



State of
New Hampshire

HOUSE RECORD

First Year of the 163rd General Court Calendar and Journal of the 2013 Session

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Friday, February 15, 2013

No. 15

Contains: Meetings, Notices, Reports and Amendments for February 20.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House Session will be on Wednesday, **February 20th** at 10:00 a.m. The House will also meet on Wednesday, February 27th.

Black History Month will be observed during the February 20th session of the House.

I wish to thank you for your part in making our sessions run so smoothly. Organizing floor debates ahead of time and notifying the Clerk's Office in advance that you wish to speak is beneficial for everyone. Your continued cooperation in helping to make the process more orderly and efficient is greatly appreciated.

Terie Norelli, Speaker

NOTICE

There will be a meeting of chairs and vice chairs on Tuesday, **February 19th**, at 8:30 a.m. in Rooms 305-307 of the Legislative Office Building.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on Wednesday, **February 20** at **9:00 a.m.** in Representatives Hall.
Rep. Stephen Shurtleff, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **February 20** at **9:15 a.m.** in Rooms 305-307, LOB.
Rep. Gene G. Chandler, Republican Leader

NOTICE

House Continuing Education

TOPIC: BUDGET 101

PRESENTER: LEGISLATIVE BUDGET ASSISTANT

DATE: Thursday, February 26, 2013

TIME: 9:00 a.m. – 11:00 a.m.

PLACE: Representatives Hall

Terie Norelli, Speaker

NOTICE

The House Calendar closes at **3:00 p.m. on Wednesdays** for *ALL* scheduling and notices. It closes at **NOON** on **Thursdays** for Committee Reports. Please be sure to do your scheduling in order to meet that deadline.

CLOSES NOON THURSDAY:

February 21
February 28
March 7

AVAILABLE FRIDAY:

February 22
March 1
March 8

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES FOR 2013 SESSION

Thursday, February 21, 2013
Thursday, February 28, 2013
Thursday, March 7, 2013

Thursday, March 14, 2013

Thursday, March 21, 2013

Thursday, March 28, 2013

Thursday April 4, 2013
Thursday, May 2, 2013
Thursday, May 9, 2013
Thursday, May 30, 2013

Thursday, June 6, 2013
Thursday, June 13, 2013
Thursday, June 20, 2013
Thursday, June 27, 2013

Last day to report House Bills going to a second committee
Last day to act on House Bills going to a second committee
Last day to report House Bills not in a second committee, except budget bills
Last day to act on House Bills not in a second committee, except budget bills
Last day to report all House Bills, except budget bills
Last day to report list of retained House Bills
Last day to report budget bills
Last day to act on all House Bills, except budget bills.
CROSSOVER Last day to act on budget bills
Last day to report Senate Bills going to a second committee
Last day to act on Senate Bills going to a second committee
Last day to report all remaining Senate Bills
Last day to report list of retained Senate Bills
Last day to act on Senate Bills
Last day to form Committees of Conference
Last day to sign Committee of Conference reports (4:00 pm)
Last day to act on Committee of Conference reports

WEDNESDAY, FEBRUARY 20

CONSENT CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB 278, relative to voluntary installation of fire suppression sprinklers. **OUGHT TO PASS.**

Rep. John B Hunt for Commerce and Consumer Affairs: This bill responds to unintended concerns arising from the passage of HB 109, Chapter 203, Laws of 2011. HB 109, the language of which is codified in RSA 674:36, IV, prohibits a planning board from requiring the installation of fire suppression sprinkler systems in proposed one- and two-family residences. The present concern relates to whether a planning board is authorized to accept and enforce an applicant's voluntary offer to install sprinklers in new homes. HB 278 was jointly suggested by the state fire marshal's office and the homebuilders and remodelers association to clarify that an offer to install sprinklers can be accepted by a planning board and enforced by a municipality. During the committee's consideration of the bill, the sole reservation related to whether the bill would encourage planning boards to manipulate applicants to elicit an offer of sprinklers. The committee, however, felt that the language in the bill, stating that the ban "shall not prohibit an applicant from offering to install" adequately addressed this reservation and made clear that such an "offer" could only come from the applicant. **Vote 18-0.**

EDUCATION

HB 201, relative to school district policies on health and sex education. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick M Ladd for Education: House bills 201 and 161 addressed the issue of district policies affecting opt-out provisions on health and sex education. A house education sub committee merged content from HB 201 into HB 161 with amending language. This bill is no longer needed. **Vote 18-0.**

HB 344-FN-L, relative to aid to school districts for the cost of special education. **OUGHT TO PASS.**

Rep. Rick M Ladd for Education: Catastrophic aid is provided to school districts for the cost of mandated special education programs. In FY 12, total costs for catastrophic aid amounted to \$79,594,759. In accordance with statute, the portion of entitlement funds provided by the state to local school districts amounted to \$30,921,337; however, the actual entitled amount was reduced to a pro-ration amount of \$21,340,674., or 69%. In addition, current year funding for these special education costs is based upon the preceding year's costs.

Combined with shrinking funding from the state (FY 12 69%, FY 11 77%, FY 10 85% and FY 09 91%) and payment based upon the preceding year, districts are forced to borrow, transfer funds from other operating budget accounts, or rely on reserves to meet special education costs. If a district enrolls a high cost student (\$150,000 – 200,000/yr) during the school year, the district is forced to seek funding from one of the options previously mentioned. This bill provides that the amount of entitlement funding for a given year will not drop below 80%. If this provision was in place during FY 12, additional state funding would be \$3,396,394. The intent of catastrophic aid is to fund mandated IEP costs for our most vulnerable students and to do so at 100%. Each year that the state's portion is decreased, the financial burden is increasingly transferred to the local tax payer. This bill has the unanimous support of the education committee. **Vote 18-0.**

HB 384, requiring parental consent prior to a mental health examination in public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E Shaw for Education: Parental consent is already required by both federal state special ed laws. RSA 200:34 clearly states the procedures and process that must be followed. This bill is unnecessary and may cause confusion **Vote 18-0.**

HB 471, establishing a commission to study dual enrollment programs. **INEXPEDIENT TO LEGISLATE.**

Rep. June M Frazer for Education: The committee agreed that dual enrollment programs are already widespread in New Hampshire; hence, no legislation is needed to promote this practice. **Vote 18-0.**

ELECTION LAW

HB 143, allowing straight ticket voting. **INEXPEDIENT TO LEGISLATE.**

Rep. Melanie A Levesque for Election law: In 2007 the New Hampshire legislature voted to repeal straight ticket voting. This bill would reinstate the option. In New Hampshire we have an opportunity to meet candidates for office from president to registrar of deeds. Our citizens are astute and want to know whom they are electing. Many people vote based on who will do the best job regardless of party. In addition, straight ticket voting has caused confusion when voters split their ballot. This can result in an over vote, which invalidates the ballot or make it difficult to determine the intention of the voter. The committee believes current law is adequate. **Vote 15-0.**

HB 277, relative to the oath required of public officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert J Perry for Election Law: This bill would require that any person who violates their oath of office shall be removed from said office "by the authority responsible for the original appointment." The committee determined that this bill, if enacted, would be unenforceable as the determination of what constitutes a violation of one's oath is subjective, perhaps arbitrary, absent judicial review. For example, a perceived violation of a police officer's oath might be an officer who tickets one person but not another. **Vote 17-0.**

HB 309, relative to filing for office. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Shawn N Jasper for Election Law: This bill was filed at the request of the secretary of state to correct an inconsistency in filing requirements. Current law requires that if a person must file for office with the secretary of state and does so on the last day, they must appear in person. The bill as filed was intended to require that any person who files for office with the town or city clerk on the last day of the filing period, must also do so in person. The amendment corrects an error in the bill and fulfills the intent of the sponsor and the secretary of state. **Vote 17-0.**

ENVIRONMENT AND AGRICULTURE

HB 328-FN, relative to the sale of pets. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen J Palmer for Environment and Agriculture: This bill is a cleanup bill as a result of a study committee to RSA 437 with no policy changes. This amendment requires that the animal is free from all visual evidence of any communicable diseases or internal and external parasites. **Vote 15-0.**

HB 497, relative to negligent treatment of animals. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy D Bartlett for Environment and Agriculture: This bill would have added specific acts of negligence to the animal abuse statute – including underweight animals, ammonia levels, and open sores. While the intent is well-meaning, the testimony overwhelmingly pointed out that not all thin dogs are being starved, and not all open sores are due to mistreatment or neglect. The committee determined that our existing animal cruelty statutes are sufficient to deal with real animal abuse. **Vote 16-0.**

HB 547, establishing a commission to study permanent options for funding the veterinary diagnostic laboratory. **OUGHT TO PASS.**

Rep. Robert H Haefner for Environment and Agriculture: The bill sets up a short term commission to look at options for permanent funding of the veterinary diagnostic lab at UNH. The lab has been funded historically with one third from the university (college of life science and agriculture), one third by the NH department of

agriculture, markets and food and one third from user fees. This has reflected the three customers of the lab. Last term the department of agriculture, markets and food, and UNH cut their funding to the lab because the budgets were cut at both UNH and DAMF. We almost lost the lab until we found some money available in other dedicated funds at DAMF. The lab did make some significant cuts to its operating costs. The question: "Is there a better way to fund this lab?" The VDL is one of two only in all of New England, the other at UCONN. There is also one other in the northeast at Cornell. Our lab does get work sent to it from our neighboring states. There are a couple of national labs in the area that provide service for the pet industry, but not livestock or rabies. The lab is also part of our state emergency management organization and it is a teaching arm of the pre-veterinary program at UNH, one of the country's best programs. This is a public health service as well. **Vote 15-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 156, relative to the appointment and duties of the state fire marshal. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P Goley for Executive Departments and Administration: The bill, as amended, corrects some problems created from statutory changes over the years and also makes the language gender neutral. It removes language from RSA 153:7 which deals with the appointment of the state fire marshal as that is now covered in RSA 21-P. The second part of the bill, as amended, removes the reference to RSA 106-A:46 which was repealed in 1987 and correctly substitutes RSA 153. **Vote 16-0.**

HB 267, relative to the board of accountancy. **OUGHT TO PASS.**

Rep. Carol M McGuire for Executive Departments and Administration: This bill clarifies the board's rulemaking authority and replaces the last "public accountant" on the board with a CPA. Since public accountants are the grandfathered pre-CPA professionals, there are fewer than 25 left in the state, and the board requested their dedicated seat be replaced by a current professional. **Vote 16-0.**

HB 376, relative to the shop licensure requirements for barbers, cosmetologists, manicurists, and estheticians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B Schmidt for Executive Departments and Administration: This bill, as amended, arose from the desire of the trade and their licensing board to allow enterprising practitioners to open their own shops at an earlier point in their careers. There was no opposition to the bill and the committee felt we should not unnecessarily restrict ambitious young business people. **Vote 16-0.**

HB 377, relative to archeological investigations on private or public property. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol M McGuire for Executive Departments and Administration: This bill would forbid archeological investigations unless there is "concrete evidence that relics exist at that location," and requires stopping construction if "significant relics" are found. Unfortunately this is totally contrary to the principles of archeology, and creates a new duty for property owners: to look for relics, decide if they are "significant" and notify the state if they are, stopping work while they investigate. Right now there are no state laws or requirements in this area; all the requirements are federal. A preliminary archeological survey is required when getting a federal permit, or a joint federal/state permit, such as a wetlands excavation permit. The process required by this bill is not only clumsy, it is in violation of federal law. **Vote 16-0.**

HB 385, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank A Byron for Executive Departments and Administration: This bill, as amended, modifies in RSA 157-B:8-a the requirements for licensure of elevator and accessibility lift mechanics from greater than 5 years to 2 years of documented experience working under a NH licensed elevator or accessibility lift mechanic. The bill also allows for the licensure of elevator or accessibility lift mechanics without an examination who are licensed in other states provided that the licensing requirements of New Hampshire are not greater than those of the other state. These provisions will make it easier for NH mechanics to receive the benefits of other states' reciprocity rules. The bill also amends RSA 319-C:3 by providing an exception to the requirement to hold an electrician's license for licensed elevator or accessibility lift mechanics working only on electrical wiring originating from a final disconnecting means at the equipment or at equipment disconnects located in the elevator machine room and associated with elevator equipment, elevator hoist way doors and the elevator car for both commercial and residential installations. Committee members believe this provides the best allocation of responsibility, with electricians handling general wiring up to the elevator or lift, and the elevator and lift mechanics handling the specialized wiring for the elevator or lift installation. **Vote 15-0.**

HB 637-FN-A, transferring licensing for retail tobacco sales to the department of revenue administration from the liquor commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeffrey P Goley for Executive Departments and Administration: This bill would transfer the licensing of tobacco sales from the liquor commission to the department of revenue administration. The liquor commission

already enforces laws dealing with tobacco products and the committee felt tobacco licensing should remain there, just as liquor and tobacco are with the ATF at a federal level. Currently liquor and tobacco licensing are done on one form and sent to one agency. If this bill passes, businesses will have to file two forms with two different agencies. Both the New Hampshire grocers association and the New England convenience stores association opposed the bill because the current system is working well for them. **Vote 16-0.**

HB 656-FN, requiring state agencies to develop performance measures and to develop budgets for each biennium. **INEXPEDIENT TO LEGISLATE.**

Rep. Howard M Moffett for Executive Departments and Administration: This bill would require all executive departments to submit biennial budgets to the department of administrative services, and would require each state agency to adopt a "performance measurement system" for each of its programs. Although the committee supported the idea of performance measurement, it was concerned that: (1) there were too many questions about how performance would be measured; (2) the Finance Committee is working on a comparable bill, and is a better place to work out the details; (3) the proposed oversight committee would require significant additional time from some of the busiest members of the legislature; and (4) because department heads report to the governor rather than the legislature, the bill raises a significant separation of powers issue. **Vote 16-0.**

JUDICIARY

HB 408, establishing approved titles for articles of the New Hampshire Constitution. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary: The New Hampshire Constitution as originally enrolled did not contain titles for the various articles. This bill seeks to supply those missing titles even though, over the years, printers and publishers have supplied their own titles.

