB 1186**, prohibiting smoking within certain areas of New Hampshire state parks and historic sites and **HB 1194**, prohibiting smoking on beaches at state parks.

THURSDAY, MAY 13

HISTORICAL COMMITTEE (RSA 17-I), Room 100, State House

1:00 p.m. Regular meeting.

FRIDAY, MAY 14

COMMISSION TO STUDY THE DEATH PENALTY IN NEW HAMPSHIRE (HB 520, Chapter 284:1, Laws of 2009, Rooms 305-307, LOB

10:00 a.m. Regular meeting.

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a), NH Public Utilities Commission, Room A, South Fruit Street, Concord.

9:00 a.m. Regular meeting.

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

9:00 a.m. Regular business.

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

1:30 p.m. Regular meeting.

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD PROGRAM (RSA 99-E), Room 101, LOB

9:30 a.m. Regular meeting

TASK FORCE TO DEVELOP A PERFORMANCE-BASED SCHOOL ACCOUNTABILITY SYSTEM (RSA 193-E:3-c), 101 Pleasant Street, Dept. of Education, State Boardroom, Concord.

9:00 a.m. Regular meeting.

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 205, LOB

9:00 a.m. Regular meeting.

MONDAY, MAY 17

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), NH Higher Education Assistance Foundation, 4 Barrell Court, Concord

10:00 a.m. Regular meeting.

COMMISSION TO STUDY LAND DEVELOPMENT REGULATIONS AND THE EFFECTS OF LAND DEVELOPMENT WITHIN UPLAND AREAS THAT MAY AFFECT WETLANDS AND SURFACE WATER OF THE STATE (HB 1579, Chapter 294:1, Laws of 2008), Room 305, LOB

1:00 p.m. Regular meeting.

ETHICS COMMITTEE (RSA 14-B:2), Room 100, State House

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.

FRIDAY, MAY 21

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

9:00 a.m. Regular meeting.

COMMERCE AND CONSUMER AFFAIRS JOINT WITH SENATE COMMERCE, LABOR AND CONSUMER PROTECTION, Rooms 302-304, LOB

9:00 a.m. Financial Resource Mortgage (FRM) failure.

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

10:00 a.m. Non-public session of the Complaint Review Committee.

1:00 p.m. Regular meeting.

FRIDAY, MAY 28

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration, 109 Pleasant Street, Concord

9:30 a.m. Regular meeting.

COMMERCE AND CONSUMER AFFAIRS JOINT WITH SENATE COMMERCE, LABOR AND CONSUMER PROTECTION, Rooms 302-304, LOB

9:00 a.m. Financial Resource Mortgage (FRM) failure.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Grafton County Delegation will meet at the County Complex at 10:00 a.m. on **May 17th**, 2010 to vote on elected officials' salaries.

Rep. Catherine Mulholland, Chairman
Grafton County Delegation

COUNTY DELEGATION NOTICE

Pursuant to RSA 23:7 the Executive Committee of the **Merrimack** County Delegation will meet on Monday, **May 10th**, 2010 at 9:00 a.m. in the Lower Level Conference Room located at the McDonnell Building 4 Court Street, Concord, NH. The purpose of the meeting is as follows: 1. Review and Approve the First Quarter Financial Report. 2. Hear a report from the Salary Study Committee Chairman. 3. Any other business that may appropriately come before them.

Rep. Jessie Osborne, Chairman
Merrimack County Executive Commission

Pursuant to RSA 23:7 the **Merrimack** County Delegation will meet on Monday, **May 10th**, 2010 at 9:30 a.m. in the Lower Level Conference Room located at the McDonnell Building, 4 Court Street in Concord, NH. The purpose of the meeting is: 1. Act on the Elected Officials Salaries. 2. To consider any other business that may appropriately come before them.

Rep. Candace Bouchard, Chairman
Merrimack County Delegation

COUNTY DELEGATION NOTICE

Rockingham County Executive Committee will meet on Monday, **May 10**, 2010 at 9:30 a.m. in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood for the first

quarter budget review.

Rep. David A. Welch, Clerk
Rockingham County Delegation

REVISED FISCAL NOTES

The following House and Senate Bills have revised fiscal notes: HBs 133, 213, 216, 218, 232, 286, 425, 507, 523, 558, 561, 564, 569, 579, 598, 626, 629, 646, 651, 660, 662, 681, 1128, 1149, 1155, 1166, 1168, 1170, 1239, 1240, 1279, 1280, 1281, 1291, 1292, 1293, 1334, 1335, 1367, 1378, 1380, 1428, 1441, 1452, 1495, 1506, 1508, 1513, 1515, 1516, 1519, 1537, 1541, 1544, 1566, 1569, 1572, 1586, 1602, 1603, 1606, 1607, 1609, 1610, 1611, 1613, 16201643, 1649, 1651, 1653, 1655, 1664, 1668, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1683, 1688. SBs 72, 157, 166, 181, 313, 344, 361, 365, 383, 385, 394, 397, 402, 425, 449, 452, 463, 470, 471, 485, 486, 492, 495, 497, 511, 513, 517, 520.

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.

There are boxes in the legislators' break room on the first floor of the State House for male personal hygiene items, TP, magazines to be sent to a Marine Unit in Afghanistan. Please bring items for our troops.

Rep. Jordan G. Ulery

The Legislative Youth Advisory Council will meet Sunday, **May 2**, 1:00 p.m. at the NH Technical Institute, Concord. They will be reviewing the public forum held at Oyster River High School and planning a forum to be held in Manchester. For further information contact Rep. Carolyn Gargas, 465-7463, cgargas@cs.com.

Rep. Carolyn Gargas

Osteoporosis Education and Prevention – The Annual Osteoporosis Education and Prevention snack celebration will be held on **May 5**, from 11:30 a.m. to 1:30 p.m. Bone density of the foot will be available. Everyone is welcome. Come join the fun in Room 100 of the State House.

Rep. Barbara C. French

Vesta Roy, Excellence in Public Service presents dinner and an evening with Mark Steyn at C.R. Sparks Event Center, 18 Kilton Road, Bedford, NH on Wednesday, **May 5**, 2010. Reception 5:30-6:30 p.m. Dinner at 6:30 p.m. The dinner event (early bird special received by April 26th is \$60.00/per person) \$70/per person thereafter. VIP Reception and Dinner \$100/per person. Table

Sponsor is \$600.00 (includes 2 Reception, 8 Dinner tickets and recognition during the dinner). RSVP to Cassidy Koziol at 603 651-3164 or cassidyk1@gmail.com Vegetarian selection is available.

Rep. Nancy Stiles

You are invited to come and observe the National Day of Prayer in Concord on (or near) the Capital's steps. The ceremony will take place at noon on **May 6th**.

Reps. Warren J. Groen and David Bates

The NH Travel Council Board of Directors invites legislators to join us for the NHTC "Members Only" Reception during the Governor's Conference on Tourism on **May 6th** at the Sheraton Portsmouth Harborside Hotel. This reception will not only provide a wonderful opportunity to meet with your constituents who work in the tourism industry, but will also be a very special treat as we will be featuring NH made wines, beer and cheeses. The reception will be located in the Harbor's Edge Room off the lobby and will take place from 5:00 to 5:30 p.m. In the event you would like to remain longer, our general reception (open to all conference attendees) will immediately follow the members only reception. This second reception will feature a cash bar and light appetizers from 5:30 to 6:30 p.m. The NHTC Awards Dinner will begin at 6:30 p.m. in the Sheraton's ballroom. Should you decide to stay for dinner, the cost is \$55 per person and reservations (on-line, mail or faxed) may be made through our website at <http://www.nhtravelcouncil.com/conference.html>. We ask that reservations be made as early as possible to ensure seating for dinner. The NHTC truly hopes you can join us for the Member's Reception and hear from your own constituents about the strides tourism is making to promote our beautiful state.

Rep. Peter Ramsey

It is time for another Legislative Firearm Orientation Day sponsored by Gun Owners of New Hampshire. This year it will be held the day after Mother's Day, **May 10**. It will start at 10:00 a.m. and end at 3:00 p.m. at Sunset Mountain Fish and Game Club in Canterbury. You will have the opportunity to shoot and learn about muzzle-loading rifles, modern rifles and pistols, as well as shotguns. A Cowboy Action demonstration, Captain Morrill's Company and their cannons, Roland Huber with his elephant gun and a machine gun demonstration, are just a few of the many interesting special events planned. All in all, the day is intended to be a relaxing, informative event centered around shooting and the shooting sports. Firearm instructors and range officers in a variety of disciplines will be present on site and safe firearm practices and procedures will be in place. We will provide shooting and safety instruction, ammunition, targets, eye and ear protection, and loaner firearms. From North or South take Route 93 to exit 18. Left at end of exit. Club will be on the left after the gas station/store. If you need any further information please either call me at 642-4402 or at repdawelch@hotmail.com.

Rep. David A. Welch

On Tuesday, **May 11th**, The Governor's Conference on Volunteerism will be held at the NH Technical Institute in Concord. The day will be full with registration and coffee time, morning session, luncheon with Keynote Speaker Alex Ray of "The Common Man" restaurants, Governor Lynch's presentation of the Outstanding Volunteer Manager of the Year Award, afternoon session, and new this year - an end of day networking reception. CEU's from NHTI are available.

For more conference information, send an email to registration@volunteernh.org with "Governor's Conference 2010" typed in the subject line, or call Voice TTY 1-800-780-8058.
Rep. Joy K. Tilton

Please join Girl Scouts of the Green and White Mountains at our Breakfast with Champions at 7:45 a.m. at the Holiday Inn, Concord, on **May 12**, 2010. At our inaugural event, we are honoring Dr. Virginia Barry plus 2 other nominees who are doing extraordinary work on the behalf of girls throughout New Hampshire. Look for your invitation!
Rep. Peter F. Bergin

On Friday, **May 14th**, the free, Sixth Annual Dartmouth Symposium on Substance Use "Media and Marketing Influences on Youth Substance Use", will be held in Alumni Hall at the Hopkins Center of Dartmouth College in Hanover. Space is limited so pre-registration is necessary. Register at www.dartmouth.edu/-dcare. Questions? Phone 603 646-9215 or email dcare@dartmouth.edu.

Reps. Joy K. Tilton and William Butynski

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Committee cordially invites you to the 17th Annual New Hampshire Law Enforcement Officers Memorial Ceremony. The ceremony will be held on Monday, **May 17**, 2010, beginning promptly at 10:00 a.m. on the memorial site in front of the Legislative Office Building. The ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please do not hesitate to contact either Major Timothy J. Acerno of Fish and Game at 603-271-3129 or Chief Michael Greeley of the Deerfield Department at 603-463-7258 if you have any questions.
Terie Norelli, Speaker

Please attend the intergenerational walk sponsored by the Governor's Council on Physical Activity and Health to be held on **May 26**. This walk is a statewide health initiative centered on bringing together towns, cities, schools, organizations and businesses in New Hampshire. The Concord event will start with registration at 9:00 a.m. in front of the State House with the 5K walk starting at 10:00 a.m. Everyone who walks will receive a T-shirt. For more information visit www.gov/gcpah.

Rep. John Hikel

All members of the Republican caucus are invited to the House Republican Alliance's weekly meeting. The HRA will meet every Tuesday at 8:30 a.m. at the Upham Walker House, Park Street, Concord.

Reps. Nancy Elliott, Robert Mead and William O'Brien

The Main Street Republicans will meet every Wednesday at 8:00 a.m. in Room 212, LOB. All Republicans are welcome.

Rep. Cynthia J. Dokmo

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 **May**. 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 school year and subject to changes.

Please contact the Visitor Center concerning school tour booking information.

Legislators planning to meet with students should notify the Visitor Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director

Deborah Rivers, Public Information Administrator

<u>DATE</u>	<u>TIME</u>	<u>GROUP</u>	<u>Group#/Grade</u>
May 3	9:00	Granite Hill School- Newport	10/HS
May 3	10:00	Alstead Primary School	25/4
May 3	10:00	Sarah Porter School – Langdon	17/4
May 4	9:30/11:00	Deerfield Elementary School	54/4
	SH/HM		
May 5	9:30	Campton Elementary School	40/4
May 5	10:00	Plymouth Elementary School	44/4
May 5	11:00	Ed Fenn School – Gorham	28/4
May 6	9:00	Ashland Elementary School	30/4+6
May 6	10:00/11:30	Peterborough Elementary School	80/4
	SH/Manse		
May 6	11:00	Bridgewater-Hebron Village School	13/4
May 7	9:00	Simonds Elementary School – Warner	33/4
May 7	10:00	Hancock Elementary School	20/3&4
May 7	10:00	Antrim Elementary School	30/4
May 7	11:30	Mt. Lebanon School – West Lebanon	50/4
May 10	10:00	Lancaster Elementary School	48/4
May 10	12:00	Mason Elementary School	28/4&5
May 10	3:00	Homebuilders & Remodelers Assoc. of NH	15
May 11	9:30	Jennie D. Blake Elementary- Hill	21/4
May 11	10:00/11:15	D.J. Bakie School – Kingston	65/4
	SH/HM		
May 12	9:30/11:00	Gossler Park Elementary School – Manchester	75/4
	SH/HM		
May 13	9:30	Northwood Elementary School	40/4
May 13	10:30/12:00	Hampstead Central School	100/4
	SH/HM		
May 13	11:00	Sen.Carson/Rose Bowl Parade Group	11+
May 14	10:00	Mont Vernon Village School	50/4
May 14	10:30	Madison Elementary School	30/4
May 14	11:00	Bartlett Elementary School – Goffstown	41/4
May 14	11:45	Josiah Bartlett Elementary School – Bartlett	40/8
May 14	12:00	Project Citizen- Belmont MS, Fair Ground MS, Nashua	55/6-8
May 17	10:00	Maple Avenue School – Claremont	50/4
May 17	10:30/12:00	Auburn Village School	70/4
	SH/SC		