The Committee did not feel that the legislature had the authority to effectively amend the New Hampshire Constitution through legislation as opposed to a constitutional amendment. **Vote 19-0.**

HB 543, relative to ascertaining damages to abutting landowners. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph M Hagan for Judiciary: This bill sets procedures determining damages to private lands when changes in grade or drainage are required for town highway maintenance or repair. Examples include changes in drainage structures such as ditches and culverts. The amendment corrects an error in timing. **Vote 20-0.**

HB 577-FN, relative to responsibility for hazardous materials accidents. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael J Sylvia for Judiciary: This bill unnecessarily alters the party to be held responsible for the costs associated with hazardous materials accidents. This bill would shift the burden from the person "whose act or omission caused" the accident to a natural person or other person who is the owner, custodian, or otherwise is in possession or control of the hazardous materials involved. This would send a chilling economic signal to our state's businesses. **Vote 18-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 200, relative to an employer's burden of proof in unemployment compensation hearings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael D Cahill for Labor, Industrial and Rehabilitative Services: This bill states that the employer, employer's agent or representative shall appear and present proof of alleged employee misconduct at the appeal tribunal. It is the amendment that requires the appearance of the employer or his/her agent at the tribunal. The current process does not require attendance of the employer in the appeal process. We received testimony that employees are being found ineligible for unemployment without the benefit of due process. **Vote 15-0.**

HB 359, relative to mailing of notices and determinations by the department of employment security. **OUGHT TO PASS.**

Rep. Douglas A Ley for Labor, Industrial and Rehabilitative Services: The bill leaves to the discretion of the Commissioner of the Department of Employment Security the choice to use first class mail rather than certified mail in sending notices of withdrawals of appeals and decisions on requests to reopen appeal tribunal decisions. Cost savings to the state are estimated at \$6000 per annum. In the unlikely event the intended recipient (who requests the mailing) states that s/he did not receive the notice, the department will accept such claim and mail it a second time. **Vote 13-0.**

HB 360, relative to overpayments caused by arbitration awards, back pay awards, settlement agreements, or jury verdicts. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael D Cahill for Labor, Industrial and Rehabilitative Services: This bill was requested by the department of employment security and would establish joint liability for employers and employees regarding restitution in the event of overpayment in certain situations. After additional consideration and consultation with the department, the sponsor requested the committee find it inexpedient to legislate. **Vote 13-0.**

HB 361, relative to worksharing. **OUGHT TO PASS.**

Rep. Janice E Schmidt for Labor, Industrial and Rehabilitative Services: This bill brings New Hampshire work sharing requirements into alignment with the federal unemployment tax act. Work sharing allows employers to reduce working hours for an entire group of employees rather than laying off some employees and continuing full employment for others. The plan provides unemployment compensation at a reduced rate. Currently there are 169 employees participating in 15 separate plans. The changes require employers to provide benefits as if the hours had not been reduced, requires a plan presented to the department to include the details of the plan and allows the commissioner to sever any part of the statute that is not approved at the federal level. **Vote 14-0.**

LEGISLATIVE ADMINISTRATION**HB 268-FN**, establishing a moratorium period for lobbying for certain state officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Joel F Winters for Legislative Administration: This bill would extend the prohibition on lobbying by certain public officials after leaving office from six months to one year. The committee was not persuaded that there a problem with the current law that needed to be fixed. **Vote 11-0.**

HB 602, establishing a committee to study general court policies and procedures relative to persons with disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joel F Winters for Legislative Administration: This bill would have established a study committee to look at how people with disabilities fare under the policies and procedures in the state house complex. The committee agreed there were issues that should be looked at, such as access to the senate gallery. The amendment changes this to a sunset commission so that public members with interest in the needs of people with disabilities can be appointed. **Vote 9-0.**

MUNICIPAL AND COUNTY GOVERNMENT**HB 122**, relative to limitation of appropriations in official ballot municipalities. **INEXPEDIENT TO LEGISLATE.**

Rep. James Verschueren for Municipal and County Government: The bill sought to permit the recommendations of the budget committee in an official ballot referendum municipality that are revised after the deliberative session, to be used for determining the 10 percent limitation on appropriations. Testimony revealed that the issue ensued from a dispute between selectmen and the budget committee in a particular town. The dispute resulted in the town budget being more limited than it might have been had the dispute been resolved earlier. Additional testimony indicated that the bill offered no improvement on current law. The committee concurred that the issue presented was best left to local resolution and that the bill offered no improvement to current law. **Vote 14-0.**

HB 280, relative to voting requirements in towns that have adopted official ballot voting. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce L Tatro for Municipal and County Government: This bill would require a 2/3 vote to amend a petitioned warrant article. The committee felt that a petitioned article should not have greater value than any other article on the warrant. A petitioned article should be able to be amended the same as other articles, by majority vote. **Vote 14-0.**

HB 283, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B. **OUGHT TO PASS.**

Rep. Tom Lavender for Municipal and County Government: This bill establishes and sets parameters for a study committee to review the report regarding the New Hampshire local government center and to study potential changes to RSA 5-B. **Vote 14-0.**

HB 330-FN-L, allowing counties to adopt a county income tax to be administered by the department of revenue administration. **INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie A Porter for Municipal and County Government: This bill would allow counties to establish a 1% tax on income as determined by federal IRS tax filings, with the proceeds to be used to fund education. Collection and distribution of the tax would be the responsibility of the DRA. The committee found this bill fraught with difficulties and unwieldy to administer. NH has no way of accessing federal tax information, as we do not have a state income tax. The bill does not specify how the proceeds would be appropriated to school within the county. DRA does not have the manpower or financial resources to administer the program, and an undue burden would be placed on employers, who may have to report their employee's earnings to many different counties. **Vote 15-0.**

HB 369, relative to investment of excess funds by the county treasurer. **INEXPEDIENT TO LEGISLATE.**

Rep. Dorothea D Hooper for Municipal and County Government: This bill intended to clarify the investment duties of the county treasurer and to repeal a duplicate authority. The committee determined that the bill muddies the role of the county treasurer. In addition it strains the ability of the executive committee to get members to meetings. **Vote 13-2.**

HB 423-L, relative to amending official ballot warrant articles. **INEXPEDIENT TO LEGISLATE.**

Rep. James P Belanger for Municipal and County Government: This bill would prohibit amending a petitioned warrant article at a deliberative session in an official ballot (RSA40) municipality. This would not allow any modifications to the article when new information might change the amount or clarify the intent. If a town meeting has a petitioned article to pave a parking lot for \$30,000 and the intent is to pave only part of the total parking area, the amount might be different based on more recent quotes. This bill would prevent clarification and modifications to correct things. Once a petitioned warrant article is received and "warned" in the original language, it should be treated like any other warrant article at the deliberative session. Tying the hands of voters at deliberative session may reduce the already low attendance because voters will feel ineffective. Warrant articles at deliberative session should not be treated so differently than those at traditional town meetings. **Vote 15-0.**

HB 438, relative to the appraisal of residences in an industrial or commercial zone. **INEXPEDIENT TO LEGISLATE.**

Rep. James E Coffey for Municipal and County Government: This bill extends the practice of using residential assessment values in a commercial district for properties that are occupied by the owner as the person's principal place of abode to properties that are of a mixed residential and commercial, use. The bill fails to create a workable state-wide standard and makes the proposed changes optional of a case by case basis. After considerable discussion, including consideration of an amendment, the committee voted to ITL the bill. **Vote 16-0.**

HB 446, relative to the amount of the optional property tax credit for service-connected total disability. **INEXPEDIENT TO LEGISLATE.**

Rep. Kris E Roberts for Municipal and County Government: This bill would allow towns and cities to increase the optional property tax credit for service-connected total disability veterans from a maximum of \$2000 to an amount which is one-half total annual property tax bill on each veteran's residential property. Currently RSA 72:27-A provides \$701 or up to \$2000 if authorized by local town or city. The committee understands the fiscal and personal hardship that a totally disabled veteran must confront, but the major beneficiaries of HB 446 would be senior retired military officer homeowners who receive both a military pension, and an additional 32 thousand dollars tax free VA payment, plus any unearned income. Unfortunately there are numerous totally disabled veterans who were medically retired, and are not homeowners. They receive no tax credit. The committee was concerned with the word shall, with ½ of annual property tax bill. It would create an unequal credit across the state. The maximum \$2000 applies to every community. One half would have no maximum, resulting in local taxpayer subsidizing high income homeowners. **Vote 16-0.**

PUBLIC WORKS AND HIGHWAYS

HB 425, relative to bridge aid and highway block grants for class V roads in certain village districts. **INEXPEDIENT TO LEGISLATE.**

Rep. John R Cloutier for Public Works and Highways: The bill as written on the title page has two sections. The first section would make certain village districts eligible to receive state bridge aid and highway funds. The second section would require the department of transportation's bureau of municipal highways to inventory certain roads annually. The committee especially believes the first section would be a major policy change which could reduce the total amount of municipal bridge and highway aid to at least municipalities that contain three miles or more of Class V (least traveled) municipal public roads. Also, the committee believes that the state highway fund's present constrained fiscal situation precludes any increased municipal bridge and highway aid to municipalities. **Vote 20-0.**

HB 441, making a capital appropriation for the construction of a monument commemorating the 400th anniversary of the discovery of the Isles of Shoals by John Smith. **INEXPEDIENT TO LEGISLATE.**

Rep. David B Campbell for Public Works and Highways: This bill contemplates the construction of a monument on state-owned land to commemorate one of the few 400th anniversaries to thus far be celebrated in the United States of America. St. Augustine, Florida and the doomed Jamestown Colony have had 400th celebrations,(the Jamestown event was attended by Queen Elizabeth, II of England) even as the Plimoth Plantation is readying for its 400th in 2020. However, New Hampshire has the opportunity to honor, celebrate and memorialize its own significant 400th anniversary next year in 2014.

In 1614, famous explorer Captain John Smith discovered and charted the Isles of Shoals six miles off the New Hampshire coast. He named them "Smyth Iles," a name which did not stick, and described them in an English best-selling book, a "Description of New England." However, his "description" of our coastline and his christening this region "New England" (with the permission of King James I), is widely credited for the great excitement in England to colonize what have become, to this day, the six "New England" states.

This voyage and the discovery of the Isles of Shoals would be Smith's last to the New World. Previously, Smith was a leader at Jamestown, where he was famously saved from death by the Indian maiden Pocahontas. Prior even to this, by the age of 24, Smith had fought as a mercenary against the Turks in Eastern Europe, (for which he had been knighted in Transylvania), captured and sold into slavery, and eventually escaped back to England.

To mark the 250th anniversary of Captain John Smith's discovery of the Isles of Shoals, a monument was erected on Star Island on private land in 1864. It was a four-sided marble obelisk topped by three severed, turban-clad Turkish heads, in "tribute" to Smith's earlier life. By the 300th anniversary in 1914, the sea had badly damaged the monument, and it was rebuilt with a giant stone and bronze plaque. Over the past century, this monument too, has been greatly worn by the elements.

The intent of this bill is to create a state built monument and a tourist attraction on state-owned land (probably on the mainland) in order to honor the 400th anniversary and our great state of New Hampshire.

The committee voted unanimously to recommend this bill Inexpedient to Legislate in order to consider it, more properly, in the overall state Capital Budget. **Vote 18-0.**

HB 509, requiring the department of administrative services to provide the New Hampshire Department of American Legion with office space. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A Graham for Public Works and Highways: This bill is a simple update of existing chapter law and does not change the relationship of the state of New Hampshire and the American Legion. Chapter 175, the Laws of 1921, requires that the state provide office space free of charge to the American Legion "in the State House." The Legion currently occupies office space in the State House Annex, and working with Administrative Services, is planning to move from there to similar space at the Gallen Office Park. The bill will allow that move to take place without violating existing statutes. The amendment deletes existing chapter law so that there will not be any confusion over which location takes precedence when this bill becomes law. **Vote 19-0.**

HB 550, relative to the disposition of state-owned real estate. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A Graham for Public Works and Highways: The bill amends RSA 4:40, the law dealing with the disposal or sale of surplus state real estate. Currently towns, cities or counties have first right of refusal on the purchase of any such property. However, as the RSA now reads it could be interpreted that the municipality has an unlimited amount of time to declare its intentions once the property is placed on the market. The bill establishes a time frame within which the town, city or county must state if it intends to purchase the property or not. The amendment sets this time at 60 days. The bill also allows up to 15 months to complete the transaction, which provides sufficient time for warrant articles, budgets, etc., to be acted on. Secondly, the bill requires that if a city, town or county, after purchasing surplus property from the state, subsequently sells the same property then the state shall have first right of refusal on the real estate. **Vote 19-0.**

HB 607, relative to construction projects for the adjutant general's department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin T Tilton for Public Works and Highways: Currently all construction and/or building renovations costing more than \$25,000 are required to be managed and bid through the bureau of public works design and construction. The departments of fish & game and resources & economic development have an exemption and are allowed to competitively bid construction projects with a value of \$250,000 or less without going through the bureau of public works design and construction. Both these departments have their own engineers and/or architect and oversee small projects at a value of \$250,000 or less. The adjutant general's department now possesses the professional and technical expertise to perform similar services. The state staff is complemented by federal employees including mechanical and civil engineers and an architect. This bill with its clarifying amendment simply adds the adjutant general as a department that may construct or renovate projects costing \$250,000 or less. This will allow New Hampshire to receive federal dollars that have to be used on essential projects within a short timeframe; often these federal dollars had to be rejected in the past and were used by other states. **Vote 19-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 157, renaming Blood Pond in the town of Lancaster as Mountain Lake Pond. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jane Cormier for Resources, Recreation and Development: The amendment to this bill replaces the entire bill. It states that the pond known as Blood Pond in the town of Lancaster shall be renamed Evans Pond. Some in the community thought reverting the name back to Evans Pond, as it was once previously known, would be beneficial to the area. The Lancaster Select Board held a public hearing regarding the name change. No opposition was heard. Since Blood Pond is a natural water body larger than 10 acres, the name change must be authorized by the legislature. **Vote 17-0.**

HB 233, relative to the care of war memorials in Franconia Notch state park. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Henry A. L. Parkhurst for Resources, Recreation and Development: The war memorial at Profile Lake in Franconia Notch State Park honors the men and women who have served New Hampshire in times of war. Veterans and their families will pay no fee to visit the war memorial, but will be subject to fees for amenities, amusements and concessions.

Volunteers and veterans groups will continue to purchase and install signage and enhance and maintain the memorial site. HB 233 has no fees attached and presumes that the Franconia State Park War Memorial will not be subject to development. The amendment corrects a typographical error to make memorial singular not plural. **Vote 17-0.**

HB 273-FN-L, authorizing the commissioner of the department of resources and economic development to enter into contracts for provision of free Wifi Internet access at Hampton Beach state park. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane E Beaulieu for Resources, Recreation and Development: This bill was drafted to authorize the state to enter into contracts with the Hampton Beach Village Precinct to provide free Wifi Internet access to Hampton Beach State Park. The department of resources and economic development (DRED) already has the ability to enter into agreements. In addition, representatives from the departments of information technology, the state's core network and their providers, raised several concerns, including the costs to, liabilities for and expectations of the state. The committee encourages the precinct to continue dialogue with local businesses, DRED and other stakeholders. **Vote 17-0.**

HB 507-FN, relative to the maximum permit application fee for certain municipal dredging projects. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne J Smith for Resources, Recreation and Development: This bill brings wetland application fees for municipal dredging projects in line with the statutory cap already in place for similar NH department of transportation projects and tidal dredging projects which benefit municipalities. This bill will lower the application fee paid for large municipal dredging projects to an amended maximum of \$10,000 (the original bill asked for \$5,000). DES testified that large scale projects which would qualify for the cap are rare and they offered support for the bill. **Vote 17-0.**

WAYS AND MEANS

HB 212, relative to charitable gaming. **INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T Lovejoy for Ways and Means: This bill reduces the payout to charities from charitable gaming. Under this bill the 35 percent payout to the charities would be calculated after taxes rather than before taxes. The committee was against any reduction in the payout to charities. In addition this bill made changes to the remitting requirement which will be addressed in HB 314. **Vote 15-2.**

WEDNESDAY, FEBRUARY 20

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

CACR 3, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Deanna S Rollo for the **Majority** of Children and Family Law: The United States and the New Hampshire Supreme Courts have consistently recognized the natural rights of parents to raise their children as they see fit. This constitutional amendment, although it may be well intended, presents unintended consequences. The rights of parents have to be balanced with the best interest of the children. The House has defeated this exact amendment on three previous occasions. **Vote 14-6.**

Rep. Daniel C Itse for the **Minority** of Children and Family Law: This proposed amendment to the constitution of the State of New Hampshire would enable the people to assert their natural right to parent their children, to control the health, education and welfare of their children. This amendment affirms repeated decisions of the supreme courts of the state and United States. It would in no way diminish the legitimate power of the state to intervene in situations where parents have committed some act that amounts to forfeiture, such as abuse or neglect. It would set forth as the standard for statute or enforcement the eventual result should a family have the resources to appeal to the highest courts.

EDUCATION

SPECIAL ORDER

HB 303, establishing a committee to study the teaching of a second language beginning in kindergarten. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Rick M Ladd for the **Majority** of Education: The committee majority recognizes benefits associated with teaching a second language in kindergarten and in subsequent grades. Current education rules as approved by the state board of education currently state that a local school board may provide instruction in one or more world languages in an elementary school and later years. The extent of this instruction and the students to whom it is offered shall be determined by local school board policy. This is a local district policy and funding decision. A committee study is therefore, not necessary. **Vote 11-7.**

Rep. June M Frazer for the **Minority** of Education: This bill was a response to a recommendation by the legislative youth advisory council, 19 young people appointed by the governor, the president of the senate, the speaker of the house, or the secretary of state. The commissioner of education was enthusiastic when the youth council talked about it to her. The seven members initially supporting the bill argued that the great advantages of early world language learning, for example – promoting greater language ability in later grades and enriching brain development, would make the research of the proposed study committee a valuable resource to local school districts interested in such a program.