May 18	9:00	Bristol Elementary School	45/4
May 18	9:30	Salt & Light Homeschool- Nashua	12/2-5
May 18	10:00/11:15 SH/HM	Conant/Rumford School – Concord	88/4
May 19	9:30/11:00 SH/HM	Green Acres School – Manchester	105/4
May 19	1:00	Immaculate Conception Apostolic School- Meredith	25/HS
May 20	9:00	Salem Christian School	9/4
May 20	10:00	Newfields Elementary School	30/4
May 20	11:00	Pleasant St. School – Laconia	56/4
May 21	10:00	Berniece Ray School – Hanover	45/4
May 21	9:00	New Hampton Community School	26/4
May 21	11:30	Gilmanton Elementary School	44/4
May 24	11:00	St. Patrick’s School – Jaffrey	18/4
May 24	9:00	John Fuller School – Conway	47/4
May 24	10:00	Dr. Lewis Soule School – Salem	50/4
May 24	11:15	Jonathon Daniels School – Keene	36/4
May 25	9:00	Florence Rideout School – Wilton	45/4
May 25	10:00/11:30 SH/HM	William T. Barron School – Salem	85/4
May 26	9:00	Benjamin Franklin School _ Keene	40/4
May 26	10:00	Effingham Elementary School	13/4
May 26	10:00	Mountain Shadows School – Dublin	14/6
May 26	12:00	St. Elizabeth Seton School- Rochester	15/4
May 27	9:30/11:00 SH/HM	Enfield Village School	66/4
May 28	10:00	LinWood Public School – Lincoln	26/4
May 28	1:00	Holderness Central School	26/4
May 28	10:00	Berniece Ray School – Hanover	45/4
May 28	11:00	Mount Pleasant School – Nashua	52/4

NOTICE

The 37th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Legislative Golf Tournament for the benefit of the **American Heart Association** is scheduled for **Friday, June 18** at the Beaver Meadow Golf Club, Concord, NH. The entry fee for this annual tournament is \$50 per legislator and legislative staff and \$100 for all others **if paid by June 2nd**. The entry fee increases to \$75 per legislator and legislative staff and \$125 for all others if paid from June 3rd to June 11th. A continental breakfast and barbeque lunch will be provided.

Registration begins at 7:15 a.m. and the shotgun start is scheduled for 8:30 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.

Please note that, for planning purposes, payment must be made no later than June 11th. There will be no exceptions to this rule! Cancellation must occur two weeks prior to the tournament date to receive a refund.

Return your entry and payment no later than June 2nd to Bob Blaisdell to receive the discounted rate and reserve your spot **or no later than June 11th** to reserve your spot at the regular rate.

Checks should be made payable to: **NH Legislative Golf Committee**. Mailed to: **Bob Blaisdell, The Demers Group, 72 North Main Street, Suite 301, Concord, NH 03301**
Reps. Mary Jane Wallner and Sherman A. Packard

37th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Golf Tournament
Beaver Meadow Golf Course
Concord, NH

Name: 1. _____
2. _____
3. _____
4. _____

Telephone: _____ Amount Enclosed: _____

WEDNESDAY, MAY 5

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2010-1550h

Amendment to SB 319

Proposed by the Committee on Commerce and Consumer Affairs - C

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 On-Premises Cigar, Beverage, and Liquor Licenses. Amend RSA 178:20-a, II(c) to read as follows:

(c) Does not allow ~~[minors to enter the premises]~~ ***any person under the age of 18 on the premises unless accompanied by a parent, legal guardian, or adult spouse.***

2010-1216h

Amendment to SB 322

Proposed by the Committee on Executive Departments and Administration - R

Amend RSA 106-B:5, II as inserted by section 1 of the bill by replacing it with the following:

II. The director may place any police employee on administrative leave with pay for purposes of conducting an administrative review of incidents involving the use of deadly or non-deadly force as defined in RSA 627:9 or if the employee was involved in a critical incident. "Critical incident" means any situation faced by an employee in the line of duty that has the potential to interfere with his or her ability to perform his or her duties. "Critical incidents" include injuries to the employee, death of a coworker, mass casualty incidents, or an incident involving the death of a child.

2010-1450h

Amendment to SB 329

Proposed by the Committee on Judiciary - C

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

AN ACT relative to the bonds of county officers.

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

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

AMENDED ANALYSIS

This bill transfers the approvals of and procedures for bonds of county officers from the superior court to the county commissioners.

2010-1687h

Amendment to SB 334

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

Amend the bill by replacing sections 6-8 with the following:

6 Findings and Purpose.

I. The general court finds that:

(a) New Hampshire's unemployment rate is currently over 7 percent.

(b) It is in the public interest to accelerate investments in renewable energy in order to promote immediate job creation.

(c) The city of Manchester and Public Service Company of New Hampshire (PSNH), have identified a solar photovoltaic renewable energy project which has the potential to provide construction jobs immediately and benefits to all customers.

(d) This project will be highly visible to citizens and visitors and provide an educational opportunity for New Hampshire school districts.

(e) Since state and federal subsidies alone are insufficient to finance the Manchester solar photovoltaic renewable energy project, additional funding by PSNH will be necessary to create the near-term benefits of this project.

(f) It is therefore consistent with the state's renewable energy policy and goals to allow PSNH to retain funds collected from customers under RSA 362-F:10 to enable development of a solar photovoltaic renewable energy project in accordance with this act, subject to approval by the New Hampshire public utilities commission under paragraph VI of section 7 of this act.

II. The purpose of this act is to accelerate the development of the solar photovoltaic renewable energy project in the city of Manchester through the retention and use of funds collected by PSNH from its customers under RSA 362-F:10, subject to approval by the New Hampshire public utilities commission under paragraph VI of section 7 of this act.

7 Solar Photovoltaic Renewable Energy Project.

I. If approved by the public utilities commission, PSNH shall make the initial up-front investment required for construction of the Manchester solar photovoltaic renewable energy project, and earn a return on such investment with the opportunity for an incentive to the return on equity component as contemplated by RSA 374-G:5, IV. The costs of this project shall be recovered in the manner set forth in RSA 374-G:5, III.

II. In lieu of PSNH making full alternative compliance payments under RSA 362-F:10 for class II electric renewable energy standard obligations, PSNH may retain 75 percent of such payments up to an accumulated amount not to exceed \$5,000,000, to be determined by the public utilities commission, to defray the cost of the development of the solar photovoltaic renewable energy project in Manchester, if the project is approved by the public utilities commission pursuant to paragraph VI. The amounts retained by PSNH shall be used to defray the costs of the project recovered from PSNH's retail customers under RSA 374-G:5, III. When the nominal payments retained by PSNH equal the amount determined necessary to make the project economical under this paragraph by the public utilities commission prior to construction, PSNH shall return to routine compliance with RSA 362-F:10 for future class II electric renewable energy standard obligations.

III. The Manchester solar photovoltaic renewable energy project shall be deemed to comply with the use requirements set forth in RSA 374-G:3, I.

IV. At least 75 percent of the construction jobs created by the Manchester solar photovoltaic renewable energy project shall be performed by contractors located in New Hampshire.

V. PSNH shall engage the community college system of New Hampshire, the University of New Hampshire at Manchester, and all interested school districts to provide student training opportunities during the construction of the Manchester solar photovoltaic renewable energy project and, along with the city of Manchester, allow reasonable access to the site for educational purposes after construction is complete.

VI. The Manchester solar photovoltaic renewable energy project shall be reviewed by the public utilities commission pursuant to RSA 374-G, except that the amount determined by the public utilities commission under paragraph II shall be deemed an expense that would otherwise be incurred by PSNH through alternative compliance payments and not considered an additional or new cost to ratepayers for purposes of determining the public interest pursuant to RSA 374-G:5, II. The treatment of renewable energy credits generated by the Manchester solar photovoltaic project, if approved, shall be as determined in the RSA 374-G:5 filing and authorization.

8 Reporting. If the public utilities commission approves the Manchester solar photovoltaic renewable energy project under paragraph VI of section 7 of this act:

I. PSNH shall report by June 30, 2011 and annually thereafter until June 30, 2015 to the legislative oversight committee on electric utility restructuring, established under RSA 374-F:5, and the chairpersons of the house science, technology and energy committee and the senate energy, environment and economic development committee, on the progress and status of the project, including a review of the solar technology considered for this project.

II. PSNH shall report on the project in its annual compliance report to the public utilities commission pursuant to NH Admin. Rules, section Puc 2503.03.

2010-1554h

Amendment to SB 346-FN-LOCAL

Proposed by the Committee on Ways and Means - C

Amend RSA 104:31, IV as inserted by section 1 of the bill by replacing it with the following:

IV. In every county for actual travel to serve any writ, notice, subpoena, process or execution, to be reckoned from the place of service to the residence of the officer, and for travel to attend any court by the order thereof, to be reckoned from the residence of the officer to the court, each mile, each way, ~~[\$45]~~ **at the current federal rate.**

Amend RSA 104:31, IX-a as inserted by section 1 of the bill by replacing it with the following:

IX-a. For service of a civil order of arrest, \$25 to be charged to the defendant unless the defendant, upon motion, shows the court good cause for failure to appear.

IX-b. With the exception of civil orders of arrest under paragraph IX-a, for service whenever in-hand service is required by court order or court rule, an additional \$25.

AMENDED ANALYSIS

This bill increases sheriffs' fees for service of civil process. The bill also establishes a new sheriff's fee to be charged to the defendant on any civil order of arrest unless the defendant, upon motion, shows the court good cause for failure to appear.

2010-1491h

Amendment to SB 383-FN

Proposed by the Majority of the Committee on Ways and Means - R

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

AN ACT relative to economic revitalization zone tax credits.

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

1 Effective Date of Prospective Repeal of Economic Revitalization Zone Tax Credits. Amend 2007, 263:176, X to read as follows:

X. Section 123 of this act shall take effect July 1, ~~[2011]~~ **2015**.

2 Designation of Economic Revitalization Zone. Amend RSA 162-N:2, I(b) to read as follows:

(b) The median household income in the census tract or tracts in which the zone is located is less than ~~[\$40,500]~~ **70 percent of the state median household income** according to the ~~[most recent]~~ federal ~~[decennial]~~ census **bureau's American Community Survey as it has been reported every 5 years beginning with 2010**.

3 Economic Revitalization Zone Tax Credit Agreement. Amend RSA 162-N:4, II to read as follows:

II. A certified copy of each agreement signed by the commissioner of resources and economic development and the taxpayer **and a certified copy of each determination of the final amount of the credit awarded under the agreement** shall be provided to the commissioner of revenue administration **and the taxpayer claiming the credit no later than March 1 of each year**.

4 Limit on Total Economic Revitalization Zone Credits. RSA 162-N:5 is repealed and reenacted to read as follows.

162-N:5 Limit on Total Economic Revitalization Zone Credits. The aggregate of tax credits issued by the commissioner of resources and economic development to all taxpayers claiming the credit shall not exceed \$825,000 for any fiscal year. Amounts carried forward pursuant to RSA 162-N:7 shall not be counted against this limit in any year in which they are applied. Notwithstanding RSA 162-N:6, the maximum credit which may be utilized by a taxpayer in any fiscal year shall not exceed \$40,000. In the case in which the aggregate credits requested during the fiscal year exceed \$825,000, each taxpayer shall receive a credit for the proportional share of the maximum aggregate credit amount.

5 Effective Date. This act shall take effect July 1, 2010.

AMENDED ANALYSIS

The bill extends the availability of economic revitalization zone tax credits for 4 years and makes certain changes regarding the eligibility for and determination of the eligible amounts for the credits.

2010-1693h

Amendment to SB 390-FN

Proposed by the Committee on Commerce and Consumer Affairs - C

Amend RSA 275:43-c as inserted by section 1 of the bill by replacing it with the following:

275:43-c Required Premium Only; Cafeteria Plan. Each small employer, as that term is defined in RSA 420-G:2, XVI, which employs 2 or more employees in the state of New Hampshire and which does not offer employer-sponsored health insurance to all of its employees, may establish and maintain a health coverage premium only cafeteria plan that satisfies the requirements of 26 U.S.C., section 125, and which is specifically established for the purpose of allowing employees who are not eligible for employer-sponsored coverage to purchase health coverage as defined in RSA 420-G:2, IX in the small group market. An employee who works over 15 hours per week and who is not eligible for an employer-sponsored plan may elect to purchase small group health coverage on an individual basis through a payroll deduction. The employer shall not be required to pay for or otherwise contribute to the cost of any health insurance purchased through the cafeteria plan.

AMENDED ANALYSIS

This bill permits small employers which employ 2 or more employees and which do not offer employer-sponsored health insurance to all of its employees to establish and maintain a health coverage premium only cafeteria plan.

2010-1680h

Amendment to SB 402-FN

Proposed by the Committee on Finance - C

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

1 New Subdivisions; Disposal of State-Owned Vehicles Based on Nonbusiness Use; Fleet Efficiency and Redistribution. Amend RSA 21-I by inserting after section 19-g the following new subdivisions:

Disposal of State-Owned Vehicles Based on Nonbusiness Use

21-I:19-h Disposal of State-Owned Vehicles Based on Nonbusiness Use.

I. Each agency, as defined in RSA 21-G:5, III, shall report quarterly to the department of administrative services the total miles and total nonbusiness miles traveled by each state-owned motor vehicle, including, but not limited to, use of vehicles for commuting between an employee's home and regular place of business. This section shall not apply to vehicles used for the purposes of law enforcement. This section shall be interpreted so as not to conflict with federal Internal Revenue statutes or regulations and shall not relieve an agency or its employees from non-wage fringe benefit reporting requirements for nonbusiness use of state-owned motor vehicles.

II. By August 1, 2011, each agency shall review the utilization of all vehicles which are assigned to the agency to determine if nonbusiness use for any vehicle exceeds 15 percent of the total miles traveled by that vehicle for the preceding fiscal year. By August 1 of each year after 2011, each agency shall conduct the same review using the percentage of nonbusiness use miles adjusted by the vehicle utilization committee.

III. Each agency shall, by August 15, 2011, report to the commissioner in writing all vehicles which are determined to have nonbusiness use exceeding 15 percent of the total miles traveled by that vehicle for the preceding fiscal year. Each agency shall, by August 15 of each year after 2011, report to the commissioner in writing all vehicles which are determined to have nonbusiness use miles exceeding the percentage adjusted by the vehicle utilization committee.

IV. The commissioner shall, by October 1, 2011 and each October 1 thereafter, submit a report to the governor and council and to the fiscal committee of the general court identifying all vehicles which he or she has been advised have nonbusiness use exceeding the applicable percentage of total miles traveled by that vehicle for the preceding fiscal year.

V. For each vehicle reported under paragraph III, the director of the division of plant and property management of the department of administrative services either shall declare the vehicle surplus and transfer or otherwise dispose of the vehicle or shall reassign the vehicle within the agency, unless a waiver of the requirements of this paragraph is granted by the vehicle utilization committee.

VI. Requests for waivers from the vehicle utilization committee shall be submitted to the commissioner at the same time as the report required by paragraph III. The vehicle utilization committee shall grant a waiver if it concludes that to do so would be in the best interests of the state.