ELECTION LAW

HB 197, relative to state representative districts in Hillsborough county. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen M Hoelzel for Election Law: In the New Hampshire Supreme Court case “Petition of Below” in 2004, the Court found that “pursuant to Part II, Articles 9, 11, and 26, the legislature may not reapportion again until its regular session following the next decennial federal census”. In addition, testimony from the Attorney General’s office stated that if this bill passed, the range of deviation would be 11.4% in one Manchester ward. The majority of the committee was sympathetic to the plight of the Pelham voters but did not feel we could constitutionally address it. **Vote 13-4.**

ENVIRONMENT AND AGRICULTURE

HB 535, establishing the white potato as the state vegetable. **OUGHT TO PASS.**

Rep. John T O’Connor for Environment and Agriculture: At the request of Derry’s Village School fourth Graders and the positive research showing that Derry, New Hampshire is where the first white potato was grown in North America, it has been confirmed that Rev. James MacGregor brought a sack of seed potatoes and planted them in 1719 in an area called Nutfield now known as Derry, New Hampshire. The state of Virginia challenged New Hampshire’s first in the country claim after research. The Commissioner of Virginia wrote a letter to our state commissioner stating and I quote “according to the best information that we can find, the Irish potato did not come to Virginia until after your 1719 incorporation. We therefore concede to the Great State of New Hampshire, the honor of introducing to this country one of the great food crops.” Because of this reason the committee feels strongly that the white potato deserves to be the state vegetable. **Vote 14-1.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 207, relative to the inspection and regulation of coin-operated amusement rides. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter B Schmidt for Executive Departments and Administration: This bill resulted from an accident caused by the improper placement of one of the above-referenced amusement rides rather than a defective or faulty machine. Members of the committee visited an amusement facility and viewed a dozen such machines in operation. We concluded that they pose no danger to the public, and insurance records showed no accidents or claims over a decade-long period. The proposed regulations would have resulted in the removal of the machines, according to testimony of several business operators, unnecessarily depriving young children “of a little thrill, but not too much,” to quote one entrepreneur. **Vote 16-0.**

HB 266, repealing certain agency rulemaking exemptions from the administrative procedures act. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy M Weber for the **Majority** of Executive Departments and Administration: The bill as originally drafted would have repealed a number of long-standing exemptions from the rule-making process under the administrative procedures act. Included were such differing areas as driveway permits, use of limited access highways, licensing utility poles within public highways, pari-mutuel pools, the housing finance authority, and state banking institutions. Testimony before the committee was that the exceptions were for regulations in highly technical areas governed by evolving engineering standards or changing scientific knowledge, or institutions which needed to be responsive to fast-changing financial markets. For these areas, the JLCAR process is too lengthy and burdensome, and results in a lack of flexibility. Some of the entities which would be affected do, in fact, provide for rulemaking and public comment, but they do not go through the full JLCAR process. Although an amendment was offered that addressed some of the objections, by allowing some of the exemptions to remain, the majority believe that the bill is unnecessary. **Vote 8-7.**

Rep. Carol M McGuire for the **Minority** of Executive Departments and Administration: This bill deletes a number of old exemptions from the JLCAR process. The agency rules involved will now expire, be reconsidered by the agency, and get a public hearing and review by JLCAR at least every ten years. The amendment removes several financing agencies, whose rules are primarily technical details of the bonding process rather than how they interact with the public; these agencies are also separate public companies, and the state is not responsible for their debt. In no case does this bill affect the content of any rules, it merely restores them to the normal approval process. Oversight of agency rules – which have the force and effect of law – is one of the inescapable duties of the legislature. DOT’s driveway rules were a concern to some, but since DOT had developed these rules years ago, the minority is confident of JLCAR approval.

HB 325-FN, relative to public employee suggestions for cost-saving measures. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dianne E Schuett for the **Majority** of Executive Departments and Administration: This bill proposed changes to the suggestion and extraordinary service award program, creating a two-year test period for rewarding public employees with 10 percent of the savings realized from their cost-saving suggestions. While well intended, the majority of the committee believed that the bill left too many unanswered questions and created a process that was unnecessarily cumbersome and unworkable. The current law already provides monetary awards and recognitions which the majority of the committee believes are working well to encourage creativity and stimulate morale of our public employees. **Vote 9-5.**

Rep. Carol M McGuire for the **Minority** of Executive Departments and Administration: This bill, based on a unanimous ED&A committee amendment from last year, extends the current employee suggestion program to allow awards of up to 10% of the amount saved in the first year. Common in private industry, these awards are an incentive for employees and teams of employees to use their experience and skill to develop innovative ways to be more efficient and effective. A certificate is nice, but cash is a real recognition of extra effort and inventiveness.

JUDICIARY

HB 296, relative to assignment of circuit court judges as liaison judges. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Frank H Heffron for the **Majority** of Judiciary: This bill would require the administrative judge for the circuit court to designate a judge for each circuit court location to serve as the liaison to the communities served by that location concerning issues related to the administration of justice. The committee agreed with the goal of having a justice acquainted with each local community, but it concluded that passage of the bill would interfere with the administration of the court by the judicial branch. Further, the bill is unnecessary because the courts are now doing what the bill directs. **Vote 11-9.**

Rep. Michael J Sylvia for the **Minority** of Judiciary: This bill would by statute, as opposed to court rule, have the administrative judge for the circuit court designate a judge to be liaison to the communities served concerning issues related to the administration of justice. The minority believes that this should be done by statute.

HB 388, relative to the storage of firearms. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael J Sylvia for the **Majority** of Judiciary: This bill would grant immunity in civil cases to a firearm owner in the event the stolen firearm is used in the commission of a subsequent crime. This bill lacks a demonstrated need. **Vote 12-6.**

Rep. Lenette M Peterson for the **Minority** of Judiciary: The minority of the committee agrees with the testimony stating that gun owners should not be victimized twice. This bill would protect the rights of law abiding gun owners. Just as you are protected if your vehicle were stolen and used in a crime, this bill would give the gun owner immunity if their gun/guns were stolen and used in a crime.

HB 403, establishing a commission to study death with dignity for persons suffering from a terminal condition. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick H Watrous for the **Majority** of Judiciary: In its existing medical directive law, RSA 137-J, the state of New Hampshire recognizes that "a person has a right, founded in the autonomy and sanctity of the person, to control the decisions relating to the rendering of his or her own medical care." As New Hampshire is rapidly aging, and modern medicine becomes both more expensive and intrusive, end of life care should be periodically examined by the legislature so that our citizens maintain control over what medicine and procedures they wish to receive. This bill, as amended, would establish a legislative committee to study end of life decisions. The bill originally sought to establish a commission, but the committee strongly felt that keeping the responsibility of the study within the legislature would assure a more efficient process in which interested parties of varied perspectives would be welcomed to share information. As amended, the bill mandates that the legislative study committee will report its findings and recommendations by November 1, 2013. **Vote 10-7.**

Rep. Robert H Rowe for the **Minority** of Judiciary: This bill came before the committee to study death with dignity, which the minority believes is euphemism for state sponsored suicide. The title for the bill has been changed to end of life decisions. The bill remains a study bill but offers no direction. The minority does not believe the committee will study subjects such as wills, trusts, estate planning, estate taxes but rather only the original purpose – euthanasia. If a full study of issues involved at end of life is to be undertaken, additional time and experts are necessary unless the parties chosen for the committee will study only the original purpose, euthanasia.

HB 482-FN, regarding infestation of bed bugs in rental housing. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary S Hopper for the **Majority** of Judiciary: This proposed legislation has come forward as the product of the New Hampshire bed bug action committee which has been working diligently for nearly three years to address the multiple challenges faced by landlords, tenants, public health professionals, housing advocates and others upon the discovery of infestations of bed bugs in rental properties. One significant outbreak in Manchester took place in a multi-unit dwelling more than three years ago and left a number of families quite destitute and emotionally devastated when the outbreak occurred and continued recurrence of these pests illustrated just how difficult bed bugs are to eradicate. The legislation provides remedies that have been agreed upon by a wide cross-section of landlords, tenants and others and provides a framework for a comprehensive response to the amelioration of these troublesome insects.

Not acting on this bill may have a profound negative effect on tourism if not dealt with promptly. **Vote 17-2.**

Rep. Lawrence M Kappler for the **Minority** of Judiciary: The minority believes this is a "local housing law" and "minimum housing standards" problem that needs to be addressed at the local level, versus creating more government. This investigation work would just increase tenant/landlord tensions.

HB 590, relative to the unauthorized practice of law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Woodbury for the **Majority** of Judiciary: This bill seeks to permit persons of good character to represent parties no more than 10 times in a calendar year. The committee had difficulty understanding how to define "represent." Did it mean to represent each of ten parties any number of times, or only ten appearances even if they were all for one party? The committee also felt that the bill might inadvertently put citizens at risk of being represented by untrained, incompetent, and unregulated individuals. **Vote 13-5.**

Rep. Michael J Sylvia for the **Minority** of Judiciary: This bill attempts to clarify language related to practicing as an attorney whereas courts vary in their interpretation of "No person shall be permitted commonly to practice." This bill would allow people of good character to represent others no more than 10 times per year.

HB 605, requiring the supreme court to adopt rules of evidence for the judicial branch family division. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert H Rowe for Judiciary: The thrust of this bill is for the establishment of rules of evidence for the family court that are uniformly followed. The purpose of the sponsors is well-intended. The family division of the circuit court hears approximately 50,000 cases a year; it is the most active court in New Hampshire. Over the past decades the advocate mix in the family court has changed dramatically; it is not presently all

lawyers in court. Now 70% of the parties are pro-se with few having knowledge of the rules of evidence and some having a limited education or understanding of the English language. As such, developing a firm set of rules of evidence is an impossible task. If rules are too lenient and flexible, it may favor the citizen advocate but result in a free-for-all trial. If rules are too firm, it favors the lawyers but not the lay advocates. It is a difficult, if not impossible mix.

With the above being true, the clear language in the bill is a demand that the supreme court develop rules for the family branch that are to be uniformly followed. The majority of the committee is in sympathy with the intent of the sponsors, but believes that the legislative branch can not dictate to another branch in accordance with Article 17, Part 1 of the New Hampshire Constitution. **Vote 17-2.**

HB 611, clarifying the equity jurisdiction of the judicial branch family division. **INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie K Smith for Judiciary: This bill sought to clarify the equity jurisdiction of the judicial branch family division. The provision the bill proposed to amend stems from the superior court statute with its roots in NH law dating from the 1800s. The language was in the original family division pilot project, and continued, unchanged in the family division statute. At one point in the bill the sponsor removed the phrase, "notwithstanding any law to the contrary," but at another point added the phrase, "and where no other special provision has been made by law." The committee concluded that these changes cancelled each other out and that the net result was to confuse rather than clarify the equity jurisdiction of the judicial branch family division. **Vote 16-3.**

LEGISLATIVE ADMINISTRATION

HB 514, permitting members of the general court to receive ski passes for Cannon Mountain ski area. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Steven J Briden for the **Majority** of Legislative Administration: The majority of the committee thought that the legislative perk granted by this bill was too large. A one day lift ticket at Cannon Mountain is \$70.00 for an adult, and this bill would allow for unlimited free access. If you were to use this a half dozen times, you would be receiving perks worth twice as much as our biennial salary. This is much more substantial than the other perks that we receive as legislators. This could also send a poor message to our constituents that we are more worried about personal privilege than we are about making laws to help the people of New Hampshire. **Vote 5-4.**

Rep. George A Lambert for the **Minority** of Legislative Administration: Members of the legislature have open access to state parks, which increase awareness and promotion of these locations. The question is do ski passes for legislatures constitute an ethical challenge. When legislators go to Cannon Mountain, there is virtually no incremental cost but it creates additional analog revenue for the Cannon facility. This has been a long standing tradition of legislature that has encouraged members to experience this part of new Hampshire culture.

HB 622, establishing a committee to study state house security. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Curtis W Grace for the Majority of Legislative Administration: The issue of state house security in the house chamber, anteroom and gallery has already been addressed in house rules. Security in the rest of the state house complex is under the jurisdiction of the joint facilities committee. Therefore the committee suggests that security in the state house complex be addressed by the joint facilities committee. **Vote 8-1.**

Rep. George A Lambert for the **Minority** of The minority believes that the safety of the members has been effected by present policy under rules. A further discussion of some security officers is in order.

MUNICIPAL AND COUNTY GOVERNMENT

HB 204-FN-L, relative to the removal of social security and other numbers from registry of deeds documents available on the Internet. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David J Danielson for the **Majority** of Municipal and County Government: Current statute allows county registers of deeds to post documents on the internet, and all but one county does so. Document preparers are prohibited from including social security numbers and financial information on documents to be posted. However, some older documents may include this sensitive information. This bill requires the registers of deeds to remove social security numbers, armed forces service numbers, credit card numbers, and deposit account numbers from documents made available on the internet. Registers currently redact such information if they discover it, or if requested to do so by the individual. However, they simply do not have the manpower to go through all posted documents seeking and redacting. In addition, each redaction costs the county \$50, as per contract with the software providers. Members of the committee are sensitive to the privacy needs of citizens, but felt this bill did not solve the problem, and is an unfunded mandate upon the counties. **Vote 11-6.**

Rep. Syndi G White for the **Minority** of Municipal and County Government: The overriding issue in the minority's position is the citizens' right to privacy and the obligation of the state to refrain from knowingly and

willingly violating these rights. Currently, county registries of deeds have the choice to put documents online. Some of these include social security numbers, credit card numbers and deposit account info. The general public is unaware their private information is online, easily accessible to those phishing for such information in order to commit identity theft. This bill would reduce the potential of identity theft and reduce the state's liability for knowingly putting citizens at risk. Since counties charge a fee for online searches, the charges incurred by redacting the information could come out of these fees.