VII. There is hereby established a vehicle utilization committee consisting of the following officials or designees:

- (a) The commissioner of the department of administrative services.
- (b) The director of the division of plant and property management of the department of administrative services.
- (c) The commissioner of the department of transportation.
- (d) The commissioner of the department of safety.
- (e) The commissioner of the department of environmental services.

VIII. After October 1, 2011, the vehicle utilization committee may, at any time, with the prior approval of the fiscal committee of the general court, adjust the percentage of nonbusiness use miles traveled by a vehicle during the preceding fiscal year which may result in a vehicle being declared surplus and subject to transfer or other disposal by the director of the division of plant and property management. In the absence of any adjustment, the percentage shall be 15 percent. Any adjustment of the percentage made by the vehicle utilization committee shall be communicated to agencies by the vehicle utilization committee and shall remain in effect until further adjustment, if any, is made.

Fleet Efficiency and Redistribution

21-I:19-i Fleet Efficiency and Redistribution.

I. The department of administrative services shall monitor, analyze, and evaluate the utilization of the state's motor vehicles by agencies and employees; develop methods and procedures to improve the efficiency of the state's motor vehicle fleet; oversee the analysis of data provided to it by agencies; make recommendations for improvement of fleet efficiency; develop recommendations for managing fleet size and efficiency; and make recommendations for purchases of motor vehicles and redistribution of vehicles in the state's fleet as necessary to achieve fleet efficiencies, taking into account agencies' purposes, objectives, and functions.

II. In this section:

(a) "Agency" means "agency" as defined by RSA 21-G:5, III.

(b) "Motor vehicle" means:

(1) A passenger sedan or station wagon; or

(2) Any of the following which has a gross vehicle weight rating of up to 10,000 pounds: a passenger van seating up to 8 people, a pick-up truck, a sport utility vehicle, or a cargo van.

III. An agency shall not purchase or lease a motor vehicle without first obtaining the recommendation of the department of administrative services as provided in this section.

IV. In regard to motor vehicle purchases or leases, the department of administrative services shall assess whether the purchase or lease is in conformity with:

(a) The efficient and cost-effective utilization of the state's motor vehicle fleet as a whole.

(b) Any applicable rules or procedures of the department of administrative services, including but not limited to those relating to the alteration of fleet size and the acquisition of like or similar vehicles.

(c) The agency's budgetary authority.

(d) The provisions of any applicable executive orders or instructions of the governor and executive council.

(e) The laws, rules, or procedures relating to the procurement or the transaction at issue.

(f) Any other matter relating to whether the purchase or lease is in the best interests of the state.

V. In the course of conducting the assessment described in paragraph IV, the department of administrative services shall consult with a representative of the agency concerning the effective and efficient achievement of the agency's purposes, objectives, and functions. The department of administrative services may also consult with the vehicle utilization committee established under RSA 21-I:19-h, VII.

VI. Following the department of administrative services' assessment of the purchase or lease, the commissioner of administrative services shall consider the factors set forth in paragraph IV and determine whether, in his or her opinion, the purchase or lease should be recommended. If the commissioner recommends against the purchase, he or she shall convey his or her recommendation to the fiscal committee of the general court. If the fiscal committee, taking into account the factors set forth in paragraph IV, concludes that the purchase or lease is appropriate, the agency may make the purchase or lease. If the committee does not so conclude, the agency may not make the purchase or lease.

VII. Based upon fleet utilization studies or other analyses of an agency's fleet, and applying the factors and processes set forth in paragraphs IV through VI, the commissioner of administrative services may, at any time, recommend to the fiscal committee of the general court that any one or more motor vehicles in an agency's fleet be declared surplus, or that it be reassigned within the agency. If the committee concurs with the commissioner's recommendation, the director of the division of plant and property management of the department of administrative services either shall declare the vehicle or vehicles surplus and

transfer or otherwise dispose of the vehicle or vehicles or shall reassign the vehicle or vehicles within the agency.

2 Travel and Fleet Operation Cost Reductions.

I. In this section:

(a) "Agency" means "agency" as defined in RSA 21-G:5, III.

(b) "Commissioner" means the commissioner of the department of administrative services.

(c) "Light duty truck" means any of the following which has a gross vehicle weight rating of up to 10,000 pounds: a passenger van seating up to 8 people, a pick-up truck, a sport utility vehicle, or a cargo van.

(d) "Passenger vehicle" means a passenger sedan or station wagon.

II.(a) Each state agency shall reduce its combined in-state travel and fleet operations costs by 6 percent for the fiscal year ending June 30, 2011 and by an additional 6 percent for fiscal year ending June 30, 2012, unless the fiscal committee of the general court and the governor and council conclude that to do so would not be in the best interests of the state. By September 1, 2010, each agency shall review and determine its in-state travel reimbursement costs and light duty truck and passenger vehicle fleet operations costs for the prior 12 months. By October 1, 2010, each agency shall submit to the commissioner, in writing, an action plan that contains a proposed reduction of its combined in-state travel and fleet operations costs by 6 percent for the fiscal year ending June 30, 2011 and by an additional 6 percent for fiscal year ending June 30, 2012. Such action plan shall include sufficient detail to demonstrate how costs savings will be realized in each fiscal year.

(b) The commissioner shall review the action plan submitted by each agency to determine whether he or she concurs that the action plan would, based upon available information, likely reduce the combined costs by the required amount.

(c) If the commissioner concurs that the action plan would be likely to reduce the combined costs by the required amount, the commissioner shall, by November 1, 2010, so advise the agency in writing and the agency shall implement the plan for the fiscal years ending June 30, 2011 and June 30, 2012.

(d) If the commissioner does not concur that the action plan would be likely to reduce the combined costs by the required amount, he or she shall, by November 1, 2010, instruct the agency to submit, and the agency shall submit, a revised plan by December 1. If the commissioner concurs that the revised plan would be likely to reduce the combined costs by the required amount, the commissioner shall, by January 1, 2011, so advise the agency in writing and the agency shall implement the plan for the fiscal years ending June 30, 2011 and June 30, 2012. The commissioner shall by December 31, 2010, provide the governor and council and the fiscal committee of the general court with a report specifying the status of all action and revised plans submitted to the commissioner under this section.

III. In order to maintain the critical public safety efforts of the state, this section shall not apply to the department of safety. The department of safety shall establish realistic target goals which are consistent with and supportive of the department's prior and planned fleet operations cost containment efforts for the control and reduction of its fleet operating costs for the fiscal year ending June 30, 2010 and for the fiscal year ending June 30, 2011 and shall submit its plan for doing so to the fiscal committee of the general court and the governor and executive council by October 1, 2010, including proposals for each fiscal year. The department of safety shall report to the fiscal committee of the general court and the governor and executive council on the status of these target goals by December 31, 2010, July 31, 2011, and December 31, 2011.

IV. In order to provide essential maintenance, construction, and administration services for the operation of the state transportation system, the cost reduction requirements of subparagraph II(a) shall not apply to the department of transportation. The department of transportation shall reduce its combined in-state travel and fleet operations costs by 2 percent for the fiscal year ending June 30, 2011, by an additional 2 percent for fiscal year ending June 30, 2012, and by an additional 2 percent for fiscal year ending June 30, 2013, unless the fiscal

committee of the general court and the governor and council conclude that to do so would not be in the best interests of the state. The action plan submitted by the department of transportation under subparagraph II(a) shall contain a proposed reduction of its combined in-state travel and fleet operations costs by 2 percent for the fiscal year ending June 30, 2011, by an additional 2 percent for fiscal year ending June 30, 2012, and by an additional 2 percent for fiscal year ending June 30, 2013. The department of transportation shall submit a fleet acquisition plan for approval from both the capital budget overview committee and the governor and council before expending, encumbering, or obligating funds appropriated in the operating budget of the department of transportation mechanical services bureau, and shall also submit monthly status reports of acquisitions and revisions to the plan.

3 Effective Date. This act shall take effect July 1, 2010.

AMENDED ANALYSIS

This bill requires that each state agency reduce its combined in-state travel and fleet operations costs by 6 percent for the fiscal year ending June 30, 2011 and by an additional 6 percent for fiscal year ending June 30, 2012. This bill also requires the disposal or reassignment of a state-owned vehicle if the nonbusiness use miles traveled by the vehicle exceeds a specified percentage of total miles traveled and establishes a procedure for the purchase or lease of vehicles by state agencies.

2010-1537h

Amendment to SB 421

Proposed by the Committee on Commerce and Consumer Affairs - C

Amend RSA 392-B:1, I as inserted by section 2 of the bill by replacing it with the following:

I. "Confidential information," with respect to a family trust company, includes the names of stockholders, members, or other owners; ownership information; capital contributions; addresses; business affiliations; findings of the bank commissioner through any examination or investigation of the bank commissioner; the pledge or bond amount required by RSA 392-B:20, II; any information required to be reported or filed with the bank commissioner, any information that qualifies as any person's "nonpublic personal financial information" under Chapter V of the Gramm-Leach-Bliley Act of 1999 and the regulations implementing it; any information or agreement relating to any merger, consolidation, or transfer; any agreements or information relating to any relationship with a contracting trustee; and any other nonpublic information that, in the judgment of the bank commissioner, could be useful in connection with an act of bribery, extortion, identity theft, or terrorism.

Amend RSA 392-B:5, II(e) as inserted by section 2 of the bill by replacing it with the following:

(e) Rules, orders, or declaratory rulings of the bank commissioner may provide for other circumstances that justify exemption from any of the specified provisions of Title 35, specifying the provisions that are subject to the exemption request, and establishing procedures and requirements for obtaining, maintaining, or revoking exemptions.

Amend RSA 392-B:5, III(b) as inserted by section 2 of the bill by replacing it with the following:

(b) If required by the bank commissioner, the persons described in subparagraph (a) shall submit to the banking department a notarized criminal history records release form, as provided by the New Hampshire division of state police, which authorizes the release of the person's criminal records, if any. The person shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the banking department. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the banking department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

Amend RSA 392-B:5, IV(d) as inserted by section 2 of the bill by replacing it with the following:

(d) Any other factor, as the bank commissioner may deem appropriate.

Amend RSA 392-B:5, V as inserted by section 2 of the bill by replacing it with the following:

V. The bank commissioner may make further inquiry and investigation as the bank commissioner deems appropriate. Notwithstanding any other law to the contrary, information bearing on actual or proposed accounts of the family trust company or proposed family trust company applying for the exemption or the identity or residence address of the designated relative or any other family member shall be confidential and not subject to public disclosure. Amend RSA 392-B:17 as inserted by section 2 of the bill by replacing it with the following:

392-B:17 List of Owners. When all of the initial investment in the capital of the family trust company has been paid, a complete list of the investors, with the name and post office address of each, and the number of shares or interests held by each, shall be filed with the bank commissioner, which list shall be verified by one or more officers of the family trust company. If there is any change in the information contained in the list, the family trust company shall file with the bank commissioner a revised list within 60 days of the change.

Amend RSA 392-B:20, I-II as inserted by section 2 of the bill by replacing it with the following:

I. The initial capital required to organize a family trust company shall be not less than \$250,000. The bank commissioner may require, in the exercise of his or her discretion based on safety and soundness factors, as set forth in paragraph IV, additional capital at such levels as he or she determines is necessary to protect against the risks inherent in the business of the family trust company. Once organized, a family trust company shall maintain a minimum level of capital required by the bank commissioner to operate in a safe and sound manner based upon his or her examination of the company, provided that the level of capital shall not be less than \$250,000. The bank commissioner may, by rule, order, or declaratory ruling set liquidity requirements for such capital. The bank commissioner may require any family trust company to increase its capital funds from time to time as may be necessary to comply with reasonable trust standards, as applicable, not inconsistent with law.

II. A family trust company shall pledge to the bank commissioner securities or a surety bond for the benefit of the bank commissioner to defray the costs of a liquidation of the family trust company by the bank commissioner in the event it should fail. The amount of the securities or the surety bond shall be determined by the bank commissioner in an amount that he or she deems appropriate to defray such costs, but in no event shall such amount exceed \$1,250,000 initially or if the family trust company has a rating from the bank commissioner of a 1 or 2. If a family trust company has a rating from the bank commissioner of 3 or lower, then the amount of the securities or the surety bond shall be increased to \$3,000,000 and the family trust company shall satisfy such increase within 14 calendar days of receipt of written notice from the bank commissioner. In the event of a receivership of a family trust company, the bank commissioner may, without regard to any priorities, preferences, or adverse claims, reduce the pledged securities or the surety bond to cash and, as soon as practicable, utilize the cash to defray the costs associated with the receivership. If the family trust company chooses to pledge securities to satisfy this provision, the securities shall be held at a depository institution or a Federal Reserve Bank approved by the bank commissioner. The bank commissioner may specify the types of securities that may be pledged. Any fees associated with holding such securities shall be the responsibility of the family trust company. If the family trust company chooses to purchase a surety bond to satisfy this provision, the surety bond shall be issued by a bonding company, approved by the bank commissioner, that is authorized to do business in this state and that has a rating in one of the 3 highest grades as determined by a national rating service. The surety bond shall be in a form approved by the bank commissioner. The family trust company may not obtain a surety bond from any entity in which the family trust company has a financial interest.

Amend RSA 392-B:20, VI as inserted by section 2 of the bill by replacing it with the following:

VI. Subject to paragraphs VII and VIII, the total investment in equity and investment securities of any one issuer, obligor, or maker held by a family trust company for its own account shall not exceed an amount equal to 15 percent of the family trust company's equity capital. The bank commissioner may authorize investments in excess of this limitation if the bank commissioner concludes that the safe and sound operation of a family trust company would not be adversely affected by a proposed investment exceeding this limitation.

Amend RSA 392-B:20, IX-X as inserted by section 2 of the bill by replacing it with the following:

VIII. Notwithstanding paragraph VI, a family trust company may purchase for its own account, without limitation and subject only to the exercise of prudent judgment:

(a) Bonds and other general obligations of a state, an agency, or political subdivision of a state, the United States, or an agency or instrumentality of the United States.

(b) A debt security that this state, an agency or political subdivision of this state, the United States, or an agency or instrumentality of the United States has unconditionally agreed to purchase, insure, or guarantee.

(c) Securities that are offered and sold under 15 U.S.C. section 77d(5).

(d) Mortgage-related securities as defined in 15 U.S.C. section 78c(a).

(e) Investment securities issued or guaranteed by the Federal Home Loan Mortgage Corporation, Fannie Mae, the Government National Mortgage Association, the Federal Agricultural Mortgage Association, or the Federal Farm Credit Banks Funding Corporation; and

(f) Investment securities issued or guaranteed by the North American Development Bank.