HB 298, prohibiting the publication of the names of persons granted property tax exemptions, credits, or deferrals. **INEXPEDIENT TO LEGISLATE.**

Rep. Kris E Roberts for Municipal and County Government: This bill would prohibit the publication of the names of persons granted property tax credit or deferrals. The committee believes that it is important that when it comes to taxpayer monies that municipalities be open as possible. NH veteran homeowners are eligible to receive a tax credit up to \$500 and veterans rated totally and permanently disabled are eligible for up to a \$2000 tax credit. Such tax credits are paid by local property owners. As such, it is an expense. Tax deferrals have an affect on the towns over all tax rate. Again the committee believes any factor affecting the tax rate has to be readily available to the public. Additionally HB 298 states that whoever fails to comply shall be guilty of a violation, a very serious concern for the committee. **Vote 12-2.**

HB 347, authorizing cottage housing development as an innovative land use control. **OUGHT TO PASS.**

Rep. David J Danielson for Municipal and County Government: This bill provides cities and larger towns the opportunity to consider intensive development in or around the town center by authorizing "cottage housing developments" as an option for local land use boards. The bill sets the parameters for this type of development. "Cottage dwellings" are typically between 800-1200 square feet, and are free-standing. This type of development provides an opportunity for smaller dwellings for those just starting out or those seeking to down-size and who want to live in a detached dwelling. **Vote 13-2.**

HB 436, relative to governance of town libraries. **INEXPEDIENT TO LEGISLATE.**

Rep. Dorothea D Hooper for Municipal and County Government: This bill permits a town to choose, at its regular meeting, whether the town library shall be governed by a board of trustees or by the selectmen. We heard extensive testimony in opposition to this change, from both library trustees and selectmen. Trustees' duties are extensive, and there is a great body of law to learn. Selectmen worried they already had too much to do. The committee felt that allowing the selectmen to run the libraries may serve to politicize libraries. Library trustees are elected by the public vote and should remain independent. If this bill were to pass, selectmen could begin to determine what could be placed in libraries. **Vote 15-0.**

PUBLIC WORKS AND HIGHWAYS

SB 39-FN-A, relative to funding of capital projects of the division of ports and harbors, Pease development authority. **OUGHT TO PASS.**

Rep. Gene G Chandler for Public Works and Highways: This bill reauthorizes already appropriated bonding authority for the purpose of dredging Hampton Harbor and for reconstructing a severely deteriorated metal bulkhead at Hampton Harbor. The waterway at Hampton Harbor has been maintained at state expense. Commercial traffic has increased to a point where the U.S. Army Corps of Engineers has agreed to take over maintenance of the waterway provided that the State dredges the harbor to a certain depth, and the Corps of Engineers will then dredge the harbor deeper. The committee heard testimony that the metal bulkhead is in very poor condition and, if not replaced, portions of the harbor will be closed. The work is being done at the same time to allow use of dredged material in construction of the bulkhead. The committee also felt this project is essential for jobs and to protect the local fishing economy. The bill is being taken up out of the normal capital appropriation cycle so that work can be completed before it impacts waterway traffic in the summer months. The bill decreases future general fund expenditures because of the transfer of maintenance responsibilities to the Corps of Engineers. The bonded indebtedness impact is minimal because the bill reuses already authorized, but unissued capital authority. **Vote 19-0.**

WAYS AND MEANS

HB 318-FN, relative to collection of the education property tax and establishing a program to rebate certain excess property tax payments of eligible taxpayers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. Richard Ames for the **Majority** of Ways and Means: This bill has appeared before the legislature every term since 2001. The primary intent is to move the collection of the statewide education property tax to the state level, in the hope that so-called donor towns would no longer be identified as such. The secondary purpose is to take the interest now earned by the towns on the money collected and construct an administratively complex low-income property tax subsidy that would better help very low-income people. This interest

is likely to remain virtually nil for some years to come. The change to state collection creates a number of expensive administrative issues at state and local level that have not been solved despite six terms of study committees. **Vote 9-8.**

Rep. Frank V Sapareto for the **Minority** of Ways and Means: Short of a constitutional amendment, this bill is the only way to target education aid to the communities and towns that are in the greatest need. It allows the state to collect the state property tax and distribute aid constitutionally without creating disparate tax rates. The bill also provides relief to taxpayers whose homes are lost to overly high property tax burdens. This bill has been vetted and polished for many years, and its main opposition has been the inability of the DRA to upgrade its systems. The minority feels there is a greater good in eliminating the perception of donor/receiver towns. The minority further believes that distributing monies to the communities that need it most is imperative to providing good education policy in our state.

HB 335-FN-A, relative to the tobacco tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John D Kelley for the **Majority** of Ways and Means: The bill attempts to maintain policy established last term of reducing the tobacco tax in order to increase revenues by repealing the sunset to occur on 8/1/13. The policy has failed the test set by the senate, and the state is on track to lose \$30.5M relative to FY11. **Vote 10-7.**

Rep. Patrick F Abrami for the **Minority** of Ways and Means: The minority feels that the contingent tax rate increase for the tobacco tax on cigarettes and other tobacco products based on reporting of tobacco tax revenues be repealed. The minority feels more time is required for tobacco sales to be recovered which were lost in our border town war when the rate per pack was increased to \$1.78. The reduction to \$1.68 per pack was designed to re-stimulate border sales and thus increase stamp sales; and therefore, revenue to the state. Increasing the tax back up to \$1.78 will only further reduce border sales which will result in harm to many merchants.

HB 354-FN-A, reducing the rate of the business enterprise tax over a 5-year period and repealing the tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David B Karrick for the **Majority** of Ways and Means: Repeal or even phased reduction of the business enterprise tax would create a hard to fill revenue hole of between 75 million and 100 million dollars per year. The range in reduction of revenues is due to the difficulty under past data collection methods to calculate how much business profits tax former business enterprise tax payers would have to pay instead. The reduction in revenues would have a very serious effect on needed state services. Originally, the BET was created to resolve a constitutional complaint by large businesses that they were the only ones paying business taxes. The BET was also created to smooth the problem of the extreme volatility in the BPT alone. The majority believes some reduction in the BET could be in order relative to the BPT if only we had adequate revenues to fund necessary government services but repeal should only occur as part of total tax reform. **Vote 11-6.**

Rep. Laurie J Sanborn for the **Minority** of Ways and Means: The minority believes that reducing the rate of the business enterprise tax over time would substantially help employers in our state who must pay the tax on payroll and interest expenses, even if they are not profitable, and would send a clear message that we want them to succeed, grow and hire in New Hampshire.

HB 370-FN, repealing the education tax credit program. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan W Almy for the **Majority** of Ways and Means: The program enacted last year to provide a small public subsidy to parents sending their children to private schools or home-schooling them would be repealed by this bill. The subsidy is provided through a special business tax credit that administratively burdens businesses and two understaffed state agencies. Ironically, it requires vigilance as to whether the children supported are distinct from the donor business and whether they actually moved and stayed moved out of the public system, but purposefully allows no way for the state to determine whether the public money foregone has improved those children's educations, except for the parents' own approval and their voluntary reporting of post-school outcomes. Our public school students and parents are allowed no such leeway. The program forces a choice on the legislature as to whether the cost will come from extremely scarce general fund dollars, or by down-shifting to the public schools and local property tax. There is very little expense that a school can cut when it loses a few children per grade. This first term, the legislature chose to put most of that burden on the general fund, a potential loss of \$8-9M over the biennium if the program was successful in attracting business donors and parents, with rapid automatic increases thereafter if successful. In a later term, given our constrained revenues, the choice might be to down-shift the whole burden. The program is also likely to be declared contrary to the state constitution after a lawsuit the state will have to finance. The majority believes that the time to repeal this program is now, given the lack of accountability, complicated administration, unconstitutionality, and fragile state of both state and local revenues. **Vote 10-7.**

Rep. Laurie J Sanborn for the **Minority** of Ways and Means: This bill repeals a recently passed scholarship program for lower income families which enables them choice when their child would perform better in a learning environment different from the one they are obligated to attend due to their zip code. The education tax credit bill was well vetted in extensive subcommittee meetings to ensure its constitutionality and effec-

tiveness in helping those that need it, while maintaining our commitment to excellence in the public school system. Caps were placed on the total financial impact on public schools to 1/3 of one percent of the total education budget. The law was also carefully constructed to hold a school district harmless financially if more students leave than would be typical with regular relocation and attrition. The credit has only been in effect for one month. Just the mere mention of a potential repeal has caused potential business participants to be reluctant to contribute to the scholarship program. The minority believes it is imperative that we give this scholarship program – and the children it is aimed at helping – a chance to succeed and keep our promise to the hundreds of families who have already applied for this assistance.

HB 427, relative to tobacco tax laws. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas C Schamberg for Ways and Means: This bill merely adds existing requirements already found in the definitions section to the operational part of the statute and adds tobacco stamps to the tobacco products for which records must be kept. The latter is needed to satisfy the recordkeeping required by the master settlement agreement which brings in over \$40M annually. In moving the former language, it became unclear to premium cigar sellers and manufacturers that they were exempt. The amendment clarifies the exemption. It removes the requirement that premium cigars cost more than \$2 at manufacturers' level but maintains other criteria: must use a humidor, all natural tobacco leaf, hand constructed, hand wrapped, purchased directly from a manufacturer and weighing more than 3 pounds per 1000 cigars. **Vote 15-3.**

HB 434-FN-A, relative to renaming the business enterprise tax, capping the amount an employer is liable to pay under such tax, and annually reducing the rate of the tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gilman C Shattuck for the **Majority** of Ways and Means: A bipartisan majority of the committee believes that this tax is a unique part of New Hampshire tax law and its unique name reflects that. Since the tax is a tax on payroll, rent and interest, it is not only an income tax. Capping the tax being paid by each individual in a given year is unconstitutional since it will result in varying rates. The department of revenue administration indicates that it will incur a substantial but undetermined cost to change all forms to reflect a new name and a changing rate every year. Further, this department has stated that revenues will be decreased by \$19.6M in total for fiscal years 2014 and 2015. A sizable reduction of this tax, at this time will have major detrimental effects on the ability of our state to meet its obligations to our citizens and businesses. **Vote 13-4.** Rep. Jordan G Ulery for the **Minority** of Ways and Means: The bill sought to accurately identify what the BET is, a tax on the revenue or income of a business from any source. That income is accounted for in payroll payout and, believe it or not, the interest paid on loans. The current practice is a disincentive for businesses to organize in New Hampshire. The minority believes that a reduction of taxes in this fragile economic environment will have a positive impact upon the economy of the state. The minority believes this bill acts as a stimulant and is more important than taxing business.

LAID ON TABLE

HB 116, relative to the powers of an executor or administrator to take control of a decedent's social networking websites. (Pending question: adoption of the Majority committee report of Inexpedient to Legislate.)

COMMITTEE MEETINGS FRIDAY, FEBRUARY 15

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB

9:00 a.m. Regular meeting.

GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 101, LOB

1:00 p.m. Regular meeting.

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

9:00 a.m. Rescheduled regular meeting.

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD PROGRAM (RSA 99-E), Room 103, LOB

9:30 a.m. Regular meeting.

TUESDAY, FEBRUARY 19

CHILDREN AND FAMILY LAW, Room 206, LOB

11:15 a.m. Executive session on **HB 671-FN**, restoring state payment of fees for guardians ad litem and attorneys where the parents are indigent, **HB 681**, relative to the membership, duties, and

responsibilities of the guardian ad litem board and establishing the Court Appointed Advocates for Children in Divorce (CAACD) Corporation, **HB 260-FN**, relative to voluntary services provided by the department of health and human services to children in need, **HB 327-FN**, relative to payment of attorneys' fees for indigent parents in termination of parental rights cases, **HB 525-FN**, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age, **HB 625-FN**, relative to oversight of guardians ad litem by the guardian ad litem board, **HB 651-FN-A**, restoring funding and payment of fees by the judicial council for indigent parties.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 9:00 a.m. Subcommittee work session on **HB 585**, relative to insurance parity for optometrists.
- 9:50 a.m. Subcommittee work session on **HB 227**, relative to property and casualty insurance.
- 10:00 a.m. Executive session on **HB 202-FN**, relative to liquor licenses for inns, **HB 222**, relative to business names registered with the secretary of state, **HB 226**, establishing a committee to study the promotion of New Hampshire wines, **HB 227**, relative to property and casualty insurance, **HB 253**, eliminating limitations on sales by nano breweries for consumption on the premises, **HB 275-FN**, requiring the liquor commission to establish a pilot program for the sale of New Hampshire microbrewery and nano brewery beers at certain state liquor stores, **HB 315-FN**, relative to liquor commission discounts, **HB 320-FN**, establishing a state bank, **HB 331-FN**, relative to wine manufacturers, **HB 333-FN**, relative to advertising of New Hampshire products by the liquor commission, **HB 464**, establishing a procedure for removal of condominium board members, **HB 472**, relative to residential units in rooming houses.
- 1:30 p.m. **HB 430**, requiring insurance companies sending out solicitations for marketing purposes to include their insurance license number on such solicitations.
- 1:45 p.m. **HB 467**, relative to purchasing alliances.
- 2:15 p.m. **HB 489-FN**, relative to the New Hampshire medical malpractice joint underwriting association.
- 2:45 p.m. **HB 505**, relative to the economic development advisory council.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. Continued public hearing on **HB 666-FN**, relative to penalties for speeding offenses.
- 10:15 a.m. Executive session on **HB 382-FN**, reducing the nonresident fee for obtaining a license for a pistol or a revolver, **HB 492-FN-L**, relative to the legalization and regulation of marijuana, **HB 653-FN-A**, relative to funding law enforcement prosecution of Internet crimes against children, **HB 666-FN**, relative to penalties for speeding offenses, **HB 153**, prohibiting the designation of industrial hemp as a controlled substance, **HB 247-FN**, increasing compensation for wrongful incarceration, **HB 274-FN**, requiring a mandatory minimum sentence for class B burglary, **HB 336-FN**, prohibiting the retail sale of certain fireworks devices, **HB 348**, relative to determining the period of license revocation for driving under the influence, **HB 453**, repealing the prospective repeal of the information and analysis center, **HB 498**, permitting the use of firearms by military or veterans groups in the compact part of a town for military or veterans events, or national holidays.
- 1:00 p.m. **HB 675-FN**, authorizing and regulating the use of license plate scanning devices.
- 1:30 p.m. **HB 644-FN**, relative to parole procedures.
- 2:00 p.m. **HB 649-FN**, relative to earned time credits for certain prisoners participating in educational and rehabilitative programming.
- 2:30 p.m. **HB 619-FN**, prohibiting images of a person's residence to be taken from the air.

EDUCATION, Room 207, LOB

- 8:30 a.m. Subcommittee work session on **HB 317-FN**, relative to verification of school district membership data.
- 10:00 a.m. **CACR 6**, relating to education. Providing that the legislature shall have the power to authorize schools.
- 10:45 a.m. **CACR 7**, relating to public education. Providing that the general court shall have the authority to define standards for public education, establish standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education.
- 11:15 a.m. Rescheduled public hearing on **HB 553**, establishing New Hampshire anti-bullying day.
- 12:15 p.m. Subcommittee work session on **HB 142**, relative to teacher evaluation systems.
- 1:15 p.m. Continued public hearing on **HB 563-FN-L**, relative to tuition and transportation payments for students attending a vocational education program.
- 1:45 p.m. Executive session on **HB 142**, relative to teacher evaluation systems, **HB 424-FN**, relative to review of chartered public school applications by the state board of education, **HB 474**, relative to eligibility for in-state tuition rates at the university system of New Hampshire, **HB 479-FN-L**, relative to the creation and division of school districts, **HB 519**, requiring the division of higher

education to develop a policy on academic credit for a student's military occupation, military training, coursework, and experience, **HB 537**, establishing a commission to study the feasibility of developing an industrial cooperative program for science, technology, engineering, and manufacturing programs at the university of New Hampshire, **HB 563-FN-L**, relative to tuition and transportation payments for students attending a vocational education program, **HB 615-FN-A**, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefore, **HB 626**, prioritizing school building aid funds for a high school in which accreditation is probationary or has been revoked, **HB 642-FN**, establishing a scholarship program for certain New Hampshire residents interested in attending a postsecondary educational institution in the university system of New Hampshire and continued executive session on **HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding.

ELECTION LAW, Room 308, LOB

- 9:00 a.m. Subcommittee work session on **HB 183**, relative to processing absentee ballots, **HB 248**, establishing a committee to study implementation of early processing of absentee ballots at state elections.
- 9:30 a.m. Subcommittee work session on **HB 119**, relative to voter registration.
- 10:00 a.m. Subcommittee work session on **HB 595-FN**, relative to photo identification of voters, **HB 287-FN**, eliminating voter identification requirements.
- 11:00 a.m. Continued executive session on **HB 366-FN**, relative to showing a ballot and executive session on **HB 448**, making changes to state representative districts, **HB 579**, establishing an independent legislative redistricting commission, **HB 601**, requiring ballot measures to be in plain English, **HB 612**, requiring a disclosure statement by persons seeking a party's nomination for elective office.
- 1:30 p.m. Subcommittee work session on **HB 412-FN**, relative to absentee voter applicant information.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 10:00 a.m. Executive session on **HB 491-FN**, relative to New Hampshire farm wineries, **HB 608**, relative to the slaughter of poultry and rabbits, **HB 632-A**, establishing the position of state advisor of the FFA in the department of agriculture, markets, and food, **HB 669-FN-L**, relative to non-payment of property taxes on current use land.
- 1:00 p.m. **HB 660-FN**, requiring the labeling of genetically engineered foods and agricultural commodities.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. Subcommittee work session on **HB 319-FN**, relative to benefits for state employees serving in the armed forces, **HB 234**, relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training.
- 10:00 a.m. **HB 421**, relative to regulation of real estate brokerage and sales by the real estate commission.
- 10:30 a.m. **HB 463-FN**, requiring property managers to be certified.
- 11:00 a.m. **HB 599-FN**, relative to establishing a single liquor commissioner.
- 1:30 p.m. Executive session on **HB 319-FN**, relative to benefits for state employees serving in the armed forces, **HB 372**, relative to state agency telecommunications services, **HB 395-FN**, relative to the prohibition on the use of state funds to hire lobbyists, continued executive session on **HB 445-FN-L**, allowing public employers in the state to buy into the state health insurance plan, executive session on **HB 558**, relative to disclosure of information regarding charitable solicitations, **HB 561-FN**, abolishing the department of cultural resources, **HB 576**, establishing Franklin Pierce Day, **HB 654-FN**, relative to licensure and renewal fees.