IX. The bank commissioner may allow a family trust company to make other investments of its corporate funds not specified in this chapter by rules, orders, or declaratory rulings.

Amend RSA 392-B:26 as inserted by section 2 of the bill by replacing it with the following:

392-B:26 Procedure; Effect. If the petition is granted, a copy of the amended organizational instrument, certified by the clerk or secretary of the family trust company, with the approval of the bank commissioner indorsed thereon, shall be filed in the office of the secretary of state, accompanied by a fee equal to the fee charged by the secretary of state to business corporations under RSA 293-A if the family trust company is a corporation, or the fee charged to limited liability companies under RSA 304-C if the family trust company is a limited liability company, and thereupon the secretary of state shall cause the same, with the endorsement thereon, to be recorded as provided in RSA 392-B:13, and shall issue a certificate of such amended organizational instrument, which shall conform as nearly as may be to the form prescribed in RSA 392-B:14 and shall have the same force and effect, and thereafter such family trust company shall have all the powers and privileges provided for by such amended certificate or charter and shall be subject to all the provisions of this chapter.

Amend RSA 392-B:31, I as inserted by section 2 of the bill by replacing it with the following:

I. A family trust company seeking to dissolve its charter shall file an application for dissolution with bank commissioner accompanied by a filing fee of \$1,500 payable to the bank commissioner. The bank commissioner shall examine the application for completeness and compliance with the requirements of this section, the domestic business entity laws applicable to the requested type of liquidation or reorganization, and its rules. The application shall include a comprehensive plan of dissolution setting forth the disposition of all assets and liabilities, in reasonable detail to effect the liquidation or reorganization. Among other things, the plan of dissolution shall provide for the discharge or assumption of all of the family trust company's known or unknown claims and liabilities and the transfer of all of its responsibilities as a trustee to a successor trustee or trustees. Additionally, the filing shall include such other certifications, affidavits, documents, or information with respect to the dissolution as the bank commissioner may require to understand how such assets and liabilities will be disposed of, the timetable for effecting disposition of such assets and liabilities, and the applicant's proposal for dealing with any claims that are asserted after the dissolution has been completed. The bank commissioner may conduct a special examination of the applicant for purposes of evaluating the application. Cost of the special examination shall be paid by the applicant.

2010-1694h

Amendment to SB 436

Proposed by the Committee on Commerce and Consumer Affairs - C

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

AN ACT relative to health insurance open enrollment periods and establishing a temporary commission relative to children's health insurance.

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

1 New Section; Healthy Kids Corporation; Temporary Commission Relative to Children's Health Insurance. Amend RSA 126-H by inserting after section 9 the following new section:
126-H:10 Temporary Commission Relative to Children's Health Insurance.

I. There is hereby established a temporary commission relative to children's health insurance.

II. 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, appointed by the speaker of the house of representatives.

(c) One member appointed as the governor's designee.

(d) One representative of the department of health and human services, appointed by the commissioner of the department.

(e) One representative of New Hampshire healthy kids corporation, appointed by that organization.

(f) One pediatrician, appointed by the governor.

(g) One representative of New Hampshire Voices for Health, appointed by that organization.

(h) One representative of the New Hampshire Minority Health Coalition, appointed by that organization.

(i) One representative of the New Hampshire Oral Health Coalition, appointed by that organization.

III. Members of the commission shall serve without compensation, provided, however, that legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall analyze and evaluate the feasibility of implementing state options under the federal Children's Health Insurance Program Reauthorization Act of 2009. Such analysis shall include, but not be limited to, projected benefits, projected burdens, projected costs, projected savings, and federal and state financing opportunities for the options. In the performance of its duties, the commission may solicit information and testimony from any person or entity with expertise or experience relevant to the study.

V. 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.

VI. The commission shall issue an interim report of 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, 2010 and shall issue a final report on or before November 1, 2011.

2 Accident and Health Insurance Policy Provisions; Open Enrollment. Amend the introductory paragraph of RSA 415:18, XII(c)(3) to read as follows:

(3) Requests enrollment within ~~[30]~~ **60** days after termination of coverage provided under a public or private health insurance or other health benefit arrangement; or

3 Prospective Repeal. RSA 126-H:10, relative to the commission on children's health insurance and inserted by section 1 of this act, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect December 31, 2011.

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

AMENDED ANALYSIS

This bill establishes a temporary commission relative to children's health insurance. The bill also extends the mandatory open enrollment period for employer-sponsored health insurance plans following termination of coverage under a public or private plan.

2010-1692h

Amendment to SB 442

Proposed by the Committee on Ways and Means - C

Amend RSA 487:26 as inserted by section 1 of the bill by replacing it with the following:

487:26 Grant Program Established. There is hereby established a grant program to be administered by the department of environmental services for the allocation of money to state agencies, non-profit organizations, and municipalities or political subdivisions of the state which seek to administer a milfoil and other exotic aquatic plants prevention program, and to institutions of higher learning which seek to conduct research on milfoil and other exotic aquatic plants remediation techniques. The grant program shall be funded by the portion of the lake restoration and preservation fund, established in RSA 487:25, and allocated to the milfoil and other exotic aquatic plants prevention program. Up to ~~[2/3]~~ **3/4** of the moneys distributed from the fund to the milfoil and other exotic aquatic plants prevention program shall be allocated for the purposes of milfoil and other exotic aquatic plants prevention and the remainder shall be allocated to milfoil and other exotic aquatic plants remediation research. Of the moneys in the milfoil and other exotic aquatic plants prevention program, the moneys allocated specifically for the purposes of the milfoil and other exotic aquatic plants prevention shall be distributed upon approval of the commissioner of the department of environmental services and the commissioner of safety. Of the moneys in the milfoil and other exotic aquatic plants prevention program, the moneys allocated specifically for the purposes of milfoil and other exotic aquatic plants remediation research shall be distributed upon approval of the commissioner of the department of environmental services.

2010-1483h

Amendment to SB 464

Proposed by the Majority of the Committee on Transportation - R

Amend the bill by replacing section 2 with the following:

2 Lake Winnepesaukee; Prima Facie Speed Limits. Amend RSA 270-D:2, X(b)(1) to read as follows:

(1) ~~[25]~~ **30** miles per hour during the period from 1/2 hour after sunset to 1/2 hour before sunrise; and

AMENDED ANALYSIS

This bill eliminates the prospective repeal of provisions establishing speed limits on Lake Winnepesaukee and requiring the reporting of vessel operation violations to the division of motor vehicles for inclusion in the convicted person's driving record. This bill also increases the prima facie nighttime speed limits for Lake Winnepesaukee.

2010-1636h

Amendment to SB 465-FN-LOCAL

Proposed by the Majority of the Committee on Finance - R

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

AN ACT establishing a committee to study the sustainability of the existing state programs for funding K-12 education and relative to the carrying forward of a school district fund balance.

Amend the bill by deleting sections 1-3 and renumbering the original sections 4-9 to read as 1-6, respectively.

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

(b) Four members of the house of representatives, at least one of whom shall be a member of the education committee, and at least one of whom shall be a member of the finance committee, appointed by the speaker of the house of representatives.