FINANCE JOINT WITH SENATE FINANCE, Rooms 210-211, LOB

- 10:00 a.m. Governor's budget presentation.

FINANCE, Rooms 210-211, LOB

Budget Presentations

- 1:00 p.m. Department of Health and Human Services.
- 2:00 p.m. Administrative Services.
- 3:00 p.m. Department of Safety.
- 4:00 p.m. Revenue Administration.

FISH AND GAME AND MARINE RESOURCES, Room 104, LOB

- 10:30 a.m. Subcommittee work session on **HB 256-FN**, relative to funding for the fish and game search and rescue fund.

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

- 9:15 a.m. Subcommittee work session on **HB 316-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains.

- 10:00 a.m. **HB 528**, relative to support and care costs for children with disabilities.
- 11:00 a.m. **HB 475**, relative to the timing of the release of patients from New Hampshire hospital.
- 1:00 p.m. **HB 476**, relative to medical care price disclosure and transparency.
- 1:45 p.m. **HB 481-FN**, limiting the state's authority to seek reimbursement for public assistance.
- 2:30 p.m. **HB 494**, relative to the administration of glucagon injections for pupils.
- 3:15 p.m. **HB 499**, establishing a commission to study funding mechanisms for increasing the number of mental health beds statewide.

JUDICIARY, Room 208, LOB

- 9:00 a.m. Subcommittee work session on **HB 413**, making relinquishment or abandonment of leased premises a defense for landlords, **HB 409**, relative to the issuance of a default judgment in landlord-tenant actions.
- 10:00 a.m. Subcommittee work session on **HB 583**, relative to proceedings of medical injury claims screening panels, **HB 582**, repealing early offers for medical injury claims.
- 1:00 p.m. Executive session on **HB 652-FN**, relative to the judicial branch information technology fund, **HJR 2-FN-A**, making restitution to Jeffery Frost for inappropriate prosecution, **HB 118**, providing legal immunity for 911 calls for drug or alcohol related emergencies, **HB 228**, relative to insurance fraud, **HB 409**, relative to the issuance of a default judgment in landlord-tenant actions, **HB 413**, making relinquishment or abandonment of leased premises a defense for landlords, **HB 426**, relative to payment of costs and fees in guardianship cases, **HB 483-FN**, relative to information regarding abortion, **HB 582**, repealing early offers for medical injury claims, **HB 583**, relative to proceedings of medical injury claims screening panels, **HB 596-FN-L**, relative to service of notice of civil actions, **HB 610-FN**, relative to attorney's fees and costs in an action against a governmental unit for false arrest, **HB 648-FN**, permitting current marital masters to remain in office until retirement, resignation, disability, or nonrenewal of appointment, **HB 670-FN**, relative to marital masters.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 303, LOB

- 8:30 a.m. Subcommittee work session on **HB 178-FN-L**, relative to binding arbitration in public labor relations disputes.

Room 307, LOB

- 10:15 a.m. **HB 439-FN**, relative to weekly workers' compensation payments.
- 10:45 a.m. **HB 477-FN**, relative to differential pay for certain state employees providing direct care to inmates and patients.
- 11:00 a.m. **HB 501-FN**, relative to the minimum wage.
- 11:15 a.m. **HB 647-FN**, relative to appeals from the compensation appeals board.
- 1:30 p.m. **HB 546**, relative to medical examinations under workers' compensation.
- 2:15 p.m. **HB 591**, relative to an abusive work environment and the health and safety of public employees.
- 3:00 p.m. Continued executive session on **HB 440**, relative to new hire reports to the department of employment security.
- 3:30 p.m. Subcommittee work session on **HB 501-FN**, relative to the minimum wage, **HB 127-FN-L**, relative to the state minimum hourly rate, **HB 241-FN**, establishing a state minimum hourly rate.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. **HB 672-FN**, relative to the property tax exemption for water and air pollution control facilities.
- 11:00 a.m. **HB 128**, relative to recording public votes in public records.
- 11:15 a.m. **HB 634**, relative to water resource management and protection plans in municipal master plans.
- 1:00 p.m. **HB 655-FN**, relative to the collection of the amount of the property tax deferral for the elderly or disabled upon sale of the property.
- 1:30 p.m. **HB 532**, relative to energy efficiency and clean energy districts.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:00 a.m. **HB 667-FN-A**, establishing a temporary surcharge to the road toll to be dedicated to funding the state 10-year transportation improvement plan for rural and town roads.
- 10:15 a.m. **HB 437-FN-A**, relative to the road toll.
- 10:30 a.m. **HB 617-FN-A-L**, increasing the rate of the road toll, increasing the vehicle registration fee, and establishing the New Hampshire state and municipal road and bridge account.
- 1:30 p.m. Full committee work session on **HB 617-FN-A-L**, increasing the rate of the road toll, increasing the vehicle registration fee, and establishing the New Hampshire state and municipal road and bridge account, **HB 667-FN-A**, establishing a temporary surcharge to the road toll to be dedicated to funding the state 10-year transportation improvement plan for rural and town roads, **HB 437-FN-A**, relative to the road toll.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:15 a.m. Executive session on **HB 158**, relative to the issuance of waivers for lot loading or setback distances in condominium conversion, **HB 295**, requiring criminal background checks for volunteers and employees at youth skill camps, **HB 338-FN-L**, relative to the state contribution for water pollution control, **HB 428**, relative to funds for dam maintenance, removal and improvement, **HB 628-FN**, relative to underground storage tank and above ground storage tank certification, **HB 397**, relative to state aid for wastewater and public water supply projects, **HB 523-FN**, relative to voluntary certification for road salt applicators.
- 1:00 p.m. **HB 349**, relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.
- 1:30 p.m. **HB 574**, increasing the size limitations for OHRVs operating on state-owned trails.
- 2:45 p.m. **HB 515**, relative to requirements for whitewater guides.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:00 a.m. **HB 508**, relative to idling by diesel locomotives.
- 11:00 a.m. **HB 517**, relative to the incidental combustion of untreated wood at certain municipal transfer stations.
- 11:30 a.m. Continued executive session on **HB 362**, banning corn-based ethanol as an additive to gasoline sold in New Hampshire.

Representatives Hall

- 1:00 p.m. **HB 580**, establishing moratoriums on wind turbine plants and electric transmission line projects.
- 2:30 p.m. **HB 484-FN-L**, requiring public approval prior to issuance of certain site evaluation certificates.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. Continued executive session on **HB 282**, relative to mixed use school buses and relative to licensing and criminal records of driver education instructors, and executive session on **HB 302**, relative to restrictions on holders of youth operators' licenses, **HB 332-FN-A-L**, relative to antique vessel registration, **HB 345**, repealing the prohibition on tinted glass in motor vehicles, **HB 383**, relative to operation of OHRVs on the traveled portion of public highways, where permitted, **HB 411-FN-A**, repealing a future reduction in vessel registration fees, **HB 444**, establishing a committee to study the use of autonomous vehicles in New Hampshire.
- 10:15 p.m. Executive session on **HB 146**, increasing the speed limit on a portion of I-93 to 70 miles per hour, **HB 192**, relative to street rods, **HB 289-FN**, increasing certain speed limits to 70 miles per hour, **HB 291-FN**, increasing certain speed limits to 75 miles per hour, **HB 391-FN**, relative to highway noise and establishing a commission to study options for mitigation of damages associated with highway noise, **HB 495-FN**, relative to titles for motor vehicles, **HB 500**, requiring the department of safety to maintain a division of motor vehicles driver licensing and registration office in Belknap county, **HB 567**, relative to identification of publicly owned vehicles, **HB 587**, relative to medical examination requirements for commercial drivers' licenses, **HB 650-FN-A**, making an appropriation to start a bus service between Claremont and Lebanon.
- 2:00 p.m. Subcommittee work session on **HB 245**, relative to the cost of railroad crossings upon the restoration of rail service.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. **HB 549**, establishing a committee to study a constitutional amendment to prevent dedicated funding for a specific purpose from being diverted from that purpose.
- 10:30 a.m. **HB 581-FN-L**, relative to recovering moneys from a neighboring state for mitigation of flooding.
- 11:00 a.m. **HB 676-FN-A-L**, extending and expanding the Coos county job creation tax credit.
- 1:00 p.m. **HB 598**, relative to the reasonable compensation deduction under the business profits tax.
- 1:30 p.m. **SB 1-FN-A**, increasing the research and development tax credit against the business profits tax.
- 3:00 p.m. Full committee work session on **HB 488-FN**, changing the definition of "cigarette" under the tobacco tax to match the definition of "cigarette" under the Master Settlement Agreement, **HB 314**, raising limits on single wagers in games of chance.
- 3:30 p.m. Continued executive session on **HB 459**, relative to poker games and charitable gaming and executive session on **HB 485-FN-A**, establishing keno, **HB 488-FN**, changing the definition of "cigarette" under the tobacco tax to match the definition of "cigarette" under the Master Settlement Agreement, **HB 520**, establishing a committee to study implementing Keno in New Hampshire, **HB 540-FN-A**, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire, **HB 564-FN**, relative to simulcast greyhound races.

THURSDAY, FEBRUARY 21

CHILDREN AND FAMILY LAW, Room 206, LOB

- 9:30 a.m. Subcommittee work session on **HB 433**, relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.
- 10:00 a.m. Continued executive session from February 19, if needed and executive session on **HB 405**, establishing a committee to study issues related to children and families, **HB 536**, revising the child support guidelines based on foster care reimbursement rates, **HB 538**, relative to the calculation of child support based on residential responsibility, **HB 539**, relative to enforcement of child support orders, **HB 552**, relative to child support expenditures, **HB 554**, allowing parents to agree on college contributions, **HB 571**, establishing a task force to study and make recommendations on the judicial branch family court division.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 9:00 a.m. Subcommittee work session on **HB 511-FN**, relative to insurance holding companies.

Room 305, LOB

- 9:30 a.m. Subcommittee work session on **HB 559**, relative to the general banking laws of the state.

Room 302, LOB

- 10:00 a.m. **HB 529**, relative to the regulation of health clubs.
- 10:30 a.m. **HB 530-FN**, relative to annual reporting requirements for business entities.
- 11:00 a.m. **HB 592-FN**, regulating the use of electronic tracking devices.
- 1:15 p.m. **HB 456-FN**, relative to liquor manufacturers.
- 2:00 p.m. **HB 457**, establishing a committee to study eliminating and combining liquor licenses.
- 2:15 p.m. **HB 468**, establishing a committee to study wine purchasing and pricing.
- 2:30 p.m. **HB 575**, relative to hours of sales of on-premises liquor licensees.

COMMISSION TO STUDY THE EFFECTS OF SERVICE-CONNECTED POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D:1), Room 203, LOB

- 2:30 p.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Representatives Hall

- 10:00 a.m. **HB 290-FN**, prohibiting unlicensed persons from openly carrying a pistol or revolver in a public building.
- 11:00 a.m. **HB 609**, relative to possession of a firearm on school property.
- 1:00 p.m. **HB 451-FN**, repealing the license requirement for carrying a concealed pistol or revolver.
- 2:00 p.m. **HB 396**, establishing a committee to study requiring safety training or instruction prior to the purchase or acquisition of a firearm.

EDUCATION, Room 303, LOB (Please note room change.)

- 10:00 a.m. **HB 603-FN**, relative to the administration of the university system of New Hampshire.
- 10:30 a.m. **HB 624-FN**, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire.
- 11:00 a.m. **HB 629-FN**, relative to designation as a high performance school for the purpose of qualifying for additional school building aid grants.
- 11:30 a.m. **HB 631-FN-L**, requiring school boards to establish a policy allowing parents to send their children to an out-of-district school.

ELECTION LAW, Room 308, LOB

- 11:00 a.m. Executive session on **CACR 5**, relating to bribery and corruption. Providing that no person incarcerated for a crime, under a conditional release from incarceration, completing an order of restitution for a crime, nor any person who has been convicted of intentional murder shall hold any office of trust in the New Hampshire government, **HB 206**, relative to political advertising, **HB 250-FN-A**, relative to campaign contributions and expenditures, **HB 352**, relative to sending checklists to the state archives, **HB 521**, establishing a committee to study New Hampshire election laws and procedures.

ENVIRONMENT AND AGRICULTURE, Room 305, LOB

- 10:00 a.m. Subcommittee work session on **HB 110**, requiring persons who record cruelty to livestock to report such cruelty and submit such recordings to a law enforcement agency.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 10:00 a.m. **HB 658-FN**, relative to registration for medical technicians.
- 10:30 a.m. **HB 469**, relative to time limits for regulatory boards and commissions to hold disciplinary proceedings.

- 11:00 a.m. **HB 478-FN**, requiring the department of health and human services to license supervised visitation centers.
- 1:00 p.m. **HB 398-FN**, relative to leave time for certain state employees.
- 2:00 p.m. **HB 627-FN**, requiring unused vacation and sick leave to be converted to service time for purposes of calculating retirement system benefits.

FINANCE, Rooms 210-211, LOB

Budget Presentations

- 10:00 a.m. Judicial Branch.
- 11:00 a.m. Department of Transportation.
- 1:00 p.m. Department of Environmental Services.
- 2:00 p.m. Department of Education.
- 3:00 p.m. Department of Corrections.
- 4:00 p.m. University System of NH.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Rooms 205-207, LOB

- 9:00 a.m. Executive session on **HB 329-FN**, requiring purchasers of medical equipment to be notified of the actual cost of such equipment at time of sale, **HB 476**, relative to medical care price disclosure and transparency.
- 10:00 a.m. **HB 573-FN**, relative to the use of marijuana for medicinal purposes.

Room 205, LOB

- 1:30 p.m. Executive session on **HB 313**, relative to the regulation of the compounding of drugs by pharmacists, **HB 375**, requiring certain health care organizations to report to the department of health and human services regarding implementation of New Hampshire's 10-year mental health plan, **HB 378**, requiring optometrists to warn parents about the progression of myopia when prescribing distance lenses for children, **HB 475**, relative to the timing of the release of patients from New Hampshire hospital, **HB 481-FN**, limiting the state's authority to seek reimbursement for public assistance, **HB 494**, relative to the administration of glucagon injections for pupils, **HB 499**, establishing a commission to study funding mechanisms for increasing the number of mental health beds statewide, **HB 528**, relative to support and care costs for children with disabilities.

JUDICIARY, Room 208, LOB

- 10:00 a.m. Continued executive session from February 19, if needed.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. Executive session on **HB 128**, relative to recording public votes in public records, **HB 215-FN-L**, relative to workforce housing and the definition of community, **HB 297**, relative to the management of trust funds and capital reserve funds, **HB 365**, relative to membership of village districts in regional planning commissions, **HB 422**, relative to the adoption, revision, and amendment of municipal charters, **HB 429**, relative to service of writs against cities, **HB 460-L**, relative to amending the default budget in towns that use official ballot voting, **HB 506**, relative to certain time periods for adoption and amendment of town codes and ordinances, and continued executive session on **HB 305**, establishing a committee to study the apportionment formula for cooperative school districts for towns with electric generation facilities.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:00 a.m. Executive session on **HB 437-FN-A**, relative to the road toll, **HB 617-FN-A-L**, increasing the rate of the road toll, increasing the vehicle registration fee, and establishing the New Hampshire state and municipal road and bridge account, **HB 667-FN-A**, establishing a temporary surcharge to the road toll to be dedicated to funding the state 10-year transportation improvement plan for rural and town roads.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 9:00 a.m. **HB 542**, relative to electric renewable portfolio standards.
- 10:00 a.m. **HB 306**, establishing a commission to develop an energy policy for the state.
- 1:00 p.m. Full committee work session on **HB 454**, requiring consent prior to the installation of smart meters.
- 2:00 p.m. Full committee work session on **HB 449**, relative to the application process for a certificate for an energy facility, **HB 569**, relative to the placement of all new electric transmission lines in New Hampshire, **HB 586**, establishing a one-year moratorium on applications for certificates for electric transmission facilities.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB

- 9:00 a.m. Executive session on **HCR 2**, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights, **HCR 3**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire.

- 10:00 a.m. **HB 399-FN**, establishing the New Hampshire liberty act.
 11:00 a.m. **HB 493-FN**, relative to emergency compacts.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. **HB 662-FN**, requiring the department of revenue administration to collect and make available data on the amount of meals and rooms tax revenue generated in each municipality.
 10:30 a.m. **HB 659-FN-A**, increasing the tobacco tax.
 1:00 p.m. Rescheduled public hearing on **HB 665-FN-A-L**, relative to video lottery and table gaming.
 2:00 p.m. Rescheduled public hearing on **HB 678-FN-A-L**, relative to games of chance and establishing a gaming oversight authority and video lottery gaming.

FRIDAY, FEBRUARY 22

ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION (RSA 282-A:128), Employment Security, 32 South Main Street, Concord

- 10:00 a.m. Special meeting.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 10:00 a.m. **HB 565**, relative to actions under the consumer protection law.
 10:45 a.m. **HB 640**, relative to the standard valuation law.
 11:15 a.m. **HB 594-FN**, relative to the general consumer credit laws of the state.
 12:00 p.m. **HB 639**, relative to beverage container and packaging approval.
 1:30 p.m. **HB 664-FN**, relative to the New Hampshire vaccine association.
 2:00 p.m. Continued public hearing on **HB 339-FN**, relative to consumer credit.
 2:30 p.m. Subcommittee work session on **HB 511-FN**, relative to insurance holding companies.

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

Budget Work Sessions

- 9:30 a.m. Budget Errata.
 10:30 a.m. Federal and other non-state funded accounts.
 1:00 p.m. Federal and other non-state funded accounts
 2:30 p.m. Veterans Services.
 3:15 p.m. Veterans Home.
 4:00 p.m. Attached Boards.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J, Rooms 205-207, LOB

- 9:30 a.m. Regular meeting.

NEW HAMPSHIRE RAIL TRANSIT AUTHORITY BOARD OF DIRECTORS (RSA 238-A:2), Room 203, LOB

- 10:00 a.m. Regular meeting.

PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1), Room 212, LOB

- 1:30 p.m. Organizational and regular meeting.

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

- 9:00 a.m. Regular meeting.

MONDAY, FEBRUARY 25

FINANCE – (DIVISION I), Room 212, LOB

Budget Presentations:

- 9:30 a.m. Community Development Finance Authority.
 10:00 a.m. Liquor Commission.
 11:00 a.m. Department of State.
 11:30 a.m. Department of Employment Security.
 1:00 p.m. Department of Administrative Services.

FINANCE – (DIVISION II), Room 209, LOB

Budget Presentations

- 10:00 a.m. Police Standards and Training Council.
 11:00 a.m. NH Lottery Commission.
 1:30 p.m. Department of Fish and Game.

FINANCE – (DIVISION III), Rooms 210-211, LOB**Budget Work Sessions**

- 9:30 a.m. Glencliff Home.
- 10:30 a.m. Community Based Care and Drug and Alcohol Services.
- 1:00 p.m. Office of the Commissioner.

TUESDAY, FEBRUARY 26**COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB**

- 11:00 a.m. **HB 606-FN**, relative to community rating.
- 11:30 a.m. **HB 544**, repealing the prohibition on a state-based health exchange.

EDUCATION, Room 207, LOB

- 11:00 a.m. **HB 680**, relative to attending a public school or public academy outside of the school district in which the pupil resides.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 3:00 p.m. Subcommittee work session on **HB 173**, repealing the authority for supplemental allowances under the judicial retirement plan, **HB 419-FN**, establishing a deferred retirement option in the judicial retirement plan, **HB 620-FN-L**, relative to the adjustment of member and employer contribution rates in the retirement system, **HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system, **HB 473-FN**, relative to retirement system status for members of the university system police force, **HB 364**, requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

FINANCE – (DIVISION I), Room 212, LOB**Budget Presentations:**

- 9:30 a.m. Judicial Branch.
- 11:00 a.m. Judicial Council.
- 1:00 p.m. Department of Corrections.
- 2:30 p.m. Banking Commission.

FINANCE – (DIVISION II), Room 209, LOB**Budget Presentations**

- 10:00 a.m. Department of Safety.
- 1:00 p.m. Department of Safety.

FINANCE – (DIVISION III), Rooms 210-211, LOB**Budget Work Sessions**

- 10:00 a.m. Human Services.
- 1:00 p.m. Human Services continued.
- 2:00 p.m. Public Health.

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

- 11:00 a.m. **HB 556**, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire.
- 11:30 a.m. **HB 557**, establishing a committee to study the financial assistance program for needy families (FANF) and state supplemental programs (SSP) for the needy blind, permanently and totally disabled, and old age assistance.
- 1:00 p.m. **HB 584**, relative to covered prescription drugs.
- 1:30 p.m. **HB 597-FN**, relative to mandatory drug testing for certain health care workers.
- 2:30 p.m. **HB 633**, relative to prescription refills.
- 3:15 p.m. **HB 636**, relative to the waitlist for community mental health services.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 11:00 a.m. Rescheduled public hearing on **HB 203**, relative to workers' compensation coverage for contractors on state projects and state land timber sales.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 11:00 a.m. Executive session on **HB 189**, repealing the commission to study water infrastructure sustainability funding, **HB 393**, relative to effluent limitations with regard to nitrogen and phosphorus, **HB 513**, relative to the shoreland protection act, **HB 516**, establishing a committee to study the overlap of federal, state, and local regulation relative to environmental issues, **HB 527**, repealing the exotic aquatic weeds and species committee, **HB 545**, relative to rafting of boats.
- 1:00 p.m. **HB 510**, relative to backflow prevention valves.

- 1:30 p.m. **HB 588**, extending the instream flow pilot program for 2 years.
 2:30 p.m. **HB 663-FN**, relative to appeals within the department of environmental services.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 1:00 p.m. Executive session on **HB 166**, requiring the public utilities commission to make specific findings as to the public need for proposed transmission lines, **HB 449**, relative to the application process for a certificate for an energy facility, **HB 454**, requiring consent prior to the installation of smart meters, **HB 568**, requiring new electric transmission lines in New Hampshire to be buried, **HB 569**, relative to the placement of all new electric transmission lines in New Hampshire, **HB 586**, establishing a one-year moratorium on applications for certificates for electric transmission facilities.
 2:30 p.m. **HB 630-FN**, repealing the New Hampshire regional greenhouse gas initiative program.

THURSDAY, FEBRUARY 28

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 10:00 a.m. **HB 668-FN**, relative to group and individual health insurance market rules.
 1:15 p.m. **HB 562**, relative to the interest rate on title loans.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 3:00 p.m. Subcommittee work session on **HB 334-FN**, requiring pharmacy interns to register with the pharmacy board, **HB 326-FN**, relative to licensure of polysomnographers by the board of respiratory care practitioners.

FINANCE – (DIVISION I), Room 212, LOB

Budget Presentations:

- 9:30 a.m. Highway Safety.
 10:00 a.m. Department of Agriculture, Markets and Food.
 11:00 a.m. Department of Cultural Resources.
 11:30 a.m. Insurance Department.
 1:00 p.m. NH Retirement System.
 2:30 p.m. Department of Justice.

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

Budget Work Sessions

- 9:30 a.m. Developmental Services.
 1:00 p.m. Behavioral Health and NH Hospital.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 9:00 a.m. Full committee work session on **HB 284-FN**, providing for collection of the E-911 surcharge from certain prepaid cellular telephones.
 9:45 a.m. Executive session on **HB 284-FN**, providing for collection of the E-911 surcharge from certain prepaid cellular telephones.
 10:00 a.m. Full committee work session on **HB 580**, establishing moratoriums on wind turbine plants and electric transmission line projects.
 1:00 p.m. Full committee work session on **HB 630-FN**, repealing the New Hampshire regional greenhouse gas initiative program.
 2:30 p.m. Full committee work session on **HB 306**, establishing a commission to develop an energy policy for the state, **HB 542**, relative to electric renewable portfolio standards.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB

- 9:00 a.m. Executive session on **HB 399-FN**, establishing the New Hampshire liberty act, **HB 493-FN**, relative to emergency compacts.
 10:00 a.m. **HB 638**, recognizing the original Thirteenth Amendment to the United States Constitution.
 11:00 a.m. **HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit.

FRIDAY, MARCH 1

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB

- 9:00 a.m. Continued regular meeting.

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

Budget Work Sessions

- 9:30 a.m. Family Assistance Programs.
 1:00 p.m. Elderly and Adult Services.

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

9:00 a.m. Investment committee meeting.
10:00 a.m. Quarterly meeting.

TUESDAY, MARCH 5**CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2), Room 201, LOB**

3:00 p.m. Regular business.

FINANCE – (DIVISION II), Room 209, LOB**Budget Presentations**

10:00 a.m. Department of Transportation.

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

10:00 a.m. Executive session on **HB 556**, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire, **HB 557**, establishing a committee to study the financial assistance program for needy families (FANF) and state supplemental programs (SSP) for the needy blind, permanently and totally disabled, and old age assistance, **HB 573-FN**, relative to the use of marijuana for medicinal purposes, **HB 584**, relative to covered prescription drugs, **HB 597-FN**, relative to mandatory drug testing for certain health care workers, **HB 633**, relative to prescription refills, **HB 636**, relative to the waitlist for community mental health services.

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

3:30 p.m. Organizational meeting and regular business.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:15 a.m. Executive session on **HB 349**, relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park, **HB 416**, shortening the appeals process for a permitting decision under RSA 482-A, relative to fill and dredge in wetlands, **HB 510**, relative to backflow prevention valves, **HB 515**, relative to requirements for whitewater guides, **HB 574**, increasing the size limitations for OHRVs operating on state-owned trails, **HB 588**, extending the instream flow pilot program for 2 years, **HB 663-FN**, relative to appeals within the department of environmental services.

STATE VETERANS' ADVISORY COMMITTEE (RSA 115-A:2), National Guard Facility, Regional Drive, Concord

5:00 p.m. Regular meeting.

THURSDAY, MARCH 7**STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB**

10:00 a.m. Executive session on **HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit, **HB 638**, recognizing the original Thirteenth Amendment to the United States Constitution.

FRIDAY, MARCH 8**FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB**

10:00 a.m. Regular business.

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

10:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

TUESDAY, MARCH 12**CRIMINAL JUSTICE AND PUBLIC SAFETY**

9:45 a.m. Meet in LOB Lobby for tour of the Men's and Women's prison

FRIDAY, MARCH 15**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB**

9:00 a.m. Regular meeting.

GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 101, LOB

1:00 p.m. Regular meeting.

MONDAY, MARCH 18**NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), Society for the Protection of NH Forests, 54 Portsmouth Street, Concord**

3:00 p.m. Quarterly meeting.

FRIDAY, MARCH 22**ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Room 301, LOB**

9:30 a.m. Regular meeting.

OFFICIAL NOTICES**COUNTY DELEGATION NOTICE**

Belknap County Delegation will meet Tuesday, **February 19th**, 2013 at 5:00 p.m. at the County Complex. The purpose of this meeting is to continue the county budget discussion including the revised line item budget received from the County Commissioners. Subsequent meetings if necessary will be on February 25th and March 4th 2013 at 5:00 p.m., also at the County Complex. Votes may be taken at any of these meetings. and any other business to come before the convention may be addressed.

Rep. Colette Worsman, Chairman
Belknap County Delegation

COUNTY DELEGATION NOTICE

Carroll County Delegation will meet on **February 22** at 9:00 a.m. at the Carroll County Administration Building, Delegation Room, 95 Water Village Road, Ossipee. The purpose of the meeting is to hear updates from the budget subcommittees and to work to finalize the County budget. The Delegation will also consider and act upon any other business that may properly be brought before them.

Rep. Ed Butler, Clerk
Carroll County Delegation

COUNTY DELEGATION NOTICE

Cheshire County Delegation will meet in the Jury Assembly Room of the Cheshire County Superior Court, 12 Court Street, Keene, NH on Monday, **February 18**, 2013 at 7:00 p.m. The purpose of this meeting is the following: 1. To receive a report and recommendation from the County Attorney Search Committee of the Delegation and to vote on the appointment of an Interim County Attorney. 2. To discuss any other matters which might come before the Delegation.

Rep. Bruce L. Tatro, Chairman
Cheshire County Delegation

COUNTY DELEGATION NOTICE

Orientation for all **Hillsborough** County Representatives will be held on Friday, **February 15** at 9:00 a.m. at the County Complex, 329 Mast Road, Goffstown. Please RSVP as lunch will be provided.

Rep. Mariellen MacKay, Clerk
Hillsborough County Delegation

Hillsborough County Executive Committee will meet on Friday, **February 22** at 9:00 a.m. at the Hillsborough County Complex, Bouchard Building, Goffstown.

Rep. Mariellen MacKay, Clerk
Hillsborough County Executive Committee

COUNTY DELEGATION NOTICE

Merrimack County Executive Committee will meet on Friday, **February 15** at 10:00 a.m. in the lower level conference room of the McDonnell Building, 4 Court Street, Concord. The purpose of the meeting is as follows: 1. 2013 Budget Review/Approval. 2. Any other business.

Rep. Stephen J. Shurtleff, Chairman
Merrimack County Executive Committee

COUNTY DELEGATION NOTICE

Rockingham County Delegation will hold a public hearing on Thursday, **February 21** at 7:00 p.m. on Bond for County Projects (RSA 33:10) at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood. Delegation meeting to follow.

Rep. Kevin Waterhouse, Clerk
Rockingham County Delegation

Rockingham County Executive Committee will meet at 9:30 a.m. on Friday, **February 22** at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood to report budget recommendations and to vote on budgets to be presented to the full Delegation. The Executive Committee will also meet at 5:30 p.m. on Tuesday, **March 5** at the Commissioners' Conference Room, Hilton Auditorium, Rockingham County Nursing Home, Brentwood to finalize unfinished business prior to the Delegation meeting.

Rep. Kevin Waterhouse, Clerk
Rockingham County Executive Committee

Rockingham County Delegation will meet at 6:00 p.m. on Tuesday, **March 5** at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood to adopt the County Budget for 2013 (storm date March 7).

Rep. Kevin Waterhouse, Clerk
Rockingham County Delegation

REVISED FISCAL NOTES

The following House Bills have a revised fiscal note: HBs 317, 319, 321, 322, 324, 325, 326, 328, 330, 333, 334, 335, 336, 338, 340, 341, 342, 343, 344, 370, 380, 382, 391, 431, 432, 434, 435, 437, 445, 461, 462, 466, 473, 477, 478, 479, 481, 482, 484, 485, 486, 489, 490, 491, 493, 540, 563, 564, 570, 595, 596, 597, 600, 628, 630, 641, 646, 648, 650, 652, 654, 655, 656, 657, 658, 660, 661, 663, 668, 670, 673, 677. SB 39.

Karen O. Wadsworth, Clerk of the House

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

Rep. Ronald Belanger, PO Box 415, Salem, New Hampshire 03079-0415.

Rep. Paul L. Hackel, 7 Bellingrath Place, Nashua, New Hampshire 03063-7004.