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

6 School District Fund Balance. If, based on the reasonable belief of the school board after consultation with the commissioner of the department of education, a school district's estimated total state aid for an adequate education pursuant to RSA 198:40-a plus fiscal capacity disparity aid pursuant to RSA 198:40-c in the 2012 fiscal year will be less than its total state aid for an adequate education pursuant to RSA 198:40-a plus fiscal capacity disparity aid pursuant to RSA 198:40-c in the 2011 fiscal year, then notwithstanding RSA 32, the school district's governing body may vote to carry forward any school district unreserved fund balance from the 2010 and 2011 fiscal years for such school district to use as a revenue source to reduce the tax rate in the 2012 fiscal year. A school district that intends to carry forward a fund balance shall report this to the departments of education and revenue administration on financial reports pursuant to RSA 198:4-d and RSA 21-J:34, V.

7 Repeal. Section 6 of this act, relative to school district fund balances, is repealed.

8 Effective Date.

I. Section 7 of this act shall take effect July 1, 2011.

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

AMENDED ANALYSIS

This bill:

I. Establishes a committee to study the sustainability of the existing state programs for funding K-12 education, including adequate education grants, fiscal capacity disparity aid, and catastrophic aid.

II. Allows a school district which estimates that it will receive less in total state aid for an adequate education plus fiscal capacity disparity aid in the 2012 fiscal year than it received in the 2011 fiscal year to carry forward any unreserved fund balance from the 2010 and 2011 fiscal years for use in the 2012 fiscal year.

2010-1747h

Amendment to SB 465-FN-LOCAL

Proposed by the Minority of the Committee on Finance - R

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

AN ACT relative to the procedure for calculating eligibility for the federal free and reduced-price meal program, relative to limitations on total education aid distributions to municipalities for the 2012 and 2013 fiscal years, and establishing a committee to study the sustainability of the existing state programs for funding K-12 education, including adequate education grants, fiscal capacity disparity aid, and catastrophic aid.

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

1 School Money; Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, I to read as follows:

I. Beginning July 1, 2009, and for every biennium thereafter, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be \$3,450 per pupil attending a public school, plus any applicable differentiated aid for which a pupil is eligible.

Differentiated aid shall be calculated as follows:

(a) An additional \$431 per pupil in kindergarten through grade 12 eligible for the federal free and reduced-price meal program who attends a public school in which less than 12 percent of the pupils reported in the school's ADMA in the determination year are eligible for the federal free and reduced-price meal program.

(b) An additional \$863 per pupil *eligible for the federal free or reduced-price meal program* in a public school in which at least 12 percent but less than 24 percent of pupils reported in the school's ADMA in the determination year, are eligible for the federal free or reduced-price meal program.

(c) An additional \$1,725 per pupil *eligible for the federal free or reduced-price meal program* in a public school in which at least 24 percent but less than 36 percent of pupils

reported in the school's ADMA in the determination year, are eligible for the federal free or reduced-price meal program.

(d) An additional \$2,588 per pupil ***eligible for the federal free or reduced-price meal program*** in a public school in which at least 36 percent but less than 48 percent of the pupils reported in the school's ADMA in the determination year, are eligible for the federal free or reduced-price meal program.

(e) An additional \$3,450 per pupil ***eligible for the federal free or reduced-price meal program*** in a public school in which 48 percent or more of the pupils reported in the school's ADMA in the determination year, are eligible for the federal free or reduced-price meal program.

2 School Money; Determination of Grants. RSA 198:41, III is repealed and reenacted to read as follows:

III.(a) For the biennium ending June 30, 2013, the department of education shall:

(1) For each municipality, determine total education aid by summing the amount calculated under RSA 198:40-a and the amount calculated under RSA 198:40-c.

(2) Subtract from that sum total the amount of education aid the municipality received during the fiscal year ending June 30, 2011 under RSA 198:41, III.

(b) For the fiscal year ending June 30, 2012, each municipality shall receive total aid equal to the amount it received during the fiscal year ending June 30, 2011 plus 33.33 percent of the amount under subparagraph (a).

(c) For the fiscal year ending June 30, 2013, each municipality shall receive total aid equal to the amount it received during the fiscal year ending June 30, 2011 plus 66.67 percent of the amount under subparagraph (a).

3 Repeal. RSA 198:41, III, relative to the limitation on the distribution of total education aid is repealed.

Amend the bill by replacing section 9 with the following:

9 Effective Date.

I. Sections 1-2 of this act shall take effect July 1, 2011 at 12:01 a.m.

II. Section 3 of this act shall take effect July 1, 2013.

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

AMENDED ANALYSIS

This bill:

I. Amends the procedure for calculating eligibility for the federal free and reduced-price meal program.

II. Establishes limitations on total education aid distributions to municipalities for the 2012 and 2013 fiscal years.

III. Establishes a committee to study the sustainability of the existing state programs for funding K-12 education, including adequate education grants, fiscal capacity disparity aid, and catastrophic aid.

2010-1460h

Amendment to SB 478

Proposed by the Committee on Executive Departments and Administration - C

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

1 Home Inspectors; Board; Appointment. Amend RSA 310-A:186, IV to read as follows:

IV. Members shall be appointed for ~~[2-year]~~ ***5-year*** terms. Appointments for terms of less than ~~[2]~~ ***5*** years may be made in order to stagger the appointments. No appointed member shall be eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the ~~[2-year]~~ ***5-year*** term shall be deemed a full term. Upon expiration of a member's term, the member shall serve until a successor is qualified and appointed. Vacancies occurring prior to the expiration of a specific term shall be filled by appointment for the unexpired term. ***Appointees to the unexpired portion of a full term***

shall become members of the board on the day following such appointment. A board member may be removed for cause by the governor and council under RSA 4:1.

2 Plumbers' Board; Administrative Attachment Removed. Amend RSA 329-A:3, III to read as follows:

III. The board shall be ~~[an administratively attached agency, under RSA 21-G:10, to]~~ ***a unit of*** the department of ~~[environmental services]~~ ***safety. Notwithstanding RSA 21-G:9, the board shall exercise rulemaking authority granted under RSA 329-A:14.***

AMENDED ANALYSIS

This bill changes the terms for appointments to the board of home inspectors. The bill removes the administrative attachment of the state board for the licensing and regulation of plumbers from the department of environmental services and establishes the board as a unit of the department of safety. The bill also adds rulemaking and fees for retired status for licensed architects.

2010-1645h

Amendment to SB 514

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 commercial weighing or measuring devices and rulemaking authority for the commissioner of the department of agriculture markets and food.

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

1 New Paragraph; Registered Service Technician; Definition. Amend RSA 438:1 by inserting after paragraph XII the following new paragraph:

XIII. "Registered service technician" means an individual who holds a valid certificate of registration from the department of agriculture, market, and food who, for hire, installs, services, repairs, reconditions, tests, or calibrates a commercial weighing or measuring device.

2 New Section; Standards for Weights and Measures; Registered Service Technician. Amend RSA 438 by inserting after section 14 the following new section:

438:14-a Registered Service Technician. A registered service technician who installs, services, repairs, reconditions, tests, or calibrates a commercial weighing or measuring device shall mark said device in a manner approved by the commissioner. This mark shall authorize the device owner to use a licensed device unless rejected pursuant to RSA 438:14.

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

3 Repeal. RSA 438:8, I(j), relative to the general rulemaking authority of the commissioner of the department of agriculture, markets and food, is repealed.

AMENDED ANALYSIS

This bill:

I. Defines registered service technician.

II. Permits registered service technician to mark commercial weighing or measuring devices in a manner approved by the commissioner of the department of agriculture, markets and food.

III. Repeals the general rulemaking authority of the commissioner of the department of agriculture, markets and food.