Rep. Angeline A. Kopka, 7 Colliseum Avenue #525, Nashua, New Hampshire 03063-3234.

Rep. Amy S. Perkins, 49 Washington Street, Seabrook, New Hampshire 03874-4640.

Rep. Joy Tilton, 4 Hill Street, Northfield, New Hampshire 03276-1611.

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

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.

The House Republican Office will have "Office Hours" at the Legislative Office Building on Tuesdays and Thursdays through the legislative session. Republican Office staff will be available to members from 9:30 a.m.-11:30 a.m. in room 300A. Feel free to stop by if you have questions, requests or suggestions.

Rep. Gene G. Chandler

All pro-business members of the House are invited to attend the NH House Business Caucus meeting on Tuesday, **February 19**, from 4:00 – 5:00 p.m. in Room 203, LOB.

Reps. Laurie Sanborn, Adam Schroadter and
Patrick Abrami

The members of the Merrimack County Delegation and the Environment and Agriculture Committee are invited to a luncheon hosted by the Merrimack County Farm Bureau on Tuesday, **February 19th** at noon in Room 201 of the State House Annex.

Reps. Candace CW Bouchard and Tara Sad

All legislators are invited to the inaugural meeting of the Tourism Caucus on Tuesday, **February 19** from 12:00 to 1:00 p.m. at the NH State Library, second floor. Please bring your own brown bag lunch.

Reps. Peter Ramsey, Gene Chandler, Ed Butler and David Kidder

All legislators are invited to the New Hampshire Children's Trust Unsung Heroes Awards ceremony on Tuesday, **February 19th** from 4:00 – 6:30 p.m. in the Executive Council Chambers. NHTC honors twenty-eight parents for their outstanding efforts in the challenging world of parenting.

Rep. Anne C. Grassie

Community Bridges, the area agency for Developmental Services for the central New Hampshire region, invites all area representatives to a Legislator's Breakfast and Information Session on **February 20th** from 8:00 a.m. to 9:30 a.m. at the Holiday Inn on North Main Street, Concord. Invitations will be in the mail. For more information contact Ashlee Fye at afye@communitybridgesnh.org or 226-3212x241.

Reps. Frank Davis and Priscilla Lockwood

The Community College System of NH will host a breakfast for legislators and staff Wednesday, **February 20** and Tuesday, **March 5** in the State House Cafeteria from 8:00 to 9:30 a.m. New Hampshire's Community Colleges are providing high-quality, accessible and affordable programs of higher education, aligned with NH industry needs and in partnership with NH employers, in every region of the state. With programs ranging from allied health to advanced manufacturing, business to industrial technologies, education to public safety, the Community Colleges are an important resource for 27,000 learners annually and every community in the State. CCSNH's Running Start program provides opportunities for high school students to earn college credit, and is available in 89 high schools and adult education centers throughout NH. Stop in at the State House cafeteria and learn more about the programs, pathways, and strategic initiatives of the Community College System. Continental breakfast will be served.

Reps. Stephen J. Shurtleff and Gene G. Chandler

All legislators and staff are cordially invited to attend the N.H. State Departments Expo at the State Library at 20 Park Street (across from the State House) from 9:00 a.m. to 3:00 p.m. on **February 20**. Departments from across state government will have informational displays set up as well as staff and leadership personnel on hand to discuss and answer general questions about the work they do and the constituents they serve.

Terie Norelli, Speaker

Republicans will host a continuing education series for all House Republicans on Thursday, **February 21st** in LOB 303 from 8:30 - 9:45 a.m. Please RSVP to Carol McGuire at mcguire4house@gmail.com if you plan on attending.

Reps Gene Chandler, Carol McGuire, Al Baldasaro, and Pamela Tucker

The Elliot Health System invites all House members and staff to a luncheon presentation of "Healthcare 101", covering topics related to healthcare financing, healthcare delivery, and practice, to be held at St. Paul's Church in Concord on Thursday, **February 21st** from 12:00 p.m. to 1:00 p.m. Please join us for lunch to learn about and discuss healthcare topics pertinent to current legislative policy decisions. RSVP to Corinne Szopa at (603) 663-2082 or CSzopa@Elliot-HS.org.

Rep. James R. MacKay

The American Cancer Society Cancer Action Network will be hosting a Legislative Breakfast on **February 27**, from 8:00 a.m. to 10:00 a.m. at the Up ham Walker House. A light continental breakfast will be served and volunteers and staff with the American Cancer Society Cancer Action Network will be on hand to discuss pending legislation as well as what services the Society provides to NH residents.

Rep. Deanna Rollo

The Polish American Congress of New Hampshire, in cooperation with the Polish Cultural Foundation and the Auschwitz-Birkenau State Museum in Oswiecim, Poland, has arranged for the display of a traveling exhibit of the Auschwitz-Birkenau German Nazi Concentration and Extermination Camp. The exhibit is being hosted by the New Hampshire State Library in Concord for three weeks beginning **March 4**, and will be open to the general public Monday through Friday from 8:00 a.m. to 4:30 p.m. This is a compelling display of 31 large panel photographs with extensive text. We both have had the opportunity to visit Auschwitz and can vouch for the value of learning more about this most horrific chapter in human history.

Reps. John Cebrowski and Cindy Rosenwald

The annual Water's Worth It! legislative breakfast is set for Wednesday **March 6**, 2013 at the Holiday Inn on Main Street in Concord. Check in for the event begins at 7:00 a.m. with a breakfast buffet. During the breakfast, water quality professionals will present information on drinking water, wastewater treatment, and stormwater management in New Hampshire. Maintaining high quality water resources in New Hampshire is critical to our health and economy. All legislators and staff are invited to enjoy a hearty breakfast and learn more about New Hampshire's water infrastructure. There is no cost for this event.

Please RSVP to nhwpca.linda@gmail.com by February 27th to reserve your seat at this important breakfast. The breakfast is sponsored by the NH Water Pollution Control Association in conjunction with a wide ranging coalition of other local non-profit water organizations.

Rep. Tom Buco

The New Hampshire Public Health Association cordially invites members to their Legislative Breakfast in the State House Cafeteria dining room on Wednesday, **March 6** from 7:30 to 9:00 a.m. Enjoy a healthy continental breakfast while meeting and talking to members of New Hampshire Public Health Association. The breakfast will feature the Healthy Eating Active Living program. H.E.A.L. representatives will be on hand to exhibit their work and answer your questions on programs that have increased opportunity for residents over 50 cities and towns to improve health and quality of life.

Reps. William Butynski, Susan Emerson and
Andrew Renzullo

The Governor's Commission on Disability, in cooperation with the Greater New England Chapter of the National Multiple Sclerosis Society will be meeting with legislators and other state officials in the State House Cafeteria between 10:00 a.m. and 2:00 p.m. on Wednesday, **March 13**. The purpose of the event is to acquaint state officials with issues concerning the disabled in general and people with MS in particular. Because MS, a disease of the brain and spinal cord, has symptoms that often mirror those of many other conditions (traumatic brain injury, cerebral palsy, ALS, many cancers, etc.) the concerns of the MS Society are most often those of the general disability community.

Rep. Richard W. Barry

The American Red Cross cordially invites all legislative members and staff to the Annual State House Complex Blood Drive. The blood drive will take place on Tuesday, **March 19** from 9:00 a.m. to 3:00 p.m. The American Red Cross state of the art self-contained coach will be parked out in front of the State House for this event. Give blood and you could save three lives. Appointments are strongly encouraged. To schedule an appointment, please call State House Health Services, 271-2757. In the past, the blood drive has had overwhelming support – please help to make this year the best ever.

Rep. Stephen J. Shurtleff

All legislators and staff are cordially invited to join members of the New Hampshire Automobile Dealers Association (NHADA) for a Legislative Reception on Wednesday, **March 27** at 3:00 p.m. (or following the end of the session day) at the Holiday Inn, 172 North Main Street, Concord. NHADA has historically hosted this event which offers legislators a wonderful opportunity to unwind and enjoy the company of fellow legislators and staff in a fun, social gathering. This year in particular the NHADA wants to recognize all of you for your support of New Hampshire automotive members and their 14,400 employees.

Reps. Stephen J. Shurtleff and Gene G. Chandler

All members of the Republican caucus are invited to the House Republican Alliance's weekly meetings to be held Tuesdays from 8:30 -10:00 a.m. at the Upham Walker House.

Reps. Alfred Baldasaro, Carol McGuire and
 Pamela Tucker

All are invited to attend the continuation of the weekly prayer group meeting on session days at 8:00 a.m. at the Upham Walker House, 18 Park Street, Concord.

Reps. Stephen Palmer, Warren Groen and
 Stella Tremblay

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 **2013**. 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 Visitors' 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

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Group#/Grade</i>
Feb. 15	9:00/10:30 SH/SC	Peter Woodbury School – Bedford	60/4
Feb. 19	11:30	Trinity Christian School – Concord	24/4
Feb. 19	9:30/11:00	Highland Goffes Falls School – Manchester	80/4
Feb. 20	9:45/11:00 SH/HM	Hooksett Elementary School	75/4
Feb. 21	9:45/11:00 SH/HM	Hooksett Elementary School	100/4
Feb. 22	10:00/11:30 SH/SC	Stratham Memorial School	60/4
Feb. 27	9:00	UNH Social Welfare Policy class	52/col
Feb. 27	11:00	American Cancer Society Cancer Action Network	10/adults
Feb. 28	9:30	New Boston BSA Troop 123	15
March 1	3:00	Brain Injury Assoc. & Gov. Commission	25/adults
March 4	10:00/11:30 SH/SC	Stratham Memorial School	60/4
March 5	10:30/noon SH/HM	Milford Elementary School at Heron Pond	100/4
March 6	9:00	Christa McAuliffe School Concord	44/4
March 6	10:30/noon SH/HM	Milford Elementary School at Heron Pond	100/4
March 7	9:00	Lakes Region Leadership	25
March 7	10:00/11:30 SH/HM	Lamprey River School – Raymond	100/4
March 8	9:00	Sunapee Middle High School	13/8
March 8	9:00	Nashua Christian Academy	13/4
March 8	10:00/11:30 SH/SC	Sandown Central School	70/4
March 11	9:00	Bow Elementary School	50/4
March 11	10:00	Deerfield Community School	54/4
March 12	9:00	Bow Elementary School	50/4
March 12	9:30/11:00 SH/HM	Weston Elementary School – Manchester	82/4
March 13	9:00	Bow Elementary School	24/4
March 13	9:45	Dondero Elementary School – Portsmouth	

DATE	TIME	GROUP	Group#/Grade
March 13	12:45	Sant Bani School – Tilton	18/4
March 14	10:15/11:45 SH/HM	New Searles Elementary School – Nashua	80/4
March 15	9:00	Christa McAuliffe School – Concord	40/4
March 15	1:00	Tri City Christian Academy – Somersworth	25/4

WEDNESDAY, FEBRUARY 20 AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 156 (2013-0058h)

Proposed by the Committee on Executive Departments and Administration - C

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

1 State Fire Marshal. Amend RSA 153:7 to read as follows:

153:7 State Fire Marshal. There shall be a state fire marshal who shall be ~~a citizen of this state and shall be technically qualified by training and experience in the prevention, extinguishing and investigation of fires at the time of his appointment. He shall be appointed by the governor and council from a list of at least 3 nominees submitted by the state advisory board of fire control for an indefinite term, which shall not extend beyond his sixty-fifth birthday]~~ **qualified and appointed by the governor and council in the manner prescribed in RSA 21-P:12.** He ~~or she~~ shall be subject to removal at any time by the governor and council for inefficiency, neglect of duty, or malfeasance in office, after hearing, with reasonable notice in writing of the charges against him ~~or her~~. The office of the state fire marshal shall be located in Concord in suitable quarters provided by the state. ~~[He]~~ **The state fire marshal** shall receive the annual salary prescribed by RSA ~~[94:1-4]~~ **94:1-a**. Such officer shall devote his ~~or her~~ entire time to the duties of the office and ~~[he]~~ shall discharge such duties and responsibilities as are delegated to ~~[him]~~ **the fire marshal** by law.

2 Duties of the State Fire Marshal. Amend RSA 153:4-a, IV to read as follows:

IV. To promote the efficient discharge of his ~~or her~~ lawful duties, the state fire marshal or his ~~or her~~ designee may issue citations for violations of fire safety rules under RSA ~~[106-A:4-b]~~ **153**.

Amendment to HB 157 (2013-0307h)

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

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

AN ACT renaming Blood Pond in the town of Lancaster as Evans Pond.

Amend the bill by replacing section 1 with the following:

1 Renaming Blood Pond. The pond known as Blood Pond in the town of Lancaster shall be renamed as Evans Pond.

AMENDED ANALYSIS

This bill renames Blood Pond in the town of Lancaster as Evans Pond.

Amendment to HB 200 (2013-0263h)

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

Amend the bill by replacing section 1 with the following:

1 Unemployment Compensation; Procedure During Appeals. Amend RSA 282-A:56 to read as follows:

282-A:56 Procedure. A hearing shall be conducted in such a manner as to ensure a fair and impartial hearing to the interested parties. The appeal tribunal shall hear the appeal de novo and shall not be bound by prior findings or determinations of the department of employment security although the records of said department shall be part of the evidence to be considered by the tribunal. An appeal shall be filed and presented and the hearing conducted in accordance with rules adopted by the commissioner. Such rules need not conform to common law or statutory rules of evidence or other technical rules of procedure. The place and time of a hearing shall be determined by the commissioner. In no case shall a hearing proceed unless the chairman is present. With the agreement of all the parties the appeal tribunal may, without holding a hearing, remand a determination for redetermination pursuant to RSA 282-A:46 for the purpose of correcting obvious department error. **If the employer alleges he or she dismissed the employee because of the employee's misconduct, the employer or the employer's agent or representative shall appear and shall present proof of such misconduct.**

AMENDED ANALYSIS

This bill requires employers to appear and present proof of misconduct when alleging an employee was dismissed for misconduct.

Amendment to HB 233**(2013-0137h)****Proposed by the Committee on Resources, Recreation and Development - C**

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

AN ACT relative to the care of the war memorial in Franconia Notch state park.

Amend the bill by replacing section 1 with the following:

1 New Section; Expansion of State Park System; Franconia Notch State Park; War Memorial. Amend RSA 216-A by inserting after section 6-a the following new section:

216-A:6-b Franconia Notch State Park War Memorial.

I. The war memorial on the eastern shore of Profile Lake in Franconia Notch state park shall be maintained for viewing and visiting by veterans and the public. Signage that recognizes the status of the park as a memorial to the men and women of New Hampshire who have served the nation in times of war as provided for in 1925, 260, and signage that directs people to the memorial site shall be placed in appropriate locations. The state shall not be responsible for the cost of purchasing and installing the signage. The design, construction, installation, and maintenance of any signage authorized under this section shall be approved by the department of resources and economic development or the department of transportation, depending on which agency has jurisdiction under the circumstances. Veterans groups may aid the state in the purchase and placement of signage and enhancing and maintaining the memorial sites through programs such as the Adopt-a-Park program and by other means. Veterans, as defined in RSA 21:50, and members of a veteran's immediate family accompanying them, shall pay no fee to visit the war memorials on the eastern shore of Profile Lake. Fees may be charged for the use of amenities, improvements, amusements, special events, and other enterprise and concession activities.

II. The director of the division of parks and recreation may solicit, accept, and expend any gifts, grants, and donations for the purpose of placement of signage, and enhancing and maintaining the war memorials in accordance with this section.

AMENDED ANALYSIS

This bill establishes the standards of care for the war memorial in Franconia Notch state park.

Amendment to HB 266**(2013-0256h)****Proposed by the Minority of the Committee on Executive Departments and Administration - R**

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

1 Repeal of Exceptions to Rulemaking. The following are repealed:

I. RSA 541-A:21, I(g), relative to the exception for RSA 236:13, relative to driveway permits.

II. RSA 541-A:21, I(h), relative to the exception for RSA 231:161, relative to licensing utility poles and appurtenances within public highways.

III. RSA 541-A:21, I(l), relative to the exception for RSA 284:12, IV, relative to the sale of pari-mutuel pools as authorized under RSA 284:22 and RSA 284:22-a.

IV. RSA 541-A:21, I(w), relative to the exception for RSA 485:16-b, II, relative to limits on the concentration of methyl tertiary butyl ether in gasoline.

V. RSA 541-A:21, I(dd), relative to the exception for RSA 270:12, relative to boat operating restrictions.

2 New Paragraph; Highway Regulations; Driveways; Rulemaking. Amend RSA 236:13 by inserting after paragraph VI the following new paragraph:

VII. The commissioner of transportation shall adopt rules, pursuant to RSA 541-A, for the following:

(a) The form of application for a driveway permit, including alterations and temporary driveways.

(b) Additional data required and the types of driveways that require such data.

(c) Design and maintenance requirements for driveways.

(d) The approval process for permits, including criteria for nonapproval and deadlines.

(e) Conditions for suspension or revocation of a driveway permit.

(f) The process for appeals of decisions.

3 Transportation; Procedure to Install Poles and Wires Across Highway. Amend RSA 231:161, I(c) to read as follows:

(c) State Maintained Highways. Petitions for such permits or licenses concerning all class I and class III highways and state maintained portions of class II highways shall be addressed to the commissioner of transportation who shall have exclusive jurisdiction of the disposition of such petitions to the same effect as is provided for selectmen in other cases, and also shall have like jurisdiction for changing the terms of any such

license or for assessing damages as provided herein. The commissioner shall also have the same authority as conferred upon the selectmen by RSA 231:163 to revoke or change the terms and conditions of any such license. The commissioner is hereby authorized to delegate all or any part of the powers conferred upon him **or her** by the provisions of this section to such agent or agents as he **or she** may duly appoint in writing; ~~he~~ **the commissioner** shall cause such appointments to be recorded in the office of the secretary of state, who shall keep a record thereof. ***The commissioner shall adopt rules under RSA 541-A for the criteria to change terms of licenses, to assess damages, or to delegate powers to agents as provided in this section.***

4 Commissioner of Safety; Boat Operating Restrictions. Amend RSA 270:12, I to read as follows:

I. The commissioner of safety shall, after receiving a petition signed by 25 or more residents or property owners of each affected town or towns in which a lake, pond, or river is located and after notice and hearing, at which it appears that the public interest requires, adopt ***pursuant to the requirements of RSA 541-A*** rules governing the maximum horsepower of boat engines and outboard motors or prescribe maximum speed limits for the operation of such boats or outboard motors applicable to or upon all or any portion of the public waters of this state. The commissioner of safety shall, in like manner and after notice and hearing, prohibit the use of motorboats and outboard motors on bodies of public water having an area of 35 acres or less; provided, that said prohibition shall not be construed as affecting the bodies of water covered by RSA 270:75 through 270:132. Hearings under this section shall be held in the vicinity of the body of water under consideration during the months of June, July, August, and September following the date of the petition.

5 Repeal. RSA 485:16-b, II through V, relative to authority to limit MTBE in gasoline, are repealed.

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

Amendment to HB 309

(2013-0303h)

Proposed by the Committee on Election Law - C

Amend the bill by replacing section 1 with the following:

1 Primary Candidate. Amend RSA 655:16 to read as follows:

655:16 Personal Filing. Except for those who must file with a town or city clerk, any person who files on the last day of the filing period must do so in person before the secretary of state; provided, however, that this requirement shall not apply to the filling of vacancies by party committees. ***If the person must file with a town or city clerk and is filing on the last day of the filing period, he or she shall do so in person.***

Amendment to HB 328-FN

(2013-0229h)

Proposed by the Committee on Environment and Agriculture - C

Amend RSA 437:13-a, II as inserted by section 8 of the bill by replacing it with the following:

II. For purposes of this section, an official health certificate means a certificate signed by a licensed veterinarian on a form approved by the state veterinarian, containing the name and address of the person transferring ownership of the ***dog, cat, bird, or ferret***, the age, sex, breed and description of the ***dog, cat, bird, or ferret***, a list of all types of vaccines or medication administered to the ***dog, cat, bird, or ferret***, and the certification of the veterinarian that the ***dog, cat, bird, or ferret*** is free from visual evidence of any communicable diseases ***or internal or external parasites***.

Amend RSA 437:13-a, IV as inserted by section 8 of the bill by replacing it with the following:

IV. All incorporated or chartered humane societies with operating shelters in the state of New Hampshire are exempt from the requirements of this section relative to transferring ***dogs, cats, birds, or ferrets*** except that all ***dogs, cats, birds, or ferrets*** transferred out of an animal shelter facility shall have a form of positive identification, including but not limited to a tattoo, collar, microchip, ear tag, or any other permanent form of identification approved by the commissioner of agriculture, markets, and food and ***dogs, cats, and ferrets*** shall be vaccinated against rabies in accordance with RSA 436~~[-and]~~. ***All dogs, cats, birds, or ferrets*** shall be accompanied by an official health certificate if the ***dog, cat, bird, or ferret*** was imported into the state for transfer with or without a fee.

Amendment to HB 376

(2013-0148h)

Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing section 1 with the following:

1 Barbers; Shop Licensure; One Year Requirement Removed for Barbers. Amend RSA 313-A:19 to read as follows:

313-A:19 Shop Licensure.

I. It shall be a misdemeanor for any person, as owner, manager, or agent, to open, establish, conduct, or maintain a salon, barbershop, or mobile barbershop without first having obtained a shop license from the

board. Application for such shop license shall be made to the board in writing and shall state the name and address of the owner of such shop, the shop's address or, in the case of a mobile barbershop, the business mailing address of the owner, and such other information as may be required by the board. Licenses under this section shall be conspicuously posted within the licensed establishment.

II.(a) Any licensed barber, cosmetologist, manicurist, or esthetician ~~[who has completed one year of actual experience in a salon or barbershop]~~ shall, upon written application accompanied by the required fees, receive a license to operate a salon, barbershop, or mobile barbershop in this state, provided that the salon, barbershop, or mobile barbershop meets all requirements established in the rules of the board.

(b) Booths attached to or within a salon or barbershop that are operated independently of the salon or barbershop shall be subject to licensure in the same manner as an independent establishment, except that each independently operated booth shall not be required to have a separate sink or shampoo bowl.

III. In the event of a change of location of any licensed shop and upon notice thereof, the board shall issue a transfer of licensure of such shop to its new location, provided such new location meets the requirements of this section. The board may revoke any shop license upon a finding that such shop fails to comply with this chapter or the rules adopted by the board; provided that, before any such certificate shall be revoked, the holder shall have notice thereof and be granted a proper hearing.

IV. In addition to licenses issued under paragraph II, the board may issue a license to an owner of a salon or barbershop who does not personally engage in cosmetology, barbering, or esthetics, provided the salon or barbershop shall fulfill all requirements set forth in the rules of the board and provided further that the owner has paid the required license fee for such salon or barbershop and employs a licensed cosmetologist, barber, manicurist, or esthetician as manager ~~[who has previously completed one year of actual experience]~~ in ~~[a licensed]~~ **the** salon or barbershop. However, this section shall not authorize such owner to practice cosmetology, barbering, manicuring, or esthetics unless the owner has a cosmetologist, barber, or esthetician license.

AMENDED ANALYSIS

This bill removes the requirement that barbers, cosmetologists, manicurists, and estheticians have one year of experience prior to the granting of a shop license.

Amendment to HB 385

(2013-0309h)

Proposed by the Committee on Executive Departments and Administration - C

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

1 Elevator and Accessibility Lifts; License Requirements. Amend RSA 157-B:8-a to read as follows:

157-B:8-a Mechanics. An elevator or accessibility lift mechanic shall pass an examination given by the commissioner ***provided the person has at least 2 years of documented experience working directly under a licensed New Hampshire elevator or accessibility lift mechanic***, except in cases in which an elevator or accessibility lift mechanic has proven to the satisfaction of the commissioner ***that the person has*** experience in excess of 5 years within the state. A license shall be issued to the mechanic for a 2-year period. A fee of \$50 shall be charged for the initial examination and license. A license may be renewed every 2 years upon payment of a fee of \$35. Employees of the department of labor shall not be charged for the issuance or renewal of a license. A person who holds a certificate or license of competency as a mechanic ~~[equal to that of this]~~ ***issued by another*** state may be issued a license without examination upon payment of a fee of \$35, ***provided that licensees of this state are not subject to greater requirements for certification or licensure in the other state than those required by this state***. The commissioner may revoke any license for cause shown, after a hearing. The holder of a license under question shall receive 7 days' written notice informing the licensee of the charges and of the time and place of the hearing.

2 New Paragraph; Electricians; Exception for Licensed Elevator and Accessibility Lift Mechanics. Amend RSA 319-C:3 by inserting after paragraph XI the following new paragraph:

XII. An elevator or accessibility lift mechanic licensed by the labor commissioner under RSA 157-B:8-a and rules adopted thereunder (a) for accessibility lifts, at the wiring originating from the final disconnecting means at the equipment; or (b) for elevators, at the equipment disconnects located in the elevator machine room and associated with the elevator equipment, elevator hoistway doors, and elevator car only; in both commercial and residential installations on elevator and accessibility lift controls.

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

AMENDED ANALYSIS

This bill adds a requirement of 2 years of experience working under a licensed elevator or accessibility lift mechanic in order to be licensed in this state and clarifies the eligibility for licensure by reciprocity. The bill also exempts licensed elevator and accessibility lift mechanics from requirements for licensure as an electrician for work in both commercial and residential installations on elevator and accessibility lift controls.

**Amendment to HB 403
(2013-0211h)**

Proposed by the Majority of the Committee on Judiciary - R

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

AN ACT establishing a committee to study end of life decisions.

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

1 Committee Established. There is established a committee to study end of life decisions.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study end of life decisions.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

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

AMENDED ANALYSIS

This bill establishes a committee to study end of life decisions.

**Amendment to HB 427
(2013-0317h)**

Proposed by the Committee on Ways and Means - R

Amend RSA 78:12-a, I-II as inserted by section 1 of the bill by replacing them with the following:

I. Manufacturers, wholesalers, and sub-jobbers shall not sell tobacco products to any licensee who does not possess a valid or current license issued by the commissioner or issued by the liquor commission under RSA 178. ~~[Any person who violates the provisions of this section shall be subject to the penalty provisions of RSA 21-J:39.]~~

II. *New Hampshire licensed manufacturers engaged in the business of importing, exporting, producing, or manufacturing tobacco products, other than products defined as premium cigars under RSA 78:1, XXI, shall sell the products only to licensed wholesalers.*

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

3 Definitions. Amend RSA 78:1, III to read as follows:

III. "Manufacturer" means any person engaged in the business of importing, exporting, producing, or manufacturing tobacco products, ***other than products defined as premium cigars under RSA 78:1, XXI,*** who sells his product only to licensed wholesalers.

4 Definitions. Amend RSA 78:1, XXI to read as follows:

XXI. "Premium cigars" means cigars which are made entirely by hand of all natural tobacco leaf, hand constructed and hand wrapped, ~~[wholesaling for \$2 or more,]~~ ***purchased directly from a manufacturer*** and weighing more than 3 pounds per 1000 cigars. These cigars shall be kept in a humidor at the proper humidity.

AMENDED ANALYSIS

This bill clarifies activities which constitute unauthorized sales of tobacco products. The bill also adds records of tobacco stamps sold and tobacco products distributed to required taxpayer records.

**Amendment to HB 507-FN
(2013-0241h)**

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

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Excavating and Dredging Permit; Maximum Application Fee. Amend RSA 482-A:3, X by inserting after subparagraph (b) the following new subparagraph:

(c) For municipal dredging projects with the primary purpose to restore or reclaim a lake or pond, the maximum application fee for a municipality shall be \$10,000 per application plus provisions for technical or

consulting services or a combination of such services as necessary to meet the needs of the department. The department may enter into a memorandum of agreement with a municipality to accept equivalent technical or consulting services or a combination of such services in lieu of a portion of the standard application fees.

Amendment to HB 509

(2013-0333h)

Proposed by the Committee on Public Works and Highways - C

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

2 Repeal. 1921, 175, relative to providing permanent headquarters in the state house for the New Hampshire Department of the American Legion, is repealed.

Amendment to HB 543

(2013-0265h)

Proposed by the Committee on Judiciary - C

Amend RSA 231:75, II as inserted by section 2 of the bill by replacing it with the following:

II. The selectmen shall hear any owner desiring to be heard, either at a hearing noticed under paragraph I, or otherwise within 30 days after receiving a hearing request from an aggrieved owner. If an aggrieved owner applies for damages, the selectmen shall view the premises and assess the damages, if any, within 30 days of said hearing or within 30 days after the completion of the work, whichever is later, and shall file a record of their proceedings in the office of the town clerk. In assessing damages, any benefit which the landowner may receive by such repairs may be set off against the owner's claim. A hearing request made under this paragraph shall be made within 6 months following the completion of the work, and not afterward.

Amendment to HB 550

(2013-0194h)

Proposed by the Committee on Public Works and Highways - C

Amend RSA 4:40, I as inserted by section 1 of the bill by replacing it with the following:

I. Except as provided in RSA 4:39-c, RSA 228:31-b, and RSA 204-D, upon recommendation of the head of any state department having jurisdiction over the same, all requests for the disposal or leasing of state-owned properties shall be reviewed and approved by the long range capital planning and utilization committee, with advice from the council on resources and development, prior to submission to the governor and council for approval. Upon determination that the property is no longer needed by the state, the governor and council shall first offer it to the town, city, or county in which the property is located. ***The town, city, or county shall have 60 days from the date of approval by the long range capital planning and utilization committee to accept the offer and 15 months to complete the transaction.*** If the town, city, or county refuses the offer, the governor and council may sell, convey, transfer, or lease the real property.

Amendment to HB 602

(2013-0319h)

Proposed by the Committee on Legislative Administration - C

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

AN ACT establishing a commission to study general court policies and procedures relative to persons with disabilities.

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

1 New Chapter; Commission to Study General Court Policies and Procedures Related to Persons with Disabilities. Amend RSA by inserting after chapter 19-L the following new chapter:

CHAPTER 19-M

COMMISSION TO STUDY GENERAL COURT POLICIES AND PROCEDURES RELATED TO PERSONS WITH DISABILITIES

19-M:1 Commission Established. There is established a commission to study general court policies and procedures related to persons with disabilities.

19-M:2 Membership and Compensation.

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

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

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

(c) Two members of the public having an interest in the needs of people with disabilities, appointed by the governor.

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

19-M:3 Duties. The commission shall study general court policies and procedures related to persons with disabilities. The commission study shall include, but not be limited to, procedures to ensure that legislators and citizens with physical disabilities have full access to general court facilities.

19-M:4 Chairperson. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section.

19-M:5 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

2 Repeal. RSA 19-M, relative to the commission to study general court policies and procedures related to persons with disabilities, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2013.

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

AMENDED ANALYSIS

This bill establishes a commission to study general court policies and procedures relative to persons with disabilities.

Amendment to HB 607

(2013-0163h)

Proposed by the Committee on Public Works and Highways - C

Amend the bill by replacing section 1 with the following:

1 Public Works Design and Construction; Major Projects; Adjutant General's Department Added. Amend RSA 21-I:80, I(b) to read as follows:

(b) Projects for the department of fish and game, *the adjutant general's department*, and the department of resources and economic development whose estimated total cost is not more than \$250,000. Such projects may be done on a force account basis, by contracts awarded through competitive bidding, by short term rental of construction equipment, or by any combination of these methods. These departments are authorized to rent construction equipment for periods not exceeding 6 months at rates the departments deem competitive through the use of quotes or bids.

AMENDED ANALYSIS

This bill establishes an exemption from the competitive bidding requirement for certain public works design and construction projects for the adjutant general's department.